

BRIGHTON & HOVE CITY COUNCIL

CULTURE, HERITAGE, SPORT, TOURISM & ECONOMIC DEVELOPMENT COMMITTEE

4.00pm 15 JUNE 2023

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ - HTH/CC

MINUTES

Present

Councillors:

Robins (Chair), McGregor (Deputy Chair), Hill (Opposition Spokesperson), Bagaeen, Cattell, Hewitt, Miller, Stevens, Thomson and Nann

1 PROCEDURAL BUSINESS

(a) Declaration of Substitutes

Councillor Nann attended as substitute for Councillor Goddard.

(b) Declaration of Interests

There were none.

(c) Exclusion of the Press and Public

It was agreed that the press and public not be excluded.

2 CONSTITUTIONAL MATTERS

RESOLVED:

1. That the Committee's terms of reference, as set out in Appendix A to this report, were noted; and
2. That the Committee agreed to establish an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee.

3 MINUTES

The Minutes of the previous meeting of the decommissioned Tourism, Equalities, Communities & Culture Committee held on 9 March 2023 were agreed as an accurate record.

4 CHAIRS COMMUNICATIONS

The Chair indicated his excitement to Chair the CHSTE Committee and looked forward to doing what is best for the city and residents.

5 CALL OVER

The following items were called:

- Item 9 Seasonal Lifeguard Service 2023
- Item 10 Tree Enforcement
- Item 11 Rottingdean Neighbourhood Plan – Submission for Examination
- Item 12 Co-Living Interim Planning Guidance

The following items were therefore agreed as per the recommendations in the reports:

- Item 2 Constitutional Matters

6 PUBLIC INVOLVEMENT

There were none.

7 ITEMS REFERRED FROM COUNCIL

There were none.

8 MEMBER INVOLVEMENT

8.1 The Chair invited Councillor Bagaeen to put the question to Committee on page 23 of the Agenda:

Westdene and Hove Park leaseholders at Park Lodge have again been subjected to a speculative application by the mobile operators to turn their homes into a giant 5G antenna. They feel let down by the Council's lack of technical and planning guidance to support the delivery of digital connectivity infrastructure. Would the Council therefore commission and prepare as a matter of urgency city plan guidance, as the London Plan team at the GLA is currently doing, covering all stages of digital connectivity planning applications and provide clarity on locations, expectations and requirements.

8.2 The Chair gave the following response:

The application at Park Lodge does not require planning permission. Instead, the proposed telecommunication equipment is being installed under a Regulation 5 application - an application under expanded permitted development rules introduced by the Government in April 2022. It means that prior approval by the Local Planning Authority (LPA) is no longer required for this type of 5G proposal. In place of this, a Regulation 5 application is required giving the LPA 28 days to check the proposal falls within the size limits set for permitted development and advise relevant conditions.

In May 2022, new measures and advice were introduced to raise awareness of these changes. For example, Regulation 5 applications are included in the weekly list of planning applications which is sent to all ward councillors and available on the council's website. Additionally, the website was updated setting out the new rules for telecommunications equipment. This included a link to a Mastdata map - Brighton & Hove is one of the first local authorities to introduce this. It shows all existing and proposed telecommunication equipment in the city. This allows officers to consider and encourage site sharing by operators, which is good practice. It also enables residents to see how many masts there are near to them.

Councillors can be assured that when planning permission is required, policy DM25 in City Plan Part Two is used to assess planning applications. Alongside other policies in the Plan, this sets a clear framework for assessing these types of planning applications. However, these can only be used when planning permission is needed.

8.3 The Chair invited Councillor Bagaeen to ask a supplementary question:

The mobile operators have a pipeline of hundreds of masts to be rolled out across the city. Will the Council commit to convene Officers, Mobile UK, the mobile operators, and their agents, to agree suitable sites in the city to support digital infrastructure?

8.4 The Chair agreed to send a written response to Cllr Bagaeen and all Cttee members.

9 SEASONAL LIFEGUARD SERVICE 2023

9.1 The Chair invited Mark Fisher to introduce the report starting on page 25 of the Agenda.

9.2 Councillors Hill and Bagaeen raised concerns about the national lifeguard shortage, recruitment, funding allocation (signage, the Volks electric railway, and Visit Brighton), sustainable funding models, numbers of people on different beaches, budget pressures, and requested more detail about income and savings. The Chair responded that there would be work happening to provide more sustainable funding the lifeguard service but it was more important to have it in place than to make a saving and risk people's lives.

9.3 Councillor Stevens thanked officers for the report and how quickly it was created, and mentioned how important the lifeguard service is to safeguard everyone using the beaches.

9.4 The Chair took a vote on the item which was passed with 1 abstention from Councillor Hill.

RESOLVED:

That Committee:

1. Agreed to extend the seasonal lifeguard service to a further three beaches, as outlined in para 4.5 as soon as practicably possible. This is subject to the recruitment and availability of qualified and appropriately trained staff.
2. Noted the risk-based approach to prioritising the beaches which will have lifeguard stations during the recruitment of additional qualified and trained staff.

3. Noted the additional financial requirement of net £0.093m to extend the service after budget savings already taken. For 2023/24 financial year this will be covered by service efficiencies across the seafront budget.

10 TREE ENFORCEMENT

10.1 The Chair invited Nicola Hurley to introduce the report starting on page 31 of the Agenda.

10.2 Councillors Miller and Bagaeen were informed about the procedure for enforcement where there is a breach of planning requirements, the reliance on members of the public reporting issues with sites throughout the city, and what legal powers the Council have to stop utility providers from cutting down trees that interfere with digital apparatus. Councillor Cattell raised that all complaints regarding tree enforcement are kept strictly confidential.

RESOLVED:

That Committee:

1. Noted that enforcement of tree issues relating to development sites, including enforcement of planning conditions, is undertaken by the Planning Enforcement Team under the terms of the Planning Enforcement Policy (Appendix 1).
2. Noted that the Arboricultural Team undertakes enforcement of tree issues where there are Tree Preservation Orders (TPOs) in place or trees in conservation areas (CA) in locations that are not presently subject to a planning consent.
3. Requested officers to develop a draft enforcement policy relating to trees protected by TPOs, breaches of legislation around CA tree works and brings it to City Environment, South Downs and the Sea Committee for adoption followed by a communications plan.

11 ROTTINGDEAN NEIGHBOURHOOD PLAN – SUBMISSION FOR EXAMINATION

11.1 The Chair invited Sandra Rogers to introduce the report starting on page 41 of the Agenda.

11.2 Councillor Hill was informed that residents can access information regarding the neighbourhood plan in libraries across the city.

RESOLVED:

That Committee:

1. Agreed officers proceed with the appointment of a suitably qualified and experienced independent person to undertake examination of the Rottingdean Neighbourhood Plan;
2. Agreed to submit the Draft Neighbourhood Plan and its supporting documents for examination, together with all representations received in response to the Regulation 16 publication of the Draft Plan; and

3. Endorsed and agreed to submit the officer comments on the Draft Neighbourhood Plan set in Appendix 1 as the Council's Regulation 16 response for consideration at the examination.

12 CO-LIVING INTERIM PLANNING GUIDANCE

12.1 The Chair invited Sandra Rogers to introduce the report starting on page 61 of the Agenda.

12.2 Councillors Cattell, Bagaeen, McGregor, Nann, Hill, and Hewitt were informed about issues regarding long term rental blocks, student accommodation, room sizes, ensuring working people have access over students, the housing crisis, the rent market, and existing data from similar developments across the country.

RESOLVED:

1. That Committee agreed the Interim Planning Guidance on Co-living housing development attached at Appendix 1 to be used for development management purposes.

13 ITEMS REFERRED FOR FULL COUNCIL

Item 9 (Seasonal Lifeguard Service (2023)) was referred to Full Council for noting.

The meeting concluded at 5:18pm

Signed

Chair

Dated this

day of