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| Subject: | Night Shelter Proposal | | |
| Date of Meeting: | 25 January 2018 | | |
| Report of: | Executive Director Health & Adult Social Care | | |
| Contact Officer: | Name: | Andy Witham | Tel: 01273 291498 |
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| Ward(s) affected: | Regency | | |

FOR GENERAL RELEASE

Note: By reason of the special circumstances, and in accordance with section 100B(4)(b) of the 1972 Act, the Chair of the meeting has been consulted and is of the opinion that this item should be considered at the meeting as a matter of urgency for the following reason: that to enable the proposals to be implemented in time a decision was required at the meeting on the 25th January

The special circumstances for non-compliance with Council Procedure Rule 3, Access to Information Procedure Rule 5 and Section 100B(4) of the Local Government Act 1972 (as amended), (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that the information necessary to complete the report was not finalised in time and delaying the item to the next meeting of the Committee would frustrate the implementation of the proposals in time. The Chair has been consulted and agreed that because of the foregoing special circumstances report should be considered at this meeting.

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report is to inform members that following the decision taken at Policy Resource and Growth Committee on 30 November 2017 regarding the use of the Brighton Centre syndicate wing as a winter as a night shelter to increase the city's capacity to reduce rough sleeping on the streets an extension to the dates of operation are proposed as set out below.

2 RECOMMENDATIONS

2.1 That the committee:

- (1) Notes that the 30 November meeting of this committee agreed to the use of the syndicate wing of the Brighton Centre to provide a night shelter and considered the associated service model and risk assessments
- (2) Agrees to the Syndicate Wing of the Brighton Centre continuing to be used as a night shelter for a further period until the morning of Monday 26th of February and then from Saturday 3rd March until the morning of Sunday 11th March 2018, as recommended by the cross-party working group

- (3) Authorises the Executive Directors for Adult Social Care & Health, Neighbourhoods, Communities and Housing and Economy, Environment & Cultures to take all steps necessary of incidental to the further use of the Brighton Centre as a night shelter for the extended period outlined in 2.1 (3) above.
- (4) Notes that an evaluation report will be submitted to this committee in summer 2018 on the utilisation of the night shelter and impact of its availability.

3 CONTEXT/ BACKGROUND INFORMATION

- 3.1 The night shelter has been open from Sunday 10th December 2017 and will run through until Sunday 11th February 2018 with a break of a few days in mid-January (15 to the 19 January). This break has been covered by moving the shelter to St Martin's Church which has agreed to accommodate the shelter for this period.
- 3.2 It is then proposed that the Night shelter will return to the Brighton Centre for the period from the 20th January until the morning of the 26 February 2018 and then again from the 3 March 2018 to the 11 March 2018. The continued use of the Brighton Centre provides a continuity of service and ensures that the shelter can continue to support those who have been accessing the service since the 10th December.
- 3.3 This extension has been possible through discussions with those organisations who have booked the venue throughout this period and establishing if the use of the syndicate wing is essential to the running of their event. This has not impacted negatively on the commercial aspect of these arrangements.
- 3.4 The Night Shelter can accommodate up to 30 people and has been well received to date since opening. The shelter has been full for a number of weeks and there have been very few incidents with staff and security are managing the venue well. As referred to in the previous report to PR&G Committee in November, a full evaluation of the night shelter operation will be presented to Committee later in the summer.

4 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 4.1 One-off funding was identified at February 2017 Budget Council to meet costs associate with the security and basic facilities for the use of empty council buildings by rough sleepers and to support infrastructure costs and conversion costs for the use of council buildings to be converted to provide Night Shelter facilities. To continue to provide the facilities for the extended period 11 February to 11 March 2018 may cost up to a further £9,000 to provide continued, energy costs, security and cleaning costs. There will also be additional support costs associated with Housing and Adult social Care support staff. These costs will be reported through the Targeted Budget outturn process and therefore impact on one-off resources available to support the 2018/19 budget.

Legal Implications:

- 4.2 The proposed night shelter facility is within the Council's powers and in accordance with the Council's policies. Given the fact that implementation of the proposals cuts across many officer delegations and Council policies, and given its corporate implications, it is appropriate that the decision to authorise the opening of the shelter at the venue for a limited period is authorised by the Policy, Resources & Growth Committee.
- 4.3 The implementation of the proposals needs to comply with any planning, health and safety and other regulatory requirements.
- 4.4 The temporary use of part of the Brighton Centre for a night shelter does not require planning permission as the change of use, i.e. from part of a conference/exhibition centre to a night shelter, is not considered to constitute "development" in planning terms. This is because in order to amount to development any change of use would have to be "material". Whether a change of use is material is a matter of planning judgment taking into account the planning consequences that would flow from the proposed use, for example any effect the new use would have on the character and amenity of the surrounding area. In making such an assessment a comparison needs to be made between the existing and proposed uses.
- 4.5 Having considered the detail of the proposed use the Head of Planning and the Council's Senior Planning Solicitor consider that the night shelter would not have a significant impact on its vicinity due, inter alia, to the maximum number of rough sleepers to be accommodated, the duration and hours of the use, the management proposals for those refused entry and/or congregating outside, the fact that the access to be used (Russell Road) is in a non – residential area and that adjoining streets currently generate significant footfall and activity, often late at night. In these circumstances the change of use is not assessed to be material.

Lawyer consulted: Abraham Ghebre-Ghiorghis

17.01.2018

SUPPORTING DOCUMENTATION

Appendices:

1. Night Shelter PR&G Report November 2017

Documents in Members' Rooms

1. None

Background Documents

1. None

