

Subject:	Petitions for Debate, Designate St Aubyns Playing Field, Rottingdean as Local Green Space - Extract from the proceedings of the Council Meeting held on the 21 July 2016		
Date of Meeting:	22 September 2016		
Report of:	Executive Lead for Strategy, Governance & Law		
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Wards Affected:	All		

FOR GENERAL RELEASE

Action Required of the Economic Development & Culture Committee

To receive the item referred from the Council for consideration:

Recommendation:

That the Committee give consideration to the petition request.

BRIGHTON & HOVE CITY COUNCIL**COUNCIL****4.30pm 21 JULY 2016****COUNCIL CHAMBER, BRIGHTON TOWN HALL****MINUTES**

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

18 PETITIONS FOR COUNCIL DEBATE**(a) Designate St Aubyns Playing Field, Rottingdean as Local Green Space**

- 18.23 The Mayor invited Lynne Moss to present the petition calling upon the Council to designate St Aubyns Playing Field Rottingdean as Local Green Space at the earliest opportunity.
- 18.23 Lynne Moss thanked the Mayor and stated the same petition had been submitted to the Council a year ago, at which time the Council had agreed to the designation; however, when the petition was considered at the subsequent meeting of the Economic Development & Culture Committee the resolution of Council was changed by way of an amendment from Officers. The site met all the criteria in the NPPF to be a green space. It was noted that the petition was accompanied by a barrister's letter which argued that the decision of the Economic Development & Culture Committee was unlawful. The group were also asking that Council's constitution be reviewed to prevent Officer amendments in future. Lynne Moss, finished by highlighting the group's lack of confidence in the Council's Planning Department.
- 18.24 Councillor Robins responded to the petition and stated that the Administration recognised the value of the space and wished to see it retained and funding provided for its maintenance. The land currently had some protection under local and national policies, and any future planning application would need to be considered against these tests. In terms of a designation as a local green space, this could only be done with a development plan and would need to meet the set criteria. It was added that the City Plan Part Two, would soon be out for consultation, and it was at these early stages that the case could be made for local green spaces designations. In relation to the Officer amendment that had been agreed by the Economic Development & Culture Committee,

there was an accepted working practice for Officer's to proposed amendments (usually for technical reasons). In this case the amendment had been a means to enable the recommendation of Council to be implemented; any proposed amendment still had to be agreed by the Members on the Committee in the usual manner.

- 18.25 Councillor Mears thanked Councillor Robins for his comments, and went on to highlight the amendment that had been agreed to the previous petition by Council before it was referred to the Economic Development & Culture Committee. Councillor Mears noted that a lot of work had been undertaken around this issue and urged the Council to resolve this at the earliest opportunity; she noted that the barrister's opinion was 'damming' and suggested that a working group could be the means to resolve the matter.
- 18.26 Councillor Druitt noted his support for green spaces across the city, and, whilst the city needed housing, building on green spaces was not the solution. Councillor Druitt noted that the amendment had been a practical means to implement the petition, but he argued that he was unsure if we would act the same way again if he knew the amendment would undermine the material nature of the petition.
- 18.27 The Monitoring Officer clarified that he was satisfied the advice of Officers and the agreement of the amendment at the Economic Development & Culture Committee had all been appropriate and in accordance with the Council's procedures.
- 18.28 **RESOLVED** – That the petition is noted and referred to the Economic Development & Culture Committee for consideration at its meeting on 22 September 2016.

