

# BRIGHTON & HOVE CITY

## COUNCIL MEETING

Date: **24 October 2019**

Time: **4.30pm**

Venue **Hove Town Hall, - Council Chamber**

Members: **Councillors:** Phillips (Chair), Robins (Deputy Chair), Simson, Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hill, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Shanks, C Theobald, Wares, West, Wilkinson, Williams and Yates

Contact: **Mark Wall**  
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# AGENDA

## PART ONE

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### 32 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 Monitoring Officer or Democratic Services Officer preferably before the meeting.

### 33 MINUTES

9 - 68

To approve as a correct record the minutes of:

- (a) The Special Council meeting held on the 25 July 2019;
- (b) The Ordinary Council meeting held on the 25 July 2019;
- (c) The Extraordinary Council meeting held on the 3 October 2019.

Contact Officer: Mark Wall  
Ward Affected: All Wards

Tel: 01273 291006

### 34 MAYOR'S COMMUNICATIONS.

To receive communications from the Mayor.

### 35 TO RECEIVE PETITIONS AND E-PETITIONS.

Petitions will be presented by Members and/or members of the public to the Mayor at the meeting.

### 36 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.

A list of public questions received by the due date of 12noon on the 18 October 2019 will be circulated separately as part of an addendum at the meeting.

### **37 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

A list of deputations received by the due date of 12noon on the 18 October 2019 will be circulated separately as part of an addendum at the meeting.

### **38 PETITIONS FOR COUNCIL DEBATE**

**69 - 74**

Petitions to be debated at Council. Reports of the Monitoring Officer (copies attached).

- (1) To Halt the Rollout of 5G Technology – Lead petitioner Irina Blossie.
- (2) Give Kids the Right to Walk Safely to School in Brighton and Hove – Lead petitioner Councillor Niled.

*Contact Officer: Mark Wall*  
*Ward Affected: All Wards*

*Tel: 01273 291006*

### **39 CALL OVER FOR REPORTS OF COMMITTEES.**

- (a) Call over (items 42 - 44) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) To receive or approve the reports and agree with their recommendations, with the exception of those which have been reserved for discussion.
- (c) Oral questions from Councillors on the Committee reports, which have not been reserved for discussion.

### **40 WRITTEN QUESTIONS FROM COUNCILLORS.**

**75 - 80**

A list of the written questions submitted by Members has been included in the agenda papers. This will be repeated along with the written answers received and will be taken as read as part of an addendum circulated separately at the meeting.

*Contact Officer: Mark Wall*  
*Ward Affected: All Wards*

*Tel: 01273 291006*

### **6.30 - 7.00PM REFRESHMENT BREAK**

Note: A refreshment break is scheduled for 6.30pm although this may alter slightly depending on how the meeting is proceeding and the view of the Mayor.

**41 ORAL QUESTIONS FROM COUNCILLORS 81 - 82**

A list of Councillors who have indicated their desire to ask an oral question at the meeting along with the subject matters has been listed in the agenda papers.

*Contact Officer: Mark Wall*

*Tel: 01273 291006*

*Ward Affected: All Wards*

**REPORTS FOR DECISION**

**42 ADOPTION OF THE SHOREHAM HARBOUR JOINT AREA ACTION PLAN 83 - 264**

Extract from the proceedings of the Policy & Resources Committee meeting held on the 10 October 2019, together with a report of the Executive Director for Economy, Environment & Culture.

*Contact Officer: Steve Tremlett*

*Tel: 01273 292108*

*Ward Affected: South Portslade*

**43 ATTENDANCE POLICY AND PROCEDURES 265 - 302**

Extract from the proceedings of the Policy & Resources Committee meeting held on the 10 October 2019, together with a report of the Executive Director for Finance & Resources.

*Contact Officer: Laura Keogh*

*Ward Affected: All Wards*

**44 APPOINTMENTS & REVIEW OF POLITICAL BALANCE 2019/20 To Follow**

Report of the Executive Lead Officer for Strategy, Governance & Law (to be circulated).

*Contact Officer: Mark Wall*

*Tel: 01273 291006*

*Ward Affected: All Wards*

**NOTICES OF MOTION**

**45 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION: 303 - 314**

**(1) Fur Free City.** Proposed by Councillor Fowler on behalf of the Labour Group.

**(2) Housing Benefit.** Proposed by Councillor Williams on behalf of the Labour Group.

**(3) School Transport Policy Panel.** Proposed by Councillor Mears on behalf of the Conservative Group.



- (4) **Valley Gardens.** Proposed by Councillor Miller on behalf of the Conservative Group.
- (5) **Green New Deal.** Proposed by Councillor Heley on behalf of the Green Group.
- (6) **Safe School Walking Zones.** Proposed by Councillor Nield on behalf of the Green Group.

#### 46 CLOSE OF MEETING

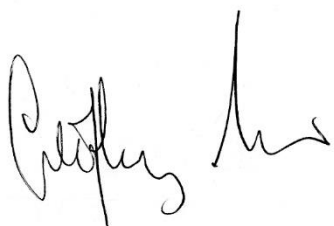
The Mayor will move a closure motion under Procedure Rule 17 to terminate the meeting 4 hours after the beginning of the meeting (excluding any breaks/adjournments).

*Note:*

1. *The Mayor will put the motion to the vote and if it is carried will then:-*
  - (a) *Call on the Member who had moved the item under discussion to give their right of reply, before then putting the matter to the vote, taking into account the need to put any amendments that have been moved to the vote first;*
  - (b) *Each remaining item on the agenda that has not been dealt with will then be taken in the order they appear on the agenda and put to the vote without debate.*

*The Member responsible for moving each item will be given the opportunity by the Mayor to withdraw the item or to have it voted on. If there are any amendments that have been submitted, these will be taken and voted on first in the order that they were received.*
  - (c) *Following completion of the outstanding items, the Mayor will then close the meeting.*
2. *If the motion moved by the Mayor is **not carried** the meeting will continue in the normal way, with each item being moved and debated and voted on.*
3. *Any Member will still have the opportunity to move a closure motion should they so wish. If such a motion is moved and seconded, then the same procedure as outlined above will be followed.*

*Once all the remaining items have been dealt with the Mayor will close the meeting.*

A handwritten signature in black ink, appearing to read 'C. Hove', is positioned above the printed address.

Chief Executive  
Hove Town Hall  
Norton Road  
Hove  
BN3 3BQ

## **PUBLIC INVOLVEMENT**

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

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

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If you have any queries regarding this, please contact the Head of Democratic Services or the designated Democratic Services Officer listed on the agenda.

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We have made a number of adjustments to make the venue as accessible as possible and the seated spaces available in the public gallery can be used by disabled people who are not wheelchair users.

Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

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If the public gallery is full, Room G87 on the ground floor can be used as an inclusive space with video conferencing facilities and AV links to the council chamber, level access, and nearby WC facilities, including wheelchair accessible provision. From this room you can watch the meeting and take part in proceedings, for example if you have submitted a public question.

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- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

**FURTHER INFORMATION**

For further details and general enquiries about this meeting contact Mark Wall, (01273 291006, email [mark.wall@brighton-hove.gov.uk](mailto:mark.wall@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

<b>Council</b>	<b>Agenda Item 33 (a)</b>
24 October 2019	Brighton & Hove City Council

## **BRIGHTON & HOVE CITY COUNCIL**

### **SPECIAL COUNCIL**

**3.00pm 25 JULY 2019**

### **COUNCIL CHAMBER, HOVE TOWN HALL**

### **MINUTES**

**Present:** Councillors Phillips (Chair), Robins (Deputy Chair), Simson, Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hill, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Shanks, C Theobald, Wares, West, Wilkinson, Williams and Yates

### **PART ONE**

#### **1 DECLARATIONS OF INTEREST**

- 1.1 There were no declarations of disclosable pecuniary interests.

#### **2 MAYOR'S COMMUNICATIONS.**

- 2.1 The Mayor welcomed everyone present to this Special Meeting.

#### **3 APPOINTMENT OF HONORARY ALDERMEN AND ALDERWOMEN**

- 3.1 The Mayor said that this item related to the proposed appointment of previous councillors as Honorary Aldermen and Alderwomen of the City Council of Brighton & Hove. The appointment is made in recognition of the service given by those past councillors to the Council, the wards they represented and the city.
- 3.2 The Mayor proposed that the following past councillors should be appointed as Honorary Aldermen or Alderwomen:

Jayne Bennett, Hove Park Ward  
Denise Cobb, Westbourne Ward  
Lynda Hyde, Rottingdean Coastal Ward  
Mo Marsh, Moulsecoomb & Bevendean Ward  
Anne Meadows, Moulsecoomb & Bevendean Ward  
Gill Mitchell, East Brighton Ward  
Warren Morgan, East Brighton Ward

Ann Norman, Withdean Ward  
Ken Norman, Withdean Ward  
Geoffrey Theobald OBE, Patcham Ward

- 3.3 The Mayor called on Councillor Platts, Leader of the Council to second the motion.
- 3.4 Councillor Platts formerly seconded the motion.
- 3.5 The Mayor called on Councillor Mac Cafferty, Leader of the Opposition and Convener of the Green Group to second the motion.
- 3.6 Councillor Mac Cafferty said that today the Council recognised the hard work of our former colleagues and noted that together they had provided hundreds of years of service, which was an amazing achievement. He thanked them for their service and the important role they played in the city. He said that weren't many ways to thank them for their service, and so it was important to formally convey the title of Aldermen and Alderwomen to some of them and to provide a certificate of thanks to others. He formally seconded the motion.
- 3.7 The Mayor called on Councillor Bell, Leader of the Conservative Group to second the motion.
- 3.8 Councillor Bell welcomed the former councillors to the meeting and thanked them for all the work they had done. He particularly wanted to thank Geoffrey Theobald who had given over 50 years to public service. He formally seconded the motion.
- 3.9 The Mayor said that the motion to nominate the aforementioned persons as Honorary Aldermen and Alderwomen had been moved and asked those present to approve the motion. The motion was agreed.
- 3.10 The Mayor presented a certificate to those listed in paragraph 3.1 in commemoration of their appointment.
- 3.11 The Mayor said that several of the previous councillors had chosen not to stand for re-election and others had been unsuccessful at the recent elections. The Mayor thanked them for their service to the Council and the residents of the City and wanted to move a vote of thanks to the following departing councillors:

Karen Barford, Queen's Park Ward  
Tom Bewick, Westbourne Ward  
Julie Cattell, Preston Park Ward  
Dan Chapman, Queen's Park Ward  
Emma Daniel, Hanover & Elm grove Ward  
Penny Gilbey, North Portslade Ward  
Louisa Greenbaum, St Peter's & North Laine Ward  
Saoirse Horan, Goldsmid Ward  
Michael Inkpin-Leissner, Hollingdean & Stanmer Ward  
Amanda Knight, Goldsmid Ward

Adrian Morris, Queen's Park Ward  
Dick Page, Hanover & Elm Grove Ward  
Ollie Sykes, Brunswick & Adelaide Ward  
Nick Taylor, Withdean Ward  
Andrew Wealls, Central Hove Ward

3.12 The Mayor asked those present to approve the motion.

3.13 The motion was agreed.

3.14 The Mayor presented a certificate of thanks to those listed in paragraph 3.11 in recognition of their contribution to the City and their ward.

#### **4 CLOSE OF MEETING**

4.1 The Mayor thanked everyone for attending this special meeting and offered her congratulations to those who had been conferred as Honorary Aldermen and Alderwomen, and declared the meeting closed.

The meeting concluded at 3.30pm

Signed

Chair

Dated this

day of

2019





**BRIGHTON & HOVE CITY COUNCIL****COUNCIL****4.30pm 25 JULY 2019****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Councillors Phillips (Chair), Robins (Deputy Chair), Simson, Allcock, Appich, Atkinson, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Henry, Hill, Hills, Hugh-Jones, Janio, Knight, Lewry, Littman, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Shanks, C Theobald, Wares, West, Wilkinson, Williams and Yates.

**PART ONE****12 DECLARATIONS OF INTEREST**

12.1 There were no declarations of interests in matters appearing on the agenda.

**13 MINUTES**

13.1 The Mayor informed Members that the minutes for the annual meeting showed the membership of the Planning to include Councillor Simson and in fact her appointment followed shortly after and therefore the minutes needed to be amended to reflect the situation on the day of the meeting.

13.2 The amendment to the Minutes of 22 May 2019 was agreed.

13.3 **RESOLVED:** That the minutes of Full Council held on the 28 March 2019 and Annual Council held on 22 May 2019 (as amended) were approved and signed by the Mayor as a correct record of the proceedings.

**14 MAYOR'S COMMUNICATIONS.**

14.1 The Mayor gave the following communication:

Firstly, I would like to congratulate the Parking Services Group who picked up the award for Best Report at the 'Parking Annual Report Awards by Councils' event held at the Houses of Parliament last week. It is the third time the council has won the award. The annual awards which are organised by PATROL (Parking and Traffic Regulations

Outside London) recognises the local authorities who have published the best reports on their parking services, as part of their civil enforcement reporting. Can I ask team members along with Councillor Pissaridou to come up to accept the award?

Secondly, I wanted to say and for new councillors in particular – the full council meeting requires people to respect the Chair and listen, not to chat. This requires your discipline. I hope to strike a balance between allowing debate and also getting through the agenda as quickly as possible.

In the new Mayoral year over a hundred engagements have taken place up to the 25 July, encompassing arts/creative, business, communities, equalities, young people, schools and graduation ceremonies.

The Mayor's charities are working well together preparing for the gala dinner at the Royal Pavilion on the 27 September. Support from councillors for all the charity events taking place in the Mayoral year will be much appreciated as all proceeds from the events will go to the charities.

Blatchington Mill School will hold a competition in the autumn and the winning student(s) will be selected to attend full council on the 25 October to read a poem.

Can I also draw Members' attention to the wonderful Moulsecoomb Forest Garden Nature Trail, which is one of the city's best kept secrets. I would encourage all councillors to visit.

## **15 TO RECEIVE PETITIONS AND E-PETITIONS.**

- 15.1 The Mayor invited the submission of petitions from councillors and members of the public. She reminded the Council that petitions would be referred to the appropriate decision-making body without debate and the person presenting the petition would be invited to attend the meeting to which the petition was referred.
- 15.2 Ms J Holloway presented a petition signed by 159 people concerning the closure of Temple Street to non-residential traffic.
- 15.3 Councillor Gibson presented a petition on behalf of Mr C Cusins signed by 87 people concerning no masts on Barclay House.

## **16 WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC.**

- 16.1 The Mayor reported that six written questions had been received from members of the public.
- 16.2 The Mayor invited Mr Hawtree to come forward and address the council.
- 16.3 Mr Hawtree asked the following question; As we know that a Budget Amendment this year brought £121,000 back into the Libraries service, would Councillor Knight please tell us how this money is being allocated?

- 16.4 Councillor Knight, replied: The £121,000 put back in to the library's budget, to help safeguard the future of library services, is being used in various ways. £62,210 has been put in to the staffing budget and has allowed 60 extra hours a week for frontline staffing across the library service. The remaining £58,790 has yet to be allocated but proposals for its use include the following:
- Helping to finance a thorough and detailed consultation process to inform the libraries plan 2020/2024 because we want to make sure that the needs of our communities are reflected and embedded in that plan.
  - Investing in the development of our library service offer to communities based on the outcomes of the consultation process and the final libraries plan.
  - Developing our new Business and Intellectual Property Centre which I understand will provide the space, access to research and reference materials as well as the expertise of our own Economic Development team. This will enable us to support local people who want to set up their own business and need extra help. This centre will build on the work already being undertaken by the British Library.
  - Improving the library's digital offer. Our library portal already gives people access to e-books, audio books and online newspapers as well as a wealth of digital information, reference material, archives and academic journals. All of which are freely available to all citizens, in many cases, in their own homes and we hope to build on the success of this vital service.
  - The library service maintains its commitment to the purchasing of books and although there is already a separate budget for this, some of the additional funding could be used to supplement this if the need arose.
- 16.5 Mr Hawtree asked the following supplementary question, This £121,000, which we owe to former Councillor Sykes for bringing this back into the budget, over 4 years; £484,000. Can you ensure that this matter is brought to the Policy and Resources Committee to judge the best use of that money, as should also have been the case of the Carnegie Library works, which never came to P&R and is now overscheduled by 1 year.
- 16.6 Councillor Knight, Deputy Chair of the Children, Young People & Skills Committee replied, Yes, I will take on board your comments and make sure what you said goes to the relevant committee.
- 16.7 The Mayor invited Mr Furness to come forward and address the council.
- 16.8 Mr. Furness asked the following question, Councillor Childs, you recently tweeted about the Department for Education's "fetish for privatisation." Could you please elaborate on this terminology by informing us of this Administration's position on the privatisation of our schools?
- 16.9 Councillor Childs, Chair of Children, Young People and Skills Committee replied, The view of the administration is that academisation entails a transfer of state school from democratic oversight of the local education authority to a private company. In most cases, such privatisation is undertaken without the consent of local voters or parents of children attending the school. The premise behind the academisation of schools is given to be school improvement through a change of status despite the privatisation has a negligible impact on school improvement and performance, the Department of

Education and the current and previous administrations have persisted with their project for reasons of ideological obsession and dogma.

The academisation of schools is damaging to school improvement. Recent research shows that local authorities improve schools twice as fast. The diversion of public funds for children's education to be diverted to a CEO pay and we have the disgusting sight across the border in East Sussex where the local authority supports the academisation of schools. And the Academy Trust who pay two of their executives £200,000 a year for running 12 schools, driving in to Peacehaven community school in BMW's paid for by money meant for children.

They undermine the ability of the local authority to strategically plan and provide services to schools and the most vulnerable and they undermine local democracy by taking away oversight of parents and local people. Moulsecoomb Primary School is a case in point where this school is already rapidly responding to improvements being made and the data this year will demonstrate that. We have the local authority which is one of the best for school's improvement in the country. Yet despite this, the regulations continue to push for the school to be taken in to the private sector.

In Brighton & Hove we will not stand by and allow our schools in the public sector to be removed and be handed to private companies. We will give our parents a voice and continue to work with all of our schools and family of schools to ensure that those state schools remain Brighton and Hove Schools.

- 16.10 Mr Furness asked the following supplementary; Seeing Councillor Childs as you seem to exhibit a fetish for private education yourself by other tweets regarding Roedean School and I gather you are now off to pastures new very shortly, I am informed by your erstwhile colleagues that you are avidly producing pamphlets, one while we are actively conducting this question which is very rude, that pamphlet on radical education; can you confirm that the name of that pamphlet will rejoice in the name of hymns for hypocrites?
- 16.11 Councillor Childs replied, I have no idea of the pamphlet to which you refer, and I challenge your assertion of hypocrisy. I've already issued a public statement regarding my daughter's attendance to Roedean School. Privatisation of an existing state asset which belongs to the public realm and handing it over to a private company is, in my view, a distinct and separate matter.
- 16.11 The Mayor invited Ms Paynter to come forward and address the council.
- 16.12 Ms Paynter asked the following question; Our newly elected Labour Administration has 10, almost all new, Councillors representing Hove & Portslade wards - not one of which sits on Planning. It is the first time no Hove or Portslade representative has been put on it that I recall. Can you confirm that not one of them sought a place on the 10-Member Planning Committee?
- 16.13 Councillor Platts, Leader of the Council replied; The Labour Party has 3 places on Planning Committee and I'm delighted to say that 3 Councillors were very keen to fill those roles. The nominees were agreed at the Labour Group Annual General Meeting and those discussions are confidential. This is a regulatory committee and we make

decisions based on national and local planning policy. These decisions are made regardless of political party membership because members have to be politically neutral.

In terms of ensuring that the views of Hove residents are represented at Planning Committee, Ward Councillors can call any planning application to be determined at committee and are able to speak and make representation to the Planning Committee in support of their residents.

- 16.14 Ms Paynter asked the following supplementary question; Local knowledge is not properly accounted for or valued by Councillors and I think when all of you are considering what Planning Committee or any other Committee you are going to be on, you should really think about how well local knowledge is being represented on any one committee especially on planning and I'm wondering if any of the Labour Councillors representing Hove or Portslade Wards even live in Hove or Portslade. Do they?
- 16.15 Councillor Platts replied; I'm very pleased to say that one of the Councillors on the planning committee did previously live in Hove and Portslade and yes we have got members representing Hove and Portslade who actually live there.
- 16.16 The Mayor invited Ms. G Foote to come forward and address the council.
- 16.17 Ms. G Foote asked the following question; Will Brighton & Hove City Council follow the lead of Glastonbury & Frome Council & adopt the Precautionary Principle regarding 5G masts & associated infrastructure due to the detrimental effect EMF is having on not only human life, but bees, insects & plants as I'm sure they want to protect the public & environment from exposure to harm?
- 16.18 Councillor Moonan, Chair of Health and Wellbeing Board replied; In the interests of time I do have another question that is similar from Ms Levene. I'm just going to give one answer that is going to cover both questions. Glastonbury Town Council has approved a motion that opposes the roll out of 5G in the Parish until further information is produced by a local 5G advisory Committee. It is not proposed that Brighton & Hove adopt this approach.

Glastonbury Town Council does not determine such planning applications, so their position is not comparable to ours as a decision maker when it comes to planning proposals. Given the legislative and policy background we have to adhere to we are unable to adopt a similar approach to Glastonbury and our decisions would be open to challenge if we took such matters into account.

Nationally, Public Health England provides the expert advice on public health matters associated with radiofrequency electromagnetic fields, or radio waves, used in telecommunications. Public Health England advise that the current exposure of the general public to radio waves is well within the international health-related guideline levels that are used in the UK. These guidelines are from the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and underpin health protection policies at UK and European levels.

When 5G is added to an existing network or in a new area the overall exposure to radio waves is expected to remain low relative to guidelines and as such there should be no

consequences for public health. Public Health England state that they are committed to monitoring the evidence applicable to this and other radio technologies, and to revising its advice, should that be necessary. UK network operators implementing 5G are committed to complying with the current guidelines.

Whilst local planning authorities do have some limited ability to influence the roll out of mobile technology those powers are limited by central government regulations. But the planning system does require that any new installations accord with the ICNIRP guidelines.

- 16.19 Ms Foote asked the following supplementary; Can our Council assure us that 5G technology and its infrastructure is safe and are they aware that the EU Council recommendations made back in 2011? These are very different from the outdated guidelines being quoted from Public Health England (PHE), ICNIRP and the World Health Organisation which incidentally all have disclaimers in their terms and conditions. Can the Council check the validity of such organisations? If Councillors follow the Nolan principles and stop the precautionary principle, which you have stated is not possible, this then protects Council from being accountable for the potential disaster this technology will bring about both biologically and environmentally to our City.
- 16.20 Councillor Moonan, Chair of Health and Wellbeing Board replied; Currently we are obliged to follow PHE advice, if you have any other evidence I would be very happy for you to send that to them and I will forward to our Public Health Department for consideration.
- 16.21 The Mayor invited Ms Levene to come forward and address the council.
- 16.22 Ms Levene asked the following question; Can Brighton & Hove Council assure its citizens that they will be safe & insured once the roll out/deployment of 5G takes place?
- In the event of harm to wildlife, insects, bees, trees, children, adults & elderly. Will the council be accountable for any harm that results and be responsible for any health & housing needs that follow, should 5G bring harm to humans or damage to any other organic life or property in our City?
- 16.23 Councillor Moonan, Chair of Health and Wellbeing Board asked Ms Levene to refer to the response she gave to Ms Foote's question which covered the same issues.
- 16.24 Ms Levene asked the following supplementary; In 2011 the European Parliament Council linked an increase in illness and death to electromagnetic frequency. Since then and with 4G we have seen a mass increase in cancers, brain tumours, heart disease and stroke as well as certain infants and elderly death. Many of us have seen friends and family die well before their time, in the event that the untested and uninsured 5G is rolled out and enforced by way of smart meters, lampposts, masts and other street furniture, will Councillors accept liability whilst waiting for high levels of scientific and clinical proof before taking action to prevent the well-known risk which could lead to very high health and economic cost?
- 16.25 Councillor Moonan replied; This is an incredibly technical area, we follow Public Health England advice, I would be happy to look at any other evidence you've sent but you

must appreciate this is extremely technical so cannot provide any further response at this stage.

16.26 The Mayor invited Mr Jenkins to come forward and address the council.

16.27 Mr Jenkins asked the following question; The Council, the Landlord, owe the duty of knowledge and the duty of care, for the Landlord's own property, Stanmer Heights. Stanmer Heights has been falling into chronic disrepairs, for more than twenty months with holes in the roofs, cables dangling from the walls, derelict satellite dishes, an aerial down on the roof, a derelict bin in a bin area, the gathering place's gas meters' cabinet doors falling off, and much more.

Please will the Chair of the Housing & New Homes Committee, formally create, an All-Encompassing Care Plan for Stanmer Heights, please?

16.28 Councillor Allcock, Chair of Housing and New Homes Committee, replied; We take the maintenance of all our homes across the city very seriously and recognise the importance of looking up the inside and outside of homes and estates. In light of resident feedback around improving the look and feel of estates, we have recently set up a new Environmental Improvements budget of £500,000 per year to address concerns residents have about the outside of homes, blocks and estates. This is in addition to our investment repairs, planned and made to works in our estate development budget. I would encourage you to continue to work with us through this project and put forward your ideas at Stanmer Heights. We confirm in the details and meetings across the city to consider ideas residents have with officers and Councillors and will provide details of the meeting for Hollingdean and Stanmer shortly.

This would be a good way to engage with the wider community around improving the area, it is important to note that you don't have to wait until the meeting to submit your ideas, you can do that now and our team will begin working on anything that they can start with as soon as possible. At the same time, I appreciate that some of your concerns around repair areas that we can pick up now and I encourage you to report repairs to us either through phoning the repairs help desk or by emailing if that's easier. I've also asked officers to follow up on the repairs that you've highlighted in the question today as well as the guttering and overflow problems you emailed me with yesterday and have asked them to make sure they are addressed.

16.29 Mr Jenkins asked the following supplementary; Can I ask the chair of the Housing Committee, for an appointment for a walk about in Stanmer Heights within the next 7 days so that he may see all the repairs required.

16.30 Councillor Allcock replied; I will certainly try to do it within the month of August.

## **17 DEPUTATIONS FROM MEMBERS OF THE PUBLIC.**

17.1 The Mayor reported that four deputations had been received from members of the public.

- 17.2 The Mayor said that the first deputation concerned the Mental Health Pledge, and invited Ms T Fogelman as the spokesperson to come forward and address the council.

Ms Fogelman thanked the Mayor and said that the deputation was a request for the Council to commit to collaborating with us to create a pledge to young people in Brighton and Hove, that will outline the experience they can expect when engaging with Mental Health Services in our city. We are asking for this issue to be referred to the Council's Health and Wellbeing Board, which would allow us to start a working relationship with the relevant health organisations that would allow us to create this pledge. The pledge would be a document of accountability of Mental Health Services in our city. It would aim to ensure a consistent and person-centred approach was offered to young people at every point of access, and set a minimum standard to be adhered to when engaging with young people around mental health. The pledge would be young person centred and designed by listening to the voices of young people of Brighton and Hove, and written in conjunction with the CCG, Primary Care Trust, local mental health charities and other relevant health authorities. The pledge would be created in partnership with service providers and lead by the young people of our city. This would involve focus group sessions with schools, youth groups, after school clubs and the universities. In working in conjunction with health organisations and the young people of our city we can ensure that the pledge is practical, informed by real lived experiences and can be implemented by relevant health services.

- 17.3 Councillor Moonan, Chair of the Health & Wellbeing Board said that the deputation addressed a very important issue. A pledge such as this would need to be agreed by all the parties and would be happy to receive the deputation at the next meeting of the Health & Wellbeing Board at its meeting on 10 September 2019. All members of the Deputation would be invited to the meeting.
- 17.4 The Mayor thanked Ms Fogelman for attending the meeting and speaking on behalf of the deputation, and said that the persons forming the deputation would be invited to attend the next Health & Wellbeing meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.
- 17.5 The Mayor said the second deputation concerned the Urban Fringe and invited Ms B Hobbs as the spokesperson to come forward and address the council.
- 17.6 Ms Hobbs thanked the Mayor and said that the deputies object to the approval of the planning application for buildings which would devastate wildlife at Coldean, and we wish to safeguard this essential wildlife habitat and local green space at Coldean, now and for future generations. We the undersigned petition Brighton and Hove City Council to remove the Coldean site from the list of allocated sites in the Urban Fringe allocations in the City Plan Part 2, and instead designate it a Local Nature Reserve and Local Green Space (as described in the National Planning Policy Framework) as soon as possible, so it remains protected wildlife habitat, now and for future generations. There are alternative large empty buildings around Brighton (e.g. at Brighton General Hospital) which the council could turn into affordable homes (800 in the case of Brighton General Hospital) therefore it's clear that to make affordable homes it is completely unnecessary to build on the green space and wildlife. The land was notified as a Local Wildlife Site in 2017 in recognition of its woodland and grassland habitats. The proposal would mean destroying woodland and felling trees to build a new entrance road which would split the



strip of woodland that runs parallel to Coldean Lane in two, with devastating effects on the wildlife. It would also mean building on the field, obliterating lots of wildlife, their homes and foraging ground. The woodland and field include many plant species and are essential habitat for wildlife sandwiched between Varley Halls and very busy, fast roads, many of whom are legally and policy protected species, such as bats, hedgehogs, lizards, slow worms, badgers, foxes, rabbits, butterflies, lots of invertebrates who massively contribute to the environment, and many different birds, including owls, and others. Some of the birds breed and make nests in the trees and on the ground, and 3 (song thrush, tawny owl and dunnoek) are listed as having severe red and amber conservation status. The woodland is Priority Habitat Deciduous Woodland and provides critical habitat for wildlife. Splitting the woodland in two would cut vital connectivity and put the wildlife at very high, frequent risk of road traffic accidents.

Localised areas of the field (about 1 hectare of it) have an affinity with Calcareous Grassland, and there is 'good potential to create new areas of native species rich calcareous grassland where chalk substrates can be exposed and seeded' (Preliminary Ecological Appraisal, PJC, 2018). Lowland Calcareous Grassland is a Habitat of Principal Importance and classified as Priority Sussex Habitat. Within Sussex, this type of habitat is mostly found within the South Downs; it has reduced rapidly in recent years and is now only an estimated 3% of the South Downs. The Sussex Biodiversity Partnership aims to maintain and expand the range of Lowland Calcareous Grassland in Sussex. Moreover 'there is an area of lowland calcareous grassland immediately north of the site' and 'any development of this site would also likely result in adverse impacts on any areas of lowland calcareous grassland habitat adjacent to the site, e.g. through increased surface run-off and increased disturbance/trampling/littering from potential increases in recreational use of the area' (PJC, 2018). So, the proposed development would destroy not only Priority Habitat Deciduous Woodland but also be likely to negatively impact the Lowland Calcareous Grassland (i.e. Habitat of Principal Importance and a Sussex Priority Habitat) on next door land.

Increased vehicle movement and parking on local roads would be expected, and traffic on Coldean Lane would get substantially more clogged up, polluting the air even more and putting human residents, especially school children, at risk. It is well documented that green space is vital for people's physical and mental health. The visual impact of the proposed buildings would be unpleasant as they would replace a green view of nature with high blocks of flats and concrete.

Today, wildlife in this very densely urbanised area of the U.K. are increasingly endangered by destruction of their habitats. Globally, land mammal mass is made up of 96% humans and the farmed animals (Attenborough, 2019), and insects and ecosystems who we rely on are massively threatened by climate change, so we must stand up for wildlife now or there will be none left. If we do not, soon it may be many human lives in the UK imperilled due to climate change and because we have not protected wildlife there will no longer be an ecosystem left that can support us. At present, the land provides precious sanctuary for wildlife - this is a space to cherish, protect and stand by.

- 17.7 Councillor Robins, Chair of the Tourism Development & Culture Committee, said the requirement to look at the City's brown field sites and parts of its urban fringe was clearly established in the City Plan Part One. The City's housing needs were assessed

at 30,000 new homes by 2030, which meant that brown field sites on their own could not fully meet the City's housing needs. The situation is that even with some development on urban fringe sites we would still only be able to meet 44% of the city's housing needs. The option of providing more expected housing on some city brown sites such as the Brighton General Hospital would mean that we could meet more of the housing needs. However, a significant overall shortfall this does not prevent the need for some developments to be in parts of the City's urban fringe. The Part One Plan identifies potential for around a thousand new homes in parts of the City's urban fringe, but this amounts to just 7.5% of all urban fringe land, and so 92% remains protected. Some sites had been identified as having potential for some development have been carefully assessed, taking into account impacts on landscape, open space, ecology and archaeology. These assessments indicate the robust measures that will be required on many sites to avoid harm, but these developments could also offer benefits alongside new housing. In terms of recent planning applications, the impact of residential development in Coldean on the biosphere would be carefully considered and taken into account.

- 17.8 The Mayor thanked Ms Hobbs for attending the meeting and speaking on behalf of the deputation and said that the persons forming the deputation would be invited to attend the next meeting of Tourism Development & Culture Committee.
- 17.9 The Mayor said the third deputation concerned Night Shelters and invited Mr J Deans as the spokesperson to come forward and address the council.
- 17.10 Mr Deans thanked the Mayor and said that on 26 January 2017 Councillor Tom Druitt put a motion to full council, all councillors voted 100% to give the community an empty council building to run as a night shelter this was in response to John Hadman's petition and huge support from public. a number of buildings were found empty in the two years but on every occasion some excuse was given to fob off the public. Another recently was suggested, and we were told it's not suitable. No building arrives suitable for a night shelter it is made suitable then inspected and any changes made to comply with health and safety. This has to happen, and councillors need to support this deputation fully this time and see this through. The total sum spent by council using the Brighton Centre which is Council Owned is in excess of £250,000 this could have been avoided had council engaged with public. I now ask for a vote of confidence and support in taking this forward.

Charities, organisations and individuals joined together creating Brighton & Hove Housing Coalition with clear plans to help solve the homeless crisis they have produced a Homeless Bill of Rights as you will hear today Charities like the one I represent Sussex Homeless Support and others have stepped up to deliver a lifesaving service at a time with many dying in the streets and even more in Emergency accommodation. Whatever it takes to turn the tide on this homeless crisis we are prepared to do but we need the support of our councillors, many believe they voted you into a position to lead us, some believe to represent us, but I and even many more want you to fight for us, we will support you regardless of political party and hopefully together work towards a solution. I therefore ask again to support the original motion and allow Homeless Charities access to empty buildings.

- 17.11 Councillor Brennan, Deputy Chair of Housing & New Homes Committee, said that she was concerned with plight of the homeless in both the city and the country which had been caused by the housing crisis, which was a result of a lack of government investment in housing and services. Underfunded and overburdened services in health and social care add to the desperate situation many people find themselves in. Rough sleeping has nearly tripled since 2010, but these figures mask the true scale of the problem as the government numbers are well known to be flawed and had under counted the true number of rough sleepers. Through my voluntary work on the street and my membership of local campaign groups I have suffering myself, including countless attacks on rough sleepers in this city. In 2017 following the Council motion that this scheme referred to, officers of the Council worked with all parties to look at empty buildings to be used as night shelters. Numerous buildings were assessed, which included privately owned properties. At that time the most suitable property available was the Brighton Centre. A shelter opened at this venue from December 2017 to March 2018 and was run by the Council. Further work was carried out to find further suitable properties and by the Summer of 2018 without alternative venues available, the Brighton Centre was used once again and was run by the Brighton Housing Trust. I am now pleased to announce that as part of a range of services for rough sleepers that this administration in partnership with the Green Group, we will provide an assessment centre which will be available to both the homeless, and those at risk of homelessness, and who have a connection with the City to be accommodated and supported. We are about to sign a lease on a property and so can open the centre this Winter to work closely with the range of statutory services and community groups etc. A night shelter is also planned to be opened in time for Winter and will include instant access which is something many people have been campaigning for. In addition the Severe Weather Emergency Protocol, will include a more flexible approach to ensure that rough sleepers are offered shelter in extreme weather and heavy rain conditions. There was concern that some rough sleepers did not feel comfortable accessing the provision in the city and said that they should be treated with dignity and respect and the aim was to meet their needs and listen to what they had to say.
- 17.12 The Mayor thanked Mr Deans for attending the meeting and speaking on behalf of the deputation and said that the persons forming the deputation would be invited to attend the next meeting of Neighbourhoods, Inclusion, Communities & Equalities Committee.
- 17.13 The Mayor congratulated Councillor Brennan on her maiden speech on behalf of the council.
- 17.14 The Mayor said the fourth deputation concerned Youth Strike Action and invited Ms U Kreiger as the spokesperson to come forward and address the council. The Mayor noted that there was a Notice of Motion on 'Support for Youth Strike and Other Climate Change' (Item 30 (4)) and so that item would be brought forward to have one debate on the issue. Each item would be taken in turn.
- 17.15 Ms Kreiger said that she was here to ask the Council to support the demands of the youth strikers. She said that by the end of her speech over 326 million kilos of CO2 would have been emitted into the atmosphere, which would affect our planet now and in the future. Today was one of the hottest days recorded in the UK and with the recent extreme weather the country had declared a climate emergency. In an emergency you alerted everyone, contacted the emergency services and then took action so the

situation or crisis did not worsen. If the government were the emergency service, you try as hard as you could to let them know of the situation as they were the ones who could fix it, and had the money, the resources and the power to make laws. But what do you do if when you tell them and they either don't believe you or agree to declare a climate emergency and then say they'll do something about it in 2050? This did not make any sense as united science agrees that in 11 years' time an irreversible chain of events will be triggered, and the only way we can stop that is by acting now. We must become carbon neutral by 2030. If there was a chance for my generation and others to have a planet which was habitable then we have to act right now. It was important that the City implement their own Green New Deal and set their own carbon neutrality dates.

The Youth Strike would like to ask for the council to support the demands of the youth strikers and students. These demands were -

1. Save the future - The Government declare a climate emergency and implement A Green New Deal to achieve Climate Justice.
2. Teach the future - The national curriculum is reformed to address the ecological crisis as an educational priority
3. Tell the future - The Government communicate the severity of the ecological Crisis and the necessity to act now to the general public.
4. Empower the future - The Government recognise that young people have the Biggest stake in our future, by incorporating youth views into policy making and bringing the voting age down to 16.

17.16 Councillor Platts, Leader of the Council, welcomed the deputation. She said she recognised the climate crisis we were facing and said the Authority would have an action plan by 2020 with the aim for the City to be carbon neutral by 2030. A City Assembly would be formed to take this matter forward. She said she would write to the Secretary of State for Education to request the reform of the National Curriculum to address the climate crisis as an educational priority. With regard to lowering the voting age to 16, the Council would write to the Home Secretary to request that that happened as young people should have more say on their future.

17.17 The Mayor thanked Ms Kreiger for attending the meeting and speaking on behalf of the deputation and said that the persons forming the deputation would be invited to attend the next meeting of Neighbourhoods, Inclusion, Communities & Equalities Committee.

## **18 PETITIONS FOR COUNCIL DEBATE**

18.1 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 that there were two such petitions for today's meeting.

### **(1) Adopt the Homeless Bill of Rights for Brighton & Hove**

18.2 The Mayor invited Mr B Hughes to come forward to present the petition which asked the Council to adopt the Homeless Bill of Rights for Brighton & Hove.

18.3 Mr Hughes said that there were 2580 signatures to the petition. He said the Homeless Bill of Rights was launched by the European Federation of National Organisations Working with the Homeless in November 2017 and had since been adopted by seven

European cities. In October 2018 the Housing Coalition launched the Homeless Bill of Rights in the City, all three Brighton & Hove MPs and some local Councillors gave their support to it. The petition called on the Council to adopt the Bill of Rights which would make Brighton & Hove the first city in the UK to do so.

- 18.4 Councillor Allcock, Chair of the Housing and New Homes Committee, responded to the petition and thanked Mr Hughes for bringing it to the Council. He said that he would first like to remember the late Mr Steve Parry who was a local housing campaigner and Chair of Brighton & Hove Housing Coalition who regularly sought to hold the Council to account. The Homeless Bill of Rights was central to Steve's beliefs and was part of his legacy. Councillor Allcock said that the home was central to all our lives but for too many people the housing pressures they faced was getting worse not better. The country had a housing crisis and the dramatic rise in homelessness across the UK was symbolic of a national policy failure and was a sign that as a society we were allowing people to fall through the cracks. Brighton & Hove was in the top ten local authorities for the number of rough sleepers, but there were many who were sofa surfing or sleeping in tents etc. According to Shelter there were 320,000 homeless people in the country in 2018. The Council was responsible for picking up the pieces, but significant cuts and a lack of power to intervene in the housing market meant that the Council was frustrated in what it could do. He said he was keen for the Housing Committee and the Council to consider adopting the Homeless Bill of Rights as an important statement of principle and commit to working for the rights, equality and dignity of our homeless residents.
- 18.5 The Mayor congratulated Councillor Allcock on his maiden speech on behalf of the council.
- 18.6 Councillor Heley said that scale of the crisis in the City continued to worsen and it should be a priority for all councillors to eradicate homelessness. Adopting a bill of rights seemed an obvious and practical way of showing a commitment to ending the crisis as well as being a mechanism to support those residents who were homeless. It would provide a further framework for the Council's work over the next few years, and as Councillors we must support the Homeless Bill of Rights.
- 18.7 The Mayor congratulated Councillor Heley on her maiden speech on behalf of the council.
- 18.8 Councillor Mears said the Conservative Group welcomed the sentiment behind this. The City did have a crisis with the number of rough sleepers and the problems needed to be addressed, but she did not want to encourage more people here with expectations that we may not be able to deliver. The City could not deal with the current demand for housing. There were over 17 organisations working in the city on homelessness and rough sleepers, and as a Council we needed to ensure that we understood all the implications in the Charter before signing it, including the legal and financial issues. The Council also needed to understand the impact on businesses with a large number of tents across the City. The Conservative Group agreed with the recommendation for the Charter to be considered by the Housing Committee, but the Council needed to understand the implications of supporting this Charter and the possible impact on the budget for other areas.

- 18.9 Councillor Allcock said he would ask officers to bring a report to the next meeting of the Housing & New Homes Committee to consider adopting the Homeless Bill of Rights.
- 18.10 The Mayor thanked the petitioner and confirmed that the petition would be referred to the next meeting of the Housing & New Homes Committee.

**(2) Stop the Theft of Brighton General Hospital Site: Keep it Public!**

- 18.11 The Mayor invited Mr T Galvin to come forward to present the petition which related to the development of the Brighton General Hospital site and noted that there was an amendment from the Green Group to the recommendations.
- 18.12 Mr Galvin said that the Sussex Community NHS Foundation Trust planned to sell the Brighton General Hospital and develop a new Community Health Hub. Brighton General Hospital Action Group believe that this public land must remain a public asset for the people of Brighton and Hove. The Action Group believed that this site redevelopment offered the opportunity to address some of the much needed and urgent health, social care and housing needs in the City and were concerned that the current proposals were inadequate. Mr Galvin said that there were 1800 signatures to the petition.
- 18.13 Councillor Platts, Leader of the Council, said that as the Chair of the Policy Resources & Growth Committee she welcomed the interest in how local land should be used and agreed that the land should remain a public asset for the City. She noted that the NHS Community Foundation Trust had undertaken public consultation in 2018 on the site, and suggested that Mr Galvin write to her setting out how the consultation on the future of the site could be more meaningful and she would then write to Trust to support his campaign. Such a letter could also be an opportunity to request a meeting to discuss the purpose of the proposals as that was more of an issue for the Trust rather than the Council. The Trust and the Council were working together to find practical ways to address local housing needs. The Health Hub would need to be self-funding due to there being no NHS capital funding. My intention was to stay in touch with both yourself and the NHS Trust to ensure the voice of the community was heard.
- 18.14 Councillor Gibson proposed an amendment to add two further recommendations which would speed up and reinforce the action which had already been taken. The Council had discussed the housing crisis in the City, the affordability of housing and the number of those in temporary and emergency housing. The additional recommendations included a request that the Policy & Resources Committee commission a report to explore options to buy the General Hospital site including obtaining a preferred buyer status. That report would consider how to embed the acquisition of the site under the departmental plans detailed in the forthcoming corporate strategy and how to maximise the amount of council housing at the lowest possible rents once health provision needs had been addressed.
- 18.15 Councillor Platts formally seconded the amendment.
- 18.16 Councillor Mears said that she understood the sentiment behind the petition. This was a large site and the NHS needed the site to improve medical facilities but there was also a demand for housing. Officers had been in discussions with the NHS on the future of the site for some time. The amendment asked for the Council to explore the possibility of

purchasing the site, but Councillors needed to be conscious of the cost of doing that and said that the pot of available money was getting smaller and it was important to ensure that the right things were being delivered for the City. The Conservative Group would be supporting the amendment as there did need to be a fuller discussion around the possibilities for the site.

- 18.17 Councillor Platts the Council did want to purchase the site if it were available and to keep it as a public asset.
- 18.18 Councillor Peltzer Dunn asked for clarification on the number of signatures to the petition. Mr Galvin confirmed it was 1800. Councillor Peltzer Dunn asked that that be noted as the agenda stated it was 2,475. The Mayor agreed.
- 18.19 The Mayor asked if Council agreed the amendment and it was confirmed it was agreed.
- 18.20 The Mayor thanked the petitioner and confirmed that the petition (as amended) would be referred to the next meeting of the Policy & Resources Committee.

## **19 CALL OVER FOR REPORTS OF COMMITTEES.**

### **19(a) Callover**

- 19.1 The following items on the agenda were reserved for discussion:

Item 19 – Review of the Constitution  
Item 24 – Review of Members Allowances  
Item 27 – Purchase Options for Short Term Temporary Accommodation  
Item 28 – Madeira Terrace Restoration – Petition Response and Next Steps  
Item 29 – Report of East Sussex Fire Authority

### **19(b) Receipt and/or Approval of Reports**

- 19.2 The Democratic Services Manager confirmed that Items 19, 24, 27, 28 and 29 had been reserved for discussion; and

The Democratic Services Manager confirmed that the following reports on the agenda with the recommendations therein had been approved and adopted:

Item 23 – Appointment of Chair, Deputy Chair and Opposition Spokesperson and Proposed Allocation of Seats for The Tourism, Equalities, Communities & Culture Committee  
Item 25 – Greater Brighton Economic Board – Admission of New Member to the Board  
Item 26 – Appointment of Lead Member Roles

### **19(c) Oral Questions from Members**

- 19.3 The Mayor noted that there were no oral questions.

**20 WRITTEN QUESTIONS FROM COUNCILLORS.**

- 20.1 The Mayor reminded Council that written questions from Members and the replies from the appropriate Councillor were taken as read by reference to the list included in the addendum which had been circulated prior to the meeting as detailed below:

**(1) Councillor: Ebel**

- 20.2 The council is currently replacing the old seafront bins with new ones. After the transition period, what is the council intending to do with the old seafront bins? Can the old bins be re-purposed and placed across the city in places where there is a need for additional bins? Is there any consultation planned for the future use of the old seafront bins that the public and the councillors can engage in?

Given that there are many overflowing bins across the city and that many residents have to walk long distances to reach their nearest bin, it would be a positive step to re-allocate the old seafront bins quickly to ease one of the city's most pressing issues.

**Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee**

The bins that are to be removed from the seafront will be reused elsewhere. Only bins that are unusable i.e. beyond repair will be thrown away. For additional bins, we would need to consider the locations of where they are to be placed to ensure they can be incorporated into existing routes for emptying.

We are not intending to carry out a consultation on the future use of seafront bins. If residents and councillors have suggestions, we welcome their ideas. Litter bins are provided at regular intervals depending on the footfall in an area. If residents and councillors have suggestions, we welcome their ideas.

For the concrete bins on the seafront, these will be repurposed as flower pots as we cannot move them.

**(2) Councillor Ebel**

- 20.3 In the last few months we have been contacted by several residents who are concerned about the welfare of the animals used for racing at the Brighton and Hove Greyhound Stadium.

How many incidents where animals were injured or have died as a result of the sport have occurred at the Brighton and Hove Greyhound Stadium in the last year?

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



The local authority does not have responsibility for the care or welfare of greyhounds at Corals stadium. Racing tracks are monitored by the Greyhound Board of Great Britain. They write the guidelines for the industry nationally and ensure welfare standards.

As the regulator for greyhound racing in Great Britain, they are responsible for the welfare of all registered racing greyhounds – from registration to retirement.

Each year they publish national injury and retirement data for licensed stadia, of which Brighton and Hove is one. They advise that injury rates continue to be the lowest independently verified figures in the world and, they state on their website 'through our Greyhound Commitment, which was launched in 2018, we are determined to reduce these still further.'

They also state that independent Veterinary Surgeons are present at all GBGB licensed tracks to check the health and wellbeing of every greyhound both before and after racing, and to provide emergency care in the event that any dog needs it.

Data from their website states that in 2018 426,139 runs and of these 4,963 were injured and 242 were fatalities. However the data available is not broken down to specific tracks.

### **(3) Councillor Hills**

20.4 My residents want to know answers to the following:

- (a) When improvements to recycling in the city will be made.
- (b) When will the range of items collected be widened to include recyclable plastics other than bottles?
- (c) When might their recycling be collected weekly?
- (d) When will the waiting list for food waste collections be reduced?

### **Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee**

#### **(a) When improvements to recycling in the city will be made.**

The council has established an Increasing Recycling Project. This includes increasing awareness of reducing, reusing and recycling for residents across Brighton & Hove.

An A-Z has been published on the council website to advise residents on how to reduce, reuse, recycle or dispose of almost 180 different materials. This is a live resource which will be amended as more opportunities to reduce, reuse and recycle become available. Videos to support how to reduce, reuse and recycle are being developed and posted on social media.

New on-the-go street waste and recycling bins are being rolled-out along the sea front from Hove Lagoon to Saltdean. This new bin will enable beach and seafront users to recycle plastic, cans and glass. The bins will have distinct colours that will become our recycling colour coding system across the city in the future. This should help to increase recycling rates and reduce levels of contamination by avoiding confusion. If these bins

are well received and successful in helping us to recycle more we could look to extend their roll out across the city and in parks as funds allow. The rollout of recycling wheelie bins has started following the wheelie bin audit and it is hoped this will increase the capacity for residents to recycle more.

**(b) When will the range of items collected be widened to include recyclable plastics other than bottles?**

In Brighton & Hove we recycle all plastic bottles and it is not currently known when or whether other plastics will be collected. Other plastics, commonly known as PTTs, such as Pots and Tubs and Trays are made from a much cheaper grade plastic than bottles including PET (polyethylene terephthalate), PP (polypropylene), PS (polystyrene) and PVC (polyvinyl chloride). There is currently a market for PP and this makes up about 22% of PTTs. However, there are no clear end-markets for the remaining 78% of these types of plastics.

Developing the capacity to sort these different materials into marketable and non-marketable would require considerable investment at the Materials Recovery Facility (MRF) in Hollingdean.

Further to this, there is a risk that once collected and sorted, exported plastics are being diverted to landfill elsewhere in the world. Although we may not collect PTTs to recycle and our recycling rate is fairly low at 30%, we know for sure where all the plastics we collect go, and we know they do not end up in landfill here or in a poor country.

**(c) When might their recycling be collected weekly?**

We are currently starting a review of the service and assessing the structure of collection rounds. The frequency of collections will be developed as part of this piece of work and recommendations will be made to the Environment, Transport & Sustainability Committee, for approval.

It is acknowledged, there are positive reasons to move to weekly recycling, such as improving the city's recycling rates and initial research indicates councils across the country have moved to this model. However, the review will determine the options to be proposed, with a report being presented to committee early next year.

**(d) When will the waiting list for food waste collections be reduced?**

We do not offer a food waste collection service but fruit, vegetable peelings and coffee grounds can be included in garden waste bins.

We are currently working to increase capacity of garden waste collections, however do not have a defined timescale for when this is likely, due to current service pressures.

The council encourages residents to compost at home and provides subsidised compost bins and food waste composters. Since 2007, over 20,000 compost bins have been sold through the council's scheme, further information of which is on the [council's website](#). The council also funds 37 community composting schemes in the city in partnership with Brighton & Hove Food Partnership.

**(4) Councillor Davis**

- 20.5 Since its introduction to our city the 20mph limit has helped to reduce fatalities and accidents but it could have a much bigger effect. Car ownership increases every month and with that drivers are using our rat run side streets like race tracks. I receive regular complaints from residents in my ward about the dangers and problems caused by speeding motorists.

What work is the Administration pursuing with Sussex Police to ensure 20mph is enforced?

**Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee**

Brighton & Hove City Council worked closely with Sussex Police during the implementation of the city wide 20mph limit and only implemented the limits where it was supported by them however, it was on the understanding that there would be no expectation of further enforcement of those limits over and above what was already being done. This is still the case so there is a reliance on the Council continuing to influence further enforcement through its role as a member of the Sussex Safer Roads Partnership and on the general public to help report incidents of anti- social driving generally through a Police website [www.operationcrackdown.org](http://www.operationcrackdown.org)

If it is found that via this medium there are repeat offenders then they will be targeted by Sussex Police and ultimately could have their vehicle destroyed.

**(5) Councillor Hugh-Jones**

- 20.6 I understand the Council recently awarded its Public Toilet Cleansing and Maintenance Contract to a new contractor, Healthmatic Limited. A ward resident has raised a number of issues specifically about the toilets in Blakers Park, i.e. that they:
1. Are frequently closed during the winter months (resulting in children defecating in the nearby bushes)
  2. Staff who do visit are not reporting problems (including damage to the fabric of the building)
  3. Contain offensive graffiti (including a swastika) and tags
  4. Are filthy.

Given these concerns could you tell me

- (a) What system is in place to manage and monitor the performance of the new contractor and
- (b) Whether the level of service has been deliberately cut out of financial considerations?

**Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee**

The new public toilet contract commenced in 2017. Blakers Park toilets are not open during the winter months; they are open from Good Friday to 30 September as per the contract. Cleaning staff visit twice a day and it is inspected twice a month. We are not aware of any particular issues. The Contract Manager recently made a spot visit and the site was in a clean condition.

We have reported the graffiti to the graffiti removal team and will have it removed as soon as possible. I am sorry that you found these toilets in a poor state. We will be raising this with the contractor and will be carrying out further inspections.

The service level is managed via monthly contract meetings and ad hoc inspections. The level of service has not been cut recently.

#### **(6) Councillor Clare**

- 20.7 Would the Administration like to congratulate Love George Street and the Red Box Project Brighton on their successful roll out of 'red boxes' to all schools in Brighton and Hove?

#### **Reply from Councillor Childs, Chair of the Children, Young People & Skills Committee.**

I would like to thank Councillor Clare for giving me the opportunity to express the Administration's thanks and appreciation for the work that has been carried out by Red Box and its sponsors, one of whom is 'Love George Street'.

By way of background, The Red Box Project is a community-based, not-for-profit initiative, which aims to support young people throughout their periods by providing red boxes filled with free period products to local schools. 'One child in ten cannot afford sanitary products and situation that has worsened as a result of central government policy to impose austerity on our poorest communities. Lack of access to sanitary products can lead to a loss of education, loss of confidence, loss of dignity and the loss of self-respect'. Research shows that girls miss school because they do not have access to sanitary products. Love George Street is among those organisations who have supported the campaign by hosting red 'donation Boxes' at locations in the area.

This initiative was discussed at the Full Council meeting in July 2018, when the administration lent its support to the initiation of the Red Box scheme in Brighton & Hove. Since then we have been delighted to see the growth of this scheme and we are very pleased that we now have donation boxes across the city and a Red Box in every school in Brighton & Hove. Work has also been going on at a national level and the government has pledged to supply sanitary products to all Primary and Secondary schools across the UK in early 2020.

Thank you to everyone who has supported this important scheme that makes such a difference to young people in our city.

**(7) Councillor Clare**

- 20.8 The road layout around the floral clock roundabout leading into St Johns Road is at an angle which is dangerous to both pedestrians and road users alike due to the angle of entry. In addition, the business owners by the entrance would like some additional space for outdoor seating and for the location of the recycling point to be moved.

What could be done to make this area safer and more friendly to all who need to access it?

**Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee**

A site visit was carried out earlier this year with colleagues from Cityclean joining a member of our Road Safety Team to discuss the issue of the communal bins at this location. At this time a Restaurateur also joined in who owned one of the restaurants adjacent to the communal bins.

At this meeting the issue of the number of bins was brought up and also the siting of them was discussed. Our colleagues from Cityclean explained that there was a need for all the bins as they not only take waste but also recycling. It was felt that putting the bins on the centre island was not appropriate as anyone using them would have to cross a busy carriageway and not everyone has the necessary road sense to do so safely whereas it has to be assumed that anyone taking a hire bike would have. The location itself was purpose built quite a long time ago and over this period, from a road safety and cleansing view, has worked very well.

It is further understood that the proprietor of the restaurant would also like the parking reviewed and he has been advised to contact colleagues in Parking Infrastructure to look into this.

The issue of the physical layout of the entrance has also been looked at but, as you are probably aware, we have very limited budgets now available to us, so we have to prioritise where we spend our funds. At the moment we have a high-risk site ranking system where we prioritise spending based on the number and severity of collisions around junctions. I am pleased to say that this junction does not feature on this list as there have been no injury causing collisions in the past three years, however, because it has such a good record I am afraid that we cannot allocate any of our scarce resources at this time.

I realise this is not the answers that your constituents would want but trust that it does explain why there is little that we can do.

**(8) Councillor Mac Cafferty - Community safety**

- 20.9 Will the Administration lead for community safety write to the Sussex Police and Crime Commissioner asking:

- when the precept increase from council tax bills this year will be used to recruit police and PCSOs, as promised, and

- will we have PCSOs attending community Local Action Team meetings as routine once again?

**Reply from Councillor Knight, Chair of the Neighbourhoods, Inclusion, Communities & Equalities Committee**

Thank you for your question. As you probably know, on 08 February 2019 the Police and Crime Panel agreed the proposals of the PCC to increase the council tax precept for 2019/20 by £24 (14.47%) on a band D property. This increase is within the referendum limits set by Government.

The PCC report states that this will provide more funding to support more officers and a better policing service and the additional resource will enable:

- 100 more Police Community Support Officers (PCSOs) - to prevent and respond to crime, including more named PCSOs to ensure a consistent point of contact for local communities. This additional resource to enable:
- 50% more PCSOs out in communities, increasing visible policing support, including in rural areas.
- Greater capacity to work with partners and leverage their support to address local issues.
- Better engagement through social media with dedicated 'digital' PCSOs keeping vulnerable people safe online.
- More capacity to support vulnerable people and minority communities– addressing hidden crime.
- Improvement in local police/public relations and an increased capability to gather community intelligence.
- Improved ability to solve problems – deterring crime and tackling anti-social behaviour.
- 50 More Police Officers and 50 more specialist staff to be deployed as follows:
- To prevent more deaths and serious injuries on our roads, through recruiting additional roads policing officers and collision investigators.
- To improve the first point of contact with the public. Investing in more Contact Centre and social media engagement staff to improve its service for both 101 and 999 calls, as well as online engagement; and
- specialist police investigators for public protection, serious violence, high harm and digital crime.

As over 5 months has now elapsed, it would be very good to know what progress has been made with recruiting these additional (and vital) staff. I am happy to write to the PCC to ask how many officers have already been recruited and/or deployed and the anticipated timetable for completing the process.

I will also ask – as I would also like to know - if this additional resourcing will mean that there will be a commitment to routinely having a police presence at community Local Action Team meetings, once again.

**(9) Councillor Mac Cafferty - Preston Twin elms**

- 20.10 Given the significant loss to the city's elm collection with the necessary destruction of one of the 'Preston Twin' elms, when will the Administration be reinstating online reporting forms for the public to report elms suffering Dutch Elm disease? When a resident in my ward reported a suspected elm with the disease just weeks ago on Brunswick Road, the facility to report wasn't possible at the time. This still isn't available. Brunswick Road has now lost four elms in quick succession. What evidence is there that the Dutch Elm disease has struck harder this year than last and for the past five years?

**Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee**

We have over 300 online forms across the council. IT&D and the digital communications team are currently auditing all of these forms. We are aiming to rationalise and combine similar forms so they are easier for us to manage, and re-design all forms so they are user friendly and more accessible to people with disabilities.

In the meantime, we've included an email address to allow residents to report elm trees suffering Dutch Elm disease on the webpage.

We have already recorded more infection sites this year than the average for the previous 4 years and we anticipate that by the end of the season infection sites will be significantly higher than any of these years.

2015 – 95 sites  
2016 – 89 sites  
2017 – 84 sites  
2018 – 120 sites  
2019 – 108 sites (so far)

**(10) Councillor Mac Cafferty - Construction projects**

- 20.11 Further to the shock news that the construction firm performing the works at the restored Corn Exchange has folded, how is the council ensuring that any replacement firm isn't given carte blanche to finish the works at significantly increased cost to the council and public purse. What internal auditing is the council conducting in its other construction projects to ensure we minimise similar problems.

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

The council has reacted quickly to this situation in order to put steps in place to ensure that the refurbishment of the Corn Exchange is delivered successfully. The site has been secured and the Design Team are currently undertaking a review of works that

have been completed to date and are thoroughly documenting the project. This will inform any specification of works that will be required to complete the project and will be carefully costed by the Quantity Surveyor in order to ensure any future costs are controlled. Specialist support with experience of dealing with this type of situation has also been appointed to advise the council.

The council is keen to avoid this type of situation. It is routine procedure to undertake financial checks on the financial standing of potential contractors as part of the procurement process. In addition, where a company is contracted to deliver large and/or high-risk projects, the financial status of that company is regularly monitored. Checks are carried out by appropriately trained officers and by use of external credit check agencies.

**(11) Councillor Theobald**

20.12 When is the dreadful state of the carpark opposite Hove Town hall going to be tidied up?

The piece of land in front of the car park is overgrown and full of weeds. Also grass and weeds are growing along the walls and paths.

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

Officers in Parking Services have arranged for a contractor to remove the weeds and will be ensuring these areas are included as part of our specification for the cleaning contract that we shall be going out to tender for later in the year.

**(12) Councillor Theobald**

20.13 When will the children's playgrounds in the City that are in need of refurbishing and upgrading going to be improved? Equipment in Hove Park and Patcham has been out of order for some time. Is there not a rolling programme for children's playgrounds? Section 106 money is infrequent, and action needs to be taken now.

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

There is not a rolling programme for children's' playgrounds and has not been for a long time due to the budget available for this work.

The council has been dependant on external funding or funding transferred from underspends elsewhere to replace playground equipment. The equipment replaced with funding from the government's Playbuilder scheme is now coming to the end of its life.

Environment, Transport & Sustainability Committee has recently approved additional one-off funding for playgrounds which, coupled with external funding, will go a long way to alleviate the immediate problems but as we will continue to be dependent on budget top ups from other sources the issue is likely to reoccur.



**(13) Councillor Druitt - Pesticides:**

- 20.14 The council's recent commitment to phase out the use of pesticides within three years is to be welcomed wholeheartedly. However, in the council's press release of 27 June Cllr Pissaridou is quoted saying "we should achieve in excess of 95 per cent reduction in the use of glyphosate by the council this year as compared to last year".

If this is the case, why can't we go all the way and reduce it by 100%? What is the 5% that will still be treated with glyphosate and why can't it be managed any other way?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

It is a big step for the council to stop using Glyphosate although there are plenty of examples of small-scale pesticide free areas it is not an approach that is common for Highway Authorities. We will be using a variety of techniques to keep weeds down, but we may still have problem weeds in some areas. There are no specific plans to use Glyphosate on any areas however we are keen to ensure that we do not misinform the public so with an element of doubt the option to use a small amount of Glyphosate has been kept open. We are happy to provide details on when and where any Glyphosate is used should this prove necessary.

**(14) Councillor Druitt - 5G**

- 20.15 Due to the public interest in 5G and a number of concerns raised by residents that that there may be health risks associated with the technology can the council satisfy councillors that the science of 5G is well understood and the technology does not pose any health risks to residents?

**Reply from Councillor Moonan – Chair of the Health & Wellbeing Board**

In our role as the body who promotes Economic Development in the city, the Council is always striving for ways to improve digital connectivity. This is particularly important given the fact our economy has such a strong specialism in the Creative, Digital and IT sectors. This means looking to promote the most up to date and effective mobile and wireless technologies as well as for trying to achieve as much fibre connectivity into homes and work premises as we can achieve.

Public Health England takes the lead and provides the expert advice on public health matters associated with radiofrequency electromagnetic fields, or radio waves, used in telecommunications.

Therefore, in response to this question, the Council's Public Health team has liaised with Public Health England to obtain the latest information and guidance and to seek their advice on whether there are any health risks for the public.

Public Health England advise that there are now many 2G, 3G and 4G base stations installed throughout the environment providing services to users of mobile phones and other devices. Measurements show that exposures of the general public to radio waves are well within the international health-related guideline levels that are used in the UK.

These guidelines are from the International Commission on Non-Ionizing Radiation Protection (ICNIRP) and underpin health protection policies at UK and European levels.

In relation to the implementation of 5G user devices and networks, this technology is at an early stage. The highest frequencies being discussed for future use by 5G are around ten times higher than those used by current network technologies, up to a few tens of GHz. Current technical standards that draw on the ICNIRP guidelines will apply to the products that are developed and the UK network operators are already committed to complying with the ICNIRP guidelines.

Exposure to radio waves is not new and health-related research has been conducted on this topic over several decades. In particular, a large amount of new scientific evidence has emerged over the past few years through dedicated national and international research programmes that have addressed concerns about rapidly proliferating wireless technologies.

The main focus of recent research studies has been on exposure to the types of radio signals used by current communications technologies and at the frequencies they use, up to a few GHz. Fewer studies have been carried out at higher frequencies but the biophysical mechanisms that govern the interaction between radio waves and body tissues are well understood at higher frequencies and are the basis of the present ICNIRP restrictions. The main change in using higher frequencies is that there is less penetration of radio waves into body tissues and absorption of the radio energy, and any consequent heating, becomes more confined to the body surface.

Public Health England advise that it is possible that there may be a small increase in overall exposure to radio waves when 5G is added to an existing network or in a new area; however, the overall exposure is expected to remain low relative to guidelines and as such there should be no consequences for public health.

Public Health England state that they are committed to monitoring the evidence applicable to this and other radio technologies, and to revising its advice, should that be necessary.

Within Brighton and Hove mobile operators are starting the process of rolling out new 5G infrastructure. Whilst local planning authorities do have some limited ability to influence the roll out of mobile technology those powers are limited by central government regulations. But the planning system does require that any new installations accord with the ICNIRP guidelines.

A fuller technical briefing note is available and will be sent round to all Councillors.

#### **(15) Councillor Druitt - Trees**

- 20.16 As we all know, urban trees have a huge number of benefits; they are crucial habitats for wildlife, they improve air quality and mental health and are critical assets in the fight against climate change. I'm delighted that the council is bidding for funding from the government's Urban Tree Challenge Fund to plant more trees in Brighton & Hove and wonder if the council can give more information on where these will go, how allocations

will be made and whether this initiative can be accompanied by a comprehensive Tree strategy for the city?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

The Administration does agree on the importance of urban trees and is committed to reversing the decline in our street trees.

The Environment, Transport & Sustainability Committee recently agreed one-off additional funding of £200,000 into street tree planting. It is hoped that this, along with money being spent on trees as part of the Valley garden scheme, can be used to draw in external funding to plant even more urban trees.

We have also successfully negotiated significant sums for street tree planting from developers in the City.

**(16) Councillor Osborne**

- 20.17 Is there a charge levied to your phone network for calling the parking enforcement team? If so, how much is this charge?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

There isn't a charge levied on the parking enforcement telephone number. All numbers that start with 03 are charged at the same rate as standard landline numbers. If your phone tariff offers inclusive calls to landlines, calls to 0300 numbers will also be included.

**(17) Councillor Osborne**

- 20.18 When parking permits are started in an area is there a plan to protect those on low incomes/benefits that still require the use of their car? Has there been a consideration for a more gradual implementation to ease the transition or additional schemes to encourage the uptake of more sustainable forms of transport when the permits are brought in?

**Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee**

There are currently no plans to offer concessions to those on low incomes / benefits, however, parking permits can be bought in three-month quarterly instalments rather than a yearly fee. The resident parking permits offer good value for those owning a vehicle to prioritise parking in areas where residents have voted in favour of a resident parking scheme. The parking surplus from parking schemes is used towards transport improvements such as improving other forms of sustainable transport which can be viewed in our award-winning annual parking report.

**(18) Councillor Shanks**

- 20.19 What is the council doing to progress development on derelict sites in the city? In my ward alone, we have Buckingham Road and Portland road both are brownfield sites ideal for housing. Will the council look at using CPOs to acquire these sites and others like it throughout the city and develop them for social housing?

**Reply from Councillor Allcock – Chair of the Housing & New Homes Committee**

Improving housing supply, in particular the supply of low cost rented homes is a priority for the council. We continue to look at the range of initiatives available to deliver additional affordable housing in the city.

We make use of brownfield sites within our ownership to progress our New Homes for Neighbourhoods programme, which has delivered 184 homes to date. This includes the delivery this month of 12 new homes at Kensington Street on the site of a former car park in the heart of the North Laines.

A number of additional schemes are in progress including at Oxford Street, Buckley Close, Selsfield Drive and Victoria Road making use of valuable brownfield sites in the city.

The city council has a statutory requirement to prepare, produce and maintain a Brownfield Land Register which is updated annually. This register provides details of sites, its current planning status and whether the site is in public ownership or not.

A number of sites already have planning consent including the two sites mentioned 34 homes are due to be delivered at 76-79 & 80 Buckingham Road (Planning decision August 2018) with a further 12 homes at 123-129 Portland Road (Planning decision April 2017). Development of brownfields sites can be difficult with problems to overcome with many sites ranging from contamination to complex mixed ownership.

The council has a track record of using Compulsory Purchase Orders to bring empty property dwellings back into use, and there could be options to acquire sites subject to the council meeting the test for when an order should be used.

**(19) Councillor Deane**

- 20.20 Will this Council sign-up to the Councils for Fair Tax Declaration, which was launched on the 12<sup>th</sup> July?

**Reply from Councillor Platts – Leader of the Council**

I am pleased to support this initiative which would complement the council's commitment to maximising social value and sharing wealth in the city.

As stated in the declaration, paying tax is often presented as a burden, but it shouldn't be. Not when considered against the huge array of public services it helps fund – from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.

There is evidence that a significant proportion of public sector tenders are won by companies who seek to manage tax liabilities, for example by offshoring.

Action is needed, however, current law significantly restricts councils' ability to either penalise poor tax conduct or reward good tax conduct, when buying goods or services.

By signing up to the Councils for Fair Tax Declaration, the council would:

- lead by example on its own tax conduct.
- demand greater transparency from suppliers.
- call for more meaningful powers to tackle tax avoidance amongst suppliers when buying goods and services.
- Support calls for urgent reform of EU and UK law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement policies.

The Procurement Advisory Board will be asked to consider the Councils for Fair Tax Declaration, and then a recommendation will be taken to Policy, Resources & Growth Committee.

## **21 ORAL QUESTIONS FROM COUNCILLORS**

- 21.1 The Mayor noted that 9 oral questions had been received. The Mayor stated that 30 minutes were set aside for the duration of the item.
- 21.2 Cllr Mac Cafferty asked the following question, This week we mark the 50<sup>th</sup> anniversary of humanity landing on the moon. I've been in contact with Cityclean of Brighton about the necessary replacement of old and broken communal bins in the Brunswick area now for over 50 weeks. Will the Chair of Environment, Transport and Sustainability Committee assure me that it's not going to take 50 years?
- 21.3 Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee gave the following response, No. it will not take that long again.
- 21.4 Councillor Mac Cafferty asked the following supplementary question; The last time I raised the issue was at the last Council in March and, the then, Councillor Mitchell informed me that there was an issue about capacity of the bins. The lack of action because it had to be done, "in a planned way." We have had a parallel decision about smaller glass bins being rolled out which wasn't part of any plan. I've now written to Cityclean about the relocation of 4 communal bins in my ward, 2 on Western Street and 2 in Wilbury Road. I have now sent over 30 emails in the course of the past 24 months, wrote a question to Full Council over a year ago and another Full Council on March the 28<sup>th</sup>, I'm to understand there will be a longer-term review. Will Councillor Pissaridou please instruct officers to move these communal bins?
- 21.5 Councillor Pissaridou gave the following response, Through the modernisation program, we are completing a communal bin audit which will capture all data relating to refuse recycling and glass bins across the city including street name, ward, nearest landmark, geolocation, capacity, condition etc so we will be covering yours. Photos will also be taken to capture locations; the data will be used to determine whether there is enough

containment in a particular vicinity to manage future change requests as well as to be used on the website for residents to find their nearest communal bin.

We are also drafting a number of standard operating procedures to ensure our approach to managing the following, are clear and consistent:

- Sighting communal bins
- Managing a request to move a bin
- Managing a request for another bin
- How to roll out communal bins.

Requests and complaints continue to be sent to Cityclean and some of these are taking longer than usual to address for which we apologise. This is because through the modernisation program, Cityclean is seeking to ensure appropriate and consistent practices are followed for all the communal bins across this city, this means the service cannot automatically make the requested changes, rather the service is reviewing the current arrangements for each enquiry before adding more containment on streets or moving bins to different locations.

21.6 Councillor Theobald asked the following question, The roundabout forms the entrance to our City for motorists entering our city on the A23 and its deplorable state gives a very poor impression of the City for visitors. Residents continually complain to me and other Councillors about the appearance, former Councillor Gill Mitchell in her last response on the subject last year, assured me that improvements would be very soon in the new year. That was the same response that I've had for the last 4 years. When will work on this start?

21.7 Councillor Pissaridou, Chair of Environment, Transport and Sustainability Committee gave the following response, As agreed at the June ET&S Committee on the 20<sup>th</sup> June, City Transport and City Parks will be working with Highways England and a landscape sponsor to improve the A27 / A23 gateway roundabout by the end of the year. City Parks anticipates the roundabout will be cleared and levelled by late September. Following this a 2-meter perimeter of tarmac embedded with gravel is to be added to the inner edge of the roundabout. The tarmac ring will reduce the maintenance of the roundabout by removing planting areas that would struggle in these polluted locations. The tarmac ring will also mean that future landscape contractors will work further from the road, thus improving their safety and wellbeing. This component of the scheme should be complete in November.

A planting design for the roundabout will be developed in November, this will be implemented by the landscape sponsor in November/December. More ambitious proposals for the roundabout which might include, lighting or sculpture may become considered in the New Year. The concept behind these changes seeks to make the island safe by limiting driver's views so that they only focus on the oncoming traffic.

21.8 Councillor Theobald asked the following supplementary question, Can you assure you me this really will happen this time?

21.9 Councillor Pissaridou gave the following response, You have my assurance. The welcome bed has died due to the pollution. The welcome bed will be maintained with the

existing flowers finishing in October, after this period City parks is due to remove the structures, including the box hedge around it, but they will plant some other flowers again.

21.10 Cllr Heley asked the following question; Since the passing of the climate emergency motion in December which commits the Council to ensure that Brighton and Hove are carbon neutral by 2030, could the Chair of Environment, Transport and Sustainability Committee please explain to Full Council what has happened since.

21.11 Councillor Platts, Leader of the Council, gave the following response, The City Council declared its recognition of the ongoing climate and biodiversity emergencies at Full Council in December. The Chief Executive wrote to the Chancellor of the Exchequer stating the Council's concern and requesting Government funding for Climate action to be made available. A circular economy route map has been developed to adapt innovative ways of keeping products materials and resources at their highest value and minimising waste, helping to significantly reduce carbon emissions. The initial focus is on the built environment and construction and visitor economy.

The Greater Brighton Infrastructure Panel is developing energy and water plans to help meet the growth requirements of the City region in a sustainable way including moving towards zero carbon energy system. The Council recently established a sustainability and carbon reduction investment fund of £500,000 for capital projects to reduce carbon emission, adapt to climate change and build resilience, protect and enhance biodiversity and develop a circular economy. Initial project ideas for potential development include an energy efficiency revolving fund to deliver ongoing energy reduction projects across the corporate estate, an electric bike share pilot and expanding the network of electric vehicle public fast charging points.

On the 11<sup>th</sup> July Policy, Resources & Growth Committee approved £565,000 in capital borrowing in 2019/2020 to install solar voltaic panels on to corporate buildings. The council is also looking at how it can increase the sustainability specification of new council homes it delivers directly to ensure these projects help the city move toward the carbon neutral target.

The Labour party announced its commitment to making the city carbon neutral by May 2030 and planning for City Assembly has started. The work will be cost cutting priority of a new corporate strategy. We will involve residents and stakeholders in supporting our city to become carbon neutral, for example through the biosphere and the Greater Brighton Infrastructure Panel. This could provide an opportunity for local experts, residents and local businesses to put forward potential climate action ideas.

I am pleased so many people have already been in touch proactively, wanting to be involved.

21.12 Councillor Heley asked the following supplementary question, We now only have 18 months to halt the worst of climate change according to IPCC. Will we have a fully costed plan by the time of the budget in February and also considering the high level of concern that our residents have about the progress about this climate emergency motion, what communications are the Council planning to inform members of the public?

21.13 Councillor Platts gave the following response, We have committed to producing a plan by June 2020. We will do our best to incorporate whatever we've got into the budget for 2019/20 and the plan that comes in June 2020 will be a 10 year plan up to 2030. As far as communications go, I'm hoping that that will come out of our City Assembly and all of our work with stakeholders.

21.14 Councillor Fishleigh asked the following question, Will the Chair of the Planning Committee agree to set up a cross-party working group to examine how the advice provided to the Planning department by the District Valuers Service can be supplemented by information from other sources?

21.15 Councillor Hill, Chair of the Planning Committee gave the following response, I recognize that a number of Councillors have expressed an interest ensuring that we get best possible advice on development viability and I'm one of the other members that have also expressed an interest in this topic. I'm committed to ensure that we are maximizing the level of affordable development achieved through the planning system while also making sure that the city is a viable place for developers.

I have therefore asked the Head of Planning to prepare a scoping report which will include research on what we currently do, how comparative authorities get viability advice and make some recommendations for the best options in the future. Councillors will be engaged through the existing cross-party Members Working Group which already exists, and officers will need to consult development industry as well. I will ask for a report on this to be taken to the TECC committee later this year.

In the meantime, officers will be arranging training on development viability and affordable housing for all Councillors in the Autumn.

21.16 Councillor Mears asked the following question, What commitment will this Labour administration be making to support all businesses in the City?

21.17 Councillor Robins, Chair of Tourism, Equalities, Communities and Culture Committee gave the following response, We will set up a meeting with yourself and relevant officer to go through the list of KPI's in relevant detail. I can provide a list of highlights such as;

- The chartered institute of public finance and accountancy which set up a comparison of sixteen comparator cities like Southampton, Bournemouth, Bristol, Southend on Sea, Portsmouth in order to benchmark how we are doing. In 2018/2019 results show fairly positive year in terms of growth in the number of businesses in Brighton and Hove with a marginal rise of 2.09 the equivalent of 285 businesses in to 2018 compared with a rise of 495 in 2017. Despite the marginal growth, the City is below the green target of 3.93% set in 2018/19 but is marginally above the amber target off 2%. The city, therefore, achieves an amber status for 2018. When we compare this using the CIPRA comparison, Brighton & Hove has performed very strongly with statistical neighbours despite the amber rating and is currently rated top of the 16 comparator areas for average growth. Their comparative rate is 0.14%.
- The number of private sector jobs in Brighton and Hove grew by 1044 to 114,658 in 2017 giving the KPI result of 0.76%.



- 21.18 Councillor Mears asked the following supplementary question, Can the administration confirm that they do not support the comments by the then Deputy Leader of the Council and the then Chair of Children's Committee at the 11<sup>th</sup> July PR&G on home to school transport stating, "he does not support lavish public contracts for petty local bourgeois monopolies". This question originally directed to the Leader of the Council who was at the meeting and chaired the Policy, Resources & Growth Committee on the 11<sup>th</sup> July.
- 21.19 Councillor Robins gave the following response, I don't know how I can respond, I'm not the Chair of the CYPS. I chair the new TECC committee not the CYPS.
- 21.20 Councillor Davis asked the following question, For too long the roads surrounding our schools have been intolerable. The health and safety of our children is being endangered by the onslaught of vehicles, the residents of our fine schools are facing a daily battle with pavement parking, idling cars and aggressive drivers. Our head teachers and their staff are having the valuable time taken up in dealing with this problem and associated implications. What are the administration's plans to tackling this problem?
- 21.21 Councillor Childs, Chair of Children, Young People & Skills Committee gave the following response, I'm aware of this serious issue with schools. There is excessive pollution and at times extremely dangerous situations arise with double parking etc. every school does have a transport plan with the aim of encouraging more sustainable ways of parents bringing their children to school to reduce pollution and improve health and wellbeing. There is signage in place at every school and there are patrols that go to schools to try and police this issue. There are no current plans, however I'm aware of the seriousness of the issue and would welcome working with my Green colleague to try and look at how we can further address this issue.
- 21.22 Councillor Davis asked the following supplementary, When can this administration adopt a successful School Street Strategy like the innovative toolkit Hackney Council have introduced?
- 21.23 Councillor Childs gave the following response, I'm happy to work with our Green colleagues to introduce one and discuss one as soon as possible.
- 21.24 Councillor Clare asked the following question, Could the Chair of ET&S Committee give me information on suppliers of our communal bins and sustainability impacts in procuring them?
- 21.25 Councillor Pissaridou, Chair of Environment, Transport and Sustainability gave the following response, Our communal bins and spare parts are procured from Italy via a third party. We have a number of communal bins on order as well as spare parts for a number of months despite with being confirmed with delivery dates, we still haven't received the goods. We are phoning the company daily and last week were talking with the CEO of the company and have been assured that new bins and replacement parts are now on route from Italy.

- 21.26 Councillor Clare asked the following supplementary, What preparations are Council putting in in the event of no-deal Brexit to procure bins if they are still supplied from Italy?
- 21.27 Councillor Pissaridou gave the following response, Although we get them from Italy now, in future we would like to change the bin system, so we are less reliant on one supplier.
- 21.28 Councillor Nield asked the following question, Would the Leader of the Council agree that, in light of the UN Security Council report in to war crimes in Yemen providing clear evidence that Brighton's own EDO MDM Arms Manufacturer has provided for bombs targeted at civilians in an attack which the UN has found to violate international humanitarian law, it is now time to call time on the bomb factory?
- 21.29 Councillor Nancy Platts, Leader of the Council, gave the following response, The UN found the attack violated international humanitarian law. UK policy is not to license arms sales where there is clear risk they might be used in serious violations of international humanitarian law. I wish that the EDO MDM factory was not based in Brighton or anywhere in the UK for that matter as I am personally opposed to the UK arms trade however that is outside our powers as a local authority.

I will be writing to the Secretary of State to call for an enquiry in to this incident and whether the EDO MDM should have their license revoked. I welcome the support of any Councillor in this chamber who would like to join me in signing that letter.

- 21.30 Councillor Shanks asked the following question, Could I have an update on the take up of primary school places across the city for September coming?
- 21.31 Councillor Childs, Chair of Children, Young People & Skills Committee gave the following response, As you may well be aware, we're currently going through a dip demographically speaking of 4 and 5 year olds. In 2020 the numbers are projected to be 2588 and they will drop, if predictions are correct, in 2021 and 2022 leaving the surplus of places between 350 and 650. We are continuing to work and plan to try and keep schools open throughout the period of the dip because demographics change and there are plans to extend housing within the city and other factors can quickly impact those numbers.

We will work together with other political organisations on the cross-party school working group and I believe we are meeting next week; school places and how we will best manage this to avoid impact on schools will be one of the areas that I hope we can discuss. We have avoided the creation of 3 very small classes with the impact they would have with certain schools.

Three other schools have had their numbers reduced and two others having undergone assessment have not. We are mindful of the pressure that surplus places create on schools and as a local authority we have done our best in terms of the funding we've had to support schools through ways such as license deposits and providing support where possible.

- 21.32 Councillor Shanks asked the following supplementary question, What is the strategy?

21.33 Councillor Childs gave the following response, There are no plans to close any of the schools in Brighton & Hove and to do so would be quite short sighted because as we know demographics can shift quite quickly particularly if housing projects are planned. In terms of planning, officers are already looking at how pupil admission numbers can be reduced in 2021 but obviously as a local authority those powers of democratic control were removed by Conservative Government many years ago but certainly we will continue to work with other political organisations at the Cross Party Working Group next week so we can talk more about what our plans are to try and keep all our schools open.

## 22 REVIEW OF THE CONSTITUTION - JULY 2019

22.1 The Mayor noted that the following officer amendment had been received (changes in bold):

### 13. *School Organisation Working Group – Terms of Reference*

5. *Membership of the Working Group will consist of **3** 6 elected members, nominated by group leaders.*

### 15. *Cross-Party Youth Group – Terms of Reference*

4. *Governance and decision making*

*The Children, Young People and Skills Committee is the council Committee which is responsible for education, children's health and social care services, public health for children and young people, including services to young people up to the age of 19 **or in some cases the age of 25.***

7. *The Working Group meetings are to be held every 3 months for 1.5 hours and will **generally** start at 5.30pm **or as agreed.***

22.2 Councillor Platts moved the report and said that Councillor Moonan (Chair of the Constitutional Working Group) would speak on it.

22.3 Councillor Moonan thanked the Members of the Constitution Working Group and officers for their work and highlighted some of the issues they had considered. With regard to Oral Questions, it would be preferable if they could be more specific as that would ensure the answer clearly addressed the issues raised. There had been a high number of Working Groups, and sometimes it wasn't clear what they had been formed to consider. Now Working Groups would report back to the parent committee on a regular basis and would either be established as a 'task and finish' or as a permanent group. The current Neighbourhoods, Inclusion, Communities and Equalities (NICE) Committee and the Tourism, Economic Development & Culture (TD&C) Committee would merge and a new committee called the Tourism, Equalities, Communities and Culture (TECC) Committee would be established.

22.4 Councillor Littman thanked his colleagues on the Constitutional Working Group and welcomed the report. However, whilst he agreed that the NICE Committee should end,

and its delegations moved elsewhere, he was concerned that there may be too much work for the TECC Committee which could be unsustainable. He felt that the changes to the committees was being rushed and that the ground work had not been done fully enough and the possible negative impact on our third sector colleagues.

- 22.5 Councillor Yates said that one of the important changes was the reintroduction of Project Boards for some of the major projects in the city, which would allow Ward Councillors to be involved in schemes affecting their wards.
- 22.6 Councillor Moonan wanted to reassure the voluntary sector partners that changes to the NICE Committee would not mean that there was less emphasis or value to their input, and the functions of that committee would be continued in the new TECC Committee.

**22.7 RESOLVED:**

- (1) That the proposed changes to delegations to Planning Committee as set out in paragraphs 4.1 to 4.4 of the report be approved;
- (2) That the proposal to clarify the mechanism for responding to written questions from elected Members at Council Committees (and sub-committees) set out in paragraph 4.5-4.7 of the report be agreed;
- (3) That the review of Committee functions as set out at paragraphs 4.11 to 4.13 including the establishment of a new Tourism, Equalities, Communities & Culture Committee and the discontinuation of the Orbis Joint Committee (as set out in paragraph 4.26) be agreed;
- (4) That the changes to Council Procedure Rules to reflect the approach to reporting by sub committees to parent committees as set out at paragraph 4.20 of the report be agreed;
- (5) That it be agreed to invite both East Sussex Fire and Rescue Service and the Sussex Police and Crime Panel to present an Annual Report to Full Council as set out at paragraph 4.21 of the report;
- (6) That decisions to commit the Council to the principles or membership of alliances, charters and pledges should be reserved to Full Council and that this approach be kept under review and any impact on Council business assessed as set out at paragraph 4.22 of the report;
- (7) That the Council Procedure Rules be amended to ensure a consistent definition of "Council meeting" as set out at paragraph 4.23 of the report;
- (8) That the Chief Executive and Monitoring Officer be authorised to take all steps necessary or incidental to the implementation of the changes agreed by the Policy, Resources & Growth Committee and by Full Council, and that the Monitoring Officer be authorised to amend and re-publish the Council's constitutional documents to incorporate the changes; and

- (9) That the proposed changes come into force immediately following their adoption by Full Council.

**23 APPOINTMENT OF CHAIR, DEPUTY CHAIR AND OPPOSITION SPOKESPERSON AND PROPOSED ALLOCATION OF SEATS FOR THE TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE**

- 23.1 **RESOLVED:** That the report be noted.

**24 REVIEW OF MEMBERS ALLOWANCES**

- 24.1 Councillor Platts moved the report and said that Councillor Yates would introduce it.
- 24.2 Councillor Yates said that at Budget Council in February 2019 a £38k saving against the provision of car parking permits for councillors had been agreed, and as required the matter had then been passed to the Independent Remuneration Panel (IRP) for their consideration. The IRP had now reported their findings and made recommendations. He said that the IRP had spent considerable time looking at the issues raised in the amendment and therefore their recommendations should not be overturned, and he would not therefore be supporting the amendment.
- 24.3 The Mayor said that there was an amendment from the Green Group, and asked Councillor Davis to introduce it.
- 24.4 Councillor Davis said that there was currently a climate emergency which needed to be addressed on every level, and the Council should set an example by reducing the car usage by Councillors. The Council was struggling with significant cuts and savings needed to be found. He said that the City had an increasing homeless problem, the use of foodbanks was rocketing, and crisis centres were in funding freefall and asked if this was the image we wanted to set our residents. If members of the public had to pay for parking when attending the Town Hall then why shouldn't Councillors.
- 24.5 The Mayor congratulated Councillor Davis on his maiden speech on behalf of the council.
- 24.6 Councillor Hills seconded the amendment.
- 24.7 Councillor Yates agreed that there was a climate emergency but saying that Councillors should pay to use a car park doesn't demonstrate a commitment to reduce car usage, but a commitment to look like they wanted to reduce mileage. There were 54 Councillors and not all took advantage of the parking permit, and there over four thousand employees at Council
- 24.8 Council voted on the amendment and it was not agreed.
- 24.9 RESOLVED:**
- (1) That the Members Allowances Scheme be amended to provide that for those councillors opting to take a car park pass for Norton Road and the Lanes car parks, a monthly contribution equivalent to that applied for councillors taking a bus pass

(currently £23.09 for 2019/20), be deducted from their monthly Basic Allowance payment;

- (2) That the car park permit issued to councillors for Norton Road should be for Mondays–Fridays only; and
- (3) That the intention of the Independent Remuneration Panel to undertake a review on the establishment of maternity / paternity / adoption leave policy for councillors (in so far as it relates to allowances) and to report back in the autumn be noted.

## **25 GREATER BRIGHTON ECONOMIC BOARD – ADMISSION OF NEW MEMBER TO THE BOARD**

### **25.1 RESOLVED:**

- (1) That Arun District Council should join the Greater Brighton Economic Joint Committee;
- (2) That the other changes within the Greater Brighton Economic Board Heads of Terms as detailed in the report be agreed;
- (3) That it be noted that the changes to the membership and Heads of Terms were dependant on the decisions of all the Local Authorities represented on the Joint Committee agreeing that the new members be appointed, and the Board take a formal decision that the new members were appointed; and
- (4) That amendments to the Board's Heads of Terms be agreed and the Monitoring Officer be instructed to amend the Council's constitution to reflect these amendments once they had been formally approved by all the constituent authorities and the Greater Brighton Economic Board.

## **26 APPOINTMENT OF LEAD MEMBER ROLES**

**26.1 RESOLVED:** That the following additional appointments of Lead Member roles for 2019/20 as designated by the Leader of the Council be approved:

- (i) Lead Member for Equalities – Councillor Grimshaw
- (ii) Lead Member for Homelessness – Councillor Brennan

## **27 PURCHASE OPTIONS FOR SHORT TERM TEMPORARY ACCOMMODATION**

**27.1** This item was referred to Full Council by the Green Group and Councillor Gibson explained the reasons for the referral. Councillor Gibson said that the report highlighted some important principles and he wanted to suggest some expansions to those principles. A Notice of Motion which was passed in December 2017 called for short term temporary accommodation to be brought in-house. The benefits of bringing the service in-house were that buying the accommodation would provide an asset for the Council, there was more control over the conditions and standards and the housing benefit could be retained by the Council rather than private landlords. He suggested that this model should be used for other residential provision and particularly in supported housing. Resources were tight but there had been a similar scheme with the extra care scheme

at Brookemead which had saved the Council a lot of money, and he hoped that other similar provisions could be explored.

- 27.2 Councillor Mears said that this had been debated at Budget Council and Housing Committee meetings and wanted to highlight some concerns with the report. At the Housing & New Homes Committee in June 2019 it was confirmed that there was no such thing as short-term emergency accommodation and this report talked about 'emergency accommodation'. There was a letter from the Housing Minister stating that there was no change with the Right to Buy receipts until the Government review was completed. Therefore, until informed otherwise that money could be used to buy social rented housing. However, this scheme allowed for 30% of right to buy receipts to be used for the capital project, which was not allowed. Housing must be a priority as there were people in temporary accommodation who had been there for ten years or more, and so more housing was needed not more temporary emergency accommodation.
- 27.3 Councillor Allcock said he respected Councillor Mears' comments, but said that the report had already been agreed. He said that purchasing the property would mean it was Council controlled, which would allow for better planning for accommodation and which would ensure that the standards which were aspired to could be met. With regard to emergency accommodation the Council were looking for flexibility and owning property would allow it to be reconfigured and hopefully move into a position where it could become a permanent home.
- 27.4 **RESOLVED:** That the report be noted.

## **28 MADEIRA TERRACE RESTORATION - PETITION RESPONSE AND NEXT STEPS**

- 28.1 This item was referred for information to Full Council by the Green Group. Councillor Rainey said that the Madeira Terraces was historically significant and helped to give Brighton its historic status as a tourist destination, and progress on its restoration was important to everyone. There had been a report at the last meeting of the Tourism Development & Culture (TD&C) Committee following a petition at an earlier meeting of Full Council. The terraces had fallen into disrepair over the last few decades with no visible restoration work having been undertaken. The Council's report recommended starting the procurement process for the design and engineering works to restore 30 of the 151 arches. She said that at the TD&C Committee she had put forward an amendment which included a requirement in the contract that the use of innovative renewable technology such as solar panels and rainwater harvesting should be made a priority to reduce costs in the long-term and help the city to meet its commitment to achieving a carbon neutral status by 2030, and that a report be brought to the next meeting of TD&C outlining the proposals to use crowdfunded funds to progress plans for the development of an initial three arches. That report should contain options for which three arches should be progressed and developed, including an option that the three arches directly outside Concorde 2 be leased to them. The amendments were agreed at the TD&C meeting. The restoration of the arches would benefit all residents and visitors.
- 28.2 The Mayor congratulated Councillor Rainey on her maiden speech on behalf of the council.

- 28.3 Councillor Nemeth said that the costs did need to properly evaluated to ensure that there that were no overruns as happened with Shelter Hall. The lessons from Valley Gardens should be learnt where detail overshadowed general principle and the whole scheme being brought into disrepute. It was important to agree the vision for the Arches, which I have been advised is still to be agreed, and it would be important to have full consultation at an early stage.
- 28.4 Councillor Robbins (Chair of TD&C Committee) said that he and the Leader of the Council would be meeting with the campaigners to look at what could be done and when it could be done. The Council were keen to move forward on this matter.
- 28.5 **RESOLVED:** That the matter be noted.

## **29 REPORT OF THE EAST SUSSEX FIRE AUTHORITY**

- 29.1 Councillor Hamilton said that six Councillors were on the East Sussex Fire Authority (ESFA), and it would be preferable if in future a full report on the work of the Authority could be provided.
- 29.2 Councillor Peltzer Dunn echoed Councillor Hamilton's comments and said that the ESFA did so much for the city, that only having their AGM report was inappropriate and a in future a full report of their work should be provided.
- 29.3 **RESOLVED:** That the report be noted.

## **30 THE FOLLOWING NOTICES OF MOTION HAVE BEEN SUBMITTED BY MEMBERS FOR CONSIDERATION:**

### **(1) A Safe Home Campaign**

- 30.1 The Notice of Motion as listed in the agenda was proposed by Councillor Williams on behalf of the Labour Group and seconded by Councillor Evans.
- 30.2 Councillor Williams said the Domestic Abuse Bill received its first reading in the House of Commons last week, but the Bill did not include a recommendation by the All Party Parliamentary Group on Domestic Violence and Abuse, which called for people who were homeless as a result of fleeing their home following domestic abuse to get priority need in settled housing. A key barrier to people leaving abuse is a lack of access to safe secure housing. Many survivors were put at risk of homelessness as they were not considered to be in priority need for social housing by their local councils. With the prospect of no alternative many survivors had no option but to return to their abusers or face homelessness. People who applied for housing following domestic abuse were obliged to pass a vulnerability test, which required supplying extensive evidence and having to recount their abuse a number of times. Instead a referral from a relevant organisation such as Rise should suffice. Rise, which supported this motion, advised that 22% of the support provided last year was on housing issues. Women's Aid reported that demonstrating vulnerability could be very traumatic and near impossible for some people, and 53% of women they supported nationally were prevented from making a valid homelessness application by their local authority. Studies also revealed that 16% of homelessness men suffered from domestic violence and St Mungo's



reported that domestic abuse was a direct reason for homelessness for a third of their clients. When making applications for housing, many domestic abuse survivors were found to be intentionally homeless under S191 of the Housing Act 1996. Extending automatic priority need to survivors would remove the need to prove extra vulnerability. It was very important to have this amendment, and it would make the Domestic Abuse Bill more meaningful and would change the culture on how survivors were dealt with when being made homeless and would also alleviate the pressure on housing officers who had to assess the claims.

- 30.3 The Mayor congratulated Councillor Williams on her maiden speech on behalf of the council.
- 30.4 Councillor Evans seconded the motion. In England 61% of homeless women and 16% of homeless men were survivors of domestic abuse. However only 2% of those accepted as being in priority need for social housing were accepted because of domestic abuse. In addition, one in six refuges had closed in the last nine years because of austerity cuts. Approximately 725 women and around 30 men a year were killed by their partners, with thousands more hospitalised. On average there would be 35 assaults before the violence was reported to the police, and around 400 people committed suicide within six months of attending hospital because of their injuries. Of the 750 plus deaths a year, 75% occurred in the first six months of separation which meant that at the very moment that survivors were brave enough to flee under current, and planned, legislation survivors had to jump through hoops to provide enough documents to provide evidence to satisfy the vulnerability test or sleep on the street or go back to the abuser. This situation was wrong, and we needed to do everything we could to change it.
- 30.5 The Mayor congratulated Councillor Evans on her maiden speech on behalf of the council.
- 30.6 The Mayor noted that there was an amendment from the Green Group and asked Councillor Clare to move the amendment.
- 30.7 Councillor Clare supported the Motion and said that the buck stopped with the Government by not providing adequate local authority funding. The Labour administration's recent planned cuts to the Violence Against Women/Girls budget had been reversed, but there were still cost pressures to services and information from third sector providers was that case load was increasing and they needed more funds to provide their services. The spend per capital was falling, and the Green Group therefore proposed that the Council explore ways to protect per capita funding for local Violence Against Women and Girls programmes.
- 30.8 Councillor Shanks formally seconded the Motion.
- 30.9 Councillor Knight said she had worked for many years as a defence lawyer and much of that time worked with domestic abuse perpetrators and those who had survived the experience. Domestic abuse does not occur over night but over time with behaviour becoming more controlling and violent. Critical in the process is instilling in victims that no one would believe them which was a powerful inhibitor. Domestic abuse was a hidden crime and most people in the Chamber would know someone who had or was

being abused. To expect staff to have to ask a person about the abuse when that person was afraid and vulnerable and ask them to provide a level of evidence, which many could not do, was not only oppressive but was inhumane and immoral and only reinforced the message that no one believed them. I would hope that Members would support this Motion, which would send a clear message to those who were thinking about escape that the Council would be there for them and would believe them.

- 30.10 The Mayor congratulated Councillor Knight on her maiden speech on behalf of the council.
- 30.11 Councillor Mears thanked fellow Members for their speeches and in particular Councillor Evans who reminded everyone that men also suffered from domestic abuse and said that the Conservative Group would be supporting both the Notice of Motion and the Green Group amendment.
- 30.12 Councillor Grimshaw said that in 2001, pregnant and with three children, she went to Bartholomew House to ask for help having fled domestic violence from her partner. She said that she only had the clothes that she was wearing, having been locked out of her house, and rather than going to her mother's house again she decided that she and her children had suffered enough and was determined to make changes. The Council provided bed and breakfast accommodation and shortly afterwards was placed in a one-bedroom flat sharing facilities with other families. She said at that point her baby was due and was sleeping on a sofa bed and feeling very low. Her abuser asked her to come home and said everything would be alright, but she knew that was not true and that the abuse would start again. Shortly after giving birth she was given the keys to her own home and said that she was overjoyed with happiness was able to lock the front door, felt safe and had control back in her life. That had been a turning point in her life and she was now free to make her own decisions and allow her to be person she wanted to be. She said that she was standing her in this Chamber only because she was believed and supported and given her own home. It was important to support this Motion to ensure that everyone subjected to domestic abuse had the chance to be free as she had.
- 30.13 The Mayor congratulated Councillor Grimshaw on her maiden speech on behalf of the council.
- 30.14 The Mayor asked Councillor Williams if she accepted the amendment and she agreed. The Mayor asked Council if they were happy to proceed to vote on the amended Notice of Motion and they agreed.
- 30.15 The Mayor confirmed that the Motion (as amended) had been agreed.

## **(2) Sustainable Adult Social Care Funding**

- 30.16 The Notice of Motion as listed in the agenda was proposed by Councillor Appich on behalf of the Labour Group and seconded by Councillor Moonan.
- 30.17 Councillor Appich said the underfunding of Adult Social Care had recently been highlighted in a Panorama television programme. The Government's Green Paper which had been announced over two years ago had failed to materialise, and the Local

Government Association (LGA) has asked for its publication within 10 weeks. The LGA have indicated that at least £3.6b in additional funding was needed nationally by 2025, which would be an increase similar to the 3.4% annual increases in the NHS budgets announced recently. Nationally councils had lost 60p in every pound of government grants over the last ten years, and this Council had had to make budget cuts of £68m over the last four years, and further cuts of £40m were expected over the next four years. However, demand for adult social care had increased, with an aging population with the 65+ age group expected to increase by 25% by 2030. Of that increase the National Office of Statistics projected a 20% increase in the 85+ age group in the City by 2030, up to 7100. Brighton & Hove had a much higher percentage of those aged over 85 compared to other authorities. In addition, a high number of citizens are living with multiple health conditions, with 51,000 having two or more issues. Given the situation it was important to focus on preventative care, and failure to address this would store up future problems for the NHS and social services across the city. Our adult social care is already under funded compared with other similar authorities. The 3% maximum increase in council tax currently only raises around 60% of the money we were projecting to require for social care next year, which means that extra pressure would be put on other services. The adult social care service had already had to prioritise and was now dealing with increasingly complex cases and which was taking up an increasingly large share of the budget. Prevention and early intervention as described in Health & Wellbeing Strategy was economically efficient and the Council urgently needed adequate funding to be do that.

- 30.18 The Mayor congratulated Councillor Appich on her maiden speech on behalf of the council.
- 30.19 Councillor Moonan said that the Council had assisted many people including around 4,300 residents with long term adult social care support, 700 in Nursing Homes and had issued around 30,00 pieces of daily living equipment for the most vulnerable people in the city. All services were delivered to a high standard by staff. However, there was a huge strain to the system with ever increasing pressure on our budgets as people were living longer, and the number with long-term complex needs and who needed a high level of support was getting larger. Sustainable savings had been made, and the service had been modernised but that was a finite process and our Council was approaching a situation where services were at risk if appropriate funding were not available. She therefore hoped that the Government would take notice of this Notice of Motion and sort out adult social care funding.
- 30.20 Councillor Bell said that the Conservative Group would be supporting the Motion. He requested that there be an Adult Social Care Committee which would allow Councillors to look at the issues and agree a proper budget process.
- 30.21 Councillor Shanks said that the Green Group welcomed the Motion and agreed that more funding was required. She said she that there should be democratic accountability and as adult social care was the Council's biggest budget there should be more scrutiny. Currently the Health & Wellbeing Board covered adult social care, and she suggested that that be reviewed.
- 30.22 The Mayor congratulated Councillor Shanks on her maiden speech on behalf of the council.

- 30.23 Councillor Powell said that the Green Group welcomed the Notice of Motion. Adult social care was in crisis and it had been reported that within the NHS Trust there was a current shortage of 100,000 staff, which was one in eleven posts. The current situation with Brexit would impact on EU workers in the care sector. Ten years of austerity and budget cuts had impacted on the system, and it was unfair to punish sick and disabled people.
- 30.24 The Mayor congratulated Councillor Powell on her maiden speech on behalf of the council.
- 30.25 The Mayor confirmed that the motion had been agreed.

### **(3) Economic Impact of Brexit and Settled Status for EU Citizens**

- 30.26 The Notice of Motion as listed in the agenda was proposed by Councillor Hugh-Jones on behalf of the Green Group and seconded by Councillor Ebel.
- 30.27 Councillor Hugh-Jones proposed the Notice of Motion. She asked Council to note that it referred to James Brokenshire as the Minister for Housing, Communities & Local Government (MHCLG) but that had recently changed, and it was now Esther McVey who was the MHCLG. In November 2018 a briefing paper from the UK Trade Policy Observatory predicted the impact of a no deal Brexit would be equivalent to the loss of 2021 jobs in Brighton Pavilion, 829 in Kemptown and 1100 in Hove, a total of 3,950 jobs. The Chancellor of the Exchequer recently said that a disruptive exit from the EU would cost the UK economy £90b. The Brexit scenario testing conducted by the Council in November 2018 identified that a no-deal Brexit would lead to business closures due to loss of staff with businesses facing recruitment and retention problems. The new Prime Minister has made it clear that he is prepared to take the UK out of the EU on a no-deal basis. The earning thresholds imposed on those wishing to come to this country from outside the EU prevent recruitment in sectors where it is most needed. Between 2012/13 and 2017/18 the Council received approximately £1.7m in EU funding, which was £340k per year. The Government is now proposing to give unitary authorities £210k over two years to help prepare for Brexit i.e. over three times less. Going forward Brighton & Hove may no longer benefit from EU funding, and this would impact on key priorities identified for promoting economic growth through the European Development Fund, research and innovation, supporting small and medium enterprises and creation of a low carbon economy – all areas where Brighton & Hove could potentially take a lead and which would have a devastating impact on our ability to create a low carbon economy. The Government says it will cover the loss of funding but that guarantee does not go past 2020 and that is why I urge Councillors to support the Notice of Motion.
- 30.28 The Mayor congratulated Councillor Hugh-Jones on her maiden speech on behalf of the council.
- 30.29 Councillor Ebel seconded the Notice of Motion. She said that she was one of the 20,000 non-British EU citizens in the city, and since Britain voted to leave the EU the Government had required EU citizens to register under the Settled Status scheme. This involved registering your personal details on a dedicated website and scanning your ID using a special App which was currently only available on Android phones. Only 6% of EU residents had registered for settled status so far, which demonstrated that there was

a high level of uncertainty linked to the process. We therefore request that the Council promotes partnerships to coordinate immigration advice available to EU nationals in the City and applied for Central Government funding to ensure the facilities were in place so every EU citizen in the City were able to register for settled status before the deadline.

30.30 The Mayor congratulated Councillor Ebel on her maiden speech on behalf of the council.

30.31 Councillor Appich spoke in support of the Motion. She said that she was an EU citizen and had come to this country in 1977 and was given indefinite leave to stay in 1979. The EU ran a session in Brighton a few months ago on settled status. That session was oversubscribed, and from comments made from those who attended there was a great deal of confusion in terms of how settled status schemes worked. I believed I wouldn't have to do anything as I had been given leave to stay, but that was not the case. The 20,000 EU citizens in the City needed support, as well as other organisations in the City such as schools who would benefit from advice.

30.32 Councillor Henry said that the current deal was not what the referendum suggested nor what Theresa May suggested but what Boris Johnson wanted. He said that this would be bad for the City and so welcomed the Motion. In Hove alone there were 10,000 entrepreneurs and small businesses who would be negatively impacted by a no-deal Brexit. The University of Sussex analysis concluded that there would be a negative impact on employment particularly in education, employment and health with around 4,000 jobs at risk. He welcomed the request for the Chief Executive to work on contingency plans to safeguard jobs.

30.33 The Mayor congratulated Councillor Henry on his maiden speech on behalf of the council.

30.34 The Mayor noted that it was agreed to change the name in the Notice of Motion from James Brokenshire to Esther McVey.

30.35 The Mayor confirmed that the motion had been agreed.

#### **(4) Support for Youth Strikes and Other Climate Action**

30.36 The Notice of Motion as listed in the agenda was proposed by Councillor Clare on behalf of the Green Group and seconded by Councillor Osborne

30.37 Councillor Clare said that the Council had declared a climate and biodiversity emergency and, on what is set to be one of the hottest days on record, the IPCC now say that we don't have eleven years to solve climate change before its irreversible, but we have eighteen months. It was therefore important to take action and to take action now. When I attended the Youth Council yesterday the issues they were considering were the same issues which I was considering on climate change when I was on a Youth Council. There had always been a tendency to ignore or patronise young people as they didn't have a say at the ballot box but now was the time to listen to them and the Youth Strike demands reflected that. We ask that young people are involved in policy making and given a chance to vote. As a Council we should write to the government to ask for that because if you can die for your country and pay taxes you should be able to vote for who leads it. With regard to ecological education young people should be given

the information to solve our climate crisis in innovative ways. The Council is responsible for its residents and we need to make sure that our actions are sustainable and that we take action on the climate now, and we want to support residents who are doing the same. Consideration should be given to having a car free day to raise awareness of air pollution in the City and which would then ensure those who were striking had clean air to breathe. As one of the largest employers in the City we should be supporting those who to take action on the climate emergency. We should be working with schools to ensure that young people are allowed to take part in climate change demonstrations and that that is done safely and attendance monitored correctly. We need to push for the government to take action as well as taking steps ourselves. We want climate action and we want it now.

30.38 The Mayor congratulated Councillor Clare on her maiden speech on behalf of the council.

30.39 Councillor Osborne seconded the Motion. He said that the climate crisis was here, and action needed to be taken now. The Motion was to back the strike action in September, as strikes were one of the most powerful actions and had a long history of instigating change. The Motion backed the demands of the Youth Strike Action by writing to the Government and asking the Council to work with schools in establishing a protocol and enabling those who wish to strike to do so in a safe way. We want the Council to allow staff who wish to strike to do so without fear of disciplinary proceedings. The Council was one of the biggest employers in the City and supporting the strike would back up their words. The Green Group were advocating for a car free day, so people could strike and walk, cycle or take public transport in clean air. This Motion was about 'doing' rather than 'saying' and thinking about the future.

30.40 The Mayor congratulated Councillor Osborne on his maiden speech on behalf of the council.

30.41 Councillor Childs said he welcomed and supported the Notice of Motion. He said that history had shown that only when people took a stand through campaigning or strike action that real change would be brought about. He said we should now stand together as politicians and take action on the issues which affected everyone. The City had declared a climate emergency and the Council were working on a ten-year plan to bring carbon neutrality by 2030. The Council would work with all parties to agree a protocol, in consultation with schools, for strike days and to look at ways in which we could allow employees of the Council to participate in the general strike. The Authority had a number of statutory duties to safeguard the children, to provide education, maintain attendance at school and to maintain services for the most vulnerable citizens. However, it would be possible to meet the demands of the Motion and put our City at the forefront of the climate struggle.

30.42 The Mayor congratulated Councillor Childs on his maiden speech on behalf of the council.

30.43 Councillor Brown said that the Conservative Group supported the young people's concerns on climate change and their wish to demonstrate but could not support their actions in leaving school to strike without permission. She said that as a Council we would be failing in our duty of care to them. Parents had the right to be confident that

their children were safe at school, and when they were leaving without permission as they did earlier in the year, it became a serious safety issue. The Council must ensure that children attend school, and parents could be fined if they were taken out of school for a holiday and yet this Notice of Motion is encouraging children to take unauthorised leave of absence. There were other ways children could show their concern over climate change in their own time. The Council had declared a climate emergency, and so we should be doing more such as looking at ways to reduce our carbon footprint. We are supportive of the young people and their concerns on climate change, but we should not be endorsing them striking during the school day.

- 30.44 Councillor Pissaridou said we had an enormous responsibility as the future of humanity and biodiversity on the planet depended on what we did in the next ten years. This Council had one of the strongest mandates on climate change in the country. There was an enormous amount to do within a small period of time and the Council needed to change the way it governed and acted and needed to create the spaces and platform for collective leadership and community action. The Council should intervene in every single area that currently creates emissions, harms biodiversity and weakens our resilience to the impacts of climate change. There was no time for lengthy consultations or dithering and we needed a Test, Learn and Review approach. The Council should learn from other cities in the world such as Edinburgh and Paris who have trialed banning combustion engine cars on certain days, but also be able to lead with a conviction that what is good for tackling climate change was also good for our economy, our health and helped to strengthen social bonds. 2020 was the most crucial of years for our climate and biodiversity with major decisions which needed to be taken on raising our global ambition. Let's make Brighton a case example on which the world can learn.
- 30.45 The Mayor congratulated Councillor Pissaridou on her maiden speech on behalf of the council.
- 30.46 Councillor Bell said he agreed with much of what had been said but could not support children not attending school. Children should be educated on climate change, but the Council should not give them an excuse for not being in school.
- 30.47 The Mayor confirmed that the motion had been agreed.

### **31 CLOSE OF MEETING**

- 31.1 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 9.15pm

Signed

Chair

Dated this

day of

2019





**BRIGHTON & HOVE CITY COUNCIL****EXTRAORDINARY COUNCIL****4.30pm 3 OCTOBER 2019****COUNCIL CHAMBER, HOVE TOWN HALL****MINUTES**

**Present:** Councillors Phillips (Chair), Robins (Deputy Chair), Simson, Bagaeen, Barnett, Bell, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fowler, Grimshaw, Hamilton, Heley, Henry, Hill, Hills, Hugh-Jones, Lewry, Littman, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Shanks, C Theobald, Wares, West, Wilkinson, Williams and Yates.

**PART ONE****32 DECLARATIONS OF INTEREST**

- 32.1 The Mayor stated that in view of her role as an MEP she had consulted with the Monitoring Officer and although she had no direct pecuniary interest in the issue to be debated, she had sought and been granted dispensation to speak and vote on the motion listed as Item 34, Brexit Preparations and City-Wide Scrutiny.
- 32.2 The Mayor noted that there were no other declarations of interests in the matter appearing on the agenda.
- 32.3 The Mayor also noted that whilst the Conservative Group members had signed the attendance register they were not present in the Chamber for the consideration of the item on the agenda.

**33 MAYOR'S COMMUNICATIONS**

- 33.1 The Mayor confirmed that the extraordinary meeting of the Council had been called to discuss the motion listed at Item 34, having been requisitioned by the Green Group.
- 33.2 The Mayor stated that she wished to make the meetings of full Council less formal and wished to be addressed as Alex rather than Madam Mayor but would leave it to Members to decide. She had also asked councillors to confirm how they preferred to be addressed and would therefore either call them by their first name or their title of councillor.

- 33.3 The Mayor stated that she wished to acknowledge and thank the Deputy Mayor, Councillor Robins for his continued support during her mayoralty year. She fully appreciated that he had gone beyond expectations in supporting the office.
- 33.4 The Mayor then stated that she wished to take the opportunity on behalf of the Council to thank all those involved, including members of the Fire Service, the volunteers and council staff who had responded so effectively to the recent fire at Pankhurst Avenue. She hoped to be able to formally recognise those nominated for their actions at the next Ordinary meeting of the Council.

#### **34 BREXIT PREPARATIONS**

- 34.1 The Mayor called on Councillor Mac Cafferty to move the motion on Brexit.
- 34.2 Councillor Mac Cafferty thanked the Mayor and stated that there was a need to recognise that the uncertainty around Brexit had led to a need to provide clarity for residents and businesses on what should do to prepare for leaving the EU. He felt that it was appalling that citizens had to apply to stay in the country but welcomed the action of the council to enable them to sign up. He believed the Prime Minister wanted to run the clock down and leave without a deal and the calling of the extraordinary meeting was the only opportunity for the council to discuss the implications for the City of such an outcome.
- 34.3 Councillor Ebel formally seconded the motion and reserved her right to speak later in the debate.
- 34.4 Councillor Platts stated that she was personally disappointed that it was likely the country would leave the EU. However, she wished to recognise the work of council officers in providing as much information as possible for residents and businesses on the issue via the website. She stated that EU residents in the city were valued and would be supported throughout the process and the information available would be regularly updated.
- 34.5 Councillor Hills stated that Universities in the city faced a major challenge in supporting their students and could face significant financial implications with the loss of overseas students and investment. They also had talented staff who may not be able to work in the country and be forced to leave which again would have implications for courses and the local economy. She hoped that the council would do all it can to support the universities and to welcome students to the city.
- 34.6 The Mayor congratulated Councillor Hills on her maiden speech.
- 34.7 Councillor Evans stated that the whole process for seeking EU settlement status was confusing and welcomed the support offered by the council to residents in the city. She noted that Brighton and Hove was a City of Sanctuary and stated that status had to be maintained. She also welcomed the information that had been put up on the council's website.
- 34.8 Councillor Lloyd stated that Brighton and Hove was a popular seaside resort and noted that it had two beaches with blue flag awards. However, he also noted that history

showed the beaches and the city's drinking water had only improved because of EU regulations and previous governments having to take action to meet EU standards. This was a clear example of why the country should remain in the EU and he hoped that consideration would be given to how such standards would be retained should the country leave the EU.

- 34.9 The Mayor congratulated Councillor Lloyd on his maiden speech.
- 34.10 Councillor Nield stated that she wished to express the concerns of residents with regard to the availability of important medicines and how this would be maintained should Brexit occur. It was clear from the Yellow Hammer report that sufficient plans to maintain supplies were not in place and a lack of information existed which needed to be addressed. She hoped that more information would become available and hoped that pressure could be put on the government and other authorities such as the BMA to take action.
- 34.11 The Mayor congratulated Councillor Nield on her maiden speech.
- 34.12 Councillor Moonan stated that she felt the amount of time and effort having to be spent on Brexit was shocking and that the most vulnerable were being left as having the least resilience to the implications that would follow. She welcomed the actions of officers to support applications for settled status and in putting out as much information as possible. However, there were clear concerns about the availability of medicines and lack of information forthcoming from the Health Service, all of which put more pressure on the Council to provide answers.
- 34.13 Councillor West stated that he believed exiting the EU would result in the country losing out on a number of benefits that it had enjoyed. He believed membership had led to significant improvement in agricultural controls and water supply standards that would be lost should Brexit occur. He believed there was a clear need to go back to the people and have a People's vote and therefore an extension to enable that to happen.
- 34.14 Councillor Henry referred to the Yellow Hammer report and noted that imports and exports would be subject to more controls and delays which could then affect how food was distributed. It was clear that there could be a greater level of waste and he noted that the number and use of food banks in the city was on the increase. It meant that there would be more pressure on the vulnerable and unless consumers were encouraged to change their attitudes and a greater demand on those organisations that were already stretched in providing food to those in need.
- 34.15 Councillor Hugh-Jones stated that there was likely to be an impact on staff and recruitment for small businesses who were less likely to be able to manage the uncertainty of Brexit. They were an important factor in the city's local economy and their demise would have a detrimental effect. She also questioned the impact for the Brighton Festival and Fringe which was a significant contributor to the city's economy. She also questioned whether there would be an increase in red tape and how food standards would be maintained in terms of regulatory alignment with the EU should Brexit happen. There was no indication of how trade regulation would be achieved or how long it would take.

- 34.16 Councillor Pissaridou stated that she had witnessed first hand the confusion over issues such as the availability of needed medicines and hoped that this could be resolved to ease the concerns of citizens.
- 34.17 Councillor Clare stated that the whole situation was unclear and unwarranted in that it was resulting in council staff having to undertake unnecessary tasks associated with Brexit, rather than being able to fulfil their primary duties. All councillors had a duty as Corporate Parents and should call for an end to the madness whereby looked after children were having to apply for settled status. The future for younger people was uncertain and they were not able to influence the decision which had to be wrong and there had to a further vote by the people on the issue of Brexit.
- 34.18 Councillor Deane noted that she had previously brought a motion to council seeing support for European Standards to be adhered to and this had been fully supported. It was now likely that such Standards would not be enforceable and there was no indication of what would replace them or when and how that would impact on services etc. The EU provided best practice in this area and was able to put the necessary investment into setting such Standards which should not be lost. It was getting things right and this country should be part of that.
- 34.19 Councillor Littman stated that the Brighton and Hove Resilience report had been forced on the council by the government and officers should be commended for their efforts and the work that had been undertaken. The people in the city wanted to know where their elected representatives stood on this matter and therefore he felt that the outcome of the vote on this matter should be recorded.
- 34.20 Councillor Druitt stated that he was concerned for the tourist sector and the potential impact on jobs and small businesses that would result from Brexit. The sector employed a significant number of foreign nationals and relied on foreign visitors and he felt it was the least prepared for the impact of Brexit. There would be changes in regulations and availability of a work force all of which would have an impact on the local economy, and he was not sure that it would be able to recover.
- 34.21 Councillor Powell stated that she felt the public sector was being pushed to a breaking point and that there was clear uncertainty over how various aspects that flowed from being a member of the EU such as Human Rights, Animal Rights and EU laws would be retained and enforced. She asked that the notes of the Brexit Working Group be made public and as much information as possible put out to keep people informed.
- 34.22 Councillor Ebel stated that she wished to highlight a positive from the situation in that the request made at the last full council meeting to support residents in applying for settled status had been delivered. She wished to add her thanks to the officers involved in ensuring that the service was available, and that information was available on the council's website. She noted that valuable time to debate the matter of Brexit had been lost in Parliament because of the unlawful decision to prorogue and that it was to be prorogued again which further limited the opportunity to give people time. There was a clear need to give them as much information as possible.

- 34.23 Councillor Yates stated that it was important to recognise the work of the officers involved in getting the information onto the council's website and ensuring that applications for settled status could be processed. He stated that the information would be kept up to date and as much preparation as possible made to meet the impact of Brexit should it happen. The council was working closely with its neighbours and other organisations such as the Sussex Resilience Forum and Business Community and the Universities. He acknowledged that there were areas of uncertainty around looked after children, child protection, and whether the EU would recognise UK Court rulings on such matters. The situation facing the vulnerable of society was recognised and the Brighton and Hove Food Partnership was preparing to ensure food availability was maintained. However, he felt that a lot of the planning was being made in the dark as no-one knew what Brexit actually meant other than it was going to be complex and difficult to meet the outcome.
- 34.24 Councillor Mac Cafferty thanked everyone for their contributions to the debate and stated that he also wanted to thank the officers, especially Dee Humphrey for their work on Brexit to date. He believed that a historic and crucial relationship existed with the EU and there was a real need for clarity on what was happening. A no deal situation was likely to see the loss of 3,500 jobs in the city. There was a clear need for impact assessments to be completed for all areas that would be affected as a result of Brexit. He hoped that EU citizens would continue to be supported in their right to stay in the country and urged council officials and public bodies to publish their plans for Brexit. The more information that could be made available the better residents and citizens would be informed. The Government had let people down and had failed to give any leadership.
- 34.25 The Mayor noted that a request for a recorded vote had been made and suggested that as the view of the Council was clear from the debate that the minutes should reflect the unanimous support for the motion rather than having to go through a recorded vote.
- 34.26 Councillor Littman thanked the Mayor and accepted the proposal.
- 34.27 The Mayor then put the following motion to the vote:

This council resolves to:

- Ensure that updated impact assessments from Brighton and Hove City Council's Brexit Working Group are made available to the public, in order to aid preparation for any form of Brexit;
  - Ensure that our city's elected councillors are, through this meeting, afforded the opportunity to debate this urgent matter in public, given the likely impact on the city and the attempts to stifle debate among elected MPs;
  - Request the Chief Executive write to the Prime Minister, expressing;
1. Our council's dismay that the suspension of Parliament could leave the city's communities yet further unprepared for Brexit
  2. The specific concerns of Brighton & Hove City Council on the impact of Brexit, with particular reference to the findings of the council's impact assessments on:

- small businesses and tourism
- vulnerable residents, given understood impacts on fuel, foods and medical supplies
- EU citizens requiring support with Settled Status

### 3. Support for a 'People's Vote.'

34.28 The Mayor confirmed that the motion had been carried unanimously and that the details of the voting would be recorded.

Note: Voting list detailed below:

		For	Against	Abstain			For	Against	Abstain
1	Allcock	Not present			28	Lewry	Not present		
2	Appich	Not present			29	<b>Littman</b>	√		
3	Atkinson	Not present			30	<b>Lloyd</b>	√		
4	Bagaeen	Not present			31	<b>MacCafferty</b>	√		
5	Barnett	Not present			32	McNair	Not present		
6	Bell	Not present			33	Mears	Not present		
7	Brennan	Not present			34	Miller	Not present		
8	Brown	Not present			35	<b>Moonan</b>	√		
9	<b>Childs</b>	√			36	Nemeth	Not present		
10	<b>Clare</b>	√			37	<b>Nield</b>	√		
11	<b>Davis</b>	√			38	O'Quinn	Not present		
12	<b>Deane</b>	√			39	<b>Osborne</b>	√		
13	<b>Druitt</b>	√			40	Peltzer Dunn	Not present		
14	<b>Ebel</b>	√			41	<b>Phillips</b>	√		
15	<b>Evans</b>	√			42	<b>Pissaridou</b>	√		
16	Fishleigh	Not present			43	<b>Powell</b>	√		
17	<b>Fowler</b>	√			44	<b>Platts</b>	√		
18	Gibson	Not present			45	<b>Rainey</b>	√		
19	<b>Grimshaw</b>	√			46	<b>Robins</b>	√		
20	<b>Hamilton</b>	√			47	<b>Shanks</b>	√		
21	<b>Heley</b>	√			48	Simson	Not present		
22	<b>Henry</b>	√			49	Theobald C	Not present		

23	<b>Hill</b>	√			50	Wares	Not present		
24	<b>Hills</b>	√			51	<b>West</b>	√		
25	<b>Hugh-</b>	√			52	<b>Wilkinson</b>	√		
26	Janio	Not present			53	<b>Williams</b>	√		
27	Knight	Not present			54	<b>Yates</b>	√		
						<b>Total</b>	<b>32</b>	<b>-</b>	<b>-</b>

### 35 CLOSE OF MEETING

35.1 The Mayor thanked everyone for attending and closed the meeting.

The meeting concluded at 5.45pm

Signed

Chair

Dated this

day of

2019





<b>Council</b>	<b>Agenda Item 38 (1)</b>
24 October 2019	Brighton & Hove City Council

<b>Subject:</b>	<b>Halt the Rollout of 5G Technology - Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>24 October 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	Tel: 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 2,240 signatures confirmed at the time of printing the report.

### 2. RECOMMENDATIONS:

- 2.1 That the petition is noted and referred to the Environment, Transport & Sustainability Committee for consideration at its meeting on the 26<sup>th</sup> November 2019.

### 3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

#### 3.1 The Petition

#### **To Halt the Rollout of 5G Technology.**

Lead Petitioner – Irina Blossie

Additional Information:

We the undersigned petition Brighton & Hove Council to halt the rollout of 5G technology in Brighton & Hove and invoke the Precautionary Principal adopted by the EU in 2005 which states: "When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm." We, the residents of Brighton & Hove, insist that our City Council invoke the Precautionary Principal regarding 5G technology and all associated infrastructure before deploying it in our city. We

(the residents) now call for independent research and for the City Council to prove to its constituents that 5G is SAFE and poses NO risk to human health, animals, wildlife, insects, birds and the ecosystem as a whole. Once 5G is deployed fully, it will expose people 24/7 to mandatory radiation without their informed consent, which constitutes a blatant breach of their Human Rights. WE DO NOT CONSENT UNTIL PROVEN SAFE

#### **4. PROCEDURE:**

4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
- (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
- (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
  - (v) (a) Any amendments in the order in which they are moved, and
  - (b) The substantive recommendation(s) as amended (if amended).

<b>Council</b>	<b>Agenda Item 38 (2)</b>
24 October 2019	Brighton & Hove City Council

<b>Subject:</b>	<b>Give Kids the Right to Walk Safely to School in Brighton and Hove - Petition for Debate</b>		
<b>Date of Meeting:</b>	<b>24 October 2019</b>		
<b>Report of:</b>	<b>Executive Lead Officer for Strategy, Governance &amp; Law</b>		
<b>Contact Officer:</b>	<b>Name:</b>	Mark Wall	Tel: 01273 291006
	<b>E-mail:</b>	<a href="mailto:mark.wall@brighton-hove.gov.uk">mark.wall@brighton-hove.gov.uk</a>	
<b>Wards Affected:</b>	<b>All</b>		

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 Under the Council's Petition Scheme if a petition contains more than 1,250 signatures and is not petition requesting officer evidence, it will be debated by the Full Council.
- 1.2 The e-petition has resulted in triggering a debate at the council meeting, having exceeded the threshold with a total of 1,263 signatures confirmed at the time of printing the report.

### 2. RECOMMENDATIONS:

- 2.1 That the petition is noted and referred to the Children, Young People & Skills Committee for consideration at its meeting on the 11<sup>th</sup> November 2019.

### 3. RELEVANT BACKGROUND INFORMATION / CHRONOLOGY OF KEY EVENTS:

#### 3.1 The Petition

#### **Give Kids the Right to Walk Safely to School in Brighton and Hove.**

Lead Petitioner – Councillor Nield

Additional Information:

**Every Pupil deserves the right to walk safely to school.  
We know how many people are desperate for a solution to the nightmare of the school run.**

I'm Sarah Nield. I'm a Councillor and also parent to two children at school in Brighton and Hove. Along with the many other parents who have contacted me -

**I WANT SAFE SCHOOL WALKING ZONES.** Please join my campaign.

We all want more kids to walk to school: it's good for their health, it combats air pollution - so let's make it a genuine option for our young people.

Schools encourage students to walk. 5,10 and 15 minute walking zones are mapped out around them. But families often find that these walking zones are not actually safe to walk in. Walking zones which contain busy, dangerous roads with no crossing points make a mockery of 'Walk to School' initiatives.

Communities who campaign for crossings around their school are often stonewalled with statistics - and told that 'nothing can be done' until an accident happens.

But there is an alternative...

### **We want Safe School Walking Zones.**

We're pushing for practical action that will make a real difference to the school run.

School Walking Zones would mean parents would no longer have to beg for a single crossing at the worst point of their journey. Instead of just encouragement, children should have the right to walk safely to school, with the changes put in place to make it possible, and the support given to schools to deliver.

This campaign is calling for:

- 1: New council policy which says all schools will be supported to develop Safe School Walking Zones, and that the necessary crossings and road markings will be added within schools' 10 min walking zones to create them.
- 2: Safe School Walking Zones to be clearly visually marked throughout so drivers cannot miss the fact they are in one.
- 3: Consultation with schools and their communities, so that people can share their ideas on how to make a Safe School Walking Zone.

**The idea is simple, but the project is big**, and the shift in priorities it represents is huge.

### **In order to happen it needs a massive show of support from parents and school communities.**

We need everyone to sign our petition: whether you're a grandparent, parent, member of the community, teacher, someone who walks to school: the school run is a daily nightmare for so many people: we need you to help us solve it.

We want to show how much support there is for safe walking zones around schools. A big enough petition (we need 1,250 signatures) will lead to a full debate in the Council chamber and allow us to gain this issue the attention it deserves. If voted through we can then start the ball rolling to make Safe School Walking Zones a reality in Brighton and Hove.

## **4. PROCEDURE:**

- 4.1 The petition will be debated at the Council meeting in accordance with the agreed protocol:

- (i) The Lead petitioner will be invited by the Mayor to present the petition and will have up to 3 minutes in which to outline the prayer of the petition and confirm the number of signatures;
- (ii) The Mayor will then open the matter up for debate by councillors for period of 15 minutes and will first call on the relevant Committee Chair to respond to the petition and move a proposed response. The Mayor will then call on those councillors who have indicated a desire to speak in the matter, before calling on the relevant Committee Chair to respond to the debate;
- (iii) An amendment to the recommendation in paragraph 2.1 of the report or to add additional recommendations should be submitted by 10.00am on the day of the meeting; otherwise it will be subject to the Chair's discretion as to being appropriate. Any such amendment will need to be formally moved and seconded at the meeting;
- (iv) After the 15 minutes set aside for the debate, the Mayor will then formally put:
- (v) (a) Any amendments in the order in which they are moved, and  
(b) The substantive recommendation(s) as amended (if amended).



**WRITTEN QUESTIONS FROM COUNCILLORS**

The following questions have been received from Councillors and will be taken as read along with the written answer which will be included in an addendum that will be circulated at the meeting:

**(1) Councillor: Gibson**

The answer to the below question was initially deferred till after the budget and then answered partially without revealing the modelling of actual costs for the specific schemes, so please provide the full answer to include all the specific schemes referred to in the question below?

*“Can the new homes schemes modelled (in answer to question 8 to full council on April 19th 2018) as estimates (using estimates of borrowing and build costs) be modelled inputting the actual build cost and the actual capital charges (or if this is not easy to establish using the weighted average capital charge on actual borrowing taken out since 2015) of the loans used to fund the schemes over a 60 year period to establish the projected surplus/deficit based on more accurate inputs?”*

Reply from Councillor Williams, Chair of the Housing Committee

**(2) Councillor Gibson**

In the light of the recently announced changes to PWLB rates please can you update the costs provided in answer to the following question asked to Policy & Resources committee in February 2019;

Please provide a table showing the annual repayment required of BHCC on a loan at current PWLB rates for 5, 10, 20, 25, 30,35, 40 and 50 million pounds? (showing repayment periods of 30,40, 50, and 60 years for each loan).

Reply from Councillor Platts, Leader of the Council

**(3) Councillor Clare**

How many complaints arose from events in Brunswick and Adelaide Ward so far this year?

Reply from Councillor Yates, Deputy Chair (Finance) of the Policy & Resources Committee

**(4) Councillor Nemeth – King Alfred**

Starting with Councillor Geoffrey Bowden, who proudly launched the King Alfred project whilst Chairing the Economic Development & Culture Committee, please provide a timeline of lead Members for the project since Councillor Bowden, finishing with whoever is leading now?

Reply from Councillor Robins, Chair of the Tourism, Equalities, Communities & Culture Committee

**(5) Councillor Miller – Madeira Terraces**

When on current projections are all 147 arches likely to be restored by this failing Labour Administration? Would they prefer the Conservative group to take over and have work start on all of them within 24 months?

Reply from Councillor Robins, Chair of the Tourism, Equalities, Communities & Culture Committee

**(6) Councillor Miller – Private Schools**

Does the Leader of the Council, and her colleague MP's, agree with the Labour Party that successful schools in our city, educating many local pupils, such as Brighton College, Roedean, Lancing College and St. Christopher's to name but a few: should be closed down, and stripped of their assets? So as to increase the financial and land pressure on our local maintain, free and academy schools and ultimately lower standards and outcomes for all our city's young people?

Reply from Councillor Platts, Leader of the Council

**(7) Councillor Fishleigh**

Is it possible for Cityclean to allocate two people to spend one day a week every week maintaining the area around Brighton train station so that this gateway into the city is more appealing to both residents and visitors with regular tasks to include painting over and scrubbing away graffiti, peeling off stickers and painting over the damage caused by them on lamp posts, repainting the black railings, weeding and tendering plant beds?

Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**(8) Councillor Hugh-Jones**

On 1 October 2019, the Government opened the consultation on Future Homes Standard by 2025. The consultation ends on 10 January 2020. The government withdrew the Code for Sustainable Homes (CSH) in March 2015 following which this Council had to fight hard to incorporate the equivalent of CSH Level 4 into City Plan Part 1.

Unsurprisingly, more recently, in its report on energy efficiency, the Business, Energy and Industrial Strategy (BEIS) Committee also described it as *"nonsensical to be continuously making the problem worse by allowing new homes to be built that will also need to be retrofitted"*.

In relation to existing housing stock, the Committee on Climate Change noted in its 2019 report to Parliament that:

*Policies are not in place to deliver the Government's ambitions on energy efficiency ... Building standards are not sufficiently enforced ... Regulations for*



*the private rented sector prioritise costs for landlords over running costs for renters. MHCLG must play its part, including minimum standards for social housing.*

Does this administration plan to respond to the consultation? If so, and in light of the climate emergency, will the Council explore, as a matter of urgency:

1. The adoption of the Scottish model of making zero interest or equity loans available to homeowners for energy efficiency improvements, or an equivalent model?
2. Better enforcement of energy efficiency standards including, in the private rented sector, lobbying for the removal of the £3500 cap on landlord's fuel efficiency improvements?

Reply from Councillor Williams, Chair of the Housing Committee

**(9) Councillor Gibson**

As of 1st of October 2019, please can you tell me, across Brighton and Hove how many:

- CPZ permits were issued?
- What the annual cost average charge per permit?
- How many addresses have each of 2, 3, 4, 5 permits issued?
- How many vehicles have permits for 2 zones?

Reply from Councillor O'Quinn, Chair of the Licensing Committee

**(10) Councillor Osborne - Students and noise complaints in Coldean**

What is the council doing to put pressure on the bus companies, the university and other stakeholders to address the issues caused by anti-social behaviour in Coldean coming from the Varley Halls?

Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee

**(11) Councillor Osborne - Advertising- removing sugary/fatty foods and drinks**

Dame Sally Davies, Chief Medical Officer for England, recently announced that one of the best ways to tackle the obesity epidemic in children is to cut out advertising of unhealthy food and drink.

Does the council lease any land/property to advertising companies? Does the council have powers to restrict advertising in places which it doesn't own and does the council intend to use its authority as a licensing body to limit the advertising at events?

Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee

**(12) Councillor West**

Electric cars offer an opportunity to reduce air pollution, though will not address road congestion and the danger faced by active and vulnerable road users. While it is hoped electric cars will be powered with renewable energy, the energy levels required to power large scale use of electric cars will need a huge investment in generation, transmission and charging infrastructure. When account is also taken of the high level of embodied energy needed to produce electric cars, what overall carbon saving can be achieved through switching from conventionally powered to electrically powered private vehicles? Given the Labour administration shares the Green goal of the city being carbon neutral by 2030, does the Labour administration accept that electric cars are not a panacea for carbon neutrality and that instead there needs to be a rapid and major shift from car use to active and sustainable travel modes in the city?

Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee

**(13) Councillor Mac Cafferty - Communal Bins**

Can you please tabulate:

- (1) the quantity of complaints about communal bin collections;
- (2) the quantity of complaints about the state of communal bins and;
- (3) the age of each communal bin,

on each street in Brunswick and Adelaide Ward for the past five years?

Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee

**(14) Councillor Mac Cafferty – Pavement Parking**

Further to Scottish Parliament legislation and the Commons' Transport Committee recommendation to implement a ban on pavement parking in England, what will be done ahead of legislation in the meanwhile to enable our council to sign up to the Living Streets "Pavements for People" charter?

Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee

**(15) Councillor Mac Cafferty – Licensing Complaints**

Can you please tabulate the quantity of complaints about licensed premises for each street in Brunswick and Adelaide Ward in the past five years?

Reply from Councillor O'Quinn – Chair of the Licensing Committee

**(16) Councillor Mac Cafferty – Anti-Social Behaviour Policy**

Can you please tabulate the quantity of anti-social behaviour incidents for each street in Brunswick and Adelaide Ward in the past five years?

Reply from Councillor Moonan – Chair of the Health & Wellbeing Board

**(17) Councillor Mac Cafferty - Fixed penalty notices for environmental offences**

Can you please tabulate the quantity of fixed penalty notices for environmental offences of littering, graffiti, fly posting and fly tipping respectively for the last five years across the city?

Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee

**(18) Councillor Hills**

Residents in my ward are keen to recycle as effectively as they can, but it can be difficult to access information about the whole range of what they can recycle and where. One comprehensive digital map that contains all public recycling points, as well as other non-council recycling services, would be really helpful. There are maps on the council website that show where specific materials/items can be collected, that is, cartons, electricals and textiles/clothes/shoes. But would great if all recycling points could be on one map, with pull down options so users can look up recycling facilities for specific items or materials. It is particularly difficult for residents to find out about non-council recycling options and it would be great if these could be included on the map too. Recycling services such as the Green Centre collect a wide number of materials but only at specific locations on particular days, and it would really help residents if information on services such as this could be available in the same place as council information. It could help residents to locate supermarkets that collect plastic bags, and garden centres that take plant pots too. The A-Z on there at the moment is useful but the provision would be better if such a map were available too, as people generally respond better to information presented visually. I'm sure my residents would really appreciate this as many don't have cars and would prefer to recycle as locally as they can.

When do we expect a food waste collection service be available in the city?

Reply from Councillor Pissaridou – Chair of the Environment, Transport & Sustainability Committee



<b>Council</b>	<b>Agenda Item 41</b>
24 October 2019	Brighton & Hove City Council

## ORAL QUESTIONS FROM COUNCILLORS

A period of not more than 30 minutes is set aside for oral questions from Members, at the expiry of which, the Mayor will call a halt and proceed to the next item of business of the agenda. Any Member whose question then remains outstanding will be contacted to determine whether they wish to have a written answer provided or for their question to be carried over to the next meeting.

The following Members have indicated that they wish to put questions to the Leader, Chairs of Committees or Members of the Council that have been appointed to an outside body. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion:

**(1) Councillor Mac Cafferty**

*Subject matter:* PWLB Loans

Reply from Councillor Platts, Leader of the Council

**(2) Councillor Bell**

*Subject matter:* School Funding

Reply from Councillor Allcock, Chair of the Children, Young People & Skills Committee

**(3) Councillor Hugh-Jones**

*Subject matter:* Council's city-wide Public Toilet Cleansing and Maintenance Contract.

Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**(4) Councillor Barnett**

*Subject matter:* Filthy City

Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**(5) Councillor Fishleigh**

*Subject matter:* Traffic Flows at the Planned Aquarium Junction

Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**(6) Councillor Ebel**

*Subject matter:* Brexit

Reply from Councillor Platts, Leader of the Council

**(7) Councillor Mears**

*Subject matter:* Rough Sleepers

Reply from Councillor Brennan, Lead Member for Homelessness

**(8) Councillor Clare**

*Subject matter:* Home to School Transport

Reply from Councillor Allcock, Chair of the Children, Young People & Skills Committee

**(9) Councillor Theobald**

*Subject matter:* Pavements & Graffiti

Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**(10) Councillor Deane**

*Subject matter:* Tell Us Once

Reply from Councillor Yates, Deputy Chair (Finance) of the Policy & Resources Committee

**(11) Councillor Shanks**

*Subject matter:* Pavement Parking

Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**(12) Councillor Osborne**

*Subject matter:* Hollingdean Depot Fire

Reply from Councillor Pissaridou, Chair of the Environment, Transport & Sustainability Committee

**(13) Councillor Hills**

*Subject matter:* Voluntary Payments to the Council

Reply from Councillor Yates, Deputy Chair (Finance) of the Policy & Resources Committee

**Subject:** **Adoption of Shoreham Harbour Joint Area Action Plan** – Extract from the proceedings of the Policy & Resources Committee meeting held on the 10 October 2019.

**Date of Meeting:** **24 October 2019**

**Report of:** **Executive Director Economy Environment & Culture**

**Contact Officer:** Name: **Lisa Johnson** Tel: **01273 291228**  
E-mail: [lisa.johnson@brighton-hove.gov.uk](mailto:lisa.johnson@brighton-hove.gov.uk)

**Wards Affected:** All

**FOR GENERAL RELEASE*****Action Required of Council***

To receive the recommendations of the Policy & Resources Committee in relation to the report of the Executive Director for Environment, Economy & Environment concerning the Adoption of the Shoreham Harbour Joint Area Action Plan.

**Recommendations:**

- (1) That the response to the consultation on the main modifications to the JAAP and the contents of the Inspector's Report with her conclusion that the JAAP is legally compliant and 'sound' be noted;
- (2) That the JAAP be adopted, incorporating the main modifications and minor modifications as part of the Development Plan for the City, subject to the Head of Planning agreeing any further minor non-material changes to the text with Adur District Council and West Sussex County Council;
- (3) That the currently adopted west area Policies Map be revised to additionally display policies contained within the JAAP;
- (4) That the Development Brief for South Portslade Industrial Estate & Aldrington Basin be revoked.

**BRIGHTON & HOVE CITY COUNCIL**

**POLICY & RESOURCES COMMITTEE**

**4.00pm 10 OCTOBER 2019**

**HOVE TOWN HALL, - COUNCIL CHAMBER**

**MINUTES**

**Present:** Councillors: Platts (Chair), Yates (Deputy Chair), Mac Cafferty (Opposition Spokesperson), Bell (Group Spokesperson), Allcock, Clare, Gibson, Moonan, Nemeth and Shanks.

**MINUTE EXTRACT**

**PART ONE**

**44 ADOPTION OF THE SHOREHAM HARBOUR JOINT AREA ACTION PLAN**

- 44.1 The Committee considered the report of the Executive Director Economy Environment & Culture which informed them of the outcome of the Public Examination of the Shoreham Harbour Joint Area Action Plan (JAAP) and sought approval for the formal adoption of the Plan by Council.
- 44.2 The recommendations in the report were agreed without discussion.
- 44.3 **RESOLVED:** That the Committee
- (i) Noted the responses to the consultation on the main modifications to the JAAP and the contents of the Inspector's Report with her conclusion that the JAAP is legally compliant and 'sound';
  - (ii) Recommended to Council that the JAAP be adopted, incorporating the main modifications and minor modifications, as part of the Development Plan for the City, subject to the Head of Planning agreeing any further minor non-material changes to the text with Adur District Council and West Sussex County Council;
  - (iii) Recommended to Council that the currently adopted west area Policies Map be revised to additionally display policies contained within the JAAP;
  - (iv) Recommended to Council that the Development Brief for South Portslade Industrial Estate & Aldrington Basin be revoked.



<b>Council</b>	<b>Agenda Item 42</b>
24 October 2019	Brighton & Hove City Council

<b>Subject:</b>	<b>Adoption of the Shoreham Harbour Joint Area Action Plan</b>		
<b>Date of Meeting:</b>	<b>24 October 2019</b> 26 September 2019 - Tourism, Equality, Communities & Culture Committee 10 October 2019 – Policy & Resources Committee		
<b>Report of:</b>	<b>Executive Director - Economy, Environment and Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steve Tremlett</b>	<b>Tel: 01273 292108</b>
	<b>Email:</b>	<b>steve.tremlett@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>South Portslade; Wish</b>		

## FOR GENERAL RELEASE

### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of this report is to inform the Tourism, Equality, Communities & Culture Committee (TECC), Policy, Resources & Growth Committee and Council of the outcome of the Public Examination of the Shoreham Harbour Joint Area Action Plan (JAAP), and seek approval for the formal adoption of the Plan by Council.
- 1.2 The JAAP provides specific planning policies and site allocations to support the regeneration of the Shoreham Harbour area, which, if adopted by Council, Adur District Council and West Sussex County Council, will become part of the city's statutory development plan and be used to determine planning applications within the Plan area.

### 2. RECOMMENDATIONS:

#### That Tourism, Equality, Communities & Culture Committee:

- 2.1 Notes the responses to the consultation on the main modifications to the JAAP and the contents of the Inspector's Report with her conclusion that the JAAP is legally compliant and 'sound';
- 2.2 Recommends to Policy & Resources Committee that the JAAP be adopted, incorporating the main modifications and minor modifications, as part of the Development Plan for the City, subject to the Head of Planning agreeing any further minor non-material changes to the text with Adur District Council and West Sussex County Council;
- 2.3 Recommends to Policy & Resources Committee that the currently adopted west area Policies Map be revised to additionally display policies contained within the JAAP; and

- 2.4 Recommends to Policy & Resources Committee that the Development Brief for South Portslade Industrial Estate & Aldrington Basin be revoked

*That the Policy & Resources Committee:*

- 2.1 Notes the responses to the consultation on the main modifications to the JAAP and the contents of the Inspector's Report with her conclusion that the JAAP is legally compliant and 'sound';
- 2.2 Recommends to Council that the JAAP be adopted , incorporating the main modifications and minor modifications, as part of the Development Plan for the City, subject to the Head of Planning agreeing any further minor non-material changes to the text with Adur District Council and West Sussex County Council;
- 2.3 Recommends to Council that the currently adopted west area Policies Map be revised to additionally display policies contained within the JAAP; and
- 2.4 Recommends to Council that the Development Brief for South Portslade Industrial Estate & Aldrington Basin be revoked.

*That Council:*

- 2.1 Notes the responses to the consultation on the main modifications to the JAAP and the contents of the Inspector's Report with her conclusion that the JAAP is legally compliant and 'sound';
- 2.2 Adopts the JAAP, incorporating the main modifications and minor modifications, as part of the Development Plan for the City, subject to the Head of Planning agreeing any further minor non-material changes to the text with Adur District Council and West Sussex County Council;
- 2.3 Revises the currently adopted west area Policies Map to additionally display policies contained within the JAAP; and
- 2.4 Revokes the Development Brief for South Portslade Industrial Estate & Aldrington Basin.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 In summary, the Joint Area Action Plan is a 15 year plan for the comprehensive regeneration of Shoreham Harbour and focusses on four key development areas: Aldrington Basin, South Portslade (in Brighton & Hove), and Southwick Waterfront and Western Harbour Arm (in Adur/West Sussex). Overall these areas are expected to deliver 1,400 new homes, 23,500sqm of new employment space, a consolidated port, improved flood defences, transport infrastructure, public spaces and community and leisure facilities. It has been prepared by the Shoreham Harbour Regeneration Partnership, which comprises Brighton & Hove City Council, Adur District Council, West Sussex County Council and the Shoreham Port Authority.
- 3.2 The two development areas in Brighton & Hove are described in more detail below:

- 3.3 **Aldrington Basin** – this development area forms the eastern gateway to the harbour. It currently includes a mixture of port operations, employment space and some residential areas.
- 3.4 The JAAP seeks to safeguard and improve the port facilities and includes a strategic allocation for employment (uses classes B1, B2 and B8) and mixed use (use classes A2, B1, C3 and ancillary A1). The allocation in Aldrington Basin will deliver a minimum of 90 new dwellings and 4,500sqm employment floorspace.
- 3.5 In combination with the allocation at South Portslade it forms a key employment area within Brighton and Hove and will help deliver the additional industrial floorspace required in the city in accordance with policy CP3 of the City Plan
- 3.6 **North Quayside and South Portslade** – the North Quayside part of this development area is mostly a port-operational area and South Portslade is predominantly an employment area.
- 3.7 The JAAP seeks to safeguard and improve the port facilities and, within South Portslade, includes strategic allocations for employment and mixed use residential and employment. The allocation in South Portslade will deliver a minimum of 210 new dwellings and 3,000sqm employment floorspace.
- 3.8 Together the allocations in Aldrington Basin and South Portslade will deliver a minimum of 7,500sqm employment generating floorspace and 300 new homes. South Portslade will provide much of the proposed housing key in delivering the housing target set out in policy CP1 of City Plan Part One.
- 3.9 Following the Council resolution on 2 November 2017, a Proposed Submission Joint Area Action Plan was published for statutory public consultation between 10 November and 22 December 2017. A total of 45 representations from 19 bodies and individuals were received during this period and were submitted in May 2018, alongside the Plan and supporting evidence, to the Secretary of State for independent Examination. Between 19 September and 21 September 2018, Planning Inspector Anne Napier MRTPI held public hearings at the Shoreham Centre, Shoreham-on-Sea, on aspects of the JAAP as part of the Plan's Examination.
- 3.10 Following consideration of comments received during the Proposed Submission consultation and discussions at the public hearing sessions of the Public Examination, the Inspector recommended that the three authorities make a number of main modifications to the Plan.
- 3.11 Following the Examination public hearings, a six week consultation on these modifications took place from 21 January to 4 March 2019. Eleven representations were received and submitted to the Inspector for consideration; these are included in Appendix 2 to this report together with the Councils' responses.
- 3.12 The Inspector's report was submitted to the authorities on 31 July 2019 concluding that the JAAP is 'sound' and legally compliant, provided that the main modifications are made to the Plan. The remainder of the JAAP proposed for

adoption is consistent with that approved at TDC Committee in September 2017 and Council in November 2017. A full schedule of the main modifications is included in Appendix 3 with a summary as follows:

- Clarification of the approach required within the Plan area for decentralised and renewable energy, with clear and specific guidance, including in relation to the Shoreham Heat Network and its potential impact on sites within the regeneration area;
- More robust support for identified protected employment areas;
- Clarity on the required approach to flood risk assessment on non-allocated 'windfall' sites, a requirement to consider the most up-to-date flood risk evidence, and strengthened consequential protection for the environment and sites elsewhere;
- A requirement for the provision of up-to-date ecological information for all development applications, and clear guidance on the need for like-for-like compensatory habitats;
- Identification of the need for air quality impact assessments for development proposals;
- Clarification of the approach to public open space and green infrastructure, including that provided by the proposed segregated cycle route along the A259 corridor;
- Amendments to the requirements for the assessment of the design of development proposals, including the provision of public art, and the impact of proposals on existing living conditions of neighbouring occupiers and those of potential future occupiers;
- Identifying the need to consider the navigational safety of vessels in the harbour mouth; and
- The provision of a robust monitoring mechanism to support the delivery of the Plan.

- 3.13 A copy of the Inspector's Report is available in Appendix 4. The Report has been published for public inspection and is available to view on the Council's website. In light of the Inspector's conclusions the JAAP may now be adopted. The text of the JAAP proposed for adoption is included in Appendix 5.
- 3.14 Adoption of the JAAP will be considered by West Sussex County Council on 18 October 2019 and Adur District Council on 31 October 2019. A six week period for legal challenge would then begin. If the three Authorities adopt the JAAP it will become part of the statutory Development Plan for the plan area. That means that it will be used by the City Council as the basis for determining planning applications within the Shoreham Harbour area.
- 3.15 It is proposed that authority should be delegated to the Head of Planning to agree any further necessary minor modifications to be made to the JAAP for factual updates and clarity, which do not materially affect the Plan, following consideration by the Adur District Council and West Sussex County Council.
- 3.16 The currently adopted Policies Map for the west area of the city will be revised to additionally display the policies contained within the JAAP. An inset of the revised map is included as Appendix 1.

- 3.17 The JAAP will supersede the currently adopted Development Briefs which have been used to provide detailed guidance for the development in the various development areas whilst the JAAP has been under preparation. The Development Brief for South Portslade Industrial Estate & Aldrington Basin relates to the area within Brighton & Hove and therefore is to be revoked.

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

- 4.1 Alternative development options for the JAAP plan area have been considered at the various stages of the preparation of the JAAP.
- 4.2 The JAAP has been found to be sound and legally compliant subject to the main modifications required by the Inspector. As provided by s23(4) of the Planning and Compulsory Purchase Act 2004 the council cannot adopt a Plan that is materially different from that recommended by the Planning Inspector; the Council cannot choose to accept some of the modifications and not others. The only options available to the council at this stage are to either adopt the Plan in its entirety, with all of the Main Modifications required by the Inspector, or to not adopt the Plan at all.
- 4.3 A considerable amount of resources over many years have been expended on the preparation and examination of the Plan and to not adopt the Plan at this stage would risk this being wasted and undermine the joint working which has occurred with the City Council's two partner authorities and the Shoreham Port Authority.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Joint Area Action Plan has evolved through a number of stages of public consultation, as follows:
- Draft Shoreham Harbour JAAP - 2014
  - Revised Draft JAAP – December 2016
  - Proposed Submission JAAP – November 2017
  - Proposed Main Modifications – January 2019

#### **6. CONCLUSION**

- 6.1 Progression of the JAAP to a stage where it has been found sound, legally compliant and able to be adopted is a considerable achievement, and represents the culmination of many years' work.
- 6.2 Adoption will incorporate the JAAP into the city's Development Plan and support the wider regeneration of the Shoreham Harbour area.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 There are no direct financial implications from the adoption of the Shoreham Harbour Joint Area Action Plan itself. It is assumed that any administrative costs associated with adoption of the plan will be contained within existing budgets.

Obviously future actions related to delivery of the action plan would be fully costed and brought back to committee.

*Finance Officer Consulted: Jessica Laing*

*Date: 22/07/19*

Legal Implications:

- 7.2 The statutory background to the adoption of the JAAP is set out in paragraph 4.2 of this report. Moreover, the legislation requires that the JAAP, being a development plan document, may only be adopted by a resolution of Full Council.
- 7.3 As soon as reasonably practicable after adoption the JAAP must be published on the Council's website and made available for inspection at the Council's principal offices and other appropriate locations (Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012).

*Lawyer Consulted: Hilary Woodward*

*Date: 29/7/19*

Equalities Implications:

- 7.4 An Equality and Health Assessment has been produced to support the JAAP. This concludes that the JAAP is expected to have generally positive or neutral impacts on Protected Groups, as outlined in the Equality Act 2010. It aims to create mixed, healthy communities and help to reduce discrimination and inequality.

Sustainability Implications:

- 7.5 A key requirement of the National Planning Policy Framework is to achieve sustainable development. A Sustainability Appraisal (SA), incorporating the requirements of Strategic Environmental Assessment (SEA) has been carried out on the JAAP and the proposed modifications. The Inspector concludes that the SA has adequately considered alternative options to meeting development needs.

Any Other Significant Implications:

- 7.6 None identified.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

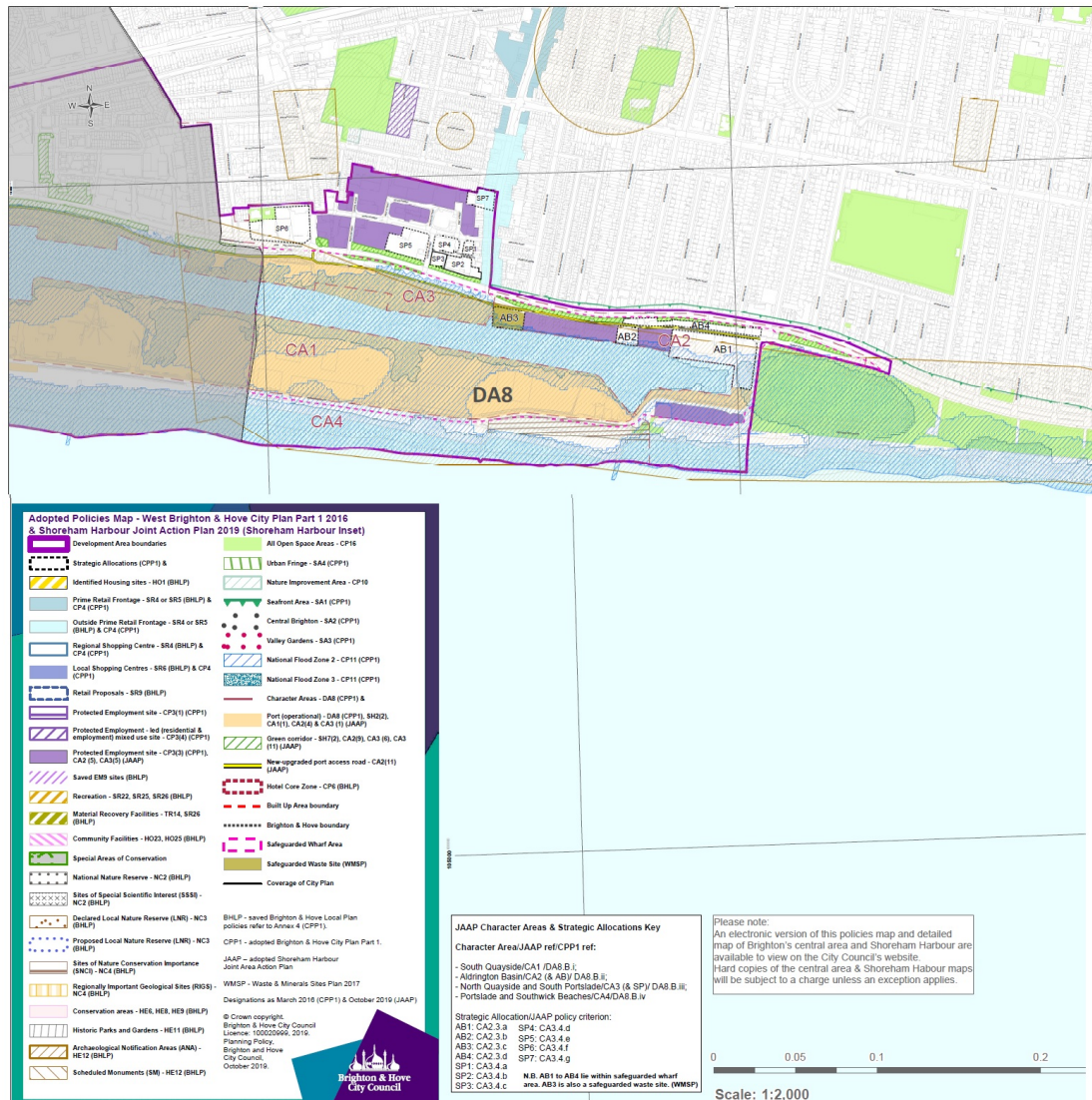
1. Revised Policies Map
2. Representations on the Proposed Main Modifications and Councils' Responses
3. Main Modifications to the Submission Shoreham Harbour Joint Area Action Plan
4. Inspector's Report
5. Shoreham Harbour Joint Area Action Plan (adoption version)

### **Background Documents**

1. National Planning Policy Framework
2. City Plan Part One
3. Draft City Plan Part Two









## Shoreham Harbour Joint Area Action Plan

### Councils Response to Representations on the Proposed Main Modifications

Consultee		Rep No	Comments	Councils' response
1	Hove Civic Society REP/JAAP/PM/01	1	In response to modification 4: In support. Welcomes introduction of references to the Shoreham Heat Network and the marine source heat pump and gas CHP technologies.	Comments noted and support welcomed
2	Sussex Police REP/JAAP/PM/02	1	Suggest making developers aware or requiring a specific standard of Secured by Design via a planning condition.	Comments noted.  Councils suggest additional modification to supporting text.
3	Highways England REP/JAAP/PM/03	1	Satisfied that the JAAP's policies will not materially affect the safety, reliability and/or operation of the Strategic Road Network. Would like to be consulted on any future modifications which have the potential to impact upon the network.	Comments noted.
4	Environment Agency REP/JAAP/PM/04	1	In response to modification 2: In support. Supports the inclusion of the term 'natural environment' into the wording of the vision.	Comments noted and support welcomed.
		2	In response to modification 4: In support. Supports referencing 'subject to appropriate environmental permits' in the wording of this section.	Comments noted and support welcomed.
		3	In response to modification 7: In support. Support the addition of the new section '3.6.7' to clarify the requirement for sequential and exceptions tests. Also support modifications to section 3.6.8 which clarifies the position with regards the responsibility for delivery and	Comments noted and support welcomed.

			maintenance of flood defences in the Western Harbour Arm.	
		4	In response to modification 8: In support. Support the modifications to Policy SH6 (1) with regards to flood risk management evidence and policy, in consultation with relevant authorities such as the Environment Agency.	Comments noted and support welcomed
		5	<p>In response to modification 11. In support with amendment. Not considered to be sound due to it not being 'effective' or 'consistent with national policy'.</p> <p>Support modified wording to Policy SH7 (4) and to Policy SH7 (7) which ensure that the plan is effective at conserving and protecting biodiversity. It also ensures compliance with Paragraph 018 of the Planning Practice Guidance. Precise suggested wording is suggested in section 7 of their response to main modification 11 in rep form.</p> <p>Support the modifications in section 3.7.2. Suggest that 'EcIA' is added in brackets after 'Ecological Impact Assessment' to highlight that this is different from Environmental Impact Assessment (EIA).</p> <p>Proposed section 3.7.3 - support the addition of this wording referencing that Adur DC are developing a strategy to ensure protection of intertidal habitats in the Adur Estuary. Suggest that consideration is given as to whether the 'intertidal habitat strategy' should also be included as a clause in the main policy SH (7). Precise wording suggested is shown in section 7 in response to main modification 11 in the rep form.</p> <p>The main modifications wording was not written to be consistent with the <i>Guidance Note for Applicants within Adur DC That Have Developments That Have the Potential to Cause Significant (Harmful or Negative) Impacts to Intertidal Habitats</i>, as this document has been</p>	<p>Comments noted and support welcomed.</p> <p>Councils suggest additional modification to supporting text to include acronym (EcIA).</p> <p>Councils do not support additional modification to Policy SH7 at this stage and do not consider that the plan, as modified, is unsound.</p> <p>Adur District Council, the Environment Agency, Natural England and Sussex Wildlife Trust have jointly prepared a guidance note for development that has potential to impact on intertidal habitats. This clearly reiterates the council's commitment to the mitigation hierarchy (as set out in national policy).</p> <p>The councils recognise that there has been some loss and harmful impact to intertidal habitats as a result of development in Adur (not exclusively relating to the sites allocated in the JAAP). The council is working with these organisations and the South Downs National Park Authority to identify potential areas for habitat creation both within the Adur LPA</p>

			<p>adopted since their drafting. Suggest offering clarity to applicants by referencing the 'intertidal habitat strategy' as a clause in the policy (SH7) with wording that is consistent with the Guidance Note. Also suggest referring to <i>Intertidal Habitat Strategy</i> within this policy so that applicants are clear on which issues they need to consider.</p> <p>Suggest that partner names are removed from the wording because a formal partnership does not exist and they have no control over the production and delivery of the strategy.</p>	<p>area, and within the parts of Adur within the South Downs National Park.</p> <p>The councils have decided that the approach to protecting intertidal habitats will form part of the Green Infrastructure Strategy which is currently being prepared. This will be adopted as supplementary planning guidance, giving greater weight to the council's approach. The councils consider that this is both effective and consistent with national policy.</p> <p>Main modification 11 is not intended to suggest a formal partnership; rather, that the council has been working closely with these organisations. This has continued since the modification was agreed. At their request, the councils suggest an additional modification to remove reference to the Environment Agency and Sussex Wildlife Trust. Nevertheless, the councils expect to continue working closely with these organisations on these and other matters.</p>
5	Historic England REP/JAAP/PM/05	1	No comments to make.	Comments noted.
6	Sustrans REP/JAAP/PM/06	1	<p>In response to modification 3.9.5 &amp; 3.9.7. Support with amendment. Legally compliant, however not sound (as not consistent with national policy).</p> <p>Little reference for developments to include facilities and access for</p>	<p>Comments noted and support welcomed.</p> <p>The specific paragraphs referred to in the representation relate to place-making and the quality of design of the public realm elements.</p>

		<p>people to cycle. References NPPF para.110 which states that development applications should first give priority to pedestrian and cycle movements.</p> <p>Suggest adding specific reference to requiring adequate cycle parking and access routes for people cycling. Could also include desirability of access to NCN2 and also reference to infrastructure proposed in the Local Cycling and Walking Infrastructure Plan (LCWIP).</p>	<p>As such they do not refer to facilities for walking and cycling. However, the councils consider that these are addressed elsewhere in the plan.</p> <p>Policy SH5(3) requires the layout and streetscape of allocations to be designed to give priority to pedestrians and cyclists.</p> <p>Policy SH4(4) requires development to contribute to the measures identified in the Shoreham Harbour Transport Strategy, including better cycling and pedestrian routes and facilities.</p> <p>Adur &amp; Worthing Councils are currently developing an LCWIP. This will not cover the part of the regeneration area in Brighton &amp; Hove. The Shoreham Harbour Transport Strategy identifies key walking and cycling routes and has been agreed by the project partners. The LCWIP will incorporate some of these proposals</p> <p>West Sussex County Council has recently completed a feasibility study for a high quality segregated cycle route along the A259 between Shoreham-by-Sea and the Brighton &amp; Hove boundary. Brighton &amp; Hove City Council is working on the connection between this, and the existing seafront cycle route from Hove Lagoon. It is anticipated that the</p>
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				<p>NCN2 cycle route would be rerouted to use this new cycle link, whilst retaining the current route as alternative provision. The councils have been working closely with Natural England on the route and delivery of the England Coast Path through the area.</p> <p>The councils consider that the plan is consistent with national policy. The councils suggest an additional modification to include reference to the emerging LCWIP.</p>
7	Natural England REP/JAAP/PM/07	1	In response to modification 2. Support. Welcomes insertion of 'natural environment' to the 'Vision'.	Comments noted and support welcomed.
		2	<p>In response to modification 11. Support with amendment. Legally compliant but not Sound (as it is not 'effective').</p> <p>Recommend amendments to wording of Policy SH7. Precise wording suggested in section 6 in rep form. Support modified wording in Policy SH7 with regards to 'like-for-like' compensatory habitat. Policy SH7 should be modified to bring it into line with the <i>Guidance note for applicants within Adur DC that have developments that have the potential to cause significant (harmful or negative) impacts to intertidal habitats</i>, by referencing the intertidal habitat strategy with wording consistent with guidance note.</p> <p>Suggests some wording to be added as a clause within Policy SH7. Precise wording is provided in section 7 of NE's response to modification 11.</p> <p>Support amendments to supporting text in para. 3.7.2.</p>	<p>Comments noted and support welcomed.</p> <p>See response to representation REP/JAAP/PM/04.</p>

			Support addition of supporting text in para. 3.7.3. The strategy referred to here should be added as a clause in Policy SH7.	
8	Sussex Wildlife Trust  REP/JAAP/PM/08	1	In response to modification 2. Support.	Comments noted and support welcomed.
		2	In response to modification 16. Support.	Comments noted and support welcomed.
		3	In response to modification 22. Support.	Comments noted and support welcomed.
		4	<p>In response to modification 11. Support with amendment. Unsound because it is not 'positively prepared'.</p> <p>Support the proposed main modification made to clause (4) of policy SH7 to ensure it reflects section 165 of the NPPF (2012). Welcome the proposed main modification to clause (7) and the proposed like for like compensation.</p> <p>Suggest that main modification 11 does not entirely secure a commitment to a compensation strategy in the policy wording of SH7 clause (7). It is imperative that a consistent and practical strategy is drawn up to address matters where avoiding habitat loss is not possible. Suggest that to ensure the plan is positively prepared a commitment to the compensation strategy in policy wording would provide clarity and commitment to this approach.</p> <p>Support the modification made to section 3.7.2. and seek a minor change to the main mod proposed to ensure that Ecological Impact Assessment has its acronym EclA in brackets to ensure that there is no confusion with an Environmental Impact Assessment (EIA).</p> <p>Support 3.7.3 referencing the fact that Adur DC is developing a strategy to ensure the protection of intertidal habitats in the Adur Estuary and identify suitable locations for compensatory habitat creation. Would</p>	<p>Comments noted and support welcomed.</p> <p>See response to representation REP/JAAP/PM/04</p>



			<p>like to see commitment to the compensation strategy within the policy wording for SH7 as this carries most weight.</p> <p>Would like their name to be removed from the JAAP as they believe that their involvement does not constitute a formal partnership.</p>	
9	<p>Southern Water</p> <p>REP/JAAP/PM/09</p>	1	No comments to be made.	Comments noted
10	<p>Marine Management Organisation</p> <p>REP/JAAP/PM/10</p>	1	<p>Support with amendment.</p> <p>Under section 1.10.11 in the Proposed submission Shoreham Harbour Joint Area Action Plan, there is reference to the South Marine Plan in line with MCAA: 58(3). "A public authority must have regard to the appropriate marine policy documents in taking any decision which relates to the exercise of any function capable of affecting the whole or any part of the UK marine area". However, in your action plan the South marine plan is stated as being "prepared", which is no longer the case. The South inshore and offshore marine plans were adopted in June 2018 and should be referenced as such in your plan, in line with MCAA: 58(3).</p>	<p>Comments noted and support welcomed.</p> <p>Councils suggest minor modification to update reference to marine plan.</p>
11	<p>South Downs National Park</p> <p>REP/JAAP/PM/11</p>	1	No comments to be made.	Comments noted.

## Additional modifications proposed by the councils

Additional Modification Number	Reference	Amendment	Reason
80	JAAP	1.10.11 The Marine Management Organisation <del>adopted is preparing</del> the South Inshore Marine Plan <b>in June 2018</b> . This covers the south coast and tidal rivers between Folkestone and the River Dart, Devon.	Factual update to reflect status of marine plan. In response to representation from Marine Management Organisation (REP/JAAP/PM/10)
81	Additional Modification 22	Footnote refers to paragraph 8 of the NPPF (2018). This is now paragraph 7 of the NPPF (2019). All other references to NPPF (2018) updated to refer to NPPF (2019).	Factual update to reflect revised NPPF (2019).
82	JAAP	New paragraph after 3.5.15 and subsequent paragraphs renumbered:  Adur & Worthing Councils have committed to producing a Local Cycling and Walking Infrastructure Plan (LCWIP) to improve safe routes for walking and cycling, and seek funding to implement these. The LCWIP will incorporate proposals identified in this plan and the Shoreham Harbour Transport Strategy.	Modification is response to representation from Sustrans (REP/JAAP/PM/06)
83	MM - 11	Policy SH7 (4):  All development <b>applications</b> must be <b>accompanied by up to date ecological information to</b> ensure no net loss and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.  3.7.2 New development within the <b>regeneration area harbour</b> is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. <b>The councils will require the submission of an Ecological Impact Assessment (EcIA) carried out in accordance with British Standards (BS42020:2013 Biodiversity – Code of practice for planning and development) and CIEEM guidance, or subsequent updates. Ecological impacts should be assessed and recommendations for appropriate mitigation, compensation and enhancement</b>	Modification to policy corrects a missing word. Modification to supporting text 3.7.2 adds acronym (EcIA) for Ecological Impact Assessment in order to distinguish it from Environmental Impact Assessment (REP/JAAP/PM/04, REP/JAAP/PM/07, REP/JAAP/PM/08). Modification to supporting text 3.7.3 removes specific reference to Sussex Wildlife Trust and Environment Agency at their request (REP/JAAP/PM/04 , REP/JAAP/PM/08). In response to representations from Natural England, Environment Agency and Sussex Wildlife Trust

		<p><b><u>made. Negative impacts should be avoided wherever possible.</u></b> It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures. Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.</p> <p><b><u>3.7.3 There is potential for development at the Western Harbour Arm to lead to loss of, or harmful impact to, intertidal habitats in the River Adur. Adur District Council is currently working with partners <del>including Sussex Wildlife Trust and the Environment Agency</del> to develop a strategy to address this issue, and identify suitable locations for compensatory habitat creation. Nevertheless, developers will be required to demonstrate that impacts cannot be avoided before mitigation and/or compensatory measures are considered.</u></b></p>	(REP/JAAP/PM/04, REP/JAAP/PM/07, REP/JAAP/PM/08).
84	JAAP	<p>3.9.3 Improvements to the public realm (streets and public spaces) provide an opportunity to enhance the quality, character and distinctiveness of the harbour. Good use of 'natural surveillance', natural and artificial light and careful siting of buildings and street furniture can improve the layout of an area, reduce perceived and actual crime and opportunities for anti-social behaviour, and make an area more pleasant to use. <b><u>Secured by Design provides further guidance on incorporating crime prevention measures into development.</u></b></p>	In response to representation from Sussex Police.



Main Modifications to the Submission Shoreham Harbour Joint Area Action Plan

The schedule below sets out the Main Modifications to the Submission Shoreham Harbour Joint Area Action Plan.

Modification No:	Reference: (Paragraph, policy or map number)	Amendment: (Amendments are <b>shown in bold text</b> . Deleted text <del>shown as struck through</del> and additional text <u>shown as underlined</u> ). Amendments made after the consultation on Main Modifications are <b>shown in red text</b> .
01	1.1.3	The plan builds on and complements the Adur Local Plan (2017) and the Brighton & Hove City Plan Part One (2016).Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plans, <u>unless material considerations indicate otherwise</u> .
02	2.1 Vision – 2 <sup>nd</sup> paragraph	The redevelopment of key areas of the harbour will provide benefits for the local community, <b>natural environment</b> and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change.
03	2.2.19	Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of <b>existing communities and</b> new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities.
04	Policy SH1 (4 – 7) and 3.1.14 – 3.1.20	<p>Policy SH1: Climate change, energy and sustainable building</p> <p>4. Developers should demonstrate how they can contribute <b>towards the regeneration partnership’s Shoreham Port Authority’s</b> objective of becoming a hub for renewable energy generation.</p> <p>5. <b>The councils will support proposals for low and zero carbon energy generation, including solar photovoltaics. All new development will be expected to incorporate low and zero carbon decentralised energy opportunities</b></p> <p><b><u>Decentralised energy, District heating and cooling networks</u></b></p> <p>6. <b><u>All new development will be expected to incorporate low and zero carbon decentralised energy generation, including heating and cooling. The councils will support the development of heating and cooling networks and associated infrastructure. All development proposals must demonstrate that heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set out in Table 1.</u></b></p> <p>7. Where no heat network is in place, development <b>proposals</b> must <b><u>be designed to</u></b> be connection ready, <b>and will be expected to demonstrate that all buildings adhere to the technical specifications below: All buildings must adhere to the following technical specifications:</b></p> <ul style="list-style-type: none"><li>• Buildings must use a centralised communal wet heating system rather than individual gas boilers or electric heating.</li><li>• Buildings must allow adequate plant room space to allow for connection at a later date. <del>(the exact requirement to be agreed with the councils and their representatives).</del></li><li>• <b><u>Plant rooms must be situated to consider potential future pipe routes.</u></b> The developer must identify and safeguard a pipe route to allow connection between the building and the highway or identified network route where available.</li><li>• The developer must not in any other way compromise or prevent the potential connection.</li></ul> <p><b><u>Shoreham Heat Network</u></b></p> <p><b><u>87.</u></b> Development <b><u>within the proposed Shoreham Heat Network area<sup>1</sup> in areas identified in the Shoreham Harbour Heat Network Study (2016), or subsequent update,</u></b> will be <b><u>required expected</u></b> to connect to district heating networks where they exist, or incorporate the necessary infrastructure for connection to future networks.</p>

<sup>1</sup> As identified in the Shoreham Harbour District Energy Feasibility Study (2018) or subsequent update.

Modification No:	Reference: (Paragraph, policy or map number)	<p><b>Amendment:</b> (Amendments are <b>shown in bold text</b>. Deleted text <del>shown as struck through</del> and additional text <u>shown as underlined</u>). Amendments made after the consultation on Main Modifications are <b>shown in red text</b>.</p>
		<p><i>Subsequent policy clauses are renumbered to reflect additional clause.</i></p> <p><i>Consequent modification to supporting text to reflect modification to policy:</i></p> <p><b>Heating and cooling networks</b> <del>Potential for district heat network</del></p> <p><b>3.1.14</b>     Heating and hot water for buildings account for 40% of UK energy use and 20% of greenhouse gas emissions. The Climate Change Committee estimates that district heating can meet 20% of domestic heating and hot water needs by 2030. The Climate Change Act 2008 obliges the UK to cut 80% emissions by 2050. The Clean Growth Strategy (2017) includes policies to roll out low carbon heating, and phase out the installation of high carbon fossil fuel heating.</p> <p>3.1.<del>15</del><b>14</b>     In accordance with Policies <del>As set out in Policy</del> DA8 <del>and</del> CP8 of the Brighton &amp; Hove City Plan Part One, <u>and Policies 8 and 19 of the Adur Local Plan</u>, the <del>city</del> councils <del>s are is</del> proactively encouraging opportunities that arise to incorporate waste heat or other heat sources into the heat networks for the area. The Brighton &amp; Hove Energy Study (2013) identified the potential for district heating networks in and around Shoreham Harbour within a long list of priority areas.</p> <p>3.1.<del>16</del><b>15</b>     All new development <del>that takes place within the long list of priority areas will be encouraged to consider</del> <u>will be expected to incorporate</u> low and zero carbon decentralised energy <del>generation possibilities</del> and will be required to either connect where a suitable <u>heating/cooling</u> network is in place (or would be at the time of construction), or design systems to be compatible with a future connection to a network. All <u>development proposals must demonstrate that the heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set in Table 1:</u></p> <p><b>Table 1: Heating and cooling hierarchy</b></p> <div><p><b>System</b></p><ol style="list-style-type: none"><li><u>Connection to existing heating/cooling network</u></li><li><u>Site-wide heating/cooling network</u></li><li><u>Building-wide heating/cooling network</u></li><li><u>Individual heating/cooling systems</u></li></ol><p><b>Technology</b></p><ol style="list-style-type: none"><li><u>Renewable/waste energy sources (such as biomass, heat pumps, solar thermal)</u></li><li><u>Low carbon technologies (such as gas-CHP)</u></li><li><u>Conventional systems (such as gas or direct electric)</u></li></ol></div> <p><b>3.1.17</b>     In order to safeguard future connection to heating/cooling networks, individual heating/cooling systems will not normally be permitted, unless it can be demonstrated that it is not feasible and/or viable to provide a centralised communal wet heating system.</p> <p><b>3.1.18</b>     The councils will require the submission of a feasibility assessment to provide a rationale for the chosen heating/cooling system This should incorporate a high level assessment of the potential to extend the heating/cooling network beyond the development area in future. Development must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.</p> <p><b>3.1.19</b>     Within the proposed Shoreham Heat Network Area, buildings must allow adequate plant room space for future connection and for future</p>

Modification No:	Reference: (Paragraph, policy or map number)	<b>Amendment:</b> (Amendments are <b>shown in bold text</b> . Deleted text <del>shown as struck through</del> and additional text <u>shown as underlined</u> ). Amendments made after the consultation on Main Modifications are <b>shown in red text</b> .															
		<p><b><u>building/network interface equipment (such as heat exchangers). Indicative requirements are set out in Table 2:</u></b></p> <p><b><u>Table 2: Indicative space requirements for heat exchange substation equipment within building plant rooms<sup>2</sup></u></b></p> <table><tr><th><b><u>Heating capacity (kW) (space heating and ventilation)</u></b></th><th><b><u>Approximate building size (m<sup>3</sup>)</u></b></th><th><b><u>Space required by the heating equipment (m<sup>2</sup>)</u></b></th></tr><tr><td><b><u>30</u></b></td><td><b><u>1,000 – 1,500</u></b></td><td><b><u>2</u></b></td></tr><tr><td><b><u>200</u></b></td><td><b><u>10,000 – 15,000</u></b></td><td><b><u>4</u></b></td></tr><tr><td><b><u>400</u></b></td><td><b><u>20,000 – 30,000</u></b></td><td><b><u>5</u></b></td></tr><tr><td><b><u>800</u></b></td><td><b><u>40,000 – 60,000</u></b></td><td><b><u>6</u></b></td></tr></table> <p><b><u>3.1.20 Heat in buildings must operate at an appropriate temperature for future connection to a heat network. The targeted difference between flow and return temperatures on the primary heat network shall be no greater than 30°C for supply to new buildings.</u></b></p> <p><b><u>3.1.21 Plant rooms must be situated to consider potential future pipe routes. Pipe runs from the plant room to the highway or proposed heat network main route must be protected and remain accessible for future installation.</u></b></p> <p><del><b><u>3.1.16 As part of the South Quayside Character Area proposals (within Section 4 of this document), there is potential to work with the existing Shoreham Power Station to deliver a district heating network to provide waste heat to local consumers</u></b></del></p> <p><b><u>3.1.22<sup>17</sup> In the event that a developer considers compliance with the heating/cooling hierarchy to be unviable, proposals should be submitted with a viability assessment, to justify departure from the hierarchy. Viability assessments must:</u></b></p> <ul style="list-style-type: none"><li><b><u>• Be compliant with the CIBSE Heat Networks Code of Practice for the UK</u></b></li><li><b><u>• Be completed by a suitably qualified individual<sup>3</sup></u></b></li><li><b><u>• Include baseline energy consumption and carbon emissions calculations for regulated and non-regulated energy use</u></b></li><li><b><u>• Compare the economies of a heat network solution<sup>4</sup> against individual heating scenario<sup>5</sup></u></b></li><li><b><u>• Provide a breakdown of the cost estimates and assumptions used for the assessment</u></b></li><li><b><u>• Include linear heat density calculations for the site</u></b></li><li><b><u>• Present Internal Rate of Return (IRR), capital expenditure, cost and carbon savings as outputs.</u></b></li></ul> <p><b><u>Shoreham Heat Network</u></b></p> <p><b><u>3.1.23 Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority have formed the Shoreham Heat Network Partnership.</u></b> The Heat Network Delivery Unit (HNDU) has provided part funding to explore the potential for heat networks in and around Shoreham Harbour. The <i>Shoreham Harbour Heat Network Study</i> (2016) mapped heat demands and identified potentially viable scenarios for network development. <b><u>The Shoreham Harbour District Energy Feasibility Study (2018) proposes a 2km network serving the allocated sites at the Western Harbour Arm, the site of the former Adur Civic Centre and a number of existing buildings in Shoreham-by-Sea town centre.</u></b></p>	<b><u>Heating capacity (kW) (space heating and ventilation)</u></b>	<b><u>Approximate building size (m<sup>3</sup>)</u></b>	<b><u>Space required by the heating equipment (m<sup>2</sup>)</u></b>	<b><u>30</u></b>	<b><u>1,000 – 1,500</u></b>	<b><u>2</u></b>	<b><u>200</u></b>	<b><u>10,000 – 15,000</u></b>	<b><u>4</u></b>	<b><u>400</u></b>	<b><u>20,000 – 30,000</u></b>	<b><u>5</u></b>	<b><u>800</u></b>	<b><u>40,000 – 60,000</u></b>	<b><u>6</u></b>
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<sup>3</sup> For example a CIBSE Heat Network Code of Practice Qualified Consultant  
<sup>4</sup> This includes the cost of a communal boiler system, heat meters, heat interface units and plate heat exchanger.  
<sup>5</sup> Such as individual gas boilers alongside an equivalent level of microrenouvelables that would be required to meet energy efficiency requirements.

Modification No:	Reference: (Paragraph, policy or map number)	<b>Amendment:</b> (Amendments are <b>shown in bold text</b> . Deleted text <del>shown as struck through</del> and additional text <u>shown as underlined</u> ). Amendments made after the consultation on Main Modifications are <b>shown in red text</b> .
		<p><b>3.1.24</b> <u>The study finds that a network served by marine source heat pumps and gas CHP technologies would provide affordable, low carbon heat and the combination of technologies provides a more robust, lower risk solution than a single heat source. Engagement with Shoreham Port Authority has identified the potential for abstraction and discharge points in the mouth of the River Adur, subject to appropriate environmental permits.</u></p> <p><b>3.1.2518</b> <u>The heat network partnership is carrying out a detailed feasibility study and preparing the business case for detailed project development of the Shoreham Heat Network. All new development in and around the Western Harbour Arm development is required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. The council will secure the connection of the approved schemes through planning conditions and/or Section 106 agreements.</u></p> <p><del>The partnership has commissioned a further study to carry out detailed feasibility and business model options appraisals of the potential network. This study will be complete in early 2018. If feasible and deliverable, the network may be run by the local authorities or be an independent delivery body or Energy Service Company (ESCo).</del></p> <p><b>3.1.19</b> <del>Development should demonstrate that the heating and cooling systems have been selected in accordance with the following heating and cooling hierarchy</del></p> <ul style="list-style-type: none"> <li><del>• Connection to existing combined heat and power (CHP) distribution networks</del></li> <li><del>• Site wide renewable CHP</del></li> <li><del>• Site wide gas-fired CHP</del></li> <li><del>• Site wide renewable community heating/cooling</del></li> <li><del>• Site wide gas-fired community heating/cooling</del></li> <li><del>• Individual building renewable heating</del></li> <li><del>• Individual building heating, with the exception of electric heating</del></li> </ul> <p><b>3.1.20</b> <del>All CHP must be of a scale and operated to maximise the potential for carbon reduction. All buildings must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.</del></p>
<b>05</b>	3.3.4	<p><b>3.3.6</b> <u>Some existing employment areas are protected within the relevant character area policies. The councils will monitor conversions of employment space to residential development through the monitoring framework set out in the Appendix. If necessary, in response to the identified monitoring indicator trigger, the councils will consider seeking to remove permitted development rights in accordance with Article 4 of The Town and Country Planning (General Permitted Development) (England) Order 2015.</u></p>
<b>06</b>	2.2 Objective 4: Housing and community	To <b>contribute to meeting the housing needs of Adur and Brighton &amp; Hove</b> <del>address shortfalls in local housing provision</del> through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.
<b>07</b>	3.6.6 – 3.6.7	<p>3.6.6 The NPPF highlights the need to direct development away from areas at highest risk of flooding<sup>6</sup>. <b>Development Plans should apply a sequential, risk-based approach to the location of development to minimise risk from flooding and take account of the impacts of climate change. The proposals in this plan have been assessed through the Sequential and Exceptions Tests carried out in preparation of the Brighton &amp; Hove City Plan Part One (2016) and the Adur Local Plan (2017). Therefore, a sequential test will not be required for proposed development within the allocations, unless the proposal departs significantly from the terms of the allocation. (thereby avoiding the risk in the first instance), but where development is necessary, ensuring it will be safe without increasing the risk of flooding elsewhere.</b></p>

<sup>6</sup> Paragraph 158, NPPF (2018)



Modification No:	Reference: (Paragraph, policy or map number)	Amendment: (Amendments are <b>shown in bold text</b> . Deleted text <del>shown as struck through</del> and additional text <u>shown as underlined</u> ). Amendments made after the consultation on Main Modifications are <b>shown in red text</b> .
		<p><b><u>3.6.7</u></b> <b><u>Proposed development outside the allocations in this plan and within flood zone 2 or 3 will require a sequential test to be carried out as part of the site-specific flood risk assessment<sup>7</sup>. To support the regeneration of the area, applicants will be expected to search for alternative sites at a lower risk of flooding within the character area the site is situated in (as identified in this plan). Where necessary, having regard to the potential vulnerability of the site and the development proposed, an exceptions test will also be required.</u></b></p> <p>3.6.<del>8</del><b>7</b> <b><u>Refer to p</u></b> Policies in Part <del>4</del><b>3</b> of this plan <del>which</del> identify the site-specific flood defence and mitigation measures required within the character areas. Development in the Western Harbour Arm in particular will be required to deliver significant flood risk mitigation infrastructure. <b><u>Responsibility for the delivery and maintenance of flood defences will belong to the landowner.</u></b></p>
8	Policy SH6 (1)	<p>1. <b><u>The partnership will support the delivery of measures to mitigate flood risk and coastal erosion in the regeneration area.</u></b> Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the <i>Shoreham Harbour Flood Risk Management Guide</i> (2015), or subsequent <b><u>updated guidance and must take account of the most up to date flood risk management evidence and policy in consultation with the relevant authorities, including the Environment Agency.</u></b> <del>Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.</del></p>
9		<p>6. Where undefended land levels are below the 1 in 200-year tidal flood event for 2115, <del>land raising and/or</del> flood defences should be provided to 5.4m AOD. For sites where existing defences / land levels do not meet the heights outlined above, developers will be required to deliver flood defences <del>or land raising</del> to this height to meet the required standard of protection.</p> <p><i>Consequent modification to supporting text:</i></p> <p>4.7.18 Comprehensive <del>land raising and/or</del> flood defence provision will be essential to protect existing and future residents and businesses as well as the A259. This approach, which focuses on flood defence provision from the Adur Ferry Bridge to Kingston Beach, will ensure the complete closure of the flood cell and continuation of the line of new defences currently being provided via the Shoreham Adur Tidal Walls Scheme an Environment Agency funded flood defence scheme which ends at the Adur Ferry Bridge.</p>
10	Policy SH6 (15) (12)	<p><del>12</del> <b><u>15</u></b> Proposals which seek to provide basement parking in tidal/fluvial flood zones will only be acceptable where adequate mitigation and emergency planning are included as part of the planning application. <b><u>Developers will be required to demonstrate that drainage and separators will not release potential contaminants to the environment.</u></b></p>
11	Policy SH7 (4) and (7)	<p>4. All development <b><u>applications</u></b> must <b><u>be accompanied by up to date ecological information to</u></b> ensure no net loss and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.</p> <p><i>Clauses 5 and 6 are unchanged.</i></p> <p>7. Where impacts on biodiversity cannot be avoided or mitigated, compensatory <del>actions measures</del> will be required, taking account of an up-to-date ecological survey. <b><u>Like-for-like compensatory habitat should be provided at or close to the site, subject to agreement with the relevant authorities, including Natural England and the Environment Agency.</u></b></p>

<sup>7</sup> Subject to the criteria in the PPG

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		<p><i>Consequent changes to supporting text:</i></p> <p>3.7.2 New development within the <b>regeneration area</b> <del>harbour</del> is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. <b>The councils will require the submission of an Ecological Impact Assessment (EcIA) carried out in accordance with British Standards (BS42020:2013 Biodiversity – Code of practice for planning and development) and CIEEM guidance, or subsequent updates. Ecological impacts should be assessed and recommendations for appropriate mitigation, compensation and enhancement made. Negative impacts should be avoided wherever possible.</b> It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures. Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.</p> <p><b>3.7.3 There is potential for development at the Western Harbour Arm to lead to loss of, or harmful impact to, intertidal habitats in the River Adur. Adur District Council is currently working with partners including Sussex Wildlife Trust and the Environment Agency to develop a strategy to address this issue, and identify suitable locations for compensatory habitat creation. Nevertheless, developers will be required to demonstrate that impacts cannot be avoided before mitigation and/or compensatory measures are considered.</b></p> <p><i>Renumber subsequent paragraphs</i></p>
12	Policy SH7 (13)	Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided. <b>Development proposals must be accompanied by an assessment of the air quality impacts for existing and future occupants. This assessment must have regard to the cumulative impacts of committed and planned development on air quality.</b>
13	Policy SH8 (1)	<b>New</b> development <del>proposals</del> will be required to <b>contribute to the provision of provide high quality</b> , multifunctional public open space / green infrastructure <b>to meet the needs it generates</b> onsite. The type and quantity of open space will be determined by the scale and type of development, <b>having regard to</b> the identified needs <del>of the area</del> , local standards and the Shoreham Harbour Green Infrastructure Strategy. <b>Development will be expected to optimise the amount of onsite provision. Where it is not possible to meet all or part of the open space requirements on site, subject to agreement of the council(s), an appropriate alternative provision, such as enhanced public realm, and/or contribution towards off site provision will be required.</b>
14	Policy SH9 (3-5)	<p>3. Development proposals should improve the quality, accessibility, security and legibility of public streets and spaces. The public realm elements of the development proposals must be designed in accordance with the Shoreham Harbour Streetscape Guide (2012). <b>The design of spaces between and around buildings must consider all of the following key design aspects:</b></p> <ul style="list-style-type: none"> <li>• <b>purpose and function</b></li> <li>• <b>access and linkages</b></li> <li>• <b>uses and activities</b></li> <li>• <b>comfort, image and sociability.</b></li> </ul> <p>4. Having regard to the indicative opportunities for public art identified within Map 4, <b>major development will be expected to incorporate an integral public art element(s) contribution will be sought for the provision of public art</b>, in accordance with the scale of development proposed <b>and in agreement with the council.</b></p> <p>5. All development <del>will be expected to embrace principles of good urban design with reference to the following characteristics</del> <b>proposals must demonstrate a high standard of design that enhances the visual quality of the environment and makes a positive contribution to creating places that are safe, inclusive and accessible; and which promote health and wellbeing. In particular, proposals for development will be expected to consider all of the following key design aspects:</b></p>

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		<ul style="list-style-type: none"><li>• High <del>standards of quality building materials</del>, architectural design and detailing.</li><li>• Suitable scale and massing in relation to housing type and local context, including <b>landscape</b>, townscape character and historic environment.</li><li>• Appropriate internal <del>and external</del> space standards in accordance with the nationally described space standards.</li><li>• Buildings should provide strong enclosure to public spaces and streets, and should maintain a clear distinction between public, semi-private and private space.</li><li>• <del>High standards of private amenity space for all residential development, including private balconies, terraces, gardens and shared courtyards as appropriate</del></li><li>• <del>Careful consideration of the impact of new development on access to daylight and sunlight for both existing and new residents.</del></li></ul> <p><b>6. All new residential development will be required to provide useable private outdoor amenity space appropriate to the scale and character of the development.</b></p> <p><b>7. Development proposals must demonstrate that the effects of the development on the amenity of proposed future and existing users, residents and occupiers would not be unacceptable. When designing new development, applicants will be required to consider the effect of their proposal upon all of the following:</b></p> <ul style="list-style-type: none"><li>• <b>visual privacy and overlooking</b></li><li>• <b>outlook</b></li><li>• <b>overshadowing</b></li><li>• <b>sunlight and daylight</b></li><li>• <b>artificial lighting</b></li><li>• <b>disturbance from noise, odour, vibration, air pollution.</b></li></ul> <p><i>Consequent change to supporting text (new paragraphs):</i></p> <p><b>Public realm</b></p> <p><b>3.9.4 Buildings within a development should be arranged to create well defined spaces, each with a clear purpose and function. The spaces within a development should not consist simply of the land left over once the footprints of buildings and the positions of roads and accesses have been established. Defining the nature and use of the spaces early in the design process can help inform the siting and design of buildings, hard and soft landscape and, if applicable, distribution of uses that will enclose these spaces.</b></p> <p><b>3.9.5 A successful place is easy to get to, visible and easy to move through. Physical elements can enhance access and links and add interest and help create a safer environment. The ability to see a public space from a distance, parking arrangements and convenient public transport can also contribute to better access.</b></p> <p><b>3.9.6 Successful public places typically offer a variety of uses and activities in and/or around it that suits its users. The right mix and spatial clustering of uses can be critical to attracting a range of people and animating a space. All new development should present an interesting and attractive frontage particularly at street level for pedestrians.</b></p> <p><b>3.9.7 A successful place can encourage all sorts of people to meet and interact, creating a stronger attachment to their community and to the sense of place that fosters these types of social activities. In general, comfort and sociability relate to people’s sense of safety, cleanliness and overall character of a place. The presence and quality of hard and soft landscaping and the nature of vehicular traffic will also influence these perceptions. Substantial traffic and associated perceptions about danger, noise and air quality may make movement through spaces difficult and deter people from lingering in them.</b></p> <p><b>Public art</b></p>

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		<p><b>3.9.8</b> <u>Public art can play an important role in creating and enhancing local distinctiveness. It provides an opportunity to involve local communities in place making, and to offer work opportunities to artists, including from the local area. Where appropriate, the partnership and councils will expect to be involved in the selection process. Public art can include architectural details, public realm elements, landscaping schemes, sculpture, water features, street furniture and lighting effects. It should be directly related to its setting, and therefore be an integral element of a proposal.</u></p> <p><b>Design principles</b></p> <p><b>3.9.9</b> <u>Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible, and promote health and well-being<sup>8</sup>. Good design is critical to ensuring development functions well, is visually attractive, and is sympathetic to local character, in order to create attractive, welcoming and distinctive places to live, work and visit<sup>9</sup>.</u></p> <p><b>3.9.10</b> <u>The selection of external materials and finishes is often a critical factor in determining how well a new development relates visually to its surroundings. By adopting the local palette of materials, and the ways in which these are combined and detailed, new development can reinforce local distinctiveness.</u></p> <p><b>3.9.11</b> <u>Scale and massing of buildings is a major factor in determining the visual character of an area. The aim should be to create a sense of harmony and visual continuity between new and old. Elements of any building that are visible from a highway are of particular importance.</u></p> <p><b>3.9.12</b> <u>Internal and external space standards and layout are an important aspect of good quality homes. The councils will expect development proposals to meet the nationally described space standards, which cover minimum gross internal floor, ceiling heights and storage space requirements.</u></p> <p><b>Outside space</b></p> <p><b>3.9.13</b> <u>An element of useable private outdoor amenity space should be provided for the occupants of new residential development. Private amenity space can make an important contribution in improving the health, well-being and general quality of life of the area's residents and has the potential to support and enhance local biodiversity. The provision of space for seating, play, drying and storage space is part of securing good design and a good standard of residential development in the regeneration area.</u></p> <p><b>3.9.14</b> <u>Appropriate forms of provision include gardens, balconies, patios, roof terraces and shared amenity spaces in flatted forms of development. Factors such as access to the amenity space, its orientation, scope for privacy, size and usability will be key considerations.</u></p> <p><b>Amenity</b></p> <p><b>3.9.15</b> <u>As development at Shoreham Harbour is expected to be high density, proposals for new development need to consider their impact upon neighbours as well as future users, residents and occupiers. Most potential negative impact can be addressed through design and mitigation measures if these are considered early in the design stage of a development.</u></p> <p><b>3.9.16</b> <u>New buildings should be carefully designed to avoid overlooking. The most sensitive areas are: living rooms; bedrooms; kitchens. Public spaces and communal areas will benefit from a degree of overlooking due to the increased level of surveillance it can provide.</u></p> <p><b>3.9.17</b> <u>Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. New development should ensure the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers. Particular care should be given to development that adjoins properties with a single aspect.</u></p>

<sup>8</sup> Paragraph 127 NPPF (2018)

<sup>9</sup> Paragraph 127 NPPF (2018)

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		<p><b>3.9.18 New development should take reasonable steps to avoid overshadowing windows to habitable rooms or open spaces and gardens. This may be particularly difficult in the denser areas of the area. However, it is important in these areas to prevent overshadowing of amenity space and open spaces given the limited amount of open spaces and the existing amount of overshadowing.</b></p> <p><b>3.9.19 Sunlight and daylight will be affected by the location of the proposed development and its proximity to, and position in relation to, nearby windows. The councils will assess whether acceptable levels of daylight and sunlight are available to habitable spaces. Reports will be required for both minor and major applications where a proposal has the potential to materially reduce daylight and sunlight levels.</b></p> <p><i>Subsequent paragraphs renumbered</i></p>
15	Policy CA3 (4)(f)	SP6 – Church Road/Wellington Road/ St Peter’s Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B83). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter’s Road.
16	Policy CA4 (2)	The partnership will promote <b>and deliver</b> the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the beaches. Compensatory habitat creation and safeguarding will be required for any loss or disturbance to existing habitats.
17	4.6.1 – 4.6.4	<p>Area Priorities</p> <ul style="list-style-type: none"> <li>To support the conservation of Shoreham Fort.</li> <li>To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements.</li> <li>To support the redevelopment of Shoreham Rowing Club and enhance the public realm environment of Kingston Beach.</li> <li>To explore options for the future use of the Albion Street lorry park.</li> <li>To support Adur Homes in exploring options for redevelopment of housing sites.</li> <li><b>To support the delivery of the Shoreham Heat Network</b></li> </ul> <p>4.6.1 CA6 – Harbour Mouth is split across either side of the River Adur at the mouth of the river. This is the entrance to the harbour. The southern section is also within the area covered by the emerging Shoreham Beach Neighbourhood Plan.</p> <p>4.6.2 <del>On Shoreham Beach is the</del> The remains of Shoreham Fort, a Scheduled Monument, <b>are on Shoreham Beach</b>. The fort was completed in 1857 and is one of the celebrated south coastal defences built under the Victorian Prime Minister Lord Palmerston. It is of national historical importance and was a vital part of the south coast defence system.</p> <p>4.6.3 A local charity, the Friends of Shoreham Fort supported by Shoreham Port Authority, have taken responsibility for conserving the fort. This area is a popular destination for walkers. It is well used by anglers and home to the National Coastwatch Institute look-out tower.</p> <p>4.6.4 In recent years there have been various plans for the fort including local interest for incorporating an educational facility and improving the public toilet block.</p>
18	CA6 (9) – new clause	<p><b>9. The councils will support the development of infrastructure to deliver the Shoreham Heat Network.</b></p> <p><i>Consequent change to supporting text (new paragraph)</i></p> <p><b>4.6.17 The Shoreham Heat Network Partnership is progressing the delivery of a district heating network. The Shoreham Harbour District Energy Feasibility Study (2018) proposes a network served by marine source heat pumps and gas CHP. The study identifies the Middle Pier at the mouth of the harbour as a potential abstraction point for marine source heat pumps, and a discharge point to the west of the lifeboat station.</b></p>
19	CA7 new clauses	<p>Insert new clauses after (2):</p> <p><b>3. Proposals for sites WH1 and WH2 will be required to demonstrate that potential implications for the navigational safety of vessels entering and leaving Shoreham Port have been addressed in agreement with statutory bodies, including Shoreham Port Authority. In particular, development proposals must demonstrate that artificial lighting originating from proposed development will not impact the visibility of navigation lights in the</b></p>



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		<p><u>harbour mouth.</u></p> <p><b>4. The councils will support the development of the Shoreham Heat Network. Until the network is constructed, development will be required to incorporate the necessary infrastructure for connection to future networks. When the network is constructed, development will be required to connect.</b></p> <p><i>Renumber subsequent clauses accordingly</i></p> <p><i>Add new area priority:</i></p> <ul style="list-style-type: none"> <li><b><u>To support the delivery of the Shoreham Heat Network</u></b></li> </ul> <p><i>Consequent changes to supporting text (new paragraphs)</i></p> <p><b><u>Shoreham Heat Network</u></b></p> <p><b><u>4.7.74 The Western Harbour Arm allocation is identified in the Shoreham Harbour District Energy Feasibility Study (2018) for the planned Shoreham Heat Network. This aims to provide low carbon, affordable warmth to residents and businesses. The district heating project is being developed by the Shoreham Heat Network Partnership, comprised of Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority.</u></b></p> <p><b><u>4.7.75 New development in and around the Western Harbour Arm development will be required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. Planning conditions and obligations will be applied to other development in order to futureproof connection at a later date.</u></b></p>
20	CA7 (131)	Developments should be set back <u>sufficiently</u> from the A259 corridor <u>in agreement with the highways and planning authorities, to provide space for a high-quality segregated cycle route which provides stepped separation from road vehicles and pedestrian facilities, to deliver green infrastructure improvements, and to prevent a canyoning effect and to ensure that residents are protected from noise and air quality impacts.</u>
21	Policy SH10 (3)	Direct agreements with utility providers may be required to provide <b><u>infrastructure, such as sewerage infrastructure.</u></b>
22	5.1.20	<p>The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites:</p> <ul style="list-style-type: none"> <li>Contributions to public transport and highway network improvements</li> <li>Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites)</li> <li>Contributions to social infrastructure</li> <li><b><u>Contributions to green infrastructure</u></b></li> <li>Remediation of contaminated areas</li> <li>On-site renewable energy systems / low carbon technologies</li> </ul>
23	5.1.25	<p>The local authorities undertake ongoing monitoring of their Local Development Frameworks of which this JAAP is a part. <b><u>The monitoring framework is set out in the Appendix. It includes key monitoring indicators and triggers for potential intervention.</u></b> Progress on the delivery of the <b><u>plan will be reported in key opportunity development sites will be contained with</u></b> the Authority Monitoring Report (AMR) for <b><u>Adur District Council and Brighton &amp; Hove City Council each respective council. This will include the housing trajectory for Shoreham Harbour Regeneration Area.</u></b></p>

SA objective	Relevant policy	Target	Indicator	Partners / Source of information	Trigger	Actions required (if target is not being achieved)
<b>Objective 1: Climate change, energy and sustainable buildings</b>						
1, 2, 10,	SH1	All development proposals to be accompanied by a Sustainability Statement (ADC) or Sustainability Checklist (BHCC)	1. Number and percentage of approved proposals accompanied by a Sustainability Statement/Checklist	Development Management	Development approved without a Sustainability Statement/Checklist	<ul style="list-style-type: none"> <li>Engage with developers at an early stage to ensure the requirement for Sustainability Statement/Checklist is understood.</li> <li>Review of validation processes to ensure proposals are not accepted without a Sustainability Statement/Checklist.</li> </ul>
1, 10, 22	SH1	Increase the energy efficiency of buildings in the Shoreham Harbour Regeneration Area	2. Number and percentage of approved and/or completed developments meeting minimum standards for energy efficiency	Development Management: Sustainability Statement/Checklist	Development approved and/or completed that does not meet minimum standards for energy efficiency.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage in the design of new developments to ensure that the principles of energy efficiency are integrated.</li> <li>Review of development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>
			3. Number and percentage of approved and/or completed developments achieving zero-carbon status	Development Management: Sustainability Statement/Checklist	No development approved and/or completed that achieves zero-carbon status.	
1, 10	SH1	Increase the generation of renewable/low carbon energy within the Shoreham Harbour Regeneration Area	4. Number and percentage of approved and/or completed developments incorporating renewable/low carbon energy generation	Development Management: Sustainability Statement/Checklist	Development approved and/or completed that does not incorporate renewable/low carbon energy generation.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage in the design of new developments to ensure that the requirement for renewable/low energy generation is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> <li>Identify sources of funding to support delivery of renewable/low carbon energy generation.</li> </ul>
			5. Type and capacity (kW) (predicted) of approved and/or completed renewable/low carbon energy development/installations	Development Management: Sustainability Statement/Checklist	No increase in capacity of renewable/low carbon energy development/installations	
1, 10, 11	SH1	Increase the delivery of heating/cooling networks supplied by renewable/waste energy sources.	6. Number and percentage of approved and/or completed developments that include: <ol style="list-style-type: none"> <li>Connection to existing heating/cooling network</li> <li>Site-wide heating/ cooling network</li> <li>Building-wide heating/ cooling network</li> <li>Individual heating/ cooling system</li> </ol>	Development Management: Sustainability Statement/Checklist	Development approved and/or completed with individual heating/ cooling systems installed.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage in the design of new developments to ensure that the requirement for compliance with the heating hierarchy is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> <li>Identify sources of funding to support delivery of heating/cooling networks.</li> </ul>
			7. Number and type of approved and/or completed development supplied by: <ol style="list-style-type: none"> <li>Renewable/waste energy sources</li> <li>Low carbon technologies</li> <li>Conventional systems</li> </ol>	Development Management: Sustainability Statement/Checklist	Development approved and/or completed with conventional heating/ cooling systems installed.	

SA objective	Relevant policy	Target	Indicator	Partners / Source of information	Trigger	Actions required (if target is not being achieved)
			8. Type and capacity (kW) (predicted) of heating/ cooling from renewable/waste/low carbon sources.	Development Management: Sustainability Statement/Checklist	No increase in capacity of renewable/waste/low carbon sources.	
2, 10	SH1	Increase water efficiency of buildings in the Shoreham Harbour Regeneration Area	9. Number and percentage of approved and/or completed residential developments where internal water use does not exceed 110 litres per head per day.	Development Management: Sustainability Statement/Checklist	Residential development approved where internal water use exceeds 110 litres per head per day	<ul style="list-style-type: none"><li>Identify reasons for lack of implementation.</li><li>Engage with developers at an early stage in the design of new developments to ensure that the principles of water efficiency are integrated.</li><li>Review development management processes to ensure applications are determined in accordance with policy.</li><li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li></ul>
			10. Number and percentage of approved and/or completed non-domestic developments achieving BREEAM ‘excellent’ standard.	Development Management: Sustainability Statement/Checklist	Non-residential development approved that does not meet BREEAM ‘excellent’ standard	
2, 9, 10	SH1	Increase recycling, harvesting and/or conservation of water	11. Number and percentage of approved and/or completed developments that incorporate measures to recycle, harvest and/or conserve water, by type.	Development Management: Sustainability Statement/Checklist	No development approved that incorporates measures to recycle, harvest and/or conserve water	<ul style="list-style-type: none"><li>Identify reasons for lack of implementation.</li><li>Engage with developers at an early stage in the design of new developments to ensure that the potential to recycle, harvest and conserve water is integrated.</li><li>Review development management processes to ensure applications are determined in accordance with policy.</li><li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li><li>Identify sources of funding to support delivery of measures to reduce, harvest and conserve water.</li></ul>
Objective 2: Shoreham Port						
3, 17	SH2, CA1, CA2, CA3, CA5, CA6, CA7	Consolidate Shoreham Port operations in the Eastern Arm and Canal	12. Number and type of port-related operations relocated to the Eastern Arm and Canal	Development Management; Shoreham Port Authority	Port-related operations are not relocated to the Eastern Arm and Canal	<ul style="list-style-type: none"><li>Identify reasons for lack of implementation.</li><li>Engage with operators and Shoreham Port Authority to identify suitable sites for relocation.</li><li>Identify sources of funding to assist with relocation, and development of port-related operations in the Eastern Arm and Canal</li></ul>
			13. Number and type of new port related development in the Eastern Arm and Canal	Development Management; Shoreham Port Authority	Port-related development in the Eastern Arm and Canal is not delivered	
Objective 3: Economy and employment						
3, 17, 21	SH3, CA2, CA3, CA5, CA6, CA7	Deliver a minimum of 23,500m <sup>2</sup> employment generating floorspace: <ul style="list-style-type: none"><li>16,000m<sup>2</sup> in Adur</li><li>7,500m<sup>2</sup> in Brighton &amp; Hove</li></ul>	14. Total amount of approved and/or completed development of employment floorspace by type	Development Management; Developers; Economic Development; WSCC	Delivery of employment floorspace is insufficient to meet minimum target over the plan period	<ul style="list-style-type: none"><li>Identify reasons for lack of implementation</li><li>Engage with site owners to identify barriers to sites coming forward</li><li>Engage with Economic Development to identify current and projected demand for employment floorspace.</li><li>Consider negotiation on individual sites to address viability issues.</li><li>Identify sources of funding to assist with delivery of employment floorspace.</li><li>Seek further employment sites to allocate through policy review.</li></ul>



SA objective	Relevant policy	Target	Indicator	Partners / Source of information	Trigger	Actions required (if target is not being achieved)
	SH3, CA2, CA3, CA5, CA6, CA7	Protect identified employment sites from conversion to residential dwellings	15. Total amount of employment floorspace converted by permitted development to residential dwellings by type 16. No of residential dwellings delivered through conversion of employment floorspace by permitted development.	Development Management; Developers; Economic Development	Trends demonstrate an increase in the amount of employment floorspace lost as a result of conversion to residential dwellings by permitted development	<ul style="list-style-type: none"> <li>Review development management processes to ensure that existing protection in GPDO is applied.</li> <li>Consider removal of permitted development rights through an Article 4 Direction.</li> <li>Identify sources of funding to assist with retention of sites in employment generating uses.</li> </ul>
3, 17, 19	SH3, CA2, CA3, CA7	Provide ancillary retail uses within the Shoreham Harbour Regeneration area to complement existing town/district centres	17. Total amount of approved and/or completed development of retail floorspace by type	Development Management); Developers; Economic Development; WSCC	Development approved and/or completed that includes retail with a net sales floorspace of 1,000m <sup>2</sup> or more	<ul style="list-style-type: none"> <li>Engage with Economic Development to identify current and projected demand for retail floorspace.</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Review development management processes to ensure retail sequential and impact assessments are provided.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> </ul>
<b>Objective 4: Housing and community</b>						
3, 14, 15, 16	SH4, CA2, CA3, CA6, CA7	Deliver a minimum of 1,400 new homes: <ul style="list-style-type: none"> <li>90 in CA2: Aldrington Basin</li> <li>201 in CA3: South Portslade</li> <li>1,100 in CA7: Western Harbour Arm</li> <li>Windfall sites</li> </ul>	18. Number, size and tenure of approved and/or completed residential development	Development Management; Developers; WSCC	Delivery of residential development is insufficient to meet minimum target over the plan period (identified in the housing trajectory)	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation</li> <li>Engage with site owners to identify barriers to bringing sites forward</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of residential development.</li> <li>Seek further housing sites to allocate through policy review.</li> </ul>
3, 11, 14, 15, 16,	SH4, CA2, CA3, CA6, CA7	Deliver affordable housing according to local policy	19. Number, size and tenure of approved and/or completed affordable homes, and as a percentage of all homes built	Development Management; Developers; Registered Providers; Housing departments	Delivery of affordable housing does not comply with local policy requirements	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation</li> <li>Engage with site owners to identify barriers to bringing sites forward</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of affordable housing</li> <li>Seek further housing sites to allocate through policy review.</li> </ul>
3, 11, 14, 16, 17, 19, 21	SH4, CA2, CA3, CA5, CA7, SH10	Deliver social and community infrastructure to support new development	20. Number and type of approved and/or completed D class floorspace and social/community facilities	Development Management; Developers; Commercial operators; Public and private sector partners	Insufficient delivery of social/community facilities	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation</li> <li>Engage with public and private sector partners to identify demands for community/social facilities</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of community/social facilities</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>

Objective 5: Sustainable travel						
7, 11, 13, 14, 19, 20	SH5, CA1, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Deliver new/improved routes and facilities for pedestrians and cyclists, including: <ul style="list-style-type: none"><li>New waterfront route from Shoreham –by-Sea town centre to Kingston Beach</li><li>New segregated cycle route along A259 from Shoreham-by-Sea town centre to Hove Lagoon</li><li>Improvements to NCN2/Monarch’s Way/England Coast Path at Basin Road South and A259</li><li>Improvements to crossing at Southwick Lock Gates</li><li>Extension of bike share scheme</li></ul>	21. Number and type of approved and/or completed new/improved routes for pedestrians and cyclists	Development management; Developers; Highways; Shoreham Port Authority; Private and public sector partners	New/improved routes for pedestrians and cyclists are not delivered	<ul style="list-style-type: none"><li>Identify reasons for lack of implementation</li><li>Engage with developers at an early stage in the design of new developments to ensure that the improved routes for pedestrians and cyclists are integrated.</li><li>Engage with public and private sector partners to identify demand for improvements</li><li>Engage with public transport operators to identify potential improvements</li><li>Review Shoreham Harbour Transport Strategy</li><li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li><li>Consider negotiation on individual sites to address viability issues.</li><li>Identify sources of funding to assist with delivery of sustainable travel measures</li></ul>
		Deliver improved priority corridors and junction improvements, including: <ul style="list-style-type: none"><li>A259</li><li>A283</li><li>A293</li></ul>	22. Number and type of approved and/or completed improvements to priority corridors and junctions	Development Management; Highways	Improvements to priority corridors and junctions are not delivered.	
		Deliver improved access to port activities, including: <ul style="list-style-type: none"><li>Southwick Waterfront access road</li><li>Basin Road North extension</li></ul>	23. Improvements to port access approved and/or completed	Development Management; Highways; Shoreham Port Authority	Improvements to port access are not delivered	
		Deliver improvements and improve interchange with public transport network	24. Improvements to bus services delivered 25. Improvements to bus stops delivered 26. Bus priority measures delivered 27. Improvements to interchanges at railway stations delivered	Highways; Public transport operators	Improvements to public transport are not delivered	
Objective 6: Flood risk and sustainable drainage						
2, 3, 4, 9, 10, 18	SH6, CA1, CA2, CA3, CA4, CA5, CA6, CA7	Reduce flood risk	28. Number of planning permissions granted contrary to the advice of the Lead Local Flood Authority and/or the Environment Agency on flood defence grounds	Development Management; Lead Local Flood Authority; Environment Agency	Any such permissions are granted	<ul style="list-style-type: none"><li>Identify reasons for approval of permission contrary to Lead Local Flood Authority and/or Environment Agency advise</li><li>Engage with developers at an early stage in the design of new developments to ensure that the Lead Local Flood Authority and Environment Agency are consulted.</li><li>Review development management processes to ensure applications are determined in accordance with policy.</li><li>Review Shoreham Harbour Flood Risk Management Guide</li><li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li></ul>

3, 4, 9, 10, 11, 18, 20	SH6, CA1, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Deliver new/upgraded flood defences, including: <ul style="list-style-type: none"> <li>Sussex Yacht Club</li> <li>Western Harbour Arm</li> <li>Kingston Beach</li> <li>Lock Gates</li> <li>Canal</li> </ul>	29. New/upgraded flood defences delivered 30. Developer contributions to flood defences	Development Management; Developers; Environment Agency; Shoreham Port Authority	New/upgraded flood defences are not delivered.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage in the design of new developments to ensure that the new/improved flood defences are integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Engage with public and private sector partners to identify demand for improvements</li> <li>Engage with Environment Agency and Lead Local Flood Authorities to identify potential improvements</li> <li>Review Shoreham Harbour Flood Risk Management Guide</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of flood defence measures</li> </ul>
2, 4, 6, 9, 10, 18,	SH1, SH6, SH7, CA1, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Maximise the provision of sustainable drainage systems	31. Number and percentage of approved and/or completed developments that incorporate sustainable drainage systems.	Development Management; Lead Local Flood Authorities; Developers; Sustainability Statement/ Checklist	Development approved and/or completed that does not incorporate sustainable drainage systems.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage in the design of new developments to ensure that sustainable drainage systems are integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> </ul>
<b>Objective 7: Natural environment, biodiversity and green infrastructure</b>						
4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 16, 18, 19, 20, 22	SH1, SH7, SH8, CA2, CA3, CA4, CA5, CA6, CA7, SH10	Increased provision of green infrastructure All development to provide a net gain to biodiversity Protect and enhance designated and non-designated sites and habitats, including: <ul style="list-style-type: none"> <li>Adur Estuary SSSI</li> <li>Shoreham Beach LNR/LWS</li> <li>Basin Road South LWS</li> <li>North Canal Bank</li> <li>Coastal vegetated shingle</li> <li>Intertidal mudflats</li> </ul>	32. Type and extent of green infrastructure improvements delivered 33. Number and percentage of planning permissions granted that deliver a net gain to biodiversity 34. Number of planning permissions granted contrary to officer/statutory consultee advice on the grounds of impact to habitats/species. 35. Type and extent of habitats lost 36. Type and extent of habitats created 37. Developer contributions to green infrastructure/ biodiversity 38. State or condition of designated sites	Development Management; Sustainability Statement/ Checklist; Environment Agency; Natural England Sussex Wildlife Trust Sussex Biodiversity Records Centre; Parks	No increase in provision of green infrastructure Development approved that does not provide a net gain in biodiversity. Loss of priority habitats No creation of new habitats. Decline in status or condition of designated sites.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage in the design of new developments to ensure that green infrastructure and biodiversity gains are integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Engage with public and private sector partners to identify demand and potential for improvements</li> <li>Review Shoreham Harbour Green Infrastructure Strategy</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of green infrastructure and biodiversity measures</li> </ul>
7, 11	SH4, SH7, CA2, CA3, CA5, CA6, CA7	No increase in noise impacts due to development.	39. Number of planning permissions granted contrary to officer advice on the grounds of noise impact.	Development Management; Environmental Health	Application granted contrary to officer advice on the grounds of noise impact.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation</li> <li>Engage with developers at an early stage to ensure that avoidance and mitigation of noise impacts is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>

7, 10, 11	SH4, SH7, CA2, CA3, CA5, CA6, CA7	Improve air quality, especially within Air Quality Management Areas	40. Number of planning permissions granted contrary to officer advice where impact on air quality was an important factor 41. Air quality monitoring (including CO <sub>2</sub> , NO <sub>2</sub> and particulate concentrations). 42. Number and extent of Air Quality Management Areas identified in the vicinity of the Shoreham Harbour Regeneration Area.	Development Management; Environmental Health	Application granted contrary to officer advice on the grounds of air quality impact. A decline in air quality. Designation of new, or extension of existing, air quality management areas.	<ul style="list-style-type: none"> <li>Identify reasons for decline in air quality.</li> <li>Engage with developers at an early stage to ensure that avoidance and mitigation of air pollution is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>
2, 4, 5, 9, 10, 11	SH7, CA2, CA3, CA5, CA6, CA7	Protect/improve water quality	43. Number of planning permissions granted contrary to the advice of the Environment Agency on water quality grounds. 44. Status of groundwater and waterbodies	Development Management; Environment Agency	Application granted contrary to the advice of the Environment Agency on water quality grounds. Decline in status of groundwater or waterbodies.	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation</li> <li>Identify reasons for decline in status of groundwater and/or water bodies</li> <li>Engage with developers at an early stage to ensure that avoidance and mitigation of water quality impacts is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>
3, 4, 8, 9, 10, 11	SH7, CA2, CA3, CA5, CA6, CA7	Remediate contaminated sites	45. Number of approved and/or completed developments which incorporate remediation of contaminated land, and extent of remediated land	Development Management; Environment Agency; Sustainability Statement/ Checklist	Contaminated sites are not remediated	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage to ensure that remediation of contaminated land is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of remediation measures.</li> </ul>
3, 8, 9, 10, 22	SH7, CA2, CA3, CA5, CA6, CA7	Reduce waste and increase recycling	46. Number and percentage of planning permissions granted that included a Site Waste Management Plan	Development Management; Sustainability Statement/ Checklist	Planning permissions granted without a Site Waste Management Plan	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>

Objective 8: Recreation and leisure						
3, 4, 5, 6, 7, 10, 11, 16, 19, 20	SH7, SH8, CA2, CA3, CA4, CA5, CA6, CA7	Increase provision of public open space	47. Amount of public open space lost to development 48. Amount of public open space created	Development Management; Parks	Loss of public open space to development. No provision of new public open space	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage to ensure that provision of open space is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of public open space.</li> </ul>
3, 4, 5, 6, 7, 9, 10, 11, 16, 19, 20	SH7, SH8, CA2, CA3, CA4, CA5, CA6, CA7	Improve public access to waterfront	49. Number and type of improvements delivered	Development management	No improvement in access to waterfront	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage to ensure that public access to waterfront is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> <li>Consider negotiation on individual sites to address viability issues.</li> <li>Identify sources of funding to assist with delivery of public access to waterfront.</li> </ul>
Objective 9: Place making and design quality						
5, 7, 10, 11, 12, 14, 16, 17, 19, 20	SH9, CA2, CA3, CA5, CA6, CA7	Deliver high standard of urban design, place making and amenity	50. Number and percentage of approved and/or completed developments subject to design review. 51. Number of planning appeals dismissed where urban design, place making and/or amenity are principal reason(s) for refusal. 52. Number of design awards nominated and won by developments in the Shoreham Harbour Regeneration Area	Development Management	Major development approved and/or completed that has not been subject to design review. Planning appeal upheld where urban design, place making and/or amenity are principal reason(s) for refusal	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Identify reasons for upholding of appeal.</li> <li>Engage with developers at an early stage to ensure that high quality place making and urban design are integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>
5, 11, 16, 19, 20	SH9, CA2, CA3, CA4, CA5, CA6, CA7	Deliver new public art	53. Number of public art schemes delivered as part of new development	Development Management	No new public art schemes delivered	<ul style="list-style-type: none"> <li>Identify reasons for lack of implementation.</li> <li>Engage with developers at an early stage to ensure that provision of public art is integrated.</li> <li>Review development management processes to ensure applications are determined in accordance with policy.</li> <li>Consider preparation of further supplementary guidance and/or case studies of best practice.</li> </ul>

Infrastructure						
2, 3, 4, 5, 6, 7, 13, 15, 16, 17, 18, 19, 21, 22	SH1, SH2, SH3, SH4, SH5, SH6, SH7, SH8, SH9, SH10, CA1, CA2, CA3, CA4, CA5, CA6, CA7	Deliver infrastructure made necessary by the development	54. Delivery of schemes identified in the Infrastructure Delivery Plans 55. Developer contributions to infrastructure	Development Management; Environment Agency; Environmental Health; Highways; Education; Lead Local Flood Authority;	Under delivery of schemes identified in the Infrastructure Delivery Plan	<ul style="list-style-type: none"><li>• Identify reasons for lack of implementation.</li><li>• Engage with developers at an early stage to ensure that infrastructure requirements are integrated.</li><li>• Review development management processes to ensure applications are determined in accordance with policy.</li><li>• Consider preparation of further supplementary guidance and/or case studies of best practice.</li><li>• Consider negotiation on individual sites to address viability issues.</li><li>• Identify sources of funding to assist with delivery of public access to waterfront.</li></ul>









# SHOREHAM HARBOUR REGENERATION

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# SHOREHAM HARBOUR JOINT AREA ACTION PLAN

OCTOBER 2019



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# INTRODUCTION



# 1 Introduction

## 1.1 What is the Joint Area Action Plan (JAAP)?

1.1.1 The *Shoreham Harbour Joint Area Action Plan* (JAAP) is a strategy for the regeneration of Shoreham Harbour and surrounding areas. It includes proposals and policies for new housing and employment generating floor-space; and for upgraded flood defences, recreational and community facilities, sustainable travel, environmental and green infrastructure improvements.

1.1.2 An area action plan is a type of local plan for an area of significant change. The JAAP sets a planning policy framework to guide development and investment decisions within the Shoreham Harbour Regeneration Area up to 2032.

1.1.3 The plan builds on and complements the *Adur Local Plan* (2017) and the *Brighton & Hove City Plan Part One* (2016). Planning applications within the regeneration area must comply with the strategy and policies in the JAAP, as well as the relevant local plans, unless material considerations indicate otherwise.

1.1.4

The plan contains:

- a long-term vision, objectives and strategy for the Shoreham Harbour Regeneration Area
- themed area-wide policies on:
  - climate change, energy and sustainable building
  - Shoreham Port
  - economy and employment
  - housing and community
  - sustainable travel
  - flood risk and sustainable drainage
  - natural environment, biodiversity and green infrastructure
  - recreation and leisure
  - place making and design quality
- proposals for seven character areas, including four allocations for new development
- an outline of how the Shoreham Harbour Regeneration Project will be delivered, monitored and implemented

## 1.2 Where is the Shoreham Harbour Regeneration Area?

1.2.1 Map 1 shows the location of Shoreham Harbour. It is between the coastal resorts of Brighton and Worthing, on the Sussex coast in south-east England. The harbour is around 55 miles from London and 30 miles south of Gatwick Airport.

1.2.2 Map 2 shows the boundary of the regeneration area. It stretches around 3 miles from the Adur Ferry Bridge in Shoreham-by-Sea through to Hove Lagoon. It is bounded to the north by the West Coastway railway line, and to the south by the River Adur and the English Channel. The A259 runs east-west through the regeneration area.

1.2.3 Shoreham Harbour straddles the local authority boundary between Adur district (within West Sussex) and the City of Brighton & Hove. The regeneration area includes parts of Shoreham-by-Sea, Kingston-by-Sea, Southwick, Fishersgate, Portslade-by-Sea and Hove.



Map 1 - Location of Shoreham Harbour





Map 2 - Shoreham Harbour Regeneration Area



- — Local authority boundary
- Shoreham Harbour Regeneration Area



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1.3	Who prepared the plan?	1.4	Why was the plan prepared?	1.5	How was the plan prepared?
1.3.1	The plan was prepared by the Shoreham Harbour Regeneration Partnership. This is made up of Adur District Council, Brighton & Hove City Council, West Sussex County Council and Shoreham Port Authority.	1.4.1	The regeneration of Shoreham Harbour and surrounding areas is a long-standing aspiration of all the project partners. The partnership has produced this plan to identify realistic, deliverable and sustainable proposals for the regeneration area.	1.5.1	There were four stages to preparing the JAAP: <ul style="list-style-type: none"> <li>• <b>Stage 1:</b> Information gathering, baseline analysis and identifying issues (2008 – 2012)</li> <li>• <b>Stage 2:</b> Consideration of options, developing spatial framework, preparing development briefs for areas of change (2012 – 2014)</li> <li>• <b>Stage 3:</b> Consulting on the plan, updating evidence, exploring technical issues, addressing delivery issues (2014 – 2016)</li> <li>• <b>Stage 4:</b> Publication of the proposed submission JAAP, submission to the Secretary of State for independent examination, followed by formal adoption by the councils (2017 – 2019).</li> </ul>
1.3.2	The partnership also works closely with a number of other organisations. These include the Environment Agency, Homes England, Highways England, Natural England and Historic England.	1.4.2	The JAAP is part of a long-term strategy to revitalise the area. It will deliver new and affordable housing and modern employment floor-space on previously developed land.		
1.3.3	The plan has been jointly adopted by Adur District Council, Brighton & Hove City Council and West Sussex County Council.	1.4.3	The JAAP will help to generate investment and access funding for improved infrastructure, including sustainable transport, flood defences and sustainable drainage. It supports the safeguarding of the important function of Shoreham Port, including the importing and handling of aggregates and minerals.		
		1.4.4	The plan promotes the port as a hub for renewable energy generation, contributing to national and local carbon reduction targets. The JAAP also promotes the creation and enhancement of green infrastructure links through the area.		

1.6 How was the community involved?

- 1.6.1 Working with local residents, businesses, community and local interest groups is an important part of the plan-making process. These individuals and groups have made a critical contribution to shaping the proposals and policies in the JAAP.
- 1.6.2 As well as formal periods of public consultation, there has been ongoing engagement with communities throughout the plan-making process.
- 1.6.3 The consultation process complied with statutory regulations<sup>1</sup> and the *Statement of Community Involvement* (SCI) of each of the partner councils<sup>2</sup>.

1 The Town and Country Planning (Local Planning) (England) Regulations 2012  
2 *Adur and Worthing Statement of Community Involvement* (2019); *Brighton & Hove Statement of Community Involvement* (2015); *West Sussex Statement of Community Involvement* (2018)

1.7 What is the status of the JAAP?

- 1.7.1 The JAAP is a local plan<sup>3</sup> for the Shoreham Harbour Regeneration Area. The JAAP is part of the development plan for both Adur and Brighton & Hove. The *Adur Local Plan* and *Brighton & Hove City Plan Part One* designate the regeneration area as a broad location for change<sup>4</sup>.
- 1.7.2 The councils will assess all planning applications and investment decisions within the regeneration area against the strategy, proposals and policies in the JAAP, as well as the relevant local plans.
- 1.7.3 Sections 1.8 to 1.12 set out how the JAAP relates to other policies, plans and strategies.
- 1.7.4 The JAAP supersedes the following policy documents:
  - *Shoreham Harbour Development Brief: South Portslade Industrial Estate and Aldrington Basin* (2013)
  - *Shoreham Harbour Development Brief: Western Harbour Arm* (2013)
  - *Shoreham Harbour Interim Planning Guidance* (2011)

3 As defined in The Town and Country Planning (Local Planning) (England) Regulations 2012. Also referred to as a Development Plan Document as defined in the Planning and Compulsory Purchase Act 2004.  
<sup>4</sup> Policy 8 of the *Adur Local Plan* (2017); Policy DA8 of the *Brighton & Hove City Plan Part One* (2016).

1.8 European policy

- Strategic Environmental Assessment*
- 1.8.1 Relevant European legislation includes the Strategic Environmental Assessment (SEA) Directive (2001)<sup>5</sup>. This requires assessment of the plan against environmental objectives to ensure that it is sustainable<sup>6</sup>.
- 1.8.2 The *Sustainability Appraisal* of the Shoreham Harbour JAAP meets the requirements of the SEA Directive.
- Equality & Health Appraisal*
- 1.8.3 EU policies also require plan –makers to consider the impact that proposals may have on health and equality<sup>7</sup>. This applies to these protected characteristics:
  - gender
  - race
  - disability
  - age
  - sexual orientation
  - religion or belief

5 Directive 2001/42/EC transposed into UK legislation in The Environmental Assessment of Plans and Programmes Regulations 2004  
<sup>6</sup> The UK is expected to leave the EU in March 2019. The European Union (Withdrawal Bill) will convert existing EU law (such as EU regulations and EU decisions) directly in the UK’s legal systems. The Bill will preserve laws made in the UK to implement EU obligations (e.g. the laws which implement EU directives).  
<sup>7</sup> Transposed into UK legislation in the Equality Act 2010

		1.9	National policy	
1.8.4	The <i>Equality and Health Appraisal</i> of the JAAP meets these requirements.		National Planning Policy Framework and Planning Practice Guidance	
1.8.5	Under the Habitats Directive (1992) and Birds Directive (2009) <sup>8</sup> plan-makers must consider the potential effects of proposals on protected sites <sup>9</sup> .	1.9.1	The JAAP was prepared in conformity with the National Planning Policy Framework (NPPF) and Planning Practice Guidance (PPG).	1.9.6
	<b>Habitats Regulations Assessment</b>	1.9.2	The NPPF applies a presumption in favour of sustainable development. It requires local planning authorities (LPA) to assess their housing and employment space needs, and to plan positively to meet those needs.	1.9.7
1.8.6	Both the <i>Adur Local Plan</i> and <i>Brighton &amp; Hove City Plan Part One</i> were screened for Habitats Regulations Assessment (HRA). These reports concluded that a full HRA is not required as there are no significant impacts on protected European sites.	1.9.3	The NPPF promotes the role of ports. This includes the importance of safeguarding capacity for landing minerals and aggregates.	
1.8.7	The proposals in this plan have also been screened for HRA. The <i>Shoreham Harbour Joint Area Action Plan Habitats Regulations Assessment Screening Report</i> (2018) concluded that a full HRA is not required as there are no significant impacts on protected European sites.	1.9.4	The NPPF also promotes the shift towards a green economy and encourages policies that promote district level renewable energy generation and green infrastructure as set out in this plan.	1.9.8
		1.9.5	Where appropriate the JAAP highlights sections of the NPPF and PPG which support the policies in the plan.	
				<b>Duty to Cooperate</b>
				The Duty to Cooperate is a legal duty for local planning authorities to engage with each other on cross boundary issues. Engagement must be active, constructive and ongoing to make local plans more effective.
				The JAAP was prepared by a partnership of local authorities working together across the boundaries. The regeneration project is jointly governed by Adur District Council, Brighton & Hove City Council and West Sussex County Council. Joint working arrangements are set out in a <i>Memorandum of Understanding</i> between the project partners.
				The <i>Shoreham Harbour Duty to Cooperate Statement</i> (2017) sets out in more detail the cross boundary engagement in the preparation of this plan.

8 Directive 92/43/EEC and Directive 2009/147/EC transposed into UK legislation in The Conservation of Habitats and Species Regulations 2010

9 Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

		1.10	Sub-regional policy		Coastal West Sussex and Greater Brighton Local Strategic Statement
	National policy statements		Greater Brighton City Deal		
1.9.9	The <i>National Policy Statement for Ports</i> (2012) was produced by the Department for Transport under the Planning Act 2008 <sup>10</sup> . It provides the framework for decision making on proposals for new port development.	1.10.1	The Greater Brighton City Deal was awarded by government in 2014. The city region is made up of Adur, Brighton & Hove, Lewes, Mid Sussex and Worthing.	1.10.5	The Coastal West Sussex and Greater Brighton Strategic Planning Board is made up of lead councillors from Adur, Arun, Brighton & Hove, Chichester, East Sussex, Horsham, Lewes, Mid Sussex, and West Sussex councils and the South Downs National Park Authority. Through the board the councils work together to identify and manage cross-boundary planning issues.
1.9.10	The statement highlights the changing role of ports in relation to energy supply and generation. This includes securing energy supplies, providing facilities to support offshore renewable sites and to house power stations fuelled by biomass.	1.10.2	The councils work together to prioritise economic growth. Shoreham Harbour is identified as a growth centre which will focus on environmentally driven technologies.	1.10.6	In 2016, the councils adopted an updated <i>Coastal West Sussex and Greater Brighton Local Strategic Statement</i> (LSS). This statement sets the following strategic objectives:
1.9.11	The <i>Overarching National Policy Statement for Energy (EN-1)</i> (2010) outlines the increasing importance of renewables as part of the energy mix.	1.10.3	The regeneration area is within the area of the Coast to Capital Local Enterprise Partnership (LEP). The LEP is responsible for £202 million Growth Deal funding. It has awarded £9.5 million for flood defence projects and transport access improvements in the Shoreham area.		<div><div>1</div>Delivering sustainable economic growth</div> <div><div>2</div>Meeting strategic housing needs</div> <div><div>3</div>Investing in infrastructure</div> <div><div>4</div>Managing environmental assets and natural resources</div>
	UK Marine Policy Statement				
1.9.12	The <i>UK Marine Policy Statement</i> (2011) sets out the government’s vision for ‘clean, healthy, safe, productive and biologically diverse oceans and seas’. It is the overarching framework for preparing marine plans across the UK. These will be used for decisions affecting the marine environment.	1.10.4	The LEP produced the <i>Coast to Capital Strategic Economic Plan</i> in 2014. It identifies Shoreham-by-Sea as one of its key strategic locations for growth. The plan recognises the flood risk and transport constraints in delivering growth.		

<sup>10</sup> Planning Act 2008 s. 5(9)

- 1.10.7 The LSS sets nine spatial priorities for the area. Spatial Priority 1 relates to Shoreham Harbour and Shoreham (Brighton City) Airport. For Shoreham Harbour this includes:
- 1 Improved road access to and from the A27 and A259 and to local transport infrastructure including public transport, walking and cycling.
  - 2 Improved flood defences.
  - 3 Consolidated port activities in the eastern harbour arm and safeguarding sufficient capacity at mineral wharves to ensure a steady and adequate supply of minerals to meet foreseeable future demands.

#### Brighton and Lewes Downs Biosphere Management Strategy

- 1.10.8 UNESCO<sup>11</sup> designated the Brighton and Lewes Downs as The Living Coast Biosphere Reserve in 2014. Biospheres are defined as “sites of excellence”:
- ‘to balance conservation and socioeconomic development between nature and people, and to explore and demonstrate innovative approaches as learning sites for sustainable development’.*
- 1.10.9 The *Biosphere Management Strategy* has three objectives. These are:
- 1 Nature Conservation
  - 2 Sustainable Socio-Economic Development
  - 3 Knowledge, Learning and Awareness

- 1.10.10 The *Shoreham Harbour Joint Area Action Plan* will enable the delivery of a high quality, exemplar, mixed-use sustainable development and improved environmental quality. This includes:
- a comprehensive flood defence solution
  - development that reduces car ownership and promotes sustainable modes of transport
  - improved green infrastructure and access to open spaces
  - provision of enhanced public realm along the river frontage
  - policies in the *Adur Local Plan* and *Joint Area Action Plan* that recognise the need to enhance green corridors and improve ecological connectivity.

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<sup>11</sup> United Nations Educational, Scientific and Cultural Organisation

1.11 Local policy

South Inshore Marine Plan

- 1.10.11 The Marine Management Organisation adopted the *South Inshore Marine Plan* in June 2018. This covers the south coast and tidal rivers between Folkestone and the River Dart, Devon.
- 1.10.12 Marine plans and local plans overlap between high and low water marks. The South Inshore Marine Plan includes the coastline at Shoreham Beach, and Southwick and Portslade-by-Sea. It also includes the Eastern and Western Arms of the River Adur.
- 1.10.13 The plan will manage the sustainable development of marine industries such as shipping, marine aggregates, fishing and windfarms, as well as the conservation and protection of marine habitats and species.

- 1.11.1 Both the *Adur Local Plan* and the *Brighton & Hove City Plan Part One* identify the regeneration of the Shoreham Harbour area in their strategic objectives. Both plans also contain a policy that identifies the harbour as a ‘broad location’ for future strategic development.
  - 1.11.2 This plan is consistent with the local plans for both Adur and Brighton & Hove. In case of any conflict between policies in these plans and the JAAP, the most recently adopted plan will have precedence<sup>12</sup>.
- Adur Local Plan
- 1.11.3 Adur District Council adopted the *Adur Local Plan* in December 2017. The plan provides a strategy for development in Adur<sup>13</sup> up to 2032. Policy 2 (Spatial Strategy) states:

- 1.11.4 Policy 8 (Shoreham Harbour Regeneration Area) sets out the policy and priorities for each character area and states that:  
*“The Council will facilitate the delivery of a minimum of 1,100 new dwellings and a minimum of 16,000sqm of employment generating uses (including B1 uses) within that part of the Shoreham Harbour Regeneration Area Western Harbour Arm during the plan period to 2032 (as shown on the Policies Map).”*
- 1.11.5 Policy 4 (Planning for Economic Growth) allocates land for employment generating uses in Adur up to 2032, including 16,000m<sup>2</sup> of floor-space in the part of the Shoreham Harbour Regeneration Area within Adur.

12 See Section 38(5) of the Planning and Compulsory Purchase Act 2004  
13 The plan excludes the parts of the district within the South Downs National Park.

## Brighton & Hove City Plan

- 1.11.6 Brighton & Hove City Council adopted the *Brighton & Hove City Plan Part One* in March 2016. The plan provides the overall strategic and spatial vision for the future of Brighton & Hove<sup>14</sup> up to 2030.
- 1.11.7 Strategic Objective 6 states:  
*"Through joint working with Adur District Council, West Sussex County Council and the Shoreham Port Authority, maximise the potential of Shoreham Harbour for the benefit of existing and future residents, businesses, port-users and visitors through a long term regeneration strategy."*
- 1.11.8 Policy DA8 (Shoreham Harbour) sets out the policy and priorities for each of the harbour character areas and states that the JAAP process will further explore and test the delivery of:
- 300 new residential units within Brighton & Hove
  - 7,500m<sup>2</sup> net additional employment floor-space

## Minerals and Waste Plans

- 1.11.9 Shoreham Port contains a number of minerals wharves and waste management facilities. West Sussex and Brighton & Hove councils are minerals and waste planning authorities for the regeneration area.
- 1.11.10 *West Sussex Joint Minerals Local Plan* (2018) safeguards sufficient capacity to ensure a steady and adequate supply of minerals whilst supporting regeneration aspirations set out in this document. The Plan was adopted in July 2018.
- 1.11.11 Brighton & Hove City Council, East Sussex County Council and the South Downs National Park Authority adopted the *Waste and Minerals Plan* in 2013. The *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan* was adopted in 2017. The plan safeguards wharf capacity at Shoreham Harbour.

## Shoreham Beach Neighbourhood Plan

- 1.11.12 In 2014, Adur District Council approved the Shoreham Beach Neighbourhood Area and designated the Shoreham Beach Neighbourhood Forum. The forum is working with the community to produce a neighbourhood plan to address issues in the area. The neighbourhood plan area is contiguous with Marine ward. This overlaps with the regeneration area at Shoreham Fort, Shoreham Sailing Club and Silver Sands.

<sup>14</sup> The plan excludes the parts of the city within the South Downs National Park.



1.12 Shoreham Harbour policy

- 1.12.1

Shoreham Harbour Flood Risk Management Guide

The partnership, working closely with the Environment Agency, produced the *Shoreham Harbour Flood Risk Management Guide Supplementary Planning Document* (SPD) (2015). This sets out illustrative concepts for an upgraded flood defence network along the Western Harbour Arm, and a summary of the cost and requirements of developers in relation to mitigating flood risk. These documents will also be used to provide information for funding applications The SPD also provides guidance for flood mitigation at the other allocations.

Shoreham Harbour Green Infrastructure Strategy
- 1.12.2

The partnership is currently preparing a green infrastructure strategy. This will set out proposals for ecological enhancements throughout the regeneration area as well as the creation of a green corridor as part of an enhanced green infrastructure network.

- 1.12.3

Shoreham Harbour Transport Strategy

The *Shoreham Harbour Transport Strategy* (2016) has been prepared to support delivery of the JAAP through a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives. It is supported by a technical evidence base, which is set out in the *Shoreham Harbour Transport Strategy Baseline Analysis* document (2014).

Shoreham Port Masterplan
- 1.12.4

Shoreham Port Authority produced the *Shoreham Port Masterplan* (2010) and *Shoreham Port Masterplan Review* (2017). Although it is not a statutory planning policy document, the plan sets the port’s future development and must be taken into account when considering new developments in or near the port.
- 1.12.5

This plan includes many of the proposals identified in the masterplan where relevant to the regeneration project.



# SPATIAL STRATEGY





2

Spatial strategy

2.1

What is the vision for Shoreham Harbour?

**By 2032, Shoreham Harbour Regeneration Area will be transformed into a vibrant, thriving, waterfront destination comprising a series of sustainable, mixed-use developments alongside a consolidated and enhanced Shoreham Port which will continue to play a vital role in the local economy.**

**The redevelopment of key areas of the harbour will provide benefits for the local community, natural environment and economy through increased investment, improved leisure opportunities, enhanced public realm and the delivery of critical infrastructure that will help respond positively to climate change.**

- 2.1.1
- This section sets out the vision, themes, objectives and strategy for the regeneration of the Shoreham Harbour area up to 2032.
- 2.1.2
- The vision is to maximise the potential of the area for the benefit of existing and new residents, businesses, port-users and visitors through a long-term regeneration strategy. This will be achieved through partnership working between local authorities and Shoreham Port Authority and with local landowners to facilitate the redevelopment of key sites.
- 2.1.3
- The aim is to deliver a series of appropriately located, high quality, sustainable, mixed-use developments including new housing, employment floor-space, leisure opportunities, improved public space and associated infrastructure including flood defences and transport improvements.

- 2.1.4
- Sustainable development**

Sustainable development “*meets the needs of the present without compromising the ability of future generations to meet their own needs*”<sup>15</sup>. The planning system contributes to achieving sustainable development<sup>16</sup>. The NPPF identifies three overarching objectives to sustainable development:

  - an economic objective, contributing to building a strong, responsive and competitive economy.
  - a social objective, supporting strong vibrant and healthy communities.
  - an environmental objective, contributing to protecting and enhancing the natural, built and historic environment.
- 2.1.5
- Sustainable development is an overarching theme for this plan, and the local plans for both Adur and Brighton & Hove.

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15 Resolution 42/187 of the United Nations General Assembly

16 NPPF (2019) Paragraph 7

2.2 What are the objectives of the regeneration project?

Objective 1: Climate change, energy and sustainable building

- To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub.**
- To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.**
- To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour’s coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.**

- 2.2.1 Local plans are legally required to include policies to ensure that development and the use of land “contribute to the mitigation of, and adaptation to, climate change”<sup>17</sup>.
- 2.2.2 Planning helps to shape places to secure radical reductions in greenhouse gas emissions, minimise vulnerability and provide resilience to the impacts of climate change. It also supports the delivery of renewable and low carbon energy and associated infrastructure<sup>18</sup>.
- 2.2.3 Shoreham Port has EcoPort status from the European Sea Ports Organisation. The regeneration partnership aims to maximise the harbour area’s potential as a hub for renewable energy.

17 Planning Act 2004 s.19 (1)(a) (as amended by Planning Act 2008 s.182)  
18 NPPF (2019) paragraph 148

Objective 2: Shoreham Port:

- To support a growing, thriving port.**
- To facilitate the delivery of the adopted Shoreham Port Masterplan, the provision of a modernised, consolidated and sustainable port and to promote the important role of the port in the local and wider economy.**

- 2.2.4 Shoreham Port is the largest commercial port between Southampton and Dover, and the closest Channel port to London.
- 2.2.5 The port plays an important economic role in the area. Around 1,700 people are employed in the port and a further 1,000 nearby. It is an important location for the import and export of aggregates, timber, steel, oil and cereals.
- 2.2.6 Shoreham Port Masterplan sets out Shoreham Port Authority’s strategy for the growth and development of the port. The regeneration proposals in this plan provide an opportunity for consolidating, reconfiguring and enhancing the operations of Shoreham Port.

Objective 3: Economy and employment:

**To stimulate the local economy and provide new jobs.**

**To provide new, high quality employment floor-space and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.**

- 2.2.7 Local planning authorities must plan to meet the development needs of business and support economic growth<sup>19</sup>. The proposals in this plan will contribute to providing employment space in the local area.
- 2.2.8 For Adur, an *Employment Land Review* (2014) identified the requirement for: 15,000 to 20,000m<sup>2</sup> office and research and development floor-space (use classes B1a and B1b); and, 35,000 to 40,000m<sup>2</sup> warehouse floor-space (use class B8).
- 2.2.9 For Brighton & Hove, the *Employment Land Review* (2012) identified the requirement for 112,240m<sup>2</sup> office floor-space (use classes B1a and B1b); and, 43,430 m<sup>2</sup> industrial floor-space (use classes B1c, B2 and B8).

19 NPPF (2019) paragraph 80

Objective 4: Housing and community:

**To provide new homes and contribute to meeting identified housing need.**

**To contribute to meeting the housing needs of Adur and Brighton & Hove through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.**

- 2.2.10 Local planning authorities must plan to meet objectively assessed needs for new housing and identify deliverable sites or broad locations with potential for new housing. Local plans must also include policies to deliver community infrastructure and local facilities. The proposals in this plan will contribute to delivering housing in the local area.
- 2.2.11 Adur needs 6,825 homes up to 2032). This is 325 homes per year. The full objectively assessed housing need cannot be met and the *Adur Local Plan* aims to deliver 3,718 dwellings over the plan period.
- 2.2.12 The objectively assessed housing need for Brighton & Hove that informed the *City Plan Part One* was 30,120 homes up to 2030. It was accepted this could not be met. Consequently the adopted *City Plan Part One* sets a housing target of 13,200 dwellings over the plan period.

Objective 5: Sustainable travel

**To improve connections and promote sustainable transport choices.**

**To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.**

- 2.2.13 Local plans should promote development at locations that minimise trip generation and encourage the use of sustainable modes of transport<sup>20</sup>. Transport policies can support reductions in greenhouse gas emissions, as well as contribute to wider sustainability and health objectives<sup>21</sup>
- 2.2.14 The *Shoreham Harbour Transport Strategy* includes a programme of transport infrastructure improvements, transport services and travel behaviour change initiatives.

20 Circular 02/2013 'The Strategic Road Network and the Delivery of Sustainable Development'

21 NPPF (2019) paragraph 103

Objective 6: Flood risk and sustainable drainage

**To reduce the risk of flooding and adapt to climate change.**

**To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.**

- 2.2.15 Local plans should direct development away from areas at high risk of flooding. This is determined through the Sequential Test, and if necessary, the Exception Test<sup>22</sup>.
- 2.2.16 Both Adur and Brighton & Hove councils have carried out sequential and exceptions tests for the regeneration area. These have found the wider sustainability benefits of development at Shoreham Harbour outweigh the flood risk. Development must be safe, without increasing the flood risk elsewhere.

Objective 7: Natural environment, biodiversity and green infrastructure

**To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network.**

**To conserve and protect the area's important environmental assets, wildlife habitats and ecosystem services, and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.**

**To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.**

- 2.2.17 Local plans should contribute to and enhance the natural and local environment and effective reuse of brownfield land<sup>23</sup>.
- 2.2.18 The JAAP seeks the creation, protection, enhancement and management of networks of biodiversity and green infrastructure. It is important future proposals take into account natural capital and seek to deliver net gains to biodiversity.

22 NPPF (2019) paragraph 157

23 NPPF (2019) paragraph 170

## Objective 8: Recreation and leisure

**To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.**

**To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.**

2.2.19 Local planning authorities should plan for recreational and leisure facilities and services to meet the needs of existing communities and new development. Planning plays an important role in promoting healthy and active lifestyles. This includes the provision of open space, sports and recreation facilities<sup>24</sup>.

2.2.20 Local plans should also include policies to protect and enhance public rights of way and access<sup>25</sup>.

24 NPPF (2019) paragraph 96

25 NPPF (2019) paragraph 98

## Objective 9: Place making and design quality

**To promote high design quality and improve townscape.**

**To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.**

**To protect and enhance the area's historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.**

2.2.21 Local plans should include policies that set out the quality of development expected in the area. New development should:

- function well
- establish a strong sense of place
- optimise the potential of the site
- respond to local character and history
- create safe and accessible environments
- be visually attractive<sup>26</sup>

26 NPPF (2019) paragraph 127

## 2.3

### What is proposed in the plan?

2.3.1 This plan splits the regeneration area into seven character areas. These are shown in Map 3. The areas are:

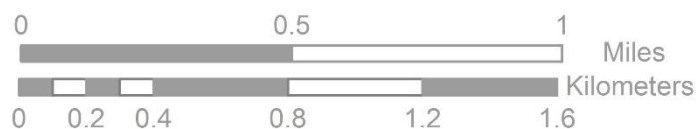
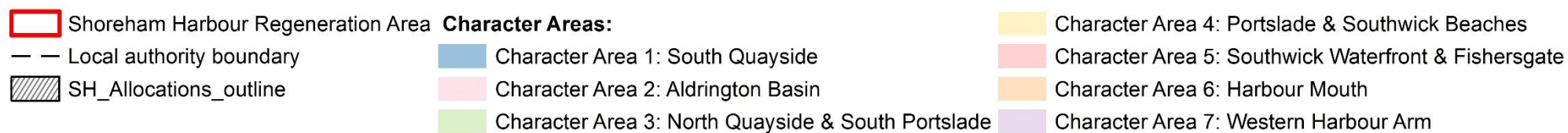
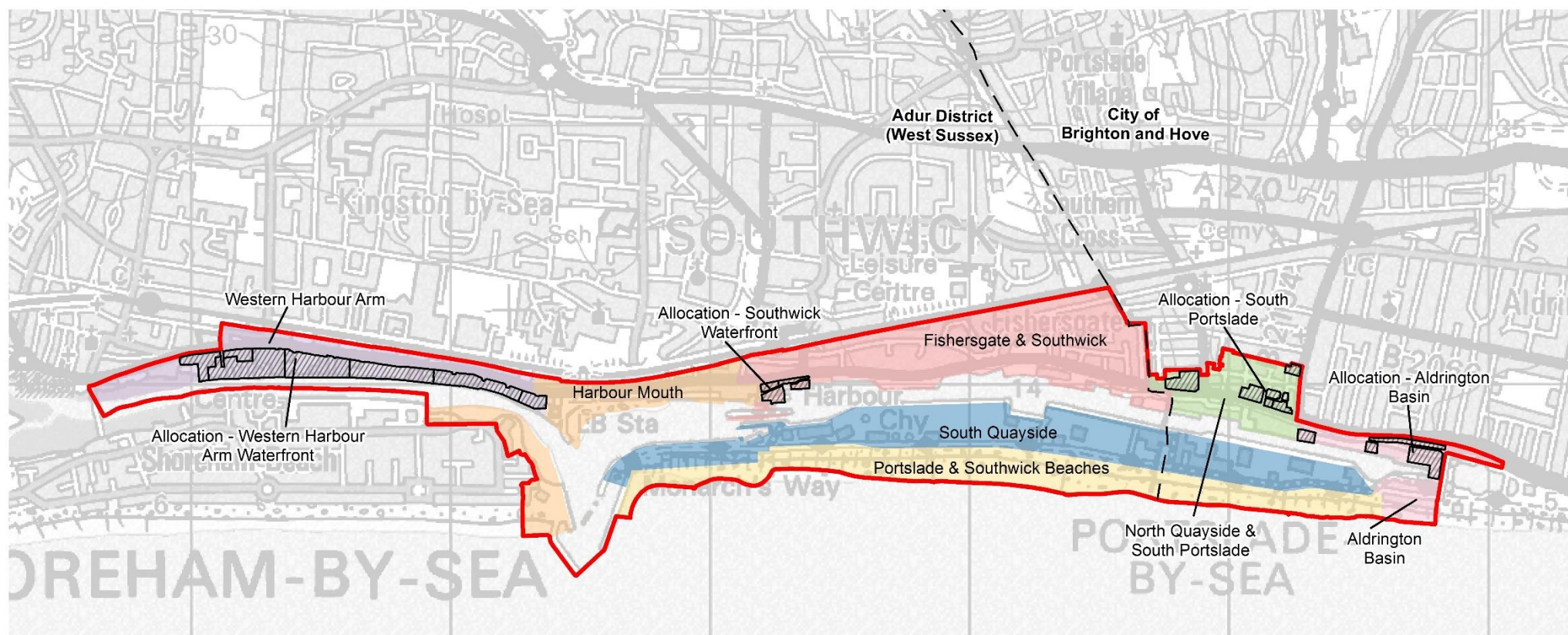
- CA1: South Quayside
- CA2: Aldrington Basin
- CA3: North Quayside and South Portslade
- CA4: Portslade and Southwick Beaches
- CA5: Fishersgate and Southwick
- CA6: Harbour Mouth
- CA7: Western Harbour Arm

2.3.2 Section 4 of this plan includes specific policies and proposals for each of these areas. This includes four allocations for new development. The allocations are:

- Aldrington Basin (within CA2)
- South Portslade (within CA3)
- Southwick Waterfront (within CA5)
- Western Harbour Arm Waterfront (within CA7)



Map 3 - Character areas



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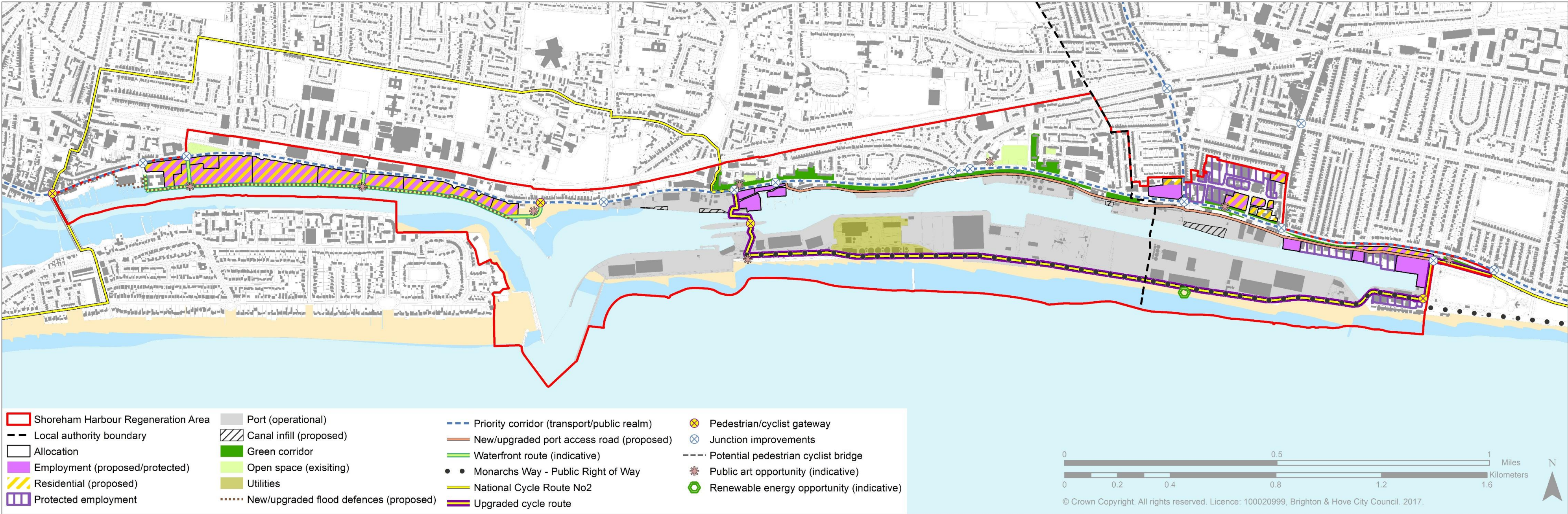
- 2.3.3 Map 4 illustrates the key proposals in the plan. These include:  
[CA1 – South Quayside](#)
- 2.3.4 South Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 2.3.5 The area also includes a waste water treatment works, power stations and renewable energy generation. These uses will be safeguarded.  
[CA2 – Aldrington Basin](#)
- 2.3.6 Aldrington Basin includes a mixture of port operations, employment space and some residential areas. Port facilities will be safeguarded and improved.
- 2.3.7 The area includes an allocation for proposed development of a minimum of 4,500m<sup>2</sup> employment generating floor-space and 90 new homes.  
[CA3 – North Quayside and South Portslade](#)
- 2.3.8 North Quayside is mostly a port-operational area. Port facilities will be safeguarded and improved.
- 2.3.9 South Portslade is mostly an employment area. It includes an allocation for proposed development of a minimum of 3,000m<sup>2</sup> employment generating floor-space and 210 new homes.

- [CA4 – Portslade and Southwick Beaches](#)
- 2.3.10 Access to Portslade and Southwick Beaches for pedestrians and cyclists will be improved. Habitats and biodiversity will be created and protected.  
[CA5 – Fishersgate and Southwick](#)
- 2.3.11 Fishersgate and Southwick includes a mixture of port operations, employment space, residential areas and green space. Port facilities will be safeguarded and improved.
- 2.3.12 The area includes an allocation for proposed development at Southwick Waterfront. This will deliver a minimum of 4,000m<sup>2</sup> employment generating floor-space.
- 2.3.13 Lady Bee Marina will be expanded and improved. Green space will be improved and connected to create wildlife corridors and linear open spaces.
- 2.3.14 Improvements to existing housing estates will be supported. This includes the retrofit of energy efficiency measures.

- [CA6 – Harbour Mouth](#)
- 2.3.15 Harbour Mouth includes port-operational areas, existing housing and employment space, and Kingston Beach. Port operational areas will be safeguarded and improved.
- 2.3.16 The area includes the historic buildings of Kingston Buci lighthouse and Shoreham Fort. These will be protected.  
[CA7 – Western Harbour Arm](#)
- 2.3.17 Currently the Western Harbour Arm is mostly an employment area. It includes an allocation for proposed development at Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes and 12,000m<sup>2</sup> employment generating floor-space.
- 2.3.18 New flood defences will be built. A new waterfront route will improve connections for pedestrians and cyclists between Shoreham-by-Sea town centre and Kingston Beach. Habitats and biodiversity will be created and protected.



Map 4 - Regeneration proposals





Map 5 - Planning constraints



## 2.4 What are the constraints in the regeneration area?

2.4.1 Map 5 shows some of the main planning constraints in the regeneration area. Development and regeneration proposals need to consider these constraints.

### Slipways and hards

2.4.2 There are several historic slipways and hards in the Western Harbour Arm area. Many of these are in a poor state of repair and are unusable for modern craft. However they are an important part of the heritage and character of Shoreham-by-Sea.

### Historic buildings and conservation areas

2.4.3 The regeneration area includes part of the Shoreham-by-Sea Conservation Area and the Riverside section of the Southwick Conservation Area.

2.4.4 Shoreham Fort is a Scheduled Monument.

2.4.5 There are three Grade II listed buildings:

- Royal Sussex Yacht Club
- Sussex Arms Public House
- Kingston Buci Lighthouse

2.4.6

### Nature reserves

The Adur Estuary Site of Special Scientific Interest (SSSI) is close to the regeneration area. The Western Harbour Arm, in particular, is within the impact risk zone for this site. Parts of the SSSI are also an RSPB nature reserve.

2.4.7

There are Local Wildlife Sites (LWS) at Shoreham Beach and Basin Road South. Shoreham Beach is also a Local Nature Reserve (LNR).

### Open space

2.4.8

Kingston Beach and The Ham are registered as village greens. This safeguards these areas as public spaces.

2.4.9

Other public open spaces include:

- Fishersgate Recreation Ground
- The Garden, a pocket park at Coates Court, Southwick
- The Sanctuary, a pocket park at Laylands Court, Fishersgate

2.4.10

The regeneration area is also close to Hove Lagoon and Vale Park.

2.4.11

### Air quality

There are two Air Quality Management Areas (AQMAs) that are partly within the regeneration area. The Brighton & Hove and Portslade AQMA in the east. And the Shoreham AQMA in the west.

2.4.12

These AQMAs have been designated due to the high level of pollutants from road vehicle emissions. Each AQMA has an Air Quality Action Plan which sets out how this is managed.

### Hazardous substances

2.4.13

There are three Health and Safety Executive (HSE) Consultation Zones in the regeneration area. These limit the types of development that are allowed close to sites where hazardous substances are handled. There is also a Development Proximity Zone at the Fishersgate site.

2.4.14

The Western Harbour Arm site will become inactive during the plan period. Adur District Council will seek to revoke the hazardous substances consent for this site at that time.





# AREA-WIDE POLICIES



### 3 Area-wide policies

#### 3.1 Objective 1: Climate change, energy and sustainable building

**To minimise carbon emissions, address the challenges of climate change and create a renewable energy hub.**

**To ensure all new developments use energy and water as efficiently as possible, use energy from renewable technologies, use sustainable materials, reduce waste, incorporate innovative approaches to open space, biodiversity, and green infrastructure, encourage uptake of low carbon modes of transport and support sustainable lifestyles in existing and new areas.**

**To maximise opportunities to deliver sustainability objectives through large-scale zero and low-carbon energy technologies to serve the harbour and wider area; particularly those that take advantage of the harbour’s coastal location. Shoreham Port will be supported in becoming an important hub for renewable energy generation for the benefit of the sub-region as well as locally.**

- 3.1.1 Section 19 (1A) of the Planning and Compulsory Purchase Act (2004) (as amended) legally requires local planning authorities to include in their plans *“policies designed to secure that the development and use of land ... contribute to the mitigation of, and adaptation to climate change”*.
- 3.1.2 The National Planning Policy Framework (NPPF) states that:  
*“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure.”<sup>27</sup>*

- 3.1.3 In line with the carbon reduction targets in the Climate Change Act 2008, the NPPF states that local authorities should take a proactive approach to mitigating and adapting to climate change<sup>28</sup>. Local plans should provide a positive strategy for increasing the use and supply of renewable and low carbon energy, heating and cooling, and identify suitable areas for renewable and low carbon energy sources<sup>29</sup>.
- 3.1.4 Planning Practice Guidance (PPG) states that the inclusion of policies to contribute to the mitigation of, and adaptation to, climate change is a consideration when examining a plan for soundness<sup>30</sup>.

<sup>27</sup> NPPF (2019) Paragraph 148

<sup>28</sup> NPPF (2019) paragraph 149

<sup>29</sup> NPPF (2019) paragraph 151

<sup>30</sup> PPG (2014) paragraph 6-002



3.1.5	The harbour falls within The Living Coast, the Brighton & Hove Downs Biosphere, which promotes world class management of the environment. Shoreham Harbour is identified as a future hub for low carbon energy and decentralised energy generation.				
3.1.6	The Coast to Capital Local Economic Partnership (LEP) and the Greater Brighton City Deal are promoting the potential for district heating networks and an eco-technology cluster at Shoreham Harbour. There is significant potential to leverage investment and resources for delivery in this area.				
	<b>Sustainable building and design</b>				
3.1.7	The <i>Adur Local Plan</i> includes a requirement for a Sustainability Statement to accompany development proposals within the parts of the regeneration area in Adur. Guidance is set out within <i>Sustainability Statements Guidance Note: Shoreham Harbour</i> .	3.1.9	Shoreham Harbour Regeneration Partnership was awarded funding under the second wave of the government's Eco-Towns programme in 2009 and a Capacity and Viability Study (2010) was commissioned to explore its potential to meet the programme criteria. A <i>Shoreham Harbour and Adur District Energy Strategy</i> (2009) and <i>Brighton &amp; Hove Renewable and Sustainable Energy Study</i> (2012) have also been carried out which both highlighted the potential of the harbour to significantly contribute towards meeting the renewable energy needs of the sub-region.	3.1.12	Passive design makes the best use of site orientation, building form, layout, landscaping and materials to maximise natural light and heat, whilst avoiding overheating by providing passive cooling and ventilation.
3.1.8	<i>Brighton &amp; Hove City Plan Part One</i> policy CP8 Sustainable Buildings sets out requirements for sustainability standards and issues that must be addressed by all development proposals.	3.1.10	Shoreham Port has European 'Eco Port' status and, as a community trust Port, is motivated to maximise its potential as a hub for renewable energy generation and waste heat distribution.		
		3.1.11	Building-related energy consumption is a significant contributor to greenhouse gas emissions. The hierarchy of demand reduction, efficient energy supply and renewable energy provision represents the most cost-effective means of reducing energy consumption and greenhouse gas emissions for new developments.		
					<b>Low and zero-carbon technologies include, but are not limited to the following:</b>
					<ul style="list-style-type: none"> <li>• Solar-thermal water heating</li> <li>• Air, ground or water source heat pumps</li> <li>• Efficient gas boiler</li> <li>• Gas combined heat and power (CHP)</li> <li>• Solar photovoltaic (PV) panels</li> <li>• Wind turbines</li> </ul>
					<b>Heating and cooling networks</b>
				3.1.13	Heating and hot water for buildings account for 40% of UK energy use and 20% of greenhouse gas emissions. The Climate Change Committee estimates that district heating can meet 20% of domestic heating and hot water needs by 2030. The Climate Change Act 2008 obliges the UK to cut 80% emissions by 2050. The Clean Growth Strategy (2017) includes policies to roll out low carbon heating, and phase out the installation of high carbon fossil fuel heating.

- 3.1.14

In accordance with Policies DA8 and CP8 of the *Brighton & Hove City Plan Part One*, and Policies 8 and 19 of the Adur Local Plan, the councils are proactively encouraging opportunities that arise to incorporate waste heat or other heat sources into the heat networks for the city. The Brighton & Hove Energy Study (2013) identified the potential for district heating networks in and around Shoreham Harbour within a long list of priority areas.
- 3.1.15

All new development will be expected to incorporate low and zero carbon decentralised energy generation and will be required to either connect where a suitable heating/cooling network is in place (or would be at the time of construction) or design systems to be compatible with future connection to a network. All development proposals must demonstrate that the heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set in Table 1:

Table 1: Heating and cooling hierarchy

System	
1.	Connection to existing heating/cooling network (most preferred)
2.	Site-wide heating/cooling network
3.	Building-wide heating/cooling network
4.	Individual heating/cooling systems (least preferred)
Technology	
1.	Renewable/waste energy sources (such as biomass, heat pumps, solar thermal) (most preferred)
2.	Low carbon technologies (such as gas-CHP)
3.	Conventional systems (such as gas or direct electric (least preferred)).

- 3.1.16

In order to safeguard future connection to heating/cooling networks, individual heating/cooling systems will not normally be permitted, unless it can be demonstrated that it is not feasible and/or viable to provide a centralised communal wet heating system.
- 3.1.17

The councils will require the submission of a feasibility assessment to provide a rationale for the chosen heating/cooling system. This should incorporate a high level assessment of the potential to extend the heating/cooling network beyond the development area in future. Development must adhere to the guidelines set out in Chapter 3 – Design – of the CIBSE Heat Networks Code of Practice for the UK.
- 3.1.18

Within the proposed Shoreham Heat Network Area, buildings must allow adequate plant room space for future connection and for future building/network interface equipment (such as heat exchangers). Indicative requirements are set out in Table 2:



Table 2: Indicative space requirements for heat exchange substation equipment within building plant rooms

Heating capacity (kW) (space heating and ventilation)	Approximate building size (m <sup>3</sup> )	Space required by the heating equipment (m <sup>2</sup> )
30	1,000 – 1,500	2
200	10,000 – 15,000	4
400	20,000 – 30,000	5
800	40,000 – 60,000	6

- 3.1.19 Heat in buildings must operate at an appropriate temperature for future connection to a heat network. The targeted difference between flow and return temperatures on the primary heat network shall be no greater than 30°C for supply to new buildings.
- 3.1.20 Plant rooms must be situated to consider potential future pipe routes. Pipe runs from the plant room to the highway or proposed heat network main route must be protected and remain accessible for future installation.
- 3.1.21 In the event that a developer considers compliance with the heating/cooling hierarchy to be unviable, proposals should be submitted with a viability assessment, to justify departure from the hierarchy. Viability assessments must:

- Be compliant with the CIBSE Heat Networks Code of Practice for the UK.
- Be completed by a suitably qualified individual<sup>31</sup>.
- Include baseline energy consumption and carbon emissions calculations for regulated and non-regulated energy use.
- Compare the economies of a heat network solution<sup>32</sup> against individual heating scenario<sup>33</sup>.
- Provide a breakdown of the cost estimates and assumptions used for the assessment.
- Include linear heat density calculations for the site.
- Present Internal Rate of Return (IRR), capital expenditure, cost and carbon savings as outputs.

<sup>31</sup> For example a CIBSE Heat Network Code of Practice Qualified Consultant

<sup>32</sup> This includes the cost of a communal boiler system, heat meters, heat interface units and plate heat exchanger.

<sup>33</sup> Such as individual gas boilers alongside an equivalent level of micorenrenewables that would be required to meet energy efficiency requirements.

3.1.22 **Shoreham Heat Network**

Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority have formed the Shoreham Heat Network Partnership. The Heat Network Delivery Unit (HNDU)<sup>34</sup> has provided part funding to explore the potential for heat networks in and around Shoreham Harbour. The *Shoreham Harbour Heat Network Study* (2016) mapped heat demands and identified potentially viable scenarios for network development. The Shoreham Harbour District Energy Feasibility Study (2018) proposes a 2km network serving the allocated sites at the Western Harbour Arm, the site of the former Adur Civic Centre and a number of existing buildings in Shoreham-by-Sea town centre.

<sup>34</sup> HNDU is now part of the Department for Business, Energy and Industrial Strategy (BEIS). It was formerly part of the Department for Energy and Climate Change (DECC), which was abolished in 2016.

3.1.23 The study finds that a network served by marine source heat pumps and gas CHP technologies would provide affordable, low carbon heat and the combination of technologies provides a more robust, lower risk solution than a single heat source. Engagement with Shoreham Port Authority has identified the potential for abstraction and discharge points in the mouth of the River Adur, subject to appropriate environmental permits.

3.1.24 The heat network partnership is carrying out a detailed feasibility study and preparing the business case for detailed project development of the Shoreham Heat Network. All new development in and around the Western Harbour Arm development is required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. The council will secure the connection of the approved schemes through planning conditions and/or Section 106 agreements.

**Wind**

3.1.25 The Rampion offshore wind farm is under construction 13km off the Sussex coast to the south and east of Shoreham Harbour. The development will comprise up to 116 wind turbines with a gross capacity of up to 400MW. There will be potential supply chain benefits for Shoreham Harbour and the local economy.

3.1.26 Shoreham Port Authority has also installed two medium scale (100kw) on-shore wind turbines in the South Quayside area as an effective way of increasing renewable energy generation and reducing carbon emissions. The turbines will generate, on average, 555,000kWh electricity per year to power the nearby port Pump House.

3.1.27 Proposals for turbines are subject to environmental impact assessment as part of the planning application process.

## Solar Photovoltaics

- 3.1.28 The expanse of warehouses roofs in the harbour area offer significant potential for solar PV power generation. Shoreham Port Authority has worked with Brighton Energy Co-operative to install a large number of solar panels on a number of these roofs. The project is funded by community investors buying shares in the co-operative.
- 3.1.29 There is also the potential for solar energy generation on the roofs of the Adur Homes estates at Southwick and Fishersgate. The regeneration partnership will support Adur Homes to explore these opportunities.

## Sustainable use of water

- 3.1.30 Shoreham Harbour is supplied with water from the Brighton Chalk Aquifer. This is an important and heavily exploited resource. The Environment Agency has classified the location as falling within an area of 'serious water stress', where demand for water is high and resource availability is low.
- 3.1.31 New development at the harbour offers the opportunity to incorporate sustainable drainage systems (SuDS). These can provide a range of sustainability benefits in addition to managing surface water, including enhancing biodiversity and reducing flood risk.
- 3.1.32 Water efficiency standards can help to deliver the objectives set out within both the *Biosphere Management Strategy* (2014-2019) and the *South East River Basin Management Plan* (2016). The basin plan contains an action that requires local authorities to seek the use of water efficiency standards that exceed the Building Regulations where there is local evidence to support this need.

## Policy SH1: Climate change, energy and sustainable building

1. Development proposals should demonstrate how they maximise opportunities to support local sustainability objectives and commitments.
2. A completed Sustainability Checklist will be required to accompany all development proposals in the areas of the harbour within Brighton & Hove. A Sustainability Statement will be required to accompany all development proposals within Adur.
3. Where it is feasible and viable, development should seek to achieve zero-carbon status, in particular within the four site allocations. This will include the use of passive design measures. Proposals must demonstrate good thermal performance and air tightness to prevent heat loss.
4. Developers should demonstrate how they can contribute towards the regeneration partnership's objective of becoming a hub for renewable energy generation.
5. The councils will support proposals for low and zero carbon energy generation, including solar photovoltaics.

### Decentralised energy, heating and cooling networks

6. All new development will be expected to incorporate low and zero carbon decentralised energy generation, including heating and cooling. The councils will support the development of heating and cooling networks and associated infrastructure. All development proposals must demonstrate that heating and cooling systems have been selected in accordance with the heating and cooling hierarchy as set out in Table 1.
7. Where no heat network is in place, development proposals must be designed to be connection ready, and will be expected to demonstrate that all specifications below have been met:
  - All buildings must use a centralised communal wet heating system rather than individual gas boilers or electric heating.
  - All buildings must allow adequate plant room space to allow for connection at a later date.

- Plant rooms must be situated to consider potential future pipe routes. The developer must identify and safeguard a pipe route to allow connection between the building and the highway or identified network route where available.
- The developer must not in any other way compromise or prevent the potential connection.

### Shoreham Heat Network

8. Development within the proposed Shoreham Heat Network area<sup>35</sup> will be required to connect to district heating networks where they exist, or incorporate the necessary infrastructure for connection to future networks.

<sup>35</sup> As identified in the *Shoreham Harbour District Energy Feasibility Study* (2018) or subsequent update.

### **Sustainable use of water**

- 9. All developments should seek to achieve high standards of water efficiency and explore potential to implement measures to recycle, harvest and conserve water resources.**
- 10. All new homes should achieve (as a minimum standard), internal water use of no more than 110 litres per head per day and all new commercial buildings should meet the BREEAM 'excellent standard'.**
- 11. Opportunities should be sought to link together development within the regeneration area with site-wide recycled water networks, taking advantage of the diversity of water sources and uses on-site. This process will be supported by the local authorities. Where a recycled water network is delivered on site, all buildings are required to connect, if practical to do so.**

3.2 Objective 2: Shoreham Port

**To support a growing, thriving port.**

**To facilitate the delivery of the adopted Port Masterplan, the provision of a modernised, consolidated and sustainable port, and to promote the important role of the Port in the local and wider economy.**

- 3.2.1

Shoreham Harbour contains the entirety of the working Trust Port of Shoreham. Since 1760 the Shoreham Port Authority has had responsibility for operating and managing the port. The continued existence of a thriving and expanding commercial port is an integral part of the regeneration proposals.
- 3.2.2

As a Statutory Harbour Authority, Shoreham Port Authority is responsible for the management of navigational safety within harbour limits between Hove Lagoon, the Old Toll Bridge on the River Adur and the outer Port limits. Shoreham Port Authority is also a Competent Harbour Authority within the provisions of the Pilotage Act 1987.
- 3.2.3

Shoreham Port Authority provides conservancy and a vessel information service for ships and craft using the port, including the maintenance of navigational channels, moorings, lights and the provision of hydrographic, tidal and other information. There are also a number of byelaws which govern operations and activities within the harbour limits.
- 3.2.4

The current level of use at Shoreham Port is 700 to 900 ship arrivals per year, which results in a trading throughput of approximately 1.8 to 2 million tonnes per year. The main commodities that are imported and exported at the port are aggregates, timber, scrap metal, cereals, oil and, increasingly, steel. The *Shoreham Port Masterplan Review* (2017) aims to provide the capacity for a 25% increase in trade over the masterplan period.
- 3.2.5

The port is a significant local employer. There are now over 100 businesses based at the port and about 1,600 people working on site. Employers range from large multinationals, national firms, through to a variety of small and medium sized firms including motorbike repairs and cheese suppliers.
- 3.2.6

Delivery of the proposals identified in the *Port Masterplan* have the potential to create a further 500 local port-related jobs.

3.2.7 Land restrictions are an obstacle to growth within the port. It is therefore important to maximise the productivity of the existing port land. The JAAP aims to do this by focusing commercial port activity at the Eastern Arm and Canal, and by ensuring that vacant and underused sites are used to their full potential.

3.2.8 Non-port related industries currently located within the Eastern Arm and the Canal will be relocated, in order to expand the port’s capacity and secure future operations. In parallel, current port-related activities in the Western Harbour Arm will be relocated where and when possible through securing alternative sites within the harbour, or elsewhere in the region. This will enable the land to be used for other developments.

Port Masterplan

3.2.9 Shoreham Port Authority’s strategy for growth is set out in the updated *Shoreham Port Masterplan Review* (2017) and involves consolidating port-related uses within the Eastern Arm, Canal and South Quayside. The JAAP aims to promote the masterplan objective of enhancing the port’s role in the local community, particularly in terms of jobs and trade growth.

Eco-Port Status and Renewable Energy Hub

3.2.10 Shoreham Port Authority has an environmental policy and has EcoPort status, shared with other ports in Europe. The port uses power for lighting on the terminals, operating the lock gates and water pumps which are used to keep the water at a constant level. Opportunities are being explored to reduce the reliance on traditional forms of energy by producing energy locally from renewable sources instead.

Adapting to Climate Change

3.2.11 In accordance with the *National Ports Policy Statement* (2012), new port infrastructure will typically be long-term investments which will need to remain in operation over many decades, in the face of a changing climate. Consequently, proposals for new development must consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.

Land Reclamation and Infilling

3.2.12 Previous development proposals for the harbour have included the reclamation of land out to sea on the south side of South Quayside, however the costs of implementation were considered to be prohibitive in the short to medium term. Whilst large scale land reclamation is not considered viable, it has been proposed on a limited scale within the canal, including at Britannia Wharf, as well as at Albion and Turberville Wharves, where it is hoped to increase the overall capacity and efficiency of the site.

Permitted Development Rights

3.2.13 Shoreham Port Authority has permitted development rights for certain types of development within the harbour meaning that planning permission from the local planning authority is not required. These rights are set out within the Shoreham Harbour Acts and also reflected within the General Permitted Development Order (GPDO) 2015; Part 17, Development By Statutory Undertakers, Class B (Dock, Pier, Harbours, Water transport, canal or inland navigation undertakings).



## Minerals Wharves

3.2.14	The NPPF provides protection to mineral wharves, stating that local planning authorities should safeguard existing, planned and potential sites for bulk transport of minerals, secondary materials and marine- dredged aggregates <sup>36</sup> .	3.2.17	The <i>East Sussex, South Downs and Brighton &amp; Hove Waste and Minerals Sites Plan</i> (adopted 2017) identifies the area of the Port falling within Brighton & Hove for safeguarding where policy WMP15 will apply.	3.2.20	The regeneration partnership is exploring how best to deliver the safeguard sites policies at Shoreham Harbour to protect the overall wharfage capacity at the port whilst maintaining flexibility over which sites can contribute to meet aggregate needs.
3.2.15	Minerals wharf capacity at Shoreham Harbour makes a significant contribution to meeting the needs for aggregate imports in the sub-region. Most of the wharf capacity is contained within the Eastern Arm and Canal.	3.2.18	Policy M10 of the <i>West Sussex Joint Minerals Local Plan</i> (2018) safeguards permanent mineral wharves at Shoreham Port for the purpose of minerals transportation. The policy further safeguards temporary consents granted at New Wharf and Kingston Wharf, to ensure they can continue to operate without prejudice, whilst they have planning permission. The plan states (paragraph 6.10.11) further temporary permissions may be granted for mineral related development at these sites if there is not a conflict with other development plan policies and objectives. These temporary permissions can contribute positively to ensuring a steady and adequate supply of minerals to the area. Safeguarding of these sites will cease once permission expires.	3.2.21	In accordance with the NPPF, Shoreham Port Authority will continue to work closely with local minerals planning authorities in preparing their annual Local Aggregate Assessment based on a rolling average of 10 years sales data, other relevant local information and an assessment of all supply options (including marine dredged, secondary and recycled sources).
3.2.16	Policy WMP 15 of the <i>East Sussex, South Downs and Brighton &amp; Hove Waste and Minerals Plan</i> (2013) safeguards existing, planned and potential minerals wharf facilities and their consequential capacity for receiving and processing sea-borne imported aggregates at the Shoreham Port. The policy does allow for some redevelopment of wharves if overall capacity is maintained at the harbour. It is recognised that this capacity could be in the West Sussex portion of the harbour.	3.2.19	There are several larger safeguarded sites within the heart of the port operational area that are actively used to discharge aggregates which offer unused capacity and therefore potential to mitigate the loss of wharves elsewhere in the port.	3.2.22	West Sussex County Council has prepared a <i>Statement of Common Ground</i> (2016) between the project partners, and the neighbouring minerals authorities (East Sussex County Council and South Downs National Park Authority) to establish co-operation and collaboration between the parties in addressing strategic cross-boundary issues as they relate to planning for minerals infrastructure and their safeguarding at Shoreham Port. The statement sets out matters of agreement and commitment to a future policy approach, reflecting the aspirations for regeneration at the harbour.

<sup>36</sup> NPPF (2019) Paragraph 204

## Policy SH2: Shoreham Port

1. New development proposals within the port area will be assessed against the objectives of the *Port Masterplan*, which will be treated as a material consideration.
2. Parts of the harbour as identified within this plan will be safeguarded for port operational uses and will be the focus for commercial port activity. Non-port related activities will be resisted in those areas.
3. Acceptable uses will need to demonstrate the requirement for a port-side location or are ancillary to a use requiring a port-side location.
4. Sui generis uses appropriate to a port-side industrial location will also be acceptable provided they generate comparable levels of employment to B1-B2 use classes.
5. New development within the harbour area should not conflict or unreasonably constrain the day to day operations and workings of the port and port-related uses.
6. Proposals in the vicinity of port operational areas should give careful consideration to health and safety implications in relation to access to the waterfront and to the security of moorings and storage areas. Security and safety implications should be considered at the outset and discussed with Shoreham Port Authority at an early opportunity.
7. Proposals for uses that support the port's status as an 'Eco port' and hub for renewable energy generation will be encouraged.
8. New port infrastructure proposals should consider the impacts of climate change when planning the location, design, build and operation of new port infrastructure.
9. Proposals for the upgrade, intensification, and refurbishment of sites so they meet modern business standards and are more resource efficient will be supported.
10. There should be no net loss of employment floor-space in port operational areas as a result of new development proposals unless exceptional circumstances can be demonstrated.

3.3 Objective 3: Economy and employment

**To stimulate the local economy and provide new jobs.**

**To provide new, high quality employment floor-space and improve the business environment to support the needs of local employers. To equip local communities with the training and skills required to access existing and future employment opportunities.**

- 3.3.1

The development of the harbour area is a long-term aspiration. In the short to medium term (5-10 years) it is essential to ensure that the initial phases of development do not compromise the operations of businesses on sites which are unlikely to come forward until later in the process. The regeneration partnership is committed to continuing a process of dialogue to ensure mutually appropriate development as and when sites come forward.
- 3.3.2

The JAAP proposals have been prepared in line with consideration of their impacts on the local economy. A preliminary *Economic Impact Assessment* (GL Hearn, 2013) has been undertaken which has indicated that the proposals could generate a significant net increase in employment and additional economic output. The proposals will also promote increased supply chain opportunities, with the new business base created by the proposals potentially supporting further indirect job creation in the local economy.
- 3.3.3

Whilst the proposals will result in overall losses of employment land footprint as land is redeveloped for other uses, the profile of the new employment space that is created and retained will support the objectives identified in the Brighton & Hove and Adur Employment Land Studies, particularly by:

  - Renewing older and poor quality industrial stock and delivering quality workshop and industrial space to meet the needs of key creative/digital industries as well as emerging high-tech manufacturing and environmental technologies sectors.
  - Expanding Adur’s under-developed office market through the provision of new office accommodation and thus supporting growth in higher value-added sectors.
  - Providing an opportunity to deliver small, affordable, start-up office space for which there is a continuing need in Brighton.
- 3.3.4

Proposals that incorporate initiatives and opportunities to secure apprenticeships, training and new job opportunities for the local area will be encouraged.

- 3.3.5 As part of planning obligations associated with major development schemes developers may be required to contribute towards the provision of good quality employment and training opportunities during construction.
- 3.3.6 The regeneration partnership will continue to work with key stakeholders and local service providers to improve access and links to training and skills opportunities for local people. The Coast to Capital Local Enterprise Partnership (LEP) has produced a Skills Strategy (Skills for Growth, 2015) which identifies the need for improved employee skills across the LEP area. The Partnership will proactively engage with the LEP on this matter.
- 3.3.7 Some existing employment areas are protected within the relevant character area policies. The councils will monitor conversions of employment space to residential development through the monitoring framework set out in the Appendix. If necessary, in response to the identified monitoring indicator trigger, the councils will consider seeking to remove permitted development rights in accordance with Article 4 of The Town and Country Planning (General Permitted Development) (England) Order 2015.

### Policy SH3: Economy and employment

1. **The JAAP proposals support the delivery of a minimum of 16,000m<sup>2</sup> of new employment generating floor-space in Adur and 7,500m<sup>2</sup> in Brighton & Hove.**
2. **To prevent the loss of employment floor-space and associated jobs in the local area, the authorities will aid the relocation of existing occupiers displaced by new development within the regeneration area, district or sub-region depending upon individual requirements.**
3. **Prior to sites coming forward for redevelopment to alternative uses, planning permissions for continuation of current employment uses may be granted for temporary periods on a case-by-case basis.**
4. **The Councils will seek agreement with developers to secure appropriate training and job opportunities for local residents.**
5. **New development will be required to contribute to the improvement of the local highways network and public realm to improve the street environment for local businesses.**
6. **Proposals should seek to incorporate or contribute towards enhancements to areas of public realm identified as being of poor quality.**

#### Retail uses

7. **As part of mixed-use redevelopments, small-scale, ancillary retail uses are acceptable provided that such activity will assist in enlivening key frontages and supporting existing retailing areas. Proposals should be appropriate and complementary in relation to Shoreham-by-Sea town centre and the existing district centre designation on Boundary Road/Station Road.**
8. **New development for town centre uses (other than small-scale ancillary uses mentioned in clause 1) outside of the defined town centre boundary (or Primary Shopping Area in the case of retail uses) will be assessed in accordance with the National Planning Policy Framework sequential and impact tests. An impact test will be required for any proposed retail development outside of the Primary Shopping Area with a net sales floor-space of 1,000m<sup>2</sup> or more.**

**To provide new homes and contribute to meeting housing need.**

**To contribute to meeting the housing needs of Adur and Brighton & Hove through delivering new homes of a range of sizes, tenures and types, including affordable and family homes as well as associated supporting community infrastructure.**

- 3.4.1

Both Adur and Brighton & Hove are geographically constrained by the sea and by the South Downs National Park to the north. Most of the remaining green space is protected through environmental designations, to prevent coalescence of settlements and for its recreation and amenity value. As a result, there is a limited supply of sites where new homes can be built and therefore development mainly consists of building on previously developed (brownfield) sites and small scale infill sites. Despite this, the demand for new homes continues to grow creating a challenge for local authorities in identifying new sites.
- 3.4.2

Housing needs assessments for both Adur and Brighton & Hove have identified a shortfall in housing provision in relation to need, in particular affordable and family sized homes. Supporting the delivery of new housing areas is central to the vision of transforming the harbour into an attractive waterfront community. The JAAP will support the regeneration of a number of brownfield sites which have been identified as suitable for residential development, balanced with the protection of key employment sites in other parts of the harbour.
- 3.4.3

Most residential development within the Shoreham Harbour Regeneration Area is expected to be multistorey flats. A small number of terraced town houses may be appropriate on a small number of allocated sites.
- 3.4.4

To ensure the regeneration of Shoreham Harbour promotes healthy, sustainable communities, it is important that appropriate and sufficient social and community infrastructure is provided in accessible locations to serve all parts of the community. An increase in population in the area will place pressure on existing facilities and create the need for new infrastructure provision.
- 3.4.5

Social infrastructure refers to emergency services, schools and colleges, health facilities, community spaces and cultural venues in the area.
- 3.4.6

Specific items of supporting infrastructure that will need to be delivered for Shoreham Harbour are set out within the Infrastructure Delivery Plans (IDPs) that accompany the *Adur Local Plan* and *Brighton & Hove City Plan Part One*.

- 3.4.7 These are live documents that are continuously updated and identify the range of different stakeholders that are responsible for delivery as well as associated costs, funding sources, priorities and progress.
- 3.4.8 Specific requirements relating to delivery of the Western Harbour Arm proposals are set out under 4.7 – Western Harbour Arm.
- 3.4.9 The Brighton & Hove IDP sets out specific requirements to support the proposed increase in residential population at South Portslade Industrial Estate and Aldrington Basin. In particular planning obligations towards education and health/medical services will be sought from new developments coming forward.
- 3.4.10 The *Adur Local Plan* (2017) includes Policy 33: Planning for Sustainable Communities that resists the loss of existing community facilities. Also refer to *Policy SH10: Infrastructure Requirements* in this plan.

#### Policy SH4: Housing and community

1. **Sites identified for residential-led redevelopment should contribute a minimum of 1,400 new homes across the harbour area by 2032, comprising 1,100 within Adur and 300 within Brighton & Hove.**
2. **Developers will be required to ensure that proposals deliver a mixed and balanced community through providing a mix of dwelling types, sizes and tenures in accordance with identified local needs including suitable family accommodation.**
3. **New residential development will be expected to make provision for a mix of affordable housing, including social rented, affordable rented and intermediate housing in accordance with local plan policies.**
4. **Development will be required to contribute towards provision of community and social infrastructure, in accordance with the relevant Infrastructure Delivery Plan.**
5. **Residential development in close proximity to existing or proposed employment activities and port uses must be carefully designed and incorporate appropriate mitigation measures to prevent future conflicts arising and maintain the continued operation of business uses.**
6. **Innovative solutions to mitigation will be encouraged to ensure that residential-led development proposals are capable of existing with neighbouring uses, as well as the long-term development scenario envisaged in the JAAP.**



### 3.5 Objective 5: Sustainable travel

**To improve connections and promote sustainable transport choices.**

**To promote sustainable transport choices through ensuring that new developments are well served by high quality, integrated and interconnected networks, improved pedestrian, cycling and public transport routes and seeking to reduce demand for travel by private car in innovative ways.**

3.5.1 Transport improvements will be required to support the JAAP proposals and reduce the impact of existing and future traffic congestion and related air quality and noise impacts, in particular the impacts on the two Air Quality Management Areas (AQMAs). Measures that reduce reliance on the private car and improve sustainable transport choices will be promoted.

#### Road Network

3.5.2 The coastal settlement pattern of the regeneration area is linear with most of the key roads connected by the A259 which runs east to west through the Shoreham Harbour area. The A27 provides the strategic inland route taking much of the through traffic; however there is a significant volume of local traffic along the A259 including heavy goods vehicles.

3.5.3 Access to the main operational port area is via two main entrances off the A259 which are not well connected to the A27. The advisory lorry route to Shoreham Harbour from the A27 is via the A293. As a result heavy goods vehicles often pass through either residential areas (via the advisory routes) or the town centres of Shoreham-by-Sea and Portslade.

3.5.4 At peak periods journey times for vehicles on the A259 are slow, for example Shoreham High Street. As a gateway to the regeneration area the A259 will be required to facilitate development traffic and provide access to local services, and reducing congestion on this key route is therefore essential to the regeneration proposals.

#### Public Transport

3.5.5 Public transport accessibility to the harbour is generally good with four local railway stations on the West Coastway line serving most of the population within a 20 minute walk. Despite good accessibility, the railway line acts as a physical barrier to north – south movements for other road users.

3.5.6 Capacity constraints on the Brighton Main Line and West Coastway have been identified by Network Rail as significant challenges facing this part of the rail network.

3.5.7 There are frequent buses along the A259. However, north-south movements are limited due to the road layout and severance created by the A259 and roads running under the railway line. In addition, there is scope to improve public perception of the bus network.



## Walking and cycling

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| 3.5.8  | Shoreham Harbour is well served by pedestrian infrastructure; however the environment for pedestrians is considered to be poor and unattractive in places, and may not encourage short walking trips. In places the network is narrow, in poor condition, close to road traffic or poorly lit. The railway line and A259 both act as barriers to pedestrian movements causing severance.   | 3.5.11 | Southwick Beach and Carats Cafe act to some extent as destinations that help draw people to walk along the eastern part of the harbour and across the lock gates from Southwick. There is a significant opportunity to improve the quality of this experience. There are also opportunities to create visitor destinations around Shoreham Fort on Shoreham Beach and the lighthouse on Kingston Beach.  | 3.5.14 | The <i>Shoreham Harbour Transport Strategy</i> identifies a dedicated, safe and continuous cycle facility along the A259 from Wharf Road to Adur Ferry Bridge, providing a core cycle route, a critical item of infrastructure. Reducing the intimidating nature of the A259 corridor for cyclists with quality surfacing, clear signing, and provision for cycles at side roads or accesses. |
| 3.5.9  | Two key pedestrian routes connect across the harbour - the Adur Ferry Bridge from Shoreham-by-Sea town centre to Shoreham Beach and the harbour lock gates to Southwick Beach. Whilst both are well used, up until recently neither of these has offered a high quality pedestrian environment. The Adur Ferry Bridge now provides a much improved pedestrian and cycle connection between Shoreham Beach and Shoreham-by-Sea town centre and railway station. | 3.5.12 | Monarch's Way is a long distance footpath running between Worcester and Shoreham Harbour. The route runs along Basin Road South and then along the promenades of Hove and Brighton before turning inland. Natural England is leading the delivery of the England Coast Path: a national trail that will run the entirety of the coast of England. This is planned to share the route along Basin Road South then cross the harbour at the lock gates and follow the A259 as far as Adur Ferry Bridge. In the longer term the waterfront route at the Western Harbour Arm could be designated as part of the route. | 3.5.15 | The A259 does not currently have good infrastructure for cyclists and is heavily used by motor vehicles, including HGVs. However the road provides the most direct route between Hove and Shoreham-by-Sea. Many cyclists therefore use this route. The partnership is exploring the potential for dedicated cycle facilities along this route.  |
| 3.5.10 | To the east, the Brighton & Hove seafront provides a heavily used promenade for pedestrians and cyclists and a series of recreational activities. This ends abruptly at Hove Lagoon immediately to the east of Shoreham Harbour.   | 3.5.13 | The National Cycle Route 2 (NCN2) from Dover to Penzance runs through the regeneration area. This route also uses Basin Road South, before crossing the lock gates and taking an inland route to Shoreham town centre and the Adur Ferry Bridge.   | 3.5.16 | Adur & Worthing Councils have committed to producing a Local Cycling and Walking Infrastructure Plan (LCWIP) to improve safe routes for walking and cycling, and seek funding to implement these. The LCWIP will incorporate proposals identified in this plan and the Shoreham Harbour Transport Strategy.   |

Transport Strategy		Parking	
3.5.17	The <i>Adur Local Plan &amp; Shoreham Harbour Transport Study</i> (2013) and addendums (2014; 2016) assessed the impact of proposed housing and employment development at Shoreham Harbour on the highway network. It proposes a package of mitigation measures which will reduce the impact of development and encourage a shift in travel patterns to sustainable modes of transport. This package consists of sustainable transport measures, behaviour change initiatives and junction capacity improvements.	3.5.19	The strategy takes a balanced view of transport provision in the regeneration area focusing on improvements to the existing road network and measures to encourage the use of sustainable modes of transport. Five key outcomes are identified in the Transport Strategy: <ul style="list-style-type: none"><li>• OC1 Reduced levels of congestion</li><li>• OC2 Strengthened sustainable transport mode share</li><li>• OC3 Improved connectivity</li><li>• OC4 A safe and attractive environment</li><li>• OC5 Adequate parking provision and controls</li></ul>
3.5.18	The <i>Shoreham Harbour Transport Strategy</i> was developed alongside the JAAP to support regeneration and development at Shoreham Harbour. The strategy contains a package of integrated transport measures that will guide the provision of transport infrastructure for the next 15 years.	3.5.20	Examples of behaviour change initiatives include travel plans, car sharing schemes, encouraging shared car ownership, and cycle training. This study is part of the evidence base for the Shoreham Harbour Transport Strategy and development proposals will be expected to contribute towards the package of measures identified.
		3.5.21	Guidance produced by West Sussex County Council states that car parking provision for residential development should: take account of the expected levels of car ownership; ensure high quality of design; make efficient use of land. The guidance outlines that expected levels of car ownership and demand should be determined taking account of the type, size and tenure of the proposed development.
		3.5.22	Brighton & Hove standards currently outline maximum levels of parking, however it is anticipated that new guidance will put a priority on minimising off-street car parking provision in accessible locations.
		3.5.23	Due to the constrained nature of allocated sites at Shoreham Harbour, innovative approaches to parking will be required. The Transport Strategy identifies a localised approach to car parking provision such as using appropriate parking controls and the use of car clubs.

## Policy SH5: Sustainable travel

1. New development in the regeneration area must demonstrate how it intends to reduce the need to travel by car and should help to deliver sustainable transport improvements as identified in the *Shoreham Harbour Transport Strategy*.
2. Development will be required to contribute towards implementation of the area-wide travel behaviour change and travel choice programme set out in the *Shoreham Harbour Transport Strategy*.
3. The layout and streetscape of the allocations should be designed to give pedestrians and cyclists priority over vehicular traffic wherever possible.
4. Developments will be required to contribute towards the delivery of transport infrastructure which reduces congestion and increases the use of sustainable transport modes. Specific measures are identified in the *Shoreham Harbour Transport Strategy* including junction capacity improvements, improvements to bus and rail infrastructure and better cycling and pedestrian routes and facilities.
5. Improvements should focus on the following priority corridors and seek to minimise the impact of traffic, including HGV's, on surrounding communities:
  - A259
  - A283
  - A293
6. To improve the connectivity of the regeneration area, development proposals must provide or contribute towards the delivery of a comprehensive and well integrated transport network with strong linkages to town / district centres, the harbour waterfront / coastline, the South Downs, access routes and surrounding neighbourhoods. Specific network improvements for these supporting links are identified in the *Shoreham Harbour Transport Strategy*.
7. Proposals that incorporate facilities and/or initiatives to promote the use of the river as a means of transport, such as provision of pontoons and additional moorings will be encouraged.
8. Improvements must be consistent with recommendations in the *Shoreham Harbour Streetscape Guide* and *Shoreham Harbour Transport Strategy*.

## Parking

9. Car parking provision will be considered as part of the overall package of measures that impact on the need to travel resulting from the development. Proposals should include adequate levels of car parking for residential development or measures to promote lower levels of car ownership.
10. For commercial development, car parking provision should be in line with local authority maximum standards.
11. The amount of surface and on-street car parking should be minimised wherever possible and innovative solutions to the provision of car and cycle parking are encouraged as informed by the *Shoreham Harbour Transport Strategy*. Measures could include the creation of new car clubs or the extension of existing car clubs, by providing additional vehicles in appropriate locations and access to membership, to cover the regeneration area.
12. All new development proposals will be required to provide adequate, appropriate and secure cycle parking and storage facilities.

### 3.6 Objective 6: Flood risk and sustainable drainage

**To reduce the risk of flooding and adapt to climate change.**

**To ensure that development avoids and reduces the risks from flooding and impacts on coastal processes and that risks are not increased elsewhere as a result. To ensure that appropriate and comprehensive flood infrastructure is delivered. To ensure surface water run-off and water pollution have been reduced by the introduction of sustainable drainage systems.**

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| 3.6.1 | Parts of the regeneration area are at a high risk of flooding due to the proximity to the coastline and the River Adur, exacerbated by the low lying topography of some sites. This is especially true for the Western Harbour Arm, parts of Aldrington Basin, Southwick and Portslade beaches as well as the port operational area.  | 3.6.3 | Working closely with the Environment Agency, the partnership has prepared a <i>Shoreham Harbour Flood Risk Management Guide</i> SPD which sets out the types of flood risk present in the harbour area, the vision for a comprehensive flood defence network along the Western Harbour Arm and the requirements of developers in relation to mitigating flood risk in the regeneration area. This guide has been adopted by both Adur and Brighton & Hove councils. A key consideration of the SPD is the impact that climate change will have on rising sea levels, storm frequency and storm magnitude. |
| 3.6.2 | Tidal flooding presents the most significant risk to the area. The <i>Adur &amp; Worthing Strategic Flood Risk Assessment</i> and <i>Brighton &amp; Hove Strategic Flood Risk Assessment</i> identify a number of sites located within Tidal Flood Zones 2, 3a, 3b and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of tidal flooding as Flood Zone 3b but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. In addition to this tidal flood risk, some areas are also affected by fluvial and surface water flooding. | 3.6.4 | Brighton & Hove City Council, in partnership with Adur District Council and the Environment Agency, has produced the <i>Brighton Marina to River Adur Coastal Strategy Study</i> . This document examines how the stretch of coastline between Brighton Marina and the River Adur (up to the Canal lock gates in Southwick) will change over the next 100 years. This includes identifying erosion and flood mitigation measures that need to be delivered over this period.  |

3.6.5 Proposed flood defence improvements identified in this strategy would enhance the standard of protection for allocated sites identified in this plan, such as Southwick Waterfront and Aldrington Basin. The proposals identified in the strategy are therefore fully supported by the Partnership. A similar strategy, *The Rivers Arun to Adur Flood and Erosion Management Strategy* (2010) has already been adopted by DEFRA. This strategy includes a large part of the River Adur taking in the Western Harbour Arm.

3.6.6 The NPPF highlights the need to direct development away from areas at highest risk of flooding<sup>37</sup>. Development Plans should apply a sequential, risk-based approach to the location of development to minimise risk from flooding and take account of the impacts of climate change. The proposals in this plan have been assessed through the Sequential and Exceptions Tests carried out in preparation of the Brighton & Hove City Plan Part One (2016) and the Adur Local Plan (2017). Therefore, a sequential test will not be required for proposed development within the allocations, unless the proposal departs significantly from the terms of the allocation.

3.6.7 Proposed development outside the allocations in this plan and within flood zone 2 or 3 will require a sequential test to be carried out as part of the site-specific flood risk assessment<sup>38</sup>. To support the regeneration of the area, applicants will be expected to search for alternative sites at a lower risk of flooding within the character area the site is situated in (as identified in this plan). Where necessary, having regard to the potential vulnerability of the site and the development proposed, an exceptions test will also be required.

3.6.8 Policies in Part 4 of this plan identify the site-specific flood defence and mitigation measures required within the character areas. Development in the Western Harbour Arm in particular will be required to deliver significant flood risk mitigation infrastructure. Responsibility for the delivery and maintenance of flood defences will belong to the landowner.

<sup>37</sup> NPPF (2019) Paragraph 157

<sup>38</sup> Subject to the criteria in the PPG

## Policy SH6: Flood risk and sustainable drainage

1. The partnership will support the delivery of measures to mitigate flood risk and coastal erosion in the regeneration area. Development proposals in the regeneration area must comply with the principles and approach to flood risk management set out in the *Shoreham Harbour Flood Risk Management Guide* (2015), or subsequent guidance and must take account of the most up to date flood risk management evidence and policy in consultation with the relevant authorities, including the Environment Agency.
2. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur. All proposed flood defences, flood defence upgrades, slipways, pontoons and floodgates will require prior approval of the Environment Agency, either through the Environment Agency Permit or as part of the Marine Management Organisation license. New development will need to be setback from the river's edge where flood defence maintenance is required. Set back distance should be discussed and agreed with the relevant authority including the Environment Agency. Maintenance arrangements for flood defences should be agreed with the Environment Agency and the local authorities prior to construction.
3. Where development creates new or alters flood flow routes, the site specific Flood Risk Assessment must assess the potential flood hazard posed by them to ensure that flood risk is not increased elsewhere.
4. Residential development proposals must protect against a breach scenario through the application of an appropriate finished floor level of 5.77m AOD.
5. Non-residential development proposals must be designed to be safe for the proposed lifetime of the development, assumed to be at least a 60 year period from the date of receiving planning permission, unless otherwise agreed with the Local Planning Authority.
6. Where undefended land levels are below the 1 in 200 year tidal flood event for 2115, flood defences should be provided to 5.4m AOD. For sites where existing defences / land levels do not meet the heights outlined above, developers will be required to deliver flood defences to this height to meet the required standard of protection.
7. Where sheet piling is being proposed, a piling risk assessment must be carried out to demonstrate that any proposed piling will not result in contamination of groundwater or migration of contamination off-site. Wherever possible piling should be non-percussive vibro or push piling to minimise impacts to migratory fish. Use of percussive methods should be restricted to times when ecological impact is minimal. Displacement piling methods are generally preferred on contaminated sites as they produce no spoil so that contamination is not exported to the surface.
8. Where proposals seek to retain existing wharf walls as part of the flood defence infrastructure, an extensive structural survey will be required to ensure the development will be safe for its lifetime.

9. Where pontoons and mooring opportunities are provided as part of delivery of new flood defences, the following requirements apply:
  - Pontoons should be designed to be freestanding structures.
  - Where boats are to be moored directly onto piling, a structural survey is required to consider whether defences could take the loading over their expected lifetime.
  - Where loss of habitat occurs due to construction of moorings or pontoons or from boats resting on intertidal habitat, creation of new like for like compensatory habitat will be required.
10. Proposals should demonstrate how the risks of surface water runoff and water pollution have been reduced including through the introduction of sustainable drainage systems (SuDS) and water capture/recycling technology. SuDS must also be applied to hard landscaping (including paving and road carriageways).
11. New developments must incorporate open space, appropriate planting, green roofs and/or green walls (suitable for coastal growing conditions) to reduce levels of surface water runoff and consequent risk of flooding.
12. Proposals which seek to provide basement parking in tidal/fluviat flood zones will only be acceptable where adequate mitigation and emergency planning are included as part of the planning application. Developers will be required to demonstrate that drainage and separators will not release potential contaminants to the environment.
13. Proposals must include an emergency strategy to ensure the safety of residents at times of flooding.



### 3.7 Objective 7: Natural environment, biodiversity and green infrastructure

**To add to the natural capital of the Shoreham Harbour Regeneration Area by delivering net gains to biodiversity and a multifunctional green infrastructure network.**

**To conserve and protect the area's important environmental assets, wildlife habitats and ecosystem services and to enhance the biodiversity of the area by creating new habitats. To minimise and mitigate impacts on the natural and local environment from soil, air, water or noise pollution.**

**To support the objectives of the Brighton & Lewes Downs Biosphere Management Strategy through the creation of green links within and beyond the harbour area, changes in the design and management of spaces to create a functioning green infrastructure network, including new green spaces and biodiverse green roofs and walls.**

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| 3.7.1 | The regeneration area falls within the Brighton & Hove Downs Biosphere. As such, the JAAP aims to contribute towards meeting its three objectives of:  | 3.7.4 | Any potential wildlife habitats that will be lost or negatively impacted as a result of development will need to be compensated for and enhanced wherever possible.  |
|       | <ul style="list-style-type: none"> <li>• Nature conservation</li> <li>• Sustainable socio-economic development</li> <li>• Knowledge, learning and awareness</li> </ul>   | 3.7.5 | There is potential for development at the Western Harbour Arm to lead to loss of, or harmful impact to, intertidal habitats in the River Adur. Adur District Council is currently working with partners to develop a strategy to address this issue, and identify suitable locations for compensatory habitat creation. Nevertheless, developers will be required to demonstrate that impacts cannot be avoided before mitigation and/or compensatory measures are considered. |
| 3.7.2 | New development within the regeneration area is expected to be outstanding from an environmental perspective and all opportunities to promote biodiversity need to be considered. The councils will require the submission of an Ecological Impact Assessment (EcIA) carried out in accordance with British Standards (BS42020:2013 Biodiversity – Code of practice for planning and development) and CIEEM guidance, or subsequent updates. | 3.7.6 | The <i>Shoreham Harbour Ecology and Green Infrastructure Study</i> (2015) identifies the potential impacts of development proposed within this plan. It also updates previous ecological surveys and proposes green infrastructure improvements.   |
| 3.7.3 | Ecological impacts should be assessed and recommendations for appropriate mitigation, compensation and enhancement made. Negative impacts should be avoided wherever possible. It is possible to significantly reduce negative impacts of development on the ecology of an area through mitigation measures.   |       |  |

## Designated sites and biodiversity

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| 3.7.7 | In accordance with the NPPF and with <i>Biodiversity 2020: A Strategy for England's Wildlife and Ecosystem Services</i> , it is essential that any development in the harbour takes into account the sensitivities of the local and natural environment and protects and enhances it wherever possible <sup>39</sup> . | 3.7.10 | The entire regeneration area is within the Impact Risk Zone (IRZ) for the Adur Estuary SSSI. An IRZ provides an initial assessment of potential risks to an SSSI posed by development proposals. Allocation Western Harbour Arm Waterfront is most likely to impact the SSSI. Consultation with Natural England is expected for these sites.   | 3.7.13 | The Basin Road South LWS is 1.1ha in size. The assessment found the extent of vegetated shingle to be 0.43ha (39%) concentrated along the northern and southern fringes. The status of this site will be reviewed through the <i>Brighton &amp; Hove City Plan Part Two</i> . The partnership is working to identify opportunities for coastal vegetated shingle habitat creation at Portslade and Southwick Beaches.                         |
| 3.7.8 | Located just outside the regeneration boundary to the west, is the Adur Estuary, a Site of Special Scientific Interest (SSSI) of particular ecological significance for its inter-tidal mudflats. It also contains one of the few saltmarsh habitats in West Sussex.   | 3.7.11 | The eastern end of Shoreham Beach Local Wildlife (LWS) falls within Character Area 6: Harbour Mouth. A large part of the LWS is also designated as a Local Nature Reserve (LNR) whose boundary is adjacent to the regeneration area. The site's main interest is coastal vegetated shingle, an internationally rare and threatened habitat. It also provides a high tide roosting area for wading birds that have fed on the mudflats within the Adur Estuary. | 3.7.14 | The Shoreham Harbour area as a whole is of regional importance for passage bird species and is of county importance for wintering birds as a result of the sheltered nature of the site. The area is also of local importance for breeding birds. It will be important to consider the impacts of increased recreational activities as a result of new development at the harbour on these sensitive areas.                                   |
| 3.7.9 | The Adur Estuary is an important habitat for a range of species, including estuarine plants and wading birds (particularly redshank, dunlin and ringed plover). The ringed plover population regularly exceeds 1% of the total British population, making the SSSI of national importance for this species.            | 3.7.12 | Basin Road South LWS is located at the eastern end of the regeneration area, adjacent to Allocation Aldrington Basin. This site is also designated for coastal vegetated shingle. The <i>Shoreham Harbour Vegetated Shingle Assessment</i> (2015) found that the site is predominantly made up of imported material and has undergone periods of disturbance.  | 3.7.15 | A Reptile Survey (2009) has indicated the presence of an exceptional population of common lizards and a good population of slow worms on the North Canal Bank on the harbour's Eastern Arm, south of the A259. A Great Crested Newt Pond Survey (2009) concluded that due to a general lack of ponds and standing water bodies within the area, there is a negligible risk of impacts on this protected species as a result of the proposals. |

<sup>39</sup> NPPF (2019) Paragraph 170

## Green infrastructure and wildlife corridors

3.7.16

There are a number of strategically important green corridors in and around the harbour area including the nationally important routes of the South Downs Way and the Monarchs Way long distance footpath. As highlighted in both the recent Adur District Council and Brighton & Hove City Council open space strategies; the beaches, foreshore and wider seafront area act as a blue/green corridor supporting a broad diversity of species. Other local links include:

- National Cycle Route 2 along the coast links Shoreham with Worthing to the west and Brighton to the east. Between Shoreham-by-Sea town centre and the Canal lock gates at Southwick this route is diverted inland to avoid the busy A259. It is anticipated that the proposed pedestrian/cycle route along the waterfront at the Western Harbour Arm, and a designated A259 cycle route could create a more direct route.

- By 2020, Natural England expects to deliver the England Coast Path, a new National Trail around England's entire coast. The Partnership is working with Natural England to progress this project. It is anticipated that the new and improved routes at the Western Harbour Arm, Canal lock gates and Portslade and Southwick Beaches will ultimately form part of this route.
- Regional cycle route 79 (12) following the Adur River valley connects Horsham to the south coast at Shoreham.
- Within Brighton & Hove, there are three north-south corridors providing important wildlife links and some public access between the harbour and the South Downs:
  - Southwick Hill down to Fishersgate– public access throughout although very narrow in parts of the urban area.
  - Foredown Hill to Vale Park in South Portslade – series of green spaces with intermittent public access.
  - Benfield Valley linking the downs to Old Shoreham Road with consistent public access.

3.7.17

The Shoreham Harbour Ecology and Green Infrastructure Study (2015) makes a number of proposals to enhance the green infrastructure and biodiversity of the harbour and surrounding areas. These include:

- The preparation of a green infrastructure strategy for the regeneration area and links to surrounding areas.
- A259 green corridor. The study identifies fourteen green spaces located along the A259. These act as a series of 'stepping stones' for wildlife. These sites include designated spaces such as Kingston Beach village green, but also the embankments between the A259 and the port, and the grassed amenity spaces around the Adur Homes estates at Southwick and Fishersgate. The Partnership is working with Adur Homes, Action Eastbrook and local communities to deliver improvements to these sites. Specific proposals are included within each character area policy in Section 4 of this plan. Further detail will be included in the Shoreham Harbour Green Infrastructure Strategy.

- Portslade and Southwick Beaches green corridor. The Shoreham Harbour Vegetated Shingle Assessment identified significant potential for coastal vegetated shingle habitat creation along these beaches. Habitat creation could be delivered as part of improvements to coastal defences and through the delivery of the England Coast Path and improved cycle route along the beaches.
- Linear intertidal habitat creation. The study identifies opportunities to deliver habitats as part of new flood defences along the waterfront. This includes timber baulking and 'vertical beaches' attached to sheet piling.
- Green roofs and walls. These could compensate for the loss of open mosaic habitats at ground level on vacant or unused sites. These should be appropriately planted for the coastal location, including vegetated shingle.

- 3.7.18 New development at the harbour should act as a catalyst to enhance green corridors and linkages, particularly where higher density developments result in limited opportunities to provide open space on site.
- 3.7.19 The national cycle network provides a valuable basis from which to extend greenways in this location to better connect Shoreham to urban areas such as Hove, Lancing and Worthing. Proposals for improving this route are set out within the *Shoreham Harbour Transport Strategy*.

- 3.7.20 Other recommendations from green infrastructure assessments in relation to biodiversity include:
- Enhance and create new open spaces and habitats at locations such as Shoreham Fort and Shoreham (Kingston Buci) Lighthouse with improved access linkages for visitors.
  - Consider and improve wildlife corridors wherever a new green corridor is developed or enhanced as part of the new development.
  - The role of parks, allotments, school playing fields, private residential gardens and cemeteries in providing valuable green corridors and wildlife habitats should be recognised in this area.
  - Protect the species rich grasslands beside the harbour and integrated grassland into new areas of waterfront open space where possible.
  - Building designs should incorporate green roofs and areas of planting wherever possible.
  - Existing open spaces and parks would benefit from more wildlife planting and a varied mowing regime.

## Water quality

- 3.7.21 The overall groundwater quality of the Brighton Chalk Aquifer is currently classified as "poor" in the Water Framework Directive (WFD) Cycle 2 2015 classification. The quantitative and chemical quality are both classified as "poor". The overall water quality of the Adur Estuary is classified as "moderate". The ecological quality is classified as "good" whilst the chemical quality is classified as "fail".
- 3.7.22 The Water Framework Directive required all bodies of water (including surface water, coastal waters and groundwater) to achieve "good" status by 2021 and to be prevented from deteriorating in quality. It will be important for development proposals to undertake the necessary risk assessments to demonstrate Water Framework Directive compliance. Applicants are advised to refer to the Clearing Waters for All guidance.
- 3.7.23 The Environment Agency monitors the quality of bathing water at Southwick Beach. Since 2013, water at this location has achieved "excellent" status. This means that the bathing water meets the standard for the highest, cleanest class for the revised Bathing Water Directive, which has stricter standards than those for the old Directive.

## Air Quality

- 3.7.24 Road vehicles are the greatest contributing factor to poor air quality in Adur and Brighton & Hove, with vehicles emitting a variety of pollutants including carbon monoxide, nitrogen oxides, volatile organic compounds and particulate matters.
- 3.7.25 There are two Air Quality Management Areas (AQMA) that lie partly within the regeneration area. Brighton AQMA includes Kingsway / Wellington Road (A259) Church Road (A293), Boundary Road / Station Road (B2194) and parts of South Portslade to the south of North Street. Shoreham AQMA runs along Shoreham High Street (A259) from Norfolk Bridge to Surry Street.
- 3.7.26 There is also an AQMA in Southwick on the A270 between Kingston Lane and Southview Close. This is outside the regeneration area, but may be impacted by journeys arising from new development.
- 3.7.27 Air Quality Action Plans (AQAPs) will continue to play a key role in helping to manage issues of localised air pollution.

## Noise

- 3.7.28 Noise can be a significant issue in built-up urban areas, and can act as both a disturbance and a threat to human health. DEFRA has undertaken a comprehensive noise mapping study, the results of which indicate that there are parts of the regeneration area where road traffic noise exceeds World Health Organisation guidelines.
- 3.7.29 The main generator of background noise in the Regeneration area is road traffic. The A259, A293 and B2194 have high levels of noise pollution related to traffic movements with noise levels decreasing with distance from these roads.
- 3.7.30 Rail-related noise is also an issue in some parts of the regeneration area with levels decreasing with distance from the railway line. Some of the industrial and port-related land uses in the regeneration area also generate high levels of noise.

## Contamination

3.7.31 The nature of current and historic industrial activities at Shoreham Harbour raises significant potential for contamination to be present, which could adversely impact site users, buildings and the environment, including surface and groundwater quality. Pollution to controlled waters may result in contravention of objectives set out within the Water Framework Directive (WFD).

3.7.32 Former land uses have included Portslade Gas Works, oil storage, and coal and timber yards. Current uses also include coal and timber yards, as well as a power station, aggregate sorting and storage sites, garages, oil and petrol storage areas, a waste water treatment facility and other waste uses. Consequently, significant risks of pollutant linkages have been found in the area.

3.7.33 In accordance with the NPPF, it will be important for development proposals to undertake the necessary site assessment in line with best practice approaches. All investigations of land potentially affected by contamination should be carried out by or under the direction of a suitably qualified competent person and

in accordance with most recent guidance<sup>40</sup>.

3.7.34 Current guidance includes:

- BS 10175:2011+A1:2013 Code of practice for the investigation of potentially contaminated sites.
- BS ISO 5667-22:2010 Water quality sampling guidance on the design and installation of groundwater monitoring points.
- BS ISO 5667-18:2001, BS 6068-6.18:2001 Water quality sampling guidance on sampling of groundwater at contaminated sites.

3.7.35 In order to ensure appropriate consideration of land contamination, the following reports/documents should be reviewed prior to the submission of a planning application:

- The risk management framework provided in CLR11, model procedures for the management of land contamination.
- The Environment Agency guiding principles for land contamination and the land contamination sections in the Environment Agency's Groundwater Protection: Principles and Practice.

## Waste and recycling

3.7.36 In keeping with the objectives of the *Biosphere Management Strategy* (2014-2019). It is important that the JAAP supports the shift towards sustainable management of waste and seeks to ensure waste is fully considered during design, construction, post-construction and demolition phases of new development.

3.7.37 The East Sussex, South Downs, and Brighton & Hove Waste and Minerals Plan (2013) provides planning policies to guide the management of waste and production of minerals over the plan period to 2026. In addition, the *East Sussex, South Downs and Brighton & Hove Waste and Minerals Sites Plan* (2017) identifies areas of safeguarding for current and future waste management capacity. This includes areas at Shoreham Port.

3.7.38 West Sussex County Council and the South Downs National Park Authority have adopted the *West Sussex Waste Local Plan* (2014). The Waste Local Plan covers the period to 2031 and provides a basis for making consistent land-use decisions for waste management facilities.

<sup>40</sup> NPPF (2019) Paragraph 178



## Policy SH7: Natural environment, biodiversity and green infrastructure

1. The partnership will prepare a green infrastructure strategy and identify mechanisms for its implementation for the regeneration area and its surroundings.
2. The partnership will work with stakeholders, developers, landowners and communities to deliver an improved green infrastructure network including:
  - A259 green corridor improving and connecting improvement sites alongside the road, including embankments and grassed amenity space.
  - Portslade and Southwick Beaches including coastal vegetate shingle habitat creation.
  - Intertidal habitat creation, including baulking and vertical beaches as part of flood defence works.
  - Green walls and roofs, and appropriate street planting.
3. The partnership will promote and require the creation and enhancement of open space and green infrastructure in accordance with the emerging *Shoreham Harbour Green Infrastructure Strategy* and Brighton and Lewes Downs Biosphere objectives.
4. All development applications must be accompanied by up-to-date ecological information to ensure no net loss, and seek to provide a net gain to biodiversity, in particular to Habitats of Principal Importance (formerly known as BAP habitats). The indirect impacts of development, such as recreational disturbance, on designated nature conservation sites and other significant habitats must be considered. Appropriate mitigation must be identified, along with the means for its delivery and maintenance.
5. The *Shoreham Harbour Streetscape Guide* (2012) states that all vegetation must be salt tolerant and suitable for a coastal environment. Trees must be securely staked, hardy and able to withstand strong winds.
6. Development proposals will be required to include schemes to conserve, protect and enhance existing biodiversity and to create appropriate habitats, taking into account appropriate, coastal protected sites and species. Measures to enhance biodiversity include, but are not limited to:
  - Incorporating green walls and roofs and appropriate planting schemes for the location, using locally native species wherever possible.
  - Providing bird-nesting and bat-roosting boxes.
  - Providing areas of vegetated shingle.
  - Using SuDS to create wetland habitat features, which help store and clean surface water.
  - Creating, restoring or enhancing off-site habitats, in particular through contributions to management and monitoring plans for, local conservation sites such as Shoreham Beach and Widewater Lagoon Local Nature Reserves.
  - Where appropriate, development will be required to incorporate ecological enhancements to the marine/estuarine/ riverine environment in order to promote biodiversity.



7. Where impacts on biodiversity cannot be avoided or mitigated, compensatory actions will be required, taking account of an up-to-date ecological survey. Like-for-like compensatory habitat should be provided at or close to the site, subject to agreement with the relevant authorities, including Natural England and the Environment Agency.
8. Development will be required to integrate new green infrastructure, including biodiverse green roof (bio-solar where appropriate), green walls and suitable planting, and to contribute to enhancements to the green corridor.

#### Water quality

9. All development must comply with the Water Framework Directive. Development must protect surface and groundwater quality. Only clean surface water should be discharged into the River Adur, the Canal and groundwater. Pollution control measures will be required to deal with surface water run-off where this is discharging straight into the River Adur or the Canal, especially where waterside vehicular access is promoted.
10. All marina developments must consider the installation of pump out facilities to reduce the risk to water quality from recreational boating. The size of the pump out facility should be appropriate to that of the development and agreed by the local authority prior to construction.
11. Development should seek to provide ecological enhancements through the use of sustainable drainage systems (SuDS).
12. All development must consider implications upon the sewerage and water supply network and ensure that capacity is adequate. New development must connect to the sewerage and/or water supply system at the nearest point of adequate capacity in collaboration with the service provider.

#### Air quality

13. Air quality impacts should be considered at an early stage in the design process to ensure that creating new exposure to poor air quality is avoided. Development proposals must be accompanied by an assessment of the air quality impacts for existing and future occupants. This assessment must have regard to the cumulative impacts of committed and planned development on air quality.
14. Development within or adjacent to an Air Quality Management Area (AQMA), or that is likely to have an impact on an AQMA, will be required to provide a contribution towards implementing Air Quality Action Plan objectives, such as sustainable transport improvements.
15. Proposals will be required to demonstrate that appropriate mitigation measures are introduced to ensure that new and existing residents are not exposed to poor air quality.

## Noise

16. Development proposals should adhere to the following basic principles of noise control - Noise sources should be separated from sensitive receptors. Then noise should be controlled at source. Finally, the sensitive receptor should be protected.
17. Particular consideration will be required in relation to noise generated by transport and arising from adjacent industrial, trade and business premises, construction sites, activities in the street and on-going port and marine-related activities.

## Contamination

18. Applications for development within a 10 metre radius of potentially contaminated sites will be required to submit a desk study, conceptual model, site investigation and risk assessment.

## Waste and recycling

19. All development proposals will be required to incorporate facilities that enable and encourage high rates of recycling and re-use of waste and materials.
20. All new development will be required to demonstrate that waste is minimised both during the construction phase and the lifetime of the building.
21. Development proposals shall be accompanied by a Site Waste Management Plan.

### 3.8 Objective 8: Recreation and leisure

**To enhance and activate the harbour for leisure, recreation and tourism and encourage active, healthy lifestyles.**

**To create places that promote healthy and enjoyable living by improving existing and providing new green infrastructure including open spaces and green links as well as leisure and recreation opportunities. To improve connections to and use of the waterfront, coast and beaches as attractive destinations for both locals and visitors.**

#### Beaches and water sports

- 3.8.1 The public beaches play a significant role in the provision of amenity space in the harbour for residents and visitors. They provide recreational and leisure opportunities as well as providing landscape, environmental and biodiversity benefits.
- 3.8.2 Some of the beaches, such as Southwick Beach, Shoreham Beach and, to a lesser extent, Kingston Beach are well used for traditional seaside activities (walking, swimming, sunbathing and fishing). The Shoreham Beach area is well used by windsurfers and kite surfers. Paddle boarding is becoming an increasingly popular sport for coastal areas.
- 3.8.3 When weather conditions are right, the harbour is well used as a surfing destination. Recreational surfing takes place throughout the harbour area, including Southwick Beach and within the harbour arms. Facilities for these users and other coastal sport users do not exist, but could include:
- outdoor/indoor showers,
  - bathrooms, and changing rooms.

#### Sailing and facilities for boat-users

- 3.8.4 The harbour is home to a number of sailing facilities including:
- Lady Bee Marina (Southwick Waterfront)
  - Riverside Yard (Southwick Waterfront)
  - Sussex Yacht Club (Western Harbour Arm / Southwick Waterfront)
  - Shoreham Sailing Club (Harbour Mouth)
  - Shoreham Rowing Club (Harbour Mouth)
- 3.8.5 All five areas have a strong leisure and recreation function with the first three providing berthing opportunities for larger vessels. These three currently have capacity for around 120 pontoon berths although access is a constraint to further pontoon capacity. Shoreham Port Authority is seeking to increase berthing capacity at Lady Bee Marina.
- 3.8.6 Whilst there is good provision of uses in and around the regeneration area, access is constrained in some places, and some facilities are in poor condition in need of replacement, improvement or re-provision.

Slipways and Hards

- 3.8.7 There are a number of historic slipways and hards in the Shoreham area. These were formerly used to launch and land boats onto and from the water. However most of these are now unable to function effectively for various reasons such as having been in-filled, being too steep, being dilapidated or being inaccessible and lacking sufficient parking and turning areas for trailers.
- 3.8.8 West Sussex County Council, working in partnership with Adur District Council and the Shoreham Slipways Group, are working towards providing new and improved public slipways for the Shoreham area. These new facilities will help support the local economy through enabling visiting anglers, divers and day boat users to access the harbour. The enhanced access to the water will help to restore Shoreham’s maritime heritage.
- 3.8.9 A key planning consideration for locating a new public slipway is the need for sufficient appropriately laid out parking and turning areas for vehicles and trailers to manoeuvre.

Pedestrian Routes

- 3.8.10 Strategic routes for rural walkers are concentrated in the South Downs and stop at the outskirts of built up areas. Currently these do not connect well into the town centres and to the sea. Walking routes in the urban areas of the regeneration area are not well designed and signage is poor. The Adur Ferry Bridge has significantly improved the quality of the pedestrian environment in that area.
- 3.8.11 The pedestrian network running east to west along the majority of the regeneration area north of the coast / waterfront is limited to the path that runs along the A259 and as such currently offers a very poor experience for cyclists and pedestrians.

Cycle Paths

- 3.8.12 National cycle route NCN2 runs through the harbour from Hove Lagoon, along the southern section of the canal (the South Quayside area) across the canal locks, then runs inland to re-emerge in Shoreham-by-Sea. It then crosses over Adur Ferry Bridge and continues on to the seafront to the west. This route links Brighton in the east and Worthing in the west and is part of a long distance cycle route from Dover to Penzance.
- 3.8.13 The section from Hove Lagoon to Brighton in the east and Shoreham Beach to Worthing in the West is almost entirely ‘traffic-free’ with dedicated cycle paths. The section in between that runs through the harbour area is classified as ‘on-road’, with no dedicated cycle facilities. This route is well used by cyclists for leisure and recreation. It is also a popular commuting route for cyclists, although a high number of commuters use the A259 from the lock gates in Southwick as this is the quickest and most direct route.

3.8.14 In addition, the harbour area has good cycling links to the South Downs in the north. The Downs Link Bridleway that runs along the river Adur from Ropetackle to the South Downs is a key cycling and pedestrian link which connects Shoreham with the South Downs and which continues up to the North Downs in Surrey. However, signage to this route from the town centre is poor. Other routes to the South Downs from the regeneration area are also poorly signposted.

## Open Space

- 3.8.15 Provision of new and enhanced areas of open space will be essential to creating a pleasant harbour side environment. Multi-functional open spaces provide a range of health benefits and can create pleasant new spaces for people to sit, relax and interact helping to build a sense of community and identity for the harbour.
- 3.8.16 The NPPF<sup>41</sup> requires that planning policies should be based on robust, up-to-date assessments of local needs for open space, sports and recreation facilities and opportunities for new provision.
- 3.8.17 The *Adur District Open Spaces Study* (2014) sets open space provision standards for the district.
- 3.8.18 For Brighton & Hove, open space standards are set out within the *Open Space Update Study* (2011).

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<sup>41</sup> NPPF (2019) Paragraph 96

## Policy SH8: Recreation and leisure

1. New development proposals will be required to contribute to the provision of multifunctional public open space / green infrastructure onsite. The type and quantity of open space will be determined by the scale and type of development, having regard to the identified needs, local standards and the *Shoreham Harbour Green Infrastructure Strategy*. Development will be expected to optimise the amount of onsite provision. Where it is not possible to meet all or part of the open space requirements on site, subject to agreement of the council(s), an appropriate alternative provision, such as enhanced public realm, and/or contribution towards off site provision will be required.
2. Brighton & Hove City Council and Adur District Council will work with developers to explore the role, function and more detailed design of green spaces as they come forward. These areas could help to meet local need for a range of open spaces including parks and gardens, amenity green space, provision for children and young people, outdoor sports facilities, allotments and community gardens.
3. Improved linkages to existing open space assets and green corridors will be encouraged.
4. In accordance with local plan policies, the loss of existing open space will be resisted unless it has become surplus to requirements or would be replaced with equivalent or improved provision in a suitable location. In the case of any loss of open space, mitigation measures include, but are not limited to:
  - Better access to remaining open space.
  - Provision of an alternative site.
  - Significant enhancements to remaining open space including features to improve open access to the waterfront.
5. The provision of appropriate measures to enhance water sports and other traditional coastal activities will be supported.
6. Major waterfront development schemes are expected to incorporate features that improve open access to the waterfront. These may include facilities for boat users, additional moorings, floating pontoons/docks, slipways and inlets. Early consultation with Shoreham Port Authority and statutory bodies such as the Environment Agency and Marine Management Organisation is advised.
7. Development schemes that result in the loss of an existing slipway or hard and that fail to incorporate a new useable slipway (with sufficient parking/turning space) on-site may be expected to contribute towards re-provision of the facility off-site.
8. Where a new/improved slipways or hards are provided or reinstated it will be necessary to consult with the relevant highway authority to ensure appropriate public highway status is recorded including rights of motor vehicle use.
9. Where additional moorings are provided consideration must be given to the management of additional waste and sewage arising. Appropriate services, such as toilets and pump out facilities, should be provided where appropriate.
10. The partnership will work with Natural England to support the delivery of the England Coast path through the Shoreham Harbour Regeneration Area.

3.9 Objective 9: Place making and design quality

**To promote high design quality and improve townscape.**

**To promote developments of high design quality that maximise the waterfront setting, respect local character and form and enhance key gateways and public spaces.**

**To protect and enhance the area’s historic assets including the Scheduled Monument at Shoreham Fort, listed buildings and conservation areas.**

- 3.9.1

High quality urban design is an integral element of successful developments. Good design encompasses architectural design, form, height, scale, siting, layout, density, orientation, materials, parking and open space. Major development proposals may be subject to design review process at the pre-application and application stages in order to ensure the highest quality of design.
- 3.9.2

New developments should be well-designed and integrated into the landscape and townscape, and should contribute positively to the harbour’s character and distinctiveness. Existing poor-quality design should not set a precedent.
- 3.9.3

Improvements to the public realm (streets and public spaces) provide an opportunity to enhance the quality, character and distinctiveness of the harbour. Good use of ‘natural surveillance’, natural and artificial light and careful siting of buildings and street furniture can improve the layout of an area, reduce perceived and actual crime and opportunities for anti-social behaviour, and make an area more pleasant to use. *Secured by Design* provides further guidance on incorporating crime prevention measures into development.



Public realm

- 3.9.4 Buildings within a development should be arranged to create well defined spaces, each with a clear purpose and function. The spaces within a development should not consist simply of the land left over once the footprints of buildings and the positions of roads and accesses have been established. Defining the nature and use of the spaces early in the design process can help inform the siting and design of buildings, hard and soft landscape and, if applicable, distribution of uses that will enclose these spaces.
- 3.9.5 A successful place is easy to get to, visible and easy to move through. Physical elements can enhance access and links and add interest and help create a safer environment. The ability to see a public space from a distance, parking arrangements and convenient public transport can also contribute to better access.

- 3.9.6 Successful public places typically offer a variety of uses and activities in and/or around it that suits its users. The right mix and spatial clustering of uses can be critical to attracting a range of people and animating a space. All new development should present an interesting and attractive frontage particularly at street level for pedestrians.
- 3.9.7 A successful place can encourage all sorts of people to meet and interact, creating a stronger attachment to their community and to the sense of place that fosters these types of social activities. In general, comfort and sociability relate to people’s sense of safety, cleanliness and overall character of a place. The presence and quality of hard and soft landscaping and the nature of vehicular traffic will also influence these perceptions. Substantial traffic and associated perceptions about danger, noise and air quality may make movement through spaces difficult and deter people from lingering in them.

Public art

- 3.9.8 Public art can play an important role in creating and enhancing local distinctiveness. It provides an opportunity to involve local communities in place making, and to offer work opportunities to artists, including from the local area. Where appropriate, the partnership and councils will expect to be involved in the selection process. Public art can include architectural details, public realm elements, landscaping schemes, sculpture, water features, street furniture and lighting effects. It should be directly related to its setting, and therefore be an integral element of a proposal.

## Design principles

- 3.9.9 Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible, and promote health and well-being<sup>42</sup>. Good design is critical to ensuring development functions well, is visually attractive, and is sympathetic to local character, in order to create attractive, welcoming and distinctive places to live, work and visit<sup>43</sup>.
- 3.9.10 The selection of external materials and finishes is often a critical factor in determining how well a new development relates visually to its surroundings. By adopting the local palette of materials, and the ways in which these are combined and detailed, new development can reinforce local distinctiveness.
- 3.9.11 Scale and massing of buildings is a major factor in determining the visual character of an area. The aim should be to create a sense of harmony and visual continuity between new and old. Elements of any building that are visible from a highway are of particular importance.

- 3.9.12 Internal and external space standards and layout are an important aspect of good quality homes. The councils will expect development proposals to meet the nationally described space standards, which cover minimum gross internal floor, ceiling heights and storage space requirements.

## Outside space

- 3.9.13 An element of useable private outdoor amenity space should be provided for the occupants of new residential development. Private amenity space can make an important contribution in improving the health, well-being and general quality of life of the area's residents and has the potential to support and enhance local biodiversity. The provision of space for seating, play, drying and storage space is part of securing good design and a good standard of residential development in the regeneration area.
- 3.9.14 Appropriate forms of provision include gardens, balconies, patios, roof terraces and shared amenity spaces in flatted forms of development. Factors such as access to the amenity space, its orientation, scope for privacy, size and usability will be key considerations.

<sup>42</sup> NPPF (2019) Paragraph 127

<sup>43</sup> NPPF (2019) Paragraph 127

	<b>Amenity</b>
3.9.15	As development at Shoreham Harbour is expected to be high density, proposals for new development need to consider their impact upon neighbours as well as future users, residents and occupiers. Most potential negative impact can be addressed through design and mitigation measures if these are considered early in the design stage of a development.
3.9.16	New buildings should be carefully designed to avoid overlooking. The most sensitive areas are: living rooms; bedrooms; kitchens. Public spaces and communal areas will benefit from a degree of overlooking due to the increased level of surveillance it can provide.
3.9.17	Outlook is the visual amenity enjoyed by occupants when looking out of their windows or from their garden. New development should ensure the proximity, size or cumulative effect of any structures do not have an overbearing and/or dominating effect that is detrimental to the enjoyment of their properties by adjoining residential occupiers. Particular care should be given to development that adjoins properties with a single aspect.

3.9.18	New development should take reasonable steps to avoid overshadowing windows to habitable rooms or open spaces and gardens. This may be particularly difficult in the denser areas of the area. However, it is important in these areas to prevent overshadowing of amenity space and open spaces given the limited amount of open spaces and the existing amount of overshadowing.
3.9.19	Sunlight and daylight will be affected by the location of the proposed development and its proximity to, and position in relation to, nearby windows. The councils will assess whether acceptable levels of daylight and sunlight are available to habitable spaces. Reports will be required for both minor and major applications where a proposal has the potential to materially reduce daylight and sunlight levels.
3.9.20	Lighting is an important element of design quality; whilst necessary for safety reasons it can also add character and highlight elements of architectural quality. However, it is also important to ensure that light shines on its 'target' and does not waste energy or contribute to 'sky glow'.

	<b>Heritage</b>
3.9.21	Shoreham Harbour benefits from a number of historic assets which are proposed to be protected and enhanced to contribute towards maintaining the cultural history of the area and visual interest within the landscape and local views. The harbour area includes: <ul style="list-style-type: none"><li>• Parts of the Shoreham-by-Sea Conservation Area</li><li>• The Riverside section of the Southwick Conservation Area.</li><li>• Three Grade II Listed Buildings:<ul style="list-style-type: none"><li>▪ Royal Sussex Yacht Club</li><li>▪ Sussex Arms Public House</li><li>▪ Kingston Buci Lighthouse</li></ul></li><li>• Shoreham Fort (Scheduled Monument).</li></ul>

## Policy SH9: Place making and design quality

1. Schemes should be designed to reflect the character of the marine environment and should be sensitive to views of the waterfront, surrounding landscape and historic features.
2. Waterfront development schemes are encouraged to incorporate features that improve public access, views and experience of the marine environment. This may be externally in the form of landscaped viewing areas and/or internally as an integral part of building design.
3. Development proposals should improve the quality, accessibility, security and legibility of public streets and spaces. The public realm elements of the development proposals must be designed in accordance with the *Shoreham Harbour Streetscape Guide* (2012). The design of spaces between and around buildings must consider all of the following key design aspects:
  - Purpose and function
  - Access and linkages
  - Uses and activities
  - Comfort, image and sociability
4. Having regard to the indicative opportunities for public art identified within Map 4, major development will be expected to incorporate an integral public art element(s), in accordance with the scale of development proposed and in agreement with the council.
5. All development proposals must demonstrate a high standard of design that enhances the visual quality of the environment and makes a positive contribution to creating places that are safe, inclusive and accessible; and which promote health and wellbeing. In particular, proposals for development will be expected to consider all of the following key design aspects:
  - High quality building materials, architectural design and detailing.
  - Suitable scale and massing in relation to housing type and local context, including landscape, townscape character and historic environment.
  - Appropriate internal space standards in accordance with each authority's policy requirements.
- Buildings should provide strong enclosure to public spaces and streets, and should maintain a clear distinction between public, semi-private and private space.
6. All new residential development will be required to provide useable private outdoor amenity space appropriate to the scale and character of the development.
7. Development proposals must demonstrate that the effects of the development on the amenity of proposed future and existing users, residents and occupiers would not be unacceptable. When designing new development, applicants will be required to consider the effect of their proposal upon all of the following:
  - Visual privacy and overlooking
  - outlook
  - overshadowing
  - sunlight and daylight
  - artificial lighting
  - disturbance from noise, odour, vibration, air pollution



# CHARACTER AREA PROPOSALS

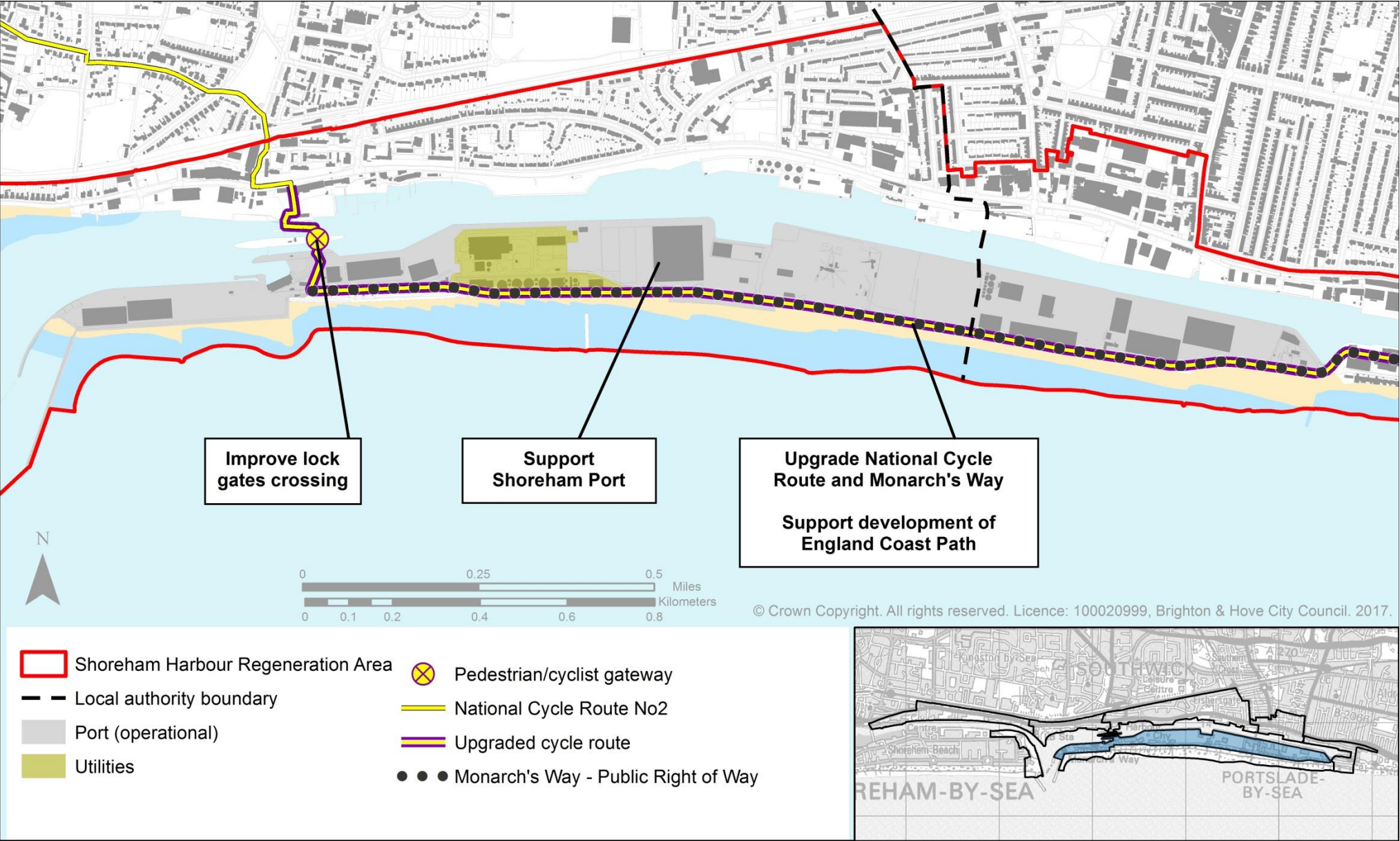




# SOUTH QUAYSIDE



Map 6 – CA1: South Quayside





## 4 Character area proposals

### 4.1 Character Area 1: South Quayside

#### Area priorities

- **To support Shoreham Port Authority in improving operational efficiency, developing new trade and exploring opportunities for sustainable energy generation, in line with the adopted Port Masterplan.**
- **To accommodate the relocation of existing port operators from elsewhere within the port.**
- **To accommodate the future capacity requirements for Shoreham Wastewater Treatment Works.**
- **To improve Basin Road South as a popular recreational route for walking and cycling, providing access to the beaches.**
- **With the exception of the existing and planned power stations, and the wastewater treatment works, non-port related operations will not be permitted in this area.**

#### About the area

- 4.1.1 CA1 - South Quayside is the main operational area of Shoreham Port. It is a long, narrow area between Basin Road South and the waterfront. The area stretches from the mouth of the harbour along the southern side of the Eastern Arm of the River Adur, and the Canal as far as the eastern ship turning head.
- 4.1.2 The full length of South Quayside is 2,370 metres. Within the Canal, there are 11 berths totalling 1,575 metres in length. In the Eastern Arm of the River Adur, the Outer Layby terminal extends further with two berths of 257 metres. There is a significant concentration of port trades and quayside activity.
- 4.1.3 In the quayside area, cargo handling and ship unloading are carried out using mobile cranes and lift trucks. Plant installations used by operators include a major aggregates grading and handling plant, a ready-mix concrete plant and gantry cranes at a steel stockyard.

- 4.1.4 Visiting fishing trawlers and other vessels often moor up alongside the power station. There are a number of security gate entry points to the port area, and the area north of Basin Road South is a secure area with no public access.
- 4.1.5 The regeneration strategy for the harbour is dependent on consolidating port-related activities within the Eastern Arm and Canal. South Quayside will be safeguarded for port operational uses. As well as improving operating efficiencies for the port, it will enable waterfront land to be redeveloped for alternative uses along the Western Harbour Arm.
- 4.1.6 South Quayside is sufficiently removed from residential areas that it can accommodate activities and uses that otherwise might harm residential amenity through noise and disturbance. Major facilities likely to remain for the timespan of the plan period include Shoreham Power Station and Shoreham Wastewater Treatment Works.



Wind turbines at Outer Layby



Solar panels on warehouse roofs

4.1.7

Utilities

Shoreham Power Station is a combined cycle gas turbine station. Its capacity is 420MW. The power station is owned and operated by Scottish Power. Cooling water discharges to an outflow at Southwick Beach.

4.1.8

Energy studies and consultation with local environmental groups have highlighted the potential of using the waste heat from the plant to supply local customers. The physical separation of the power station from potential customers, such as residential areas on the north side of the harbour, would require significant investment in directional drilling to feed pipes under the Canal.

4.1.9

Without adaption, the current configuration of the station does not enable provision of heat at a sufficient grade that could be utilised in a district network. Furthermore, a back-up power source would be required as the station is not in continuous use.

4.1.10

In 2016, Shoreham Port Authority installed two 100 kW wind turbines on Basin Road South. The turbines will generate, on average, 555,000 kWh electricity per year to power the nearby port pump house. The Port Masterplan proposes additional turbines further east, as shown on Map 6.

4.1.11

Shoreham Port Authority has worked in partnership with Brighton Energy Co-operative to install solar panels on many of the port buildings.

4.1.12

At present, Shoreham Wastewater Treatment Works (owned by Southern Water) has sufficient capacity to accommodate the levels of new development being proposed through this plan and the local plans for Adur and Brighton & Hove.

## Transport and connections

4.1.13 Heavy goods vehicles serving the port, as well as the public, access this area via the main port entrance at the junction of Wharf Road and Kingsway (A259). Basin Road South runs the length of the southern side of the port along the seafront to Carat's Café and the adjacent public car park.

4.1.14 To the western end of the quayside and forming the crossing over to the north side of the harbour, the area around the lock gates is a key functional part of the port. Shoreham Port Authority has reclaimed a small area of land here by the pump house to accommodate an engineering function.

4.1.15 As outlined in Character Area 4, the lock gate crossing is a public right of way and part of the National Cycle Route (NCN2). Running parallel with the cycle route along Basin Road South is the Monarch's Way which is part of a long distance national walking trail. The route is popular with locals and cyclists and has the potential to be made more of a focal point with better signage, interpretation and way-finding.

4.1.16 Proposed improvements to both Southwick Waterfront and to the beach areas are likely to increase public usage of this area and it will be important to maintain appropriate buffers between the operational port areas and public spaces.

## Policy CA1: South Quayside

1. **South Quayside is safeguarded for future commercial port activity and for the relocation of existing port operators from elsewhere in the harbour. With the exception of the existing power stations, and waste water treatment plant, non-port operations are not permitted in this area.**
2. **South Quayside will be promoted as a hub for renewable energy generation, including appropriately located solar and wind generation.**
3. **Wastewater treatment infrastructure will be safeguarded to serve future population changes.**
4. **The partnership will seek improvements to the lock gate crossing for the benefit of pedestrians and cyclists. These must not detract from its primary port operational function.**
5. **The partnership will seek Improvements to Basin Road South, National Cycle Route (NCN2) and Monarch's Way public right of way including signage, interpretation, boundaries, surfacing, way finding and access to the beaches.**





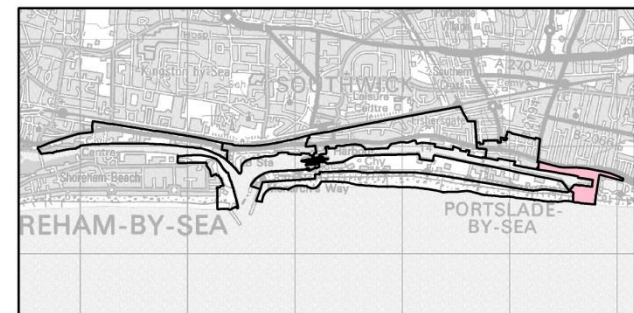
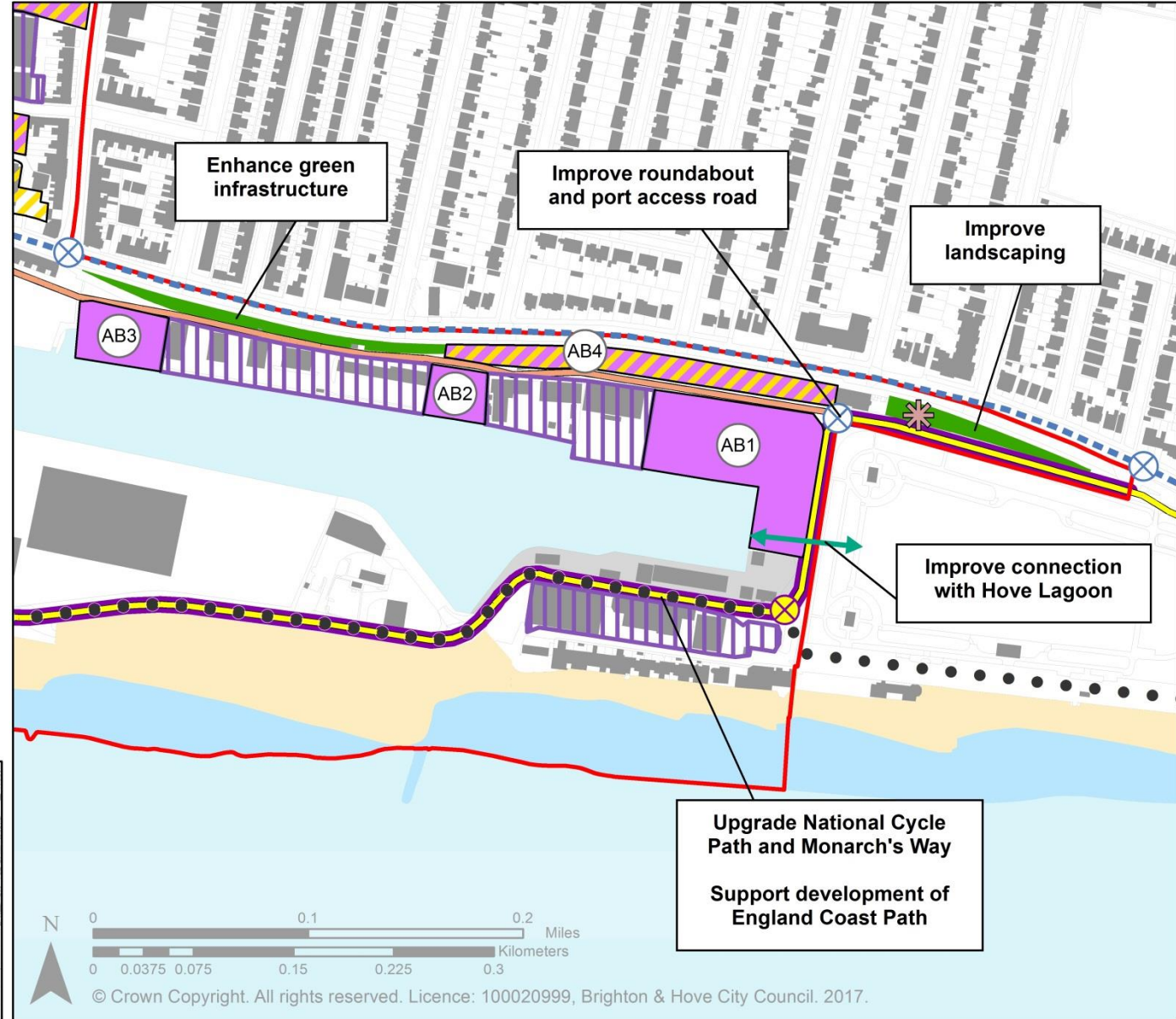
# ALDRINGTON BASIN





Map 7 - CA2: Aldington Basin

- Shoreham Harbour Regeneration Area
- Allocation
- Residential (proposed)
- Employment (proposed/protected)
- Protected employment
- Port (operational)
- Green corridor
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- Monarchs Way - Public Right of Way
- National Cycle Route No2
- Upgraded cycle route
- Pedestrian/cyclist gateway
- Junction improvements
- Public art opportunity (indicative)



## 4.2 Character Area 2: Aldrington Basin

### Area priorities

- **To designate Aldrington Basin as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations AB1 to AB4).**
- **To accommodate a mix of new and improved port operational facilities as well as compatible non-port employment generating floor-space (use classes B1, B2 and B8).**
- **To accommodate appropriately located mixed-use development (use classes A1, A2, A3, B1 and C3).**
- **To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.**
- **To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.**
- **To ensure that all development takes into account the findings and recommendations of current Strategic Flood Risk Assessment and the Shoreham Harbour Flood Risk Management Guide SPD (2015) or subsequent update.**
- **To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.**
- **To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.**
- **To support the delivery of the England Coast Path through the Aldrington Basin area.**

### About the area

- 4.2.1 CA2 – Aldrington Basin forms the eastern gateway to the harbour with the main port entrance at the junction of Wharf Road and Kingsway (A259). The basin is situated immediately adjacent to Hove Lagoon. It marks the end of the Hove seafront promenade and a transition to the industrial character of Shoreham Harbour.
- 4.2.2 The northern part of the area is formed of a steep slope from Basin Road North, up to Kingsway (A259). Overlooking the basin, to the north of Kingsway, is the West Hove residential area comprised of mostly two storey housing built in the 1920s and 1930s.
- 4.2.3 Since the mid-1800s, Aldrington Basin has been predominantly occupied by industrial and port-related uses. Over time, a number of physical interventions such as land reclamation, the addition of landing stages and wharves and the arrival of the Western Esplanade residential dwellings at the beginning of the twentieth century, have shaped its current character.



4.2.4 This area contains a mixture of employment uses ranging from offices, retail outlets, a restaurant and pub at Kingsway level through to light industrial, storage and marine-related uses down in the basin itself. Some of the sites are owned and leased by Shoreham Port Authority including Hove Enterprise Centre, Brighton & Newhaven Fish Sales, and Quayside offices. The remaining sites are in private ownership.

4.2.5 This area also includes Ferry Wharf, a disused minerals wharf, which is also a safeguarded waste site. If proposals for development come forward for this site then policies for re-provision of wharf capacity and waste management capacity will apply.

4.2.6 The steep slope down to the basin from Kingsway means the location is able to accommodate land uses and activities that may otherwise harm residential amenity due to noise, smell, dust or other disturbance. Maritime House and Hove Enterprise Centre contribute towards meeting the local demand for affordable, flexible workshop and office space and have high occupation rates.

4.2.7 A key consideration for development in the basin is that the eastern end of the Canal acts as the main turning head for ships. Remodelling of this area may be a long term opportunity. This would require significant investment.



Harbour entrance at Wharf Road



View east towards Western Esplanade

Transport and connections

4.2.8 Although the access route from the A259 in to the basin works relatively well, it creates a tight turning circle for commercial vehicles. The transport strategy includes junction improvements to each of the main accesses in to the port from the highway, including:

- Wellington Road (A259) – Church Road (A293) – Basin Road North
- Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North

4.2.9 Shoreham Port Authority intends to upgrade and extend the route on the north side of the canal from the existing mini-roundabout linking to an improved Wellington Road (A259)-Church Road (A293) junction. This is to make the route more suitable for HGV traffic and to lead port-traffic more directly on to the advisory route.

4.2.10 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of this allocation.

## Improve Basin Road South cycle route and Monarch's Way

- 4.2.11 Basin Road South runs parallel to South Quayside provides vehicular access to the main operational port areas. It also forms part of the National Cycle Network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Despite the poor condition of this route for cycling and walking, the poor quality of the public facilities and generally dated appearance, it remains a popular route and the beaches are frequented by local families, swimmers, surfers and artists particularly during the summer months.
- 4.2.12 The road is also a public right of way which forms the end of the historic Monarch's Way route, a long distance footpath (990km) that approximates the escape route taken by King Charles II in 1651 after being defeated in the Battle of Worcester. There is considerable potential to improve the quality of this route.

## Improve connections with Hove Lagoon and Hove seafront

- 4.2.13 Hove seafront promenade ends at Hove Lagoon. This area is very popular for walking, cycling and general recreation and there are a range of water-sports offered at Hove Lagoon. The Hove Deep Sea Anglers Club is adjacent.
- 4.2.14 Beyond this point is a row of secluded 1920s residential properties on Western Esplanade overlooking private beaches. This, combined with the industrial character of the harbour, acts as a barrier for wayfinding between Hove Lagoon and seafront and Portslade and Southwick beaches to the west.
- 4.2.15 The transport strategy includes proposals to improve the cycling and walking routes through this area. Where sites and groups of sites come forward, opportunities to create direct public or semi-public access to the waterfront should be explored.

- 4.2.16 New signage and improved visual and physical access from Aldrington Basin to Hove Lagoon would help to soften the boundaries of the basin and could be achieved through relatively minor interventions in formal landscape and site layout of Hove Lagoon. This connection could be achieved through the development of pathways and crossings to achieve direct, safe access.
- 4.2.17 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA2 – Aldrington Basin between Portslade Beach and Hove seafront promenade.

Environment

- 4.2.18 Kingsway (A259), Wharf Road and Basin Road North fall within the Brighton & Hove Air Quality Management Area (AQMA) designated in 2013.
- 4.2.19 The area is crossed by several underground water mains and sewers (the latter conveying wastewater to the nearby waste water treatment works). This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

4.2.20

4.2.21

4.2.22

Flood risk and sustainable drainage

- Existing ground levels across the area vary from a minimum of 3.5m Above Ordnance Datum (AOD) to greater than 10m AOD. A large portion of the site is at a level of less than 4.5m AOD.
- Due to its elevated position, sites along the A259 Kingsway are not at a significant risk of flooding. For sites between the A259 Kingsway and the coast, there is a risk of tidal flooding. The Brighton & Hove Strategic Flood Risk Assessment (JBA: 2012) identifies most of the Aldrington Basin area as Flood Zone 2 and 3a with some small areas of Flood Zone 3b for tidal flooding. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.50m, with some areas estimated to flood to a depth of just 0.20m.
- The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

4.2.23

4.2.24

- Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach set out in the following publications (or subsequent replacement documents):
  - [Adur & Worthing Councils](#) and/or [Brighton & Hove Council's SFRAs](#)
  - *[Water. People. Places: A guide for master planning sustainable drainage into developments](#)*
  - [CIRIA SuDS Manual](#)
- Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) for full details of requirements in relation to protection from flooding.

## Green infrastructure

- 4.2.25 The embankments sloping up from Wharf Road and Basin Road North to Kingsway (A259) form part of the proposed green corridor through the regeneration area. The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.
- 4.2.26 The Wharf Road embankment, adjacent to Hove Lagoon, is a prominent location at the main eastern gateway to the harbour. The partnership will seek landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and the enhancement of the existing butterfly bank. Appropriate public art will also be encouraged.
- 4.2.27 The Basin Road North embankment extends east from the Boundary Road/Station Road junction. The partnership will seek improvements such as planting of native hedgerows and plug planting of suitable species.



Wharf Road embankment and Hove Lagoon from Kingsway



Basin Road North embankment

## Development opportunities

- 4.2.28 The release of sites for redevelopment in and around the basin requires careful management given the close proximity of port operations and residential areas at Western Esplanade and to the north of Kingsway.
- 4.2.29 The partnership will work with businesses and service providers to identify their needs and overcome barriers to growth in order to improve the basin as a modern thriving local business cluster. As shown on Map 7, key proposals for this area are set out below.

## Strategic employment area

4.2.30

Employment generating uses (use classes B1, B2 and B8) will remain the predominant land use within Aldrington Basin. The partnership will work with land owners to promote the redevelopment of sites to deliver better quality, modern accommodation. Key opportunity sites are as follows:

- North Basin Quay (Site AB1 - see Map 7) is situated at the eastern end of the Canal; bounded by Basin Road North, Basin Road South and opposite Hove Lagoon. Redevelopment for high quality, modern employment floor-space will be encouraged. In order to improve the connection between Hove Lagoon and the harbour an element of ancillary leisure, retail and food and drink uses fronting open space will be supported.
- Aldrington Marina (Site AB2 - see Map 7) is on the southern side of Basin Road North, between Maritime House and Hove Enterprise Centre. Development for high quality, modern employment floor-space will be encouraged.

4.2.31

- Ferry Wharf (site AB3 on Map 7) is safeguarded for the import of aggregates and other minerals unless similar wharf capacity can be re-provided on an alternative suitable site. If development proposals come forward then policies for re-provision of wharf capacity will apply. Future development at Ferry Wharf could provide modern employment floor space that is compatible with port related uses.

The following sites are protected:

- The Shoreham Port Authority-owned Hove Enterprise Centre and Maritime House are successful operations supplying flexible workspace and will be protected for employment generating uses throughout the plan period.
- The other plots south of Basin Road North (site AB2) may also be appropriate for redevelopment for modern, good quality employment space. These will be protected for employment and port related uses.
- Port operational areas will be safeguarded for commercial port operations and related uses.

## Mixed-use development

4.2.32

New mixed-use development is promoted on plots between Basin Road North and Kingsway (site AB4 on Map 7). Proposals must demonstrate that they are compatible with existing employment uses at the basin level.

4.2.33

Plots between The Gather Inn to the east and Ocean Sports Board Riders to the west could be redeveloped for a mix of uses with employment floor-space (use class B1) on lower storeys fronting Basin Road North and mixed-employment (use classes A2, B1, and ancillary A1) fronting Kingsway and residential apartments (use class C3) on upper storeys.

## Development form and typology

4.2.34

The following principles for development form are proposed:

- For new employment floor-space at the basin level, flexible employment uses are proposed arranged as two to three storey buildings on under-used plots.
- Mixed employment and residential uses with a dual frontage onto Kingsway (mixed commercial activities with residential accommodation on upper storeys) and Basin Road North (employment uses).
- Buildings in the basin itself should be simple and flexible with a contemporary appearance and character in keeping with the aesthetic of the harbour.
- New buildings should be of a modern design which complements the existing historic character.

## Policy CA2: Aldrington Basin

- Aldrington Basin is designated as a strategic employment/mixed use area.**
- The partnership will work with developers and stakeholders to deliver:**
  - a minimum of 90 new dwellings (use class C3)**
  - a minimum of 4,500m<sup>2</sup> employment floor-space (use classes B1, B2 and B8)**
  - ancillary leisure, retail and food and drink floor-space**
- Site allocations at Aldrington Basin (shown on Map 7) are:**
  - AB1 – North Basin Quay: Allocated for port related and compatible employment floor-space (use classes B1, B2 and B8). Between Hove Lagoon and the Canal an area of open space fronted by ancillary leisure, retail and food and drink uses will be supported in order to improve the connection between Hove Lagoon and the harbour.**
  - AB2 – Aldrington Marina: Allocated for new employment floor-space (use classes B1, B2 and B8)**
  - AB3 – Ferry Wharf: Allocated for port related and compatible employment floor-space (use classes B1, B2 and B8).**
  - AB4 – Kingsway/Basin Road North: Allocated for mixed use redevelopment (use classes B1 and B2 at Basin Road North level, use classes A2, B1 and ancillary A1 at Kingsway level, and use class C3 on upper storeys).**
- Port operational areas are safeguarded for commercial port operations and related activities.**
- Hove Enterprise Centre and Maritime House are protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floor-space.**



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6. For sites AB1, AB2, AB3:
    - a. Building heights of two to three storeys are generally considered acceptable.
    - b. If taller buildings are proposed, care needs to be taken to consider sunlight impacts on other sites.
  7. For site AB4:
    - a. Building heights should be justified with regard to analysis of the local urban design context, orientation, sunlight and daylight impacts, and apply high quality design principles.
    - b. Development should maintain a sense of openness and promote views through to the harbour wherever possible. The scale of development should provide a positive impact on the street environment along Kingsway.
    - c. Development should provide an attractive character along the A259 and contribute towards the street scene.
  8. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Kingsway (A259) – Wharf Road junction and Wharf Road – Basin Road North – Basin Road South junction.
  9. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to embankments between Kingsway (A259) and Wharf Road/Basin Road North as part of the green corridor alongside the A259.
  10. Where open space requirements cannot be met on site, development will be required to contribute towards existing open spaces, such as Hove Lagoon, Portslade Beach, Wish Park and/or Vale Park.
  11. The partnership will work with developers and stakeholders to deliver the package of transport measures for Aldrington Basin as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
    - Improvements to the following junctions:
      - Wellington Road (A259) – Church Road (A293) – Basin Road North
      - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
    - Upgrade and extension of Basin Road North.
    - The following cycling infrastructure improvements:
      - Improvements to the cycling facilities along the A259
      - Improvements to NCN2 to create a safe and continuous route along Wharf Road and Basin Road South
    - Improvements to pedestrian and cycle crossing points.
    - Improvements to bus stops.



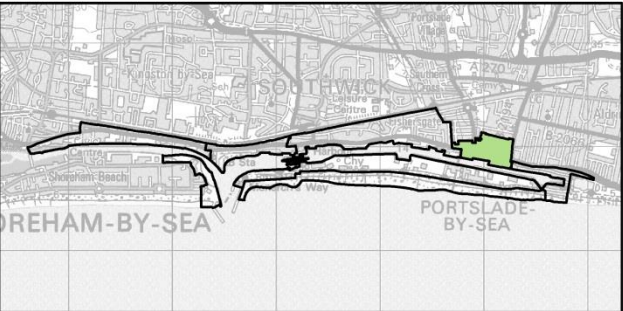
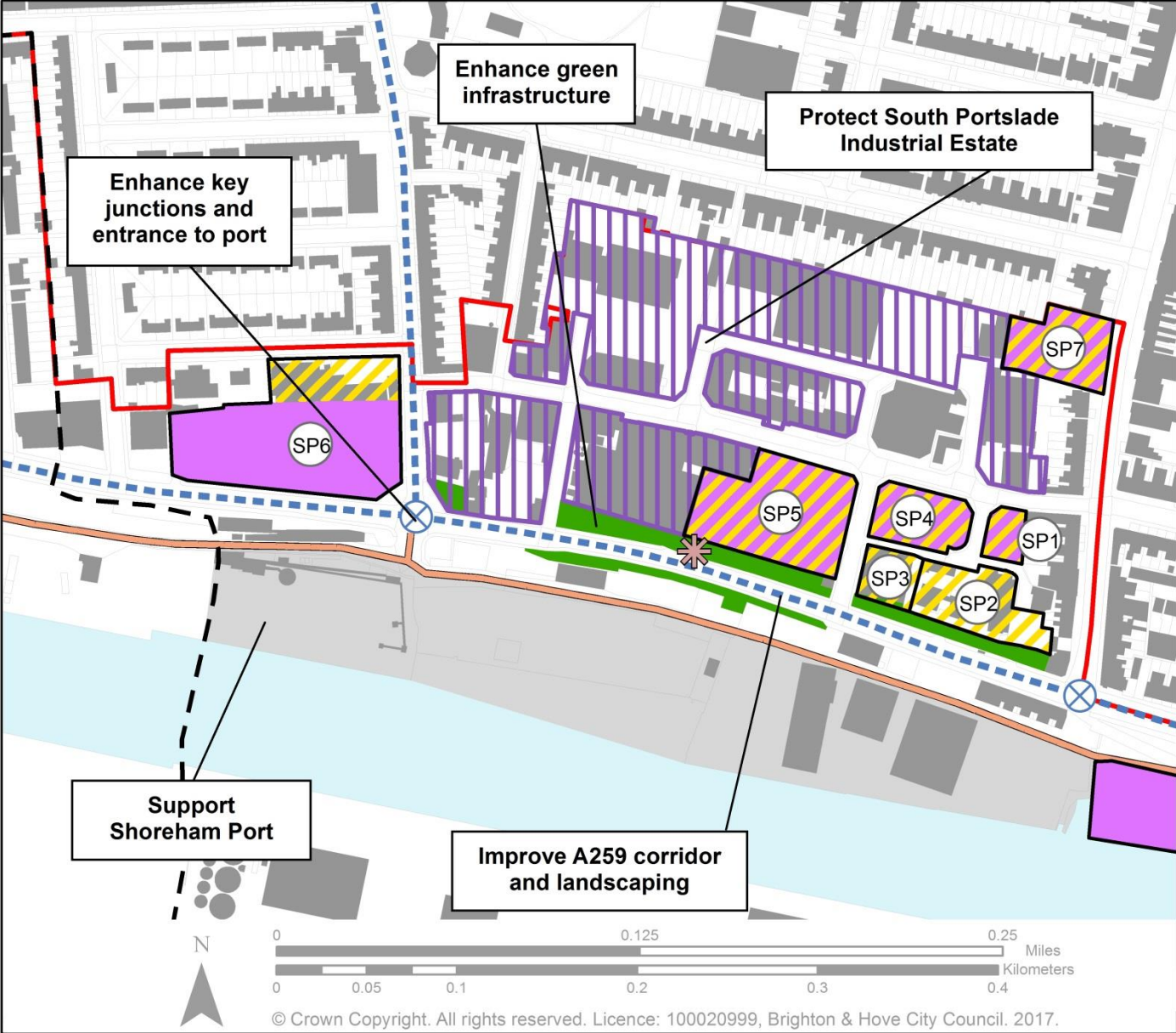
# NORTH QUAYSIDE AND SOUTH PORTSLADE





Map 8 – CA3: North Quayside and South Portslade

- Shoreham Harbour Regeneration Area
- Local authority boundary
- Allocation
- Residential (proposed)
- Employment (proposed/protected)
- Protected employment
- Green corridor
- Port (operational)
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- Junction improvements
- Public art opportunity (indicative)



## 4.3 Character Area 3 – North Quayside and South Portslade

### Area Priorities

- To designate South Portslade as an allocation for new mixed use development. To designate a strategic employment/mixed-use area (Allocations SP 1 to SP7).
- To accommodate a mix of new and improved employment generating floor-space (use classes B1, B2 and B8).
- To accommodate appropriately located mixed use development (B1, and C3).
- To revise the boundary of South Portslade Industrial Estate and protect for employment generating uses.
- To safeguard and develop North Quayside as a new and improved port operational area accommodating new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.
- To secure improvements to legibility, permeability and connectivity through high quality building design, townscape and public realm; respecting and complementing the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To improve connections and townscape around key linkages including Boundary Road/Station Road (B2194) district retailing centre, Church Road (A293) and along Wellington Road (A259).
- To ensure that all development takes in to account the findings and recommendations of the current Strategic Flood Risk Assessment and Flood Risk Management Guide SPD (2015).
- To ensure that new development proposals take account of noise and air quality impacts and that improvements are sought wherever possible.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including a green corridor along the A259.

### About the area

- 4.3.1 The North Quayside area of the port and South Portslade are home to a diverse mix of mostly industrial premises nestled within a residential neighbourhood. Land uses on the south-side of the A259 are predominantly port-related, industrial and aggregate uses including the safeguarded Britannia Wharf.
- 4.3.2 South Portslade Industrial Estate is defined predominantly by employment generating uses. This includes car garages, offices and product fabrication.
- 4.3.3 To the north and west of the industrial estate, the area is abutted by residential properties, in some cases on the same street (such as Church Road (A293) and St. Peter's Road).
- 4.3.4 To the east is the district retailing centre of Boundary Road/Station Road (B2194), leading to Portslade Station.
- 4.3.5 There are several community uses such as the City Coast Church and Community Centre, St Peter's School and the Brighton & Hove City Council-owned Belgrave Day Centre.

### Transport and connections

- 4.3.6 Refer to the *Shoreham Harbour Transport Strategy* for details of the package of measures proposed to support the development of this allocation.
- 4.3.7 The southern edge of the industrial estate is defined by the stark environment of Wellington Road (A259). Although benefitting from views to the sea over the working harbour, the A259 suffers from weak frontages and buildings backing on to its northern side, poor quality public realm and a lack of frontage to the south. The townscape environment, particularly along Wellington Road is run down and unsightly which has a detrimental impact on the perception of this part of the harbour.
- 4.3.8 The industrial estate's internal road network is not well connected to its surroundings and is bound to the north and west by rows of terraced housing. There are two main north-south access roads, Boundary Road/Station Road (B2194) and Trafalgar Road/Church Road (A293). These are well used by HGVs and link the harbour to the A270 and A27.

### Improving key junctions

- 4.3.9 The Wellington Road (A259) – Church Road (A293) junction is particularly impacted by air quality issues, relating in particular to heavy goods vehicles. This limits the types of uses that are suitable to be situated in close proximity.
- 4.3.10 There is currently a narrow one-way port access road (Basin Road North) on to Wellington Road (A259) at the junction with Boundary Road/Station Road (B2194). Shoreham Port Authority intends to upgrade and extend this road to the junction with Church Road (A293) to form a more accessible route through the operational port.
- 4.3.11 These routes are key gateways into the harbour area and the Transport Strategy promotes improvements to both the Wellington Road (A259) – Church Road (A293) – Basin Road North junction as well as the Wellington Road/Kingsway (A259) – Boundary Road/Station Road (B2194) – Basin Road North junction.

### Improving connections and streetscape

- 4.3.12 Opportunities exist to enhance the permeability of South Portslade Industrial Estate in order to repair and reconnect sites to adjacent neighbourhoods and key routes. Improvements to cycle routes and pedestrian crossings as well as improved connections with stations are proposed.
- 4.3.13 During the plan period, opportunities may exist to create new and improved north-south connections. Beyond the plan period, further opportunities may exist to unlock and extend routes (pedestrian or vehicular) such as Ellen Street and West Street.
- 4.3.14 Linkages to existing recreation and open space assets such as Hove Lagoon, Vale Park, Wish Park and Portslade and Southwick Beaches will also be promoted.

## Flood risk and sustainable drainage

4.3.15 South Portslade is situated outside of the area that is at risk of tidal and fluvial flooding. However the Brighton & Hove Strategic Flood Risk Assessment (SFRA, 2012) identifies some parts of the area as being at risk of surface water flooding in both the 1 in 30 and 1 in 200 year events. This is particularly the case around the junction of Church Road and Wellington Road as this is a localised area of lower lying land.

4.3.16 Surface water flooding can result in pollution to water and development in this location will need to take this flood risk constraint into consideration. Sustainable drainage systems (SuDS) have been identified for areas to the north of the allocation.

4.3.17 Surface water run-off and SuDS are assessed by the Lead Local Flood Authority. These improvements will benefit development in this location. Developments should therefore contribute towards improvements to limit the surface water flooding. Refer to the *Urban Sustainable Drainage System Feasibility Study* (2015, Brighton & Hove City Council) for further details.

4.3.18 Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) or subsequent update for full details of requirements in relation to protection from flooding.

## Green infrastructure

4.3.19 The grassed frontages on the northern side of Wellington Road (A259) and the steep embankment between Wellington Road (A259) and Basin Road North form part of the proposed green corridor through the regeneration area.

4.3.20 The partnership will promote green infrastructure improvements in these areas through the emerging Shoreham Harbour Green Infrastructure Strategy. Development in this area will be expected to take these aspirations into consideration.

4.3.21 The grassed frontages to Wellington Road (A259) have the potential to provide multifunctional amenity space for adjacent development sites. The partnership will seek landscape and ecological improvements such as the creation of wildflower meadows, plug planting of suitable species, planting of native hedgerows.

4.3.22 Adjacent development should incorporate green walls and roofs. The sites also have potential for sustainable drainage (SuDS) features such as rain gardens or swales. Appropriate public art will also be encouraged.

4.3.23 The Basin Road North embankment could be improved to provide a more attractive southern edge to Wellington Road (A259).

4.3.24 Vale Park is situated just outside the regeneration area. The partnership will seek improvements to enhance the ecology and amenity of this public open space.

4.3.25 The *Shoreham Harbour Green Infrastructure Strategy* will set out full details of requirements in relation to green infrastructure and biodiversity.



Wellington Road frontage



Development opportunities

4.3.26 North Quayside will remain safeguarded for port-related operational uses as part of the consolidation of port activities.

Allocation: South Portslade

4.3.27 Much of South Portslade Industrial Estate will be protected for employment generating uses. This protection will be extended to include sites to the west of Church Road (A293). A number of sites will be released to accommodate mixed use development including both employment generating and residential floor-space. Key proposals are shown in further detail in Map 8.

4.3.28 Although Brighton & Hove City Council owns some of the land within the estate, the majority of sites within the estate are privately owned. This may provide the opportunity for the partnership to coordinate a comprehensive redevelopment approach. Key planning considerations for the renewal of this area include impact on employment floor-space supply, impact on existing businesses and the compatibility of introducing new residential uses within the existing employment uses to the north and port operational uses to the south.

Managed release of sites for mixed-use redevelopment opportunities

4.3.29 Due to the proximity of a concentration of well-established predominantly industrial uses, the release of sites within the estate for redevelopment requires careful management. The core of the industrial estate will remain protected for employment uses and extended to include sites to the west of Church Road (A293).

4.3.30 A limited number of carefully selected plots around the periphery are promoted for redevelopment. These sites have been selected either where they are vacant and redundant from their existing use, where their location makes them peripheral to the employment area core or where redevelopment would provide wider regeneration benefits. Locations where redevelopment opportunities are promoted are as follows:

- Sites SP1, SP2, SP3 and SP4 (see Map 8) are bounded by Camden Street, North Street and Wellington Road (A259). With the exception of the existing shops and amenities on North Street and Boundary Road / Station Road, much of this block could be comprehensively redeveloped for a mixed use scheme, in particular focussing on improving the frontage visible from the A259.
  - Prestwich House (site SP1) is suitable for mixed use redevelopment comprising employment uses (use classes B1) on lower storeys and residential (use class C3) on upper storeys.
  - The former Belgrave Day Centre (site SP2) and Wellington House (site SP3) could be redeveloped to accommodate residential development (use class C3).
  - Regency House (site SP4) remains suitable for employment uses (use classes B1 or B2) compatible with the adjacent residential use. If redeveloped the site could accommodate a mix of uses including employment (use class B1) on lower storeys and residential uses (use class C3) on upper storeys.

- The Former Flexer Sacks (site SP5 on Map 8) is suitable for mixed use redevelopment comprising employment uses (use class B1) on lower storeys and residential (use class C3) on upper storeys. Leisure and assembly uses (use class D) may be permitted provided they are compatible with residential and employment uses in the vicinity.
- Site SP6 is bounded by Church Road, Wellington Road and St Peters Road (see Map 8). The northern portion of the site fronting onto St Peters Road is suitable for residential development (use class C3). The southern portion of the site is allocated for new employment development (use classes B1, B2, and B3) provided it is compatible with adjacent residential development.
- Station Road (site SP7 on Map 8) is suitable for mixed use redevelopment comprising active commercial and retail uses at ground floor (use classes A1, A2, A3 and B1) and residential (use class C3) on upper storeys and to the rear of the site.
  - The depth of the site would allow the creation of a small number of mews / terraced houses off the main street.

4.3.31

Residential uses

New residential developments will provide much needed new homes and help contribute to the creation of a softer edge to the fringes of the port operational and employment areas. They will also help to deliver public realm and infrastructure improvements through contributions arising from planning obligations.

4.3.32

At South Portslade, a mix of apartments, terraced town houses and mews housing would be appropriate, with the majority of residential dwellings likely to be arranged as flatted accommodation, for example, apartments arranged to complete urban blocks or forming new perimeter blocks. A number of sites in South Portslade are proposed as apartment blocks of varying heights overlooking Wellington Road and the port to the south.

4.3.33

Opportunities exist to create a two to three storey mews housing typology on the northern portion of site SP6 and to the rear of Station Road on site SP7.

4.3.34

Redefining the core employment area boundary

The South Portslade Industrial Estate is protected for employment generating uses and an extended core employment area is proposed. The original boundary was based on the Employment Area designation in the adopted Brighton & Hove Local Plan (2005). The area is extended to include sites to the west of Church Road (A293).

4.3.35

North Street remains the core spine of the employment area fronted by modern employment floor-space. Opportunities will be sought by the partnership to support and promote the provision of modern employment floor-space and improve the business environment within the redefined core employment area.

4.3.36

Supporting community assets

There are several valued community assets within the area including City Coast Church and Community Centre, St Peters Primary School. New developments in the area should take into account the proximity to these activities, seek to enhance the quality of their environment wherever possible and mitigate potential impacts.



### Policy CA3: South Portslade and North Quayside

1. North Quayside is safeguarded for future commercial port operations and related activities.
2. South Portslade is designated as a strategic employment/mixed use area.
3. The partnership will work with developers and stakeholders to deliver:
  - a. a minimum of 210 new residential dwellings (use class C3).
  - b. a minimum of 3,000m<sup>2</sup> employment floor-space (use classes B1, B2 and B8).
  - c. ancillary leisure uses.
4. Site allocations at South Portslade (shown on Map 8) are:
  - a. SP1 – Prestwich House (and adjoining): Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys).
  - b. SP2 – Former Belgrave Centre (and adjoining): Allocated for residential development (use class C3).
  - c. SP3 – Wellington House: Allocated for residential development (use class C3).
  - d. SP4 – Regency House: Allocated for mixed use development (use class B1 on lower storeys and use class C3 on upper storeys).
  - e. SP5 – Former Flexer Sacks: Allocated for mixed use redevelopment (use class B1 on lower storeys and use class C3 on upper storeys. Associated leisure and assembly (use class D) uses may be permitted provided they are demonstrated to be compatible with residential and employment uses in the vicinity.
  - f. SP6 – Church Road/Wellington Road/ St Peter's Road: The southern portion of the site is allocated for new employment development (use classes B1, B2 and B8). Employment uses must be compatible with adjacent residential development. As part of a comprehensive redevelopment, residential development is acceptable on the northern portion of the site, fronting onto St Peter's Road.
  - g. SP7 – Station Road: Allocated for mixed use redevelopment (use classes A1, A2, A3 and B1 fronting Station Road and use class C3 to the rear and on upper storeys)
5. South Portslade Industrial Estate (as shown on Map 8) is protected for employment generating uses (use classes B1, B2 and B8). The council will support proposals for the upgrade and refurbishment of these premises. The council will resist proposals for change of use to other types of floor-space.
6. For sites SP1, SP2, SP3, SP4, SP5, and the southern portion of site SP6:
  - a. Building heights up to six storeys are generally considered acceptable.
  - b. New buildings should be set back from Wellington Road to allow the enhancement and extension of the proposed green corridor.
7. For site SP7, and the northern portion of site SP6:
  - a. Building heights up to three storeys are generally considered acceptable.

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8. Comprehensive redevelopment may offer potential for greater building heights, subject to consultations through the planning application process, detailed design considerations and meeting the principles of the emerging Urban Design Framework.
  9. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Boundary Road/Station Road (B2193) – Wellington Road (A259) junction and Church Road (A293) – Wellington Road (A259) junction.
  10. The partnership will work with developers and stakeholders to support and identify mechanisms for implementing ecological and landscaping improvements to the Wellington Road frontage as part of the green corridor alongside the A259.
  11. New developments fronting Wellington Road should be set back beyond the proposed green corridor. Given the proximity to both the road and port operational uses this will prevent a canyoning effect and ensure that residents are protected from noise and air quality impacts.
  12. Where open space requirements cannot be met on site, development will be required to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as Vale Park, Hove Lagoon and/or Portslade Beach.
  13. The partnership will work with developers and stakeholders to deliver the package of transport measures for North Quayside and South Portslade as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
    - Improvements to the following junctions:
      - Wellington Road (A259) – Church Road (A293) – Basin Road North
      - Kingsway/Wellington Road (A259) – Boundary Road/Station Road (B2194) – Basin Road North
    - Improvements to the cycling facilities along the A259. Improvements to pedestrian and cycle crossing points.



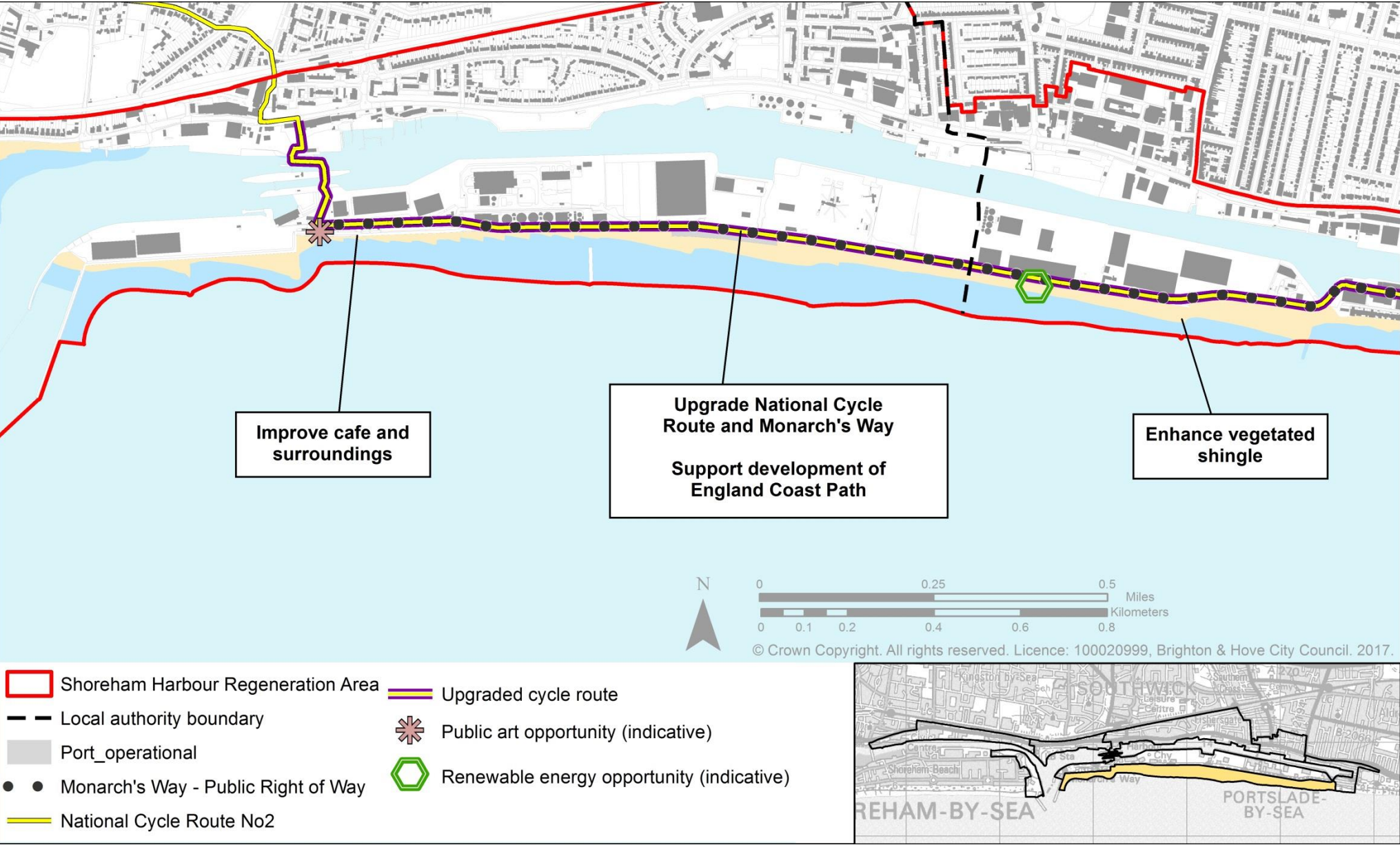


# PORTSLADE AND SOUTHWICK BEACHES





Map 9 – CA4: Portslade and Southwick Beaches



## 4.4 Character Area 4 – Portslade and Southwick Beaches

### Area priorities

- **To seek improvements to the quality, access, appearance and maintenance of the public right of way, beach promenade, public areas and beach environment.**
- **To support the delivery of the England Coast Path along the beaches.**
- **To protect and enhance important habitats and species, such as coastal vegetated shingle as part of a green corridor along the beaches.**

### About the area

4.4.1

Basin Road South runs parallel to South Quayside and provides vehicular access to the main operational port areas. It forms part of the national cycle network (NCN2) which runs along Wharf Road and Basin Road South before crossing the lock gates. NCN2 will eventually connect many of the urban areas along the south coast. Basin Road South also forms part of Monarch's Way walking trail which runs along the road to Hove Lagoon before continuing along the seafront promenade.

4.4.2

The England Coast Path currently being developed by Natural England is likely to follow this route. The partnership will work with Natural England to secure improvements to the route through this area.

4.4.3

There is potential to improve this access route, whilst maintaining the security of the adjacent port operational areas.

4.4.4

At the eastern end of Portslade beach is Basin Road South LWS; designated for coastal vegetated shingle. This site is part of the operational port and remains in active use. Vegetated shingle covers less than half of the site and is not considered to be an outstanding example of its type. However it is the largest example of this habitat within Brighton & Hove.

4.4.5

There are further areas of coastal vegetated shingle spread out along the coastal frontage. These are relatively isolated from each other. There is therefore potential to connect these habitats to create a continuous corridor as part of an enhanced green infrastructure network. There is potential for raising public awareness through better demarcating of habitats and interpretive signage.

4.4.6

Despite the industrial feel of this route, it remains popular and the beaches are frequented by local families, swimmers, surfers and artists, particularly during the summer months. There is also a café and public car park. The Adur District Council-owned beach huts adjacent to the café have recently been refurbished (2010) and remain oversubscribed. There may be an opportunity to increase the number of beach huts.



#### **Policy CA4: Portslade & Southwick Beaches**

- 1. The beach areas and adjacent public spaces will be safeguarded for the protection of coastal processes, marine habitats and the enjoyment of local communities and visitors.**
- 2. The partnership will promote and deliver the enhancement and creation of vegetated shingle habitats to create a continuous corridor along the beaches. Compensatory habitat creation and safeguarding will be required for any loss or disturbance to existing habitats.**
- 3. The partnership will promote improvements to the seafront café and immediate surrounding area.**
- 4. The partnership will promote opportunities to improve the quality of the National Cycle Route No. 2 and Public Right Of Way corridor in accordance with the Transport Strategy.**
- 5. The partnership will work with Natural England to support the delivery of the England Coast path through the Portslade and Southwick Beaches area.**
- 6. The partnership will promote opportunities to improve the quality of public access areas connected to the beaches including:**
  - Work with local community to identify suitable locations for the incorporation of public art.**
  - Explore potential for increasing beach huts and converting some to artist's studios.**
  - Explore opportunities for environmental improvements to the car park entrance and boundaries including landscaping, fencing, signage, lighting and an enhanced entrance.**



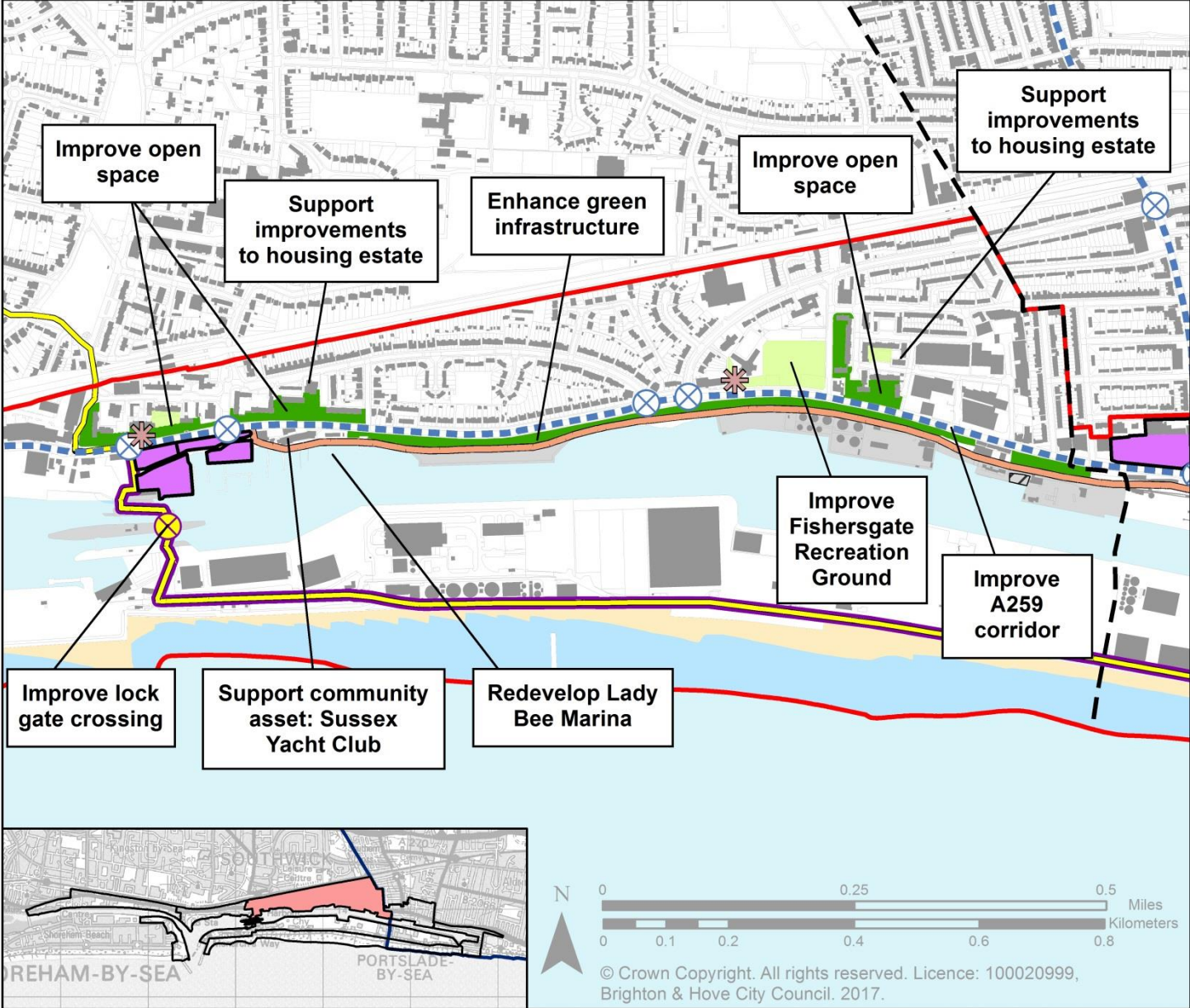
# FISHERSGATE AND SOUTHWICK





Map 10 – CA5: Fishersgate and Southwick

- Shoreham Harbour Regeneration Area
- Local authority boundary
- Allocation
- Employment (proposed/protected)
- Green corridor
- Port (operational)
- Open space (exisiting)
- Canal infill (proposed)
- Priority corridor (transport/public realm)
- New/upgraded port access road (proposed)
- National Cycle Route No2
- Upgraded cycle route
- Pedestrian/cyclist gateway
- Junction improvements
- Public art opportunity (indicative)



## 4.5 Character Area 5 – Fishersgate and Southwick

### Area priorities

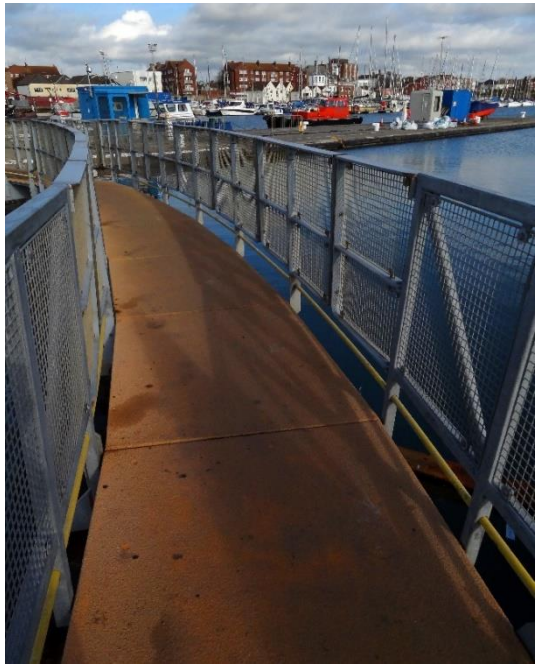
- To designate Southwick Waterfront as an allocation for new mixed use development.
- To support the comprehensive redevelopment of Southwick Waterfront to accommodate a mix of new and improved employment generating uses (use classes B1, B2 and B8).
- To safeguard and develop port operational areas to accommodate new and relocated port uses with limited land reclamation and a new access road (within the port boundary) in line with the Port Masterplan.
- To support the comprehensive reconfiguration of Lady Bee Marina.
- To address deprivation through partnership working with Adur Homes, Action Eastbrook Partnership and local service providers.
- To improve sustainable transport links with surrounding communities.
- To support improvements to local housing estates and community facilities, including enhancing Fishersgate recreation ground.
- To enhance biodiversity by creating and improving habitats and improved green infrastructure links, including landscape enhancements to social housing estates.
- To support the delivery of the England Coast Path through the Southwick Waterfront area.

### About the area

- 4.5.1 The Fishersgate and Southwick area comprises a mix of residential, community, open space, recreational, port and employment uses. Within the residential community there are pockets of deprivation which is the focus for the work of the Action Eastbrook Partnership.
- 4.5.2 The area extends from the district boundary to the lock gates over the Canal.
- 4.5.3 The eastern end of this character area comprises the Fishersgate neighbourhood, between the railway line to the north and the busy A259 to the south. There is a footbridge over the railway line at Fishersgate station. The residential areas located here are in very close proximity to the industrial activities of the port including the fuel storage facility as well as a nearby industrial estate and electricity substation.

- 4.5.4 There are a number of community assets including two community centres, a recreation ground with children’s play area, Shoreham Academy’s Gateway Centre, and a children and family centre. Fishersgate has been identified as a focus area requiring better facilities for youth services. Currently there is no dedicated youth centre close by, although there are a number of community facilities which could offer or do offer a youth service provision.
- 4.5.5 The area is a densely populated urban area with a high proportion of flats. The housing is predominantly terraced with some semi-detached houses and two Adur Homes-owned estates with multi-storey flatted developments reaching up to six storeys high. The surrounding public landscaped space is fairly sparse but serves as a green buffer between housing and the road.
- 4.5.6 The Mill Road Industrial Estate, located to the east of the Fishersgate area, comprises a mix of retail units, manufacturing warehouses, office space and storage (including self-storage) warehouses. In the west of this character area is the Grange Industrial Estate which comprises a mix of retail units, manufacturing units, printing companies and distributing warehouses.

- 4.5.7 Southwick Waterfront, adjacent to the lock gates, has been identified as an allocation for new employment floor-space. The lock gates carry the National Cycle Route (NCN2) across the harbour and are an important pedestrian route to South Quayside and Southwick Beach. Many of the buildings and public realm in this area is of poor quality. However it is adjacent to the popular Lady Bee Marina and Southwick Riverside Conservation Area, which includes the Grade II listed Sussex Yacht Club boat store.



Lock gate and Southwick Waterfront



Lady Bee Marina and Southwick Riverside Conservation Area



## Transport and connections

- 4.5.8 Refer to the Shoreham Harbour Transport Strategy for details of the package of measures proposed to support the development of Allocation Southwick Waterfront and the wider character area.
- 4.5.9 Southwick town centre is located north of the railway line, outside the regeneration area. There are two access points linking the centre of Southwick with the Southwick Waterfront area. Pedestrian and cycle connections linking Fishersgate with surrounding areas are poor. The A259 is the main east-west route.
- 4.5.10 The transport strategy proposes a range of measures for this area including junction improvements to the A259/Lady Bee Marina junction; A259 bus priority measures; improvements to the NCN2 cycle route across the lock gates; an A259 cycle facility linking and improved cycle and pedestrian crossing points and public realm.
- 4.5.11 Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA5 – Fishersgate and Southwick, crossing over the lock gates.

## Flood risk and sustainable drainage

- 4.5.12 Most of Fishersgate and Southwick are situated outside of the area at risk of tidal and fluvial flooding for present day flood risk. The estimated flood depth for this site during a 1 in 200-year tidal flood event has been shown to be relatively low (up to 0.4m). The 2115 prediction factoring in climate change however indicates that flood depths could increase to between 1m and 1.6m and much of the site becomes at risk of flooding.
- 4.5.13 At the Southwick Waterfront allocation, existing land levels vary from 3.6m AOD (Above Ordnance Datum) to in excess of 8m AOD. The majority of the site is at a level of between 4.0m and 5.0m AOD. Only the northern section of the site exceeds 5.0m AOD.
- 4.5.14 Parts of the waterfront fall within Tidal Flood Zones 2 and 3. The estimated maximum flood depth for this area for the 1:200 year tidal event is 0.40m.
- 4.5.15 The risk associated with this form of flooding increases significantly when sea level rise associated with climate change is factored in. In this scenario, maximum estimated flood depths increase to about 1.4m with increased flood velocities. Development in this location will need to take this flood risk constraint into consideration.

4.5.16

The Brighton Marina to River Adur Strategy identifies improvements to flood defence infrastructure in this locality. Improvements will help protect areas identified for development and because no residential development is identified for this allocation, it is considered appropriate that building level resilient and resistant measures will be sufficient.

4.5.17

Surface water flooding is also a risk to the site as it can result in pollution to water. Development in this location will need to take this flood risk constraint into consideration.

4.5.18

Developers should include SuDS and building level resistant and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach is set out in the following publications (or subsequent replacement documents):

- Adur & Worthing Councils and/or Brighton & Hove Council's SFRAs
- Water. People. Places: A guide for master planning sustainable drainage into developments
- CIRIA SuDS Manual

4.5.19

Refer to the *Shoreham Harbour Flood Risk Management Guide SPD* (2015) for full details of requirements in relation to protection from flooding.



## Green infrastructure

- 4.5.20 East of Lady Bee Marina the North Canal Bank slopes steeply from the canal up to the A259. This undeveloped grassland provides an important green infrastructure role as a linear wildlife corridor, and is an important habitat for common lizards and slow worms.
- 4.5.21 The partnership will support Shoreham Port Authority to manage and enhance this area. Potential interventions include landscape and ecological improvements such as planting of native hedgerows, plug planting of suitable species and improved sustainable transport links.
- 4.5.22 To the north of Fishersgate Terrace/Albion Street (A259) the social housing estates are set amongst areas of grassed space. These spaces have significant enhancement potential to provide both amenity space to residents and ecological benefits. Two pocket parks have already been created at Coates Court, Southwick and Laylands Court, Fishersgate. The partnership will continue to work with Adur Homes and Action Eastbrook Partnership to improve these areas
- 4.5.23 The grassed areas around the housing estates, the North Canal Bank and Fishersgate Recreation Ground form key elements of the proposed green corridor through the regeneration area.
- 4.5.24 The *Shoreham Harbour Green Infrastructure Strategy* will set out detailed proposals for these areas.



North Canal Bank



Fishersgate Recreation Ground



Frontage to housing estate

## Development opportunities

4.5.25 For the foreseeable future the waterfront area adjacent to Fishersgate will remain safeguarded for port-operational uses. As port uses change over time it will be important to take account of the effect on nearby residential areas.

### Allocation: Southwick Waterfront

4.5.26 Southwick Waterfront has been identified for a minimum of 4,000m<sup>2</sup> new employment floor-space and provision of small scale business units (use classes B1 and B2). It is acknowledged that a lower level of development may be achieved if some buildings are refurbished, rather than redeveloped. Residential development is not appropriate due to the proximity of port operations.

4.5.27 A public right of way, and part of the national cycle route (NCN2) run through the area, crossing over the lock gates. Public realm in this area is poor. This could be improved as part of new development and the delivery of the England Coast Path.

## Lady Bee Marina and Riverside Conservation Area

4.5.28 Lady Bee Marina currently contains an eclectic assortment of interesting buildings, many dating from the 19th and early 20th centuries. The marina has a quaint, maritime charm and includes a chandlery and pub/restaurant. It has 120 pontoons for private boats and is a popular spot for anglers and dog walkers.

4.5.29 Parts of Lady Bee Marina fall within the Riverside Conservation Area including the Grade II listed Royal Sussex Yacht Club. The Riverside Conservation Area also includes several residential dwellings, a pub and the former Southwick Town Hall now used for offices.

4.5.30 The Port Masterplan describes this location as lacking design quality and integrity with spatial constraints causing car parking to be marginalised and squeezed into any available space. It identifies the area as having significant potential for enhancement to improve the leisure offer within the port.

4.5.31 There is a flat area of green space to the east of the marina, accessed on foot via a narrow path or steps down the steep retaining north canal bank from the A259. This is commonly used for dog walking and angling however suffers from littering. The Port Masterplan identifies this area as having potential for improvements including a canal-side walkway, a new service road, car park, dry boat store and new base for local youth groups. This location could act as a buffer between the more industrialised North Quayside area and a new revitalised marina.

## Policy CA5: Fishersgate and Southwick

1. Southwick Waterfront is designated as a strategic employment area (Allocation Southwick Waterfront).
2. The partnership will work with, developers and stakeholders to deliver a minimum of 4,000m<sup>2</sup> new employment floor-space. The partnership will support the redevelopment of sites to deliver high quality, modern employment floor-space.
3. The partnership will work with developers and stakeholders to deliver the reconfiguration of Lady Bee Marina. This will include:
  - Improved marina facilities, expanded berthing capacity and waterside leisure provision, including a new slipway, utilising canal edge water space to the east.
  - Complimentary waterside facilities.
4. Port operational areas, including the dry dock, are safeguarded for future commercial port operations and related activities.
5. Ongoing protection will be provided for the functioning of the dry dock ensuring that land uses in the immediate vicinity do not compromise its ongoing efficient use.
6. Development should respect and connect with surrounding areas. Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular pedestrian and cycle routes from Southwick station and Southwick Green across the lock gates to the beaches, and an improved alignment of the Nautilus House access road serving Allocation Southwick Waterfront and the dry dock.
7. The partnership will support Adur Homes, Action Eastbrook Partnership and local service providers to deliver improvements and harness benefits arising for harbour-side communities. Emerging priorities include:
  - Enhancing Fishersgate Recreation ground.
  - Supporting and enhancing local community facilities.
  - Supporting improvements to housing estates.
  - Promoting opportunities to support communities in improving green infrastructure to provide amenity to residents and enhance biodiversity.
8. The partnership will support and identify mechanisms for implementing ecological and landscaping improvements to the frontage of housing estates to Fishersgate Terrace/Albion Street (A259), Fishersgate Recreation Ground and the North Canal Bank as part of the green corridor along the A259.
9. The partnership will work with developers and stakeholders to deliver the package of transport measures for Fishersgate & Southwick as set out in the *Shoreham Harbour Transport Strategy*. Critical measures include:
  - Improvements to the following junctions:
    - Albion Street (A259)-Riverside junction serving Lady Bee Marina.
    - Improvements to the Albion Street (A259) junction serving Southwick Waterfront.
  - Improvements to cycling facilities along the A259.
  - Improvement to the pedestrian and cycle route across the lock gates.
  - Improved pedestrian and cycle crossing points.
  - Bus stop improvements.
10. The partnership will support the delivery of the Southwick Waterfront access road, with limited canal infill where required, to create space for an access road and waterside footway / cycle path.

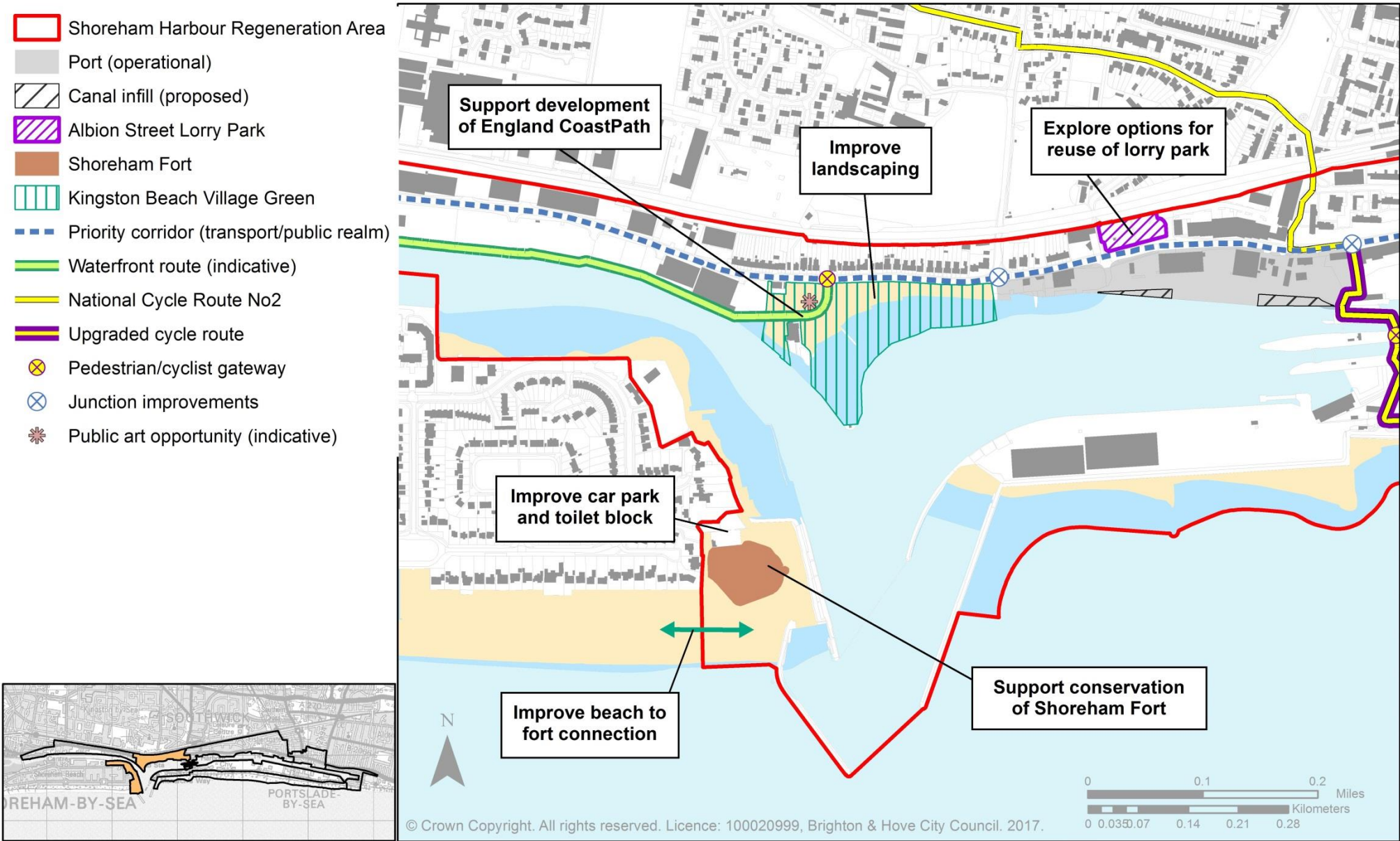


# HARBOUR MOUTH

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Area priorities

- To support the conservation of Shoreham Fort.
- To enhance connections between Shoreham town centre, Shoreham Beach and Shoreham Fort through environmental and landscaping improvements.
- To support the redevelopment of Shoreham Rowing Club and enhance the public realm environment of Kingston Beach.
- To explore options for the future use of the Albion Street lorry park.
- To support Adur Homes in exploring options for redevelopment of housing sites.
- To support the delivery of the Shoreham Heat Network.

About the area

- 4.6.1 CA6 – Harbour Mouth is split across either side of the River Adur at the mouth of the river. This is the entrance to the harbour. The southern section is also within the area covered by the emerging Shoreham Beach Neighbourhood Plan.
- 4.6.2 The remains of Shoreham Fort, a Scheduled Monument, are on Shoreham Beach. The fort was completed in 1857 and is one of the celebrated south coastal defences built under the Victorian Prime Minister Lord Palmerston. It is of national historical importance and was a vital part of the south coast defence system.
- 4.6.3 A local charity, the Friends of Shoreham Fort supported by Shoreham Port Authority, have taken responsibility for conserving the fort. This area is a popular destination for walkers. It is well used by anglers and home to the National Coastwatch Institute look-out tower.
- 4.6.4 In recent years there have been various plans for the fort including local interest for incorporating an educational facility and improving the public toilet block.



4.6.5	The Environment Agency plan to improve the layout, surfacing and public realm of the car park area at the Fort through the Shoreham Adur Tidal Walls scheme. The fort will benefit from this improvement. In addition, an upgrade including improved signage, benches, and potentially a café/visitor centre facility would further improve the area.		Green status to safeguard it as a public space. The beach is home to Shoreham Rowing Club as well as the new RNLI lifeboat building, a maritime themed, low carbon building of significant architectural merit.		
		4.6.10	Kingston Beach is also home to the Grade II listed Kingston Buci Lighthouse, a distinctive local landmark. There is a wealth of local history that could be better interpreted in this location through imaginative signage. There is significant potential to improve the landscaping and street furniture to make it more accessible and appealing as a local amenity area.	4.6.13	<b>Development opportunities</b> The existing port operational area will be retained for port use. There are significant opportunities to improve the amenity value of Shoreham Fort and Kingston Beach for the benefit of local residents and visitors.
4.6.6	To the west of the fort is Shoreham Beach, a residential community almost entirely surrounded by water, connected to the town centre by Norfolk Bridge and the Adur Ferry Bridge. The beach area has a fascinating history. It was originally empty scrub created by a shingle bank that developed over centuries through longshore drift.			4.6.14	The Albion Street lorry park is no longer required in this area. The partnership is exploring alternative uses for the site, including relocation of businesses from elsewhere in the regeneration area.
		4.6.11	Directly opposite Kingston Beach is a row of terraced housing, including several Adur Homes-owned properties.	4.6.15	Adur Homes is exploring opportunities to redevelop a number of older properties on the northern side of Albion Street. The partnership will support the redevelopment of these sites.
4.6.7	The beach itself is designated as a Local Nature Reserve (LNR) and Local Wildlife Site (LWS). The designating feature of the LNR is its rare and beautiful flowering vegetated shingle that has adapted over time to the harsh conditions.	4.6.12	To the east of these properties on the south-side of the A259 is the port operational area; whilst on the north-side of the A259 are a number of dwellings, Albion Street Lorry Park, and a range of light industrial and employment generating uses.	4.6.16	The proposed waterfront route along the Western Harbour Arm will end at Kingston Beach. The partnership is exploring options to integrate this route with the village green and connect to the proposed A259 cycle route.
4.6.8	On the riverside of Shoreham Beach is Silver Sands, a small sandy beach between Sussex Wharf and Soldier's Point, which sees the flowering of wild Geranium and Childing Pink, a nationally rare and protected plant species.				
4.6.9	Directly opposite the harbour mouth is Kingston Beach, designated with Village				

- 4.6.17 The Shoreham Heat Network Partnership is progressing the delivery of a district heating network. The Shoreham Harbour District Energy Feasibility Study (2018) proposes a network served by marine source heat pumps and gas CHP. The study identifies the Middle Pier at the mouth of the harbour as a potential abstraction point for marine source heat pumps, and a discharge point to the west of the lifeboat station.



Shoreham Fort and Shoreham Beach



Kingston Buci Lighthouse and Shoreham Lifeboat Station

## **Policy CA6: Harbour Mouth**

1. The existing port operational areas will be safeguarded for future commercial port activity.
2. The partnership will work with the community and stakeholders to support the conservation of Shoreham Fort and enhancement of the surrounding area including:
  - Explore potential to provide visitor centre / café.
  - Improved car parking configuration and delineation of bays, including disabled parking.
  - Explore potential to improve public toilet block.
  - Improve sense of arrival and entrance on to site, ensuring disabled access as well as improved access between the car park and Shoreham Beach.
  - Upgrade of street furniture such as benches, signage, bins and lighting.
  - Improved way-finding connections to new footbridge.
3. The partnership will ensure that the Shoreham Beach Local Nature Reserve is protected. In particular the most sensitive sections of the beach in terms of ground nesting birds and vegetated shingle.
4. The partnership will work with the community and stakeholders to improve Kingston Beach including:
  - Redevelopment of Shoreham Rowing Club.
  - Upgrade of public open space areas in accordance with the Shoreham Harbour Streetscene Guidance and Shoreham Harbour Green Infrastructure Strategy.
  - Improve delineation/ formalisation of parking area.
  - Promote opportunities for interpretation of marine environment and biodiversity.
5. The partnership will promote appropriate streetscape planting along Albion Street and Brighton Road (A259) to extend the green corridor.
6. The partnership will support Adur Homes to maximise the use of its housing sites, including potential redevelopment.
7. The partnership will explore options for the alternative uses for Albion Street lorry park.
8. The partnership will explore options to deliver the eastern entry to the proposed Western Harbour Arm waterfront route.
9. The councils will support the development of infrastructure to deliver the Shoreham Heat Network.



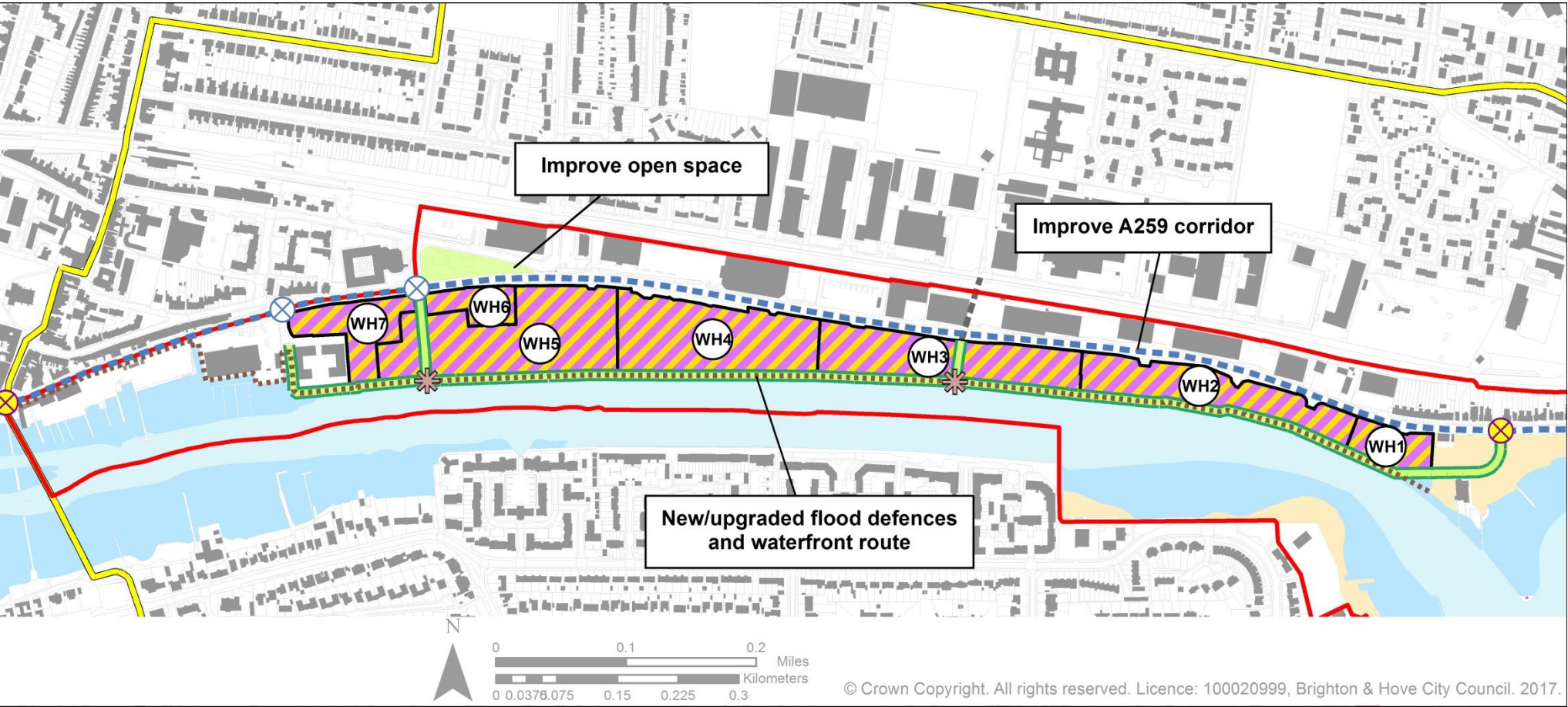
# WESTERN HARBOUR ARM



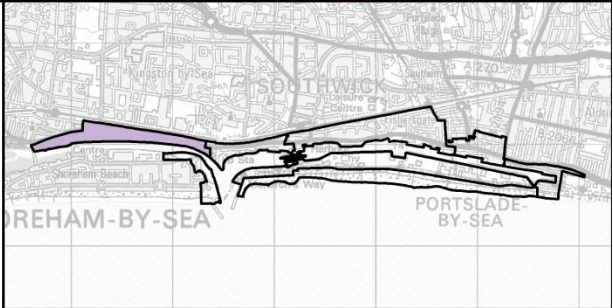


Map 12 – CA7: Western Harbour Arm

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- |                                    |  |                                     |
|------------------------------------|--|-------------------------------------|
| Shoreham Harbour Regeneration Area | New/upgraded flood defences (proposed)     | Potential pedestrian cyclist bridge |
| Allocation                         | Priority corridor (transport/public realm) | Pedestrian/cyclist gateway          |
| Residential (proposed)             | Waterfront route (indicative)              | Junction improvements               |
| Employment (proposed)              | National Cycle Route No2                   | Public art opportunity (indicative) |
| Open space (existing)              |  |                                     |



## 4.7 Character Area 7 – Western Harbour Arm

### Area priorities

- To designate Western Harbour Arm Waterfront as an allocation for new mixed use development.
- To facilitate the comprehensive development of the Western Harbour Arm Waterfront to become an exemplar sustainable mixed-use area (use classes B1 and C3).
- To improve legibility, permeability and connectivity through high quality building design, townscape and public realm, ensuring to respect and complement the character of surrounding areas.
- To maximise intensification and redevelopment opportunities of existing lower grade, vacant and under-used spaces.
- To facilitate the strategic relocation of industrial uses to elsewhere in the harbour or local area to free up waterfront opportunity sites.
- To improve access arrangements to create better linkages with Shoreham town centre and surrounding areas.
- To improve connections around key linkages including Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.
- To deliver a comprehensive flood defence solution integrated with a publicly accessible waterfront route including pedestrian / cycle way and facilities for boat users.
- To ensure that new development proposals mitigate noise and air quality impacts.
- To enhance the area's natural biodiversity by incorporating multi-functional green space, creating and improving habitats and improved green infrastructure links.
- To support the delivery of the England Coast Path through the Western Harbour Arm area.
- To support the delivery of the Shoreham Heat Network.

### About the area

- 4.7.1 CA7 – Western Harbour Arm is on the northern bank of the River Adur between the Harbour Mouth and the historic centre of Shoreham-by-Sea. The area is highly constrained by Brighton Road (A259) and the railway. The Western Harbour Arm is the principal approach to Shoreham-by-Sea from the east. To the north of the railway line, the area is abutted by residential neighbourhoods and a large industrial estate.
- 4.7.2 Shoreham-by-Sea town centre, a few minutes' walk to the west has a peaceful, coastal charm consisting of predominantly two storey terraced cottages on streets leading off from the primary shopping area. There are open views across the River Adur to the south as well as river glimpses between buildings where remnant slipways and hards remain. There is a marked contrast moving east out of the town and along Brighton Road (A259) where there are only limited views of the waterfront and public access to it.



- 4.7.3 Along the Western Harbour Arm there are a range of different employment uses. The waterfront sites are predominantly large industrial and open storage premises including fuel storage, plastics manufacturing, aggregates handling and metal recycling. The majority of the sites are privately owned.
- 4.7.4 Closer to Shoreham-by-Sea town centre is The Ham, an open space which includes a popular skate park. There is a car show room and some office and workshop units such as the Riverside Business Centre and Ham Business Centre.
- 4.7.5 On the northern side of the A259 are mainly 'big box' retail warehouses, a supermarket and the local municipal waste facility.
- 4.7.6 A number of the premises along Brighton Road (A259) are coming to the end of their useful life and are no longer ideally suited for modern business needs: either requiring significant investment on-site, or relocation to a better facility elsewhere.
- 4.7.7 The river wall and flood defence infrastructure is in need of upgrade and repair and some of the land stands vacant and underused.

4.7.8

4.7.9

Transport and connections

- The Brighton Road (A259) road frontage is harsh and unattractive due to the industrial uses that prevent views across the water. The road is a very popular route with cyclists despite the lack of a formal cycle lane, poor surfacing and heavy use by heavy goods vehicles.
- Natural England will deliver the England Coast Path, a new National Trail around the coast of England. Although the final route has not yet been decided, it is expected that this will pass through CA7: Western Harbour Arm between Kingston Beach and Adur Ferry Bridge.

4.7.10

Environmental considerations

- The Western Harbour Arm is subject to a number of environmental constraints which need to be taken into account when planning for the area. These include:
  - Proximity to the Adur Estuary, a Site of Special Scientific Interest (SSSI).
  - Proximity to Shoreham Beach, a Local Nature Reserve (LNR) and Local Wildlife Site (LWS).
  - Shoreham-by-Sea Air Quality Management Area (AQMA) that covers the town centre and the western part of the Western Harbour Arm.
  - A municipal waste site.
  - A metal recycling facility. It is proposed that this be relocated.
  - A Health and Safety Executive (HSE) Consultation Zone which determines the distance for different types of development from a 'major hazard' based on the current gas storage use. It is proposed that this be relocated.
  - The presence of contaminated land.
  - The presence of underground water mains and sewers. This infrastructure needs to be protected and new development needs to ensure its operation remains unaffected.

## Historic Assets

- 4.7.11 The Western Harbour Arm is partly within the Shoreham-by-Sea Conservation Area. The conservation area includes 47 listed buildings; including the Grade I listed St Mary de Haura Church. The church is clearly visible from Shoreham Beach, the South Downs and much of the wider area and it will be important for any new development at the harbour to respect views of the church and its setting.
- 4.7.12 Also visible from the Western Harbour Arm are the Kingston Buci Lighthouse (Grade II listed) and Shoreham Fort, a Scheduled Monument.
- 4.7.13 There is a wealth of local maritime history that could be better interpreted in this location and there is significant potential to improve the landscaping and setting of the river. This will make the area more attractive and accessible.

## Flood risk and sustainable drainage

- 4.7.14 The Western Harbour Arm is adjacent to the lower reaches of the River Adur where it flows into the English Channel. Given this low lying location, there are a number of potential sources of flooding which will be a key consideration in planning for the future of this area.
- 4.7.15 Sites along the Western Harbour Arm are vulnerable to surface water, fluvial, and, most significantly, tidal flooding, meaning that any new residential development would need to be lifted up above likely flood levels. Development will need to be protected through flood defence provision and will need to be safe for the intended building lifetime taking into account climate change and sea level rise.
- 4.7.16 The Adur and Worthing Councils' Strategic Flood Risk Assessment (SFRA) identifies a number of sites in this area as Tidal Flood Zone 2, 3a and Non-functional Flood Zone 3b. This latter category recognises that some sites have the same risk of flooding as Flood Zone 3a but do not have a significant storage or conveyance potential which materially impacts flood risk elsewhere. Some sites also fall within Fluvial Flood Zones 2, 3a and 3b.

- 4.7.17 The partnership has worked closely with the Environment Agency to develop a comprehensive vision for an upgraded flood defence network to protect a redeveloped Western Harbour Arm. The Shoreham Harbour Flood Risk Management Guide SPD (2015) and Technical Annex details about the recommended approach for this stretch.
- 4.7.18 Comprehensive flood defence provision will be essential to protect existing and future residents and businesses as well as the A259. This approach, which focuses on flood defence provision from the Adur Ferry Bridge to Kingston Beach, will ensure the complete closure of the flood cell and continuation of the line of new defences currently being provided via the Shoreham Adur Tidal Walls Scheme - an Environment Agency funded flood defence scheme which ends at the Adur Ferry Bridge.
- 4.7.19 It is essential that the new flood defence network is integrated with a high quality public realm environment that promotes a positive inter-relationship with the river. Flood defences can often physically divide one area from another therefore an important ambition for the Western Harbour Arm is to promote permeability through the entire site.

4.7.20	Developers should include SuDS and building level resistance and resilience measures as part of proposals, ensuring development is safe for its intended lifetime. The approach is set out in the following publications (or subsequent replacement documents):			4.7.27	SuDS should be incorporated into design proposals as an integrated system during masterplanning of individual sites. This could include rain water harvesting, green walls and roofs, rain gardens, vegetated swales and porous surface materials.
	<ul style="list-style-type: none"><li>• <u>Adur &amp; Worthing Councils</u> and/or <u>Brighton &amp; Hove Council's</u> SFRAs</li><li>• <u>Water. People. Places: A guide for master planning sustainable drainage into developments</u></li><li>• <u>CIRIA SuDS Manual</u></li></ul>			4.7.28	Appropriate planting alongside Brighton Road could extend the proposed green corridor from Kingston Beach as far as The Ham and Shoreham town centre.
4.7.21	Refer to the <i>Shoreham Harbour Flood Risk Management Guide SPD</i> (2015) for full details of requirements in relation to protection from flooding.			4.7.29	The proposed waterfront route for pedestrians and cyclists and onsite amenity open space also present significant opportunities for green infrastructure enhancement. Appropriate planting could include areas of vegetated shingle along the route, and on connections through to Brighton Road.
		4.7.22	The Western Harbour Arm is dominated by industrial land-uses and generally has a low diversity of terrestrial habitats.		
		4.7.23	The River Adur to the south includes areas of coastal saltmarsh and intertidal mudflat. These habitats form part of the wider network of intertidal habitats in the River Adur Estuary; however these are of limited extent and quality.		
		4.7.24	The Western Harbour Arm is adjacent to the Adur Estuary SSSI and falls within its Impact Risk Zone. Consultation with Natural England will be required in order to avoid harmful impacts on the SSI. Environmental Impact Assessment may also be required.	4.7.30	Where mitigation measures to prevent impact to intertidal habitat are not feasible, any impact or any loss of intertidal habitat as a result of new development or associated flood defence improvements will require the creation of compensatory habitat. Habitat creation and enhancements to new and existing flood defences and revetments/piling such as timber baulking should be incorporated to increase the biodiversity of the river edge.
		4.7.25	The creation of a new species rich native hedgerow along the southern boundary of The Ham would provide wildlife value but also act as a buffer to noise and pollution from Brighton Road (A259).		
		4.7.26	The Western Harbour Arm Waterfront is the largest of the allocations in this plan. As such, it has significant potential to provide green infrastructure enhancements and a net gain in biodiversity.		

- 4.7.31 Buildings should be designed to accommodate green walls (or planting) and green roofs (preferably bio-solar). These could compensate for any loss of habitats at ground level, as well as provide additional areas of vegetated shingle.
- 4.7.32 New residential development will generate the need for new open space provision. Some of this will be required on site. However, improvements to existing open spaces will be considered where appropriate.
- 4.7.33 The Shoreham Harbour Green Infrastructure Strategy will set out full details of requirements in relation to green infrastructure and biodiversity.

Development opportunities

- 4.7.34 Many of the business occupiers currently situated on the waterfront do not specifically need a portside location and are not dependent on access to the harbour for their operations.
- 4.7.35 The existing businesses provide a significant amount of employment floor-space and jobs. A key consideration for this area is the importance of working with the harbour businesses to retain them either in the port itself or within the local area in suitable, modern accommodation.
- 4.7.36 Shoreham Port Authority remains responsible for ensuring the river remains navigable and is periodically dredged to a level suitable for existing uses.
- 4.7.37 It is proposed that existing port-related uses in the Western Harbour Arm are relocated within the commercial port area in the Eastern Arm of the River Adur or the Canal. Marine-related uses that contribute to the character of the harbour could potentially remain.

- 4.7.38 There is currently development pressure for change along this strip as land owners seek to maximise the value of their land recognising that the location has long been earmarked for redevelopment as a new waterside community.
- 4.7.39 The Western Harbour Arm Waterfront allocation is made up of several sites, some of which are in multiple ownerships:
  - WH1: 5 Brighton Road. This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions.
  - WH2: Kingston Wharf (including Kingston Railway Wharf). This site has been purchased by a housing developer. The council is currently engaged in pre-application discussions for a mixed use development.
  - WH3: Egypt Wharf. This site is expected to come forward towards the end of the plan period.
  - WH4: Lennard’s Wharf, Fisherman’s Wharf and New Wharf. This site is expected to come forward towards the end of the plan period.

- WH5 – Free Wharf. Adur District Council has granted full planning permission for a development comprising 540 dwellings and over 2,700m<sup>2</sup> commercial floor-space.
- WH6 – 37 – 41 Brighton Road and Ham Business Centre. This site is expected to come forward towards the middle of the plan period.
- WH7 – 63 – 77 Brighton Road. This site is expected to come forward towards the middle of the plan period.

4.7.40

Development of 132 residential units and ancillary retail space at 79 – 81 Brighton Road is nearing completion.

4.7.41

### Residential development

Western Harbour Arm Waterfront is a prime riverside site that could offer a vibrant mix of new uses. Development of a minimum of 1,100 new residential dwellings (use class C3) will be instrumental in delivering the sustainable transformation, enabling the creation of an attractive new setting and creating a greater sense of vibrancy along the waterfront.

4.7.42

Sites to the north of Brighton Road (A259) are outside the allocation. These sites are not considered likely to come forward within the plan period. This does not preclude appropriate mixed use development on these sites if opportunities arise within the plan period. This would support a comprehensive approach taking in both sides of the road.

4.7.43

### Employment-generating floorspace

Adur District Council will require development within the Western Harbour Arm Waterfront allocation to include new employment generating floor-space as part of mixed use schemes. This should be predominantly high quality office space (use class B1a). Proposals will be encouraged to provide a range of commercial spaces in smaller format units.

4.7.44

Through the Greater Brighton City Deal, the wider Shoreham Harbour area is being promoted as a hub for environmental technology and digital media technology-related businesses. Major development proposals will be expected to incorporate floor-space designed to be suitable for such uses where appropriate.

4.7.45

Employment floor-space should be of modern, high quality design with an emphasis on providing studio style or office-based flexible workspace that could accommodate a comparatively higher number of jobs per unit of floor-space than the former industrial uses.

- 4.7.46 Smaller scale (preferably marine-related) leisure facilities will also be supported. These activities will play a major role in adding diversity and interest to the waterfront, and helping to generate footfall.
- 4.7.47 The partnership will continue to liaise with landowners and businesses to understand their ambitions and ensure that the process of land use change is managed sensitively. For example, it is understood that some operators are already considering alternative sites outside of the Western Harbour Arm for relocation purposes. However, other businesses have no immediate desire to relocate, and as such may not come forward for redevelopment until the latter part of the plan period. This plan seeks to maintain sufficient flexibility to enable a phased redevelopment approach.
- 4.7.48 The release of sites for redevelopment to alternative uses along the Western Harbour Arm is a long term process which requires careful management and will rely on working in collaboration with landowners and businesses.

4.7.49

Ancillary retail uses

Shops, cafes and restaurants that are ancillary to new mixed-use developments have an important role to play in realising the vision for regeneration of the Western Harbour Arm. Although residential dwellings and employment generating floor-space will be the primary land use, ancillary retail development will help to bring life to the waterfront and strengthen the overall offer of Shoreham-by-Sea, complementing the town centre.

4.7.50

New waterfront route and open spaces

New developments will be expected to incorporate areas of public open space which will help to increase the accessibility and visibility of the waterfront, attract visitors to spend time in the area, provide new space for community activities and events and enhance the local environment.

4.7.51

As set out in the Shoreham Harbour Transport Strategy, development of a new, publicly accessible waterfront route for pedestrians and cyclists is proposed. The route would increase access to the waterfront by opening up previously restricted vistas and connecting Shoreham town centre and Adur Ferry Bridge with Kingston Beach and beyond framed by the attractive harbour setting.

4.7.52

The waterfront route will provide the new residential and commercial properties in the Western Harbour Arm with an attractive outlook over the harbour. The route must be well lit with appropriate signage and landscaping.



- 4.7.53 To accommodate the route, development must be set back from the waterfront. A setback is likely to be required for the purpose of flood risk management. Prior consent of the Environment Agency is required for any works within 16m of the tidal River Adur.
- 4.7.54 The waterfront route will not be complete when the England Coast Path is created through the area. This means that the trail will initially have to follow a different route. It is proposed that once the waterfront route is in place, it is adopted as part of the coast path.

4.7.55

Waterfront leisure facilities

Despite popular demand, the harbour is currently lacking in good quality, modern waterfront facilities for boat-users and for local residents and visitors to enjoy. It is proposed to increase the number of berths in the harbour for both visitors and residents through the incorporation of new publicly accessible quays or floating docks/pontoons linked to new developments and open spaces. This will significantly improve the facilities on offer for the boating community and attract visitors into the area, supporting the local economy. All new features would be subject to the appropriate environmental approvals processes with the relevant statutory bodies.

4.7.56

Improved connections and streetscape

As shown in Map 12, a series of new north-south connections from the waterfront route to Brighton Road (A259) are proposed. The exact form and function of these will depend on a number of factors. In some cases, these links may be pedestrian or cyclist only, whilst others will enable site access or direct connections to the waterfront.

4.7.57

The incremental introduction of mixed use development to the south of the road will be a trigger for the gradual enhancement of the A259 corridor to ensure that conditions for pedestrians and cyclists are improved.

4.7.58

There is considerable scope for highways interventions such as public realm and streetscape improvements and improved crossing facilities. Landscaping treatments will also be important for creating setbacks between new developments and the A259 corridor to prevent noise and air quality impacts.

## Social and Community Infrastructure

4.7.59 Contributions towards improving local community facilities, or in some instances, provision of new facilities, will be required to support the increased population resulting from development of the Western Harbour Arm. Full details are contained within the *Infrastructure Delivery Plan* (IDP) that accompanies the *Adur Local Plan* (2016). Refer also to Policy SH10 in Section 5. Social and community infrastructure requirements include:

### Childcare / Early Years Provision

4.7.60 Additional childcare places will be required through financial contributions for expanding local provision delivered by private, voluntary and independent childcare providers.

### Health and Medical Services

4.7.61 Health infrastructure providers have identified the need to replace the existing Shoreham Health Centre in Pond Road. The present 1960s building is of a poor quality and expensive to maintain being unsuitable for modern healthcare delivery. New development on the Western Harbour Arm will be expected to contribute towards improvements.

## Education

4.7.62 The project partners are working together to address the need for suitable education provision in the Shoreham area, arising from growth. Existing primary schools are nearing capacity with planned improvements, and opportunities for further expansion are limited. Work is being undertaken to ensure any feasible opportunities to increase capacity at existing schools in the area can be brought forward during the plan period or if other sites can be identified. If not, innovative solutions to address need will be considered by all authorities.

### Library Provision

4.7.63 The library offer will need to be improved or expanded to facilitate the development at the Western Harbour Arm. Infrastructure providers are considering the potential for a new library facility at Pond Road in Shoreham as part of a comprehensive redevelopment of the site including the provision of new healthcare facilities.

## Facilities for Young People and Teenagers

4.7.64 Mixed-use developments will be expected to incorporate features and facilities that attract young families such as play areas and leisure uses. There may be opportunities to improve the existing skate park at The Ham as part of new developments in the vicinity.

### Emergency Services

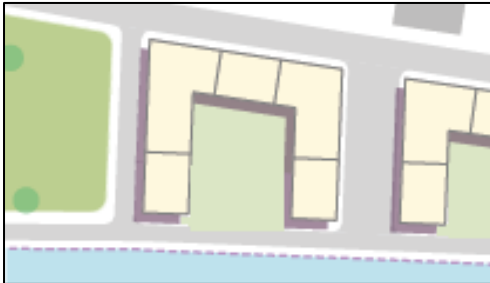
4.7.65 Contributions towards emergency services, including the police and the fire and rescue services will be required as a result of development at the Western Harbour Arm. Sussex Police has identified the need for improved accommodation and equipment in the Shoreham area. The West Sussex Fire and Rescue Service has identified the potential need for new or improved facilities.

## Development form and typology

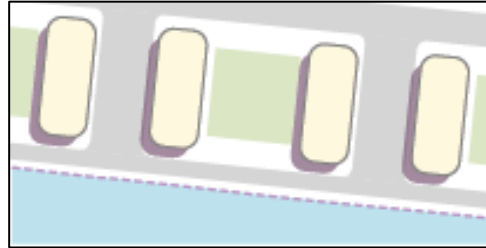
4.7.66

It is important to avoid a single development form being repeated across the whole allocation. Buildings should be oriented to maximise views across the river. However, the exact form is partly dependent on the depth of the site and the mix of uses. The following potential typologies are recommended:

- It is proposed that deeper sites (WH4, WH5) are arranged as horseshoes of flatted development. Employment floorspace on lower storeys will provide a frontage to Brighton Road (A259). The residential layout will maximise views across the river.



- It is proposed that narrower sites (WH2, WH3) are arranged as pairs of north-south blocks. Employment floor-space will be provided on lower storeys. This will also maximise views across the river.



4.7.67

Mixed employment space should be incorporated into development across allocation Western Harbour Arm Waterfront. Sites should be designed in an urban format with parking at lower levels and trading areas above.

4.7.68

Site WH1, at the eastern end of the Western Harbour Arm Waterfront, has the dual function of forming a strong edge to Kingston Beach, helping to define the space, and to mark the gateway to the Western Harbour Arm. A key consideration here is the potential navigational impact of residential development. Discussions will be required with Shoreham Port Authority at an early point in the design process to ensure navigational issues are addressed.

4.7.69

The Western Harbour Arm Waterfront will be a high density neighbourhood. In general, buildings should be developed up to 5 storeys on the Brighton Road (A259) and River Adur frontages. Within deeper sites, heights could step up away from these frontages.

4.7.70

The *Western Harbour Tall Buildings Capacity Study* (2017) has identified a number of significant views that should be protected, and heritage assets that should be considered as part of development proposals:

- Kingston Buci lighthouse is Grade 2 listed and is a prominent landmark signalling the entrance to the harbour, and to the town of Shoreham-by-Sea from the west. Development of over 3 storeys at sites WH1 and WH2 has the potential to impact the setting of the lighthouse. This must be considered when preparing development proposals.
- There are several views from Shoreham Beach to the South Downs. Development of sites WH2, WH3, WH4 and WH5 should ensure that views are retained.

- St Mary de Haura church is the most prominent landmark in the town centre. Most development sites are not close enough to significantly impact the prominence of the church. However developers should consider the potential impact on views of the church.

4.7.71 Significantly taller buildings could create issues, such as traffic congestion, infrastructure provision and creation of a microclimate through trapping of air pollutants. Towards the centre of the allocation (western part of site WH3, site WH4 and eastern part of site WH5), there may be scope for taller buildings provided that it can be demonstrated that these issues have been addressed, and the proposal is of exceptional design quality.

4.7.72 The findings from the Objectively Assessed Need for Housing: Adur District study undertaken in 2015 identifies a limited demand for dwellings with four or more bedrooms. The focus of provision of market housing in Adur should be on two and three bedroom housing both for younger households and older households wishing to downsize. The provision of smaller dwellings should be focussed in and around town centres and Shoreham Harbour.

4.7.73 For Shoreham Harbour specifically, there is an opportunity to provide a mix of properties, including one, two and three bed homes as part of a higher density development. The majority of dwellings delivered at Shoreham Harbour will be flatted development. Some sites may be able to accommodate up to ten per cent of dwellings as terraced housing. At the Western Harbour Arm Waterfront there is an opportunity to provide a mix of properties, including one, two and three bedroom homes as part of a high density development. Across the allocation as a whole, the following mix is considered suitable:

- 35% - 1 bed
- 60% - 2 bed
- 5% - 3 bed

4.7.74 The Western Harbour Arm allocation is identified in the Shoreham Harbour District Energy Feasibility Study (2018) for the planned Shoreham Heat Network. This aims to provide low carbon, affordable warmth to residents and businesses. The district heating project is being developed by the Shoreham Heat Network Partnership, comprised of Shoreham Harbour Regeneration Partnership, Adur District Council, West Sussex County Council and Shoreham Port Authority.

4.7.75 New development in and around the Western Harbour Arm will be required to connect to the proposed network once complete. Development coming forward before the heat network is delivered is required to be connection ready, and to connect once the network is in place. Planning conditions and obligations will be applied to other development in order to futureproof connection at a later date.

## **Policy CA7: Western Harbour Arm**

- 1. Western Harbour Arm Waterfront is designated as a mixed use area (Allocation Western Harbour Arm Waterfront).**
- 2. The partnership will work with developers and stakeholders to secure a comprehensive redevelopment of the Western Harbour Arm Waterfront. This will deliver a minimum of 1,100 new homes (use class C3) and a minimum of 12,000m2 new employment generating floor-space (predominantly use class B1a) on the southern side of Brighton Road (A259) within the plan period. Smaller scale retail outlets, food and drink, and marine-related leisure facilities are also encouraged.**
- 3. Proposals for sites WH1 and WH2 will be required to demonstrate that potential implications for the navigational safety of vessels entering and leaving Shoreham Port have been addressed in agreement with statutory bodies, including Shoreham Port Authority. In particular, development proposals must demonstrate that artificial lighting originating from proposed development will not impact the visibility of navigation lights in the harbour mouth.**
- 4. The councils will support the development of the Shoreham Heat Network. Until the network is constructed, development will be required to incorporate the necessary infrastructure for connection to future networks. When the network is constructed, development will be required to connect.**
- 5. Development proposals for sites to the south of Brighton Road (A259) should not unduly prejudice the potential future development of sites to the north of Brighton Road (A259) and vice versa.**
- 6. New developments should incorporate active uses along the waterfront. This may include the provision of parks, squares, play areas and active frontages such as cafes, shops and workspace.**
- 7. New development should achieve residential densities of a minimum of 100 dwellings per hectare consisting of predominantly flatted development. A mix of dwelling sizes should be delivered.**
- 8. Building heights of up to five storeys are generally considered acceptable on the Brighton Road and River Adur frontages. Away from these frontages, greater storey heights may be acceptable within deeper sites. At sites WH1 and WH2, the setting of Kingston Buci lighthouse must be considered if development over 3 storeys is proposed. At sites WH2, WH3, WH4 and WH5 views from the coast at Shoreham Beach to the South Downs must be retained.**

9. **Taller buildings may be considered in the centre of the allocation (western portion of site WH3, site WH4 and eastern portion of site WH5). Proposals will be required to demonstrate an appropriate response and high quality design in relation to the following elements:**
  - **Scale and height**
  - **Architectural detailing**
  - **Materials**
  - **Public realm and open space**
  - **Public transport accessibility**
  - **Views into and out of the area, including assessment of glimpse views, local views and long views in relation to the waterfront, local landmarks, the South Downs National Park, conservation areas, and historic assets.**
  - **Microclimate impacts including wind, daylight and sunlight effects, air pollution and urban heat island effects.**
10. **Development should respect and connect with surrounding areas, in particular protecting and enhancing the views from Shoreham Beach, protecting views of St Mary de Haura Church, Kingston Buci lighthouse and better connecting with Shoreham town centre's historic core.**
11. **Where appropriate, proposals will be expected to enhance townscape around key linkages and junctions, in particular Shoreham High Street/Norfolk Bridge (A259) – Old Shoreham Road (A283), Brighton Road (A259) – New Road – Surry Street, and Brighton Road (A259) – Ham Road.**
12. **A setback from the waterfront is safeguarded to enable the delivery of a waterfront pedestrian and cycle route between Shoreham-by-Sea town centre and Kingston Beach. Developments should be sufficiently set back from the riverside (at least 8m from harbour wall to building) to incorporate the new waterfront route. The setback may also be required for flood defence maintenance requirements. Set back distance should be discussed and agreed with the Environment Agency.**
13. **Developments should be set back sufficiently from the A259 corridor in agreement with the highways and planning authorities, to provide space for a high-quality segregated cycle route which provides stepped separation from road vehicles and pedestrian facilities, to deliver green infrastructure improvements, and to prevent a canyoning effect to ensure that residents are protected from noise and air quality impacts.**
14. **Prior consent is required for any works in, under or over the River Adur Tidal, a classified 'main river' under the jurisdiction of the Environment Agency, and subject to its byelaws, or within 16 metres of the landward toe.**
15. **The partnership will support and identify mechanisms for implementation of ecological and landscaping improvements along the waterfront route and alongside Brighton Road (A259) to extend the green corridor.**
16. **The new waterfront route must incorporate sustainable drainage features, such as permeable surfacing and incorporating suitable trees and vegetation.**



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17. Where open space requirements cannot be met on site, development will be expected to contribute towards the creation of the proposed green corridor along the A259, and/or existing open spaces, such as The Ham and Kingston Beach.
  18. Major waterfront development schemes will be expected to actively respond to the marine/estuarine environment in terms of their design and layout and incorporate features that improve open access to the waterfront and facilities for boat users such as additional moorings, floating pontoons/docks and slipways. Access to existing public hard must remain.
  19. Management agreements should be included as part of the planning application for sites of compensatory habitat to ensure the long term integrity for wildlife benefit.
  20. The partnership will work with developers and stakeholders to deliver the package of transport measures for the Western Harbour Arm as set out in the Shoreham Harbour Transport Strategy. Critical measures include:
    - New waterfront route for pedestrians and cyclists between Shoreham Town Centre and Kingston Beach.
    - Improvements to the following junctions:
      - Brighton Road/Norfolk Bridge (A259) – Old Shoreham Road (A283)
      - Brighton Road (A259)/Surry Street
      - Brighton Road (A259)/South Street (A2025)
    - Improvements to the cycling facilities along the A259.
    - Improved pedestrian and cycle crossing points.
    - Bus stop improvements.

# DELIVERY AND IMPLEMENTATION





## 5 Delivery and implementation

5.1.1	The following section sets out how the proposals in this plan will be delivered on the ground and how progress will be monitored over time. The plans will need to remain flexible and adjustable as opportunities emerge over time.	5.1.4	Since 2009, significant technical work has been undertaken by the local authorities to determine the appropriate scale and land use mix to plan for at the harbour. Given the changes in the wider economy and government approach during the recent period, it is critical that the plans are not held back by reliance on a large injection of upfront public funding which may be difficult to access.	5.1.7	Recent work has been focussed on gaining a better understanding of the barriers and costs that have contributed to the large viability gaps that have stalled previous iterations of harbour plans. This has highlighted potential solutions and alternative approaches to reduce costs, delays and risks that are now being taken forward by the partnership.
5.1.2	The regeneration plans are being driven by the Shoreham Harbour Regeneration Partnership. Members of the Partnership signed up to a renewed joint commitment to deliver renewal plans for the harbour via a Memorandum of Understanding signed in 2011. Partnership work is organised around an agreed governance structure that sets out day-to-day project management and operating protocols.	5.1.5	The current plans aim to provide a pragmatic balance between the aspirations and ambitions for a new waterfront community and the commercial realities of bringing forward complex, brownfield sites under current market conditions.	5.1.8	Examples of current areas of partnership work to support delivery include: <ul style="list-style-type: none"> <li>• Technical studies to identify infrastructure costs and delivery mechanisms including flood defence, transport and social infrastructure.</li> <li>• Supporting business relocation plans including identifying alternative sites in the local area that better meet business requirements.</li> <li>• Communications activities to maintain a positive two-way dialogue with land owners, developers and stakeholders; and promote joint working for mutual benefit.</li> <li>• Proactively seeking ways to reduce viability gaps and unlock stalled sites.</li> </ul>
5.1.3	Progress on project work is overseen by a Project Board of senior officers and key stakeholders that meets every quarter. In turn, the Project Board reports back to a Leaders' Board comprising the leaders of each council and the Chief Executive of the Shoreham Port Authority. Key decisions are taken through the relevant committees of each authority.	5.1.6	The role of the partnership is to provide a dedicated resource to work with developers and investors to facilitate bringing forward packages of catalyst sites and local area improvement projects.		

- Close working and ongoing dialogue with local charities and community groups with an active interest in the harbour area.
- Close working and engagement with key government agencies including Environment Agency, Highways England, Natural England and the Marine Management Organisation.

#### Delivery objectives and dependencies

5.1.9 The objectives for plan delivery are as follows:

- To ensure that the JAAP proposals and policies are realistic, viable and deliverable within the plan period (to 2032).
- To maintain appropriate governance structures and adequate resources to ensure responsibility for implementation.
- To commit to partnership working to identify delivery solutions and to source external funding where required.
- To maximise investor confidence and reduce risk for developers, partners and stakeholders.

5.1.10 The successful delivery of the JAAP is dependent on a number of factors including:

- Delivery of the allocation proposals.

- Funding and timely delivery of infrastructure, including flood defences, highway works and social infrastructure.
- Ability to resource working with local community groups and managing the local area improvement projects.
- The members of the partnership and key stakeholders continuing to provide on-going commitment to Shoreham Harbour as a strategic development priority.

#### Delivering site allocation proposals

5.1.11 Bringing forward the major development opportunities will require the formation of land owner and developer partnerships. Some of the key sites are owned by members of the Partnership, particularly the Port Authority which will enable greater control over the nature of proposals coming forward.

5.1.12 Landowner and stakeholder partnerships and potentially joint venture companies will carry forward proposals on the basis of development agreements, within the framework set out in this plan and other supplementary site briefs.

5.1.13 Land assembly and anticipated release of development sites through the proactive work of the regeneration partnership will help to kick start progress during the first five years. It is not intended to utilise compulsory purchase powers (CPO) in implementing site allocations in multiple ownership and/or occupation, as the JAAP places an onus on developers to negotiate any land acquisition with support from the Partnership. However, an approach that takes a CPO route to deliver a scheme may be required if negotiation proves unsuccessful. This will be carried out in accordance with Circular 06/2004.

Infrastructure requirements

- 5.1.14 Development at Shoreham Harbour will generate the need for additional and improved infrastructure to support the needs of an increased population. Essential infrastructure covers a range of items including social infrastructure (e.g. health facilities, libraries, educational establishments etc.); physical infrastructure (e.g. highways, flood defences, utility provision etc.) and green infrastructure (e.g. allotments, natural open spaces etc.).
- 5.1.15 Infrastructure Delivery Plans (IDPs) have been drafted for Adur and Brighton & Hove. These are live documents that set out the infrastructure priorities associated with the implementation of the Adur Local Plan and Brighton & Hove City Plan and include requirements for Shoreham Harbour. The IDPs clarify which organisation/s are responsible for delivering the infrastructure, how it will be funded and when it is required.
- 5.1.16 Private sector funding through planning obligations linked to individual development proposals will be an important mechanism for securing delivery of infrastructure.

- 5.1.17 The authorities are currently exploring the use of the Community Infrastructure Levy (CIL). Work is on-going to identify which types of developments are applicable for CIL as well as suitable rates and how this might impact on the use of traditional contribution mechanisms such as Section 106 Agreements.
- 5.1.18 Local plan policies and Supplementary Planning Guidance set out the approach to planning obligations that will be applied which can be summarised as follows:
  - On-site obligations required as part of the development including access roads and junctions for development and local public open space.
  - Community infrastructure standard charges including towards public realm improvements, highways improvements and community facilities that may be required or impacted as a result of the development.
  - Strategic infrastructure standard charge covering major capacity enhancing projects including transport network and flood alleviation.

- 5.1.19 For strategic level infrastructure technical work has been carried out to scope out the critical priorities and costs for the harbour. For example, the *Shoreham Harbour Flood Risk Management Guide* has now been adopted as supplementary planning guidance. This sets out the parameters for provision of harbour-side flood defences. A *Shoreham Harbour Transport Strategy* has prepared by WSCC which establishes the priority transport works that are required to support the proposals. Both of these documents will be used as part of planning negotiations to provide greater clarity to developers over contributions.
- 5.1.20 The following items of infrastructure are typically likely to be requirements for major developments within the allocated sites:
  - Contributions to public transport and highway network improvements.
  - Upgraded flood defences integrated with public waterfront walking / cycle route (where appropriate – particularly Western Harbour Arm Waterfront sites).
  - Contributions to social infrastructure.
  - Contributions to green infrastructure.
  - Remediation of contaminated areas.
  - On-site renewable energy systems / low carbon technologies.

## Securing funding

5.1.21 The work of the Partnership is currently supported by a limited amount of public funding that was awarded by central government prior to 2010. This funding is used to support staff resources, undertake technical studies and provide match funding for future funding bids.

5.1.22 The main current sources of funding include:

- Growth Points Programme funding
- Eco-town funding
- Homes and Communities Agency contributions
- Environment Agency contributions
- Local authority and Shoreham Port Authority contributions

5.1.23 This plan will offer greater certainty for stakeholders to be able to work together to target sources of external funding. Potential sources being currently explored include:

- City Deal
- Coastal Communities Fund
- Coast to Capital Local Economic Partnership (LEP) – Single Growth Pot
- Sustainable Transport Fund
- Heritage Lottery Funding
- EU funding

## Monitoring of progress

5.1.24 The local authorities undertake ongoing monitoring of their Local Development Frameworks of which this JAAP is a part. The monitoring framework is set out in a separate Appendix. It includes key monitoring indicators and triggers for potential intervention.

5.1.25 Progress on the delivery of the plan will be reported in the Authority Monitoring Report (AMR) for Adur District Council and Brighton & Hove City Council. This will include the housing trajectory for Shoreham Harbour Regeneration Area.

## Policy SH10: Infrastructure Requirements

- 1. Developers will be required to provide or contribute to the provision of infrastructure made necessary by the development.**
- 2. Infrastructure must be provided at the appropriate time, prior to any part of the development becoming operational or being occupied. Infrastructure needs are identified in each local authority's Infrastructure Delivery Plan (IDP).**
- 3. Direct agreements with utility providers may be required to provide infrastructure, such as sewerage infrastructure.**
- 4. In accordance with each local authority's planning contributions guidance, infrastructure contributions will be sought via Section 106 Planning Obligations where they meet the statutory tests, and potentially through a future Community Infrastructure Levy.**







Shoreham Harbour Regeneration

Adur District Council

Portland House  
44 Richmond Road  
Worthing  
West Sussex  
BN11 1HS

Brighton & Hove City Council

Hove Town Hall  
Norton Road  
Hove  
East Sussex  
BN3 4AH



**Council**

24 October 2019

**Agenda Item 43**

Brighton &amp; Hove City Council

**Subject:** **Attendance Policy and Procedures** Extract from the proceedings of the Policy & Resources Committee meeting held on the 10 October 2019.

**Date of Meeting:** **24 October 2019**

**Report of:** **Executive Director Finance & Resources**

**Contact Officer:** Name: **Lisa Johnson** Tel: **01273 291228**  
E-mail: [lisa.johnson@brighton-hove.gov.uk](mailto:lisa.johnson@brighton-hove.gov.uk)

**Wards Affected:** All

**FOR GENERAL RELEASE*****Action Required of Council***

That the Council agreed to sign up to the TUC's *Dying to Work Charter*, which supports staff with terminal illness to either remain in work as long as they are able, or to help them to access their pension early, depending on their wishes.

**Recommendation:** That signing up to the TUC's *Dying to Work Charter*, which supports staff with terminal illness to either remain in work as long as they are able, or to help them to access their pension early, depending on their wishes be agreed.

**BRIGHTON & HOVE CITY COUNCIL**  
**POLICY & RESOURCES COMMITTEE**

**4.00pm 10 OCTOBER 2019**

**HOVE TOWN HALL, - COUNCIL CHAMBER**

**MINUTES**

**Present:** Councillors: Platts (Chair), Yates (Deputy Chair), Mac Cafferty (Opposition Spokesperson), Bell (Group Spokesperson), Allcock, Clare, Gibson, Moonan, Nemeth and Shanks

**MINUTE EXTRACT**

**PART ONE**

**55 ATTENDANCE SUPPORT PROCEDURE**

55.1 The Committee considered the report of the Executive Director Finance & Resources which briefed them on the new attendance policy and procedure and sought authority to proceed with its implementation across the whole council.

55.2 Councillor Clare supported the new procedure and said that as today was World Mental Health Day she was pleased to note the changes to support staff who were suffering from mental health issues, as well as the 'Dying to Work Charter' which supported staff with terminal illnesses. She it was a valuable piece of work and thanked all officers who had been involved in drafting the new policy and procedure.

**55.3 RESOLVED:**

- (1) That the implementation of the new Attendance Policy and Procedure for all staff across the council as part of our work on Our People Promise be agreed; and
- (2) That delegated authority be granted to the Executive Director, Finance & Resources to decide on an implementation timetable for the new Attendance Policy and Procedure.

**55.4 RESOLVED TO RECOMMEND:** That the council should sign up to the TUC's *Dying to Work Charter*, which supports staff with terminal illness to either remain in work as long as they are able, or to help them to access their pension early, depending on their wishes.







**Council**

24 October 2019

**Agenda Item 43**

Brighton &amp; Hove City Council

<b>Subject:</b>	<b>Attendance Policy and Procedures</b>		
<b>Date of Meeting:</b>	<b>24 October 2019</b> 10 October 2019 – Policy & Resources Committee		
<b>Report of:</b>	<b>Executive Director Finance &amp; Resources</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Laura Keogh</b>	<b>Tel: 01273 290511</b>
	<b>Email:</b>	<b><a href="mailto:laura.keogh@brighton-hove.gov.uk">laura.keogh@brighton-hove.gov.uk</a></b>	
<b>Ward(s) affected:</b>	<b>All (All Wards);</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to brief the committee on a new attendance policy and procedure, and to seek authority to proceed with its implementation across the whole council.
- 1.2 The report also provides information on the TUC's *Dying to Work Charter*, designed to support staff with terminal illness, and requests approval to sign up to it as part of Our People Promise to staff.

**2. RECOMMENDATIONS:**

- 2.1 That committee approves the implementation of the new Attendance Policy and Procedure for all staff across the council as part of our work on Our People Promise.
- 2.2 That committee gives delegated authority to the Executive Director, Finance & Resources to decide on an implementation timetable for the new Attendance Policy and Procedure.

**Full Council**

- 2.3 That committee recommends to Full Council that the council signs up to the TUC's *Dying to Work Charter*, which supports staff with terminal illness to either remain in work as long as they are able, or to help them to access their pension early, depending on their wishes.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The council's existing Attendance Management Procedure has been in place since July 2014. Concerns have been raised by the trade unions and the Disabled Workers & Carers Network that the Procedure neither provides enough support for staff with disabilities, nor focuses enough on wellbeing and informal resolution of issues between managers and their staff.

- 3.2 The council's absence rate has been consistently above the target of 9.7 days (set according to CIPFA benchmarking data of similar organisations). The actual performance is improving, but with an outturn for 2018/19 of 10.08 days, further improvement is clearly required.
- 3.3 Research into effective methods of supporting improved attendance consistently shows that giving line managers responsibility for managing sickness through effective return to work meetings and other informal conversations, and providing them with the information needed to manage sickness both have a positive impact on attendance.
- 3.4 Work is already well underway to improve the health and wellbeing of our staff as part of Our People Promise. This includes a focus on both physical and mental health, and initiatives such as health checks, menopause training and mental health awareness that have been rolled out over the past year in response to the Well Workforce Survey in January 2018.
- 3.5 In December 2017 a new absence reporting system (First Care) was implemented to provide staff with immediate access to medical advice at any time, and real-time management information that ensures sickness is effectively managed and issues are discussed at an early stage.
- 3.6 Since the introduction of First Care the completion of return to work interviews following periods of sickness has increased from 64% to 72%, and the sickness rate for 2018/19 was 10.08 days compared to 10.57 days in 2017/18.
- 3.7 The review of the Attendance Management Procedure (see **Appendix 1**) addresses a number of issues and concerns with the current procedure and will ensure there is:
- Greater importance put on Return to Work discussions (page 6, point 2 & page 7, point 4) which research indicates is the biggest determining factor on improving attendance;
  - Support for staff with disabilities by more clearly recording disability related absence, putting more emphasis on providing paid time off for treatment and appointments (page 3, para 6.3) and ensuring that reasonable adjustments are considered and recorded in a support plan at the earliest stage (page 8, para 6.3, page 7, para 4.1);
  - A greater focus on informal resolution (page 10, paras 1.1 and 1.2) by reducing the procedure to two formal stages and introducing an informal stage at which the line manager and the employee agree an attendance support plan (this will significantly reduce formal sickness case work);
  - Earlier referral to Occupational Health for stress and mental health conditions (page 3, para 7.1);
  - Greater emphasis on our duties as an employer under the Equalities Act in relation to staff with disabilities (page 3, para 6.2);
  - A commitment from the council on how we will support staff with a terminal illness to remain in work for as long as they are able or to meet their wishes in terms of leaving our employment as soon as possible (page 4, para 10.1). This commitment is part of the TUC's 'Dying to Work' campaign, which we are seeking support from Full Council to sign up to.

Information about the campaign can be found here <https://www.dyingtowork.co.uk/> and in **Appendix 2**. The charter asks employers to sign up to the following principles:

- We recognise that terminal illness requires support and understanding and not additional and avoidable stress and worry.
- Terminally ill workers will be secure in the knowledge that we will support them following their diagnosis and we recognise that, safe and reasonable work can help maintain dignity, offer a valuable distraction and can be therapeutic in itself.
- We will provide our employees with the security of work, peace of mind and the right to choose the best course of action for themselves and their families which helps them through this challenging period with dignity and without undue financial loss.
- We support the TUC's Dying to Work campaign so that all employees battling terminal illness have adequate employment protection and have their death in service benefits protected for the loved ones they leave behind.

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

- 4.1 Research has been undertaken into what other large public sector organisations do on attendance management and this has been taken into consideration as part of the review.
- 4.2 The new policy and procedure are seen as progressive improvements to our wellbeing approach on attendance management and so no alternative options are being proposed.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The implementation of the new Attendance Policy and Procedure has been discussed with the council's recognised trade unions, workers forums and the Well-being Steering Group. Prior to the implementation of the new FirstCare attendance management system and new sickness reporting process, we agreed with the trade unions that we would review the existing Attendance Management Procedure in light of their feedback on this. The new policy and procedure detailed in this report is in response to this.
- 5.2 Throughout the review of this policy our recognised trade unions and the Disabled Workers and Carers Network have been fully involved in its development. The focus of these discussions have been on how we work collaboratively together to improve the experience of disabled staff in the workplace and to ensure that our policy/procedure is more supportive in enabling attendance at work.
- 5.3 Issues that the unions have raised through consultation have been addressed including:
  - Agreement to reduce the review period during the informal stage to 6 months rather than 12 months.
  - Agreement to increase the period of notice given before convening an absence hearing to 14 calendar days rather than 7 calendar days (which is in

line with notice given for gross misconduct cases in the Disciplinary Procedure).

- Supporting a request to Full Council to sign up to the TUC's *Dying to Work* Campaign.
- Replacing formal warnings with formal review periods.
- Agreement to only use the new procedure for new sickness cases and that any existing sickness cases will continue to follow the current procedure.
- Agreement that If the attendance team are reduced in number or disbanded altogether then there will be immediate negotiations with the recognised trade unions on a new Attendance Support Procedure being put in place within 6 months of the change to the team.

- 5.3 The unions have confirmed that they support the implementation of the new Attendance Policy/Procedure and would like a policy review after 12 months, which has been agreed to.

## **6. CONCLUSION**

- 6.1 This revised policy and procedure reflects the council's well-being agenda and includes recommendations made by our trade unions, workers forums and the well-being steering group to provide a more supportive policy and procedure for our workforce.
- 6.2 This new policy and procedure meets one of the aims of Our People Promise which is to support employee well-being at work.
- 6.3 Signing up to the TUC's *Dying to Work* charter would demonstrate the council's commitment to supporting staff with a terminal illness and would also help to meet the above aim on well-being within Our People Promise.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 There are no direct financial implications expected, as the management and implementation of the policy will be undertaken within existing resources. Any reduction in sickness absence, arising from the extra support measures outlined in the report, would save money with regard to costs of cover and be more efficient for the council.

*Finance Officer Consulted: Jeff Coates*

*Date: 2/10/19*

### Legal Implications:

- 7.2 The proposed new Attendance Policy and Procedure complies with the council's statutory responsibilities and the relevant Codes of Practice, in particular the Employment Statutory Code of Practice issued by the Equality and Human Rights Commission.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 30/9/19*

Equalities Implications:

- 7.3 The Attendance Policy and Procedure EIA has been updated to reflect the content of the new policy and procedure and is attached at **Appendix 3**.

Sustainability Implications:

- 7.4 None

Any Other Significant Implications:

- 7.5 None

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. New Attendance Policy and Procedure
2. TUC Dying to Work Campaign information
3. Equalities Impact Assessment





## APPENDIX 1: New Attendance Policy and Procedure

### Attendance Policy

#### 1. Introduction

- 1.1 Employees are the most valuable resource in Brighton & Hove City Council. The aim of the Attendance Policy is to provide a framework to promote well-being and support employees to attend work. When an employee is absent for long periods, or frequently for short periods, this can cause disruption to services, increasing pressure for colleagues, and it is not good for the individual.
- 1.2 The policy outlines how we deal with absence situations fairly and consistently both for our colleagues and customers and ensure managers comply with our legal duty under the Equality Act to consider and provide reasonable adjustments to employees with disabilities. The responsibilities of both managers and employees to ensure good attendance and sustained returns to work after illness are set out in this policy and supplemented with guidance contained in the **Attendance Toolkit**.

#### 2 Scope

- 2.1 The procedure applies to all employees of the council with the exception of employees who are still within their probationary period and those employed in schools unless the relevant Governing Body has adopted this policy.

#### 3 Responsibilities

- 3.1 Employees have a personal responsibility to take all reasonable measures to ensure their fitness for work. Employees should be proactive in discussing any work issues that may be contributing to their absence and discuss any support and adjustments they may require.
- 3.2 Employees who are sick and unable to attend work are required to tell the council as soon as possible using the council's reporting process and to keep in touch regarding support required upon return to work. They are also expected to co-operate with referrals to **occupational health**.
- 3.3 Managers have a duty of care and responsibility for ensuring there are good working conditions, work practices and work behaviours in place. Managers are expected to;
  - hold supportive return to work discussions with employees after every absence,
  - agree and implement attendance support plans for employees,
  - ensure medical advice is promptly sought and considered, and always do so
    - At any time where advice is required to support an employee with a disability,
    - From day 1 for stress/mental health absence,
    - From day 14 for musculo-skeletal absence,
    - At any time but no later than day 28 for any other absence (this is regarded as long term absence)

- implementing agreed support promptly
- apply the process in a fair and consistent manner
- hold an informal absence review meeting where employees reach an attendance concern level
- arrange formal absence review meetings where employees reach a further attendance concern level

- 3.4 HR provides advice and support to improve the wellbeing and attendance of employees, on the application of the policy and procedure and advises the Hearing Manager at the Absence Hearing which is stage two of the Attendance Procedure.
- 3.5 The trade unions provide advice and support to fully represent their members interests, attend meetings convened under the Attendance Procedure, work with all parties to facilitate timely resolution to absence concerns and fair and consistent application of this policy and procedure.

#### **4 Attendance Support Plan**

- 4.1 Managers will agree an **attendance support plan** with employees where there is a requirement to maintain or improve attendance at work and, in the case of disabled employees, where reasonable adjustments are agreed and recorded. Any employee who doesn't have one already must have one as soon as they reach an attendance concern level.
- 4.2 The plan must be monitored, reviewed and updated on a regular basis and updated to reflect any additional requirements arising from a new or existing medical condition. The manager is responsible for implementing agreed actions promptly to secure the wellbeing of the employee at work.

#### **5 Attendance Concern Levels**

- 5.1 The council's attendance concern levels are:

- 3 separate spells of absence in any six month period
- 10 or more days of absence in any six month period

Different attendance concern levels should be considered as a reasonable adjustment for disabled employees.

- 5.2 Where employees reach an attendance concern level the manager is required to meet informally with the employee to discuss the situation and agree an attendance support plan. Following this meeting, if the employee should reach a further attendance concern level (see 5.1 above) within 6 months the manager will convene the first stage of the two stage Attendance Procedure.
- 5.3 The long-term absence concern level is 28 days and over. At which point, medical advice through occupational health should be obtained and the line manager should remain in regular contact with the employee.

- 5.4 Where an employee is absent for a prolonged period and there is no prospect of a sustained return to work within a reasonable time frame the matter may be addressed by going straight to stage two of the Attendance Procedure i.e. the Absence Hearing.

## 6 Disability Related Sickness

- 6.1 We are committed to having a representative workforce and understand that disabilities can be both visible and non-visible, and will take all reasonable steps to support the attendance of disabled employees.
- 6.2 We will also work with disabled staff making reasonable adjustments as necessary to help disabled employees to reach their full potential at work.

### Reasonable Adjustments

- 6.3 Under the Equality Act 2010, employers have a legal duty to make **reasonable adjustments** where working arrangements place a disabled person at a substantial disadvantage from those who are not disabled. Please see the **EHRC Employment Statutory Code of Practice** (<https://www.equalityhumanrights.com/en/publication-download/employment-statutory-code-practice>), which contains a non-exhaustive list of potential adjustments that employers might be required to make. Where an employee has a disability, managers will need to evidence that reasonable adjustments couldn't resolve the unsatisfactory attendance before taking action up to dismissal including compulsory ill-health retirement. Where absence is attributable to a disability, managers should make sure they hold regular discussions with the employee to assess how reasonable adjustments are working or where further changes need to be made to support the employee. These discussions and outcomes relating to adjustments should be recorded on the employee's attendance support plan.
- 6.3 The Equality Act also covers where an employee is acting as main carer for someone who is disabled. If someone were treated less favourably as a result of their association with the protected characteristic of someone else (e.g. a carer's link to the disabled person they are looking after) this is considered discrimination by association. It is important that we consider this when managing attendance at work and ensure that reasonable adjustments are made where necessary.
- 6.4 Managers will allow reasonable paid time off for a disabled employee (i.e. someone whose condition falls under the Equality Act) to attend appointments in the following circumstances and this will be recorded on the employee's Attendance Support Plan (these are not recorded as sick leave and do not count towards concern levels):
- To attend consultations or treatment to improve/manage a disability
  - To attend medical appointments for life threatening/critical or chronic illnesses

## **7 Stress and mental health issues**

- 7.1 Where managers are concerned that an employee may have a **stress/mental health** issue it is important to talk to the employee and offer them support. They should also be made aware of the council's **counselling** and **occupational health** services. An **individual stress risk assessment** should be completed. When an employee's absence is stress or mental health related then an occupational health referral should be made immediately.

## **8 Pregnancy and Maternity Related Sickness**

- 8.1 Women have legal protection from detriment or dismissal in connection with pregnancy. Pregnancy and maternity-related sick absence (including absence as a result of a miscarriage) during protected periods should be reported in the normal way but does not count towards attendance concern levels. Pregnancy and maternityrelated sickness absence should be disregarded for the purpose of the Attendance Procedure.

## **9 Absence from work due to gender reassignment**

- 9.1 An employer is guilty of direct gender reassignment discrimination if, in relation to a transgender employee's absence from work because of gender reassignment, it:
- Treats the employee less favourably than it would have done had the employee been absent because of sickness or injury, or
  - Treats the employee less favourably than it would have done had the employee been absent for some other reason **and** it was not reasonable for it to do so.
- 9.2 A person's absence is because of gender reassignment if it is because the person is proposing to undergo, is undergoing or has undergone the process (or part of the process) of gender reassignment by changing physiological or other attributes of sex.
- 9.3 There is no defined minimum or maximum time which must be allowed for absence for treatment. It will be good practice for employers to discuss with transgender staff how much time they will need in relation to the gender reassignment process and accommodate those needs in accordance with our policy on **Supporting Transgender Employees Policy**.

## **10 Terminal Illness**

- 10.1 The council will strive not to create additional avoidable stress or worry for individuals who have been given a terminal diagnosis by providing employees in this situation with appropriate support and security. Where they wish to do so, employees will be supported to remain at work as long as they are able. This may reduce the uncertainty and insecurity that they are facing as well as providing some financial security and a distraction from their illness. Where possible and in accordance with their wishes, their death in service benefits will be secured for their

beneficiaries. Others may wish to sever their employment as soon as possible in order to spend the time they have left with their families. More information will be provided in the **Attendance Toolkit** under managing extended absences.

## **11 Sick Absence and Pay**

### **Occupational Sick Pay**

- 11.1 Entitlement to occupational sick pay is set out in employees' contracts of employment. Extensions to occupational sick pay may be granted in extenuating circumstances by the Head of HR&OD (in consultation with the Executive Director Finance and Resources).
- 11.2 The Council reserves the right to dismiss an individual before they have exhausted any outstanding entitlement to occupational sick pay.

## **12 Medical Appointments**

- 12.1 Employees are required to make every effort to arrange medical appointments in their own time outside normal/core working hours. If employees are unable to make appointments in their own time it is expected that managers will allow reasonable paid time off. Where attendance at a medical appointment results in an absence of half a day or more this should be recorded as sickness absence and employees qualify for occupational sick pay. Managers may ask to see appointment letters/cards. Medical appointments will not count towards an attendance concern level.

## **13 Unauthorised Absence**

- 13.1 Where an employee is absent without making contact, or when fit for work certificates are not produced on time, the manager should try to contact the employee to check their well-being. However, in the absence of a response or an acceptable explanation, managers should record the absence as "unauthorised absence" (and therefore unpaid) and contact HR.
- 13.2 Where there is evidence of false sickness certification or unauthorised absence then the manager should contact HR and the matter should be investigated under the council's **Disciplinary Procedure**.

## **14 Industrial Injury Related Sickness**

- 14.1 Only those injuries or illnesses covered by the reporting requirements of the Reporting of Injuries Diseases and Dangerous Occurrences Regulations 1995 (RIDDOR) can be classified as work related injury/illness. Work-related stress is not reportable under RIDDOR. Please see the **Attendance Toolkit**.

## **15 Third Party Injury Related Sickness**



- 15.1 An employee who is absent as a result of an accident where damages may be received from a third party, may receive Occupational Sick Pay as an advance of salary. This is because part of any payment claimed from a third party will usually cover loss of earnings. Please see the **Attendance Toolkit**.

## **16 Sickness during Annual Leave**

- 16.1 If an employee is sick when they are on annual leave they should meet with their GP as soon as possible to obtain a 'fit note'. Once the manager has received the 'fit note' the days that are covered by this will then be considered as sickness and the annual leave days will be reinstated. Please note the council will reimburse the employee for any costs incurred as a result of obtaining a fit note.

## **17 Sickness during Notice Period**

- 17.1 Employees will be paid their normal contractual salary for the duration of their notice period where notice is given by the council.

## The Attendance Process

Note: This section sets out more detailed information about what is expected from staff and managers to meet the requirements of the policy and procedure.

### 1 Reporting Absence

- 1.1 Employees must report their sickness absence using the council's **sickness reporting procedure** no later than one hour before their normal start time on their first day of sickness or in line with local reporting arrangements. Failure to report sickness absence in accordance with the council's procedure may result in a loss of pay and/or disciplinary action and the manager should contact HR for advice. A 'fit for work' certificate must be produced as soon as possible for absences that continue beyond the seventh consecutive day.
- 1.2 Managers are responsible for monitoring and reviewing the employee's absence and working with employees to facilitate a return to work.
- 1.3 Managers must contact employees who haven't reported their absence as soon as possible to check on their well-being.

### 2 Informal Return to Work Discussion

- 2.1 A **return to work discussion** must take place between the manager (or delegate) and employee after each sickness absence, ideally on the day the employee returns to work. Ideally this would be a face to face discussion but a telephone call is acceptable.
- 2.2 This discussion is:
  - informal and supportive
  - intended to welcome the employee back
  - to check they are fit to return to their full duties
  - to find out why they were away
  - to let them know any news
  - cover any support required including reasonable adjustments
  - where there is room for improvement the employee must be told what is expected and the likely consequence if this does not happen

A copy of the return to work form should be provided to the employee. Please see the **Attendance Toolkit**.

### 3 Occupational Health Referrals

- 3.1 There are times when further medical advice is needed. This may be to seek advice on how to support an employee with a disability or a newly diagnosed condition maintain or improve their attendance at work, to support a return to work, to understand when an employee may be fit to return. Managers must discuss the reasons for making a referral with employees and provide the employee with a copy of the referral. Please see the **Attendance Toolkit** for details on how to make a referral.

#### **4 The Attendance Support Plan**

- 4.1 An **attendance support plan** is a record of the actions, reasonable adjustments, and other appropriate support agreed for the employee to maintain or improve their attendance at work. The manager is responsible for implementing actions promptly to secure the wellbeing of the employee at work. A stage 2 absence hearing cannot be arranged under the formal Attendance Procedure unless an attendance support plan for the employee's medical condition(s) has been implemented (where the individual is at work), and an attendance concern level reached within twelve months of being issued with a formal review period. A copy of the attendance support plan must be provided to the employee.

#### **5 Attendance Concern Levels**

- 5.1 If an employee has reached an attendance concern level the manager must meet with the employee to discuss their wellbeing and how their attendance at work can be improved to meet the required standard. It is expected that the manager and employee will agree an attendance support plan to mitigate against reaching the attendance concern level again. If there is already an attendance support plan in place this should be reviewed and any further support and reasonable adjustments agreed and implemented.
- 5.2 The employee must be told that if a further attendance concern level is reached within a six month period of the last absence then a formal absence review meeting will be convened under the Attendance Procedure and that if they continue to reach attendance concern levels their future employment may be at risk.
- 5.3 Managers cannot arrange a formal meeting under the Attendance Procedure if they have not previously met with the employee following their absence reaching the concern levels, implemented an agreed attendance support plan and the employee's absence has again reached an attendance concern level. The exception to this is long term absence where there is no reasonable prospect of the employee returning to work within a reasonable period of time.

#### **6 Definition of a Disability**

- 6.1 Under the Equality Act 2010, employees must not be unlawfully discriminated against in relation to their disability-related sickness absence. The definition of a disability is "a physical or mental impairment, which:

“Has a substantial and long term adverse effect upon their ability to carry out normal day to day activities”. The illness or condition is considered long term if it has lasted, or could last 12 months or more”.

- 6.2 The definition of disability applies from the time of diagnosis for those employees with progressive conditions including HIV, multiple sclerosis and cancer. Employees with psychological ill-health may also be protected.
- 6.3 A **reasonable adjustment** may be, **but is not limited to any of the following**:
- An adjustment to their working environment, the building, or equipment they require
  - A temporary/permanent adjustment to their duties
  - A temporary/permanent adjustment to their patterns of work or flexible working options
  - Reasonable paid time off to attend medical appointments related to the individual's disability
  - Adjusting attendance concern levels (increasing the threshold) for any disability related absences (see toolkit guidance and examples)

See also the council's **HIV/AIDS Awareness Guidance** on how managers should support HIV positive employees.

- 6.4 All disability related absence should be reported in accordance with the council's normal process but it should be clearly recorded as disability related absence on the attendance management system.

## **7 Occupational Health Advice – Management Action**

- 7.1 The manager must discuss the content of the occupational health report and the options with the employee as soon as possible. If occupational health advice is that the employee is unlikely to be able to return to their existing job within a reasonable period, the manager should consider convening an Absence Hearing under the Attendance Procedure.
- 7.2 If occupational health advises that the employee is not fully fit but that they should, for an interim period, return to work on reduced hours or reduced duties, the manager should wherever possible agree an appropriate temporary working arrangement or other adjustments. This arrangement should be documented in the attendance support plan. If the employee fails to make a sustained return to work within a reasonable period of time despite reasonable adjustments being in place then the manager will need to arrange an Absence Hearing under the Attendance Procedure to consider whether to terminate their employment.

### **Medical Redeployment**

- 7.3 If Occupational Health advises that the employee is not capable of returning to their post, but that they would be fit for other duties, the manager should ensure that a

report of the employee's occupational suitability is provided to the Redeployment Co-ordinator who will arrange for the employee to be placed in the redeployment pool at the earliest opportunity. The manager should also arrange an Absence Hearing under the Attendance Procedure to consider the future employment of the individual in case there is no suitable alternative employment.

### **III-Health Retirement process**

- 7.4 If the employee is a member of the local government pension scheme and occupational health advice is that the employee is or soon will be medically unfit to do their job or any other suitable post it is probably not appropriate to convene a Hearing under the Attendance Procedure and the employee will be written to regarding this decision. The employee will be advised, in writing, of their right to appeal the ending of their employment with the council.
- 7.5 In the absence of an ill-health retirement recommendation from Occupational Health termination will be on the grounds of medical capability and an Absence Hearing under the Attendance Procedure will be convened.

## **8 Return from Extended Sick Absence**

- 8.1 The employee should call before their expected return date provided on their fit to work certificate to update their manager about their recovery. When the employee confirms their return date the manager should (prior to the employee returning) discuss what support they are likely to need (on the basis of medical advice) and should capture this, together with any OH advice and agreed adjustments (temporary or permanent) on the Attendance Support Plan. These could include a phased return, temporary/permanent alternative duties or work location. If adjustments are required in most cases they will need to be in place before the employee returns.

## Attendance Procedure

### 1 Introduction

- 1.1 This document sets out the formal procedure to be used where an employee is unable to attend work regularly. Please note that there is an informal stage and this is the meeting between the line manager and the employee when they have reached the first attendance concern level. At this meeting an attendance support plan should be put in place.
- 1.2 There are two formal stages; stage one may result in the employee's attendance being subject to a formal review for a 12 month period and advised that if their attendance does not improve the matter will be considered at stage two of the procedure. This takes the form of an Absence Hearing which will consider their future employment with the council. There will be circumstances where it is appropriate to convene a hearing at stage two without having considered the matter at stage one, for example, long term absences where there is no prospect of a return within a reasonable time.

Please note – all references to days in this procedure refer to calendar days.

### 2 Discretion

- 2.1 **It is not necessary** to convene a formal **absence review meeting** under the procedure where it is clear from the return to work discussion and previous attendance record that:
  - The employee's future attendance levels are likely to be satisfactory
  - The employee has a disability and there is a short-term attendance issue which is likely to be resolved
  - The employee has a disability and there is a long-term attendance issue where a reasonable adjustment could be to accept a slightly higher level of absence compared to an employee who does not have a disability
  - The employee has been absent due to a newly diagnosed condition/illness that is covered under the Equality Act.
  - The employee has recently been prescribed new medication to treat their medical condition, which is impacting on attendance levels.
- 2.2 Please note this list is not exhaustive and further examples are provided within the **Attendance Toolkit**.

### 3 Stage One - Absence Review Meeting



- 3.1 The manager will convene an **Absence Review Meeting** in the following circumstances
- the employee has reached an attendance concern level
  - the manager has previously discussed concerns with the employee
  - the manager and employee have agreed an attendance support plan
  - the attendance support plan was implemented
  - within a year of reaching the attendance concern level the employee has again reached an attendance concern level
- 3.2 The manager will write to the employee to give 7 days' notice of the date of meeting and explain their right to be represented at the meeting by a union representative or a work colleague. If the employee is unable to arrange representation for the scheduled meeting then an alternative date will be arranged within a reasonable timeframe. Prolonged delays due to the lack of an available representative will not be a reason for postponement.
- 3.3 At the meeting the manager will discuss their concerns about the employee's absence, the actions taken to support improved attendance, review the attendance support plan and explore with the employee why these have not addressed the concerns. The manager will consider what action may be taken to prevent future absence from reaching the attendance concern level.

#### **4 Outcome – Formal Review Period**

- 4.1 At the conclusion of the meeting the manager can arrive at the following outcomes:
- The setting of a formal review period for the next 12 months.
  - To adjourn the meeting pending occupational health advice.
  - No formal review period (see section 5 below for examples of when this might apply).
- 4.2 Where the manager decides to place the employee in a formal review period, this starts from the end date of the last absence that caused the attendance concern level to be reached, for a period of 12 months. The employee needs to understand that if their sickness absence reaches a further attendance concern level during the 12 month review period, an Absence Hearing will be arranged and the Hearing Manager will, at that time, consider whether or not to dismiss the individual.
- 4.3 The attendance review period will expire after 12 months if the individual has not reached a further attendance concern level during this period.
- 4.4 The manager will write to the employee within 7 days of the meeting to confirm their decision and will explain that the last day of sickness absence marks the start of a formal rolling 12 month review period. Employees may appeal decisions to implement a formal review period by writing to their manager's manager within 7 days of receipt of the outcome letter. A copy of the outcome letter should be placed on the employee's personal file.

## 5 Outcome – No Formal Action

5.1 Placing the employee under a formal attendance review period may not be required in the following circumstances (please note that these examples are not exhaustive);

- Appropriate support and reasonable adjustments which would have prevented the absence reaching a concern level were not in place.
- Return to Work discussions have not taken place for all absences that gave rise to the employee reaching this Attendance Concern Level.
- The absence(s) represent a spell of illness which is unusual and unlikely to recur in an otherwise excellent attendance record by a long term employee.
- The absence(s) relate solely to a non-recurring illness/condition which has been successfully treated (e.g. fracture, routine operation).
- A disabled employee is experiencing short term absences as a result of changes in their medication aimed at improving their condition
- Occasional absences are an accepted part of the condition which a disabled person has and the service area is able to support these operationally
- An employee has been absent due to a newly diagnosed condition/illness that is covered under the Equality Act.
- The manager is satisfied that the individual's absence will not give rise to further concerns.

5.2 If no formal action is to be taken, this should be confirmed in writing to the individual within 7 days of the meeting and a copy of this letter should be placed on the employee's personal file.

5.3 However, if a further Attendance Concern Level is reached within 6 months of the last occasion, the manager will convene a further Absence Review Meeting under this procedure.

## 6 Stage 2 - Absence Hearing

6.1 The purpose of the **Absence Hearing** (which is stage 2 of the procedure) is to consider the employee's continued employment with the council, which should be arranged in the following circumstances:

- where the attendance concern level is reached during a formal review period
- when the reason for absence is a serious illness and it is unlikely that the employee will make a return to work within a reasonable period of time

- 6.2 The manager, prior to arranging an Absence Hearing, must have tried to obtain an up to date Occupational Health report and arrange to meet to discuss this with the employee to see if their attendance at work is likely to improve to the required standard. If the manager does not consider that the employee's absence will improve then an Absence Hearing will be convened.
- 6.3 Those present at an Absence Hearing will be the Hearing Manager, advised by an officer from the Human Resources & Organisational Development team, the line manager presenting the concerns about the employee's continued level of absence, the employee and the union representative or colleague of the employee.
- 6.4 The manager must confirm the date and time of the hearing in writing and send a copy of the written documentation to be relied on to the employee and their representative at least **14 days** before the hearing. Any documentation the employee or their representative wishes to present at the hearing should be submitted to the hearing manager **no less than 4 days** before the hearing.
- 6.5 If the employee or the representative cannot attend on the proposed date efforts will be made to find an alternative date acceptable to all parties within a reasonable timeframe.
- 6.6 At the Absence Hearing the Line Manager will present their case to the Hearing Manager setting out why the level of attendance is not acceptable and what action has been taken to support the employee improve their attendance at work. The case should include the following;
- the employee's absence record (no more than past 2 years), including the advice from Occupational Health
  - the support and advice given to the employee
  - how the attendance support plan has been implemented
  - any further action taken to support the employee's attendance at work
  - in cases where the employee's absence is related wholly or in part to a disability, set out how the council has considered or made reasonable adjustments.
- 6.7 The employee and/or the union representative will present their case setting out what they wish the Hearing Manager to take into consideration when making a decision.
- 6.8 The Hearing Manager will adjourn to consider the cases presented and decide whether to:
- Dismiss the employee (with notice) on the grounds of a lack of capability to attend work on a regular basis.
  - Dismiss the employee (with notice) on the grounds of a lack of capability unless an alternative suitable redeployment can be identified within the period of notice.
  - Dismiss the employee (with notice) on the grounds of permanent ill-health, where supported by medical certification from the OH Adviser.

- Implement a further final review period of 12 months to monitor the employee's attendance at work. If a further Attendance concern level is reached during this review period another Absence Hearing will be convened and it is likely that the employee will be dismissed.
- No dismissal or review period is required, and recommendations for further action for the manager/employee are detailed in the attendance support plan.

6.9 The manager will reconvene the hearing and inform the parties of the decision. Exceptionally the hearing manager may defer making a decision, for a short period, if issues arise that require further investigation.

6.10 The hearing manager will send a letter giving written confirmation of the decision to the employee within 7 days of the date of the hearing. A copy of the letter will be kept on the employee's file.

## **7 Appeals**

7.1 **Appeals** against a decision to implement a further review period shall be submitted to the Hearing Manager's manager (their contact details will be provided) within 7 days of receipt of the decision letter. See **Attendance Toolkit** for the format for the appeal against a further review period.

7.2 **Appeals against dismissal** - The employee may appeal against their dismissal to the Council's Personnel Appeals Panel. The appeal must be made in writing, on the appeal form and clearly state the ground(s) for the appeal.

7.3 The **appeal form** must be submitted to the Head of Human Resources & Organisational Development within 7 days of the date of the letter confirming the Hearing Manager's decision. The Council's Personnel Appeals Panel will then be convened as soon as possible to hear the appeal.

**September 2019**



## **Dying to Work Campaign**

### **Terminally ill employees**

Many workers get a serious illness at some time in their working lives. They may require time off, often many months, to get treatment or recover. There is good guidance that has been produced by the TUC and others to deal with cases of long-term illness, or return to work for those who are disabled as a result of an illness or injury.

However, sometimes there is no effective treatment. In these cases the worker may face a time of huge emotional stress, fear and uncertainty. Trade unions can try to ensure that when that happens, they try to remove any additional stress and worry.

A terminal illness is a disease that cannot be cured or adequately treated and there is a reasonable expectation that the patient will die within a relatively short period of time. Usually, but not always, they are progressive diseases such as cancer or advanced heart disease.

UK Social Security legislation defines a terminal illness as: “a progressive disease where death as a consequence of that disease can reasonably be expected within 6 months”, however many patients can have a terminal illness and survive much longer than 6 months.

### **Implications of a terminal diagnosis**

Being told that you are to die as a result of a disease for which there is no cure or effective treatment and that you only have months, or at best a year or so to live is a traumatic event and everyone will react differently.

Sometimes the nature of the illness is such that the person is unlikely to be able to work again. In other cases, a person may decide that they do not want to work anymore and would rather spend their remaining time with their family and friends, getting their affairs in order, or simply doing what they want. However, a lot of workers with a terminal diagnosis decide that they want to continue working as long as they can, either because they need the financial security or because they find that their work can be a helpful distraction from their illness. Whichever choice a person makes, they should be able to expect help and support from their employer.

Unfortunately the experience of many workers is that their employer is either unsympathetic or puts up barriers to them continuing in work.



If a worker with a terminal illness loses their job they lose their income. They can also lose any death in service payments they have earned through a life-time of work but are only payable to those that die while still in employment.

## Did you know...

Cancer Research UK are projecting that 1 in 3 people will be diagnosed with cancer. Currently 1 in 10 new cancer cases are found in people under 50. (Over 33k cases a year)

### 5 Steps to the Charter

#### Step 1

**Check that your employer has not already signed up to the TUC Dying to Work charter**

The TUC Dying to Work charter is already protecting over half a million working people in the UK and this number is growing nearly every week.

#### Step 2

**Involve your union**

Raise the campaign with your Trade Union branch and ask your rep to raise the charter with your employer. If your workplace has more than one recognised union then ensure their representatives are also involved in the discussions.

#### Step 3

**Encourage your employer to sign the voluntary charter**

Unions should be clear about what they want from their employer. Just getting a vague commitment is not enough. Union negotiators should seek agreement that their employer will:

- **Review sick pay and sickness absence procedures** and include a specific statement that they will not dismiss any person with a terminal diagnosis because of their condition.
- **Ensure that they have an Employee Assistance Programme** that has the capacity and competency to provide support to any person with a terminal illness, including access to counselling and financial advice.
- **Provide training to line managers and all HR staff** on dealing with terminal illness, including how to discuss future plans with any worker who has a diagnosis of a terminal illness, and on what adaptations to work arrangements that may be necessary.
- **Adopt the Dying to Work Charter** and notify all employees that they have made the commitments contained in it.

## Step 4

### Inform the TUC

Once the employer and the recognised unions are happy that the commitments within the charter have been met, please inform the TUC of your intention to sign using the contact details provided.

In your correspondence, please include:

- Dates of availability for a public signing ceremony
- The logo of your organisation and union(s) signing the charter
- The names of those signing the charter on behalf of the employer and union(s)
- The names and quotes for draft press releases – The TUC will be happy to liaise with your organisation's press department.
- The number of workers to be covered by the Charter. We will add these to the national total
- Confirmation that photos can be taken at the event which the TUC can share on social media, the campaign website and other outlets

## Step 5

### Sign the Charter

The TUC will provide a customised copy of the charter for the public signing ceremony which will be attended by a representative of the campaign. The TUC will also work with your internal press department to co-ordinate press releases to generate media coverage in both the local and national press and broadcast media.

After the signing, your organisation will have officially joined the growing number of employers from across the public and private sector which have made this important commitment to their employees. Your organisation's details will be added to our website and the charter will be left with the employer to display as they see fit.



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## APPENDIX 3

### Short Equality Impact and Outcome Assessment (EIA) Template - 2019

**EIAs make services better for everyone and support value for money by getting services right first time.**

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users<sup>1</sup>. They analyse how all our work as a council might impact differently on different groups<sup>2</sup>. They help us make good decisions and evidence how we have reached these decisions<sup>3</sup>.

See end notes for full guidance. Either hover the mouse over the end note link (eg: ID No. [9](#)) or use the hyperlinks ('Ctrl' key and left click).

**For further support or advice please contact:**

- **BHCC: Communities, Equality and Third Sector Team on ext 2301**
- **CCG: Engagement and Equalities team (Jane Lodge/Meg Lewis)**

#### 1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed<sup>4</sup>.

<b>Title of EIA<sup>5</sup></b>	Attendance Policy and Procedure	<b>ID No.<sup>6</sup></b>	
<b>Team/Department<sup>7</sup></b>	HR&OD		
<b>Focus of EIA<sup>8</sup></b>	<p>The introduction of a new Attendance Policy and Procedure to replace the existing Attendance Management Procedure within the council. This new policy and procedure addresses issues that were raised by the Well-being Group (with union, management and HR representation) back in 2016 and one of the recommendations of this group was a review of the current procedure. Over the past 12 months the council has been consulting with the trade unions over the new policy and procedure and this has also been shared with the Disabled Workers' and Carers' Network for their input too.</p> <p>The main changes within the new policy/procedure are as follows:</p> <ul style="list-style-type: none"><li>• The introduction of an informal stage at which the line manager and the employee would</li></ul>		

discuss an attendance support plan.

- OH referrals recommended from day one of absence for a stress/mental health condition.
- Greater emphasis on our duties as an employer under the Equality Act in relation to disabled staff. Including recording absence as disability related where appropriate, managers considering different attendance concern levels for a disabled employee and ensuring that any medical treatment required to manage an impairment is given as paid time off to the employee.
- A commitment regarding how we will support staff with a terminal illness in line with the TUC's 'Dying to Work' campaign.
- A formal 2 stage attendance management process.
- Formal warnings replaced with the setting of formal review periods, which can be given at both stages of the procedure.
- The creation of an attendance toolkit to accompany the policy/procedure to support both managers and staff

## Assessment of overall impacts and any further recommendations<sup>9</sup>

For clarity all disproportionate impacts on specific groups are highlighted in the single section below.

Sickness data by equality strand is shown in the table below – 175 employees (exc schools)

Protected group	% of sickness cases involving people sharing protected characteristic 2017/18	% of people sharing protected characteristic in workforce as at 31.3.18
BME	3.45%	6.9%
White Other	<b>8.28%</b>	<b>6.85%</b>
White Irish	1.38%	2.26%
White British	<b>86.89%</b>	<b>83.99%</b>
Disabled	<b>16.79%</b>	<b>7.51%</b>
LGB	<b>13.22%</b>	<b>11.82%</b>

Male	<b>49.14%</b>	<b>40.30%</b>
Female	50.86%	59.70%
<20	0%	0.13%
20-24	1.71%	1.78%
25-29	2.29%	5.12%
30-34	7.43%	7.96%
35-39	9.71%	12.3%
40-44	<b>16.57%</b>	<b>13.18%</b>
45-49	16.0%	16.43%
50-54	14.86%	17.52%
55-59	9.14%	14.05%
60-64	<b>15.43%</b>	<b>8.22%</b>
65+	<b>6.86%</b>	<b>3.14%</b>
No religion	57.03%	56.22%
Christian	32.23%	34.51%
Other religion	10.74%	9.27%

#### Overall impacts and notes:

- Where a greater proportion of that staff group are subject to some form of action/intervention under our current procedure I have highlighted the relevant rows in the table above.
- From the above table, it is clear that in terms of sickness cases a larger proportion of disabled staff are subject to action of some form under our current procedure. The new policy/procedure seeks to address this and the changes proposed in related to disability related absences are detailed below. From union/forum feedback this appeared to be the main area of focus in terms of the review. The higher incidence of formal action/intervention in relation to those aged over 60 is also likely to correlate with a higher incidence of illness and possibly long-term conditions among this group.
- In terms of some of the other groups highlighted above e.g. staff aged 60+, LGB staff, male staff and 'white other' staff in particular further analysis will need to be undertaken to identify whether these cases relate to a particular directorate/service area or due to a particular absence reason.
- However, the greater proportion of male staff being subject to action/intervention under the current procedure could be related to particular departments e.g. CityClean where the main reason for absence is musculo-skeletal absence and they have the highest level of absence within the EEC Directorate. The new policy/procedure will better support those staff with the introduction of the attendance support plan, which encourages earlier informal discussions and the recording of adjustments/support offered to the employee.



Potential issues	Mitigating actions
<ul style="list-style-type: none"> <li>• Staff and managers being aware of the new policy and procedure scheduled to come into effect in the summer of 2019 as part of our well-being agenda.</li> <li>• Staff being concerned about how the new procedure will work if they are already being taken through the existing attendance management procedure.</li> <li>• Managers not understanding what needs to go into the new attendance support plan to support the employee.</li> <li>• Managers being aware of the need to consider adjusting attendance concern levels for a disabled employee (including mental health conditions) and the need to record everything put in place to support the employee on an attendance support plan. In addition, managers being aware of a new category on FirstCare of 'disability related absence' so that this can be recorded as such.</li> <li>• Ensuring that staff who have a terminal illness are aware of the changes to the new policy/procedure, to support them to remain in work as long as they are able to.</li> </ul>	<ul style="list-style-type: none"> <li>• Once agreed there will be a series of regular communications to staff and managers regarding the new policy and procedure together with training for managers, the new toolkit on the wave.</li> <li>• There will be communications on what will happen if an employee is already being dealt with under the current procedure and how they would move into the new procedure.</li> <li>• From February 2019, training will be scheduled for managers on attendance management and the changes proposed so that managers are ready for the introduction of the new policy/procedure.</li> <li>• The training provided to managers will cover all the changes being made and the fact that these changes have been made to provide better support to disabled staff.</li> <li>• Again through communications to staff/managers making sure that staff are aware of the TUC's 'Dying to Work' campaign and the principles within this, which the council is planning to sign up to (subject to agreement by PR&amp;G).</li> <li>• Communicate why this is important. From feedback</li> </ul>

<ul style="list-style-type: none"> <li>Staff not understanding why an OH referral is recommended from day 1 of absence as a result of stress or a mental health condition.</li> </ul>	<p>received, too often OH referrals are not made as soon as possible and are left too late. By recommending these from day 1 we know that the earlier support is given to the employee the earlier the employee will feel able to return plus they will feel supported by the organisation.</p>
<b>Actions planned<sup>10</sup></b>	
<ul style="list-style-type: none"> <li>Further engagement with the workers forums, staff, managers and the unions to ensure all are fully informed about the new Attendance Policy and Procedure and that all have been given the opportunity to ask questions about the proposed changes.</li> <li>Communications to managers and staff on the changes within the new policy and procedure and the benefits of this as part of our well-being workstream within Our People Promise.</li> <li>Training on attendance management being refreshed for managers on the new policy and procedure and a number of sessions scheduled from November 2019 onwards.</li> <li>Guidance for managers and staff on the new policy and procedure, together with other helpful information will be available to all in the new Attendance Toolkit, which will be available on the Wave.</li> <li>Discussions will need to take place at all DMT's regarding the proposed changes and discussions will also take place at all Directorate Equalities Group Meetings to make sure any potential issues have been addressed prior to implementation of the new policy and procedure in early 2020.</li> <li>The policy and procedure to manage attendance will be reviewed and evaluated at regular intervals once implemented.</li> </ul>	

**EIA sign-off:** (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

**Person completing the EIA:**      **Laura Keogh**

**Date:** 23<sup>rd</sup> September 2019

**BHCC Equality lead:**              **Sarah Tighe-Ford**

**Date:** 23<sup>rd</sup> September 2019

## Guidance end-notes

<sup>1</sup> The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

### <sup>2</sup> Our duties in the Equality Act 2010

As a public sector organisation, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

**The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:**

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **promote equality of opportunity.** This means the need to:
  - Remove or minimise disadvantages suffered by equality groups
  - Take steps to meet the needs of equality groups
  - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
  - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
  - Tackle prejudice
  - Promote understanding

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<sup>3</sup> EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

<sup>4</sup> **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

**Do you need to complete an EIA?** Consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

<sup>5</sup> **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

<sup>6</sup> **ID no:** The unique reference for this EIA. If in doubt contact your CCG or BHCC equality lead (see page 1)

<sup>7</sup> **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

<sup>8</sup> **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

<sup>9</sup> **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy,
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

<sup>10</sup> **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

<b>Council</b>	<b>Agenda Item 45 (1)</b>
24 October 2019	Brighton & Hove City Council

## NOTICE OF MOTION

### LABOUR GROUP

### FUR FREE CITY

This Council resolves to request the Policy & Resources Committee:

- To consider the introduction of a policy to prohibit the sale of any product wholly or partially made with real animal fur on Council owned land and at Council run or Council leased markets. This ban to cover such items as fur coats, vintage fur, fur shawls, garments with fur trim, fur pompom hats, and fur accessories and trinkets.
- To explore the viability of extending said policy to the sale of leather.
- To support the Fur Free Markets campaign of the animal welfare charity, Respect for Animals, the UK's leading anti-fur organisation, by:
  - a) Becoming a signatory to the initiative; and
  - b) Seeking the advice and assistance of the charity in the enforcement of this ban.

Proposed by: Cllr Fowler

Seconded by: Cllr Pissaridou

### Supporting information

- The United Kingdom has outlawed the farming of animals for their fur on ethical grounds since 2000 and that the use of one of the most common traps used to catch animals for their fur has been illegal for many years.
- Nonetheless fur products are imported from overseas nations, particularly China, where such bans do not operate and where there is virtually no animal welfare legislation in force.
- Real fur comes from animals raised in deplorable conditions or trapped in the wild and killed inhumanely.

Regrettably these products are often found for sale on public markets in the UK and customers can inadvertently buy them thinking they are synthetics.





<b>Council</b>	<b>Agenda Item 45 (2)</b>
24 October 2019	Brighton & Hove City Council

## **NOTICE OF MOTION**

### **LABOUR GROUP**

### **HOUSING BENEFIT**

This council resolves to ask the Chief Executive to write to the Secretary of State for Communities;

- Expressing the council's concern about local people being priced out of private sector housing at a time where there is insufficient social housing available; and
- Demanding that Housing Benefit levels are increased to an appropriate level.

Proposed by: Cllr Williams

Seconded by: Cllr Appich

### Supporting information

- Recent analysis by the National Housing Federation (NHF) has found that 94% of homes for private rent – and up to 99% in some areas – are too expensive for those on housing benefit.
- In 2013, LHA (Local Housing Allowance) rates were separated from market values and eventually frozen in 2016, leaving many unable to afford a place to live. This benefit – for which there are 1.3 million claimants country-wide – is causing increasing levels of poverty, debt and homelessness.
- Government data for England shows that homelessness acceptances by local authorities in England have increased by 41% since April 2011, when Local Housing Allowance rates were first reduced.
- The diminishing financial support for private renters on low incomes has meant there are often large shortfalls between Local Housing Allowance rates and people's rents.
- Allowance rates are an important part of housing and welfare policy and ought to be properly resourced so that, when needed, they sufficiently cover the costs of renting and help successfully secure people's homes.



<b>Council</b>	<b>Agenda Item 45 (3)</b>
24 October 2019	Brighton & Hove City Council

## **NOTICE OF MOTION**

### **CONSERVATIVE GROUP**

#### **HOME TO SCHOOL TRANSPORT – POLICY PANEL**

This council resolves to ask the Children, Young People & Skills Committee to: -

1. Urgently establish a cross-party Member led policy panel consisting of six Members, two from each political party, with a remit to, inter alia, review the appointment of consultants, the process of contracting operators, the impact on schools, families, children and young people and generally the implementation of the home to school transport service; and
2. Suspend the third-party review being organised by the Administration until such times that the Member policy panel has issued its report.

Proposed by: Cllr Mears

Seconded by: Cllr Simson

#### **Supporting Information:**

Parents and school representatives via a deputation to this council have asked for a Member led scrutiny panel. This is in response to the debacle that exists following the introduction of a new service this academic year.

There are concerns about child safety and welfare that require a full immediate enquiry.

Questions around the appointment of consultants remain including the impact on budgets and other costs/ savings.

Concerns exist regarding the implementation of the new service in respect to route planning and waiting times.

Concerns exist regarding the impact on schools and the potential loss of teaching time and associated costs.



<b>Council</b>	<b>Agenda Item 45 (4)</b>
24 October 2019	Brighton & Hove City Council

**NOTICE OF MOTION**

**CONSERVATIVE GROUP**

**VALLEY GARDENS**

This council requests the Environment, Transport & Sustainability Committee to:

- (1) Ensure that Valley Gardens Phase 3 is subject to a full environmental impact assessment; and
- (2) That the Duke's Mound junction proposal will be subject to a full public consultation in the context that it not only impacts Valley Gardens Phase 3 but also impacts on the A259 coastal road and the Waterfront/Blackrock development.

Proposed by: Cllr. Miller

Seconded by: Cllr. Nemeth

**Supporting Information**

Valley Gardens Phase 3 has to date not been subject to a full environmental impact assessment with limited, if no, future predicted air quality assessments. With all the traffic being positioned on the east side of the Old Steine including now a 5<sup>th</sup> lane to serve as a south bound bus lane and the resultant narrowing of the pavement on the Kemptown side, it is incredible that no environmental impact assessment has been done.

It has been confirmed at Environment, Transport and Sustainability Committee that the alteration of Duke's Mound is essential for the current proposed preferred option 1 (as now amended) to achieve its alleged objectives. For example, for traffic including coaches to exit from Madeira Drive as the western end will be entry only from the A259. Notwithstanding the continued disquiet and debate about the lack of proper consultation regarding Valley Gardens Phase 3, it is unacceptable that residents and businesses are not afforded a consultation and right to comment on the proposals for Duke's Mound.

Further, it is known that the proposal to remove the roundabout and construct a "T" junction will add considerable delays to journey times on the A259. The addition of a further major junction at Duke's Mound will likely add to the length of journey time delay. It is also a concern that there has been no traffic modelling of the impact for this junction or any modelling or assessment of traffic displacement that will inevitably occur throughout Kemptown or the impact and overlap with the Waterfront/ Blackrock development.





<b>Council</b>	<b>Agenda Item 45 (5)</b>
24 October 2019	Brighton & Hove City Council

## NOTICE OF MOTION

### GREEN GROUP

### GREEN NEW DEAL

This council notes that the changes required to address the climate emergency present an important opportunity to tackle inequality, improve quality of life and boost jobs.

This council resolves to declare:

- support for a 'Green New Deal,' as a policy framework that seeks to address climate change in ways that also: boost jobs, address poverty and inequality, and restructure our economic system;

This Council asks:

- For the Chief Executive to write to the Secretary of State seeking their support for a Green New Deal

This Council further requests that Policy and Resources committee commission a report detailing how, alongside existing work: [1]

- poverty, inequality and accessibility can be addressed through the council's plan to become net carbon neutral ('net zero') by 2030;
- the council can work with partners (e.g.: Greater Brighton Economic Board, Chamber of Commerce) to encourage a stimulus package for low-carbon, 'green' jobs; [2]
- the council can demonstrate good practice as a major employer by developing net-zero initiatives and employment opportunities;
- council can optimise the green credentials of council-owned buildings and public transport.

Proposed by: Cllr Heley

Seconded by: Cllr Hills

#### Supporting Information

[1] This council notes existing work already underway – such as the BHCC Sustainability and Carbon Reduction Investment Fund and efforts to develop a circular economy.

[2] *"The massive wave of government-led investment that is needed to tackle climate change can also create thousands of new, decent jobs, not only in 'green' energy sectors, but also in construction, manufacturing, waste management, technological innovation, land use management and whole range of other sectors."* [https://neweconomics.org/uploads/files/GND\\_2019\\_WEB.pdf](https://neweconomics.org/uploads/files/GND_2019_WEB.pdf) p.5

Green New Deal group: <https://greennewdealgroup.org/the-green-new-deal/>



**NOTICE OF MOTION****GREEN GROUP****SAFE SCHOOL WALKING ZONES**

This council agrees that walking to school should be safe for our young and vulnerable pedestrians. We note that existing 10-minute walking zones already in place around many Brighton and Hove schools still contain busy, hazardous roads without adequate crossings.

This council resolves to ask Environment, Transport and Sustainability committee to commission a report, exploring:

- How existing 10-minute walking zones around our schools can be optimised, adding the crossings and road calming measures necessary to create genuinely safe walking routes to school.
- How visual elements could be used throughout a zone to give drivers a clear message that they are near a school, walking families have priority, and drivers are guests in that zone.
- Funding options available to create these zones (such as grants, planning contributions, parking surplus, bids for funding)

And further, that such a report:

- sets out the ways in which the council will work in close consultation with schools and local communities about the creation of these zones.

Proposed by: Cllr Nield

Seconded by: Cllr Davis

**Supporting Information:**

Despite the limited investment of the Safe Routes to School programme many of our youngest pedestrians do not have a genuinely safe walking route to their school.

We note that the casualty and crash record of a road only gives a limited view of its risk. Perceptions of danger suppress demand for walking and reduce independent travel by children. This impacts on both their physical and mental development.

Safe school walking zones would work well together with a programme of School Streets, and as part of existing work on the Local Walking and Cycling Infrastructure Programme (LCWIP) that looks at safe and active travel.

