





**Brighton & Hove  
City Council**

# Overview & Scrutiny Commission

Title:	<b>Overview &amp; Scrutiny Committee</b>
Date:	<b>20 October 2014</b>
Time:	<b>2.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillors:</b> Mitchell (Chair)  Janio Brown K Norman Wilson Bowden Hawtree Powell Summers Davey
Contact:	<b>Giles Rossington</b> <b>Acting Head of Scrutiny</b> <b>29-1038</b> <a href="mailto:giles.rossington@brighton-hove.gov.uk">giles.rossington@brighton-hove.gov.uk</a>

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# AGENDA

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	To consider the minutes of the last meeting held on July 14 2014 (copy attached).	
<b>29</b>	Chairs Communications	
<b>30</b>	Public Involvement	
	To consider the following matters raised by members of the public:	
	(a) <b>Petitions:</b> to receive any petitions presented by members of the public to the full council or at the meeting itself;	
	(b) <b>Written Questions:</b> to receive any questions submitted by the due date of 12 noon on the (insert date);	
	(c) <b>Deputations:</b> to receive any deputations submitted by the due date of 12 noon on the (insert date).	
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Report of the Assistant Chief Executive on the CAB request to establish a scrutiny panel to look at issues relating to city Letting Agents (copy attached)

- 37** For information: follow up to July 2014 scrutiny of corporate performance report **213** -  
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Information provided by the Head of Human Resources. This is in response to members' examination of the annual corporate performance report at the July 2014 meeting (copy attached).

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For further details and general enquiries about this meeting contact Karen Amsden, (01273 291064 – email [Karen.amsden@brighton-hove.gov.uk](mailto:Karen.amsden@brighton-hove.gov.uk)) or email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk)

Date of Publication 13 October 2014

## Agenda Item 27

### A. Declaration of Substitutes

Where a Member of the Overview and Scrutiny Committee is unable to attend a meeting for whatever reason, a substitute Member attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Overview and Scrutiny Committee. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

### B. Declarations of Interest

(1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.

(2) A Member of the Overview and Scrutiny Committee, Scrutiny Panel or other scrutiny body has a prejudicial interest in any business at meeting of that Committee where –

(a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken the Member was

(i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and

(ii) was present when the decision was made or action taken.

(3) If the interest is a prejudicial interest, the Code requires the Member concerned:-

(a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].

(b) not to exercise executive functions in relation to that business and  
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(c) not to seek improperly to influence a decision about that business.

(4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

(a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

(b) if the Member has obtained a dispensation from the Audit and Standards Committee, or

(c) if the Member is the Leader or a Policy Committee Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

**C. Declaration of party whip**

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda.

**D. Exclusion of press and public**

To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.2*

# Agenda item 28

**BRIGHTON & HOVE CITY COUNCIL**

**OVERVIEW & SCRUTINY COMMITTEE**

**2.00pm 14 JULY 2014**

**COMMITTEE ROOM 3, BRIGHTON TOWN HALL**

## **MINUTES**

**Present:** Councillor Mitchell (Chair)

**Also in attendance:** Councillor K Norman, Wilson, Bowden, Hawtree, Summers, Davey and Wakefield

**Other Members present:** Councillors

## **PART ONE**

### **1 APOLOGIES AND DECLARATIONS OF INTEREST**

Councillor Gill Mitchell Chair of Overview and Scrutiny Committee welcomed everyone to this meeting, the first of this municipal year, especially members who were new to OSC.

1.1 Councillor Wakefield was substituting for Councillor Powell.

1.2 There were no declarations of interest or party whip.

**RESOLVED** that the press and public be not excluded from the meeting.

### **2 MINUTES**

2.1 The minutes of the meeting held on 27 January 2014 were agreed and signed by the Chair.

### **3 CHAIRS COMMUNICATIONS**

3.1 There were none.

### **4 PUBLIC AND MEMBER INVOLVEMENT**

4.1 There was none.

### **5 PERFORMANCE REPORT YEAR END 2013 - 2014**

5.1 Andy Edwards, Senior Performance Analyst introduced the Annual Performance Update 2013/1014. As many as 84% of the results either met or were close to target, shown as green

or amber in the report. Where performance was shown to be off-track it was important to know the reason why. Work was in progress to reduce the number of indicators.

5.2 OSC discussed the report and said the format of the report was clear, giving clear descriptions and trends. Members asked questions especially about staff equalities issues, fuel poverty, conservation areas at risk, people engaging in the arts, the GCSE achievements of free school meal children, water quality, nitrogen dioxide levels, the use of digital media, looked after children, LGBT hate crimes and household waste. The Senior Performance Analyst would gather written answers from the service teams where necessary.

5.3 Answering a question the Acting Head of Scrutiny said performance results can be used to inform the scrutiny work plan.

5.4 **RESOLVED:** that a report on staffing issues identified in the annual performance update be requested for a future meeting and further information on the above issues be provided.

## **6 TRAVELLER SITE PROVISION**

6.1 Rachel Chasseaud, Head of Tenancy Services and Max Woodford, Projects Manager gave an update on Traveller site provision.

6.2 Detailed design of the permanent Traveller site was now going ahead, working closely with residents, the South Downs National Park Authority, the Environment Agency and the Patcham and Hollingbury Conservation Association. The 23 planning pre-conditions included water quality, cycle parking and site management. Asked for an idea of timescales, officers estimated that building work would take around a year to complete, starting in spring 2015.

6.3 The Committee heard that since mid-June, Section 62A of the Criminal Justice and Public Order Act 1994 was being used, with close involvement of Legal Services, to manage unauthorised encampments in the city. Two groups had decided to leave the city and two groups had been directed to the Horsdean transit site. Travellers had given a lot of positive feedback about the layout, design and landscaping of Horsdean.

6.4 It was thought that 80% of unauthorised encampments move to different areas of the city and that they attract further unauthorised encampments. The permanent site is anticipated to reduce this possible 'magnet' effect.

6.5 OSC heard that connecting waste water from the transit site to the mains sewerage system would be done by directional drilling under the road.

6.6 Members were pleased that planning permission has been granted. They praised the scrutiny review and thanked the officers for their work and presentation.

6.7 **RESOLVED:** that the report be noted.

## **7 TRANS EQUALITY SCRUTINY - EXCEPTIONS UPDATE**

7.1 Nicky Cambridge, People and Place Coordinator, BHCC, gave an update on progress in implementing the 37 recommendations of the Trans Equalities Scrutiny review.



Recommendations relating to Housing and Adult Social Care were largely being dealt with, showing amber or green on the monitoring report.

7.2 However it was proving difficult to influence most of the health-related actions such as a local clinic, specialist GP services, standards of specialised services, changes to the health care pathway and reducing waiting times. These were all historic issues; some were related to the national review of specialised commissioning that was going on.

7.3 A second feed-back event with the local trans community was being planned, but it was very disappointing that on the health recommendations, there was little new to report.

7.3 OSC heard that the Chair of Health and Wellbeing Overview and Scrutiny Committee, Councillor Rufus had written to the Chief Executive of NHS England Surrey and Sussex area team but had received no satisfactory reply, merely being referred on to the national organisation, NHS England.

7.4 Members referred to the ground-breaking scrutiny review and felt strongly that the health-related recommendations should be pursued further.

## **7.5 RESOLVED**

- a) That the matter be referred to the next available Health and Well-Being Board.
- b) That the Chief Executive be asked to write to the Secretary of State for Health.
- c) That the Chief Executive be asked to write to the Chief Executive of NHS England.

## **8 OVERVIEW AND SCRUTINY COMMITTEE: WORK PLANNING**

8.1 The Acting Head of Scrutiny introduced the report on OSC work planning.

8.2 The current and planned overview and scrutiny work plus suggestions for scrutiny as set out in Appendices 1 and 2 were agreed. The number of young people sentenced to custody was put forward as an additional item; however this would be taken into account in the Youth Justice Plan scrutiny. Further suggestions were made for scrutiny action; air quality, food waste, groundwater, letting agents and the private rented sector.

8.3 **RESOLVED** that a scoping report be presented to the next OSC.

## **9 BUDGET SCRUTINY 2015 - 16**

9.1 The Acting Head of Scrutiny introduced the report on Budget Scrutiny 2015 – 2016. It was recommended that the process be similar to budget scrutiny 2014 – 2015, and giving as much notice as possible to the council's administration of the likely focus of this year's budget scrutiny.

9.2 Members discussed the impact of scrutiny of the budget proposals and agreed that the third sector ought to be involved early in the scrutiny process. A timetable was needed to report back to community groups and Members.

9.3 **RESOLVED** that the proposed format for scrutiny of the 2015 – 2016 budget plans be agreed.

The meeting concluded at 4.15pm

Signed

Chair

Dated this

day of

<b>Subject:</b>	<b>Report of the Seafront Infrastructure Scrutiny Panel</b>		
<b>Date of Meeting:</b>	<b>20 October 2014</b>		
<b>Report of:</b>	<b>Assistant Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Karen Amsden</b>	<b>Tel: 29-1084</b>
	<b>Email:</b>	<b>Karen.amsden@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In July 2013 OSC agreed to establish a scrutiny panel to explore issues relating to the seafront infrastructure. The panel was chaired by Councillor Gill Mitchell, with Councillors Vanessa Brown and Ian Davey and Dr Angela Benson, Principal Lecturer: Sustainable Tourism Development from University of Brighton (co-optee).
- 1.2 The scrutiny panel report is attached as **Appendix 1** to this report, and the current draft city Seafront Strategy (including maps of the seafront) as **Appendix 2**.

**2. RECOMMENDATIONS:**

- 2.1 That the OSC endorses the scrutiny panel report on seafront infrastructure (**Appendix 1**) and refer it on for consideration by the appropriate policy committee(s)

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 In July 2013, OSC agreed a request from the council's Executive Leadership Team for a scrutiny panel to be set up looking at the seafront infrastructure, identifying the highest priority areas for work and seeking to agree on how this work might best be funded and delivered.
- 3.2 A panel consisting of Councillors Mitchell, Davey, Brown and Dr Benson was established, with Councillor Mitchell agreeing to chair. The panel held three public evidence-gathering meetings, speaking to the Brighton and Hove Economic Partnership, representatives from local conservation groups, seafront businesses, Hastings Borough Council, and a range of officers within the city council.
- 3.3 The panel members also held a well-attended drop-in event for seafront traders and other stakeholders and a workshop event with the Brighton & Hove Tourism Advisory Board.

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

4.1 The OSC has the option to decline to endorse the scrutiny panel report.

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

5.1 The panel members spoke to a wide range of partners; please see the report for full details.

#### **6. CONCLUSION**

6.1 In line with normal procedure, we are asking that the OSC endorses this report and refers it on to the appropriate BHCC Policy Committee(s) for consideration.

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

##### Financial Implications:

7.1 The financial implications of the recommendations from the scrutiny panel will be assessed in the context of the Council's budget strategy when the recommendations are considered by the policy committees.

*Finance Officer Consulted: Anne Silley*

*Date: 29/01/14*

##### Legal Implications:

7.2 Once OSC has agreed its recommendations based on the work of the scrutiny panel, it must prepare a formal report and submit it to the council's Chief Executive for consideration at the relevant decision-making body.

7.3 If OSC cannot agree on one single final report, up to one minority report may be prepared and submitted for consideration by the relevant policy committee with the majority report.

*Lawyer Consulted: Oliver Dixon*

*Date: 29/01/14*

##### Equalities Implications:

7.4 None identified.

##### Sustainability Implications:

7.5 None identified.

##### Any Other Significant Implications:

7.6 None identified.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. The report of the Seafront Infrastructure Scrutiny Panel
2. The current draft city Seafront Strategy

### **Documents in Members' Rooms**

None

### **Background Documents**

None





**Report of the Overview and Scrutiny Panel**

**October 2014**

**Seafront Infrastructure**

**Panel Members**

**Councillor Gill Mitchell (Chair)  
Councillor Ian Davey  
Councillor Vanessa Brown  
Dr Angela Benson (Co-optee)**

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## **Chair's Foreword**

One thing that we can all agree on is that Brighton and Hove's iconic seafront is one of the city's key locations, acts as our 'shop-window' and is our biggest outdoor recreation space. It is one of the main reasons why people visit the city and an important site for a range of businesses.

However, there are significant and growing problems within the structures that keep the seafront in operation and it is the need to address that issue which formed the remit for the Seafront Scrutiny Panel. The panel's work has had to be set against a background of reducing resources and increased competition for the dwindling funds.

Panel members heard about the many positive developments happening on the seafront including the opening of new business premises in the arches and the start of the i360 construction. However, we also saw at first hand the worrying deterioration of some of the structures and learnt about the Victorian construction methods that are now beginning to fail. We were told that around £100 million is needed to rebuild or replace the structures which work to support the highway and house seafront businesses.

We have aimed to produce a forward looking report that looks to work together across political boundaries to identify a shared vision for the seafront. Although the city is rightly enjoying success as a top holiday destination for both overseas and UK visitors, there are concerns that this could be compromised if the seafront structures are not rebuilt or restored at a sufficient rate.

The range of evidence given to the panel convinced us that it was essential to look beyond the rebuilding and replacement of structures and to look at how the seafront could work towards paying for itself by generating more income and holding on to those resources to fund the structural works.

This report has been produced by a cross-party group of councillors with a co-optee from Brighton University who has added valuable expertise and knowledge about tourism. The panel has made a significant number of far reaching recommendations to address the issues raised by the evidence heard. However, given the complexity and fast changing nature of some of the factors they were reporting on, such as funding, the panel would like to emphasise that it is based on their best possible understanding of the issues. The panel looks to the Executive Response to clarify some of these complex issues and address the practicalities of implementing the recommendations of the panel.

We have been acutely aware that the financial climate is such that it is unrealistic to simply suggest that we can spend more and more public money, even on something of such key importance. Therefore the panel has focussed on how we can work to re-position the seafront as, insofar as it is possible, a financially self-sustaining entity. We want the seafront to retain its unique offer but we have to make the most of every opportunity to raise income while ensuring that the income the seafront generates is used as efficiently as possible to sustain its future.

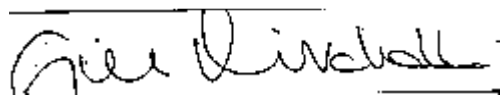
The one key message from the panel is the need for the council to look at the way it manages the seafront in the future to meet the challenges it faces. Evidence to the panel suggested that the council is currently facing inherent tensions in meeting its responsibilities towards the seafront and the complex and sometimes fractured nature of the services and budgets may not be helping the situation.

The panel believes the need to rebuild and replace significant numbers of structures on the seafront is such a challenge that the council needs to manage the seafront as a single coherent programme:

- Strategically
- Financially
- Operationally.

This joined up working would put the seafront in the best place to secure funding, grow enterprise and help make difficult decisions about what we want for the seafront. The outcomes and recommendations of this panel are aimed at achieving a single coherent way of working.

On behalf of the panel members, my heartfelt thanks as Chair go to all the local groups, seafront traders, individual members of the public and council officers who have offered invaluable information and views on this subject.

A handwritten signature in black ink, appearing to read 'Gill Mitchell', is written over a horizontal line. The signature is cursive and includes a small flourish at the end.

**Councillor Gill Mitchell**

**October 2014**

## Introduction by Dr Angela Benson

How do you see Brighton and Hove seafront? 'London by the Sea'; 'Shabby Chic' (described by my friends) or as one of the top cities with a brilliant beach like Lonely Planet – who put Brighton and Hove seafront up there with the city beaches of Barcelona, Cape Town, Rio de Janeiro and others:

*“Brighton is the most vibrant seaside resort in England. Just an hour from London, it is a thriving, cosmopolitan city with a Bohemian spirit; home to an exuberant gay community, a dynamic student population and a healthy number of ageing and new-age hippies, as well as traditional candyfloss fun. The beach is made up of pebbles, not sand, but that doesn't stop the crowds heading here in their droves. Whether its midday sunbathing or midnight partying, Brighton beach seems to be in use at all times.”<sup>1</sup>*

Even before, coming to live in Sussex, Brighton has been part of my life, day trips and weekends away to the lively city and coastline. It was therefore, with much pleasure that I agreed to be a member of the scrutiny panel, fulfilling two purposes for me (1) being able to offer my expertise in a destination where tourism is important and that I love and (2) be part of a community engagement project supported by the University of Brighton, who I work for, in the area where the University is situated.

Upon commencing the work of the panel it became clear early on that what started as looking at the seafront structures became a much more complex set of issues and the report and recommendations reflect this. There is no doubt the Victorian era has left Brighton and Hove with an amazing legacy, however, this is both a blessing and a curse as the upkeep of some of this infrastructure comes at great expense. This is further exacerbated by the continuing cuts to the public purse and the need to seek a more commercial way forward.

In order for Brighton and Hove to maintain its position in the list of the ten cities with brilliant beaches it is important to understand who uses the seafront, both community and visitors, and for what purpose. Part of this understanding is also the recognition that this may change over the years and therefore, growing and adapting to the changing demands to a more varied, and possibly more exacting, clientele will be a key challenge. Furthermore, whilst the remit was to look at the seafront, it is difficult in tourism terms to isolate this and I believe it is necessary to examine the wider picture. For example: what is the relationship between the city and the seafront, many of the seafront activities are free but do visitors spend in the city? What is the relationship of the Brighton and Hove urban area with the newly formed South Downs National Park?

I digress, so let me come back to the seafront. What really was evident during the scrutiny panel process, from the beginning to the end, was the will of all the stakeholders to be engaged in the discussions (Councillors, Officers, Business, Community, etc.) and to seek the best possible way forward in order that

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<sup>1</sup> 10 cities with brilliant beaches by LONELY PLANET. Dec 17 2012

everyone could enjoy and benefit from a 'joined up' seafront. It was also clear to see that not everyone wants to use the seafront in the same way and therefore, there were competing interests however, there was also an acceptance that compromises will need to be struck.

There is no doubt that the future of the Brighton and Hove seafront concerns us all and it is imperative to secure a way forward that is sustainable but also a future that enables Brighton and Hove seafront to maintain its position amongst the best.

**Dr Angela M Benson**  
**Tourism Specialist**  
**University of Brighton**

**October 2014**

# 1. Executive Summary

## Why is the seafront so important to the city?

**1.1** Brighton & Hove owes its establishment, growth and continuing popularity to its seafront location. It is the most popular seaside destination in the United Kingdom for overseas visitors, able to capitalise on London becoming the most visited city in the world.<sup>2</sup> As the popularity of holidaying at home continues to increase, the city is also taking advantage of this trend. This city is now a top 10 destination for Britons looking to holiday at home. The tourism economy is worth £800m to the city, with the seafront playing a vital role in this success.

Paula Murray, the council's Assistant Chief Executive explained that out of all the attractions in the city:

*'...the seafront was the most important, what the city is known for and the biggest draw.'*<sup>3</sup>

## A resource for the city

**1.2** A survey found that 94% of respondents tended to take visitors from other cities to the seafront and that 96% saw it as one of Brighton & Hove's best assets.<sup>4</sup> Some of the ways that the panel felt the offer to residents and visitors could be further improved was to increase, or improve the facilities on the beach, including:

- Sports facilities
- Cafes and bars
- Restaurants
- Educational and cultural activities.

The panel felt that this would make the seafront even more of an attractive alternative, or addition, to going to the Lanes or North Laine for residents and visitors.

## The roles of the council in relation to the seafront

**1.3** The council has a range of roles and responsibilities in relation to the seafront. These include:

- Highways Authority
- Landlord of the seafront businesses
- Providing services and facilities such as cleansing and waste removal
- Coast Protection Authority
- Encouraging tourism
- Enabling major projects.

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<sup>2</sup> <http://www.ons.gov.uk/ons/rel/ott/travel-trends/2013/rpt-travel-trends--2013.html#tab-Commentary--Overseas-residents--visits-to-the-UK>

<sup>3</sup> Minutes of the panel meeting on 18.03.14

<sup>4</sup> Seafront Strategy Consultation Report May 2013

The panel became aware that these roles may have inherent tensions between them. While the scrutiny process found many positive examples of the operational services working together, the panel wanted to find a way of ensuring that all those services come together regularly to work out how to maximise the opportunities available. This could take the form of an officer working group for the seafront.

### **Why scrutinise this issue?**

**1.4** The panel was established to focus on the physical structures on the seafront and look at the best means of funding the rebuilding, replacement or repairing the infrastructure when needed. The key structures on the seafront include:

- Arch structures
- Retaining walls
- Railings
- Madeira Terrace
- Volks Railway.

### **The condition of the infrastructure**

**1.5** For much of the 20<sup>th</sup> Century the city had been a 'fashionable' location, but by the 1980s the seafront was becoming '*somewhat dilapidated*'. Concerns about the decline in the image and the fabric of the seafront and the need to improve the environment for residents, visitors and investors led to the adoption of the Seafront Development Initiative (SDI) in 1992 by Brighton Borough Council. The SDI warned that:

*'Despite its importance in the town's social and economic life, the Seafront has suffered from a certain amount of neglect and isolation over the past decades as the town's scarce resources have been concentrated on developing other tourism and economic assets such as the Brighton Centre, the Royal Pavilion, the Lanes...'*<sup>5</sup>

**1.6** The key objectives of the SDI included:

- Regenerating the seafront
- Creating a bustling seafront community
- Maximising investment and financial support
- Creating new employment opportunities
- Improving accessibility.

Although the recommendations of the SDI related only to the borough of Brighton, the panel could see that many of the issues identified were still relevant today. In 2012 the council developed a Draft Seafront Strategy, and one of the aims of the panel was to consider how to realise the priorities identified by this strategy.

### **The city's ambition**

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<sup>5</sup> Brighton Seafront Strategic Development Initiative, Draft Final Report, July 1992

**1.7** The panel heard from Geoff Raw, the Executive Director for Environment, Development and Housing, that it was a goal of the council to see the city appear in the National Geographic international top 10 beach cities.

*'It was a very ambitious target for Brighton & Hove, as cities like Rio de Janeiro featured in this top 10. However the city should be ambitious, as it was the premiere beach destination in the UK.'*<sup>6</sup>

### **Very significant investment is needed**

**1.8** An important concern when looking at how to encourage more visitors to the city, is what impression is given by the current condition of the seafront structures. It has been estimated that up to £100m is needed to carry out structural works to the seafront structures, including the £80m identified by the asset management process needed to rebuild and replace the highway related structures.

The SDI led to the development and rental of the arches on the seafront, largely funded by the Single Regeneration Budget. It is now much less likely that grants will be the solution, due to falling resources and the increasingly competitive nature of securing such funds. Evidence to the panel showed that each year significantly less money is being spent on repairing, replacing or rebuilding the structures than is needed.

**1.9** So the main challenge facing the seafront is to identify sufficient resources to rebuild, repair or replace failing infrastructure. This issue was the key reason for establishing the panel.

### **The strategic management of seafront improvements**

**1.10** Many of the planned major projects for Brighton & Hove are on the seafront. The sites of these major projects, which are all at various stages, include:

- Brighton i360
- King Alfred Leisure Centre
- Brighton Centre
- Black Rock
- Brighton Marina
- Shoreham Harbour Regeneration Project.

Substantially increasing the tourism offer would enable the city to provide a critical mass of attractions for visitors from London, the rest of the UK and abroad. The panel believes that while each major project on the seafront needs to be individually managed, the importance of this part of our city, and the complexity of issues it faces: means that the seafront needs to be treated as a single programme. One of the priorities of the senior officer who manages this programme, will need to be looking at the full length of the seafront and making the links between the planned projects.

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<sup>6</sup> Minutes of the panel meeting on 25.03.14



**1.11** To make sure this happens, the panel recommends that how the seafront is managed as a programme is agreed as a matter of some urgency. The panel have then suggested a package of actions, including an investment strategy, to make the aims of the Draft Seafront Strategy developed in 2012 and the recommendations of this panel a reality.

The panel is aware that major projects can be very complex: while carrying a risk of either not coming to fruition or experiencing significant delays. The panel feels it is important for the council also to continue working on the small and medium size improvements which are also needed on the seafront.

**1.12** Given the resource constraints faced by the council, some of the future developments may need to be done by encouraging private investment to improve or develop the facilities, for example providing other opportunities for beach sports.

### **Seafront developments**

**1.13** The ten recently opened units in the seafront arches will complement the i360 development and provide a creative - retail quarter, to improve the visitor experience and provide significant extra income to the council. The opportunity to carry out this development work has arisen because of the strengthening works required to the structures. The panel hopes that their recommendations will work towards securing sufficient resources to continue to carry out these kinds of developments and improvements.

### **A seafront for all**

**1.14** The panel also looked at ways to encourage the city, including its residents and businesses, to make even more use of the seafront and help them understand the issues it faces. This includes encouraging residents and visitors to make full use of the length of the seafront as well as using the facilities all year round. This would help reduce the pressures which can be placed in the very heavily used areas, in terms of; congestion, car parking and people queuing for attractions.

### **The need for continual improvement and maintenance**

**1.15** Evidence to the panel highlighted the challenges faced because of the age of the majority of the seafront structures as well as their type of construction. This means many of the structures are coming to the end of their natural life. The need to close unsafe structures, such as the former Shelter Hall, and their potential impact on the A259 show the disruption that can be caused when such structures fail. The panel was forced to consider whether the greatest asset of the city was in danger of becoming not fit for purpose.

While the SDI & the Draft Seafront Strategy identified many useful issues, it has not been possible to realise as many of their recommendations or priorities as hoped. The aim of this panel is to ensure the importance of the seafront is fully recognised and that the council works with partners and the city to ensure the condition of the seafront is continuously maintained and improved.

## **Being bid ready**

**1.16** The panel was informed that due to declining resources and other priorities facing the city, the council could not keep relying upon funding from the Local Transport Plan to pay for improvement works on the seafront. The panel has recommended that the council makes sure it is 'bid ready' for the full range of other ways to secure resources such as Local Enterprise Partnership (LEP) and European funding. Being 'bid ready' means having the capacity, knowledge and skills to develop those bids. The panel was keen to see that the seafront is identified as a priority for these types of funding.

## **A financially self-sustaining seafront**

**1.17** The panel heard compelling evidence about the level of resources needed to rebuild, replace and maintain the seafront. The panel would like to see the council look at the feasibility of setting aside a certain amount of the money from the income generated by the seafront, or ring fencing these funds, to be used for improving and maintaining the area.

The panel feels that setting aside resources for this location is vital because of the history of under-investment on the seafront structures. It would also ensure there was a protected supply of funds for the seafront which could not be diverted to other council priorities. The use of ring fencing a percentage of business rates is also the means for establishing a Business Improvement District, which is a model that the panel would like the council to consider in relation to working with the seafront businesses.

**1.18** The panel also wanted to ensure that the seafront was also a higher priority in terms of the corporate building maintenance strategy which determined how much money was allocated for the planned maintenance of seafront structures.

## **Becoming more commercially minded and generating more income**

**1.19** The panel also feels it is vital to look at the widest range of ways to bring in more income from the seafront, to use to repair and regenerate this vital area. The council is the primary landlord on the seafront and derives a good income from it. But given the level of need, the panel believes it is essential for the council to become more commercially minded in relation to the seafront, for example when new lettings and developments become available. To enable this, the panel has recommended the creation of a new post of an Enterprise Officer for the seafront.

## **Prioritising these resources**

**1.20** The panel were also asked to look at priorities for any expenditure on the seafront, and the evidence they received showed that:

- There was support for focussing first on the most popular part of the seafront between the piers, then use resources gained from there to encourage people to use the total length of the seafront

- Given the inevitably limited funds for the seafront, the need to see if there are innovative solutions to raise money for areas such as Madeira Terrace, such as crowd funding.<sup>7</sup>

The panel also felt that it was vital to have a clear and publically available plan for the seafront, so everybody with a stake in this area knows what is happening and when it is planned to happen.

### **Working with the city**

**1.21** The panel recognise the importance of the council's communications with the city about the seafront and the issues it faces, for example, discussions with seafront businesses about what is happening on the seafront that enable the traders to plan ahead for their business. The panel hopes that recommending the establishment of an Enterprise Officer post to work with these businesses, will also help them to maximise their effectiveness and profitability. This in turn should improve the tourism and visitor offer and help the council maximise its rental income.

The panel is also keen for the council to look to make the best use of enterprise opportunities when they arise on the seafront. For example by considering how to enable and encourage a wider range of businesses to establish themselves on the seafront, while retaining the features which make Brighton & Hove such a popular seafront destination.

### **Involving the whole city**

**1.22** The panel is keen to emphasise that the seafront is not just an issue for the council. There is a wide range of stakeholders including potential investors, businesses, the tourism industry, sporting clubs, conservation societies and the local residents. Their resources and knowledge all need to be harnessed so that the whole city and region is working to deliver the best possible seafront for Brighton & Hove.

### **Continuous improvement**

**1.23** The panel believes it is essential to look continuously at how to provide the best offer for residents, visitors and businesses. They recommend that the council collects information about the needs and expectations of residents, visitors and businesses about the seafront. A set of measures then need to be developed which check whether improvements are happening on the seafront. Example of such measures could include percentage of vacant units on the seafront, and the number of return visitors.

## **Conclusion**

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<sup>7</sup> Definition of crowd funding from Google: the practice of funding a project or venture by raising many small amounts of money from a large number of people, typically via the Internet.

**1.24** The panel was impressed that so many people were working very hard to keep the seafront as an invaluable resource for the city. But they felt there is a need to focus more of this work on facing the challenges ahead; given the scale of the problem and the significant resource demands. So the panel believe that the seafront needs to be:

- Strategically managed as a coherent programme
- Identified as a key outcome, for repair and improvement, in the council's Corporate Plan
- Given protected resources designed to deliver continual improvements to this area
- Increasing its ability to generate income and developing a greater enterprise culture
- A priority for spending where the council can do so, for example when planning maintenance programmes
- A priority for the council when it bids for relevant funds.

**1.25** The panel recognises that some of their recommendations go beyond the remit of looking purely at the structures on the seafront, to look at the wider range of issues facing this area of the city. But their main focus has been on how to secure sufficient resources to meet the needs of the seafront, and make it more economically self-sustaining so it can continuously improve.

## 2. Outcomes

Given the complexity and scope of this issue, the panel began by defining the eight key outcomes which they believe need to be achieved for the seafront. Some of these outcomes have led to individual recommendations, while others have resulted in several recommendations. These outcomes are:

### 1. The council has a collective understanding of the seafront's needs and opportunities and who is responsible for it.

*The revitalisation of the seafront is a defined programme and there is a lead officer for this programme. Having a coherent programme will also help the council to resolve the tensions inherent in carrying out its different roles and responsibilities in relation to the seafront.*

### 2. A seafront which is working towards being financially self-sustaining.

*Funding programmes, such as the Local Transport Plan (LTP), and major projects alone cannot secure the money needed to improve and maintain the infrastructure on the seafront. So the panel want to see the seafront area maximising its enterprise opportunities, while providing the best possible offer to users of the area. This would include:*

#### *Growing the income from the seafront*

*The enterprise focus would also include looking at how to grow the business rate base and rental income from this area.*

#### *Helping businesses on the seafront to grow*

*The panel are very interested in the potential for using the model developed by Business Improvement Districts to provide support to seafront businesses and increase the commercial success of defined areas. The panel looked at the work being done by the Portas Pilot in London Road and the Business improvement District (Brilliant Brighton) when considering this outcome. They feel that it would be valuable to enable seafront businesses to look at the feasibility of establishing a business improvement zone for the seafront area.*

*The panel would like to see the provision of an Enterprise Officer for the seafront. The panel recommend that this officer is not employed directly by the council. One of the key aims of the post would be to provide business support to the businesses in the seafront area. The panel hopes that this work could also be connected to the Coast to Capital Local Enterprise Partnership (LEP) which has identified the seafront as a priority for its bids.*

### **Ring fencing income for the seafront**

***A key reason for looking at the feasibility of ring fencing is to ensure that any increase in revenue from the seafront is retained, or partially retained, to be put back into maintaining and improving the seafront.***

#### **3. Everyone is working together to develop the seafront.**

***The panel would like to see that those with a stake in the seafront are working together to develop the area. The council and key groups should meet regularly to develop a shared view of its future.***

#### **4. The seafront is no longer seen as a major risk.**

***The seafront as an asset to the city is currently considered to be a key strategic risk for the council, in terms of the investment and ongoing revenues needed for both the seafront structures and infrastructure.<sup>8</sup> The panel wants to ensure that sufficient measures are in place for the council to own, and mitigate, any future risks or problems which could be faced by the seafront.***

#### **5. An accessible and connected seafront.**

***The panel would like to see the seafront become as accessible and well connected as possible.***

***The panel recognises that there is a need to balance the competing demands for the funding from the Local Transport Plan (LTP). The funding which is being used for structural works on the seafront can sometimes result in reduced funding for other transport projects in the city. So connectivity needs to be one of the goals of the financially self-sustaining programme outlined in Outcome Two.***

#### **6. The council is in the best possible position to develop robust and successful bids for funding when opportunities arise to enable projects on the seafront to succeed.**

***Given the likelihood that established funding methods for the seafront will change, the panel is keen to see the council find new ways to fund improvements to this area. The council needs to ensure there are sufficient resources to be 'bid ready' to capture the full range of potential funding streams for the seafront.***

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<sup>8</sup> [http://present.brighton-hove.gov.uk/Published/C00000699/M00005123/AI00040256/\\$20140616131750\\_006011\\_0024512\\_StrategicRiskRegister201415reviewv5.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000699/M00005123/AI00040256/$20140616131750_006011_0024512_StrategicRiskRegister201415reviewv5.doc.pdf)

- 7. A seafront which offers the best possible experience for visitors, residents and businesses.**

*The purpose of replacing, repairing, rebuilding and regenerating the structures on the seafront as well as setting up a model which works towards the seafront becoming self-sustaining is to improve the experience of those using, and visiting the seafront and working there.*

- 8. A greater understanding and appreciation of the seafront and its history.**

### **3. Recommendations of the panel**

Having determined the outcomes they wished to see for the seafront, the panel have then produced a set of 15 recommendations aimed at achieving these outcomes. Please note that this is not the order they appear in the report.

#### **Recommendation One**

*The panel wants to ensure that the strategic management of the seafront is a coherent, visible and accountable programme. To achieve this, the panel recommends that:*

- *The seafront is turned into a coherent programme of work*
- *A single lead for this programme is chosen from the Executive Leadership Team in Brighton & Hove City Council*
- *A group of key officers meet regularly to manage the progress of this programme*
- *This method of managing the seafront is included as an outcome in the council's Corporate Plan.*

*The panel would like a report to come to the Policy & Resources Committee in March 2015 to outline how this programme will be led and managed. A further report should be put to committee in September 2015 to:*

- *Outline the key challenges the programme faces*
- *Identify the resources*
- *Describe potential solutions.*

*The panel believes that the key challenges which need to be tackled as a priority include:*

- *The programme management of the seafront*
- *How to reconcile the fractured nature of the planning, asset management and budget management processes for the seafront*
- *An Enterprise Officer post for the seafront (see Recommendation Five)*
- *Innovative funding solutions for Madeira Terrace and other such areas (see Recommendation Thirteen)*
- *Officer capacity to develop funding bids for seafront structures (see Recommendation Twelve).*

#### **Recommendation Two**

*The panel would like to see the information produced on the seafront collected in a single place, to increase the visibility and accountability of this as a programme. The council can then use this site to share information which is not commercially sensitive with seafront businesses and other stakeholders. This would enable these businesses and organisations to plan more effectively for their future. The process*



would also seek to make a very complex area of work more accessible and understandable.

### **Recommendation Three**

*The panel recommends that a 'brand identity' for the seafront is developed for marketing, signage and other purposes. This would be used to promote what the seafront can offer everyone. This project could learn from the work done by Brilliant Brighton and the London Road Portas Pilot.*

### **Recommendation Four**

*The panel recommends that an exhibition is held in the city to give residents, visitors and businesses a greater understanding and appreciation of the seafront; its importance, history, conservation needs and the challenges faced. Ongoing displays of information and material for use on social media and websites could then provide a long term source of information on the seafront (see Recommendation Two).*

### **Recommendation Five**

*The panel recommends that Brighton & Hove City Council identifies sources of funding and arrange the appointment of an independent Enterprise Officer to offer business support to the seafront enterprises. Where appropriate, this officer could also work with the council and businesses to resolve housekeeping issues on the seafront, such as the siting of bins and rubbish collections. This post holder could also work with traders, and other stakeholders, on the issues which arise around the major projects planned for the seafront.*

*One of their other tasks would be to consult businesses in the seafront area, to see if they would like to find a way of grouping together to become a defined area for business improvement. If the seafront businesses were interested in being involved in this project, the Enterprise Officer could then explore with them the most feasible way to achieve this, which could include either:*

- *Becoming a Business Improvement District (BID)*
- *Finding out whether the seafront businesses wanted to, and could, join with an existing or planned BID in the city*
- *Considering a form of Town Centre Management*
- *Connecting this to the work of the Local Economic Partnership (LEP).*

### **Recommendation Six**

*The panel recommend that the council prioritises improving consultation and communication between itself and the seafront businesses to improve business confidence. If a model is adopted to group the seafront into an enterprise area (see Recommendation Five), this also prioritises improving communication and consultation.*

*The proposed Enterprise Officer would have as a key role to regularly communicate with seafront businesses about issues relating to the area and harness the energy, enthusiasm and fund raising abilities of the stakeholders, from sports clubs to traders and conservation groups.*

## **Recommendation Seven**

*The panel recommends that the council carries out a feasibility study into making a public commitment to ring fencing a proportion of the resources generated by the seafront, to be used for the seafront. This study would look at issues such as the knock on effect of this form of 'ring fencing', for example its impact on the funds which are currently being used for front line services. The aim would be to see if this ring fencing can be agreed in principle and to establish a formula (for example a % of new income generated, or increased income or holding onto a proportion of increasing Business Rates). The council's decision on ring fencing resources for the seafront should be reported to committee and be incorporated into the Investment Strategy for the seafront.*

## **Recommendation Eight**

*The panel heard that the Corporate Building Maintenance Strategy (CBMS), which forms part of the council's Corporate Asset Management Plan (CAMP), sets out the way the organisation strategically prioritises buildings, based on factors including footfall, condition and need. There is a very limited pot of money for planned maintenance, and it is therefore important that the council has clear processes in place to ensure that available funds are allocated to the most appropriate buildings.*

*Officers have indicated to the panel that the council is proposing to review the prioritisation of the seafront buildings and assets to ensure that it more accurately reflects the corporate strategic priorities for the seafront over the next 5-10 years. This process covers the non-highway related structures on the seafront.*

*The panel understands that there will be a report to the October 2014 Policy & Resources Committee on the CAMP. After this the panel recommends that there is further clarification on the proposals for the reprioritisation of the CBMS plans in a report back to the Overview & Scrutiny Committee in January 2015.*

*The panel also recommends that money is set aside by the council for small scale day to day repairs and improvements to significantly improve appearance or facilities on the seafront. The aim would be to target this expenditure to improve the perception of the seafront and encourage more visitors, or repeat visitors. Examples to include painting dilapidated areas, installing more seating and litter bins. This issue could form part of the feasibility study for the ring fencing arrangement for the seafront as suggested in Recommendation Seven.*

## **Recommendation Nine**

*The panel recommends that the council produces an Investment Strategy for the seafront. This strategy will outline how the seafront will work towards a self-*

*sustaining future and the priority programme for undertaking the work needed to the seafront structures. The strategy would place the seafront in the context of the Greater Brighton City Region area and would take account of any plans being looked at relating to the feasibility of a business improvement zone.*

## **Recommendation Ten**

*The panel is aware that there are a number of plans being developed by different council services which relate to the seafront. There appear to be different plans for maintaining the seafront structures which are either highways related or non-highways related. However the panel was unable to establish whether these plans are currently joined together, have realistic costings or are sufficiently aligned, to form a coherent overarching plan.*

*The panel believes that a coherent plan would help to ensure that the council is maximising the opportunities presented by the seafront. So the panel recommends that a 10 year plan for the seafront, including capital renewal and ongoing maintenance, is produced to run alongside the investment strategy described in Recommendation Nine. This plan will draw on the information and priorities identified in both the council's Highways Action Plan (HAMP) and its Corporate Asset Management Plan (CAMP). The panel hopes that a version of the 10 year plan for the seafront could be made publically available to the stakeholders. This would enable the council to manage its landlord responsibilities, as well as help existing businesses to plan their future and give confidence to potential investors.*

*This 10 year plan and the Investment Strategy would complement the existing Draft Seafront Strategy.*

## **Recommendation Eleven**

*The recommendations of the panel are likely to have a significant impact on the Strategic Risk Register entry for the seafront. In light of the panel's concerns about being able to obtain the full details of the mitigating actions described for the seafront, the panel recommends that the Strategic Risk Register is updated to take full account of the recommendations of this panel and the actions which follow from its findings.*

## **Recommendation Twelve**

*The panel recommends that officer capacity is identified in the council to continue to develop bids for the seafront structures as part of a co-ordinated programme of investment in the seafront that is linked to major regeneration projects. The aim is to place the council and its partners in the best possible position to gain funding from the full range of programmes, such as LEP and European funding. The aim is to ensure that the seafront is 'bid ready' which means ensuring that the council has enough resources to prepare for funding bids, reprioritise existing bids and look for new sources of funding.*

*The intention is to make the council less reliant on the existing means to fund the seafront structures, such as the Local Transport Plan which is also needed to fund other transport related projects in the city.*

### **Recommendation Thirteen**

*The panel recommends that the programme group for the seafront (described in Recommendation One) looks urgently at innovative ideas to secure monies for areas which do not seem to have the potential to be income generating. Possible methods could include crowd funding or public subscription. The panel would like the council to learn from the success of the public subscription project for Hastings Pier, which has been able to raise money, secure funding from the Heritage Lottery Fund and raise public awareness of the need to renovate this landmark.*

### **Recommendation Fourteen**

*The panel recommends that connectivity remains a key feature of the planning for the seafront. The panel also recommends that the seafront programme looks for funding opportunities for transport focussed projects on or near the seafront.*

*The panel believe that the connectivity needs of the seafront need to be a major component of Local Transport Plan 4 and a consideration for the whole city. This should include:*

- *Making the seafront accessible to all*
- *The needs of pedestrians and cyclists*
- *Improving the connections between the seafront and the rest of the city.*

### **Recommendation Fifteen**

*The panel recommends that officers reconsider the results of the Visit England destinations report 2012/3 (as well as study the Visitor Survey by Tourism South East which is being carried out in the Summer of 2014): to ensure that the council has sufficient information about the views and needs of visitors and potential visitors to the seafront. The aim is to understand the needs, choices, expectations and experiences relating to the seafront, including the following groups:*

- *Day visitors*
- *Overnight visitors*
- *Conference visitors to the city.*

*If the council does not have sufficient information on the needs and experiences of visitors and potential visitors, then the panel recommends that the council commissions a similar survey to those mentioned above specifically for the seafront.*

*One of the aims of this recommendation would be that survey information, and other sources of data, is used to develop a set of standard figures which can then be checked regularly to measure improvements and highlight areas for concern e.g. time taken to let vacant seafront units and occupancy rates in nearby hotels. The*

*purpose is to ensure that the seafront experience continues to improve for visitors, residents and businesses.*

# Full report of the panel

## 4. Background

### Why was this panel set up?

**4.1** This panel was approved by the Overview & Scrutiny Committee on 15<sup>th</sup> July 2013, following a request from the council's Executive Leadership Team to look at this issue for these reasons:

*'The heritage structures and infrastructure managed by the council along the seafront require significant investment – not all existing assets have received the investment needed to meet the changing patterns and demands of usage. Key issues include the condition of the seafront arches which house many businesses and provide structural support to the A259, and Madeira Terrace, which needs extensive refurbishment. There are significant risks for the council here: maintaining seafront infrastructure is currently one of the highest priority issues on the Strategic Risk Register.*

*However, maintenance and renovation will require considerable resources, and the council will need to prioritise any spending carefully, ensuring that it is targeted so as to best support the aspirations of the Seafront Strategy. The council will also need to investigate how best to fund any renewal programme – i.e. whether some or all of this should come through council borrowing, or through commercial investment, asset transfer etc.*

**4.2** *A scrutiny panel would look at the seafront infrastructure, identifying the highest priority areas for work and seek to agree on how this work might best be funded and delivered.*<sup>9</sup>

### Who was on the panel?

**4.3** The panel was made up of Councillor Gill Mitchell (Chair), Councillor Vanessa Brown, Councillor Ian Davey and Dr Angela Benson, Principal Lecturer, Sustainable Tourism at Brighton University (co-opted member).

**4.4** The Panel set their terms of reference as *'reaching a cross-party understanding of:*

- 1. What do we want our seafront to be?*
- 2. What state is the seafront in now and what needs to be spent on the seafront? How does this being addressed in council, city wide and regional strategic planning?*
- 3. What are the group of major projects which could deliver the strategy? Key decisions about those projects are coming up and a coherent view is needed on what trying to achieve.*
- 4. How best to get that money?*

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<sup>9</sup> Bold my emphasis, O&SC report [http://present.brighton-hove.gov.uk/Published/C00000726/M00004781/\\$\\$ADocPackPublic.pdf](http://present.brighton-hove.gov.uk/Published/C00000726/M00004781/$$ADocPackPublic.pdf)

5. *Is this what our businesses and communities want for the seafront?*
6. *Should revenue from the seafront improvements be used to continue to renew the seafront? Would this create a self-sustaining financial programme?*

**4.5** The panel held three capacity building meetings on 28<sup>th</sup> January, 25<sup>th</sup> February and 17<sup>th</sup> March 2014 to hear from the key council officers who deliver services relating to the seafront structures in Brighton & Hove. This reflects the complexity of the subject. The panel also went on a site visit to look at the condition of the seafront structures for themselves.

### **Gathering the evidence**

**4.6** The panel then held three public meetings on 18<sup>th</sup> March, 25<sup>th</sup> March and 11<sup>th</sup> April 2014 and the full list of witnesses are in Appendix 2. The panel also held a drop-in event on 8<sup>th</sup> April 2014 for seafront traders and other stakeholders and a workshop event with the Brighton & Hove Tourism Advisory Board on 12<sup>th</sup> May 2014. A short survey form was also made available at these events. Written evidence was submitted to the panel from a range of stakeholders.

The fifteen panel recommendations are aimed at addressing the issues they identified.

### **The panel process**

**4.7** When the panel set their Terms of Reference, it was in the belief that the following resources would be made available in the scrutiny process:

- An officer group was being set up to work on the challenges facing the seafront and the panel would work in tandem with it
- The council's management and improvement plans relating to the seafront would be made available to the panel
- Evidence as to how the needs of the seafront and the required investment were being routinely incorporated into the planning and negotiation stages for all the major projects.

**4.8** The panel was disappointed that it was not able to secure access to the above resources to help them in the scrutiny process. As a consequence the panel was not able to:

- Establish whether an officer group had been set up and what, if any work had been undertaken
- Gain access to a management and maintenance plan for the seafront structures
- Gain a clear understanding of the financial future of the seafront
- Gain a clear understanding of what the proposed major projects could mean for the seafront's future.

**4.9** The panel has sought to make practical and forward thinking recommendations to address these issues and help secure the long term future of the seafront.



## 5. What is the seafront and why is it so important to the city?

### The seafront in Brighton & Hove

**5.1** The seafront was described by a member of the Tourism Advisory Board as the biggest built seafront in the UK. The Draft Seafront Strategy called it *'the largest outdoor recreation space in the city.'*<sup>10</sup>

The Seafront Development Initiative 1992 for Brighton Borough Council focussed on the area between the piers. While the Draft Seafront Strategy and this scrutiny panel considered the wider 13km of seafront which runs from Hove Lagoon to Saltdean.

### A key asset

**5.2** The seafront was regarded as one of the city's best assets by 96% of respondents to the Seafront Strategy consultation.<sup>11</sup> Howard Barden, the council's Head of Tourism, described the seafront as *'our shop window'* and *'absolutely critical to the tourism offer.'*<sup>12</sup> He explained that it plays host to the following activities:

- Informal recreation including sunbathing, swimming, gathering with friends
- Formal recreation such as sailing, kayaking, beach volleyball
- Events, including the Brighton Festival
- The retail and dining offer.<sup>13</sup>

### Why do visitors come to Brighton & Hove?

**5.3** The panel heard that the tourist economy was worth £800m to the city, which welcomed over 8m visitors each year.<sup>14</sup> Travel trend data shows that in 2013 Brighton & Hove was the 8<sup>th</sup> most popular town (excluding London) in the United Kingdom for overseas visitors to stay in overnight.<sup>15</sup> It was now the most popular seaside destination for overseas visitors.

**5.4** 18,000 people are employed in the city because of tourism, which equates to 13% of the local workforce.<sup>16</sup> According to Mark Jones, the Chair of the Brighton & Hove Hotels Association:

*'Every tourist would visit the seafront many times. All would experience it, use it and probably love it. So it was vital to continue to invest in this centrepiece of the tourist offer...The seafront was a jewel we can't afford to take our eye off.'*<sup>17</sup>

**5.5** Paula Murray, the council's Assistant Chief Executive, explained that the popularity of the city to visitors was due to:

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<sup>10</sup> Draft Seafront Strategy, 2012 [http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/\\$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf)

<sup>11</sup> Seafront Strategy Consultation report 2013

<sup>12</sup> Briefing by Howard Barden for the panel meeting

<sup>13</sup> Minutes of the panel meeting on 25.03.14

<sup>14</sup> Minutes of the panel meeting on 25.03.14

<sup>15</sup> ONS figures <http://www.ons.gov.uk/ons/rel/ott/travel-trends/2013/rpt-travel-trends--2013.html#tab-Commentary--Overseas-residents--visits-to-the-UK>

<sup>16</sup> Data taken from Tourism South East Economic Impact Study 2012

<sup>17</sup> Minutes of the panel meeting 18.03.14

*'...shopping in the centre, then the Downs and the seafront. Out of this mix, the seafront was the most important; what the city is known for and the biggest draw.'*<sup>18</sup>

## Who are our visitors?

**5.6** A survey by VisitEngland found that Brighton & Hove has 4 in 10 visitors in the AB socio-economic grouping, making the city *'a fairly 'upmarket' destination'*.<sup>19</sup> It also appeals to a range of age groups, with over a third of visitors aged under 35.

Geoff Raw, the council's Executive Director for Environment, Development & Housing, emphasised the importance of attracting more overnight visitors because they *'...spent 9x more than a day visitor'*.<sup>20</sup>

**5.7** Research by Travelodge has found that the number of people taking a staycation<sup>21</sup> reached record levels in 2014 with 74% of Britons holidaying at home.<sup>22</sup> Brighton has now entered the top 10 staycation destinations in Great Britain. The average spend of each of these British visitors is £430.33, boosting the UK economy by £15bn.<sup>23</sup>

The other trends this research identified included:

- Increasing number of Britons taking lots of short breaks
- Increasing popularity of multi-location holidays
- Value being the thing that most influences them when booking a holiday.

**5.8** The survey by Visit England also found that English visitors to Brighton & Hove are largely from the South: a third are from London and a further quarter are from elsewhere in the South East. For overnight visitors, it is most popular for short breaks of 1-3 night rather than mid breaks of 4-7 days.<sup>24</sup>

Geoff Raw told the panel:

*There was the opportunity to capture more of that market, now that London was the most visited city in the world. However, one needed a strong offer to capture this market.*<sup>25</sup>

**5.9** He emphasised the importance of enticing those who arrived at Gatwick, by means such as:

- Providing a strong offer to inspire people to come to Brighton first – currently 90% of visitors went to London and only 10% to Brighton & Hove
- Improving the rail link from the airport to the city

<sup>18</sup> Minutes of the panel meeting 18.03.14

<sup>19</sup> Research commissioned by VisitBrighton & VisitEngland, June 2012-2013

<sup>20</sup> Minutes of the meeting 25.03.14

<sup>21</sup> A holiday spent in one's home country rather than abroad, or one spent at home and involving day trips to local attractions. <http://www.oxforddictionaries.com/definition/english/staycation>

<sup>22</sup> [http://www.travelodge.co.uk/press\\_releases/press\\_release.php?id=548](http://www.travelodge.co.uk/press_releases/press_release.php?id=548)

<sup>23</sup> [http://www.travelodge.co.uk/press\\_releases/press\\_release.php?id=548](http://www.travelodge.co.uk/press_releases/press_release.php?id=548)

<sup>24</sup> Research commissioned by VisitBrighton & VisitEngland, June 2012-2013

<sup>25</sup> Minutes of the panel meeting 25.03.14

- Encouraging visitors to come at off-peak times, using timed visits, which could be far more beneficial to the city.<sup>26</sup>

## Why choose Brighton?

**5.10** The seafront plays a significant role in inspiring people to choose to visit the city. Research has found that 72% of all visitors to Brighton & Hove go the beach, making it the most common activity for these visitors.<sup>27</sup> The vast majority of those visitors to the seafront are drawn to the area between the Piers.

## What are the key attractions on the seafront?

**5.11** The seafront currently offers a range of attractions, including:

- Palace Pier
- Brighton Wheel
- Hove Lagoon for water sports
- Brighton Fishing Museum
- Yellowwave café and volleyball
- Volks Railway
- Sealife Centre
- Marina
- Children's playgrounds.

## Growing numbers of visitors to the attractions

**5.12** The Palace Pier was visited by four million people in 2013 and is currently the most popular free UK attraction outside London<sup>28</sup> It has been estimated that the i360 will attract 700,000-800,000 visitors in a stable year, including an increase in new visitors to the city of 165,000-305,000. It is anticipated that the i360 will attract visitors to the city all year round, including an estimated 27,000-49,000 additional overnight visitors.<sup>29</sup>

## Developing a critical mass of attractions?

**5.13** Geoff Raw, Executive Director for Environment, Development and Housing, explained why major projects were seen as vital to the seafront:

*'The value of developments like the i360 was in developing a critical mass of attractions to entice this market [of overnight visitors]. This can enable joint ticketing, tours round the city and using the capacity of hotels.'*<sup>30</sup>

<sup>26</sup> Minutes of the panel meeting 25.03.14

<sup>27</sup> Research commissioned by VisitBrighton & VisitEngland, June 2012-2013

<sup>28</sup>

[http://www.theargus.co.uk/news/11422777.Pier\\_is\\_the\\_most\\_popular\\_free\\_tourist\\_attraction\\_outside\\_London/?action=complain&cid=13097004](http://www.theargus.co.uk/news/11422777.Pier_is_the_most_popular_free_tourist_attraction_outside_London/?action=complain&cid=13097004)

<sup>29</sup> [http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/\\$Brighton%20i360.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/$Brighton%20i360.doc.pdf)

<sup>30</sup> Minutes of the panel meeting on 25.03.14

For example there *'needed to be a strong offer to those who arrive in Gatwick.'*<sup>31</sup>

**5.14** The panel suggest that the establishment of the seafront as a coherent programme may help to join up the existing attractions to sell them better, and in considering the impact of new developments on addressing issues such as:

- Enabling joint ticketing
- Enabling more clusters of attractions to be advertised to potential visitors, for example on the Visit Brighton website.

**5.15** Geoff Raw also emphasised the importance of the conference and business offer. He told the panel that one of the city's key attractions is:

*'...the cultural facilities [it]...could offer to conference visitors. This in turn attracted other non-tourism related businesses and helped attract skilled people to the city.'*<sup>32</sup>

He believed that this was important because:

*'There were a lot of wonderful coastal towns in the UK, but as tourist destinations alone most did not offer high value jobs or high wages.'*<sup>33</sup>

**5.16** However the concentration of many of the attractions in the most frequented area of the seafront, means that this area can be very heavily populated in the peak visitor season. A later section of this report looks at how to extend the offer all year round.

### **How is the city rated by its visitors?**

**5.17** Brighton & Hove is rated highly by its visitors for several attributes including quality of food, drink and dining and the availability of independent local shops. Readers of Conde Nest Traveller Magazine recently voted Brighton & Hove the best UK city for food and drink in 2014.<sup>34</sup>

Although satisfaction among visitors to Brighton & Hove is above the national average, a survey by VisitEngland found the city lagging behind in some elements of visitor satisfaction. For example only 19% rated its beach as *'excellent'* for clean and well maintained, compared to 27% of seaside destinations as a whole.<sup>35</sup> The level of satisfaction with the range of water-based/beach activities was a bit lower in Brighton & Hove than for seascides as a whole. The city also scored lower than average on the percentage of people who thought it had beaches which are *'safe and suitable for bathing'*.<sup>36</sup>

### **A seafront for the city**

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<sup>31</sup> Minutes of the panel meeting on 25.03.14

<sup>32</sup> Minutes of the panel meeting on 25.03.14

<sup>33</sup> Minutes of the panel meeting 25.03.14

<sup>34</sup> <http://www.brighton-hove.gov.uk/content/press-release/brighton-and-hove-voted-best-uk-city-food-and-drink>

<sup>35</sup> Results and Insight from a survey of visitors and potential visitors to Brighton, by TNS for VisitEngland and VisitBrighton, August 2013.

<sup>36</sup> Ibid

**5.18** Councillor Geoffrey Bowden reminded the panel that the other valuable role of the seafront was as *'an asset for residents'*.<sup>37</sup> This is in terms of:

- Income generation from its assets which are used on services for the city
- As a place to visit.

He believed that *'a lot of people have moved to live here because they like the seafront'*.<sup>38</sup>

**5.19** Geoff Raw emphasised to the panel how important it is that we improve the seafront because:

*'Making attractive places to visit makes for attractive places to live and in turn makes the location more attractive for more businesses.'*<sup>39</sup>

Paula Murray, the Assistant Chief Executive, stressed the importance of the seafront in maintaining and improving the emotional well-being of its visitors and residents, including the number of walks and sports played there.

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<sup>37</sup> Minutes of the panel meeting on 18.03.14

<sup>38</sup> Minutes of the panel meeting on 18.03.14

<sup>39</sup> Minutes of the panel meeting on 25.03.14

## 6. How the seafront is managed strategically

### Is there a single lead officer for the seafront?

**6.1** For the purposes of the Strategic Risk Register, both Paula Murray (the council's Assistant Chief Executive) and Geoff Raw (the Executive Director, Environment, Development & Housing) are named as the risk owners for '*maintaining the seafront as an asset to the city*' reflecting that they both manage services responsible for aspects of the seafront.

According to Nick Hibberd, the Head of City Regeneration:

*'...it wasn't necessary to have a single head, as so many projects were involved along the seafront. However the overall program could be co-ordinated by one person to ensure a **co-ordinated approach** across the individual projects.'*<sup>40</sup>

**6.2** The panel was concerned that the seafront '*seems to have fallen between many areas*'<sup>41</sup> because of not having a single lead. The panel was keen to see that a single lead for the seafront was identified as a matter of urgency.

One of the crucial issues that the panel grappled with was whether the council could strengthen the way it managed its responsibilities for the seafront.

The panel felt it was important to define the seafront as a programme because it needs to be treated as ongoing continuous work, rather than a project which has a defined end date. This stemmed from their concern over the cycle of injecting money into the seafront when it was in need, rather than continuously improving such a valuable asset to the city.

### A programme board?

**6.3** The panel was informed that a group had been set up to bring the key officers in the council together to share information and plan for the seafront. While the panel was not able to find out about the workings of this group, they feel that a board of this nature would be a vital part of managing such a complex programme.

***The panel would like to see a programme board being set up for the seafront. They believe this would enable a co-ordinated approach to be taken on this issue in the council. While there appeared to be a project management process for specific projects on the seafront, the panel was concerned about issues such as:***

- ***How are these projects on the seafront being joined up?***
- ***Whether there was an assessment of how the projects linked up and their impact on each other?***
- ***Is there an assessment of what is best for the seafront as a whole?***

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<sup>40</sup> Minutes of the panel meeting on 25.03.14

<sup>41</sup> Question from the panel, minutes of the panel meeting on 25.03.14

## **Different roles and responsibilities of the council**

**6.4** The council has a range of roles and responsibilities in relation to the seafront. These include:

- Highways Authority
- Landlord of the seafront businesses
- Providing services and facilities such as cleansing and waste removal
- Encouraging tourism
- Enabling major projects.

The panel became aware that these roles may have inherent tensions between them. While the scrutiny process found many positive examples of the operational services working together, the panel wanted to find a way to ensure that all those services come together regularly to work out how to maximise the opportunities arising from this vital area. This could take the form of an officer working group for the seafront.

### **Recommendation One**

***The panel wants to ensure that the strategic management of the seafront is a coherent, visible and accountable programme. To achieve this, the panel recommends that:***

- ***The seafront is turned into a coherent programme of work***
- ***A single lead for this programme is chosen from the Executive Leadership Team in Brighton & Hove City Council***
- ***A group of key officers meet regularly to manage the progress of this programme***
- ***This method of managing the seafront is included as an outcome in the council's Corporate Plan.***

***The panel would like a report to come to the Policy & Resources Committee in March 2015 to outline how this programme will be led and managed. A further report should be put to committee in September 2015 to:***

- ***Outline the key challenges the programme faces***
- ***Identify the resources***
- ***Describe potential solutions.***

***The panel believes that the key challenges which need to be tackled as a priority include:***

- ***The programme management of the seafront***
- ***How to reconcile the fractured nature of the planning, asset management and budget management processes for the seafront***
- ***An Enterprise Officer post for the seafront (see Recommendation Five)***

- ***Innovative funding solutions for Madeira Terrace and other such areas (see Recommendation Thirteen)***
- ***Officer capacity to develop funding bids for seafront structures (see Recommendation Twelve).***

## **Recommendation Two**

***The panel would like to see the information produced on the seafront collected in a single place, to increase the visibility and accountability of this as a programme. The council can then use this site to share information which is not commercially sensitive with seafront businesses and other stakeholders. This would enable these businesses and organisations to plan more effectively for their future. The process would also seek to make a very complex area of work more accessible and understandable.***



## 7. Operational management of the seafront

7.1 This section of the report considers in greater detail the range of council services which are provided for the seafront.

### The Seafront Team

The council's seafront office is located between the piers on the lower promenade. The team's roles and responsibilities include:

- Providing a lifeguard service
- Being open to the public to seek information, advice and help (e.g. locate lost child)
- Advice and enforcement of byelaws
- Beach huts and boat lockers
- Seafront playgrounds
- Seafront maintenance and repairs
- Bandstand
- Seafront sports facilities.<sup>42</sup>

7.2 The Seafront Development Manager works closely with the Seafront Estates Surveyor to manage over 300 premises including bars, cafes and artist units, including the income side such as new lettings and rent reviews.

The panel was impressed that the seafront office delivered such a wide range of different services from a small team. To cope with this level of demands seasonal workers, such as extra lifeguards, are taken on in summer.

7.3 The panel also found that there were many other services that make a significant contribution to manage this significant area of the city, including:

- The Transport and Highways team
- Property and Design
- Cityclean
- City Parks.

***The panel appreciates all the information and assistance provided by these staff during the scrutiny process. The number of officers involved in services relating to the seafront is a key reason for suggesting a programme board to bring a co-ordinated approach to managing the seafront.***

### Gaining extra resources to help the seafront

7.4 The panel believes that if the seafront is to work towards becoming financially self-sustaining, then it needs to have an additional resource to help develop this work. This would be to encourage greater enterprise on the seafront by working closely with the existing seafront businesses and promoting opportunities on the

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<sup>42</sup> Council website <http://www.brighton-hove.gov.uk/content/leisure-and-libraries/seafront/seafront-office>

seafront. The panel recommends that the council identifies sources of funding and appoint an independent Enterprise Officer for the seafront.

It is to be hoped that the Enterprise Officer would complement the housekeeping role of the council officers in relation to the management of the seafront premises. The panel heard that the approach of appointing an independent post to work with businesses in encouraging the growth of enterprise had been successful in the London Road Portas Pilot and the Brilliant Brighton Business Improvement District. This is discussed in greater detail later in the report.

### **The role of the Enterprise Officer**

**7.5** The panel felt that the Enterprise Officer should work closely with the Seafront Team because they are plugged into so many of the vital activities on the seafront.

This officer would also need to work closely with the other relevant council services listed on the previous page, such as the Highways and Transport team. It would also be useful to work with the Economic Development team, among others. All of these teams could prove a valuable resource in encouraging the commercial potential of the seafront to be best realised. The panel feels it is important for the council to seek a form of external or independent management for the post, to ensure that this officer can work most successfully with the seafront businesses.

### **Could stakeholders help?**

**7.6** The panel was pleased to see the interest and commitment to this location shown by witnesses such as the sporting and conservation groups and other stakeholders. They hope that the Enterprise Officer could work with these groups to harness their enthusiasm and knowledge of the area.

## 8. Strategies for the Seafront

**8.1** This section shows that the seafront has been an important feature in a range of strategies for Brighton & Hove. The purpose of examining them is to see whether the issues facing the seafront, as well the opportunities for this area, are fully represented in these strategies.

### The 1992 Seafront Development Initiative for Brighton

In the early 1990s the town of Brighton was hit by recession and rising unemployment. The seafront was described as being:

*‘...a dangerous place occupied by drunks, beggars and drug users.’<sup>43</sup>*

**8.2** A small pool of funding was identified by Brighton Borough Council for supporting a Strategic Development Initiative (SDI) to regenerate the seafront. The aims of this project were to:

- Regenerate the seafront through an integrated development plan and strategy
- Create a vibrant bustling seafront community integrated with the quality of life experience in the town centre
- Maximise private sector interest and financial support
- Exploit the all day and all year potential of the area.<sup>44</sup>

Their research found that:

*‘...most residents and visitors were concerned with prevailing standards on the seafront. Major areas of concern were the apparent low levels of cleaning and maintenance, and the difficulties of parking and its exorbitant costs. A desire for improved pedestrian facilities was a common concern with a strong view on the potential of the West Pier.’<sup>45</sup>*

**8.3** The SDI focussed on the Arches and the Lower Promenade, because:

*‘It is regarded as the area which suffers from the most problems yet offers the most potential.’<sup>46</sup>*

The regeneration was split into phases and secured funding from a range of sources including the Single Regeneration Budget. Its focus was on creating a *‘meeting place between the piers’<sup>47</sup>* and a key achievement was to convert the King’s Road Arches:

*‘...into a vibrant stretch of cafes, restaurants and other attractions and breathing life into the area’<sup>48</sup>*

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<sup>43</sup> <http://www.coastalcommunities.co.uk/regeneration-handbook/the-planning-system-coastal-regeneration/brighton-regeneration-of-a-major-resort.htm>

<sup>44</sup> Brighton Seafront Development Initiative, Conran Roche Planning, Draft Final Report, July 1992

<sup>45</sup> Brighton Seafront Development Initiative, Conran Roche Planning, Draft Final Report, July 1992

<sup>46</sup> Seafront Development Initiative 1992

<sup>47</sup> Seafront Strategy Consultation Report

This work was part of a city wide regeneration programme, including replacing Churchill Square with a new shopping centre and reinvesting in the Lanes and North Laines.

## Tourism Strategy

**8.4** This strategy runs from 2008 to 2018. It identifies two separate areas of the seafront for its purposes, firstly Madeira Drive to the Peace Statue, which is recognised as being one of the most visited areas in the city. Its believes that the key challenges faced by this location are:

*‘...the continued maintenance of the area and the focussing on sections that detract from the overall improved landscape as developed over the last 10 years.’<sup>49</sup>*

The other section of the seafront is from the Peace Statue to Hove Lagoon. The strategy recognises that this is a less visited area, and seeks to encourage visitors to experience this area, by providing more cafes and encouraging recreation and sports activities to take place there.

**8.5** Actions suggested by the Strategy which are relevant to the panel’s recommendations include:

- Continuing to develop the identity of the seafront
- Developing a master plan for Madeira Drive
- Ensuring adequate facilities for visitors
- Improving the accessibility of the seafront
- Working closely with traders to encourage the improvement and maintenance of properties.

## City Plan

**8.6** The Draft City Plan of 2013 identified the seafront as one of the six special policy areas in the city of Brighton & Hove:

*‘...requiring effective partnership working and a comprehensive and coordinated policy approach to managing future development and change.’<sup>50</sup>*

The Plan described the seafront as *‘the city’s main public space’* which provides sport, leisure and culture for residents and visitors. It identified these priorities for the whole area:

- Enhancing and improving the public realm and create a seafront for all, such as providing adequate facilities
- Promoting high quality architecture and design

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<sup>48</sup> Brighton Argus [http://www.theargus.co.uk/news/10042265.Visions\\_for\\_Brighton\\_and\\_Hove\\_seafront/?ref=mr](http://www.theargus.co.uk/news/10042265.Visions_for_Brighton_and_Hove_seafront/?ref=mr)

<sup>49</sup> Brighton & Hove Tourism Strategy [http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/tourism/tourism\\_strategy\\_final.pdf](http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/tourism/tourism_strategy_final.pdf)

<sup>50</sup> [http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/ldf/Proposed\\_Submission\\_City\\_Plan\\_Part\\_One.pdf](http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/ldf/Proposed_Submission_City_Plan_Part_One.pdf)

- Securing improvements to the transport infrastructure
- Monitor, conserve and expand the coastal habitats
- Work in partnership to maintain coastal defences.<sup>51</sup>

**8.7** This plan also included priorities for specific areas, such as the Central Seafront and East of the Marina. It recognised the achievements of the SDI and described the council’s commitment to:

*‘...achieving a seafront for all, and supports an integrated process of improvement and regeneration along the coastal strip.’<sup>52</sup>*

### **A seafront strategy for Brighton & Hove**

**8.8** Twenty years on from the 1992 SDI for Brighton was seen as an *‘ideal opportunity’* to review its progress. A Draft Seafront Strategy was developed in 2012 with the aim of looking at the whole length of the city’s seafront and extending the vision:

*‘To develop the unique character areas of the iconic Brighton & Hove Seafront to create attractive, sustainable, high quality environments for residents, businesses and visitors throughout the year.’<sup>53</sup>*

The strategy identified the following themes for the seafront:

- Active seafront – to identify new sporting and cultural opportunities
- Seafront Management – to ensure a clean and safe environment
- Tourism Development – to develop and extend the seafront offer to visitors
- Seafront Economy (Property Management) – to attract a mix of businesses and attractions
- Seafront Architecture and Coastal Protection – to maintain and improve the condition of the seafront and its structures
- Regeneration projects – making the best use of seafront sites such as Black Rock
- Connectivity – improving the accessibility of the seafront.<sup>54</sup>

**8.9** The Strategy then identified character areas along the seafront and the potential activities which could be encouraged in each:

- Hove Lagoon to King Alfred (sport)
- King Alfred to Peace Statue (informal recreation/outdoor events)
- Peace Statue to Ellipse (leisure attraction & sports facilities)

<sup>51</sup> [http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/ldf/Proposed\\_Submission\\_City\\_Plan\\_Part\\_One.pdf](http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/downloads/ldf/Proposed_Submission_City_Plan_Part_One.pdf)

<sup>52</sup> Ibid

<sup>53</sup> Draft Seafront Strategy, 2012 [http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/\\$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf)

<sup>54</sup> Draft Seafront Strategy, 2012 [http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/\\$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf)

- Ellipse to Palace Pier (commercial leisure)
- Palace Pier to Brighton Marina (family leisure attractions & facilities)
- Roedean to Saltdean (recreation).

The panel heard positive feedback on the Strategy, although Mark Jones from the Brighton & Hove Economic Partnership was concerned that it:

*'...should not preclude mixes of activities....it would be a mistake to have only one sports area and then stop sports happening in other areas, or one arts area but no arts anywhere else.'*<sup>55</sup>

**8.10** The panel was reassured by Ian Shurrock, Head of Sport & Leisure, that the intention was to:

*'...identify the priority for an area but not be totally prescriptive.'*<sup>56</sup>

A comprehensive consultation process was carried out to develop the Strategy (which attracted 725 responses). A key achievement was to find out respondents views on each of the character areas and the facilities and opportunities they would like to see developed in each area.

### **Why is the Strategy still in draft form?**

**8.11** The Draft Strategy was developed as a consultation document to enable a comprehensive consultation process to be undertaken. A final version of the Strategy was not developed and put to committee because the council needed to look at the scale of need for capital investment on the seafront. The Strategy is now *'pending the outcome of this scrutiny panel.'*<sup>57</sup>

According to Geoff Raw, the Executive Director, Environment, Development & Housing, the Draft Seafront Strategy had:

*'...raised aspirations and set a vision for different areas of use along the seafront. It had stopped short however at defining an investment strategy. The council needed to produce an investment strategy for the seafront, both for itself and other potential public and private investors.'*<sup>58</sup>

**8.12** While the panel appreciated the value of the Strategy in identifying objectives for the seafront, the panel recognised the work needed:

*'...to identify and prioritise the long-term maintenance needs of the Seafront.'*<sup>59</sup>

The panel felt that the evidence heard about the scale of the need to repair and improve the seafront structures may not be fully represented in the strategies for the

<sup>55</sup> Minutes of the panel meeting on 18.03.14

<sup>56</sup> Minutes of the panel meeting on 25.003.14

<sup>57</sup> Minutes of the panel meeting 25.03.14

<sup>58</sup> Minutes of the panel meeting 25.03.14

<sup>59</sup> Draft Seafront Strategy 2012 [http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/\\$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf)

city described above. While these strategies recognised the importance of the seafront and provided useful oversight, they were lacking detailed answers to the problems facing the seafront.

## **An investment strategy**

**8.13** Geoff Raw explained that an investment strategy for the seafront was needed:

*‘...to give a more comprehensive understanding of the amount needed to be spent on the seafront...take full account of how such work would be funded, identify what were the private finance opportunities and what the council would contribute.’<sup>60</sup>*

The council’s Head of Project Finance, Mark Ireland, explained that an investment strategy for the seafront *‘...would need to contain:*

- *Base of information about each of the structures*
- *A statement on what you want to achieve and knowing how measurable this is*
- *An assessment of what absolutely has to be done, for example to comply with Health and Safety legislation*
- *The inclusion of all the elements of the needed investment*
- *The incorporation of all possible returns, or leverage of private funding, and other public streams of finance*
- *The need to cast the net as widely as possible and explore different solutions that may be available for different parts of the seafront.’<sup>61</sup>*

**8.14** Mark Ireland also highlighted the need to look at rates of return from each form of investment to decide what should be built on the seafront. For example retail warehouses would produce biggest rates of business rates return but ruin the seafront as a destination. He felt that members needed this kind of information on which to make decisions about the seafront. He also believed that the council needed to have:

*‘...a good grasp of what income and jobs were generated by the seafront and other information needed to inform our bids for funding.’<sup>62</sup>*

The panel welcomed the suggestion from Geoff Raw, the Executive Director for Environment, Development and Housing, that:

*‘...the council would produce this investment strategy to give a more comprehensive understanding of the amount needed to be spent on the seafront.’<sup>63</sup>*

**8.15** The panel believes that the seafront is so vital to the city and faces such a substantial set of challenges that an investment strategy for the seafront is fundamental. This could include all the further information which has been learnt

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<sup>60</sup> Minutes of the panel meeting on 25.03.14

<sup>61</sup> Minutes of the panel meeting 25.03.14

<sup>62</sup> Minutes of the panel meeting 25.03.14

<sup>63</sup> Minutes of the panel meeting 25.03.14

about the scale of repair and improvement needs, from projects such as the new Arches development. This would complement the Draft Seafront Strategy.

***The panel welcomed the work of the Draft Seafront Strategy and felt that its key strength had been to define the possible zones for the area. They felt it was a very useful position statement on where the seafront had reached and formed a good basis for developing the business plan and investment strategy needed now.***

## **Recommendation Nine**

***The panel recommends that the council produces an Investment Strategy for the seafront. This strategy will outline how the seafront will work towards a self- sustaining future and the priority programme for undertaking the work needed to the seafront structures. The strategy would place the seafront in the context of the Greater Brighton City Region area and would take account of any plans being looked at relating to the feasibility of a business improvement zone.***



## 9. Improvements to the seafront

### The benefit of major projects and improvements

9.1 Nick Hibberd, the Head of City Regeneration, told the panel that

*‘...when regeneration was done well it can be used to create key anchor points that attract investment and visitors along the seafront...Developments such as the i360 and the King Alfred could be used to...improve the offer by day and at night, throughout the year and increase use at different times. The retail and conference offer could also be improved.’<sup>64</sup>*

It was hoped that such work on the seafront would also act as a catalyst to attract new businesses and investment to Preston Street.

This section now looks at the ongoing, and recently completed work being done to both repair and improve the seafront structures and projects.

### The Arches

9.2 The 10 new business units in the Arches which were opened officially in July 2014, will complement the i360 development and have a minimum design working life of 120 years. The opportunity to carry out this work has arisen because of the strengthening works required to the structures. These units will give the council an additional £100,000 rental income each year, as well as higher business rates, representing a significant income stream for this time period. When the units were being built the council received 140 expressions of interest.

The council decided that these units were to be let out to retail and artist outlets in order to make a ‘creative/retail quarter’ to create:

*‘...a hive of activity which would complement the i360.’<sup>65</sup>*

9.3 This development has also provided a new public toilets block. There is a charge of 30p for using these facilities, which will be used towards paying for an attendant in the summer months.

On the eastern side of the West Pier work has begun to build a number of units which will be used as beach chalets and to house a few businesses. These units are likely to be let on both a short and long term basis.

***The panel would like to see the increased income generated from these units to be considered for inclusion in the ring fencing feasibility study described in Recommendation Seven.***

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<sup>64</sup> Minutes from the panel meeting on 25.03.14

<sup>65</sup> Minutes of the panel meeting from 18.03.14

## Madeira Terraces

**9.4** The panel heard that £0.5million had been set aside from the council's planned maintenance allocations to carry out works to two bays in Madeira Terrace. Once this trial work was completed, then the council would know how much will need to be spent on the remaining bays in Madeira Terrace. Out of the £439,000 allocated for planned maintenance on the seafront for 2014/15, £250,000 was to be spent on Madeira Terrace. This left £189,000 for the remainder of the seafront.

Martin Hilson, the council's Building Surveying and Maintenance Manager, told the panel:

*'With no major capital investment programme budget, using this planned maintenance budget to repair Madeira Terrace took funding away from carrying out more routine repair tasks such as regular repairs and painting which can make the seafront look much better.'*

The issues facing Madeira Terrace are described in greater detail in Chapter 21: Meeting the needs of different locations on the seafront.

## The i360

**9.5** At 162 metres high, and with an observation pod rising to 138 metres, the i360 will be Britain's highest observation tower outside London '*... taller even than the London Eye*'.<sup>66</sup> It is being built on the West Pier site at a total cost of £46.2 million. The scheme is primarily being financed through a loan of £36.2 million from the council through the Public Works Loan Board. This option will generate an anticipated revenue stream of £1.09 million per annum for the council for 25 years. The positive economic impact of the development has been calculated at between £13.9 million and £25.4million due its ability to increase tourist revenue.<sup>67</sup>

The construction site for the i360 development was officially opened on Tuesday 29<sup>th</sup> July 2014 and the project is due for completion in 2016.

**9.6** Mark Jones of the Brighton & Hove Economic Partnership, said that the city needed to be moving towards building '*world beating developments*', which was why he felt that the i360 was '*unique and iconic...[and] so exciting*'.<sup>68</sup> Howard Barden, the council's Head of Tourism described the i360 as '*a fundamental step forward*'.<sup>69</sup>

At the drop in event held by the panel, a number of traders expressed their concern about the potential disruption to their businesses while the i360 was constructed, particularly access to their properties. Some also felt that there had been insufficient information and consultation with them about the project and its impact on the seafront. Some of the stakeholders had concerns about whether this project was the right development for this area.<sup>70</sup>

<sup>66</sup> <http://www.brightoni360.co.uk/>

<sup>67</sup> [http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/\\$Brighton%20i360.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/$Brighton%20i360.doc.pdf)

<sup>68</sup> Minutes of the panel meeting 18.03.14

<sup>69</sup> Minutes of the panel meeting 25.03.14

<sup>70</sup> Notes from the panel drop in event on 08.04.14

**9.7** Members of the Tourism Advisory Board expressed a range of views about the i360 including:

- Support for ring fencing the interest the council receives from the loan repayment for the i360, to be used on the seafront
- Hoping the project will be managed to produce the best revenue opportunities in the area
- The desire for businesses in Preston Street to see this development built.

***Recommendation 7 of the panel relates to looking at the feasibility of ring fencing resources for the seafront. The panel expects that this will include the resources referred in the agreed recommendation at Policy & Resources Committee on 06.03.14, to:***

***'...allocate resources generated by the i360 towards reinvestment in the wider development of the seafront and its infrastructure.'*<sup>71</sup>**

### **Brighton Wheel**

**9.8** The Brighton Wheel was erected in 2011 on the seafront at a cost of £6million and has planning permission to remain in place until 2016. The majority of respondents to the Seafront Strategy consultation who commented on the Brighton Wheel were in favour of keeping it:

*'Think we should keep it! Looks awesome and looking forward to going on it. It's another attraction for the seafront and something for people to do while they are here.'*<sup>72</sup>

The panel heard from some of the seafront traders and members of the Tourism Advisory Board that this attraction might not be benefitting nearby businesses in the way that was expected. One of the reasons given was that the pricing level may be reducing the number of potential customers.

### **Potential projects**

**9.9** The panel heard that there were a number of sites along the seafront where the council was in negotiations about possible developments, including:

- King Alfred – a redevelopment project which seeks to secure the provision of improved, modern and extended sports facilities to serve the west of the city. Comprehensive redevelopment of the King Alfred site for a mixed enabling redevelopment is required to generate funding to help meet the costs of replacement sports facilities. The provision of a significant number of new homes will be a key part of the enabling use mix, and the Submission City Plan shows an allocation of 400 units. The site has much development

<sup>71</sup> [http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/\\$Brighton%20i360.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/$Brighton%20i360.doc.pdf)

<sup>72</sup> Seafront Strategy Consultation Report

potential but also brings considerable challenges, key among which are the need for the development to be sensitive to its surroundings, and the environmental issues that are inherent with a seafront location that is in close proximity to the sea.<sup>73</sup>

- Black Rock – the Black Rock site offers significant potential for creating jobs, providing new leisure facilities and contributing to the future vitality and sustainability of the seafront. It also offers great potential for contributing to the longer term sustainability of the Marina and drawing visitors along the seafront. However the location also has constraints which require a creative approach from the city council and there are important heritage and conservation issues to address.<sup>74</sup>

**9.10** The panel heard that the council was also working to:

- Improve the conference offer
- Develop the experience at Churchill Square
- Further develop the Marina.

Geoff Raw told the panel that

*'It was important to 'string the pearls' of seafront development sites together, to spur a critical mass of investment. Nothing succeeds like success.'*<sup>75</sup>

The panel appreciated the importance of potential development sites along the seafront, however it was not possible to obtain sufficient information about them due to commercial confidentiality.

**9.11** Examples of smaller scale beneficial developments which had already taken place on the seafront include:

- The restoration of the Bandstand, which re-opened in 2009 including the cafe
- Improved play facilities including the Peter Pan Playground.

The panel wondered whether it would be possible to enable further developments on the seafront by encouraging private investment or offering land. An example was given of the Yellowwave development on the seafront which had brought:

- The provision of a new sporting activity
- A facility with a low cost to use, because of the café one could just visit it for the price of a coffee
- A facility which is encouraging community use.

## **10. The Seafront structures**

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<sup>73</sup> Information provided by the service

<sup>74</sup> Information provided by the service

<sup>75</sup> Minutes of the panel meeting 25.04.14

**10.1** The construction of the seafront began in the late 1700s but as both Brighton and Hove became more prosperous the structures were extended and:

*'Most of the issues arise from the construction undertaken between the 1880s to the early 1900's, in particular the filler-beam deck type construction; which was an early form of reinforced concrete.'*<sup>76</sup>

### **What are the seafront structures?**

**10.2** The panel heard that the seafront structures tended to fulfil either one, or both, of these key roles:

- To support the road and promenade above them
- To house business premises.<sup>77</sup>

The panel heard that the seafront structures

*'...majority are over 120 years old and need replacing as they do not comply with current design standards.'*<sup>78</sup>

### Highways related

**10.3** Andrew Renaut, the Interim Head of Highways Engineering & Projects (Structures, Flooding & Coastal Protection) told the panel there are three different types of highway related seafront structures in Brighton & Hove relating to the highway. These structures have a combined asset value of £300 million and are made up of the following types:

- 375 arch/bridges – structural
- 2.5km retaining walls – structural
- 4.4km railings (listed) – protective.<sup>79</sup>

### Business premises

**10.4** Another main type of structural asset is the business premises situated beneath the roads. The council owns over 300 premises situated on the seafront, including:

- Bars
- Cafes/restaurants
- Sports clubs
- Artists units
- Storage.

The capital value of the arches as business premises (as opposed to the highways structures) is £9.9 million.

<sup>76</sup> Minutes of the panel meeting on 25.03.14

<sup>77</sup> Presentation for the panel meeting on 25.03.14

<sup>78</sup> Briefing by Andrew Renaut and Leon Bellis for the panel meeting on 25<sup>th</sup> March 2014

<sup>79</sup> Briefing for the panel meeting on 25.03.14

## Other structures

**10.5** The other structures on the seafront include the Colonnades and Madeira Terrace as well as those relating to the Volks Railway.

### **What do the responsibilities of the council entail?**

The council is responsible for the seafront structures as a Highway Authority under the 1980 Highways Act. It is placed under the two following obligations; firstly that the structures are **safe for use** (so they do not pose an unacceptable risk to public safety) and secondly that structures are **fit for purpose** (so remaining available for use by traffic permitted for that use).

Another key responsibility of the council is carrying out the landlord role in relation to the premises it rents out on the seafront.

### **Who is responsible for maintaining the different kinds of structures?**

**10.6** The panel heard that these responsibilities were as follows:

- The Highways service is responsible for maintaining the structures of the Arches on the seafront
- If an arch is tenanted, then the tenant is responsible for repairing the inside or exterior of their premise
- The maintenance of Madeira Terrace is the responsibility of the Seafront Service
- There are around 10 freehold arches which are not owned by the council and so the authority is not responsible for.

The panel was concerned that sometimes there may be tensions for the council, as different services in different parts of the organisation, seek to fulfil these differing roles and responsibilities and manage the relevant budgets. This is one of the reasons for addressing the strategic management of the seafront in Recommendation One.

### **How much should be spent on these assets?**

**10.7** The panel heard that the estimated current cost of structural works needed for the seafront was approximately £100 million. This included; £80 million on the highways structures based on the costs of rebuilding, the costs of works to the non-Highways structures including Volks Railway (estimated at £600,000, Madeira Terraces (estimated at £10 million) and the short-term coastal protection works (estimated at £3.2 million).

### **The asset management process for highway related structures**

The council assesses the condition of the seafront structures in the following ways:

- Inspections and surveys
- Structural assessments
- A Structures Management System (SMS) database to record collected data, including problems, inspection dates, works needed and structural conditions.

#### Costs for carrying out highway related structures

**10.08** The estimated cost of £80m to carry out structural works to highway related structures was as follows:

- £65m to be spent on the Arches
- £10m on retaining walls
- £5m on railings.

While it was a national recommendation that there should be an annual spend of 1% of the £300m asset value on maintenance, repair and enhancement (equating to £3 million), the panel were told that ‘...*alas, the council did not currently achieve that figure*<sup>80</sup>, even though the seafront:

*‘...had a unique situation which made its funding needs even more acute.’<sup>81</sup>*

The panel were told that the council has identified a 16-20 year programme to arrest the decline of the highway related seafront structures.<sup>82</sup>

#### Asset management of highway related structures

**10.09** The highway related structures have a total asset value of £300m, which is made up of the following:

- 375 arch/bridges – structural = £255m asset value
- 2.5km retaining walls – structural = £30m asset value
- 4.4km railings (listed) – protective = £15m asset value.<sup>83</sup>

The city council delivers its asset management in line with central Government initiatives towards greater public-sector accountability and transparency. The framework for a Highway Asset Management Plan (HAMP) ensures that asset management is consistent with, and contributes to:

- Central Government’s Best Value initiative for improving efficiency in the delivery of public sector services
- The Code of Practice for Highway Maintenance Management.

<sup>80</sup> Minutes of the panel meeting on 25.03.14

<sup>81</sup> Minutes of the panel meeting on 25.03.14

<sup>82</sup> Minutes of the panel meeting on 25.03.14

<sup>83</sup> Briefing for the panel meeting on 25.03.14

**10.10** The council is currently developing its HAMP, which will include all Highway structures, and help to prioritise investment in maintaining and maximising the value of those.

### **The council's asset management process for non-highway related structures**

#### Costs for non-highway related structures

Figures supplied to the panel for the costs of structural works needed to non-highways related structures included:

- Approximately £10 million to completely repair Madeira Terrace
- Approximately £600,000 for the Volks railway.<sup>84</sup>

#### The asset management process for non-highway related structures

**10.11** The panel was informed that through the council's Asset Management Plan (AMP) processes, the Property & Design service monitors the performance of the authority's property assets. This process includes an assessment of condition (through technical surveys undertaken on a rolling programme) and suitability (through subjective questionnaire responses). The results of these assessments will indicate whether the council's individual property assets should be maintained as existing, invested in, changed in use or considered for disposal.

As of April 2014 the council's level of required maintenance for its non-housing property assets was assessed at £64.2m. Required maintenance is the anticipated cost over the next five years to bring the property assets from their present state to a state reasonably required to deliver the service or to meet statutory or contractual obligations and to maintain them to that standard.

**10.12** The council's Corporate Building Maintenance Strategy (CBMS) sets out how it ensures a consistent and documented process for prioritising works funded predominantly from the corporate Planned Maintenance Budget (PMB) which has an annual budget of £3.8m (2014-15). This budget has been reduced over the last few years, and continues to be reduced, in response to the council's financial position and although some savings have been derived from smarter procurement methods these cuts have reduced our ability to address the council's assessed level of required maintenance and the amount and scope of the remedial work we can undertake.

The CBMS sets out how current funding is prioritised using three main indicators:

- Building Condition - The condition of the building rated as A (good), B (satisfactory), C (poor) or D (life expired).
- Work Priority - A technical assessment of the priority need for a repair rated as 1 (urgent), 2 (within two years) or 3 (within five years). These rating are applied by the surveyor undertaking the condition survey.

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<sup>84</sup> Figures supplied by the service



- Strategic Rating – a measure of a building’s relative importance in meeting the council’s priorities and / or statutory responsibilities (e.g. if the building is listed).

**10.13** A matrix set out in the CBMS is then used to assess the relative priorities for the remedial work identified during the surveys based on these three factors. It should be noted that this process relates to individual building assets and not to the general hard landscaping or structures. It should also be noted that the seafront reactive maintenance works budget has not yet been centralised under the council’s Corporate Landlord model and Property & Design are not currently in control of this budget which may be used to undertake some of the smaller repairs and improvements.

**10.14** The panel were informed that a ring fenced planned maintenance budget for the seafront portfolio would ensure that a fixed amount of investment is maintained however unless new funds are identified, e.g. through an additional contribution from rental income, this will always have a knock-on effect to the funding available to other corporate operational properties that may have a different, but equally valid, call on the maintenance budget. This may also set a precedent for claims on the budget from other services.

The new AMP is due to be presented to the Policy and Resources Committee in October 2014 after which the CBMS will be revised and updated.

## **Recommendation Eight**

***The panel heard that the Corporate Building Maintenance Strategy (CBMS), which forms part of the council’s Corporate Asset Management Plan (CAMP), sets out the way the organisation strategically prioritises buildings, based on factors including footfall, condition and need. There is a very limited pot of money for planned maintenance, and it is therefore important that the council has clear processes in place to ensure that available funds are allocated to the most appropriate buildings.***

***Officers have indicated to the panel that the council is proposing to review the prioritisation of the seafront buildings and assets to ensure that it more accurately reflects the corporate strategic priorities for the seafront over the next 5-10 years. This process covers the non-highway related structures on the seafront.***

***The panel understands that there will be a report to the October 2014 Policy & Resources Committee on the CAMP. After this the panel recommends that there is further clarification on the proposals for the reprioritisation of the CBMS plans in a report back to the Overview & Scrutiny Committee in January 2015.***

***The panel also recommends that money is set aside by the council for small scale day to day repairs and improvements to significantly improve appearance or facilities on the seafront. The aim would be to target this expenditure to improve the perception of the seafront and encourage more***

*visitors, or repeat visitors. Examples to include painting dilapidated areas, installing more seating and litter bins. This issue could form part of the feasibility study for the ring fencing arrangement for the seafront as suggested in Recommendation Seven.*

## **Recommendation Ten**

*The panel is aware that there are a number of plans being developed by different council services which relate to the seafront. There appear to be different plans for maintaining the seafront structures which are either highways related or non-highways related. However the panel was unable to establish whether these plans are currently joined together, have realistic costings or are sufficiently aligned, to form a coherent overarching plan.*

*The panel believes that a coherent plan would help to ensure that the council is maximising the opportunities presented by the seafront. So the panel recommends that a 10 year plan for the seafront, including capital renewal and ongoing maintenance, is produced to run alongside the investment strategy described in Recommendation Nine. This plan will draw on the information and priorities identified in both the council's Highways Action Plan (HAMP) and its Corporate Asset Management Plan (CAMP). The panel hopes that a version of the 10 year plan for the seafront could be made publically available to the stakeholders. This would enable the council to manage its landlord responsibilities, as well as help existing businesses to plan their future and give confidence to potential investors.*

*This 10 year plan and the Investment Strategy would complement the existing Draft Seafront Strategy.*

## **Assessing Risk**

**10.15** Maintaining the seafront as 'an asset to the city' was placed at number 12 in the Brighton & Hove City Council's Strategic Risk Register in May 2013. This issue was still seen as a 'high risk' in June 2014 because:

*'The heritage structures and infrastructure along the seafront require significant investment and ongoing revenue in order to maintain them for the purposes of modern use and preserve the reputation of the city and its offer'<sup>85</sup>*

This means that there is a risk report for the issue which is reviewed at least every six months. In this report the council is described as 'the lead custodian of the city's iconic seafront'. The mitigating controls and actions for this risk were described in June 2014:

- Developing the investment plan for the seafront
- Continuing to support financially viable investments in the seafront, e.g. i360
- A 10 year seafront arch repair programme from 2012

<sup>85</sup> Report to Audit & Standards Committee in June 2014 [http://present.brighton-hove.gov.uk/Published/C00000699/M00005123/AI00040256/20140616131750\\_006013\\_0024513\\_StrategicRiskAssessmentReportJune2014.pdf](http://present.brighton-hove.gov.uk/Published/C00000699/M00005123/AI00040256/20140616131750_006013_0024513_StrategicRiskAssessmentReportJune2014.pdf)

- Commissioned structural surveys
- An internal cross council working group to identify, prioritise and report issues
- Works to stabilise Shelter Hall
- This scrutiny panel<sup>86</sup>

**10.16** The seafront structures continue to remain on this risk register and the panel heard that there were:

*‘...fundamental failings in the infrastructure and the council was playing catch up. The works currently being undertaken are reactive rather than planned, due to the risks and lack of previous funding for works.’<sup>87</sup>*

Leon Bellis, the Senior Engineer told the panel that he believed:

*‘Eventually there would come a time when there was another Shelter Hall, this was just a matter of time. This would also lead to the eviction of the tenant/business, leading to a loss of income to the council together with further expense to the council in the form of compensation payouts and propping empty structures.’<sup>88</sup>*

**10.17** Given the breadth of evidence received about the issues facing the seafront, the panel is concerned whether the mitigating controls and actions on the Strategic Risk Register were sufficient.

The panel was not able to obtain much detail about some of the mitigating actions being undertaken, such as the internal officer working group, and so would like reassurance of the effectiveness of the risk management process in relation to the seafront structures. The panel believes that it would be very useful if the information on the Strategic Risk Register relating to the seafront was reviewed to ensure it was fully representing the mitigation actions being undertaken by the council.

## Recommendation Eleven

***The recommendations of the panel are likely to have a significant impact on the Strategic Risk Register entry for the seafront. In light of the panel’s concerns about being able to obtain the full details of the mitigating actions described for the seafront, the panel recommends that the Strategic Risk Register is updated to take full account of the recommendations of this panel and the actions which follow from its findings.***

### Consequences of failure

**10.18** Andrew Renaut, the Interim Head of Highways Engineering & Projects (Structures, Flooding & Coastal Protection), told the panel that the potential consequences of the seafront structures failing could be ‘catastrophic’<sup>89</sup> including:

<sup>86</sup> Report to Audit & Standards Committee in June 2014 [http://present.brighton-hove.gov.uk/Published/C00000699/M00005123/AI00040256/20140616131750\\_006013\\_0024513\\_StrategicRiskAssessmentReportJune2014.pdf](http://present.brighton-hove.gov.uk/Published/C00000699/M00005123/AI00040256/20140616131750_006013_0024513_StrategicRiskAssessmentReportJune2014.pdf)

<sup>87</sup> Minutes of the panel meeting on 25.03.14

<sup>88</sup> Minutes of the panel meeting on 25.03.14

<sup>89</sup> Minutes of the panel meeting on 25.03.14

- Loss of life
- Loss of trade
- Loss of reputation as a destination.<sup>90</sup>

In the longer term:

*'This could mean that the seafront was slowly closed down due to unsafe structures.'*<sup>91</sup>

In addition there was the potential disruption to movement and access which could be caused when works were carried out to these structures:

*'The diversion of 36,000+ vehicles, 30,000+ pedestrians a day and 2,500 cyclists per day.'*<sup>92</sup>

**10.19** This meant the council needs to manage the effect on these movements when carrying out works.

An example of the disruption which can be caused by structural difficulties is the ongoing partial road closure on the seafront. The panel was informed that works are continuing to correct the three complex problems that have been identified in this area, and the council is liaising directly with the interested parties and their advisors. Current estimates are that all the works in this area should be completed by early December 2014.<sup>93</sup>

### **Why is improving the condition of the seafront structures so important?**

**10.20** Mark Jones, of the Brighton & Hove Economic Partnership, believed that areas which have deteriorating structures such as Madeira Terrace:

*'...would be visited, even if they look down-at-heel. But if a location looks terrible then less visitors will recommend them to others, and indeed more 'reviewers' will happily report a bad experience. Every enhancement to a structure means that people will keep returning and tell more other people that it was a place worth visiting.'*<sup>94</sup>

### **How is the condition of the seafront viewed? – a survey for the panel**

**10.21** To accompany the panel process, a short survey was distributed to people coming to the panel meetings and placed on social media. The panel received 18 responses to this questionnaire, which were almost entirely critical of the condition of the seafront (17 out of 18). The remarks included:

<sup>90</sup> Ibid

<sup>91</sup> Ibid

<sup>92</sup> Minutes of the panel meeting 25.03.14

<sup>93</sup> Information provided by the service

<sup>94</sup> Minutes of the panel meeting 18.03.14

*'some parts of it are excellent but the Madeira Terraces area and East of the Palace Pier are sadly in need of major work and regeneration'*

*'as a prime tourist attraction, it is very basic and grubby'*

*'going downhill rapidly'*

*'sadly neglected'*

*'needs drastically improving'*

*'in a state of total dilapidation'*

*'dreadful decline'*

*'grubby'*

*'eerie and abandoned sense of former glory'.*

### **The costs of improving the seafront as a destination**

**10.22** The panel believed it would be useful to draw a distinction between the pure infrastructure costs of getting the seafront to a safe and secure environment and other costs that could be spent making it a better tourist and visitor attraction. One of the panel's aims when recommending ring fencing, was to help encourage sufficient resources to be secured to help improve the seafront as a destination.

## 11. How the seafront could work towards becoming self-sustaining

11.1 A key goal of the panel's recommendations is to encourage the council to focus on the totality of the seafront, by working towards developing a self-sustaining business model for this vital component of the city. This approach is needed for the following reasons:

- The scale of need for resources for this area, which cannot be met by funding alone
- The continuous need to maintain and improve the seafront condition and its offer to visitors and the community
- The evidence showed that there was room to develop the business focus and enterprise approach of the council.

Having looked at the level of financial need to repair and improve the seafront structures and the consequences of the structures failing, this next section considers how the seafront could work towards becoming financially self-sustaining. The two key elements of becoming self-sustaining are seen as:

- Growing the resources from the seafront
- The council publically committing itself to set aside all or part, of the greater resources gained, to reinvest back into the seafront.

### 'Ring fencing' funds for the seafront

11.2 The panel heard differing views about the benefits and disadvantages of the council making a commitment to setting aside some, or all, of the resources generated by the seafront to be reinvested in the seafront.

Mark Jones, from the Brighton & Hove Economic Partnership,

*'...believed that there was still plenty of revenue generating potential on the seafront, but was concerned that this income was probably going into a black hole of council money.'*<sup>95</sup>

Ring fencing could be a way of ensuring that sufficient resources were set aside for this area and also that income generated by the seafront could be used to continue to improve the area.

11.3 Councillor Geoffrey Bowden expressed his concern that if the £1.2m income from the seafront went back to this area, then that money would need to be replaced in the general fund. His concern was that:

*'...this approach had the potential to deprive other equally important schemes in the city of funding.'*<sup>96</sup>

So he felt that:

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<sup>95</sup> Minutes of the panel meeting on 18.03.14

<sup>96</sup> Minutes of the panel meeting on 18.03.14

*‘An economic impact assessment was needed to see the knock on effect – or ripple effect – of the seafront structures failing and in the end the administration of the day would need to prioritise how it spent a diminishing pot of money and that might mean judging whether to invest in services for the vulnerable or the seafront. There would be no easy choices.’<sup>97</sup>*

### **Just new resources generated?**

**11.4** While Mark Ireland, Head of Project Finance, expressed concern that this kind of ring fencing would eliminate choice and ‘*upset existing budgets*’,<sup>98</sup> but he did suggest that it could be done for new income streams or resources generated, for example the expected £1.09 million per annum income stream from the i360.<sup>99</sup> At the Policy & Resources Committee on 6<sup>th</sup> March 2014 regarding the i360, it was agreed to:

*‘Allocate resources generated by the i360 towards reinvestment in the wider development of the seafront and its infrastructure.’<sup>100</sup>*

**11.5** The reason for establishing this form of ‘ring fencing’ was:

*‘...that failure to invest at an appropriate level in our Seafront infrastructure results in lost business opportunities, potential closure for occupiers and members of the public, reduction in the level of rent attainable from existing premises and a potentially further blighted Seafront in future years. Areas of boarded up shop fronts or fenced off closures will become more commonplace without the right investment.’<sup>101</sup>*

Any decision about ring fencing resources for the seafront would be an important component of the investment strategy which is recommended by the panel.

## **Recommendation Seven**

***The panel recommends that the council carries out a feasibility study into making a public commitment to ring fencing a proportion of the resources generated by the seafront, to be used for the seafront. This study would look at issues such as the knock on effect of this form of ‘ring-fencing’, for example its impact on the funds which are currently being used for front line services. The aim would be to see if this ring fencing can be agreed in principle and to establish a formula (for example a % of new income generated, or increased income or holding onto a proportion of increasing Business Rates). The council’s decision on ring fencing resources for the seafront should be reported to committee and be incorporated into the Investment Strategy for the seafront.***

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<sup>97</sup> Minutes of the panel meeting on 18.03.14

<sup>98</sup> Minutes of the panel meeting on 25.03.14

<sup>99</sup> [http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/\\$Brighton%20i360.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/$Brighton%20i360.doc.pdf)

<sup>100</sup> [http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/\\$Brighton%20i360.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000689/M00005195/AI00037806/$Brighton%20i360.doc.pdf)

<sup>101</sup> Ibid

## Should the focus be on the most popular part of the seafront?

**11.6** A member of the Tourism Advisory Board emphasised the need to:

*'...focus on the square mile. Input where it will have the biggest impact on the visitor.'*<sup>102</sup>

Ian Shurrock, the Head of Sport & Leisure, agreed that:

*'...between the piers was very much the focal point of the tourism offer. It could be explored whether the offer could be spread out geographically on to Madeira Drive. It was a further piece of work to identify the wishes and needs of tourists.'*<sup>103</sup>

A member of the Brighton & Hove Tourism Advisory Board expressed surprise at the:

*'...scale of the Seafront Strategy, because [they] thought it would focus on the area between the piers – rather than going as far as to the Marina. The focus should be on the areas which can attract the biggest rate of return, rather than looking at the full length.'*<sup>104</sup>

***The panel felt that the evidence they heard was not conclusive about whether it would be best to focus first on the most popular part of the seafront, so would like this issue to be considered in the 10 year plan for the seafront (see recommendation 10).***

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<sup>102</sup> Notes from the TAB workshop on 12.05.14

<sup>103</sup> Minutes of the panel meeting on 25.03.14

<sup>104</sup> Notes from the Tourism Advisory Board workshop on 11.05.14



## 12. Resources for the seafront

**12.1** This section of the report begins by describing how funding had been found in past to assist the town of Hastings to invest in their seafront as an example of what can be achieved.

The chapter then goes on to look at the changing landscape of funding and consider each of the key sources of funding which can, or could, be used to rebuild or replace seafront structures in Brighton & Hove.

### Hastings – what funds could achieve in the past

**12.2** Kevin Boorman, the Head of Communications and Marketing from Hastings Borough Council, told the panel that *'their seafront was vitally important'* as the visitor economy generated £245m for the town and provided 5,100 jobs. This meant tourism was the single biggest sector employer, which was so important in the most deprived town in the South East and the most deprived seafront town after Blackpool.<sup>105</sup>

He explained that the council had spent the last 10-15 years focussing on using its powers to require owners to do up underdeveloped amenities on the seafront, using the powers under s. 215 of the Town & Country Planning Act 1990. The council had then:

*'...recognised that it had not been playing as important a role in promoting the seafront as it could have done.'*<sup>106</sup>

**12.3** Given the importance of the seafront to the visitor economy (86% of visitors to Hastings go to the seafront and for 30% it was their main reason for visiting), the council had then worked to get key projects developed such as:

- The Jerwood Gallery, built using £8m external funding and £2m council funding. This development included: community facilities, a seafood teaching kitchen and classroom, a large open space for events and a café.
- The Pier which had been awarded £12m Heritage Lottery Funding (HLF), having reach its £500,000 target for public subscriptions. The bid had been fronted by the Hastings Pier Charity.<sup>107</sup>

**12.4** Hastings Borough Council was now looking to improve the western end of the seafront, to see the whole length being used. They were pursuing the following funding opportunities, including:

- Regional Growth Fund
- Coast Community Funding – being used to restore the 5% of the pier which had not been burnt down, in conjunction with the HLF funding

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<sup>105</sup> Panel meeting minutes on 11.04.14

<sup>106</sup> Panel meeting minutes on 11.04.14

<sup>107</sup> Minutes of the panel meeting on 11.04.14

- The Economic Development Team were searching for INTERREG and other funding opportunities

To succeed with HLF funding one had to demonstrate the outcomes and outputs in terms of jobs, so the HLF *'had wanted to see a business plan, including the opportunities it would provide for young people'*.<sup>108</sup>

## The changing funding landscape for councils

**12.5** Mark Ireland, Brighton & Hove City Council's Head of Project Finance, explained that the council was likely to face *'a huge loss in funding'*<sup>109</sup>, which could mean a reduction from £78m in general funding this year down to £2m by 2019/20.<sup>110</sup>

Geoff Raw, Executive Director for Environment, Development and Housing, emphasised to the panel that:

*'Given the public expenditure constraints, the council had to think with a more commercial hat on. The council was asset rich but was set to become cash poor as central government grant is reduced. Hence it had to think long and hard about sweating its assets to generate more revenue.'*<sup>111</sup>

**12.6** The panel was informed that currently significantly fewer resources were actually being spent on replacing or rebuilding the seafront structures than was needed, that in fact it should represent 1% of the asset value. This section of the report looks in turn at the key sources of resources related to the seafront and how much each contributes to the repairing and rebuilding:

Leon Bellis, Senior Engineer, explained to the panel that:

*'The council was doing its best to regenerate the seafront. It was trying to catch up and stop being reactive by identifying work that needed to be done in advance. However one needed to plan and design those works in advance and negotiate with the occupiers.'*<sup>112</sup>

The report now goes on to look at each source of funding for the seafront structures.

### 1. Revenue funding for the seafront infrastructure

**12.7** Figures supplied to the panel showed that last year £535,000<sup>113</sup> was allocated by the council to be spent on seafront maintenance from the following budgets:

	Budget/ Expenditure
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<sup>108</sup> Minutes of the panel meeting on 11.04.14

<sup>109</sup> Minutes of the panel meeting on 18.03.14

<sup>110</sup> Ibid

<sup>111</sup> Minutes of the panel meeting on 25.03.14

<sup>112</sup> Minutes of the panel meeting on 25.03.14

<sup>113</sup> Information given to the panel from the service

Corporate Planned Maintenance Budget (PMB) Includes £265,000 allocation for Madeira Terrace	£341,000
Commercial Property Repairs Budget	£5,000
Seafront General Responsive Repairs Budget	£189,000
	<b>£535,000</b>

**12.8** The panel heard that allocating council resources to carry planned maintenance work on the seafront was far preferable to waiting until one had to react to structures failing in an emergency. This was because:

*‘...one can liaise with tenants when the works are to take place and then let them back in on completion, this would define clear time frames which businesses could work around.’<sup>114</sup>*

a. Corporate planned maintenance budget

**12.9** This budget (representing £341,000 in 2013/14) is spent on planned or phased work and includes the following items:

- Non-Highways railings
- Madeira Terrace and lift
- Volks Railway
- Benches
- Brick and concrete chalets
- Bandstand
- The Seafront Office buildings
- Numerous shelters.<sup>115</sup>

This budget did not cover:

- Reactive maintenance repairs (as this budget was held by the Seafront Manager)
- The planned maintenance of Highways structures.<sup>116</sup>

**12.10** Although the seafront generated £1,467,000 of income last year, Martin Hilson, Building Surveying and Maintenance Manager explained that this seemingly low level of allocation back from the corporate planned maintenance budget was because:

*‘...buildings of the seafront generally do not get a high strategic risk rating.’<sup>117</sup>*

He explained to the panel that this was usually the case unless the building structure is either listed or is presenting a significant health and safety risk.

<sup>114</sup> Minutes of the panel meeting on 25.03.14

<sup>115</sup> Minutes of the panel meeting on 18.03.14

<sup>116</sup> Minutes of the panel meeting on 18.03.14

<sup>117</sup> Minutes of the panel meeting on 18.03.14

b. The seafront responsive repairs budget

**12.11** The panel heard that this budget was £189,000 in 2013/14, which is spent on a range of reactive repairs including tarmac repairs and drain unblocking. Some of the traders who attended the drop in event arranged by the panel raised concerns about getting these kinds of repairs done, which has sometimes resulted in those affected traders needing to pay for repairs to be done or having an impact on their business.<sup>118</sup>

**The gap between income and expenditure on the seafront**

**12.12** There is a significant surplus between the income generated by the seafront and the expenditure on the seafront service. Please note this does not include the major works being funded by means such as the Local Transport Plan.

Total income from Seafront	£1,467,000
Total expenditure for Seafront Service	£698,700
Surplus (currently used to help balance council's budget)	<b>£697,233</b>

The expenditure for the Seafront Service represents the annual budget for seafront which includes staffing costs, rates, utility costs, reactive maintenance, equipment, signage etc.<sup>119</sup>

***The panel would like to know whether it would be possible for a greater proportion of this surplus from the seafront to be included in any arrangement to ring fence spend on the seafront, for example to carry out minor improvements and putting in additional facilities such as bins, showers, lighting i.e. small scale improvements.***

Capital funding for the highway related structures

**12.13** The Senior Engineer, Leon Bellis, explained that the capital works currently being done to the highways related structures on the seafront:

*'...are reactive rather than planned, due to risks and lack of previous funding for works. There was a need for a long term commitment to funding and £3m pa would allow us to catch up with the at risk structures; such as the Shelter Hall and then allow programming in future works.'*<sup>120</sup>

Given the level of need to repair and rebuild, and the insufficient resources, he believed:

<sup>118</sup> Notes from the drop in meeting at Alfresco on 08.04.14

<sup>119</sup> Information provided by the service to the panel.

<sup>120</sup> Minutes of the panel meeting on 25.03.14

*‘Eventually there would come a time when there was another Shelter Hall, this was just a matter of time.’<sup>121</sup>*

### Capital funding for non-highway related structures

**12.14** When a member of the panel asked Martin Hilson, Building Surveying & Maintenance Manager, if it would be different if the council had a capital investment programme, he replied:

*‘Then there would be a separate pot of cash to provide a capital injection into the capital replacement needed.’<sup>122</sup>*

The panel would like the council to consider the issue of capital funding for the seafront be included in the feasibility study of ring fencing resources.

### **The benefit of constructing new units**

**12.15** The panel heard that the newly constructed units, such as the works being done to the Arches:

*‘...have a minimum design working life of 120 years. So the council would not expect to go back and do any significant work in that area for the next 120 years, thereby generating a guaranteed income stream from that structure for that time period.’<sup>123</sup>*

### The Local Transport Plan

**12.16** The Local Transport Plan (LTP) is being used to rebuild and replace highways structures. The panel were told that currently the seafront reconstruction programme is being primarily funded by the LTP. The council has spent varying amounts each year from the LTP budgets on the seafront bridges and structures, which tended to be around half the total allocation with the remainder spent on integrated transport. The amounts spent each year recently on the seafront have been:

2009/10	= £120,000
2010/11	= £50,000
2011/12	= £260,000
2012/13	= £960,000
2013/14	= £2.3m
2014/15	= £2.65m (but this includes £1.42m from the council’s capital reserves which will have to be paid back) <sup>124</sup>

The peaks in the LTP allocation related to when money had needed to be spent on *‘seafront structures which needed tackling’<sup>125</sup>*. These figures provided to the panel show that for most of these years significantly less has been spent the suggested

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<sup>121</sup> Minutes of the panel meeting on 25.03.14

<sup>122</sup> Minutes of the panel meeting on 18.03.14

<sup>123</sup> Minutes of the panel meeting on 25.03.14

<sup>124</sup> Presentation to the panel meeting on 25.03.14

<sup>125</sup> Minutes of the panel meeting on 25.03.14

amount of spend on these assets of 1% annually, which would represent £3m each year being spent on the highway related seafront structures.

### Section 106

**12.17** The construction of projects on the seafront may also bring in additional resources in the form of Section 106 agreements. This term refers to a planning obligation which can:

1. restrict the development or use of the land in any specified way
2. require specified operations or activities to be carried out in, on, under or over the land
3. require the land to be used in any specified way; or
4. require a sum or sums to be paid to the authority (or, to the Greater London Authority) on a specified date or dates or periodically.<sup>126</sup>

Helmut Lasser, the Chair of the Hove Civic Society, emphasised the importance of such payments as they could be used to maintain or improve parts of the seafront. This can be a way to:

*'...secure funds for general improvements to the public realm including tree planting and road closures. The council needed to move from doing piecemeal work to planning positively and gaining from developments.'*<sup>127</sup>

### Heritage Lottery Funding - Volks Railway

**12.18** The panel were delighted that the council has won a successful first round bid from the Heritage Lottery Fund (HLF) in June 2014. If the plans progress satisfactorily then the council will be given £1.5 million to secure the future of the world's oldest operating electric railway. The project is expected to be completed in 2017, and the money would be used to:

- Increase the capacity by reinstating original carriages
- Open a purpose built visitor centre
- Create a conservation workshop to provide training for volunteers
- Develop new learning materials and school sessions.<sup>128</sup>

This funding is so vital because at the moment the operation of this attraction is hampered by the sheds which house the fleet of heritage trains coming to the end of their operational life. The roof has been temporarily propped up by scaffolding, which in turn needs replacing. Her Majesties Railway Inspectorate (HMRI) had become increasingly concerned about the condition of the building and the ability of the railway to continue to operate safely.

## **Maximising grants and bidding for funding**

<sup>126</sup> [http://www.pas.gov.uk/3-community-infrastructure-levy-cil/-/journal\\_content/56/332612/4090701/ARTICLE](http://www.pas.gov.uk/3-community-infrastructure-levy-cil/-/journal_content/56/332612/4090701/ARTICLE)

<sup>127</sup> Minutes of the panel meeting on 18.03.14

<sup>128</sup> Press release dated 6.06.14

**12.19** This section now looks at the future funds that the city is bidding for, or may be able to secure in the future, to benefit the seafront.

### **Greater Brighton Economic Board and the Coast to Capital Local Enterprise Partnership (LEP)**

Coast to Capital is the LEP for:

- Brighton & Hove
- Croydon
- Gatwick Diamond
- East Surrey
- Lewes
- West Sussex.

It was formed in 2011 and represents a population of 1.9 million people and more than 85,000 businesses. This LEP is one of 39 partnerships established by the government to:

*'...determine regional economic priorities, while making investments and delivering activities to drive growth and job creation.'*<sup>129</sup>

**12.20** Brighton & Hove City Council has supported the Coast to Capital LEP in developing its six year Strategic Economic Plan to:

- Invest in business critical infrastructure
- Deliver vigorous business growth
- Providing homes.<sup>130</sup>

Nick Hibberd, the council's Head of City Regeneration, told the panel that the city's seafront was a key investment zone for the LEP, because of its vital contribution to the tourism economy and as a transport corridor.<sup>131</sup> He explained that while Growth Deal Funding was likely to be focussed on areas where the impact would be greatest in terms of new housing, employment space and jobs:

*'...a lot of work has been taking place... to demonstrate that investment in the seafront is important in terms of sustaining and creating new jobs...[and] some sites such as the King Alfred project did contain housing in the proposals.'*<sup>132</sup>

### **Local Growth Funding**

**12.21** The panel were told that the Local Growth Fund could be one of the ways of gaining future funding for the seafront. Although this fund directly supported jobs and

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<sup>129</sup> <http://www.coast2capital.org.uk/about-us#sthash.hpVzaFeP.5xjYyU7.dpbs>

<sup>130</sup> [http://www.coast2capital.org.uk/images/Coast to Capital SEP FINAL for March v14 without Annexes.pdf](http://www.coast2capital.org.uk/images/Coast%20to%20Capital%20SEP%20FINAL%20for%20March%20v14%20without%20Annexes.pdf)

<sup>131</sup> Minutes from the panel meeting on 25.03.14

<sup>132</sup> Minutes from the panel meeting on 25.03.14

housing, Andrew Renaut, Interim Head of Highways Engineering & Projects (Structures, Flooding & Coastal Protection) told the panel that:

*‘...linkages were being made between commercial occupation and jobs.’<sup>133</sup>*

The Brighton & Hove seafront was therefore identified as one of the four areas in the city which were included in the LEP six year Strategic Economic Plan and Investment Plan which formed a bid to government for a Growth Deal.

**12.22** In July 2014 the first cash allocations were made to LEPs from the Local Growth Fund. The Coast to Capital LEP secured £202.4 million from the LGF to support economic growth in the LEP area. This means £38 million of new funding confirmed for 2015/16 and £124.2 million for 2016/17 to 2021.<sup>134</sup>

***This allocation represented a significant share of funds for the LEP area. The projects for investment which have been announced do not explicitly include the seafront in Brighton & Hove. Therefore the panel hopes that future rounds will continue to emphasise the city’s seafront as a priority and be able to secure funding for it.***

### **Future funding**

**12.23** It is understood that the next Local Growth Fund funding round will open in autumn 2014. This will involve the Coast to Capital LEP bidding for projects which can commence during 2016/17. However at the time of writing this report, the LEP have had no formal notification of the timetable and process for next (2016/17) funding round.

Officers with Brighton & Hove City Council are currently developing strong business cases for projects in anticipation of the next Local Growth Fund funding round. It is likely that this will include projects that focus upon the seafront.

### **City Deal**

**12.24** The Greater Brighton City Deal area is made up of part of the LEP boundaries and:

*‘...covers the coastal urban areas of Brighton and Hove, Shoreham, Worthing and Newhaven, as well as part of the South Downs National Park and the market towns of Lewes and Mid Sussex.’<sup>135</sup>*

The focus of the City Deal is to secure improved employment and investment in this area, so could help secure major project funding for the seafront area. Geoff Raw reminded the panel that:

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<sup>133</sup> Minutes from the panel meeting on 25.03.14

<sup>134</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/327589/04\\_Coast\\_to\\_Capital\\_Growth\\_Deal.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/327589/04_Coast_to_Capital_Growth_Deal.pdf)

<sup>135</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/288903/Greater\\_Brighton\\_City\\_Deal.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/288903/Greater_Brighton_City_Deal.pdf)



*'The City Deal engagement with government and the Greater Brighton Economic Board – which involves neighbouring authorities - were good vehicles to draw together the key public bodies.'*<sup>136</sup>

## **New Homes Bonus**

**12.25** The New Homes Bonus (NHB) is a funding incentive for local authorities to encourage the building of new homes in their area and bring back empty homes back into use. Councils will not receive NHB if they refuse planning permission which is subsequently overturned on appeal. There are some key sites along the seafront with potential for the development of future housing which could generate additional NHB.

## **European Funding**

**12.26** The panel was informed that the majority of EU funding for 2014-20 is currently being finalised. Brighton & Hove City Council is helping develop some of the new regional EU funding programmes covering its area. The seafront has either been considered, or is continuing to be considered, for the following potential funding opportunities for the seafront (in relation to transport):

### **1. European Structural and Investment Fund (ESIF)**

Although sustainable transport was a possibility through ESIF, Government has advised LEPs not to include this theme (unless there was a compelling business case relating to growth & jobs). Government and the EU were very keen that we concentrate on delivering against a reduced number of themes, rather than spread the funding more widely. The feeling is that this may not be viable and there is little capital funding in any case.

### **2. Interreg Va**

There are two cross-border programmes in development, but it seems unlikely that either could support this work. Whilst there is an emphasis on maritime projects, neither programme has selected the transport theme. It is also difficult to deliver cross-border added-value with infrastructure projects. However, it may be worth mentioning that the France (Channel) – England Interreg draft programme includes the following 'Attractive Region' priority:  
"Protecting, promoting and developing natural and cultural heritage".

### **3 Horizon 2020 research & innovation funding**

However, it seems an unlikely source of funding for the seafront as the emphasis is on research.

While it appears from this information that the above sources of European funding are not that likely to secure funds for the seafront, the panel are keen that the council continues to explore the fullest range of funding sources possible for the seafront.

## **Recommendation Twelve**

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<sup>136</sup> Minutes of the panel meeting on 25.04.14

***The panel recommends that officer capacity is identified in the council to continue to develop bids for the seafront structures as part of a co-ordinated programme of investment in the seafront that is linked to major regeneration projects. The aim is to place the council and its partners in the best possible position to gain funding from the full range of programmes, such as LEP and European funding. The aim is to ensure that the seafront is 'bid ready' which means ensuring that the council has enough resources to prepare for funding bids, reprioritise existing bids and look for new sources of funding.***

### **The feasibility of disposing of parts of the seafront infrastructure**

**12.27** The panel was advised by officers that it was not feasible to consider selling off parts of the seafront infrastructure because the overwhelming majority are highway structures. They are owned by the council, as the Highway Authority, and they support and carry the public highway above (including roads, pavements, street lights, street furniture and railings) which is used by vehicles and people. The same principle would apply to any other highway structure in the city, such as a bridge.

**12.28** In addition to the Highway Authority's responsibilities, the council also has a role in managing and controlling the use of the seafront and the mix of activities that take place there (which provide an important stream of income). It can undertake that role more fully as the Landlord of the spaces that the Arches provide.

However the council could investigate the feasibility of entering into long lease arrangements in specific areas on the seafront where the premises are not connected to Highways structures.<sup>137</sup>

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<sup>137</sup> Information provided by the services

## 13. Growing the council's income from the seafront

**13.1** The previous section of the report has described the key ways the council can secure a range of resources for the seafront. The panel believe that is essential to also consider how to increase the income which is generated by the seafront.

The panel heard that the key sources of potential income from the seafront include:

- Rental income
- Business rates
- Events.

This next section of the report looks at the income currently being generated by the seafront and then considers how to increase this amount.

### Current rental income

**13.2** The panel were briefed that the rental income from the seafront was £1,467,000 (in the financial year 2013/4). The table below<sup>138</sup> shows the different sources for this income:

Source of income	Income
Commercial Rents	£1,224,000
Concessions & Patio Licences	£62,000
Beach Chalets Rents (council owned, brick built)	£51,000
Beach Hut Licences (privately owned wooden huts)	£120,000
Boat Licences and lockers	£3,000
Beach Hut ownership transfer fees	£2,000
Volleyball court hire	£5,000
<b>Totals</b>	<b>£1,467,000</b>

**13.3** The panel heard that the condition of the arches was reflected in the rental levels in the seafront. Jane Pinnock, the Seafront Estates Surveyor, explained that the council '*would be looking for a market rent*'<sup>139</sup> for the new Arches units. The Seafront Manager also explained that the size of the units and the seasonal nature of the premises:

*'...would put off national [businesses], whereas local businesses can be more flexible and react quickly to capitalise on good weather.'*<sup>140</sup>

### How the condition of units impact on rental levels

<sup>138</sup> Information given to the panel from the service

<sup>139</sup> Minutes of the panel meeting on 18.03.14

<sup>140</sup> Minutes of the panel meeting on 18.03.14

**13.4** Information supplied to the panel showed that the older units in the current Artist Quarter which are of a similar size to the new Arches units would attract approximately half the rental level of the newly developed units. This was due to the poorer condition and structural issues faced by the older units.

A number of the seafront traders said that taking on units in relatively poor condition meant they had to spend money to make them workable. It was explained to the panel that the condition of the unit is reflected in the rental level. For example, the owner of the Castor and Pollux Gallery reported that his unit:

*'...had been very shabby when he had begun renting it, so he had spent a lot of money making the space ready to use.'*<sup>141</sup>

**13.5** Because he was surrounded by *'shabbiness and mess'*<sup>142</sup>, he was regularly asked:

*'What is such a nice place, of such quality, doing in a place like this?'*<sup>143</sup>

A representative of The Brighton Sailing Club wrote to the scrutiny panel to highlight the amount of building work, and costs which had been incurred due to water ingress.<sup>144</sup> The lease arrangements meant that the council was not responsible for these costs.

**13.6** The panel heard that the council would be able to charge higher rents for many of the seafront units if their condition was improved. For example the new Arches units were able to attract a market rent because they had been built with a life expectancy of around 120 years.

The issue of rental levels was raised by a few of the seafront businesses who came to the panel's drop-in event. An example was given of the incentives which were said to be offered in Portsmouth (Port Solent) to independent traders.<sup>145</sup>

## **Business Rates**

**13.7** Mark Ireland, the council's Head of Project Finance, told the panel that since April 2013 local authorities have been able to retain some of their business rates. He called this *'one of the biggest changes'*<sup>146</sup> to their funding because prior to this, local authorities did not have an incentive to grow the business rates base. The council currently receives £51.6m as its share of business rates<sup>147</sup>, showing what a key source of income this is.

### **Business rates on the seafront**

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<sup>141</sup> Minutes of the panel meeting on 25.03.14

<sup>142</sup> *ibid*

<sup>143</sup> *ibid*

<sup>144</sup> Email to panel dated 24.03.14

<sup>145</sup> Notes from the drop in meeting at Alfresco on 08.04.14

<sup>146</sup> Minutes of the panel meeting on 25.03.14

<sup>147</sup> Minutes of the panel meeting on 25.03.14

### 13.8 The panel heard that:

*'The seafront is critical to the local economy and therefore in the growth of the base of business rates. If the council does not proactively develop the sector, then this income stream could reduce.'*<sup>148</sup>

Figures below show the average current business rates charge from the seafront premises in the Kings Road Arches (as of June 2014), and the number of premises in each category who receive the differing kinds of relief:

	Number of these businesses	Average charge (£)	Number of these businesses which are eligible for Small Business rate relief	Number of these businesses which are eligible for Charitable rate relief	Number of these businesses which are eligible for Retail rate relief
Store	58	465.69	24	1	1
Shop and premises	14	970.19	9	0	9
Club	4	22,244.38	0	0	1
Public house	2	30,950.50	0	0	2
Clubhouse	2	30,426.25	0	0	0

For the Kings Road Arches, the average annual charge per premise is £3,192.70.<sup>149</sup>

### Growing business rates

**13.9** Mark Ireland, the Head of Project Finance, emphasised to the panel the need for the council to have:

*'...a rigorous look at returns from each form of funding to determine what should be done on the seafront.'*<sup>150</sup>

He warned that:

<sup>148</sup> Minutes of the panel meeting on 25.03.14

<sup>149</sup> Information provided by the service

<sup>150</sup> Minutes of the panel meeting on 25.03.14

*'For example, the biggest business rate return would come from large retail stores being built on the seafront.'*<sup>151</sup>

**13.10** So any work to attract businesses which would pay more business rates would need to ensure that this would also aim to provide a more attractive offer to visitors and residents, for example more cafes and bars.

The panel was advised that:

*'...businesses can appeal their rateable value should similar businesses open up within their vicinity. Therefore an increase in the same type of business in a particular location may lead to a decrease in business rate revenue.'*<sup>152</sup>

**13.11** It is clear from this information that the business rates could be generating more money than rental income and so is an important area to consider when working out how to increase income from the seafront. This is particularly true when the council builds any new structures on the seafront and lets out its properties.

***Given the growing importance of business rates as a source of income from the seafront, the panel was keen to suggest that the council explore ways of encouraging businesses to come to the seafront of the kind which are liable to pay higher business rates and receive less relief, without compromising the seafront offer.***

## **Business rates and the Business Improvement Districts**

**13.12** If a Business Improvement District (BID) is established, then it will be resourced by an agreed levy on each of the businesses in the specified area. The proposal for the BID will need to consider and agree a feasible levy.<sup>153</sup> The levy is usually based on a small percentage of the rateable value of each business in the BID area<sup>154</sup>.

## **Council wide business rates maximisation**

**13.13** The panel was pleased to hear that the council is currently working on a business rates maximisation project, which is focussed on the:

*'... opportunities for offering business rate incentives to new businesses and...reviewing our Discretionary Rate Relief Policy. While there are no guarantees, support may be available through these new schemes. The Business Rates Team will work with the City Regeneration team to ensure these schemes support the city's economic ambitions.'*<sup>155</sup>

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<sup>151</sup> Minutes of the panel meeting on 25.03.14

<sup>152</sup> Information provided by the service and valid at 11<sup>th</sup> June 2014.

<sup>153</sup> [http://www.legislation.gov.uk/uksi/2004/2443/pdfs/uksi\\_20042443\\_en.pdf](http://www.legislation.gov.uk/uksi/2004/2443/pdfs/uksi_20042443_en.pdf)

<sup>154</sup> [http://www.britishbids.info/AboutBIDs/WhatisaBID.aspx#AboutBIDs\\_LevyFunding](http://www.britishbids.info/AboutBIDs/WhatisaBID.aspx#AboutBIDs_LevyFunding)

<sup>155</sup> Information provided by the service

***The panel welcomes this project and would like to know more about the outcomes of the project and data on the Business Rates from the seafront, in the annual progress update on its scrutiny report and recommendations.***

## **Ways to grow rental income and maximising business rates**

**13.14** The panel heard that the possible ways that the council could both increase its rental income and the amount of council tax it could retain include:

- Making the best use of new and existing rental units
- Using developments to increase the number of rentals
- Increasing the popularity of some locations.

### Making the best use of new and existing rental units

**13.15** Paula Murray, the council's Assistant Chief Executive emphasised to the panel that while the units needed to provide more revenue:

*'...the good balance of retail, heritage, cafes, bars, sports facilities was important to retain.'*<sup>156</sup>

This was confirmed by Toni Manuel, the Seafront Development Manager, who told the panel that:

*'It was important to get the right balance between generating income and getting a vibrant tenant mix'*<sup>157</sup>.

**13.16** Given the need to generate significant income from the seafront, the panel would like to know whether there is scope to allow a change of use for a premise when one becomes available to re-let. For example if an artists unit came back onto the letting market, the council could consider an alternative use such as a café which would generate a higher rent. The panel, however, understands the need to provide a good mix of units to provide the best offer to residents and visitors.

The panel heard that there was a very high demand for units on the seafront and some had the potential for change of use when a tenancy comes to an end. So the panel also felt that newly developed units should be marketed with a view to securing the most favourable rent and rates levels, without compromising the mix of seafront businesses.

### Using developments to increase the number of units for rental or sale

**13.17** Mark Jones, of the Brighton & Hove Economic Partnership, suggested that building or developing new units on the seafront to create new rentals was one of the right ways to improve the seafront situation.<sup>158</sup> Such units could generate further income and make use of some of the more undeveloped areas on the seafront. He

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<sup>156</sup> Minutes of the panel meeting on 18.03.14

<sup>157</sup> Minutes of the panel meeting on 18.03.14

<sup>158</sup> Minutes of the panel meeting on 18.03.14

suggested different kinds of new units which could be developed on the seafront, including new beach huts or business pods.

#### Using new units to improve the popularity of some of the areas

**13.18** The panel heard from Toni Manuel, the Seafront Development Manager, that for example the West of Hove had pockets of space to use as commercial outlets, if it could ‘*attract a critical mass of visitors*’.<sup>159</sup>

***The panel feel that future developments and re-lettings on the seafront should take account of the need to maximise rental and business rates opportunities, while not losing the character of the seafront and drawing on information from residents and visitors about the facilities they would most like to see on the seafront e.g. more cafes. The panel feel that this could be a task for the Enterprise Officer recommended in Recommendation Five.***

***The panel hoped that the issues identified in this section could be addressed in the investment strategy and the 10 year plan for the seafront (see Recommendations Nine and Ten). These would complement the Draft Seafront Strategy.***

**13.19** The next section of the report goes on to look at whether more income could be generated from events on the seafront and how to mitigate against this having a detrimental impact on the area.

#### Direct income from events

**13.20** ‘The panel heard from Councillor Geoffrey Bowden that events on the seafront generated:

*‘...some income...which primarily covered the cost of the Events Team (with around £60,000 remaining).’<sup>160</sup>*

A suggestion from a member of the Tourism Advisory Board was that a tariff could be placed on the events held on the seafront to raise money for repairing the seafront, or have a ‘*stall at the event asking for donations.*’<sup>161</sup>

#### Indirect income generation

**13.21** Mark Jones, the Chair of the Brighton & Hove Hotels’ Association, told the panel that:

*‘While some such as the vintage car rallies attract visitors they do not directly generate money, for businesses such as hotels, but may increase income in the area for other businesses, e.g. that offer refreshments. It was hard to work out which events added value, except for bigger events such as the marathon which made a*

<sup>159</sup> Minutes of the panel meeting from 18.03.14

<sup>160</sup> Minutes from the panel meeting on 18.03.14

<sup>161</sup> Notes from the TAB meeting on 12.05.14



*phenomenal contribution. The half marathon for example was a great use of us using our seafront well and it took place off season in February.*<sup>162</sup>

The Marathon was described as a very positive event for the city by a number of witnesses, including Councillor Geoffrey Bowden who told the panel:

*'Around £4.5m is generated from those coming to watch other people run.'*<sup>163</sup>

Is there the right number of events on the seafront?

**13.22** Toni Manuel, the Seafront Development Manager, explained to the panel that

*'...the Events Team was good at attracting new events and had lengthened the season to September/October which was drawing in visitors after the end of the summer. While they were limited by the 28 days limit at the Terraces, more events would always be welcomed such as the Marathon.'*<sup>164</sup>

She told the panel that the events could be programmed to take better advantage of sunny days earlier in the season.

Robert Edwards of The Kingscliffe Society told the panel that they approved of the principle of 28 days of events on Madeira Drive.<sup>165</sup>

**13.23** The panel was informed that the outdoor events programme for Madeira Drive and other open spaces (including areas on the seafront) is reviewed annually and landlord's consent given by the appropriate committee. There are restrictions on the number of days that Madeira Drive and other open spaces can be used for events under the East Sussex Act 1981.

Furthermore, the impact of holding events on the physical environment and on local residents is also taken into consideration. A balance is sought as all events inevitably lead to some disruption. The council has developed an impressive events programme and as a consequence with regards to the seafront there is limited capacity for further events. In recent years the council has attracted new events which bring a significant economic impact to the city e.g. Brighton Marathon, but is also mindful of the heritage to the city of long standing events.

**13.24** Paula Murray the Assistant Chief Executive cautioned that:

*There was the need to strike a balance between the events which pay and do not pay...[also] some city centre traders and the bus company may not be happy if the number of days events was increased, because some of these events can cause a level of disruption.'*

## **Events on the beach**

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<sup>162</sup> Minutes from the panel meeting on 18.03.14

<sup>163</sup> Minutes from the panel meeting on 18.03.14

<sup>164</sup> Minutes from the panel meeting on 18.03.14

<sup>165</sup> Minutes from the panel meeting on 25.03.14

**13.25** Mark Jones from the Economic Partnership told the panel that he would like to see a greater use of the beach, while recognising the concerns that had arisen from the Fat Boy Slim event. He thought that such events could raise a '*significant income*'.<sup>166</sup>

An example of a beach based event is the Brighton Big Screen which this year ran from 12<sup>th</sup> June to 13<sup>th</sup> July 2014. This was its third year and over 50,000 attended their free beachfront cinema showings. Over 7-13 hours of content was provided daily during this month, including sporting events and popular films.<sup>167</sup>

**13.26** Brighton & Hove City Council helped the Brighton Big Screen reduce its environmental impact by providing food waste and mixed recycling through the European funded Foodwise project. The project aims to reduce disposal of food waste from outdoor events by demonstrating to event organisers that food waste and food packing recycling is now feasible and relatively easy. The site was powered by a solar and biodiesel generator running from 100% waste vegetable oil, courtesy of local clean energy specialist, Firefly Solar.<sup>168</sup>

Russell Haynes from the music venue, Concorde 2, expressed his hope that the council could become '*more flexible and enable his venue to set up large outdoor events*'.<sup>169</sup> However in his experience the council had expected him to give them four months' notice, which was not compatible with booking major artists.<sup>170</sup> ***The panel also wondered whether it may be possible to hold a benefit gig, or concert, to raise funds for Madeira Terrace.***

### **Minimising the disruption to seafront businesses**

**13.27** Some of the traders who came and spoke to the panel expressed their concerns about the impact that some of the events held on the seafront had on their business. They suggested that consulting seafront businesses about the impact of an event should be a requirement built into the contract with the event organiser.<sup>171</sup>

***Based on the evidence they heard, the panel felt that the following issues needed to be taken into account in relation to events:***

- ***The need to see if it is possible to extend number of events if this was felt to benefit the city***
- ***The possibility of extending the events season to September or October***
- ***Prioritise those events which most benefit the local business and generate income for the council e.g. the Marathon generates around £4.5m***
- ***Recognising that there are some events which can cause significant disruption but may not significantly benefit the city, either due to the***

<sup>166</sup> Minutes from the panel meeting on 18.03.14

<sup>167</sup> BBS Event Report 2014 <http://www.murray-media.co.uk/brightonsbigscreen/>

<sup>168</sup> Information provided by the service

<sup>169</sup> Minutes from the panel meeting on 11.04.14

<sup>170</sup> Minutes from the panel meeting on 11.04.14

<sup>171</sup> Minutes from the panel meeting on 11.04.14

*small numbers participating or its very specialist nature. However some of these events may be very difficult to change*

- *The importance of consulting and informing seafront businesses about events and working together to minimise their impact*
- *The need to consider that even events like the Marathon, which may have a very positive input into the city, may have a significant effect on some traders*
- *If there are events on the seafront which do have a major impact on trade, then to consider if it would be more beneficial if any of these events could be held in other parts of the city.*

## Other income options

### Income from filming

**13.28** Paula Murray, the Assistant Chief Executive, emphasised that the seafront was a *'very photogenic location'*<sup>172</sup>. She also believed that we could potentially earn more money if we could *'resource a more proactive approach'*, like the film office in Liverpool. The council was working in partnership with Brighton University to promote Brighton & Hove as a film city.<sup>173</sup> The workshop with the Tourism Advisory Board also highlighted the need to more pro-actively position the city as a centre for filming and location work. A new film about the singer Nick Cave, a resident of the city, uses the backdrop of the seafront as a beautiful location for many of its scenes.

### Tourist tax

**13.29** Helmut Lasser, the Chair of the Hove Civic Society, suggested

*'An idea from abroad was that the council could introduce a hotel tax to be used towards the maintenance of the seafront.'*<sup>174</sup>

Perhaps unsurprisingly concern was expressed by this proposal by some members of the Tourism Advisory Board (TAB) who thought it would turn *'hoteliers into tax collectors'*<sup>175</sup>. Members of the TAB also expressed their concern that this tax could be:

*'...counterproductive by making [the city]...less competitive.'*<sup>176</sup>

### Innovative ways to attract funding

**13.30** The panel heard from members of the Tourism Advisory Board that an option for the locations in the seafront which may find it difficult to attract public funding, such as Madeira Terrace, was to find ways to encourage public contributions towards repairing such areas of need.

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<sup>172</sup> Panel meeting minutes on 18.03.14

<sup>173</sup> Ibid

<sup>174</sup> Panel meeting minutes on 18.03.14

<sup>175</sup> Notes of the TAB meeting on 12.05.14

<sup>176</sup> Notes of the TAB meeting on 12.05.14

Helmut Lasser told the panel that he felt that:

*'...most people did not know how dire the funding situation was for local authorities. There were loads of people who could afford to contribute. They could be asked to 'help preserve something we all love', but would need an explanation of the situation facing the Terraces....this needed to be done before the situation became dire.'*

**13.31** Crowd funding, *'the practice of funding a project or venture by raising many small amounts of money from a large number of people, typically via the Internet'*<sup>177</sup> is one of the ways that was suggested that could be used to draw funding for Madeira Terrace.

The TAB gave the panel an example of a positive development in Littlehampton where longest park bench in Britain had been built.<sup>178</sup> This bench seats over 300 people and was funded by a mixture of public funding and private donations. It has also been engraved with hundreds of personal messages from supporters. Other options suggested to the panel included sponsorship and advertising.

### **Ring fencing and income**

**13.32** While the issue of ring fencing is dealt with earlier in the report, the panel wish to finish this section on income, by drawing attention to the suggestion in the Draft Seafront Strategy that:

*'The Seafront Property Portfolio generates a significant income to the council...and consideration could be given to allocating that income to the maintenance of the Seafront.'*<sup>179</sup>

The panel is aware that currently income generated by the seafront portfolio is regarded as corporate and goes back to the central budget. So therefore the potential ring fencing of any income for the seafront would need to be looked at in the context of the council's medium term financial strategy.

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<sup>177</sup>

[https://www.google.co.uk/search?q=definition+of+crowd+funding&oq=definition+of+crowd+funding&aqs=chrome..69i57j0l2.6026j0j8&sourceid=chrome&es\\_sm=122&ie=UTF-8](https://www.google.co.uk/search?q=definition+of+crowd+funding&oq=definition+of+crowd+funding&aqs=chrome..69i57j0l2.6026j0j8&sourceid=chrome&es_sm=122&ie=UTF-8)

<sup>178</sup> <http://www.studioweave.com/projects/detail/longest-bench/>

<sup>179</sup> Draft Seafront Strategy, 2012 [http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/\\$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf)

## 14. Working with seafront businesses

**14.1** The panel recognises that looking to maximise the resources coming from the seafront needs to be done alongside working together with seafront businesses to improve their profitability: to grow the level of enterprise on the seafront.

### The importance of the seafront businesses

An objective of the council's Draft Seafront Strategy was:

*'To attract a diverse mix of independent businesses to achieve a unique vibrant Seafront.'*<sup>180</sup>

**14.2** Ronnie Smith, of the Bedazzled Gift Shop, told the panel that:

*'He liked what the council had done since the SDI; the seafront was a much more vibrant area. Once there had only been cafes on one side of the pier. The other side had been derelict until the Fortune of War had been set up. The area had been gradually rejuvenated and the beach began to fill up. **It was because of the businesses there, that the beach is open.***'<sup>181</sup>

A number of the traders reported to the panel that their businesses were becoming increasingly unprofitable. For example, Michael Levy, the owner of the Castor & Pollux Art Gallery, told the panel that:

*'It was still a struggle to finish a year in profit...Making a profit was getting harder and posing more of a challenge...His business was lucky to clear £10,000 and he was lucky to be subsidised by a partner with a proper job.'*<sup>182</sup>

**14.3** A trader at the drop-in event told the panel that:

*'...they had made enough in the first two years to cover their rent, but had made a loss for the last two years. They had taken on another job in order to keep running the seafront business. Was not sure whether to renew the lease.'*<sup>183</sup>

The panel is aware that while saying that the council needs to increase the income which is generated by the seafront, this does need to be balanced by an understanding of the importance of making sure that rental levels do not act as a barrier to independent businesses.

### Are there any kinds of businesses which should be encouraged?

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<sup>180</sup> Draft Seafront Strategy, 2012 [http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/\\$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf)

<sup>181</sup> Minutes of the panel meeting on 11.04.14, bold my emphasis

<sup>182</sup> Minutes of the panel meeting on 25.03.14

<sup>183</sup> Notes from the drop in event on 08.04.14

## Cafes and eateries

**14.4** A recurring wish of respondents to the Draft Seafront Strategy seemed to be either that new opportunities were identified for cafes and eateries, or improving existing facilities, depending on which area of the seafront the respondents were considering. The desire to have cafes which were open all year round and catered for a wide range of tastes was also mentioned.<sup>184</sup> A good example given to the panel was the transformation of the closed toilets under the Bandstand into a cafe.

## Should some national firms be allowed to rent?

It was suggested to the panel by a member of the Tourism Advisory Board (TAB) that it could be useful for the council to pro-actively approach national organisations to see if they wanted to rent units, or local organisations that they knew would contribute positively to the management and appearance of the seafront.<sup>185</sup> Some of the TAB members thought that such organisations might be more likely to make the seafront feel *'open and busy'*.<sup>186</sup>

**14.5** However the panel heard from Toni Manuel, the Seafront Manager, that:

*'...the size of and the seasonal nature of the premises would put off nationals, whereas local businesses can be more flexible and react quickly to capitalise on good weather. There would be tight user clauses that could dictate to a degree the type of business that the unit could be let to.'*<sup>187</sup>

The panel were clear that a mix of units needed to be retained to keep the character of the seafront.

## Encouraging temporary or seasonal businesses

**14.6** There are areas on the seafront which are not currently being used to full capacity, either if there is a wait while a major project may be developed or the location is not currently attracting many visitors. Therefore the panel wondered if a pro-active encouragement of pop up businesses may be a good way of temporarily using space.

There is already a market near the West Pier which sells ephemera and second hand books, although this has reduced in size since the construction of the i360 has begun. However there might be room to encourage and enable pop-up shops in particular areas on the seafront, with the aim of seeking to add to the area, rather than compete with existing businesses. An example could be to encourage a street food market, such as those already operating successfully in the Brighthelm Gardens or outside Hove Town Hall, in an area which does not have sufficient food or drink outlets.

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<sup>184</sup> Seafront Strategy Consultation Report 2013

<sup>185</sup> Notes from the Tourism Advisory Board workshop

<sup>186</sup> Notes from the Tourism Advisory Board workshop

<sup>187</sup> Minutes of the panel meeting on 18.03.14

**14.7** The Seafront Strategy consultation found a number of respondents were in favour of markets being held in the area from the Peace Statue to the Ellipse.<sup>188</sup>

The panel was aware that a number of considerations would need to be taken into account when looking at the feasibility of encouraging temporary businesses, including:

- The restrictions in place to protect permanent seafront businesses
- Whether the management of such a 'market' would be cost effective
- The level of income which could be generated
- Whether it could be located in an area which had sufficient footfall
- Whether the site would be suitable e.g. hygienic.<sup>189</sup>

***The panel suggests that it could be a role for the Enterprise Officer to explore this option.***

### **Encouraging businesses to remain open**

**14.8** At the drop-in event, some of the traders raised concerns about the number of businesses open for trade. Suggestions were made such as:

*'[The] council should require units to be open.'*<sup>190</sup>

The issue of how the council could encourage businesses to be open all year round was raised as an issue at the drop-in event on the 8<sup>th</sup> April and the Tourism Advisory Board workshop.

***The panel were concerned to hear that units on the seafront may not always open regularly and would hope that this was an issue taken up by the programme board for the seafront. The panel would like to see the council consider what it can do to encourage a commitment from the traders to open their businesses regularly.***

### **Encouraging enterprise**

**14.9** The 1992 Seafront Development Initiative (SDI) concluded that:

*'At present, no income generating philosophy exists for all the Seafront assets – the arches, beach huts, Volks Railway, Dotto Train etc.'*

It is clear that the situation has improved since the SDI in 1992 and the council now gains almost £1.47m a year in rental income from these assets. More income is still needed to replace dwindling grant funding and meet the needs of such declining assets. While the panel heard that there was a 'very high demand'<sup>191</sup> for the seafront units, Mike Palmer from the Lucky Beach café told them he felt that:

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<sup>188</sup> Seafront Strategy Consultation

<sup>189</sup> Information provided by the service

<sup>190</sup> Comments made at the drop-in event at Alfresco on 08.04.14

<sup>191</sup> Minutes of the panel meeting on 18.03.14

*'...there was not enough of a pro-business environment in relation to the seafront.'*

One of his particular concerns was the lack of regular information from the council about the future of seafront structures which *'...made it very difficult to run his business and plan ahead.'*<sup>192</sup>

## **An Enterprise Officer**

**14.10** The panel felt that the best way to address this was the creation of an Enterprise Officer post for the seafront, to work towards addressing the following concerns:

- Encouraging businesses to establish themselves on the seafront
- Number of business units which may not be opening all year round
- Reduced numbers of people being employed by the seafront businesses.

The panel felt it could be useful to create this post which had the task of:

- Increasing the level of enterprise on the seafront and the income generated by the seafront
- Identify other income opportunities
- Communicating with traders on issues affecting the operation of their business and their business planning e.g. preparing for the impact of building works in the area
- Encouraging traders to operate all year round or make the best use of their business
- Liaising between seafront businesses and the events' organisers to minimize the impact of events and generate opportunities from the events.

## **Possible sources of funding for the post**

**14.11** The panel did not hear any evidence about possible sources of funding for an Enterprise Officer post, which is why Recommendation Five begins by asking the council to identify such sources. One of the potential means of funding suggested by the panel was to seek resources from the organisations developing major projects on the seafront. The reason for this is that the officer could assist with issues relating to the development of projects on such a location, such as working with existing and future businesses to develop a sufficient draw to potential visitors.

## **Business Improvement Districts**

**14.12** The panel was very keen for this officer to explore whether the establishment of a Business Improvement District (BID) could be a beneficial idea for the seafront businesses. A BID is based on the idea that businesses in a particular location can come together to:

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<sup>192</sup> Minutes of the panel meeting on 11.04.14



*'...decide on a package of measures they think their area needs and then vote on whether they want to pay for them or not. If the majority vote yes (and they represent over half of the rateable value of the businesses that vote) in a formal referendum, the money is collected as an extra levy on their Uniform Business Rates (UBR) and it is ring-fenced and cannot be used for anything else.'*<sup>193</sup>

**14.13** There is currently one BID in the city, the Brilliant Brighton BID which was established in July 2006 and covers the city centre area. This BID is due for renewal in 2016. The scrutiny officer supporting this panel met with this BID manager, Gavin Stewart and also Joe Nichols, the Manager of the London Road Portas Pilot.

Research conducted by the Government Office for London found that the BIDs they surveyed provided a wide range of services to the businesses in the area, including:

- Waste removal and recycling
- Events and attractions
- Promotional material
- Anti-crime partnerships
- Employment training and support.

***The panel believes that there is a potential for this kind of model, or another form of encouraging the seafront businesses to group together to support each other to improve their trading environment, raise funding for projects they want to carry out and explore ways to deliver extra services which the council does not provide.***

**14.14** The panel felt that it may be useful for this post to be an independent role. Recent research by the Greater London Authority highlighted:

*'They particularly value their BID's intermediary role with the council, seeing BIDs as more business minded and accessible than councils, while having direct relationships with council personnel which allow them to get things done. They valued being able to use BIDs to raise issues or provide input into council decisions more effectively than they can on their own.'*<sup>194</sup>

## **Recommendation Five**

***The panel recommends that Brighton & Hove City Council identifies sources of funding and arrange the appointment of an independent Enterprise Officer to offer business support to the seafront enterprises. Where appropriate, this officer could also work with the council and businesses to resolve housekeeping issues on the seafront, such as the siting of bins and rubbish collections. This post holder could also work with traders, and other***

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<sup>193</sup> <http://www.brightonbusiness.co.uk/htm/program20040704.099999.htm>

<sup>194</sup>

<https://www.london.gov.uk/sites/default/files/London%27s%20Business%20Improvement%20Districts%20-%20Final%20Report%2019%20June%202013.pdf>

**stakeholders, on the issues which arise around the major projects planned for the seafront.**

**One of their other tasks would be to consult businesses in the seafront area, to see if they would like to find a way of grouping together to become a defined area for business improvement. If the seafront businesses were interested in being involved in this project, the Enterprise Officer could then explore with them the most feasible way to achieve this, which could include either:**

- **Becoming a Business Improvement District (BID)**
- **Finding out whether the seafront businesses wanted to, and could, join with an existing or planned BID in the city**
- **Considering a form of Town Centre Management**
- **Connecting this to the work of the Local Economic Partnership (LEP).**

### **Recommendation Three**

**The panel recommends that a 'brand identity' for the seafront is developed for marketing, signage and other purposes. This would be used to promote what the seafront can offer everyone. This project could learn from the work done by Brilliant Brighton and the London Road Portas Pilot.**

## 15. Communication

### Improving communication between the council and seafront businesses

**15.1** At the drop in event in April 2014 attended by over 50 people, primarily seafront traders, the key concerns they raised were in relation to the council's communications with seafront businesses.

The comments made by those attending this stakeholder event included:<sup>195</sup>

*'...there was insufficient communication from the council. Would like someone from the council to talk to them and explain why things were happening.'*

*'...were there enough council staff to keep in contact with the traders?'*

*'...would like to see new businesses welcomed by the council to the seafront.'*

**15.2** Similar concerns were also expressed by some of the seafront traders who came to speak to the panel meeting on 11<sup>th</sup> April 2014, including Ronnie Smith who felt that while improvements had happened to the condition of the seafront:

*'...the key area which had slipped was in the relationship between the traders and the council [which was]...really important and key to a good future.'*<sup>196</sup>

The feedback from seafront businesses who spoke to the panel indicated that they

*'...would like a more consultative approach'*

*'...the Seafront Business Association would welcome regular meetings with the council.'*<sup>197</sup>

**15.3** The panel heard from some of these seafront businesses that they did not feel they had sufficient information or consultation about the impact of major projects on the seafront, for example the i360 or the Arches. A trader said that they:

*'...only knew about structural issues from the Argus'*

*'...never usually an adequate warning (or no warning at all) to traders as to when the council carries out building works on the seafront...'*<sup>198</sup>

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<sup>195</sup> Notes from the drop-in event at Alfresco on 08.04.14

<sup>196</sup> Minutes of the panel meeting on 11.04.14

<sup>197</sup> Notes of the drop-in event at Alfresco on 08.04.14

<sup>198</sup> Ibid

A trader commented that the effect was that they were:

*'...concerned about putting further investment into their business because of the uncertainty'*

***The panel was struck by the complexity of the information, management, designation and funding arrangements and planning processes for the seafront. They were concerned about how to make this information more accessible internally and to those with a stake in the city's seafront.***

## **Recommendation Six**

***The panel recommend that the council prioritises improving consultation and communication between itself and the seafront businesses to improve business confidence. If a model is adopted to group the seafront into an enterprise area (see Recommendation Five), this also prioritises improving communication and consultation.***

***The proposed Enterprise Officer would have as a key role to regularly communicate with seafront businesses about issues relating to the area and harness the energy, enthusiasm and fund raising abilities of the stakeholders, from sports clubs to traders and conservation groups.***

## 16. Continually improving the experience of residents, businesses and visitors

**16.1** A member of the Tourism Advisory Board (TAB) suggested to the panel that as well as finding enough money to ensure the infrastructure is safe and secure, resources were also needed to repair and refurbish the seafront to make it a better tourist attraction.<sup>199</sup>

The consultation on the Draft Seafront Strategy also emphasised how vital it was that:

*‘...continuous improvement takes place to ensure the value of the seafront is not only maintained **but enhanced** for the city.’<sup>200</sup>*

A key aim of the panel’s recommendations has been to work towards this goal of securing greater funds to enable this to happen. This section focusses on the need to measure whether continuous improvement is happening and whether this benefits the experience of those using, visiting and working on the seafront.

### What do our visitors want from the seafront?

**16.2** Geoff Raw, Executive Director for Environment, Development and Housing, told the panel that he believed that the number of visitors was likely to grow *‘but only if the offer was sufficiently attractive.’*<sup>201</sup>

The Seafront Development Manager, Toni Manuel, explained that:

*‘...there was a definite gap that visitors as a whole were surveyed on why they came to Brighton & Hove. But there was no data on why people chose this seafront and how much they might spend.’<sup>202</sup>*

She felt this information could also be used to inform bids for funding and when planning developments. Geoff Raw told the panel how important it was to also find out from people:

*‘...how to improve the offer to generate more spend.’<sup>203</sup>*

**16.3** Ian Shurrock, Head of Sport and Leisure, told the panel that when holding consultation sessions on the seafront,

*‘...it was interesting that many tourists did not feel they should comment on the seafront as they were not residents.’<sup>204</sup>*

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<sup>199</sup> Notes from the Tourism Advisory Board workshop

<sup>200</sup> Bold my emphasis, Seafront Strategy Consultation Report, 2013

<sup>201</sup> Minutes of the panel meeting 25.03.14

<sup>202</sup> Minutes of the panel meeting on 25.03.14

<sup>203</sup> Minutes of the panel meeting on 25.04.14

<sup>204</sup> Minutes of the panel meeting on 25.03.14

However the consultation for the Draft Seafront Strategy provided useful feedback from residents about their hopes for the seafront. This has been used to inform the panel's report.

### **Not losing the traditional offer**

**16.4** Dr Angela Benson, Principal Lecturer in Sustainable Tourism and panel co-optee, told the rest of the panel that work had been undertaken in Hastings which found that visitors did not want to lose the older activities they associated with visiting the seaside in their childhood.

*'This suggested that Brighton may need particular activities to appeal to the family market and may need to find out what this sector wanted from the city. There was also the need to find out why people would alter from being a day visitor to the city to making an overnight stay. The seafront is often seen as a free visit, but this could be a way of looking at how to generate greater income from it.'*<sup>205</sup>

### **For residents**

**16.5** Paula Murray, the Assistant Chief Executive told the panel that she felt that there was *'something for everyone at the seafront'* and:

*'On the whole there was a good balance between meeting the needs of visitors and residents.'*<sup>206</sup>

### **For businesses**

The recommendations regarding employing an Enterprise Officer (Recommendation Five), improving communication and consultation (Recommendation Six) and developing measures are aimed at delivering improved outcomes for seafront businesses.

### **A new survey?**

**16.6** Howard Barden, the Head of Tourism, told the panel that while there was existing information from surveys of visitors to the city:

*'...a more representative survey may be needed to provide suggestions on how to prioritise developments and services for particular groups and sections of the seafront.'*

## **Recommendation Fifteen**

***The panel recommends that officers reconsider the results of the Visit England destinations report 2012/3 (as well as study the Visitor Survey by Tourism South East which is being carried out in the Summer of 2014): to ensure that the council has sufficient information about the views and needs of visitors***

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<sup>205</sup> Minutes of the panel meeting on 25.04.14

<sup>206</sup> Minutes of the panel meeting on 18.03.14

***and potential visitors to the seafront. The aim is to understand the needs, choices, expectations and experiences relating to the seafront, including the following groups:***

- ***Day visitors***
- ***Overnight visitors***
- ***Conference visitors to the city.***

***If the council does not have sufficient information on the needs and experiences of visitors and potential visitors, then the panel recommends that the council commissions a similar survey to those mentioned above specifically for the seafront.***

***One of the aims of this recommendation would be that survey information, and other sources of data, is used to develop a set of standard figures which can then be checked regularly to measure improvements and highlight areas for concern e.g. time taken to let vacant seafront units and occupancy rates in nearby hotels. The purpose is to ensure that the seafront experience continues to improve for visitors, residents and businesses.***

## 17. Seafront facilities

**17.1** Much of the feedback gained by the panel about facilities, from the survey and the drop-in event, echoes the findings of the consultation carried out to develop the Draft Seafront Strategy. It is important to note that there are different levels of need for these facilities, such as toilets, in different areas due to varying usage or the level of existing facilities.

### Toilets

**17.2** The panel developed a survey to ask people who came to watch panel meetings and also posted it on social media. The most mentioned issue was toilet provision (13 mentions in 18 responses), primarily either the need to increase the number of toilets or improve their condition.

For example it was highlighted that the area under the Palace Pier was being used as a place to urinate:

*'The smell of urine during warm periods is horrible, especially during big events like Pride and Marathon when people use this area when toilet facilities can't cope with big numbers of visitors. Not pleasant for us with art studios and the ice-cream kiosk nearby.'*<sup>207</sup>

**17.3** Toilets were also a recurring concern for those who attended the workshop and event. Concerns highlighted included:

- The need for more toilets, especially disabled toilets
- Greater toilet provision at big events held at the seafront
- Why was there a need to resort to portable toilets
- Concern over the condition and cleaning of these temporary toilets on the seafront
- People asking to use the toilets in cafes, due to the insufficient provision of public toilets.<sup>208</sup>

The stakeholders welcomed the toilets being built in the new retail arches, but would like to know more information about them and be consulted over the location of future toilets. These facilities are at a very busy part of the seafront and would be fully attended through summer. This is to be part funded by charging 30p per use.<sup>209</sup> Representatives from the Rottingdean Parish Council also told the panel about their development opened in 2013 which had a new public toilet.<sup>210</sup>

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<sup>207</sup> Respondent to the survey for the seafront scrutiny

<sup>208</sup> Notes from the drop-in event at Alfresco on 08.04.14

<sup>209</sup> Council website <http://www.brighton-hove.gov.uk/content/press-release/new-seafront-toilets-open>

<sup>210</sup> Minutes of the panel meeting on 18.03.14



**17.4** Toilets were also key concern of the respondents to the consultation on the Draft Seafront Strategy, including the need for more or better toilets, with longer opening hours.<sup>211</sup>

## Lighting

**17.5** The owner of the Castor & Pollux Gallery suggested that one of the ways to provide a year round seafront was to install:

*‘...decent lights, for example decorative lights on the lower promenade which could also increase safety and reduce the probability of drugs dealing.’<sup>212</sup>*

A respondent to the panel’s survey complained that:

*‘We have finally got some lights on the lower prom after campaigning for 3 ½ years. This wait I think as a rent payer is totally unacceptable.’<sup>213</sup>*

**17.6** At the drop in event there were requests for more lighting on the seafront, in areas such as the West Pier site.<sup>214</sup> A member of the Tourism Advisory Board (TAB) also expressed concern that insufficient lighting in certain areas:

*‘...could put people off moving down the seafront in these areas.’<sup>215</sup>*

Russell Hayes from the Concorde 2 told the panel that he had made repeated calls to the council about putting on lighting in his area, due to his concern about the reduction in visitor numbers:

*‘...since the Arches round Madeira Drive had been covered by barriers, visitors had to enter the venue on the road often in pitch black.’<sup>216</sup>*

**17.7** The Seafront Strategy consultation also had many respondents suggested improving lighting, especially at night, to:

- Enhance feelings of safety
- Deter anti-social behaviour
- Make the lighting environmentally friendly
- Make the seafront usable for longer hours.<sup>217</sup>

This was backed up by a member of the TAB who felt that *‘...lighting would stretch the day for the seafront usage.’<sup>218</sup>* Another suggestion from TAB was:

*‘...could we combine a big sponsorship of a festival of light with day to day work on the lights.’<sup>219</sup>*

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<sup>211</sup> Seafront Strategy Consultation Report

<sup>212</sup> Minutes of the panel meeting on 25.03.14

<sup>213</sup> Respondent to the survey for the seafront scrutiny

<sup>214</sup> Notes from the drop-in event Alfresco on 08.04.14

<sup>215</sup> Notes from the TAB workshop on 12.05.14

<sup>216</sup> Minutes of the panel meeting on 11.04.14

<sup>217</sup> Seafront Strategy Consultation Report, May 2013

<sup>218</sup> Notes from the TAB workshop on 12.05.14

**17.8** The Seafront Strategy consultation found there was a particular focus on improving the promenade lighting near the West Pier. Robert Edwards of the Kingscliffe Society and Brighton Society also told the panel that:

*'It would be extremely useful to have an extension of the street light from Peter Pan to Black Rock.'*<sup>220</sup>

## Signage

**17.9** The Seafront Strategy consultation highlighted the need to look to improve the signage to:

- Direct people along the seafront, to achieve better connectivity with areas such as the Undercliff walk
- Give accessibility information
- Provide information for cyclists, about nature and bye laws.<sup>221</sup>

The issue of better signage for the Madeira Lift was raised at the drop in event for seafront stakeholders.<sup>222</sup>

Dr John Hastie, from the Fed Centre for Independent Living told the panel that good signage needed to be clear, colourful and in large print and that the current signs used by the council were good.<sup>223</sup>

## Maintenance problems

**17.10** Some of the seafront businesses highlighted to the panel their concerns about the maintenance of the seafront, including drainage and water dripping into buildings.<sup>224</sup> The small survey conducted by the panel found that maintenance was the issue raised by the second highest number of respondents.<sup>225</sup>

*'Needs maintenance - coats of paint. Looking tired.'*<sup>226</sup>

## Seating

**17.11** In four of the six character areas identified in the Seafront Strategy consultation process, many respondents asked for more seating. A respondent commented on their desire to see:

*'More free seating, areas to eat your own lunch/picnic. Most of the seating belongs to the bar/cafes so you have to purchase something to sit down.'*<sup>227</sup>

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<sup>219</sup> Notes from the TAB workshop on 12.05.14

<sup>220</sup> Minutes of the panel meeting on 25.03.14

<sup>221</sup> Seafront Strategy Consultation Report, May 2013

<sup>222</sup> Notes from the Alfresco drop-in event on 08.04.14

<sup>223</sup> Minutes of the panel meeting on 18.03.14

<sup>224</sup> Minutes of the panel meeting on 11.04.14 and notes from the Alfresco drop-in event on 08.04.14

<sup>225</sup> Seafront Scrutiny Panel Survey

<sup>226</sup> Ibid

<sup>227</sup> Seafront Strategy Consultation Report, May 2013

It was also suggested that such seating should provide shelter from the elements. The small survey conducted by the panel had a respondent requesting:

*'More benches and maybe picnic benches for families.'*<sup>228</sup>

Someone attending the drop-in event suggested:

*'Putting seating on the lower promenade on the seafront to encourage people to stay longer, congregate and meet people.'*<sup>229</sup>

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<sup>228</sup> Seafront Scrutiny Panel Survey

<sup>229</sup> Notes from the Alfresco drop-in event on 08.04.14

## 18. Housekeeping on the seafront

### General Waste

#### Rubbish collection

**18.1** The panel heard from Mike Moon, the Head of Operations for Cityclean, that this service was:

*‘...responsible for keeping the seafront clean. Nine full-time staff would be employed here out of season and from Easter to September they would take on extra staff, to reach the following levels in 2 shifts: 15 full-time staff working from 5am to 2pm and 18 full-time staff working from 2pm to 10pm.’*

#### Litter bins

**18.2** Mike Moon also told the panel there were 260 litter bins on the seafront which were emptied twice a day due to the high usage of this area. In addition there were 18 extra-large bins and 150 pop up bins which were put on the beach at busy times.

Rubbish collection was mentioned by traders and other stakeholders at the panel’s drop in event, where the litter bins were described as ‘unsightly’ and there were concerns about them being placed too close to businesses, especially catering outlets.

The panel heard that Cityclean was seeking to find a balance between small bins and large communal bins (when requested by businesses) on the seafront.<sup>230</sup>

#### Litter picking

**18.3** The panel heard that:

*‘...when the beach is full, Cityclean were stretched to keep this area clean and it was not possible for them to litter pick then. Barbecues added to this difficulty...’<sup>231</sup>*

So the service found it more useful to clean the beach in the evening when everyone had left, then clean it again from 5-6am. The intention was to have the beach clean by 9am.

**18.4** The panel heard that Cityclean was running a publicity campaign to encourage visitors to the seafront to:

*‘...please use the bins, or if they are full please put the rubbish next to the bin.’<sup>232</sup>*

In May 2014 the Big Beach Clean-Up was held for the second year and around 200 volunteers spent 90 minutes of their time to pick up rubbish from the seafront and highlight the amount of waste deposited there.

<sup>230</sup> Minutes of the panel meeting on 11.04.14

<sup>231</sup> Minutes of the panel meeting on 11.04.14

<sup>232</sup> Minutes of the panel meeting on 11.04.14

## Trade Waste

**18.5** Michael Levy of the Castor & Pollux Gallery told the panel that one of the reasons he felt the seafront looked ‘neglected’ was that while there were three large recycling bins outside his business, they:

*‘...tended to be only used by the local residents. These can easily fill up with rubbish piled around them leaving the visitors having to squeeze past them.’<sup>233</sup>*

Mike Moon of Cityclean confirmed that the frequency of the collection would be determined by the trade waste agreement. However:

*‘If trade waste was escaping, the local authority had the power to enforce the business to increase the number of bins and frequency of collection.’<sup>234</sup>*

***Given the level of concern raised about the impact of this waste, the panel would like to see the creation of well screened, central storage areas for these large bins to reduce their impact.***

***The panel have looked at the work being done by the London Road Officer and think that the Enterprise Officer they recommend could be tasked to act as a broker between the council and traders on the issue of waste collection.***

## Recycling

**18.6** The panel were told that the council had installed five new recycling sites and there was some funding to place some more recycling bins on the seafront.<sup>235</sup>

## Seafront cleaning

The panel heard that jet washing was carried out on:

*‘...the Colonnades around Madeira Terrace... [once a week in winter and twice in summer]. The areas under the piers were cleaned twice a week all year round... The jet washing unit was being used twice a week to remove graffiti and the service always responded to a request for jet washing.’<sup>236</sup>*

**18.7** In addition the Lower Promenade was washed by the street sweep. The panel also heard that Cityclean was going to introduce a mechanical sweeper to wash areas such as Hove Lawn, especially nearer the bins.

A member of the Tourism Advisory Board told the panel that they felt that beach cleaners ‘do a great job.’<sup>237</sup> However, the owner of the Castor & Pollux Gallery told the panel that in his experience:

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<sup>233</sup> Minutes of the panel meeting on 25.03.14

<sup>234</sup> Minutes of the panel meeting on 11.04.14

<sup>235</sup> Minutes of the panel meeting on 11.04.14

<sup>236</sup> Minutes of the panel meeting on 11.04.14

<sup>237</sup> Notes from the Tourism Advisory Board workshop on 12.05.14

*'In the heat the beach stank and the pavement gets covered with chips, vomit and ice cream and needed regular clearing up.'*<sup>238</sup>

Another business told the panel that he knew of another café on the seafront which paid for a private jet wash service.

### **Dog fouling**

**18.8** This concern was raised by a number of people who contacted the panel in writing, in particular whether people were abiding by the restrictions on certain areas of the beach in the peak period. Some of the respondents to the Draft Seafront Strategy Consultation mentioned the need for more dog poo bins, for example along the Undercliff walk.<sup>239</sup>

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<sup>238</sup> Minutes of the panel meeting on 25.03.14

<sup>239</sup> Draft Seafront Strategy Consultation, May 2013

## 19. Accessibility of the seafront

### Access for disabled people

**19.1** Dr John Hastie of the Fed Centre for Independent Living outlined the following key issues relating to the accessibility of the seafront:

- The small size of the beach platform at the bottom of Hove Street and the benefits of having a longer platform or several platforms
- The challenges faced in using the beach wheelchairs, in particular if a hoist could be provided
- Another accessible toilet in Hove, to complement the excellent Changing Place Toilet in Madeira Drive
- The variable surfaces and sometimes poor access
- Finding accessible parking
- More durable and portable matting to enable disabled people to use on the shingle beach
- Connectivity: the panel heard that *'one would have to travel 4.5 miles to use all the facilities for disabled people'* rather than them being all connected up.<sup>240</sup>

Dr Hastie told the panel that he tended to avoid the Brighton seafront due to the uncomfortable wooden slats and was told that it was recognised as *'not ideal for people with mobility issues'*.<sup>241</sup> He also expressed his hope that event organisers would take into account the access needs of wheelchair users on Hove Lawns.

**19.2** Mark Brady from the World Famous Pump Room, a seafront business, told the panel of his concern of lack of disabled access toilets on the seafront.<sup>242</sup>

The Draft Seafront Strategy Consultation highlighted the need for:

*'Better signage for wheelchair users and pedestrians so they can get to Marina broad walk and western break water easily and in a pleasant manner.'*<sup>243</sup>

***The panel hope that the 10 year plan for the seafront they recommend takes full account of the accessibility issues raised in this report.***

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<sup>240</sup> Minutes of the panel meeting on 18.03.14

<sup>241</sup> Minutes of the panel meeting on 18.03.14

<sup>242</sup> Minutes of the panel meeting on 11.04.14

<sup>243</sup> Draft Seafront Strategy Consultation Report, May 2013

## **20. Transport and the connectivity of the seafront**

**20.1** The panel had the following outcomes they wished to achieve in relation to the connectivity of the seafront.

*To improve accessibility by measures such as:*

- *Considering the access needs of major developments such as the i360*
- *Improved access for disabled people and other groups*
- *Joining up the facilities for disabled people and those who have particular access needs*
- *Signposting access to, and encouraging use of, the full seafront.*

*To improve connectivity by measures such as:*

- *Improved public realm and legibility on key connections such as West Street, Valley Gardens, The Old Town, Preston Street, Kemp Town, Hove Town centre and links to the historic squares*
- *Connections between the ‘offer’ at street level and on the seafront level*
- *Providing enhanced walking and cycling connections to popular shopping, and other visitor, areas as well as Brighton Railway station*
- *Improvements to public transport along the seafront including connections to visitor attractions, Brighton Station and key development sites*
- *Linking the key development sites.*

*Outcomes from this could include:*

- *Improved safety*
- *Increasing community use*
- *Encouraging sporting and other beneficial activities on the seafront.*

**20.2** Connectivity had already been identified as a theme in the Draft Seafront Strategy because:

*‘...the seafront is a classic linear recreation destination that draws people and activities to it especially in the summer; it is also an important corridor for people travelling along the coast either within the city or through it.’<sup>244</sup>*

This section describes the key forms of transportation used to move along the seafront: while the Local Transport Plan (LTP), the key form of funding available to carry out transport related projects, has already been described in Chapter 12.

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<sup>244</sup> Draft Seafront Strategy, 2012 [http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/\\$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf](http://present.brighton-hove.gov.uk/Published/C00000705/M00004040/AI00030988/$SeafrontStrategyNovFinalDraftVersion.pdfA.ps.pdf)



## Public transport

### Trains

**20.3** Geoff Raw, the Executive Director for Environment, Development and Housing explained why train travel played such an important role in encouraging visitors to travel to Brighton:

*'Out of those arriving in Gatwick, currently 90% of visitors went to London and 10% travelled to Brighton. So there needed to be a strong offer to those who arrive in Gatwick. The rail link needed to be improved to increase the capacity and transport visitors to the city. Sundays were a very big problem on Network Rail.'*<sup>245</sup>

**20.4** The panel were also advised by him that:

*'There currently was spare capacity on the railways at off-peak times, so increasing off peak usage would generate additional revenue for the train operating company... one could market timed visits to the city to encourage visitors to come at off-peak times. Spreading out visitors throughout the year could be far more beneficial to the city than a smaller number of huge visitor peaks.'*<sup>246</sup>

A concern was expressed at the drop-in event at Alfresco about whether there were sufficiently clear directions to the seafront from key points in the city, particularly the train station.<sup>247</sup>

### Buses

**20.5** While the lack of public transport in the seafront area was mentioned to the panel a number of times, the introduction of a new bus route running from June to September from the station to the Pier and King Alfred was welcomed. The panel hoped that if this bus proved popular then it may be practicable for the Brighton & Hove Bus Company to:

- Run the service more frequently (currently only 7 times a day)
- Extend the route down the full length of the seafront
- Run the service for a longer season.

Russell Haynes, owner of the Concorde 2 - a music venue in Madeira Drive, told the panel he believed there was a need for a bus service which stopped at this area.

### **Cars and coaches**

**20.6** Andrew Renault, Interim Head of Highways Engineering & Projects (Structures, Flooding & Coastal Protection), explained that connectivity along the seafront in relation to those in cars and coaches:

*'... was very important [in terms of]:'*

<sup>245</sup> Minutes of the panel meeting on 25.03.14

<sup>246</sup> Minutes of the panel meeting on 25.03.14

<sup>247</sup> Notes from the drop-in event at Alfresco on 08.04.14

- A259
- *Accessibility both along and to the seafront*
- *Improving the pinch points on the seafront where visitors and cars meet.*<sup>248</sup>

The issue of access, including that of vehicles, to the Marina was also raised as a concern by respondents to the Draft Seafront Strategy Consultation.<sup>249</sup>

## Cars

### **Maintaining the A259**

**20.7** The council is responsible for the A259 as part of its role as the Highways Authority and a key role of the seafront arches is to support the road above them.

The road works on the Brighton seafront caused by the partial collapse of the Fortunes of War arches have meant that King's Road has been partly closed since 25<sup>th</sup> April and is now projected to remain shut until December 2014.

### **Parking costs**

**20.8** Cheaper parking was a key concern highlighted in half the character areas identified by the Draft Seafront Strategy. This was backed up by a respondent to the small survey carried out by the scrutiny panel who asked for:

*'...cheaper parking. People cannot afford to come to the beach.'*<sup>250</sup>

Cost was also an issue highlighted in the Seafront Strategy Consultation which found that:

*'Respondents wanted cheaper parking, close to the Seafront, for residents.'*<sup>251</sup>

At the panel's drop-in event, a number of seafront traders expressed their concerns about the impact of parking costs on their business. It was highlighted that other seaside towns such as Worthing and Eastbourne had significantly lower parking charges.<sup>252</sup> This was backed up by a written submission from a seafront business who was concerned that *'the beach is no longer a cheap day out if driving.'*<sup>253</sup>

## Change for parking

<sup>248</sup> Minutes of the panel meeting on 25.03.14

<sup>249</sup> Seafront Strategy Consultation Report, May 2013

<sup>250</sup> Survey carried out by the scrutiny panel

<sup>251</sup> Seafront Strategy Consultation Report 2013

<sup>252</sup> Notes from the drop-in event at Alfresco 08.04.14

<sup>253</sup> Email to the panel dated 22.03.14

**20.9** Neil Sykes from the Modern Gallery, sited on Madeira Drive, explained to the panel that there were currently no signs on Madeira Terrace to explain where one could obtain change.

*'So traders are bombarded with requests for information and change by those trying to park in the area.'*<sup>254</sup>

### Coach parking

**20.10** The seafront traders who spoke to the panel identified a number of problems relating to the coach parking which takes place in areas such as Madeira Terrace:

- While there were designated bays for coaches to drop off and wait, more needed to be done to control this
- The double parking of some coaches near the Pier, which should be checked by patrols.

At the workshop with the Tourism Advisory Board, it was suggested to the panel that coaches could park at Black Rock instead of Madeira Terrace then use the Volks Railway to get back to the more popular parts of the seafront.<sup>255</sup>

### **Volks Railway**

**20.11** A high number of respondents to the Seafront Strategy Consultation were in favour of improving the Volks railway to increase access along the seafront. Many felt that the railway would be greatly improved by being extended, and some felt that this:

*'...could make the railway a more viable means of transport for resident and visitors alike.'*<sup>256</sup>

Other suggestions made in the consultation responses, included:

- The need to better promote the railway to visitors and residents
- A longer season
- Longer opening hours, especially in the summer.<sup>257</sup>

The panel hope that the Heritage Lottery Funding may be able to address some of these issues.

**20.12** The draft Seafront Strategy emphasises the importance of walking and cycling as a means of reaching, and moving along, the seafront.

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<sup>254</sup> Minutes of the panel meeting 11.04.14

<sup>255</sup> Notes from the Tourism Advisory Board Workshop on 12.05.14

<sup>256</sup> Seafront Strategy Consultation Report

<sup>257</sup> Ibid

## Pedestrians

The responses to the Draft Seafront Strategy showed that concerns relating to pedestrians were identified in all of the character areas.

### Improving pedestrian access and connectivity

**20.13** Means of improving pedestrian access and connectivity were an important feature of the responses to the consultation of the Draft Seafront Strategy. Suggestions for different locations included:

- New road crossings, either pelican or zebra, in locations such as Hove Lagoon
- Improving access for people with buggies or using wheelchairs, where needed
- Addressing traffic light sequencing
- Traffic calming measures
- Redirecting lorries and HGVs away from the seafront
- Improving signage to inform people they had arrived at the Marina and directing them to different destinations there
- Better maintenance of underpasses, increasing the feeling of safety of users and early shutting times in the subway across Kings Road.<sup>258</sup>

A few respondents praised the improvements which had been made to crossings and pedestrian priority at the end of East Street.<sup>259</sup>

## Cyclists

**20.14** Improvements to cycle routes and infrastructure were also mentioned by a significant number of people responding to the consultation on the Seafront Strategy. Issues they identified included:

- The lack of a seamless route
- Connectivity between attractions such as between the east and west of the Palace Pier
- Narrowness of the cycle lane which is not as close to the sea as it could be.<sup>260</sup>

This consultation process also identified that:

*'...there are some issues with both cycling and pedestrian connectivity between attractions, such as between the east and west of the Palace Pier, between the Black Rock site and the Marina, and the Marina and the Undercliff walk that...the Seafront Strategy should address.'*<sup>261</sup>

### Better segregation of pedestrians and cyclists

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<sup>258</sup> Seafront Strategy Consultation Report

<sup>259</sup> Ibid

<sup>260</sup> Seafront Strategy Consultation Report, May 2013

<sup>261</sup> Seafront Strategy Consultation Report

**20.15** This issue was highlighted in the Draft Seafront Strategy Consultation to improve safety and the suggestions to address this:

- Clearer demarcation lines between cycle lanes and pedestrian paths
- Making cycle lanes a brighter colour
- Moving cycle lanes away from pedestrians and parked cars
- Widening cycle lanes.<sup>262</sup>

The panel was aware that it can involve significant levels of resources to address issues relating to connectivity.

## **Recommendation Fourteen**

***The panel recommends that connectivity remains a key feature of the planning for the seafront. The panel also recommends that the seafront programme looks for funding opportunities for transport focussed projects on or near the seafront.***

***The panel believe that the connectivity needs of the seafront need to be a major component of Local Transport Plan 4 and a consideration for the whole city. This should include:***

- ***Making the seafront accessible to all***
- ***The needs of pedestrians and cyclists***
- ***Improving the connections between the seafront and the rest of the city.***

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<sup>262</sup> Ibid

## 21. Meeting the needs of different locations on the seafront

**21.1** Having looked at the seafront primarily as a whole, this section looks at the areas on the seafront which seemed to be of key concern to stakeholders or in significant need. This section also identifies some of the actions which have been suggested to tackle the concerns about these locations.

### Locations of concern

The small survey carried out by the panel found that the following areas seemed to spark most concern among respondents:

- Madeira Terrace and Madeira Drive
- East of Palace Pier
- Black Rock
- East Lower Promenade
- The closure of West Street Shelter Hall.<sup>263</sup>

### Madeira Drive and Madeira Terrace

**21.2** The Madeira Terraces were described to the panel by Martin Hilson, a Building Surveying and Maintenance Manager, as:

*'...iconic for the city and great for events so are worth preserving.'*<sup>264</sup>

He told the panel that funds had been allocated by the council to Madeira Terrace because it was seen as a *'significant risk'*.<sup>265</sup> £0.5 million of the Planned Maintenance Programme had been allocated across two years to carry out works to two trial bays on Madeira Terrace.

*'...it was likely to find out that more work will need to be done for the ongoing rolling refurbishment programme.'*<sup>266</sup>

**21.3** Martin Hilson explained that this location:

*'...presented particular challenges because it was not income generating.'*<sup>267</sup>

Another challenge is that the structures in this location, including the Madeira Terrace lift, were Grade 2 listed. This meant that the work planned for the trial bays need to be undertaken with Conservation Planning and with English Heritage approval. The Kingscliffe Society told the panel that they welcomed the repairs which had been carried out to the Madeira Lift.

While the panel heard that the eastern half of Madeira Terrace was in a better condition because it had been better built: this half of the Terrace was described by a

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<sup>263</sup> Survey results

<sup>264</sup> Minutes of the panel meeting on 18.03.14

<sup>265</sup> Minutes of the panel meeting on 18.03.14

<sup>266</sup> Ibid

<sup>267</sup> Ibid

representative from the Kingscliffe Society and Brighton Society as *'desolate.'*<sup>268</sup> The owner of Concorde 2 told the panel that there had been a 20% reduction in footfall to his venue since the Arches had been closed. He described Madeira Terraces as *'...a desert, a car park.'*<sup>269</sup>

**21.4** Despite these concerns, Geoff Raw (Executive Director for Environment, Development and Housing) explained that:

*'...the investment priority needed to be in things which could generate an income return. It wasn't apparent how the Terraces would generate an income return and income revenue.'*

An innovative solution suggested to the panel by Michael Levy, owner of the Castor & Pollux Art Gallery, was that:

*'...a long glass building could be placed under the terraces, to turn into a space such as an artists' workshop, like Crystal Palace.'*<sup>270</sup>

Other suggestions made by members of the Tourism Advisory Board included:

*'Perhaps one could place a tariff on those who organise events there or a stall at the event asking for donations. One could sponsor or adopt an arch...The terraces were built by returning WW2 veterans in need of employment and this could be used as a heritage story. The story of the Madeira Lift could also be used.'*<sup>271</sup>

## **Innovative funding**

**21.5** Helmut Lasser, the Chair of the Hove Civic Society suggested that an innovative scheme could be used to help repair areas where traditional funding may not be possible. He thought that the public

*'...could be asked to 'help preserve something we all love', but would need an explanation of the situation facing the Terraces.'*<sup>272</sup>

The panel heard that the Hastings Pier had raised £500,000 from public subscriptions. Shares were sold at a minimum of £100, and over half of them had been bought by individuals. Like the West Pier it was empty and derelict but, following the success of the subscription scheme, had now been awarded £12m Heritage Lottery Funding.

**21.6** It was felt that this would both raise awareness of the issues facing locations such as Madeira Terrace, as well as funds. One of the ways which could be explored includes crowdfunding. This is used to fund a project by gaining relatively small contributions from a large group of individuals. This money is usually raised online through dedicated crowdfunding sites and publicised through social media networks.

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<sup>268</sup> Minutes of the panel meeting on 25.03.14

<sup>269</sup> Minutes of the panel meeting on 11.04.14

<sup>270</sup> Minutes of the panel meeting on 11.04.14

<sup>271</sup> Notes from the Tourism Advisory Board workshop on 12.05.14

<sup>272</sup> Minutes of the panel meeting 18.03.25

It is often used as a way to raise funds for creative projects and so could be used for art or small scale improvement works to be carried out, which were unlikely to secure more conventional funding. This could in turn lead to secure funding, such as Heritage Lottery Funding.

## **Recommendation Thirteen**

***The panel recommends that the programme group for the seafront (described in Recommendation One) looks urgently at innovative ideas to secure monies for areas which do not seem to have the potential to be income generating. Possible methods could include crowd funding or public subscription. The panel would like the council to learn from the success of the public subscription project for Hastings Pier, which has been able to raise money, secure funding from the Heritage Lottery Fund and raise public awareness of the need to renovate this landmark.***

### **Black Rock**

**21.7** The Black Rock location, situated close to the Marina has been an area the council has been seeking to develop for a number of years.<sup>273</sup> A temporary sand sculpture theme park was opened in 2013 and is due to remain in operation until Summer 2016. This site was suggested in the Draft Seafront Strategy as an opportunity for leisure and recreation development, as well as being identified as an area of concern in the survey carried out by the scrutiny panel.

An update on the progress of the development of this site is contained in Chapter 9: Improvements to the seafront.

### **Shelter Hall**

**21.8** Shelter Hall was identified to the panel by Paula Murray, the Assistant Chief Executive, as a clear priority. This structure was constructed in around 1886 as a Free Shelter Hall for promenaders to enjoy the seafront. Unfortunately a structural assessment found in March 2013 that it was no longer capable of supporting any highway load and close to failing with respect to its ability to support footway loading. Due to the risks, the council decided to close the premises and the owner was required to leave. The structure was cleared and remains propped by scaffolding at an annual cost of around £100,000. Future works will include the demolition, design and rebuilding of a structure which complies with the relevant standards.

The council has sought, and will continue, to seek funds for this project (and other seafront structures that require strengthening) from the Local Growth Fund [LGF] money allocated to the Coast to Capital LEP, given that they play a fundamental role in supporting the seafront road and promenade and provide opportunities for commercial and economic activity which plays such an important role in the attraction of the seafront to residents and visitors.<sup>274</sup>

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<sup>273</sup> <http://www.brighton-hove.gov.uk/content/planning/major-developments/black-rock-proposal>

<sup>274</sup> Information provided by the service



## The West Pier

**21.9** The West Pier Trust was created in 1978, and is a charity and limited company which owns the pier. Initially its aim was to restore the pier and return it to public use.<sup>275</sup> However by 2004:

*‘...English Heritage concluded that the pier could no longer be restored after freak storm damage in June of that year - this proved to be the last straw following previous fires and collapses.’<sup>276</sup>*

The hope of the West Pier Trust is that with the construction of the i360:

*‘...there will be new interest in developing the pier itself. It would be a contemporary interpretation of the West Pier.’<sup>277</sup>*

More information on the i360 development is contained in Chapter 9: Improvements to the seafront.

**21.10** At the drop-in event held by the panel:

*‘Sadness was expressed at the deterioration of the Pier and the need to save the last piece of the structure.’*

## Hove Lawns

**21.11** Juliette Hunting of the Brunswick & Adelaide Residents Group described these lawns as an *‘iconic’* part of the seafront area. She expressed concern that damage on this area *‘did not seem to be repaired’*<sup>278</sup> and felt that the Lawns should not be treated and maintained as a park. She reported that local Associations would like the Lawns between the Peace Statue and Courteney Gate to be declared as not available for commercial activities. It was suggested that the Lawns could be designated by and place on English Heritage Parks and Gardens list, which would give it opportunities to seek funding.<sup>279</sup>

She warned the panel that:

*‘This Brunswick Town Conservation area should be kept to the same standard of their equivalents, Bath or Venice. If they were lost, they would be gone forever.’<sup>280</sup>*

## Rottingdean

**21.12** The panel heard from representatives from Rottingdean Parish Council (RPC) that the seafront is *‘an important asset to the village’* because it:

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<sup>275</sup> <http://www.westpier.co.uk/about/>

<sup>276</sup> <http://www.brighton-hove.gov.uk/content/planning/major-developments/west-pier>

<sup>277</sup> <http://www.westpier.co.uk/about/>

<sup>278</sup> Minutes of the panel meeting on 18.03.14

<sup>279</sup> Minutes of the panel meeting on 18.03.14

<sup>280</sup> Minutes of the panel meeting on 18.03.14

- Provides public space
- Contributed to the thriving culture
- Brought together the community
- Helps social cohesion<sup>281</sup>

The RPC highlighted the positive work which had been done to improve the Rottingdean terraces. The cost of improving them, including new benches and the provision of power had been funded by a range of local charities as well as BHCC and RPC. This was seen as '*a success story of co-operation*'.<sup>282</sup>

**21.13** However the panel heard of their concern that the toilets in the area which were owned by Brighton & Hove City Council (BHCC) had become derelict, leading to the need for portable toilets. Although the RPC recognised the funding problems faced by BHCC, due to pressure from visitors and residents the Parish Council were now having to assist with the funds. The RPC told the panel that they would like to see a '*greater flow of information and communication*'<sup>283</sup> from Brighton & Hove City Council.

The Parish Council felt their key concerns for the city in relation to the seafront were:

- Sea defences, including the protection of the A259 which is so close to the seafront. If the road dropped into the sea 'it would cut out 13,000 traffic movements to Rottingdean
- Improving the transport connection.<sup>284</sup>

***The panel welcomed the evidence given about Rottingdean and hoped this, as well as the information about residents views on facilities in the area including the potential for cafes, seating, sporting opportunities and toilet refurbishment are taken into account when developing the plan for the seafront.***

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<sup>281</sup> Minutes of the panel meeting on 18.03.14

<sup>282</sup> Minutes of the panel meeting 18.03.14

<sup>283</sup> Minutes of the panel meeting on 18.03.14

<sup>284</sup> Minutes of the panel meeting on 18.03.14

## 22. Making the best use of the seafront

### Encouraging residents to use the seafront

**22.1** The seafront is seen by residents as a key destination when they have visitors, with 94% agreeing they tend to take visitors to the seafront (72% of those strongly agreeing).<sup>285</sup>

Councillor Bowden commented to the panel that:

*'There could be a tension between attracting visitors and making the area accessible to residents.'*<sup>286</sup>

A number of suggestions about how to make the best use of the seafront were made by the attendees to the panel's drop-in event. These included:

- The need for more attractions in the area to left of the Pier
- Putting seating on the lower promenade
- The benefits of more activities for children
- Offering free and healthy activities on the seafront.<sup>287</sup>

The need for more family facilities was also highlighted in the survey conducted by the panel. Written evidence to the panel also suggested the value of providing a community space on the seafront, which could provide facilities to carry out sporting and performance activities.

### Encouraging the use of the whole seafront

**22.2** Councillor Bowden told the panel that:

*'A recent study by the Tourism Alliance found that visitors tended to crowd towards Palace Pier and there was a need to draw these people out to other areas. This was an important feature of the Draft Seafront Strategy.'*<sup>288</sup>

The Seafront Development Initiative of 1992 had talked of the need to develop

*'A **'string of pearls'** such as sports, children's play facilities, museum, restaurants, cafes and gardens which use the Arches, major development sites such as Black Rock and existing smaller facilities along the Seafront.'*<sup>289</sup>

A suggestion from a member of the Tourism Advisory Board was to:

*'...offer activities for residents, in the outlying areas.'*<sup>290</sup>

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<sup>285</sup> Seafront Strategy Consultation Report, May 2013

<sup>286</sup> Minutes of the panel meeting on 18.03.14

<sup>287</sup> Notes from the drop-in event at Alfresco on 08.04.14

<sup>288</sup> Minutes of the panel meeting on 18.03.14

<sup>289</sup> Bold my emphasis, Brighton Seafront Strategic Development Initiative, Report, July 1992

<sup>290</sup> Notes from the Tourism Advisory Board Workshop on 12.05.14

**22.3** One of the ways that residents and visitors could be encouraged to make use of the full stretch of the seafront was to increase the range of sporting activities. Ian Shurrock, the Head of Sport & Leisure, explained that the seafront was '*one of our largest outdoor sports area*<sup>291</sup>, hosting activities such as Healthwalks.

A number of passionate representations were made to the panel about preserving and improving the opportunities to play sports on the seafront, including bowling, table tennis, volleyball and sailing.

### **Using the seafront all year round**

**22.4** Michael Levy, owner of Castor & Pollux Art Gallery, felt that residents tended to use the seafront all year round except summer. For his business:

*'...the best bit of the season was from September to Christmas, and [he] thought that some of the other businesses and galleries did not always see the benefits of winter. He sometimes went on holiday in August. However it was made harder by there being no shelter on the seafront and no public seating. This meant there was nowhere for people to sit in the rain. Often February can be a busy month.'*<sup>292</sup>

To encourage use of the seafront all year round he suggested council-run festivals in off-peak times, improved lighting, clearly marked locations for specific activities as well as a major art gallery.

**22.5** At the drop-in event, it was said that shuttered up shops '*gave the area an abandoned feel*.'<sup>293</sup> The panel hoped that one of the tasks for the Enterprise Officer would be to work with seafront businesses to encourage them to open all year round, where it was practicable.

The panel hope that the 10 year plan for the seafront would consider how to encourage more residents to use the seafront, inspire residents and visitors to travel along more of the seafront and encourage this location to be open all year round.

## **Recommendation Four**

***The panel recommends that an exhibition is held in the city to give residents, visitors and businesses a greater understanding and appreciation of the seafront; its importance, history, conservation needs and the challenges faced. Ongoing displays of information and material for use on social media and websites could then provide a long term source of information on the seafront (see Recommendation Two).***

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<sup>291</sup> Minutes of the panel meeting 25.03.14

<sup>292</sup> Minutes of the panel meeting on 25.03.14

<sup>293</sup> Notes from the Alfresco drop-in event on 08.04.14

## 23. Conservation issues

**23.1** Seafront architecture was one of the key themes of the Draft Seafront Strategy. The panel heard from Helmut Lasser, the chair of the Hove Civic Society, that 80% of the seafront was in a conservation area and the key conservation structures were:

- Palace Pier
- Peace Statue
- Victoria Statue
- Madeira Terraces.

Helmut Lasser suggested that when important changes were made to the structures on the seafront, the council should consult with people such as the Conservation Advisory Group (CAG).

**23.2** Juliette Hunting of the Brunswick & Adelaide Residents Group said of Hove Lawns:

*'If they were lost, they would be gone forever.'*<sup>294</sup>

The Kingscliffe Society campaigns for the area between the Steine and Sussex Square. They asked the panel whether it would be possible that certain areas be promoted to Grade 2\* listing, for example the Terraces, Shelter Hall and lampposts. Robert Edwards, their representative, praised the Seafront Strategy as a:

*'...breadth of fresh air and was very lucid in content.'*<sup>295</sup>

Their hope was that any new structures would not be intrusive.

**The panel recognised that conservation issues needed to receive due consideration in the 10 year plan they recommend for the seafront.**

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<sup>294</sup> Minutes of the panel meeting on 18.03.14

<sup>295</sup> Minutes of the panel meeting on 11.04.14

## 24. Coastal protection

**24.1** While the council is not under a statutory obligation to defend its coastline, according to Martin Eade - the Coast Protection Engineer:

*'...if it was not defended then the beach and the seafront will be gone.'*<sup>296</sup>

He explained that the Brighton & Hove coastline could be divided into two areas:

- East of the Marina – only the cliffs and the Undercliff walk
- West of the Marina – the popular part of the coastline but was experiencing more difficulties such as Shoreham Port which had been damaged recently<sup>297</sup>

**24.2** The panel heard that while coastal defence is seen as a national priority, applying for funding from the Environment Agency was a *'very complex and longwinded process.'*<sup>298</sup> For example, the first application for the reconstruction of the Undercliff walk was made in 1984 and the project was completed in 2006.

The council was currently looking at work needed between the Marina and the River Adur, a process which had begun in 2001. The council approved the submission of a strategy study for this area in July 2014. However,

*'If this work outlined in the 2003 strategy had commenced in 2003, one may not have seen the flooding happen to those 20-30 properties which happened on Valentine's day.'*<sup>299</sup>

**24.3** It was felt that climate change meant the current sea defences were *'becoming less effective'*<sup>300</sup>, making such delays potentially even more damaging.

It was known that a number of areas would need attention over the coming years, including Shoreham Port and the area in front of the King Alfred and around the Palace Pier. Works would include extending the length of the groynes and increasing the size of the beaches.

An example of the impact of cliff instability was given from 2001, where there had been a substantial collapse which had shut Asda for approximately four months. While this had resulted in cliff stabilisation works, there was concern because any falls in cliffs could affect how transport flowed in the city. Because of this Local Transport Plan (LTP) money had been used to fund these stabilisation works, because the cliffs behind Asda were not seen as coastal defence.

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<sup>296</sup> Minutes of the panel meeting 25.03.14

<sup>297</sup> Minutes of the panel meeting 25.04.14

<sup>298</sup> Ibid

<sup>299</sup> Minutes of the panel meeting 25.04.14

<sup>300</sup> Ibid

**24.4** The panel were concerned to hear that:

*'...it was not possible to predict when cliff collapses would result in the coast road becoming impassable.'*<sup>301</sup>

It has been reported to Environment, Transport and Sustainability Committee that:

*'The total cost of the initial programme of capital works for the Brighton and Hove City Council maintained section of the coast as detailed within the report is estimated to be in the region of £3.2m.'*<sup>302</sup>

***The panel would like the issue of coastal protection to be taken fully into account when developing the 10 year plan and investment plan for the seafront.***

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<sup>301</sup> Minutes of the panel meeting 25.04.14

<sup>302</sup> [http://present.brighton-hove.gov.uk/Published/C00000823/M00005175/AI00039453/\\$20140620103218\\_005684\\_0024604\\_CommitteeReportTemplate040913.doc.pdf](http://present.brighton-hove.gov.uk/Published/C00000823/M00005175/AI00039453/$20140620103218_005684_0024604_CommitteeReportTemplate040913.doc.pdf)

## **25. How the recommendations will be monitored**

**25.1** The panel would like the further two reports to come to committee on the seafront structures programme, as outlined in Recommendation One.

The panel would like to then see a monitoring report come to the Overview and Scrutiny Committee in 12 months, to check the progress of the council in meeting the recommendations.



## **Appendix One: How would you know if the scrutiny recommendations had made a difference?**

The panel suggested a number of potential means to measure the impact of their recommendations, including:

- Increased income from renting to seafront traders, e.g. in rent levels and vacancies
- More units available on the seafront either as outlets or beach huts
- Increased number of days which seafront businesses are open
- More events held on the seafront
- Increased maintenance expenditure on the seafront
- More funding bids made, and won, for the seafront
- Increased numbers of day and overnight visitors to the city
- Improved visitor satisfaction with the seafront
- Increased use of the seafront by the community
- Approval of major projects on the seafront
- Improved economic performance of the businesses located near those major projects.

## Appendix Two

The table below lists all the witnesses who came and spoke to the panel:

<b>Name</b>	<b>Job title/role</b>	<b>Organisation</b>
Geoffrey Bowden	Councillor and Chair of Brighton & Hove City Council's Economic, Development & Culture Committee	
Mark Jones	Deputy Chief Executive	Brighton & Hove Economic Partnership
Martin Hilson	Building Surveying & Maintenance Manager	Brighton & Hove City Council (BHCC)
Jane Pinnock	Seafront Estates Surveyor	BHCC
Toni Manuel	Seafront Development Manager	BHCC
Juliette Hunting	Representative	Brunswick & Adelaide Residents Group
Helmut Lusser	Chair	Hove Civic Society
John Bryant	Councillor	Rottingdean Parish Council (RPC)
James Simister	Clerk to the Rottingdean Parish Council	RPC
Paula Murray	Assistant Chief Executive	BHCC
Dr John Hastie	Training, Consultancy and Engagement Team	The Fed Centre for Independent Living
Geoff Raw	Executive Director for Environment, Development & Housing	BHCC
Mark Ireland	Head of Project Finance	BHCC
Michael Levy	Owner	Castor & Pollux Art Gallery
Andrew Renaut	Interim Head of Highways Engineering & Projects (Structures, Flooding & Coastal Protection)	BHCC
Leon Bellis	Senior Engineer	BHCC
Nick Hibberd	Head of City Regeneration	BHCC
Ian Shurrock	Head of Sport & Leisure	BHCC
Martin Eade	Coast Protection Engineer	BHCC
Howard Barden	Head of Tourism & Venues	BHCC
Robert Edwards	Committee Member	Kingscliffe Society and Brighton Society
Kevin Boorman	Head of Communications and Marketing	Hastings Borough Council
Mike Moon	Head of Operations (Waste and Street Cleaning), Cityclean	BHCC
Ronnie Smith		Bedazzled Gift Shop
Mike Palmer		Lucky Beach Cafe
Neil Sykes		Modern Gallery
Mark Brady		World Famous Pump

		Room
Russell Haynes		Concorde 2
Tina Haynes		Concorde 2
Adam Chinery	Chairman of the Seafront Business Association	Brighton Watersports

The panel also held a drop in session on 8<sup>th</sup> April 2014 for those who wanted to give their views on the future of the seafront at Alfresco, a café situated on the seafront. This event was attended by over 50 people who were very keen to talk to the panel about their concerns.

Finally the panel went to talk to the Brighton & Hove Tourism Advisory Board on 12<sup>th</sup> May 2014 to ask its views on the key issues facing the seafront.

The panel also gathered written evidence in the following ways:

- Using a website called Ning to gain the views of those with an interest in the seafront
- Sending out a questionnaire to all the seafront traders (also used for the drop-in event – 18 replies were collected)
- Emails from groups and individuals representing a wide of interests e.g. sporting clubs, conservation groups and traders
- Written statements e.g. Simon Kirby, MP and the Seafront Business Association



**Draft**

# Seafront Strategy



**Brighton & Hove  
City Council**





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## Vision

*“To develop the unique character areas of the iconic Brighton & Hove Seafront to create attractive, sustainable, high quality environments for residents, businesses and visitors throughout the year”*



# Draft Seafront Strategy



## Introduction

The Seafront is of vital importance to the economy of the city as a focal point which attracts both residents and visitors in large numbers. The Seafront is a showcase for the city and plays a major role in attracting business visitors to conferences and events.

Although the United Kingdom is experiencing economic difficulties, it is positive that the Seafront is still attracting investment as demonstrated by the Brighton Bathing Pavilion proposal in Madeira Drive, the Brighton Wheel, and the progress made on the I360 project. Regular enquiries into development possibilities on the Seafront mean that it is important that there is clarity on the availability of such opportunities through an emerging Seafront Strategy. In addition, a Strategy would greatly assist when applying for external funding and the allocation of developer contributions.

The scope of the Strategy has been considered from two perspectives. First, the identification of over-arching themes for the Seafront that relate to the whole length of the coast from Hove Lagoon to Saltdean and south of the A259. Secondly, an assessment of the individual character areas that comprise the Seafront to identify potential opportunities for improvement while acknowledging the challenges each area presents.

In 1992 Brighton Borough Council and the South East English Tourist Board commissioned Conran Roche Planning and KPMG Peat Marwick to prepare a development strategy for the regeneration of Brighton Seafront.

The 20<sup>th</sup> anniversary of the “Seafront Development Initiative” provides an ideal opportunity to review the progress made on the initiative. The Initiative considered the “urban” stretch of Seafront from the Hove boundary to the edge of the Brighton Marina. However, the focus ended up primarily on the King’s Road Arches situated between the West Pier and Palace Pier as the area which suffered the most problems yet offered the most potential.

There is no doubt that the development of the Seafront between the piers has been an outstanding success. Representatives of other British seaside resorts are envious of what has been achieved, but it is essential that continuous

# Draft Seafront Strategy

improvement takes place to ensure the value of the Seafront is not only maintained but enhanced for the city.

An updated Seafront Strategy for the city of Brighton & Hove gives the chance to consider the wider 13km of seafront from Hove Lagoon to Saltdean. Therefore, the intention is to build upon the Seafront Development Initiative by identifying the scope for future areas of priority.

It is interesting to note the parallels today with 20 years ago particularly with regards to the financial climate with the consultants concluding that:

“The recession over the last two years has made developers and investors increasingly cautious about expansion. The Borough Council, faced with having to make expenditure cuts across all its services has also to face an acute shortage of financial resources. An extremely difficult funding environment currently prevails therefore”.

Within this overall context of the financial climate, it is clear that realistic priorities are essential in order that positive progress can continue to be made. These priorities have been formulated by a review of the Seafront in relation to overarching themes and individual character areas, which have informed the vision and will form the basis (after consultation) of a Strategy for the Seafront.

In 1992 the vision for the Seafront was identified as:

**“The Seafront – the meeting place of resident and visitor, recreation and business, Town and Sea”**

The Seafront Development Initiative has been very successful in achieving this ‘meeting place’ between the Piers and therefore a review of the whole seafront can identify whether this vision can be extended from Hove Lagoon to Saltdean, gives the potential for an extended vision as follows:

**“To develop the unique character areas of the iconic Brighton & Hove Seafront to create attractive, sustainable, high quality environments for residents, businesses and visitors throughout the year”**

# Draft Seafront Strategy



As the Seafront is an integral part of the city, the emerging Seafront Strategy needs to be linked with other policy documents and initiatives that have a city-wide impact including the following priorities from the council's Corporate Plan:

- Creating a more sustainable city
- Engaging people who live and work in the city
- Tackling inequality

In relation to “creating a more sustainable city”, the ten One Planet Principles will act as a framework to work towards for sustainable development and a sustainable economy for the Seafront. The principles are as follows:

- Zero Carbon
- Zero waste
- Sustainable transport
- Sustainable materials
- Local and sustainable food
- Sustainable water
- Land use and wildlife
- Culture and economy
- Equity and local economy
- Health and happiness

This emerging draft Seafront Strategy introduces the over-arching themes together with objectives and includes some interesting facts which put into context the scale of the Seafront. The proposed themes and objectives will form an important element in subsequent rounds of consultation designed to further refine the content of the Seafront Strategy.

Appendix 1 of the draft Strategy contains a series of maps of the proposed Character Areas with potential development and improvement opportunities highlighted. Appendix 2 sets out the national, regional and local planning policy framework for the regeneration of the Seafront, including some of the policy constraints to development. It is essential that any proposed developments and improvements are consistent with planning policies in order that they are sympathetic to the rich heritage of the Seafront which is predominantly a conservation area.

# Draft Seafront Strategy

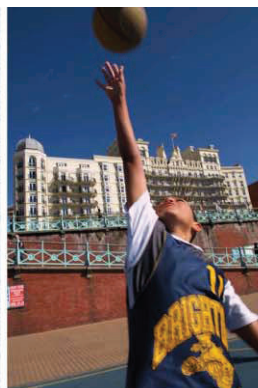
## Seafront Theme - Active Seafront

The Seafront can be viewed as the largest outdoor recreation space in the city. There are positive benefits to the physical and mental health of the local population from regular participation in sport, physical activity and cultural events on the Seafront.

The opportunities to be physically active on the Seafront are abundant with a combination of informal casual activities eg walking, jogging, swimming, and more formal structured club and facility based activities Brighton Sailing Club, Yellowwave Beach Sports Centre and Hove Lagoon Watersports Centre. This is a theme that has been developed with the extension of the cycle lane along Madeira Drive and the undercliff from the Marina to Rottingdean now being a very popular route for both walkers and cyclists.

The King Alfred Leisure Centre is the city's largest indoor sports facility and is also located on the Seafront. The Centre is in need of replacement in order to provide a facility to a modern day standard to meet local demand. The development of further opportunities for physical activity is becoming even more important with the growing negative impact of increasing obesity levels. In addition, the mental health benefits of a relaxing stroll with plenty of opportunities to sit and enjoy the surroundings should not also be under-estimated.

The Seafront is a location for world class art, photography exhibitions and events which all provide areas of interest to draw people to the area. In particular, Madeira Drive comes alive with the Outdoor Events Programme of sporting, heritage and cultural events which draw thousands of people and creates a focus for the area to become active.



# Draft Seafront Strategy



## Objectives

- To identify new sport and recreational facilities for people to be physically active on the Seafront to improve health and well-being.
- To attract new events to the Seafront to promote participation in sport, recreation and cultural activities.
- To identify new cultural attractions on the Seafront to encourage more people to visit the area.
- To support the location of the Seafront as a base for sports clubs.
- To encourage participation in active recreation through the provision of improved recreational trails.



## Did you know?

- There are over 40 sporting and recreational events being held on the Seafront in 2012 which encourage people to be physically active.
- There are 12 sports clubs already located on the Seafront
- The Seafront has 2 items of sculpture that are by internationally renowned artists including the Afloat pictured above by Hamish Black.
- There are 21 cultural events being held on the Seafront during 2012.

# Draft Seafront Strategy

## Seafront Theme - Seafront Management

The council's Seafront Operations Team patrols the 13km of the Seafront from Hove Lagoon to Saltdean. While there is a small core team on duty throughout the year, this is extended in the summer season with the team of beach lifeguards and the opening of the Hove Seafront Office.

The importance of the role of the Seafront Team should not be under-estimated with key tasks including:

- Beach and water safety
- Enforcement of Seafront bye-laws
- Liaison with seafront businesses
- Incident management in conjunction with emergency services
- Promoting a positive image of the council to seafront visitors and residents
- Co-ordination of reactive maintenance works

There are also key roles undertaken by City Clean / City Parks in respect of waste collection including recycling, grounds maintenance and provision of toilets which have a combined cost of approximately £1.2 million per annum. The collection of waste in an area which sees such a dramatic influx of users (in particular the beach) is important to ensure the positive image of the Seafront. Grounds maintenance of the lawns and recreational areas such as those in Hove is undertaken by City Parks which are well used areas for informal leisure activities.



# Draft Seafront Strategy



## Objectives

- To ensure that a safe environment is provided along the whole length of the Seafront including for water borne activities.
- To ensure that a clean environment is provided to reflect the Seafront as the city's shop window with a review of the waste management operation.
- To ensure suitable quantity and quality of toilet facilities along the Seafront.
- To ensure that a safe and secure Seafront is provided in conjunction with the Police service e.g. improved CCTV, bye-law implementation.
- To consider ways of improving the culture of behaviour of Seafront users e.g. messaging / signage



## Did you know?

- The Seafront Operational Team and Beach Cleansing Operatives are on duty every day of the year from 6 am including Christmas Day.
- Approximately 23 tonnes of refuse is collected on the most busy summer days (equivalent to 2.5 refuse vehicles).
- The Seafront has currently has 2 International Blue Flags and 3 National Quality Coast Awards.
- In 2011 the Seafront Operational Team attended 179 first aid incidents and gave safety advice to the public on 8309 occasions.

# Draft Seafront Strategy

## Seafront Theme - Tourism Development

The Seafront is the main tourist attraction for the city with the sea, beach and iconic attractions all providing a huge draw to the majority of the 8 million visitors each year.

An estimated quarter of a million visitors are attracted to the area between the piers on a sunny summer weekend. The importance of the Seafront is all too apparent to the city's tourism economy which contributes an estimated £732 million to the city's economy each year and sustains 17,500 jobs (13,000 FTEs).

However, the potential to broaden and enhance the main draw of the tourism appeal both spatially (wider than the prime location between the piers) and in time (with an extended all year round season) are both key to retaining and developing the importance of the Seafront.

Brighton & Hove has a prime advantage in being within an easy travel distance of a large population area including London. However, more and more towns and cities are developing tourist attractions and therefore to sustain the tourism offer of the city, the Seafront needs to be continually developing rather than just maintained to the current standard.

One way in which to promote the Seafront and the city is to attract filming. At present filming does take place on an occasional basis, but a proactive approach to attracting film companies to use the Seafront would more effectively exploit this potential opportunity to generate publicity and obtain income.





# Draft Seafront Strategy

## Objectives

- To develop further the areas of attraction for tourists wider than the prime tourist destination between the piers. A prime focus being Madeira Drive including the Black Rock site as a link all the way to the Marina.
- To extend the tourist season so that the city is an all year round tourist destination by developing activities e.g. events, as well as year round attractions.
- To refresh the existing tourist offer e.g. improve Volk's Railway as well as capitalise on new opportunities e.g. eco-tourism.
- To increase the number of nights that tourists stay in the city.
- To proactively seek filming on the Seafront to promote the city.
- To continue to grow the number of visitors arriving by public transport (currently 55%) and to ensure parking for both coaches and cars is easy to locate and of high quality.



## Did you know?

- Of the 8.5 million visitors an estimated 20 % come from overseas.
- Of UK visitors, 20% come from London.
- Staying visitors spent 4.5 million nights in the city in 2011.
- Around 14% of all employee jobs in the city are in tourism-related sectors.

# Draft Seafront Strategy

## Seafront Theme – Seafront Economy - Property Management

The council owns a considerable Seafront Property Portfolio ranging from beach chalets and seafront arches to nightclubs and restaurants. The way this Portfolio is managed (i.e. the nature of the uses of these properties) has a fundamental impact on the character of the Seafront.

Support and encouragement is given to small independent businesses to grow on the Seafront. e.g. artists arches which contribute so much to the vibrancy of the area.

The management of these properties is in conjunction with the Seafront Operational Team, in order to create a synergy between the day to day operation of the businesses and the on-going operation of the wider Seafront.

The diversity of the Seafront is reflected in the wide range of property uses and it is important that those uses are complementary to the character of the area of the Seafront in which they are located. This is the key driver of the identification of the Character Areas that are attached in appendix 1.

The Seafront Property Portfolio generates a significant income to the council (over £1.2 million pounds per annum) and consideration could be given to allocating that income to the maintenance of the Seafront.



# Draft Seafront Strategy



## Objectives

- To attract a diverse mix of independent businesses to achieve a unique vibrant Seafront.
- To identify Character Areas all along the Seafront in order that the prime nature of use is clear for each area and compatible attractions / businesses provided.
- To manage the council's Seafront Property Portfolio to achieve income generation from commercial properties on an individual basis relative to the location, commercial value, community benefit and nature of use of each property.
- To attract businesses that are open all year to reduce seasonality and consider the suitability and role of markets on the Seafront.
- To encourage innovative attractions to ensure the Seafront offer continues to be vibrant and seek improvements to existing businesses e.g. wi-fi.
- To discourage mobile trading to ensure that existing tenants are not adversely affected.



## Did you know?

- The council owns over 200 properties along the Seafront from beach chalets and artists arches to nightclubs.
- The Beach Huts are owned by individuals who pay to the council a ground rent. Beach Chalets are owned by the council and individuals pay an annual fee.
- There are 28 different artist workshops who are required to sell products made on the premises to support the development of local artists.
- The Carousel on the Seafront is 124 years old having been constructed back in 1888.



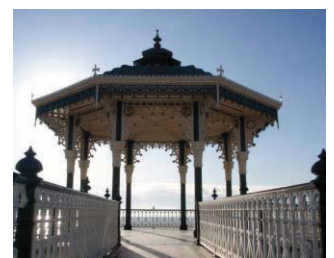
## Seafront Theme - Seafront Architecture and Coastal Protection

The condition and quality of the Seafront can create a lasting impression and significantly influence people's views about the city. Maintaining the infrastructure of the Seafront including railings, shelters, benches and lighting is a massive challenge. In addition, there is the structural and load-bearing infrastructure, such as the Kings Road Arches, the Marine Parade Retaining Wall and the Madeira Drive Structures which support the main A259 road and the Terraces. A comprehensive on-going maintenance programme is essential to ensure a quality environment is provided resulting in a positive image for the Seafront.

The combination of the harsh corrosive seafront environment together with heritage requirements makes the challenge to resource an on-going maintenance programme extremely difficult. Various community initiatives have been utilised to undertake some maintenance work and the assistance is greatly appreciated. However, due to the difficult access to many areas such initiatives can only provide limited support.

Coastal protection is also a key issue that forms part of the overall maintenance of the Seafront. As sea levels are predicted to rise it will become even more critical to ensure that sea defences and all new developments are designed and built to prevent or avoid the impacts of flooding. The coast and sea in Brighton & Hove is included in the Biosphere Reserve bid, and includes a national geological Site of Special Scientific Interest (SSSI) in the cliffs east of Brighton Marina

Without a fully funded on-going maintenance programme buildings can fall into disrepair with a full scale restoration project then being required. For example, the restoration of the Western Bandstand cost in the region of £1 million.



# Draft Seafront Strategy



## Objectives

- To identify and prioritise the long-term maintenance needs of the Seafront.
- To secure adequate planned and reactive maintenance budgets for the foreseeable future.
- To seek sources of external funding to improve the Seafront.
- To ensure that coastal protection measures are planned to meet future requirements.
- To ensure the implementation of capital restoration projects.
- To identify opportunities to improve lighting and CCTV on the Seafront.



## Did you know?

- The cost to paint the Seafront railings is approximately £500,000 which should ideally be undertaken every two years.
- A single white shelter on the Seafront can cost between £10,000 to repair and £35,000 for a full restoration.
- There are 9.5Km of Seafront railings in Brighton & Hove including the Madeira Terraces.
- To paint the 7.5Km of railings in Brighton takes 2500 litres of paint.



## Seafront Theme - Regeneration Projects

While the maintenance of the existing heritage of the Seafront contributes greatly to its character, it is vital to the continuing success of the Seafront and the city as a whole, that new developments take place. Delivering some of these in a difficult financial climate remains a challenge for the council, particularly if it is to continue to make sure that proposals from developers at sites such as Black Rock and the King Alfred will deliver significant benefits to the community as well as making financial sense.

### **Black Rock Site**

This site offers much potential for developers and could help to make an important link for the Marina to the city. However, the location also has constraints which require a creative approach from developers seeking to make use of it. The location below the cliff requires low scale development. It also requires good transport links and the rapid transport route will need to be retained to offer sustainable transport direct to the site. There are important heritage and conservation issues to address.

### **King Alfred Site**

The site occupies an outstanding seafront location in Hove and is suitable for a major mixed-use development a means of replacing the sports centre. The provision of new sports facilities instead of the current King Alfred Leisure Centre remains the council's aspiration. Given the obvious potential development value afforded by the site's seafront location, emerging planning policy provides a continued basis for residential development as part of a mixed use development of the site.

### **Brighton i360**

Planning permission has been granted to build an observation spire together with heritage centre and retail units. This project will make a significant contribution to sustaining the economy of seafront by creating a new and exciting destination at the site of the old West Pier and is due to be completed in Spring 2015.

# Draft Seafront Strategy

## Objectives

- To make best use of the remaining seafront development sites and ensure they deliver balanced high quality development which meets the needs and aspirations of the City.
- To ensure that the development of council sites located on the Seafront are complementary to the character areas of the Seafront and the Vision of the Seafront Strategy.
- To use these significant sites to deliver jobs to meet the needs of the City Skills and Employment Plan.
- To make best use of existing transport infrastructure while ensuring that the developments deliver new solutions for additional demand.

## Did you know?

- The i360 will be 175m tall which is higher than the Spinnaker (170m) and the London Eye (135m).
- Sir Alec Guinness and Jon Pertwee were based at HMS King Alfred during the second world war as naval officer trainees.
- The Brighton Marina at the time of construction was considered to be the largest Marina in Europe with over 2000 berths and needed an Act of Parliament to go ahead.





## Seafront Theme - Connectivity

While the Seafront is a classic linear recreation destination that draws people and activities to it especially in the summer, it is also an important corridor for people travelling along the coast, either within the city or through it.

The transport network therefore has to accommodate a number of needs and demands throughout the year that vary in terms of their impact on the city as a whole or a more localised area. These include :

- Daytime and night-time use / weekends and weekdays
- Seasonal attractions / events / leisure and business
- Potential conflicts between people and vehicles
- Connecting the city centre and local residential areas across the A259
- Linking the upper and lower promenades

Connecting the busy city centre area with the Seafront in a way that is safe, convenient, direct and easy to navigate is key to making the Seafront as accessible for everyone as possible. Direct access onto the Seafront has to cross the very busy, A259 dual carriageway. This is made possible by subways (West Street and the Regency Square Car Park), and a significant number controlled pedestrian crossings, and refuges/islands, at road level.

Linking the Seafront with other key central destinations and attractions as well as the road, rail and bus networks is also important. Measures are already being planned to improve arrival points in the city centre, such as the Brighton Station Gateway Project, as well as identifying opportunities to link other stations with the coastal strip, such as those stations near to the Shoreham Harbour Regeneration area.

The importance of physical activity by walking and cycling as a means of moving along the Seafront has already been highlighted. The heritage of the Seafront also plays an important role in attracting people and providing access, with the Volk's Railway travelling from the Aquarium to Black Rock and the Madeira Lift enabling access from Marine Parade to Madeira Drive.



# Draft Seafront Strategy



There are a number of existing bus services along the Seafront that are successful and well-used, although they are not fully integrated and do not run along the entire length of the coast road. Previous attempts to secure funding for a high frequency, limited stop Seafront (east-west) bus service to link key development sites such as the Brighton Centre/Churchill Square, i360 and King Alfred were unsuccessful owing to lack of government funding, despite being recognised as a priority scheme in the south-east region.

## Objectives

- To improve the accessibility both along and to the Seafront.
- To support the strategic objectives of the Local Transport Plan including:
  - To enable greater access to a wide range of goods, services, and places, including the city's natural environment.
  - To encourage and enable greater levels of active and healthy travel, such as cycling and walking, especially for shorter journeys.
  - To improve access to job opportunities, shopping areas and cultural and visitor attractions.
- To improve the “pinch-points” on the Seafront where pedestrians, cycles and cars interact.
- To review the Legibility Report ie signage/access routes in relation to the Seafront to improve the connectivity of the Seafront.

## Did you know?

- The roundabout by the Aquarium was the first in the United Kingdom.
- Madeira Drive was first developed as a motor racing track.
- Major access points to the Seafront for tourists used to be by ships mooring at the piers.
- The Seafront cycle lane is used approximately 3000 times per day.

## Next Steps

Subject to the approval of this draft Seafront Strategy by the Culture & Economic Development Committee of the city council, a consultation exercise will be undertaken over the winter of 2012/13.

The consultation exercise will enable a wide range of stakeholders with interest in the Seafront to give their views on the future of this important area including:

- Ward members whose wards include the Seafront.
- Public Consultation.
- Stakeholders external to the council such as city wide partnerships, seafront businesses including the operators of the main attractions along the Seafront, and voluntary organisations e.g. sports clubs based on the Seafront.
- External agencies such as Southern Water whose operation directly impacts on the Seafront.

The views received during the consultation will then be used to inform a final version of the Seafront Strategy for consideration by the Policy & Resources Committee in spring 2013.

The draft questions that follow have been drawn from the themes that have been identified previously in this draft Strategy. They are intended to give an indication of the nature of the consultation that is proposed.

## Draft Consultation Questions

What do you think of the Vision?

What are the key issues on the seafront for being active?

What is missing and what is needed?

Which areas present the best opportunity for being active and why?

What do you think of the key services on the seafront?

- Toilets?
- Waste?
- Safety?

What changes would you like to see?

How safe do you feel on the seafront? Which areas feel most safe?  
Which areas require a greater focus?

What do you think of lighting on the seafront?

What role do or could markets have on the seafront?

What attractions would support seafront regeneration?

How do we improve the seafront for visitors?

How do we improve the seafront for residents?

How do we increase the benefits of visitors to the City?

What are the priorities in terms of maintenance?

How can we reduce the impact of vandalism?

How can we improve connectivity between the city and the seafront? Where on the seafront is this most important?

What else should we be considering in reviewing the seafront strategy?

# Draft Seafront Strategy



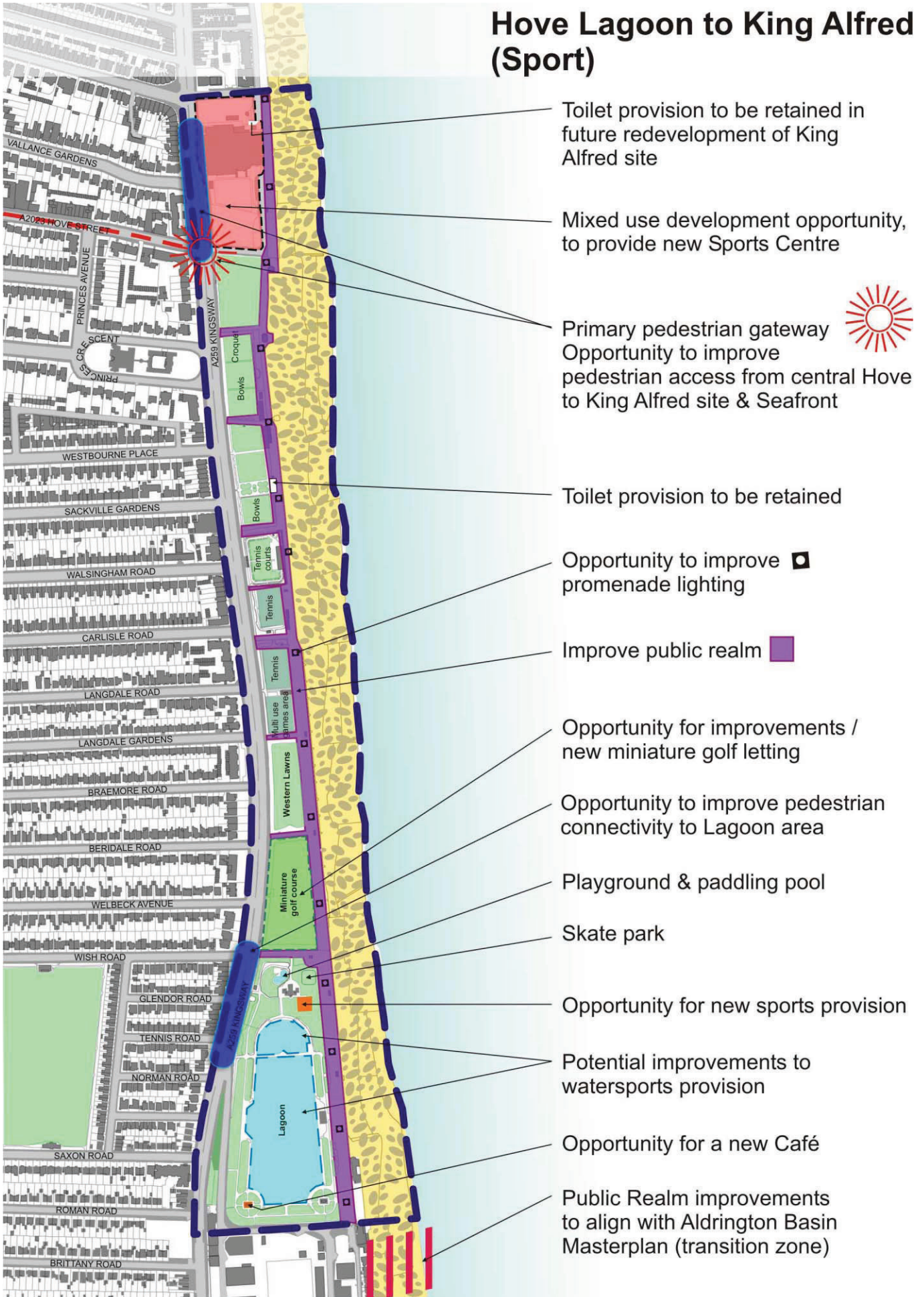
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# Draft Seafront Strategy



## Appendix 1 Seafront Character Areas

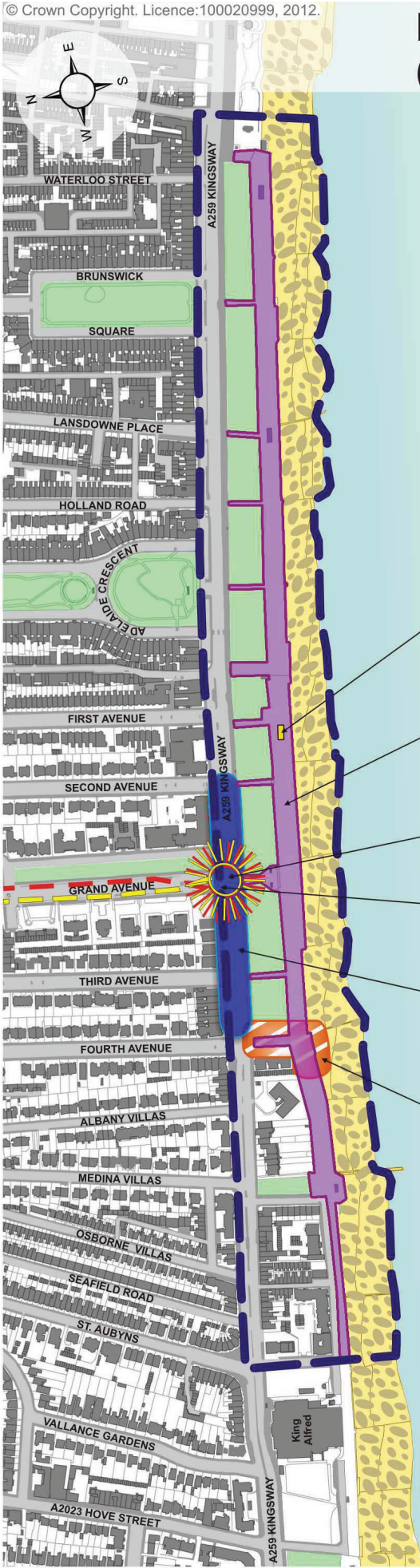
# Hove Lagoon to King Alfred (Sport)



- Toilet provision to be retained in future redevelopment of King Alfred site
- Mixed use development opportunity, to provide new Sports Centre
- Primary pedestrian gateway  
Opportunity to improve pedestrian access from central Hove to King Alfred site & Seafront
- Toilet provision to be retained
- Opportunity to improve promenade lighting
- Improve public realm
- Opportunity for improvements / new miniature golf letting
- Opportunity to improve pedestrian connectivity to Lagoon area
- Playground & paddling pool
- Skate park
- Opportunity for new sports provision
- Potential improvements to watersports provision
- Opportunity for a new Café
- Public Realm improvements to align with Aldrington Basin Masterplan (transition zone)



# King Alfred to Peace Statue (Informal recreation / outdoor events)



Opportunity for improvements to toilet provision

Potential opportunity for improved Public Realm

Primary transport route

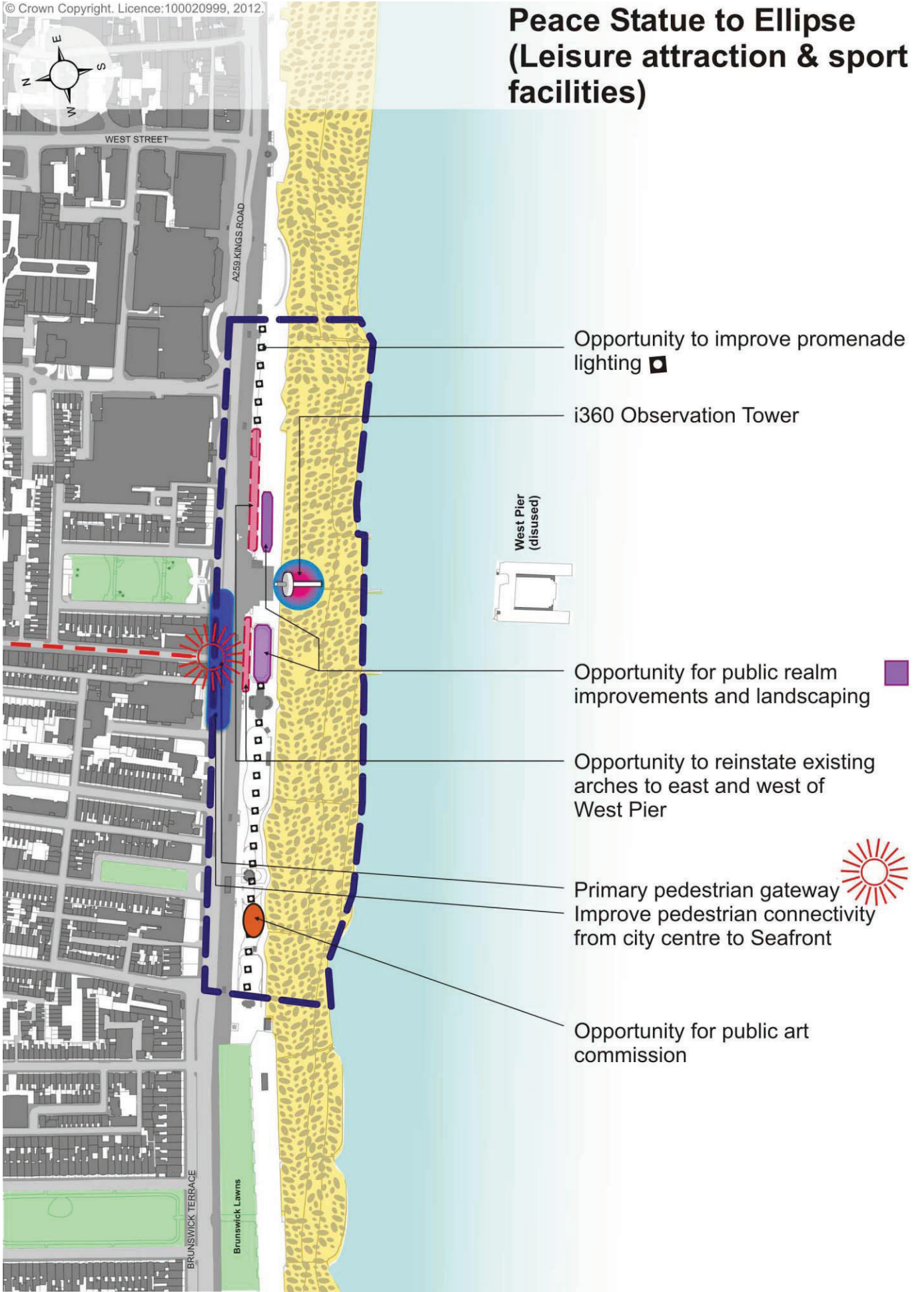
Primary pedestrian gateway

Improve pedestrian connectivity to Seafront

Opportunity for improvements to cycle route & cycle infrastructure

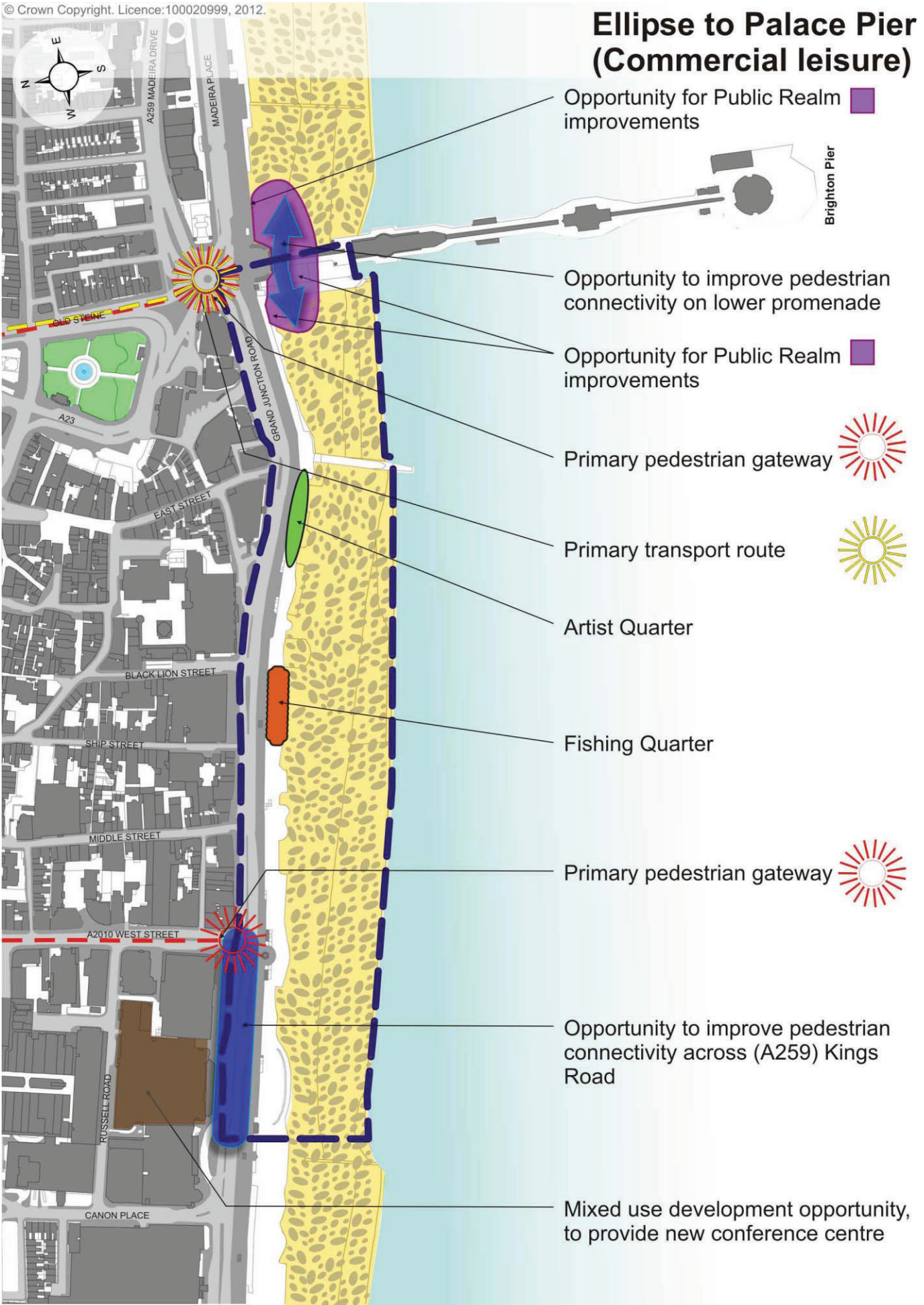


# Peace Statue to Ellipse (Leisure attraction & sport facilities)





# Ellipse to Palace Pier (Commercial leisure)

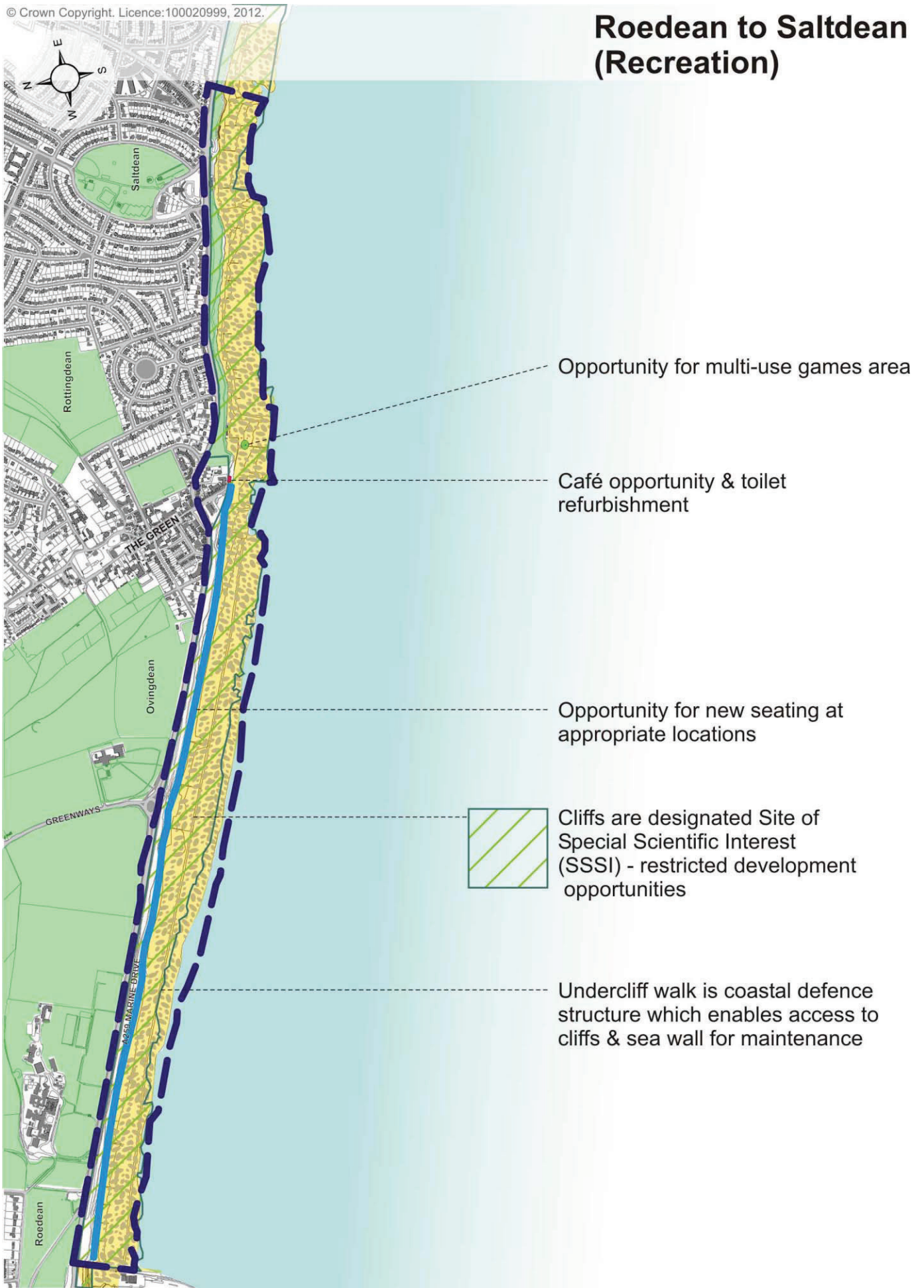




## Palace Pier to Brighton Marina (Family leisure attractions & facilities)

- Mixed use development opportunity
- Potential to improve pedestrian connectivity to undercliff walk & Black Rock (behind ASDA)
- Potential to create a vehicular/ pedestrian knock through to improve connectivity
- Opportunity for leisure & recreation development
- Opportunity for new use
- Potential for improvements to public realm & connectivity to Black Rock
- Opportunity to improve Volks Railway visitor attraction
- Opportunity to realign Volks Railway line to enhance development potential
- Opportunity for leisure use development
- Potential to review location and appearance of boat lockers & chalets
- Potential for exhibitions & public art
- Potential for leisure use beyond the period of the existing planning permission
- Opportunity for Public Realm improvements

# Roedean to Saltdean (Recreation)



## Appendix 2 – National, Regional & Local Planning Context

This section provides a brief outline of the national, regional and local policy framework that will inform the preparation of the Seafront Strategy.

### **National Planning Policy Framework (NPPF)**

The NPPF, published in March 2012, sets out the Government's planning policies for England and how these are expected to be applied. The framework requires each authority to work together with local communities to produce local and neighbourhood plans that reflect the needs of local communities.

The most prominent objective in the NPPF is for local authorities to positively plan for and support sustainable growth in all three aspects of the physical, economic and social environment, which it acknowledges is mutually dependent. The following NPPF principles and objectives are crucial elements in the effective delivery of the Seafront Strategy:

### **Achieving Sustainable Development**

**Para 7** - There are three dimensions to sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles:

- an economic role – contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure;
- a social role – supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being; and
- an environmental role – contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

### **11. Conserving and enhancing the natural environment**

**Para 109** - The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils.
- recognising the wider benefits of ecosystem services.

- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

## 12. Conserving and enhancing the historic environment

Local planning authorities should establish a positive strategy for the conservation and enjoyment of the historic environment, including heritage assets most at risk through neglect, decay or other threats. In doing so, they should recognise that heritage assets are an irreplaceable resource and conserve them in a manner appropriate to their significance. In developing this strategy, local planning authorities should take into account:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the wider social, cultural, economic and environmental benefits that conservation of the historic environment can bring;
- the desirability of new development making a positive contribution to local character and distinctiveness; and
- opportunities to draw on the contribution made by the historic environment to the character of a place.

## Promoting healthy communities

**Para 72** - Access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities. Planning policies should be based on robust and up-to-date assessments of the needs for open space, sports and recreation facilities and opportunities for new provision.

## 10. Meeting the challenge of climate change, flooding and coastal change

**Para 99** - Local Plans should take account of climate change over the longer term, including factors such as flood risk, coastal change, water supply and changes to biodiversity and landscape. New development should be planned to avoid increased vulnerability to the range of impacts arising from climate change.

**Para 100** - Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere.

**Para 106** - Local planning authorities should reduce risk from coastal change by avoiding inappropriate development in vulnerable areas or adding to the impacts of physical changes to the coast. They should identify as a Coastal Change Management Area any area likely to be affected by physical changes to the coast, and:

- be clear as to what development will be appropriate in such areas and in

# Draft Seafront Strategy

- what circumstances; and
- make provision for development and infrastructure that needs to be
- relocated away from Coastal Change Management Areas.

## Using a proportionate evidence base

**Para 168** - Shoreline Management Plans should inform the evidence base for planning in coastal areas. The prediction of future impacts should include the longer term nature and inherent uncertainty of coastal processes (including coastal landslip), and take account of climate change.

## The Good Practice Guide to Planning on Tourism (2006)

The Guide encourages planners to engage with the tourism industry and public to ensure development maximises the many benefits of tourism. The objectives of the Guide are to:

- provide a catalyst for growth in an area, by raising its profile and stabilising outmigration;
- provide opportunities for retraining the resident workforce and help to diversify over-specialised economies; and
- help maintain and expand underused sports and recreation facilities in
- urban areas.

## The Marine and Coastal Access Act (2009)

The Act seeks to improve access to the coast of England and to introduce a new framework for the seas based on marine spatial planning which balances conservation, energy and resource needs. The Act provides better protection for the marine environment; sustainable use of marine resources; an integrated planning system for managing the sea, coast and estuaries; a robust legal framework for decision-making; streamlined regulation and enforcement and seeks to extend access to the English coast.

## Other policy guidance

CABE (now part of the Design Council) and English Heritage have published a number of documents including *Shifting Sands – Design and the Changing Image of English Seaside Towns* (2003) and *Regeneration in Historic Towns* (2007), demonstrating that high quality design, open spaces and enhancing the historic environment can radically regenerate seaside resorts.

The Coastal Communities Alliance has also produced an authoritative handbook “*Coastal Regeneration in English Coastal Resorts – 2010*” which provides a toolkit for coastal regeneration practitioners. It encourages new approaches to address long standing problems such as lack of investment by sharing knowledge and best practice concerning the economic, social and physical regeneration of coastal resorts.

# Draft Seafront Strategy

## Regional policy context

The Regional Spatial Strategy (RSS) sets out a long-term strategy for the spatial development of the South East. The South East Plan identifies the Sussex Coast as one of nine sub regions as a focus for growth and regeneration. In relation to Brighton & Hove, Policies SCT1 and SCT17 of the Plan emphasise the importance of continuing to strengthen the economy of Brighton & Hove and the adjoining area as a major centre and hub for the wider Region.

## Local policy context

The Local Development Framework (LDF) provides the spatial planning mechanism which will help to deliver the Seafront Strategy. Once adopted, the City Plan will set out the overarching strategic planning framework for the city up to 2030. The currently adopted Local Plan (2005) continues to apply to the seafront until its relevant policies are superseded by those in the LDF. Policies **SR18 Seafront recreation** and **SR19 Black Rock site** refer directly to the council's aspirations for future development of the seafront. These policies are soon to be replaced with policies **DA2 Brighton Marina, Black Rock and Gas Works area** and **SA1 The Seafront**. SA1 identifies the following priorities for seafront development:

- Enhance and improve the public realm and create a seafront for all; to ensure the seafront has adequate facilities for residents and visitors (including public toilets, waste disposal facilities, seating, signage, lighting and opportunities for shelter and shade) and continue to improve access to the beach and shoreline and ensure the seafront is accessible to everyone;
- Promote high quality architecture and urban design which complements the natural heritage of the seafront and preserves and enhances the character and appearance of the Conservation Areas, and the historic squares and lawns that adjoin the seafront;
- Secure improvements to sustainable transport infrastructure along the A259, including a rapid/ express bus-based services and improve air quality, pedestrian and cycle routes and crossing opportunities in order to achieve a modal shift and thereby reduce the impact of traffic;
- Monitor, conserve and expand designated coastal habitats and secure nature conservation enhancements to the marine and coastal environment;
- Work in partnership with Defra, the Environment Agency, Natural England and Southern Water to continue to maintain coastal defences and to ensure appropriate waste water treatment infrastructure.

The policy also identifies priorities for four specific parts of the seafront:

- Western Seafront (Medina Terrace to Boundary Road/Station Road)
- Central Seafront (Medina Terrace to Palace Pier)
- East of Palace Pier to the Marina
- East of the Marina

# Draft Seafront Strategy



These areas are shown on Fig 1. The objectives associated with each of these areas and how they relate to the different Character Areas are detailed in section x of this Strategy.

Other local policy documents considered in this strategy include the council's:

- City Plan
- Corporate Plan
- One Planet Living
- Economic Development Strategy (Refreshed)
- Sport & Physical Activity Strategy
- Transport – Local Transport Plan
- Legibility Study
- Council's medium term financial strategy
- Investment Priorities Plan
- City Prospectus
- City Skills & Employment Plan
- Brighton Station Gateway Project
- Waste Management Plans review







<b>Subject:</b>	<b>Report of the Scrutiny Panel on Short Term Holiday Lets (Party Houses)</b>		
<b>Date of Meeting:</b>	<b>20 October 2014</b>		
<b>Report of:</b>	<b>The Assistant Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Giles Rossington</b>	<b>Tel: 29-1038</b>
	<b>Email:</b>	<b>Giles.rossington@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In July 2013 Cllr Geoffrey Bowden requested that a scrutiny panel be established to look at issues relating to 'party houses' – short term holiday lets targeting large groups such as stag and hen parties.
- 1.2 A panel was established with Cllr Bowden chairing alongside Cllrs Jayne Bennett and Alan Robins. The panel report is included as **Appendix 1** to this report.

**2. RECOMMENDATIONS:**

- 2.1 That the OSC endorses the scrutiny panel report on Short Term Holiday Lets (**Appendix 1**) and refer it on for consideration by the appropriate policy committee(s)

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Please refer to the scrutiny panel report (**Appendix 1**)

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

- 4.1 OSC members could choose not to endorse the scrutiny panel report.

**5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Please refer to the scrutiny panel report (**Appendix 1**)

**6. CONCLUSION**

- 6.1 Members are asked to endorse the scrutiny panel report (**Appendix 1**) which has been agreed by panel members after extensive consultation with short term holiday let operators, council and key partner services and local residents.

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

### Financial Implications:

- 7.1 The financial implications of the recommendations from the scrutiny panel will be assessed in the context of the Council's budget strategy when the recommendations are considered by the policy committees.

*Finance Officer Consulted: Anne Silley*

*Date: 29/01/14*

### Legal Implications:

- 7.2 Once OSC has agreed its recommendations based on the work of the scrutiny panel, it must prepare a formal report and submit it to the council's Chief Executive for consideration at the relevant decision-making body.
- 7.3 If OSC cannot agree on one single final report, up to one minority report may be prepared and submitted for consideration by the relevant policy committee with the majority report.

*Lawyer Consulted:*

*Oliver Dixon*

*Date: 29/01/14*

### Equalities Implications:

- 7.4 Equalities issues are addressed in the scrutiny panel report (**Appendix 1**)

### Sustainability Implications:

- 7.5 None identified

### Any Other Significant Implications:

- 7.6 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Report of the Short Term Holiday Lets Scrutiny Panel

### **Documents in Members' Rooms**

None

**Background Documents**

None



Scrutiny Panel Report on Short-term Holiday Lets



**Report of the Overview and Scrutiny Panel**

**October 2014**

## **Short-term Holiday Lets**

### **Panel Members**

**Councillor Geoffrey Bowden(Chair)  
Councillor Jayne Bennett  
Councillor Alan Robins**

## Chair's foreword

In July 2013 I asked that a scrutiny panel be established to look into the issue of what the media has labelled as '*Party Houses*'. This followed a number of representations in my own Queen's Park ward and, subsequently, from across the city from residents, whose lives had been adversely affected by the way some of these properties were being managed.

It was always accepted that short-term holiday lets catering for hen and stag groups contribute to the visitor economy, so the scrutiny panel sought to balance that against the genuine concerns expressed by residents affected by Anti-Social Behaviour. It is a growing market, so the panel felt it was important to find a mutually agreeable position that respects residents' views, but also supports responsible short-term holiday let operators catering for this market. We were also mindful of the impact on other local businesses, in particular small hoteliers, some of which aim to attract the same client profile, but are obliged to adhere to a more rigorous regulatory regime.

The panel had no interest in stifling business, but wanted to find a way forward that would benefit as many people as possible. However, as it became clear when taking evidence, properties catering for hen and stag groups or other large groups fall between the cracks of a number of legislative streams. Since a local authority's powers are limited, it was recognised that aiming for an operational 'gold standard' that responsible operators could sign up to might be the most realisable objective for the panel.

As a direct result of the establishment of a scrutiny panel, a number of local businesses have come together to promote best practice and offer some self-regulation of the market. The panel was heartened by this positive response and we hope that the Brighton and Hove Holiday Rental Association (BHRA) will evolve into a long-term partnership committed to running successful businesses in a respectful and sensitive manner, and, through its own example, be able to influence non-member operators to adopt best practice guidance.

We would like to thank everyone who took part in the scrutiny panel meetings or who contacted us to make representations. We would also like to thank the scrutiny team and council officers for their support. Finally I would like to thank my fellow panel members for their time and input into this panel. I think that we can all be proud of a thorough and positive piece of work.



A large, stylized handwritten signature in black ink, written over a white background. The signature is cursive and appears to be the name of the Chair.



## Introduction

There is no denying that Brighton & Hove has always been a popular holiday destination, whether it's for a week by the seaside or a shorter break. There are as many different reasons to come to Brighton as there are people visiting us, whether this is for people visiting by themselves or in larger groups, who want to share a property, for example family groups or people attending a conference.

One of the growing sector areas has been in short-term lets catering for these larger groups, particularly hen and stag parties. Recent research has shown that Brighton and Hove is one of the top UK hen and stag party destinations of choice<sup>1</sup>. A variety of accommodation types is available for all visitors, including hotels, guesthouses, B&Bs and short-term rented accommodation.

Councillor Geoffrey Bowden requested that a scrutiny panel be established to look into the issue of what were then referred to as 'Party Houses' – a journalistic shorthand; however following representations from operators in Brighton and Hove this has now been amended to 'short-term holiday lets' catering in particular for hen and stag groups. Local Action Team meetings in Queen's Park had highlighted these properties as an increasing nuisance problem to local residents. There had also been complaints from residents in other parts of the city including concerns about how the properties were managed, a lack of accountability, the negative impact they have on neighbourhoods, as well as whether they are being correctly classified as 'temporary holiday lets', for planning purposes, business rates and commercial waste collections.

The aim of the scrutiny panel was to establish a set of 'gold standards' for short-term holiday let properties aimed at the hen and stag market, so that they could be operated as successful businesses, while minimising disruption to neighbours and local residents.

As part of the panel process, panel members heard from members of the public across the city about their experiences, as well as from a representative of the city's small hoteliers and a number of large holiday let operators who manage or own properties in Brighton & Hove operating in this market. Panel members also spoke to council officers in Planning, Legal Services and in Environmental Health, the Police, as well as receiving ongoing support from East Sussex Fire and Rescue Service.

Complaints could largely be grouped into those relating to noise and anti-social behaviour; disruption to neighbours; how the properties were managed, including lack of response to complaints, and a feeling that there was little that statutory agencies could do or had done through existing legislation. At the same time small hoteliers told the panel that they felt that there was not a level playing field in terms of the regulatory regime under which they are

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<sup>1</sup> <http://www.redsevenleisure.co.uk/hen-weekends/uk/>

obliged to operate, compared to short-term holiday lets catering for hen and stag groups or for other large groups.

In response, operators said that the complaints were often historic, which had occurred when the industry was in its infancy. They felt that the number of complaints had fallen considerably since that time, and that they were much quicker at pre-empting problems. The operators told the panel that they had recently set up a trade association, Brighton and Hove Holiday Rental Association, to promote best practice among holiday let operators and that they could regulate the market themselves.

The panel decided to allow the newly established industry body the opportunity to demonstrate that it could effectively regulate its members and promote best practice across the market. It is the panel's recommendation however that the council should closely monitor complaints and reports of nuisance to ensure that these incidents are addressed as soon as they occur and, should it prove necessary, take stronger action.

The panel is also mindful that new national legislation is due to come into action in October 2014 which, the Home Office says will allow local authorities to tackle any anti-social problems more speedily through the use of enhanced closure powers and community protection orders. Of course the panel would prefer not to go down the route of taking enforcement action, opting to work with the BHRA members instead seeing this as a more positive way forward. However, it is important that all parties understand that those new powers will be available to the local authority and will be used if it proves necessary.

The panel would like to thank everyone who submitted evidence or attended the panel meetings. It has been invaluable to hear from all sides. The panel hopes that this report gives a balanced account of everyone's views and provides a practical way of moving things forward to everyone's satisfaction.

Councillors Geoffrey Bowden, Jayne Bennett, Alan Robins

September 2014



## 1. Scene Setting

### What are short-term holiday lets?

- 1.1 One of the problems that the panel encountered when beginning their research was that there is no agreed definition of a 'party house' or short-term holiday let. The same property might cater for a hen or stag group one weekend, a group of conference delegates the following week, a family group the next week. It became clear during the evidence gathering that the types of guests that were being referred to as causing problems tended to be larger stag and hen groups.
- 1.2 With all of the above in mind, panel members began by defining 'party houses' characteristics as
  - *short-term let available to rent for up to a week at a time*
  - *accommodating 6 people or more (not usually a family group), usually with two or more people per room*
  - *tending to be used for stag and hen parties, but not always the case.*
- 1.3 During the course of the panel, the short-term holiday let operators suggested that the focus should be on those properties that can accommodate ten or more guests<sup>2</sup>; after reflection this was agreed by the panel.

### Figures

- 1.4 One of the problems that the panel had at the outset of the process was quantifying how many short-term holiday lets catering for hen and stag groups there were in the city. As part of the initial enquiries, a range of figures were given from a number of sources including East Sussex Fire and Rescue service and Environmental Health. Figures ranged between 50 and 500 properties although this latter number included all holiday lets of any size. Part of the panel's remit was to quantify the market size so that the potential impact on residents could be assessed.

As part of their evidence Brighton and Hove Holiday Rental Association (BHRA) said that they had cross referenced all websites and adverts to ascertain what they considered to be a definitive number of properties. They found a total of 106 properties in the city that sleep ten or more people.<sup>3</sup> 78 of these are sole agency properties, and 28 are managed by more than one agency. Brighton Holiday Homes, one of the members of BHRA, manage over one third of these properties<sup>4</sup>.

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<sup>2</sup> Stephen Stone, Panel meeting 18 February 2014

<sup>3</sup> Stephen Stone, Panel meeting 18 February 2014

<sup>4</sup> Neil Stonehill, Panel meeting 18 February 2014

- 1.5 There were various references to the 'grey market' during panel meetings. This was used to refer to private accommodation that is rented out on an ad hoc basis, typically through websites like Air-bnb, rather than through rental agencies. It is harder to quantify these types of property or to deal with any problems that may occur, as they can pop up from time to time without any notification. BHRA have advised the panel that their own investigations show that Air-bnb currently advertises 5 large group holiday rentals that are not already advertised by agencies or other holiday rental websites (as of 24 July 2014)<sup>5</sup>

The panel wanted to clarify that they did not feel that all 'grey market' properties were the source of anti-social behaviour and that as with more permanent holiday let operators, there were responsible owners of temporary holiday lets as well. The panel also noted that the Air-bnb relied on positive feedback from those renting the properties and the owners who tend to rent only to those who have received good feedback from other Air-bnb owners.

### Terminology

- 1.6 The panel began their investigation by referring to the short-term holiday lets as 'party houses' in the absence of an agreed alternative. At the beginning of the second panel meeting, it was noted that some of the operators and local business people involved in the panel were unhappy with the phrase and felt it had unduly negative connotations. They asked for an alternative; 'large group private holiday lets' was suggested; this was subsequently changed to or 'short-term holiday lets' catering for hen and stag groups.

### **Why we are looking at it?**

- 1.7 The topic of what was then called 'party houses' was suggested by Councillor Geoffrey Bowden, who had had a number of complaints from concerned residents within and outside his ward of Queen's Park. His enquiries into these complaints showed that there was no one regulatory body or council body with responsibility for 'short-term holiday lets'. It seemed to fall between Planning, Environmental Health, Licencing and the fire service but no team had overall responsibility. The anti-social behaviour did not appear to be a police priority either.
- 1.8 Panel members were very clear that their intention was to signpost residents so they clearly know where they can go for assistance and help businesses agree a 'gold standard' for holiday let operators catering for large, potentially disruptive groups. It was not the panel's intention to hamper responsible operators or close down the industry, but to support both residents and responsible operators to allow the

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<sup>5</sup> Email from BHRA, 24 July 2014

sector to flourish while respecting the communities within which they operate.

## 2 Residents' Experiences

- 2.1 The panel dedicated their first public meeting to hearing from residents who had had cause to complain or raise concerns about short-term holiday lets. They issued press releases, tweeted and gave local radio interviews to raise the profile of the panel and ensure that as many people as possible would hear about the panel. This was in order to gauge the size of the problem – see paragraph 1.4 above..
- 2.2 Complaints fell into a number of broad categories; noise throughout the day and night was the largest concern, as well as litter, the lack of parking, a lack of accountability on the part of the property owner or operator and 'pre-loading' with alcohol before groups left for the evening.

Some of the complaints about behaviour included:

*...constant banging on the front door at 3am....*

*....A stripper physically in the street with screaming girls around.....*

*.....The noise is intermittent and generally between 11pm and 5 in the morning....*

*Guests congregating outside the house to smoke*

*..Huge piles of refuse and recycling being left and not cleared by the owners*

*...Fleets of taxis blocking the road.....*

*(All quotes from emails/ evidence received from residents)*

- 2.3 Residents were also concerned that when they did complain, whether to the council, the police or directly to the house, they were often told that there was nothing that could be done to help at that time.

Some of the complaints about lack of response included:

*Police asked [me] to log calls [about noise complaints]. After two years of doing so, ... was told I was a vexatious complainant*

*Haven't contacted the police as I don't feel they will attend*

*...the noise patrol isn't really suitable as the complaints are sporadic.*

*...it would need to be a long term problem for any Environmental health action to be taken...*

*The owner says they won't have any more hen parties but they do anyway*

*(All quotes from emails/ evidence received from residents)*

### **3 The role of statutory bodies**

- 3.1 It was clear from the panel's early research that short-term holiday lets do not fall under any one statutory body. While various departments and organisations had an interest in particular aspects, there is no one over-arching body with responsibility or oversight for the industry. As part of their investigations, the panel asked for more information about the role of statutory bodies such as Planning, Environmental Health, Community Safety, Business Rates, the East Sussex Fire and Rescue Service and the police.

#### **Planning Enforcement**

- 3.2 The Enforcement Team would measure the 'amenity harm' from a property that was being investigated; it was not necessarily that amenity harm was automatically caused. 'Amenity harm' may be harm to visual amenity (appearance) or harm to the amenities of neighbours (such as noise disturbance, vibration, overlooking, and loss of light).
- 3.3 Enforcement relied on complaints being made about a property. If Planning Enforcement received a complaint, the complainant would be asked to provide an evidence base including how often the property was used, and the amenity harm being caused.

The Enforcement Team would cross-reference the complaint with other departments and agencies including Environmental Health and the police to check if they had had any complaints about the property. The next stage would be to serve a Planning Contravention Order on the owner, asking them to clarify the type and frequency of use. When they

received the information back, the Enforcement Team could then consider whether a Change of Use had happened.

- 3.4 The panel heard that in a twelve-month period, the Enforcement Team had received four complaints about 'short-term holiday lets' but initial enquiries with other departments had shown that no complaints had been made nor had noise diaries been completed so it was not possible to determine whether there had been a change of use.<sup>6</sup>
- 3.5 'Change of use' was an issue raised by a number of residents and the local hoteliers' representative. At present, if a property owner wishes to let their property out as a holiday let, there are no planning restrictions to stop them doing so. This means that potentially the owner could convert their property without any notification to neighbours or the local authority. Some residents said that they feel that this is very unfair as there is no opportunity to object as there is with normal planning applications. If holiday let owners had to apply for 'change of use' this would give residents and other affected parties the chance to make representations for or against the proposal and for them to be considered against a set of agreed criteria.

The Brighton Hotelier's Association raised similar concerns when their representative spoke to the panel<sup>7</sup>. They felt that there was not a level playing field when it came to the regulatory requirements for hotels and holiday lets; hotels have to comply with a number of planning, environmental health and other requirements which do not necessarily apply to holiday let properties. The necessary regulatory regime increased the costs for hoteliers and they were concerned that holiday makers would not appreciate the difference, and base their choice purely on price.

The panel heard that any change to planning legislation, including change of use would have to come from central government and was not within the power of local authorities to introduce. (As an aside, slightly different legislative powers exist for London authorities, which is why the London Borough of Westminster can introduce its own short-term let policy.)<sup>8</sup>

- 3.6 Panel members heard that there was no use class within planning legislation for short-term holiday lets, so the property would be changed to use class 'sui generis' ['outside classification']. Any potential change to this, for example, adding a class for short-term holiday lets, would again have to come from central Government.

## **Environmental Health**

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<sup>6</sup> Aidan Thatcher, Planning Enforcement, BHCC 20 February 2014 Panel meeting

<sup>7</sup> Mark Jones, hotelier, 13 February 2014 Panel meeting

<sup>8</sup> <https://www.westminster.gov.uk/short-term-letting>

- 3.7 The out of hours noise patrol service is managed by the Environmental Protection Team. It operates between 10pm and 3am on Friday and Saturday nights. Two officers provide this service for the whole of the city with the support of a controller. Officers aim to visit noise patrol customers within an hour.
- 3.8 Under the provisions of the Environmental Protection Act 1990 the team has a statutory duty to investigate noise complaints received, and assess whether a statutory noise nuisance exists. Noise nuisance is assessed having regard to the character, duration and frequency of the noise and how it affects a person in their home. They need to gather robust evidence in order to serve a noise abatement notice on the perpetrator, and this includes use of noise diary sheets, noise recording equipment that can be left in customer's homes, and visits by officers to witness the noise.
- 3.9 The panel heard that in 2011, there was a series of complaints about nuisance caused by short-term holiday let properties having large parties, including some properties that were the subject of legal action. As a result of these complaints, the Environmental Health Team met with some of the holiday let operators, East Sussex Fire and Rescue Service, and various council teams to discuss a way of managing these cases and preventing noise nuisance to neighbours. Since that time, the industry had begun to take ownership of the issue; they reported that they had not received the same number of complaints associated with these short-term let 'party houses'.<sup>9</sup>
- 3.10 There is now a practice of sharing intelligence and information on cases with East Sussex Fire and Rescue, Planning Enforcement, Neighbourhood Policing, and Community Safety Partnership. There are regular internal Joint Intelligence Meetings between the above agencies where cases are discussed. If there was a rise in complaints about noise nuisance or anti-social behaviour coming from short-term holiday let properties, this would soon come to the attention of these Joint Intelligence Meetings.
- 3.11 One stumbling block, which might be preventing people from formally complaining about noise, is that legally a property owner ought to declare knowledge of any noise complaints when they try to sell their property. It was felt that this may be acting as a deterrent to lodging complaints, since potentially it could affect the saleability of their homes.
- 3.12 It should be noted that several residents said that they did not contact the noise patrol team or other agencies when they experienced noise nuisance, as there was no swift solution to the problem. As mentioned in 3.9 above, residents need to gather evidence in order for action to

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<sup>9</sup> Annie Sparks, Environmental Health, BHCC, 20 February 2014 Panel meeting



be taken and this can take some time. The system is not designed to deal with individual one-off noise nuisance issues and if there are different holiday groups in a property every week, for some it appeared pointless making a complaint, if they know that the occupiers will not be there the next week. This means that the panel had to be very aware that the data on noise complaints was unlikely to paint an accurate picture of the situation on the ground.

- 3.13 The short-term let operators have said that they cannot respond to noise complaints or reports if they are unaware of the problems in the first place. While the panel thought this was a reasonable position to take, it also recognised that there was a Catch 22 situation in play. Some affected residents quite often put up with disturbance, since past experience showed their complaints fell on deaf ears. This in turn meant that operators could claim, with some justification, that their records showed no complaints.

A number of the operators clearly recognise the potential for noise and ASB as they operate their own noise patrol teams. There is an agreement with the newly formed trade association, Brighton and Hove Holiday Rental Association (BHRA), that they will investigate any complaints that are made about one of their properties and take action to address any anti-social behaviour. Please see section 5.12 below for more information.

There is also the forthcoming national anti-social behaviour legislation that is intended to deal with individual noise complaints in a much speedier manner. Please see 4.9 below.

### **Community Safety**

- 3.14 The Community Safety Officers told the panel that their focus is on ongoing issues rather than one-off problems. Over the last twelve months, the only reports that they have had regarding any nuisance caused has been about one-off incidents so it has not been appropriate for them to take action.

In common with the other teams seen so far, the Community Safety Team relies on robust evidence in order to take action. In the case of short-term holiday lets, the residents change every week and so it would be hard to take action against an individual.

### **Business Rates**

- 3.15 Several residents queried whether short-term holiday let operators were correctly registered as businesses and if not, whether this was something that ought to be taken forward. The panel spoke to the Business Rates team who advised that domestic property attracts Council Tax, based on the banding set by the Valuation Office Agency (VOA), a branch of HMRC. The banding is based on the market value

of the property as at 1/4/91. All other properties, other than exempt properties such as places of religious worship, attract National Non Domestic Rates (NNDR), often known as business rates. The amount payable is based on the rateable value (RV) of the property, again set by the VOA.

- 3.16 The law provides that properties that are available for short-term letting for at least 140 days per year should be assessed for NNDR rather than Council Tax. The council has referred a number of properties believed to be short-term lets to the VOA over the last few years; the properties have been removed from the Council Tax list and assessed them for NNDR, as holiday accommodation, instead.
- 3.17 Regarding the question of whether Council Tax or NNDR would bring in more revenue, this would depend on the rateable value and whether the owner qualifies for Small Business Rate Relief (SBRR). This provides a discount of up to 100% of the bill at least until 31 March 2015. (After that the discount levels may be halved, but it depends on central Government.) An owner will qualify for SBRR if the business is their only occupied NNDR assessment, and the rateable value is below £12,000. Relief is on a sliding scale, with a current discount of 100% for properties with RV rateable value of £6000 or less. Most of the holiday accommodation on the NNDR list has a rateable value at or below £6,000.<sup>10</sup> All of the holiday let businesses who spoke to the panel gave assurances that they were registered for Business Rates in the correct way.
- 3.18 Council staff in Business Rates confirmed that they would be responsible for investigating all businesses including holiday lets. Based on all of the above information, the panel decided not to investigate the business rates aspect any further as they felt that it was already being fully considered elsewhere.

### **Commercial Waste**

- 3.19 Some residents who gave evidence felt aggrieved that some short-term rental accommodation caused a build up of refuse, which should be collected under a commercial contract but that was left for domestic collection. The operators who spoke to the panel said that they all managed their refuse responsibly. BHRA is going to promote 'gold standards' for operating a holiday rental business; this will make reference to commercial waste collections.

The panel felt that if, as stated, those properties are paying Business Rates, arrangements must be put in place for commercial waste removal. At the same time Cityclean should be provided with a register of those businesses, so it did not collect refuse and recycling from those addresses.

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<sup>10</sup> email from Andy Hudson, Business Rates Team Leader, December 2013

## **Impact on Local Housing Market**

- 3.20 Several residents drew attention to the impact of converting family size accommodation into short-term holiday lets, thereby removing property from the family housing market. Brighton and Hove is already a highly competitive housing market, with over 18,000 on the Council's own housing waiting list and many others being priced out of the market by lack of supply. However the panel was very clear that they were in support of the holiday rental business provided that the properties are managed responsibly. Therefore they did not progress their enquiries into the impact on the local housing market, but wanted to note the residents' concerns.

## **Legal Powers**

- 3.21 The council's Senior Lawyer, Housing and Litigation explained that there had been legal action taken against the owner of a specific short-term let about five years ago but he was unaware of any current complaints that were undergoing legal action, this resulted in a fine of £10,000, which was later set aside on a technicality. The property ceased operating as a short-term holiday let shortly afterwards.
- 3.22 The panel was told that, in general terms, it was possible to carry out a private prosecution but it would need independent evidence so it is not a simple process. It's a similar situation if Environmental Health gets involved; an independent witness needs to observe the noise nuisance in order to take any action. It is hard to prosecute against a houseful of guests as you cannot prove who is making the noise; you cannot collectively prosecute unless you can prove everyone is responsible. A third option is to use Closure orders, which apply against a property rather than a group of individuals.<sup>11</sup>
- 3.23 The Anti-social Behaviour, Crime and Policing Act 2014 legislation is due to come into force in October 2014 which will give other legal remedies. Please see page 15 for more information.

## **4 External Agencies**

### **East Sussex Fire and Rescue Service**

- 4.1 Dexter Allen, Business Fire Safety Manager for East Sussex Fire and Rescue Service (ESFRS) explained that his team's aim was to stop fire risks, and stop bad things happening to people through fire. They can take appropriate action as quickly as needed and aim to provide a consistent and supportive approach to all businesses. He told the panel

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<sup>11</sup> Simon Court, Senior Lawyer BHCC, panel meeting 13 February 2014

that fire authorities don't have a 'too difficult' box – people's lives are too important. Mr Allen said '*Protecting Brighton & Hove's brand is key; one fire could adversely impact the entire visitor market.*'

- 4.2 ESFRS work with hotels, shops, clubs and marquees as well as holiday lets. In terms of holiday lets, they look at premises that sleep six or more people. ESFRS works with operators to audit their fire safety provision. Each property has a notice of works which need to be completed. He also stated that ESFRS has the power to shut down premises immediately if it was deemed too dangerous to allow it to remain open; this has happened on two occasions.
- 4.3 Mr Allen confirmed the information given by Environmental Health (in paragraph 3.10 above), that complaints had come to a head three years ago, but parties had come together to address the issues. There has been a mutual understanding of one another's positions and responsible operators have taken the time to engage with agencies including ESFRS.
- 4.4 Mr Allen told the panel that there is also the 'grey market' in accommodation, which can prove more troublesome due to its temporary nature. However, if and when they advertise their properties, ESFRS will find out about them and visit them to carry out the appropriate audits.
- 4.5 Mr Allen suggested that if there were to be a change in planning regulations seeking more regulation for holiday let operators, it could have the potential to drive responsible businesses underground and allow the grey market to take over. His position is that working collaboratively is a better way of moving forward.<sup>12</sup>

## **Police**

- 4.6 Inspector Gareth Davies, of the Safe in the City Policing Team, explained how the police would address any complaints that they received about nuisance caused by short-term holiday lets. Inspector Davies clarified that he thought that this was not a particular problem area for Brighton & Hove but outlined their general approach.
- 4.7 When a call is received by the police contact centre, it is assessed according to harm being caused. If the call concerned noise or other anti-social nuisance, a standard set of anti-social behaviour assessment questions would be asked to assess the level of response needed. The police use four response levels, emergency (aiming for response within 15 minutes), immediate (within an hour), planned follow up (passed to Neighbourhood Policing Team to follow up within a few days), and lastly, noted for information.

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<sup>12</sup> Dexter Allen, ESFRS Panel meeting 18 February 2014

Complaints about noise caused by short-term holiday lets would tend to be graded as 'planned follow up' although this could be increased if circumstances made it necessary, for instance if there was additional rowdy behaviour or if a complainant was particularly vulnerable.

- 4.8 Police powers were very limited dealing with noise coming from within a private dwelling; a significant amount of public disorder legislation only applies to public spaces. Police powers were limited but it was vital that the police had as much knowledge about a neighbourhood as possible and urged residents to log calls with the police. This would help to build the bigger picture and help to focus police resources where they were most needed. The police might not always need to take the lead on a particular issue, if a more appropriate agency was involved. Some agencies would have more impact than others, depending on the particular circumstance.<sup>13</sup>

Inspector Davies commented that the groups renting the properties often pre-loaded on alcohol. There was some discussion within the panel about the impact that this might have on A&E attendance, but as there had recently been a scrutiny panel looking at various aspects of alcohol consumption, the panel chose not to take this further.

#### **Anti-social Behaviour, Crime and Policing Act 2014**

- 4.9 The legislation below was not part of the panel discussions but was issued shortly after the meetings concluded. It was highlighted by a Home Office minister in a Westminster Hall debate on 8 April 2014 on the impact of 'party houses' in Poole in Dorset.

The Anti-social Behaviour, Crime and Policing Act 2014 will be enforced from October 2014.<sup>14</sup> Various anti-social behaviours are covered in the Act but the section that could be applied to anti-social behaviour coming from within short-term holiday lets is covered in different ways.

Councils and police forces have the same objective—to ensure that the communities they serve are protected and safe—and by working effectively together they can achieve that. The new powers encourage agencies to solve problems together to ensure that victims and communities get the best results.<sup>15</sup>

- 4.10 The current closure powers do not make it possible to close non-licensed premises out of court, so police and councils have been limited in what they could do. However under the new closure power if a police or council officer has reason to believe that the use of premises has resulted or might result in nuisance to members of the public, the premises can be closed immediately. Those who habitually

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<sup>13</sup> Inspector Gareth Davies, Safe in the City Policing Team, Sussex Police 20 February 2014

<sup>14</sup> <http://asbhelp.co.uk/what-the-law-says/>

<sup>15</sup> Information from Hansard, 8 Apr 2014 : Column 24WH

reside in the premises cannot be excluded for the first 48 hours, but members of the holiday group would not fall within that definition and so could be excluded completely from the property. The power can be used preventively. Where the issue persists, the council or police force could apply to have the closure extended for up to six months.<sup>16</sup>

- 4.11 There will also be a community protection notice available to deal with persistent, unreasonable behaviour that has a detrimental effect on quality of life. The definition of “persistent” is open to the interpretation of the council or police officer. For instance, if the issue is loud music, if an officer had asked people to turn it down and they had not done so, it would be perfectly reasonable to consider that persistent. First, a written warning has to be issued to someone, explaining what the issue is. Once they have been given sufficient time to change the behaviour, which could be minutes in the case of turning down loud music, a community protection notice can be issued forcing them to comply with the request. If they do not, they commit an offence and can be arrested. The community protection notice could be used against the home owner or agency who was allowing the people to act antisocially.

#### **Summary of current statutory powers**

- 4.12 To sum up, there are various powers currently available to the local authority, fire services and police when they receive reports of noise nuisance or other anti-social behaviour, although some residents might query whether the powers are adequate. Through Environmental health, ongoing noise complaints can be monitored or acted upon and in one case, resulted in the property being closed down. There is leeway within planning legislation for enforcement action to be taken against a property in certain circumstances, although this has not happened to date.

There are also the local authority’s existing legal powers and the forthcoming Anti-social Behaviour, Crime and Policing Act with enhanced powers. The Fire Authority has the power to request immediate fire safety steps are implemented, and can close a property if it feels that health and safety is at risk.

## **5 Local Businesses**

- 5.1 The panel wanted to probe what impact short-term holiday lets have on other businesses including hoteliers. They spoke to a representative of

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<sup>16</sup> Information from Hansard, 8 Apr 2014 : Column 23WH

the Brighton Hotelier's Association, as well as to VisitBrighton, the official tourism arm for the city.

- 5.2 The Brighton and Hove Hotel Association's spokesperson, Mark Jones, told the panel about the negative effect that holiday lets of this nature was having on hotels and the wider tourism industry.<sup>17</sup> He felt that the larger groups of hens and stags that stayed in holiday lets often acted in a way that portrayed the city in a negative light, and might put off some hotel guests from returning to the city. A lot of hoteliers had chosen not to accommodate hen or stag parties due to the ensuing room damage and ongoing costs. This had acted to restrict the number of hen and stag groups in the city but since the growing holiday let market, the number of hen and stag parties had escalated, with ensuing anti-social behaviour.
- 5.3 The panel heard that the accommodation market was carefully balanced in order to keep a high quality offer. By bringing in more, potentially lower quality, accommodation types, this did not necessarily attract more guests to the city but would mean that hotels, B&Bs and holiday lets would be fighting for a smaller share of the same market. The Hotel Association had been asking Brighton & Hove City Council to act to minimise the holiday let market for some time.
- 5.4 Mr Jones also said that hotels had to abide by a huge range of statutory health and safety and environmental health legislation, which they accepted as part of their business operation. They felt that short-term holiday let operators did not have the same restrictions or safety requirements. (When the operators spoke to the panel, they assured the panel that they did abide by all necessary health and safety and other legislation.)

### **VisitBrighton**

- 5.5 The panel heard from VisitBrighton, which is Brighton & Hove City Council's official tourism arm. They heard that the self-catering market was a very important part of the accommodation offer in Brighton & Hove. 8% of overnight visitors stayed in non-serviced accommodation. Almost 10% of international overnight visitors stayed in non-serviced accommodation<sup>18</sup>.

VisitBrighton has a partnership approach with accommodation providers in the city; there are 17 self-catering partners involved including Crown Gardens. Partners pay an annual fee, which is re-invested in the city. They can refer visitors to the approved premises but it will be up to the individual visitor where they choose to stay.

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<sup>17</sup> Mark Jones, panel meeting 13 February 2014

<sup>18</sup> John Carmichael, Visit Brighton. 13 February 2014

- 5.6 VisitBrighton said that they did not use the terms '*party town*' or '*hedonistic*' in their marketing although they do promote the night-time economy as well as the cultural/ eating/ drinking aspects of visiting Brighton and Hove. This has a big economic impact; on average an overnight visitor will spend £125-£150 in 24 hours, whilst a day visitor will spend £35-40.

### **The Economic Value of the Holiday Let Businesses**

- 5.7 One of the larger short-term holiday let operators, Brighton Holiday Homes (BHH), spoke to the panel about the economic impact of their business.

He told the panel that his figures show that every summer weekend, £300,000 goes back into the local economy from the spend from their residents. This can be extended to extra income throughout the year. Neil Stonehill of BHH said that his staff wages bill for last year was well in excess of £250,000 and will be higher this year. He feels a sense of pride that his organisation is in a position to create really good jobs with good salaries. There is also considerable income for the cleaning company, who have a full time staff of 16 with extra people taken on in summer. In addition there are handymen, plumbers etc who all benefit from BHH's business.<sup>19</sup>

The panel was also told that the short-term holiday let operators can also organise activities for the hen or stag parties when requested. This also generates significant income for local businesses. They ensure that they use businesses, who are happy to accommodate hen or stag parties to minimise disruption and inconvenience.

- 5.8 It could be considered reasonable to assume that other holiday let operators are similarly successful in generating income and supporting local businesses. The panel is keen to support responsible local businesses in their endeavours.

BHRA's own unaudited calculation estimates indicated that the market could possibly generate over £18 million to the city's economic activity:

Total large group holiday rentals in Brighton & Hove 106  
Average number of large group holiday guests per weekend (average 12 guests) 1272  
Average spend per individual (£300) £300.00  
Average total weekly income brought to Brighton economy £381,600.00  
Average total annual income brought to Brighton economy (based on 48 weeks) £18,316,800.00<sup>20</sup>

### **Holiday Let Operators**

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<sup>19</sup> Neil Stonehill, BHH, panel meeting 18 February 2014

<sup>20</sup> BHRA email



5.9 The panel was pleased to hear directly from many of the short-term holiday let operators catering for hen and stag groups in the city; one panel meeting was dedicated to listening to the industry, who responded honestly to the criticisms that they had heard. The panel heard from Brighton Holiday Homes, Crown Gardens, Citypad, Beatnik Breaks and several individual operators.<sup>21</sup>

5.10 Some of the key points they made were

- In the last year, Environmental Health had received 1862 noise complaints in total from general domestic houses and apartments in the Brighton area; 8 related to holiday lets, of any size or any website. Over a three-year period there were 30 complaints relating to all types of holiday lets. The operators commented that the establishment of the scrutiny panel could be interpreted, in their view, as a disproportionate response to a relatively small-scale problem although operators appreciate that it would not feel like a small scale problem to people affected.
- If people did not complain about noise or other nuisance, it was very difficult for agencies to take any action to address them
- A number of operators had privately run noise patrol services which responded to lower level complaints and more quickly than the council's own noise patrol service. They have authority to tell people politely but firmly to keep the noise down or risk the loss of their deposit; they can also be evicted immediately.
- The operators said that some of the complaints that the panel had heard about were historic; operators had learnt a lot from the early mistakes
- If people feel that they are being turned away from Brighton, it will have huge effects on jobs in the private tourism sector. Brighton & Hove cannot afford to be a dying seaside resort.
- The people who come to Brighton & Hove on hen weekends are typically in their late twenties, with a huge variety of jobs. You are much more likely to see local people drunk in the street rather than hen party guests.
- All responsible operators worked closely with ESFRS and carried out the necessary fire safety work.
- The holiday rental sector can complement the existing guest house provision as they largely accommodate different types of guests.

#### **Positive steps to address anti-social behaviour**

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<sup>21</sup> Panel meeting 18 February 2014

5.11 The operators told the panel about the steps that they were already taking to pre-empt complaints or potential anti-social behaviour. These included

- Running their own noise patrol team, which attends all properties in rotation. The patrol logs any noise from other sources eg student parties, as holiday lets can often be blamed for noise from other properties.
- Guests are told that parties are not allowed and that they may be ejected if this rule is broken
- installing CCTV cameras and microphones outside the property as guests are not allowed to gather outside.
- Keeping the [significant] deposit if there are complaints; this has happened once in the year that the property has been operating, they claimed that it was not a stag or hen group
- Giving neighbours an emergency contact number and encouraging them to call as soon as possible
- Carrying out soundproofing including installing secondary walls to minimise noise disruption
- Operators said that they regularly turned down properties that were in unsuitable locations, eg not in a city centre or if they had a garden. They actively discourage potential landlords with a property in an area which they think would cause a problem to neighbours

### **Brighton and Hove Holiday Rental Association**

5.12 The panel was encouraged to hear that, prompted by the scrutiny panel's investigations, a local trade association, the Brighton and Hove Holiday Rental Association (BHRA) had been formed. This was doubly welcome since, at the outset the panel stated that it hoped for the formation of a responsible local trade association in the city, which would promote 'gold standards' for individuals and companies managing holiday lets. It is very unusual that a scrutiny panel's key stated aim was achieved before its work began.

This will be an opportunity for operators to share best practice and agree common guidelines, which should achieve the 'gold standard' for operators that panel members were looking for and to demonstrate that they can curb some of the worst excesses that prompt complaints from neighbours to these properties.

5.13 The operators who have set up the association are certain that they are best placed to oversee and monitor their own industry, and believe that

they can promote best practice from inside the industry rather than having something imposed on them. BHRA will be a self-regulating body with a board overseeing it; they welcome the opportunity to address any complaints themselves.

BHRA's intention is that if you follow the guidance set out, your holiday rental properties should not cause any problems for neighbours. They felt that problems tend to be caused by the rogue properties and the grey market, rather than responsible operators.

- 5.14 BHRA hopes to work with VisitBrighton and other bodies to promote their businesses and encourage visitors to stay in responsibly managed accommodation.
- 5.15 Since the panel has finished its public meetings, BHRA have set up a website (<http://brightonholidayrentals.org/>) which they said that they will be launching soon. There will be advice on there for potential operators and current members on best practice. Crucially from a resident point of view there will be a search engine where residents can search to see whether a certain property falls under BHRA's remit which means that BHRA can be alerted straight away if there is a problem. The website also gives advice about who to contact if the property is not a BHRA operated one.
- 5.16 Panel members have welcomed the emergence of BHRA as a trade organisation, representing good practice in the city. There have been a few complaints about nuisance caused by short-term holiday lets since the panel meetings concluded; the panel is very pleased to see that BHRA has actively investigated these even when they have turned out not to be BHRA properties, to try and give advice to residents and operators. The panel hopes that this will continue in the future.
- 5.17 Questions remain over how those operators who are not in BHRA will be targeted, and the grey market in holiday lets. The panel hopes that BHRA will contact those operators who are not currently part of BHRA to encourage them to join or at the least to adopt the best practice guidelines.

### **Best Practice guidelines**

- 5.18 Brighton Holiday Rental Association has said that it will promote its gold standard guidelines to holiday rental operators in the city. The guidance is available on their website (currently draft form) at <http://brightonholidayrentals.org/BHRA-Guidelines.pdf> and covers key areas such as noise, rubbish removal, parking and fire risk.

It also outlines where the best location is for short-term holiday lets, gives advice as to what information operators should give to their guests, and how to manage the visit to benefit everyone.

The panel welcomes the guidance but believes that it could be strengthened in certain sections to reflect some of the concerns raised by residents. These concerns have already been detailed above, but include not knowing who to contact in case of disturbance, or not feeling that there is any value in making a complaint due to a perceived lack of action. Other concerns have been raised about the lack of information given to neighbours about a potential new holiday let being established.

The panel's recommendations largely centre around a need for enhanced two way communication between BHRA and those residents who live alongside their properties, so that the complaints and worries that have arisen in the past can be addressed at an early a stage as possible.

- 5.18a Consideration also needs to be given as to how BHRA will work with the council, police, fire service and the communication channels between all these organisations. There should be a protocol with the understanding that BHRA will immediately advise the council about any complaints received and action taken, so that the council can monitor the situation and call BHRA to account if it is deemed necessary.

As mentioned in 3.10 above, there are Joint Intelligence Meetings between East Sussex Fire and Rescue, Planning Enforcement, Neighbourhood Policing, and Community Safety Partnership. The panel would suggest that BHRA are asked to attend these if there are reservations about how they are managing their properties so that further steps can be considered.

### **The grey market**

- 5.19 The panel heard that as well as the BHRA members already mentioned, there is a 'grey market' in holiday rentals caused by private rentals operated through websites such as Air-bnb, part of the growth market in the sharing economy. Some of the properties are not regulated or may just be used on a short-term basis. There is potentially an issue where the properties are not fulfilling the health and safety aspects needed, although Air-bnb tells providers that they must comply with regulations.<sup>22</sup>

BHRA members have said that the so-called grey market properties can cause problems for the whole industry as they can be set up without any guidance, operate for a short time and then close again. The negative repercussions of any problems caused can have knock on effects for the more responsible operators.

- 5.20 One suggestion made by the operators and BHRA is that they could alert East Sussex Fire and Rescue Service and Brighton & Hove City

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<sup>22</sup> John Carmichael, Visit Brighton, panel meeting 13 February 2014

Council if they become aware of any larger holiday lets so that the necessary fire and safety audits can be carried out. In addition the owner can be encouraged to become a member of BHRA or adopt the gold standard to minimise disruption.<sup>23</sup> These steps might persuade some operators that it is too expensive to comply with regulations and cease operations.

## **Panel Conclusion and recommendations**

The aim at the start of the panel was to get a set of gold standards for short-term holiday lets and for a trade industry association to be established that might be able self-regulate effectively. With the establishment of Brighton and Hove Holiday Rental Association (BHRA), this has been achieved and is recognised as a positive outcome by the panel. This is a great position to move on from, and the recommendations that follow reflect the additional work that will enhance this.

The panel would much rather have a positive pro-active outcome from the panel rather than relying on existing and incoming legislation to address any anti-social behaviour. Nevertheless, it should be remembered that new legislation will be in force by October 2014 which is much more stringent than existing legal powers open to the police and local authorities and it will remain open to the council and other statutory services to use these powers if the situation warrants it.

Panel members appreciate that BHRA members and other operators in the city are individual businesses and do not fall under the council's jurisdiction. Their co-operation is therefore appreciated and welcomed.

The recommendations listed below are intended to enhance the existing arrangements put in place by BHRA. The aim is to balance out some of the concerns that residents have raised alongside BHRA's intention to provide a first class holiday rental service.

1. **Notifying neighbours of existing short-term holiday lets –**
  - a) BHRA must take active steps to notify all neighbours in writing that they are living near to a short-term holiday let. Information should be given to all properties that are likely to be affected by any disturbance, including those backing onto the holiday let or in the same street. BHRA should keep a record of who has been notified. This should be repeated annually.
  - b) This notification should clearly identify the property and give neighbours information about what guest behaviour is acceptable, the contact details of the private noise patrol and other contacts in

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<sup>23</sup> James Watts, Beatnik Breaks, panel meeting 18 February 2014

case of any disturbances. BHRA must ensure that they have a noise patrol in operation 24 hours a day during weekends and bank holidays.

- c) Noise patrols firms used must be British Standard compliant, use body or head cams to record all encounters and be SIA cleared and fully trained in conflict resolution. Written reports of incidents should be made within 24 hours.
- d) Noise patrol companies employed should use clearly identifiable vehicles and personnel should wear uniforms and carry identification with them at all times.
- e) Those who raise noise complaints should be provided with a copy of the incident report made to the operator by the professional noise patrol, so it is clearly understood that their concerns have been addressed.
- f) In hours of daylight, the noise patrol should always attempt to knock on the doors of neighbours that have raised noise issues to let them know that action has been taken and a report will be shared.
- g) In hours of darkness or very early in the morning, the patrol should post a card through the letterbox of the neighbours who raised the original noise complaint to let them know the patrol has attended and that an incident report will be forward to them within 48 hours.
- h) If BHRA receive complaints, these should be resolved in line with their agreed procedures. The council's Environmental Health team should also be notified about the nature of the complaint and the response made. If the council receives complaints directly, it should notify BHRA and let the resident know that it has done so.
- i) The panel recommends that where a clear breach involving noise and Anti-Social Behaviour has been identified prompting the forfeiture of a group's deposit, the operators should actively consider donating the deposit direct to the neighbours as compensation or to a local neighbourhood community group.
- j) The panel recommends that all noise patrol reports from operators should be routinely be posted onto the BHRA website to help build confidence and in the spirit of transparency.
- k) In addition to the leaflets , BHRA should attach a sign to the front of each of their properties with details of the operator and contact details of who to contact in case of disturbances; this should be a 24/7 service.

- l) The panel would encourage BHRA to complete its website as quickly as possible so that it can become active and useful.
- m) BHRA should promote their website as widely as possible, for the benefit of residents, guests and operators. The panel would like the website to list the street addresses of all BHRA properties to enable residents and statutory agencies to be able to easily check whether a property is operated by BHRA. This would help identify who to contact if there are any issues.

## **2. Notifying neighbours of new short-term holiday lets.**

- a) The panel heard that residents were aggrieved about the lack of notification if a new short-term holiday let was opened up in their neighbourhood. Whilst there is currently no statutory duty to consult with residents before establishing a short-term holiday let, BHRA should encourage potential holiday let operators to consult with and work with neighbours, before converting accommodation into holiday rental accommodation in order to open up lines of communication
- b) Operators should be encouraged to actively listen to neighbours' concerns and suggestions about how to minimise disruption.
- c) In areas where there is a Local Area Team or other community forum, BHRA should engage with the group to notify them about the forthcoming holiday let and address any concerns about anti-social behaviour that might be raised.

## **3. Working with the council and VisitBrighton**

- a) BHRA members should talk to VisitBrighton about how BHRA can work with the tourism body for the city. In turn, VisitBrighton should seek to work with BHRA to promote their positive practice and make any further suggestions that might arise in the future.
- b) There should be links between the BHRA website, the VisitBrighton website and Brighton and Hove City Council's website.

## **4. Monitoring and overseeing**

- a) As a way of monitoring the situation, in the instance of any complaints being received by statutory agencies, eg noise, refuse, fire safety, the statutory agencies call BHRA into the regular Joint Intelligence Meetings straight away and consider investigating the properties to take any action necessary. In this

way, we can encourage the operators to be self-monitoring but retain an oversight and step in as soon as a problem arises.

- b) The panel recommends that the council reserves the right to review the arrangements and bring the monitoring in-house if it is not deemed satisfactory. The first monitoring should take place after six months and the second should not take longer than 12 months after the report is agreed. It will be for council officers including Environmental Health and Planning Enforcement, and East Sussex Fire and Rescue Service and the Police to determine together with BHRA whether this is necessary.



<b>Subject:</b>	<b>Groundwater Quality</b>		
<b>Date of Meeting:</b>	<b>20 October 2014</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Giles Rossington</b>	<b>Tel: 29-1038</b>
	<b>Email:</b>	<b>Giles.rossington@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

Note: 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 it was not possible to fully sign-off the report in time for despatch.

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 At the July 2014 OSC meeting, members considered the Annual Performance Update 2013-14, focusing particularly on the 'exception reporting' of issues with a red 'RAG' rating.
- 1.2 Members evinced a particular interest in the issue of Groundwater Quality – i.e. the condition of the aquifers which provide all of the city's potable water supply. Members asked for more information on this issue, and mooted the possibility of establishing a scrutiny panel to examine it in depth.
- 1.3 Section 3 of this report provides some more detail on the issue of groundwater quality. However it is apparent that the city council does not take a lead role on groundwater quality; for more in-depth information we will need to contact other bodies such as the Environment Agency, South Downs National Park and Southern Water.

**2. RECOMMENDATIONS:**

- 2.1 That OSC members consider and comment on the information included in this report; and
- 2.2 If members wish to further progress the issue, agree that a sub-group of members (nominated by the Political Groups) supported by Overview & Scrutiny officers should be appointed to scope groundwater quality; and, should the sub-group believe there is the potential for members to add value to the ongoing work, to establish a scrutiny panel to do so.

### 3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The corporate Annual Performance Update 2013-14 includes the following with regard to groundwater quality (performance against this measure is rated at '0' and the RAG rating is RED):

#### **Environment Agency Assessment of groundwater status in Brighton and Hove**

##### **Performance Summary:**

The result of '0' represents an assessment that groundwater is poor. '2' represents an assessment that groundwater is good. '1' represents an assessment that groundwater is good but at risk of being poor. This coding has been adopted by the council to make it easier to report performance in scorecards.

##### **Commentary**

The Brighton Chalk remains at poor status under the Water Framework Directive as determined by the Environment Agency.

The Challenges and Choices consultation was published on 22 June 2013 and confirmed the results of our recent interim classification work that showed the Brighton Chalk is now at poor status for groundwater quality due to the rising trends in nitrate as well as due to water abstraction. This is significant as 100% of the city's drinking water comes from the chalk aquifer - groundwater.

The Chalk is at risk for urbanisation, nitrate, phosphate, pesticides, chlorinated solvents, nitrate trends, saline intrusion and as a Drinking Water Protected Area. We are seeing decreasing trends in atrazine but do see occasional detections of other pesticides in the groundwater.

The Brighton Chalk is at poor status for groundwater quantity due to the water balance test and the potential impact of surface waters. There are investigations into groundwater abstractions in the catchment. There is an ongoing investigation at Lewes Winterbourne, which is not compliant for water resources and is not supporting good ecological status. There is also a Brighton and Worthing Chalk groundwater model currently being developed.

The Environment Agency is currently setting up a local partnership (the Brighton Chalk partnership) to deliver improvements to groundwater quality using both urban and rural interventions. The partners include Southern Water, South Downs National Park Authority, the Environment Agency, Brighton Biosphere, Natural England, Brighton and Hove City Council and Brighton University. The rural part will be modelled on a catchment sensitive farming style of approach, and the urban part will focus on looking at improving drainage issues near water supplies with known problems.

**Accountable Director: Various depending on the source of the issues**

- 3.2 In addition to featuring as a measure against which the council reports, the council's Corporate Plan 2011-15 (2014-15 update) commits the city council to "manage the impact of human activity on our groundwater resource" (p48). There is also a specific commitment that the council will "take action with partners to protect the city's water supply, our focus being on preventing pollutants in the groundwater, minimising the loss of clean water at source and reducing water demand" (p49).

- 3.3 100% of Brighton & Hove's drinking water is extracted from the aquifers that are situated under agricultural land to the north of the city. Much, but by no means all, of the land above the aquifers is owned by the city council and leased to tenant farmers. There is no obvious alternative means of supplying the city with potable water – desalination and piping water in from other parts of the country are technically possible, but only at a considerable financial and environmental cost.
- 3.4 The principle risk to aquifer quality is pollution from agricultural use (most obviously from the run-off of nitrate fertilisers). Nitrate pollution can take up to 50 years to percolate through the soil, so to a degree the problems we currently face may be as much to do with historical as with current farming practices. There are also risks of contaminated water finding its way into the aquifers from the city itself, both from industrial and residential sources.
- 3.5 Contamination of the water supply carries the potential risk of rendering the aquifer unusable. A more likely consequence is that the water requires additional treatment before it can be used, significantly increasing the financial and environmental costs of extraction.
- 3.6 The obvious mitigation of this risk consists of working to reduce the run-off of pollutants into the aquifer, for example by encouraging farmers to adopt best practice in terms of their use of potentially hazardous chemicals. However, recent studies have indicated that the great majority of our tenant farmers already follow best practice in this regard. Another option may be to pay farmers to manage some agricultural land as chalk grassland or woodland, which would greatly reduce nitrate use and potential run-off, though this would need to be factored into the council's budgetary position.
- 3.7 An allied issue, included in the Corporate Plan priorities but not in corporate performance reporting, is that of water quantity. There is a finite amount of water in our aquifers – and adverse weather conditions (particularly dry winters) could put our supply at risk. The obvious mitigation here is to reduce domestic demand for water, principally by fitting more homes with water meters. Currently, Southern Water has an extensive programme of water metering investment.
- 3.8 Improving groundwater quality (and maintaining sufficient quantity) is necessarily a partnership exercise, involving the city council, the Environment Agency, Southern Water, the South Downs National Park, the Brighton Biosphere and other bodies. This work is led by the Environment Agency, rather than the council, although a range of BHCC teams are involved in this work.
- 3.9 Should OSC members wish to pursue this issue further, it is recommended that the OSC should approve the establishment of an informal sub-group of elected members (nominated by the Political Groups) to scope the issue, and potentially to form a scrutiny panel to examine it in-depth – should it become apparent that there is the potential for a cross-party group of elected members to add value to the ongoing partnership work.

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

- 4.1 Members could choose not to pursue this issue further or to immediately establish a scrutiny panel. However, given that this issue has not yet been scoped, it is recommended that an informal sub-group is initially established to determine whether there is the potential for scrutiny members to add value.
- 4.2 Members could choose to defer any decision until they have received a full officer scoping report. However, this would delay the establishment of a scrutiny panel until at least January 2015, whereas the establishment of an informal sub-group as an initial step would allow member-led work to commence much sooner.

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

- 5.1 None to date, but scoping, if approved, would potentially include engagement with community groups

#### **6. CONCLUSION**

- 6.1 The issue of groundwater quality has proved more difficult to scope than envisaged, largely because the city council does not take a lead role in the partnership work associated with this issue and there is therefore no single officer or team with a holistic understanding of the issues.
- 6.2 Members are therefore requested to agree to establish an informal sub-group to work with officers to undertake an initial scoping exercise and to determine whether further member-led work is required.

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

##### Financial Implications:

- 7.1 There are no direct financial implications arising from the recommendations in this report.

Officer time and other costs associated to the production of this report and the Annual Performance Update has been funded from existing revenue resources.

Any costs associated to carrying out further progress in relation to groundwater quality measures will require additional financial support which has not been identified. The financial implications of this will be reviewed and included in future reports to Committee.

*Finance Officer Consulted: Steven Bedford*

*Date: 14/10/14*

##### Legal Implications:

- 7.2 None directly – the OSC has powers to establish scrutiny panels to examine issues of corporate or citywide significance.

*Lawyer Consulted:*

*Name*

*Date: dd/mm/yy*

Equalities Implications:

- 7.3 None directly, although the contamination of groundwater is likely to increase costs to the consumer, with a disproportionate impact on deprived communities.

Sustainability Implications:

- 7.4 This is a core sustainability issue and sustainability would be a significant focus of any scoping exercise.

Any Other Significant Implications:

- 7.5 None identified.

**SUPPORTING DOCUMENTATION**

**Appendices:**

None

**Documents in Members' Rooms**

None

**Background Documents**

1. Annual Performance Update 2013/14 (report to Policy & Resources Committee July 2014)
2. Brighton & Hove City Council Corporate Plan 2011-15 (2014-15 Update)



<b>Subject:</b>	<b>Community Use of School Playing Fields</b>		
<b>Date of Meeting:</b>	<b>20 October 2014</b>		
<b>Report of:</b>	<b>Executive Director of Children's Services</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Michael Nix</b>	<b>Tel: 29-0732</b>
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<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report provides information on matters to be taken into account in any consideration of, in particular playing fields, following a request from Councillor Buckley that this matter be considered by the Committee.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee considers the information contained in this report and advises whether there should be further scrutiny of the issue of encouraging or extending community use of school leisure facilities

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Brighton & Hove City Council has 69 maintained schools (2 nursery, 52 primary, 7 secondary and 8 special schools). Of these 69 schools, 38 have playing fields or access to playing fields. In addition there are five academies or free schools in the city which are maintained schools not maintained by Brighton & Hove City Council. Of these five schools, four have access to playing fields at the present time.
- 3.2 The responsibility for the management and maintenance of school playing fields and other leisure facilities along with funding for these is delegated to schools in the same way that schools have delegated responsibility for setting their curriculum and maintaining their budget. This responsibility includes lettings or permission for community use of the site. It is therefore wholly a matter for schools themselves to decide whether their sites and facilities may be made available for community use.
- 3.3 In considering the extent to which community use is encouraged or permitted, either on a free or paid basis, schools have to take into account their own need for the playing fields for curriculum and recreational use. The paramount considerations have to be children's safety and the availability of playing fields for the curriculum.
- 3.4 Factors that schools would need to consider include:

- Possible damage to pitches arising from overuse, which could result in unavailability of playing fields for the curriculum or risk of injury to pupils
- Time of year: avoiding times when playing fields would be wet and muddy and therefore more susceptible to damage
- The nature of use – heavier adult users are more likely to cause damage to playing fields than children
- The possibility of litter and dog fouling which present a safety risk to children
- how community use would be monitored, and who would be responsible for taking action in the event of accidental or wilful damage
- The financial costs of making playing fields available for community use, including the administration of lettings, preparing fields for lettings and putting right any damage
- Potential liability for any injuries or other damage to users

3.4 The presence of dogs on school playing fields presents a particular challenge to schools. Apart from the risks of dog fouling which present health risks to children using the playing fields for PE and sport, if dogs are allowed on playing fields during the day they may cause distress and even harm to children, especially as they may become excitable or out of control with children running around and perhaps feeling unsure of how to react to dogs. The Council passed a Dog Control Order in 2008 which excluded dogs from various areas of the city including a number of named school and college playing fields.

3.5 A further factor to consider is that any unmanaged community use of playing fields during the school day may present safeguarding issues, including for example access for parents who are under an order not to approach their children.

3.6 Generally, schools have a strong understanding of and commitment to their community role and will seek to make their facilities available to community groups, especially when this is on a formal and therefore managed basis. In these instances the schools retain control of the usage and consequently are able to ensure that there are no security, safeguarding or health and safety issues. It is often easier for schools to develop community use of indoor facilities than playing fields, as these are normally less susceptible to damage and can be made available all year round.

3.7 There are examples of formal arrangements for managing and monitoring community use of playing fields which may be adopted, such as those supported by 'Fields in Trust' but generally these are for recognised public open spaces such as parks and it would be for schools to decide if they wished to enter into such arrangements. Any further guidance the Council might consider giving to schools on the encouragement of community use would need to take into account the factors that schools must themselves consider outlined above.

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

4.1 No alternative options have been considered in the preparation of this report.



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

- 5.1 As this stage there has been no consultation on the issues in this report. If it were decided to carry out further investigation of opportunities for further community use of school playing fields and leisure facilities it would be necessary to consult schools on their views.

## **6. CONCLUSION**

- 6.1 As the management of playing fields and other leisure facilities is delegated to schools, it is for them to decide whether and when, and on what basis, they should be made available for community use. In considering their policy for community use, schools will need to take into account the kind of factors relating to curriculum need, safeguarding and health and safety outlined in this report. The Council would need to take the same factors into account in considering any further encouragement of community use of school playing fields and leisure facilities. There would also need to be full consultation with schools.

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

### Financial Implications:

- 7.1 Any income or costs of providing a lot of a playing field will be borne by the relevant school. Special schools do not pay national non-domestic rates (NNDR) and are therefore not allowed to let their premises and/or playing fields. Some schools have artificial all weather pitches and again the income or costs of these are met by the relevant school, however these are able to be used in all weathers and therefore are not subject to getting muddy and/or overuse.

*Finance Officer Consulted: Andy Moore*

*Date: 08/10/14*

### Legal Implications:

- 7.2 School governing bodies have day-to-day control over school buildings and playing fields, and have responsibility for deciding the use of school facilities both during and out of school hours. Furthermore the Education Act 2002 gives governing bodies of all maintained schools the enabling power to provide, or enter into contracts to provide, facilities and services that “further any charitable purpose for the benefit of the pupils at the school or their families or people who live or work in the locality in which the school is located”.
- 7.3 Section 175(2) of the 2002 Act imposes a duty on governing bodies to ensure that their functions relating to the conduct of the school are exercised with a view to safeguarding and promoting the welfare of pupils at the school. Schools wishing to consider possible community use of their facilities will therefore need to ensure that they have effective safeguarding procedures in place, including ensuring that there is no unsupervised access to pupils by adults who have not been subject to the necessary checks under the Disclosure and Barring Scheme.

*Lawyer Consulted: Serena Kynaston*

*Date: 10/11/2014*

Equalities Implications:

- 7.4 No Equalities Impact Assessment has been carried out. The issues in this report do not impact unequally on groups with defined characteristics other than the fact that there is potential for harm to children arising from unmanaged use of playing fields and other leisure facilities.

Sustainability Implications:

- 7.5 Any extended use of school playing fields would need to take into account the impact on playing surfaces and whether this would render them unfit for school use.

Any Other Significant Implications:

- 7.6 None

**SUPPORTING DOCUMENTATION**

**Appendices:**

None

**Documents in Members' Rooms**

None

**Background Documents**

None

<b>Subject:</b>	<b>Letting Agents</b>		
<b>Date of Meeting:</b>	<b>20 October 2014</b>		
<b>Report of:</b>	<b>Assistant Chief Executive</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Giles Rossington</b>	<b>Tel: 29-1038</b>
	<b>Email:</b>	<b>Giles.rossington@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The OSC Chair recently received a request from CAB (Citizens' Advice Bureau) to establish a scrutiny panel to look at issues relating to Letting Agents.
- 1.2 More information on this request is included in **Appendix 1** to this report (additional information provided by CAB).

**2. RECOMMENDATIONS:**

- 2.1 That OSC members agree to appoint a sub-group of members (to be nominated by Political Groups) to scope the CAB request for scrutiny of Letting Agents; and
- 2.2 That (subject to the findings of this sub-group) OSC members approve the establishment of a scrutiny panel to further investigate this issue.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 CAB recently submitted a request for the establishment of a scrutiny panel to examine issues relating to Lettings Agents. Supporting information from CAB is included as **Appendix 1** to this report.
- 3.2 A scrutiny panel has previously considered the issue of the behaviour of city Letting Agents. This panel (Cllrs Paul Elgood, Bill Randall and Christine Simpson) reported in March 2011 and all its recommendations were agreed in principle by the Cabinet Member for Housing (Oct 2011).
- 3.3 However, much has changed since 2011, with local housing pressures becoming ever more acute and with increasing numbers of people reliant on private rentals. In addition, some of the central recommendations of the 2011 panel, such as the establishment of an 'ethical' letting agency, have not been successfully implemented, often despite the best efforts of the council and its partners.
- 3.4 Therefore, while this topic has been scrutinised in the relatively recent past, there is potential merit in re-visiting it, given the fact that concerns about aspects of the

topic have increased over the intervening period, and that previous attempts to improve things have had mixed success.

- 3.5 It is however suggested that any scoping of this issue by a member sub-group should begin by revisiting the findings of the 2011 Scrutiny Panel, and in particular tracking the implementation of all the panel recommendations approved by the council's executive.

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

- 4.1 OSC members could decide either to reject the CAB request for a scrutiny panel; or to agree a panel immediately (e.g. with no sub-group to scope the issue); or to request an officer scoping report to the next OSC meeting (and decide whether to establish a panel at this point).
- 4.2 Should members choose to accept the scrutiny request, the recommendations of this report are intended to ensure that the issue is progressed in a timely fashion without fully committing OSC to undertaking a major piece of work until members have scoped the issue (requesting an officer scoping report would involve additional delay as the next scheduled OSC meeting is in January 2015).

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

- 5.1 This report has been compiled with the assistance of CAB and is in response to a request from CAB. The OSC has previously welcomed suggestions for scrutiny from key city partners, and has established several scrutiny panels in response to such referrals (e.g. Social Value in Procurement and Information Sharing for Vulnerable Adults).

#### **6. CONCLUSION**

- 6.1 The CAB request for scrutiny of Lettings Agents/Private Sector Rentals is based on a worrying increase in the number of people seeking advice from CAB on these issues. Given the volume and the seriousness of some of these issues, this seems a worthy subject for scrutiny. Although scrutiny members have explored similar issues before, it is not clear that systems have improved.

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

##### Financial Implications:

- 7.1 The resources to support the scrutiny will be found within existing budgets. The financial implications of the recommendations of the scrutiny will be considered and reported back.

*Finance Officer Consulted: Anne Silley*

*Date: 08/10/14*

##### Legal Implications:

- 7.2 The OSC has the authority to establish scrutiny panels to examine issues that members consider to be of corporate or citywide significance.

*Lawyer Consulted: Oliver Dixon*

*Date: 13/10/14*

Equalities Implications:

- 7.3 None directly. An EIA would be produced should members agree to establish a scrutiny panel.

Sustainability Implications:

- 7.4 None to this report.

Any Other Significant Implications:

- 7.5 None identified.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Supporting information provided by CAB

**Documents in Members' Rooms**

None

**Background Documents**

2011 Scrutiny Panel Report on Letting Agents



# Appendix 1

## Note for OSC Report

- 1 Since March 2011 when the Scrutiny Panel Review on Lettings Agents was reported, Citizens Advice Bureau clients continue to receive complaints about difficulties with letting agents and landlords, particularly around repairs not being carried out on the property, misleading advertising, surprising and high charges, (charges "bear no relation to the cost of the work involved"), and confusion about holding deposits.
- 2 One of the biggest problems reported was getting repairs dealt with. Many tenants reported difficulties getting through to the agent and said when they finally did they were met with an unprofessional and uncooperative response. Clients often reported feeling helpless in getting any action. The effects of poor standards on tenants and their families can affect their physical and mental health, safety and security—and sometimes all of these.
- 3 In response to complaints about the actions of some letting agents, the Government has put in place regulation requiring all letting agents to sign up to one of three approved redress scheme allowing tenants to hold them to account and make requests for compensation. The schemes are run by The Property Ombudsman, Ombudsman Services and the Property Redress Scheme. They had until 1<sup>st</sup> October to comply. Failure to do so lays them open to a fine of £5000. Tenants with a grievance can go for redress and possibly get compensation.
- 4 Forcing all letting agents to join a redress scheme is undoubtedly a positive move but the new legislation stops short of full regulation or forcing agents to belong to a code of practice. The schemes do not cover complaints about the amount of fees charged or their reasonableness, tenancy deposits or issues which are the landlord's responsibility.
- 5 Given that Brighton and Hove has one of the highest proportion of renters in the country with almost three in 10 of the city's private housing stock on the rental market, and the evidence of problems reported to advice centres, there is strong justification for revisiting the recommendations of the review.





## Agenda Item 37

### Bullet point response for Overview and Scrutiny Committee:

#### 1. Average number of working days lost due to sickness absence

Quarter	Result	Target	RAG status
Q4 13/14	11.3	10.0	Red

- Latest data shows reduction in sickness in the first quarter of this year compared to same period last year:

Quarter	Result	Target	RAG status
Q1 14/15	2.34	2.5 (¼ of target for full year – 10 days)	Green
Q1 13/14	2.57	2.5 (¼ of target for full year – 10 days)	Amber

- Cautionary note - sickness rates tend to be higher in Qs 2&3 - target of 2.5 days assumes linear sickness rate throughout the year.
- If sickness remains at current level projected out-turn will be 10.18 days for the year
- Sickness is an HR PI that is reported to, and monitored by, ELT as part of the Corporate Performance Report
- Absence rates also continue to be monitored via the OPD reports which are discussed at quarterly DMT meetings

#### 2. Average number of working days lost due to short term sickness absence

Quarter	Result	Target	RAG status
Q4 13/14	4.6	3.5	Red

- Latest data shows reduction in short-term sickness in Q1 this year compared to same period last year:

Quarter	Result	Target	RAG status
Q1 14/15	0.92	0.875 (¼ of target for full year – 3.5 days)	Amber
Q1 13/14	1.05	0.875 (¼ of target for full year – 3.5 days)	Red

- Cautionary note - sickness rates tend to be higher in Qs 2&3 - target of 0.875 days assumes linear sickness rate throughout the year.

#### **Actions:**

- BP leading Attendance Management project to reduce sickness absence including:

training for managers initially targeting areas of highest sickness – ASC, CityClean & Housing

training modules on managing long and short-term absence, carrying out return to work interviews and OH referrals

programme started 1 September 2014 with roll out across the council before end of March 2015

experienced managers to be available to support those with less experience or who lack confidence in managing sickness to improve effectiveness

BPs to work closely with DMTs to embed robust approach to attendance management

**3. Percentage of employees responding that they have experienced discrimination or harassment or bullying in the last 12 months**

Quarter	Result	Target	RAG status
Q4 13/14	17%	< 15%	Red

- This will be monitored through staff survey more closely now survey is annual
- Bullying and harassment cases notified to HR are being monitored by protected characteristic and outcomes via PIER
- mediation scheme introduced last year which provides mechanism for early intervention and resolution for cases of conflict at work.
- Effectiveness of mediation being monitored – initial feedback is that mediation is proving to be effective in preventing cases escalating into formal processes when they become harder to resolve
- The Living Our Values Every Day mandatory programme for managers will help embed culture change and the development of a culture based on dignity and respect
- The health and safety committee receive quarterly reports on health and safety incidents to ensure investigation of incidents of violence and aggression and follow-up action has taken place
- A personal safety event is planned to take place on 6<sup>th</sup> October to raise awareness of personal safety risks, control measures and provide information on the range of available support. This event has been communicated through newsletters, ELT briefing and via the health safety business partners at Departmental Consultative Group meetings.

**4. Staff who declare they are from an ethnic minority as a percentage of the total workforce who declare their ethnicity**

Quarter	Result	Target	RAG status
Q4 13/14	13.25%	19.5%	Red

Quarter	Result	Target	RAG status
Q2 13/14 *	13.15%	19.5%	Red
Q1 14/15	13.37%	19.5%	Red

\* First quarter that we included "white other" as part of BME group

- Slight increase since Sept 2013.
- Workforce profile will only change slowly as dependent upon recruitment activity which is currently at a reduced level due to downsizing
- Strengthening diversity messaging on council jobs site
- Work is underway to explore why BME applicants fare less well through the recruitment process – identification of barriers will inform action planning
- As part of the Workforce Equalities Action Plan, work is about to start on re-invigorating our engagement with community groups to listen to their experiences of our recruitment processes and their views on us as an employer
- Have taken steps to encourage staff to declare their personal equality information – this has resulted in a reduction in the percentage of staff not disclosing their ethnicity from 11.51% in Q4 2013/14 to 10.59% in Q1 2014/15
- We are currently undertaking work to improve the capture and quality of exit data to enable us to identify the key reasons why staff leave, particularly those from under-represented groups. This will help inform future actions.

#### 5. Staff who declare themselves to be LGBT as a percentage of the total workforce who declare their sexuality

Quarter	Result	Target	RAG status
Q2 13/14	11.6%	13%	Red
Q1 14/15	11.57%	13%	Red

- The percentage of staff identifying as LGBT in the workforce has remained fairly static
- As with the ethnicity data, it should be noted that any change in these results will be gradual, as the make up of the workforce will only change as result of staff joining and leaving
- LGB applicants generally fare on a par with heterosexual candidates throughout the recruitment process
- Work to improve the quality of workforce information has led to a reduction in the percentage of 'Unknown' data regarding sexual orientation, from 19.85% in Q2 2013/14 to 18.37% in Q1 2014/15.
- the percentage of LGB "unknowns" is the highest of the protected characteristics –more work needs to be done to build confidence amongst employees to disclose their sexual orientation

Note:

RAG ratings defined as follows:

RED – more than 10% off target

AMBER – within 10% of target

GREEN – on or better than target

