

**WRITTEN QUESTIONS FROM COUNCILLORS**

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

**(a) Councillor Hill – HMOs and the Article 4 Area**

“Given the increasing number of refusals for HMO use in the Lewes Road Article 4 area, and the fact that some developers will continue to operate against policy until enforcement action is taken, can the council confirm that all refusals of retrospective change of use applications are actioned by the Planning Enforcement team, and provide evidence of this?”

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

“The Enforcement Team are treating unauthorised HMOs as a priority.

All retrospective HMO planning applications that are refused are referred to the Enforcement Team and are given 28 days to appeal against the decision or cease use as unauthorised HMO. If this is not done an enforcement notice is served.

There are currently 98 live HMO enforcement cases. Of these, approximately 47 are awaiting planning applications to be decided; 12 have notices issued; and 7 are in the appeal process. Four of the 12 notices issued since October 2016 have been as a consequence of an application being refused.”

**(b) Councillor Nemeth – Tourist Boards in Hove**

“Will the Chair commit to pursuing the restoration of the dishevelled American Express tourist boards around Hove that detail the history of the town?”

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

“Thank you for raising this. I have asked officers to look into how these boards can be updated and refurbished and report back to a future Committee.”

**(c) Councillor Nemeth – Planning Applications with Outstanding Conditions**

“Will the Chair detail the number of planning applications with conditions still outstanding, and provide figures for equivalent dates in 2015 and 2013 (or similar periods to suit the way in which such matters are recorded)?”

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

The number of applications for approval of conditions that are currently in hand is 142 (of these two are out of time) out of a total of 436 for the year so far. The overall performance figure for 2016/17 on approval of conditions within 8 weeks is 42.5%. In terms of comparative data, in 2015/16 there were a total of 463 applications for approval of details and 45% were determined within eight weeks. For the period 2013/14 there were 386 and 53% were determined within 8 weeks.

The speed of performance on conditions applications reflects the need to focus resources on planning application decisions (in 2015/16/17); the increase in volume of conditions applications; and to allow applicants to amend details to allow the approval of conditions.

**(d) Councillor Peltzer Dunn – Breaches of s106 Expenditure Deadlines**

“Will the Chairman state how many times Section 106 expenditure deadlines been breached since May 2015 and how much unspent cash has been returned to applicants?”

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

“Since May 2015 there has been only one breach of expenditure deadline which has occurred (this is out of a total of on average of 120 individual payments under all applications per annum). This related to the development of Falmer Station (University Sussex - student accommodation granted September 2004). This resulted in repayment of an unspent Public Art sum of £40,000 in August 2016. The main reason for the sum not being spent within time was the loss of Public Art staff resources to support the project (officer left late 2014).

The two other s106 payments that were refunded to payees were due to the consents not being implemented and the planning permission lapsed. Therefore the council was not legally entitled to retain and spend the contribution and the funds had to be repaid.”

**(e) Councillor Nemeth – King Alfred Redevelopment Timetable**

“When was the Chair informed of the King Alfred timetable slipping by one year and what did he do to inform Councillors and the public?”

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

“Members of the Committee will be aware that each of the previous ‘Major Projects Update Reports’ to this committee, a standing item on the agenda, has included an update on the King Alfred project. These included a revised, and

still indicative programme reflecting the ongoing nature of discussions. Providing an overview of progress towards delivery of the council's major development projects is the primary purpose of the 'Major Projects Update Report'. In relation to the King Alfred, the report has, on each occasion, advised of the project's status together with an indication of when a detailed report to the Policy Resources & Growth Committee is anticipated.

The original timetable for delivery of the King Alfred project, as set out in the January 2016 report to the Policy & Resources Committee, was clearly stated as being indicative. Having made initial good progress, it was then necessary to extend the programme, in order to allow additional time to conclude a host of complex legal and financial arrangements; work that is ongoing."

**(f) Councillor Nemeth – Letter to Tenants at the King Alfred**

"Will the Chair provide a copy of the update letter that he agreed to send on 12th January 2016 to all tenants and clubs at the King Alfred, along with a list of all recipients?"

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

"A copy of the letter and the list of over 60 groups that received the letter will be provided."

**(g) Councillor Peltzer Dunn – s106 Art Project at Hove Lagoon**

"Will the Chair explain how £38,000 of Section 106 cash came to be allocated to an art project at Hove Lagoon without any consultation with either the ward Councillors, the Friends of Hove Lagoon or the Kingsway & West Hove Residents Association?"

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

"This is a Public Art contribution received from the new build, mixed-use employment redevelopment of Travis Perkins site Baltic Wharf Wellington Road Portslade. The planning application was determined at planning committee in December 2007 and planning permission was issued in September 2008 following the signing of the legal agreement. The contribution was originally identified towards the joint gateway area with the Shoreham Harbour project but subsequent planning permission for further development in the area that included the site for the proposed art works required re-allocation of the contribution. It was moved to land between Wharf Road and Wellington Road as part of an art component of public realm improvements. The funds secured are required to be spent by December 2018.

In terms of taking this forward, officers are liaising to gather expressions of interest from local artists. You can be assured that officers will also engage with

ward Councillors, residents and amenity groups on any proposals that come forward.

The public art contribution was one of a number of developer contributions secured on the Travis Perkins site and set out in the legal agreement. These include the developer undertaking highways improvement works to the value of nearly £84,000 plus payment to the council of commuted sums for maintenance. In terms of how these are identified, national policy requires that developer contributions go towards improvements in the vicinity of the development; and public art/public realm improvements were secured in accordance with planning policy requirements.”

**(h) Councillor C. Theobald – Meetings with Local Architects**

“What meetings has the Chair held during his tenure to date with local architects?”

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

“It is important that there are open lines of communication between the council and the development community, and this is something that is in place under this administration as under previous administrations, and goes forward in the usual manner through regular meetings and communications.

This allows the development community, which includes architects, planning consultants and developers, to raise any general issues that are significant, and also allows the development community to in turn be aware of improvement programmes at the council. It ensures that issues are shared, rather than priorities influenced by side issues or issues that are of concern to particular individuals rather than the community as a whole.

A key meeting that takes place is the Professional’s Forum, and since May 2015 Cllr Cattell, as Lead Member for Planning and Deputy on this committee, has attended all these meetings, the next one of which is on 21st March. Cllr Cattell also routinely meets architects at Planning Committee, Pre-Application presentations, Design Panel presentations and outside events such as those organised by the Brighton and Hove Chamber of Commerce. In addition, she responds to architects and other development professionals who contact her.”

**(i) Councillor Nemeth – Information in Relation to Libraries**

“Will the Chair explain when he first discovered that incorrect information had been given to the public by the Administration about local library closures and what specifically he did do to rectify the situation?”

**Reply from Councillor Robins, Chair of Economic Development & Culture Committee.**

“No incorrect information was given by the Administration about local library closures. Information was consistent with officer reports.”

