

Decision No: CMM –1

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 40 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA: CULTURE, RECREATION & TOURISM
SUBJECT: OPERATION OF SALTEAN LIDO
AUTHOR: IAN SHURROCK

THE DECISION

That the Cabinet Member for Culture, Recreation and Tourism:

- (1) notes the terms of the lease between the council as landlord and Power Fitness Limited (“PFL”) as the head lessee which operates the Lido complex and determines the action that can be taken by the council as landlord in respect of the facility;
- (2) notes that the council on 12th May 2010 served a notice under the lease requiring certain works to be carried out, that the lessee claims to have complied with that notice and that negotiations with the lessee in that regard are ongoing;
- (3) notes that the resolution of full Council at its meeting of 20th October 2011 includes reviewing the options available in relation to getting a resolution to the current impasse and the taking of early actions that would facilitate the repair and refurbishment of the Lido which do not prejudice the position of the Saltdean Community Association, who are tenants of PFL;
- (4) requests the local planning authority to consider whether or not action can be taken under sections 47 and 48 of the Planning (Listed Buildings and Conservation Areas) Act 1990;
- (5) approves the introduction of monitoring arrangements of the Lido pools during next season;
- (6) agrees that senior officers should continue to liaise with the local planning authority and seek a negotiated way forward with the lessee, including if satisfactory terms can be agreed, surrender of the head lease back to the

council;

- (7) instructs officers to urgently seek a valuation of the Lido for surrender or compulsory purchase purposes; and
- (8) agrees that a further progress report should be brought to the next Culture Recreation & Tourism Cabinet Member Meeting unless a report can be taken sooner to Cabinet.

REASON FOR THE DECISION

- 1 Saltdean Lido is a leased facility and therefore the responsibilities of the head lessee and council as freehold owner need to be recognised.
- 2 Saltdean Lido is a Grade 2* listed building on the Buildings at Risk Register. Therefore, it is important that the building is maintained to the appropriate standard so that it is removed from the register.
- 3 A key provision within the lease is the opening of the lido pool during the summer season. Therefore, it is important that the council is clear that compliance with the terms of the lease on this issue is being met.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. The overriding requirement of the council is to seek a vibrant, accessible, high quality facility that befits the status of the Lido as a key asset of both the local and wider city community.
2. The length of the head lease is a key issue, in that a long lease gives greater security to the lessee and it is difficult for a landlord to be able to secure forfeiture of a 125 year lease through court action. The position is further complicated by the provisions regarding contributions to be made by the SCA.
3. There are 3 options – (a) seek compliance with the lease, (b) seek a negotiated surrender of the whole lease or part of the lease and (c) seek to take back the lease through forfeiture or compulsory purchase. If necessary further discussion on the complex implications of these options can take place in Part II, but for immediate purposes brief information on these options is set out below.
4. Officers have been pursuing option (a), as evidenced by service of the notice referred to in paragraphs 2.2 and 3.2. SSLC have expressed serious concerns about when the site is open and some health and safety issues. The opening hours issue is addressed in section 3.3 of this report and all health and safety issues raised have been properly addressed by the council.
5. Option (b) entails seeking agreement with the lessee on the timing and extent of any surrender. Fragmented management or ownership of the Lido should be avoided and it is not considered appropriate for the council to take back just the pools area or part of the complex. There is clearly scope to seek agreement with the lessee about surrender of the whole lease and the key aspect will be the terms including any compensation provisions. The valuation referred to in paragraph 2.7 will be key to the full evaluation of this option.
6. Option (c) is the last resort. Forfeiture proceedings are notoriously expensive and protracted and the court encourages landlords and tenants to settle their differences by agreement. Compulsory purchase may be a route, but is a local planning authority consideration linked to whether or not Planning Committee agree the service of a section 48 Notice and then whether or not that Notice is complied with.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

CONFIRMED AS A TRUE RECORD:

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision

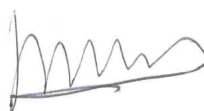
Date:

06 December 2011

Decision Maker:

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism

Signed:



Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Or: This decision is urgent and not subject to call-in (date of CE's agreement to urgency of decision).

Call-In Period

13 December 2011

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM –2

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 41 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER:	COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA:	CULTURE, RECREATION & TOURISM
SUBJECT:	ROYAL PAVILION AND MUSEUMS' INTERREG IVA BIDS
AUTHOR:	JANITA BAGSHAWE

THE DECISION

- (1) That the Cabinet Member for Culture, Recreation and Tourism endorses city council to proceed with the Interreg IVa projects 'Artistic Visions of the Channel and North Sea', 'Great War between the lines', and 'Out of the blue - Woad: heritage and creativity' should the bids be successful.

REASON FOR THE DECISION

To enable Royal Pavilion & Museums to continue to build the excellence of its public offer, developed through engagement with visitors and hard-to-reach groups to grow and diversify the audiences for its buildings and programmes, and create financial resilience and demonstrate social relevance.

DETAILS OF ANY ALTERNATIVE OPTIONS

Royal Pavilion & Museums is active in seeking external support for its projects to supplement core budgets. The approach to Interreg IVa is one element of its fundraising strategy

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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Date:

06 December 2011

Decision Maker:

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism

Signed:



Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services

Signed:



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Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM –3

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 42 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY BOWDEN

PORTFOLIO AREA: CULTURE, RECREATION & TOURISM

SUBJECT: REVIEW OF VISIT BRIGHTON
CONVENTION BUREAU CONFERENCE
PARTNERSHIP

AUTHOR: JULIA GALLAGHER

THE DECISION

- (1) It was agreed by the Cabinet Member that in view of the volume of business to be transacted consideration of this item would be deferred for determination at a meeting of the Cabinet Member meeting to take place in January 2012.

REASON FOR THE DECISION

DETAILS OF ANY ALTERNATIVE OPTIONS

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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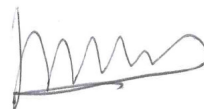
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Date:

Decision Maker:

06 December 2011

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism



Signed:

Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

n/a

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM –4

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 43 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER:	COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA:	CULTURE, RECREATION & TOURISM
SUBJECT:	SPECIAL EVENTS:MADEIRA DRIVE ROAD CLOSURES 2012
AUTHOR:	JAYNE BABB

THE DECISION

- (1) To set out the proposed programme of special events on Madeira Drive in 2012 and to seek approval of the associated road closures.

REASON FOR THE DECISION

- (1) Landlord's consent is required for the staging of all major outdoor events within Brighton & Hove.
- (2) Events continue to form an increasingly significant part of the council's overall tourism strategy and contribution to the city's economy. People experience civic pride and satisfaction when major recreational, sporting and entertainment events take place in their locality. These help to bring regional and national recognition to the city and enhance the reputation and identity of the area, as well as bringing significant economic benefits.

DETAILS OF ANY ALTERNATIVE OPTIONS

- (1) Not applicable

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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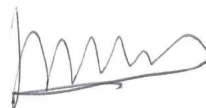
Date:

Decision Maker:

06 December 2011

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism

Signed:



Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

13 December 2011

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM –5

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 44 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER:	COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA:	CULTURE, RECREATION & TOURISM
SUBJECT:	EVENTS IN PARKS AND OPEN SPACES
AUTHOR:	JAYNE BABB

THE DECISION

That the Cabinet Member for Culture, Recreation and Tourism

- (1) approves the events listed in the report;
- (2) authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate;
- (3) approves the proposal regarding Hove Lawns - not to use the eastern most lawn for staging events in 2012 other than the two events specifically referred to in 3.2; and
- (4) authorises the Strategic Director: Communities, after consultation with the Cabinet Member for Culture Recreation & Tourism, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

REASON FOR THE DECISION

Landlord's consent is required for the staging of all major outdoor events in Brighton & Hove.

Events continue to form an increasingly significant part of the council's overall tourism strategy as well as bringing significant economic benefits to the city. In 2009 events contributed 732 million to the city's economy and created 14000 full time equivalent jobs for local people. People experience civic pride and satisfaction when major recreational, sporting and entertainment events take place in their locality. These help to bring regional and national recognition to the city and enhance the reputation and identity of the area, as well as bringing significant economic benefits.

DETAILS OF ANY ALTERNATIVE OPTIONS

Not applicable.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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Date:

06 December 2011

Decision Maker:

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism

Signed:



Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services

Signed:



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Call-In Period

13 December 2011

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in (*if applicable*)

Decision No: CMM –6

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 45 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA: CULTURE, RECREATION & TOURISM
SUBJECT: BEACH CHALET CONSULTATION
AUTHOR: IAN SHURROCK

THE DECISION

- 1) That the Cabinet Member for Culture, Recreation and Tourism notes the results of the consultation exercise on amending the policy for letting beach chalets to existing tenants.
- 2) That the Cabinet Member for Culture, Recreation and Tourism does not change at the present time the existing policy for letting beach chalets to existing tenants that are residents of Brighton and Hove. This will be reviewed in one year to assess whether the price increases in recommendations (3) and (4) have increased the movement in the waiting lists.
- 3) That the Cabinet Member for Culture, Recreation and Tourism approves a proposed 10 % increase in the annual rents for chalets for tenants that are residents of Brighton & Hove.
- 4) That the Cabinet Member for Culture, Recreation and Tourism approves a rental charge for chalets for tenants that are not residents of Brighton & Hove that is 20% higher than for residents with existing tenancies.
- 5) That the Cabinet Member for Culture, Recreation and Tourism approves a proposed increase of 5% for tenants on fixed term tenancies; and
- 6) That the Cabinet Member for Culture, Recreation and Tourism does not introduce an annual lottery draw for chalet tenancies.

REASON FOR THE DECISION

The recommendations potentially give the opportunity to increase the number of residents who are able to benefit from the highly sought after beach chalets, by reactivating the waiting lists.

DETAILS OF ANY ALTERNATIVE OPTIONS

The options have been considered in the consultation exercise.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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Date:

06 December 2011

Decision Maker:

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism



Signed:

Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services

Signed:



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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM –7

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 46 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER:	COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA:	CULTURE, RECREATION & TOURISM
SUBJECT:	SEAFRONT FEES AND CHARGES
AUTHOR:	TONI MANUEL

THE DECISION

That the Cabinet Member for Culture, Recreation and Tourism agrees the fees and charges as set out in this report.

REASON FOR THE DECISION

Fees and charges for fishing lockers, boats and beach huts are reviewed each year. There is a requirement within the terms of the agreement that is issued to the occupier that two clear months notice is given of proposed increases before they can be passed on and implemented.

DETAILS OF ANY ALTERNATIVE OPTIONS

There are none.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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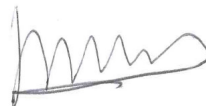
Date:

06 December 2011

Decision Maker:

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism

Signed:



Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services
Signed:



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Call-In Period

13 December 2011

Date of Call-in (*if applicable*) (*this suspends implementation*)

Call-in Procedure completed (*if applicable*)

Call-in heard by (*if applicable*)

Results of Call-in (*if applicable*)

Decision No: CMM –8

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 47 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER:	COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA:	CULTURE, RECREATION & TOURISM
SUBJECT:	SPORT FACILITIES CONTRACTS: FEES AND CHARGES 2012//13
AUTHOR:	TOBY KINGSBURY

THE DECISION

- (1) That the Cabinet Member approves the proposed fees and charges for 2012/13 for the Sports Facilities Management Contract; and
- (2) That the Cabinet Member approves the proposed fees and charges for 2012/13 for the Golf Courses Management Contract.

REASON FOR THE DECISION

To set charges that ensure the long-term sustainability of the council's sports facilities and golf courses and to continue to provide a quality service to the residents of Brighton & Hove.

DETAILS OF ANY ALTERNATIVE OPTIONS

Not applicable.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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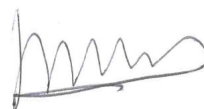
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Date:

06 December 2011

Decision Maker:

Councillor Geoffrey Bowden
Cabinet Member for Culture, Recreation
& Tourism



Signed:

Proper Officer:

06 December 2011

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

13 December 2011

Date of Call-in (*if applicable*) (*this suspends implementation*)

Call-in Procedure completed (*if applicable*)

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM –9

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 48 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA: CULTURE, RECREATION & TOURISM
SUBJECT: LIBRARIES FEES AND CHARGES
AUTHOR: SALLY MCMAHON

THE DECISION

That the Cabinet Member for Culture, Recreation and Tourism agrees
the Libraries Fees and Charges proposals for 2012-13.

REASON FOR THE DECISION

To set appropriate fees and charges for the Libraries Services in order to
meet the increased income targets resulting from inflation and service
pressures.

DETAILS OF ANY ALTERNATIVE OPTIONS

None considered, not applicable.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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Decision Maker:

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Proper Officer:

06 December 2011

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Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM –10

Date Published
6 December 2011

Forward Plan No:

This record relates to Agenda Item 49 on the agenda for the
Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY BOWDEN
PORTFOLIO AREA: CULTURE, RECREATION & TOURISM
SUBJECT: VENUES: FEES AND CHARGES
AUTHOR: DAVID PARKER

THE DECISION

- (1) That the Cabinet Member approves the Fees and Charges as shown in Appendices 1 (H Centre) and 2 (Brighton Centre) and 3 (Royal Pavilion and Museums) in order that they can be incorporated into the 2012/13 Revenue Budget and Venues and Royal Pavilion and Museums' Business Plan
- (2) In addition, the Cabinet Member authorises officers to negotiate with each hirer in order to secure the event, maximise revenue to both the service and the economic impact to the city.

REASON FOR THE DECISION

To meet the income and savings targets for 2012/13.

DETAILS OF ANY ALTERNATIVE OPTIONS

None considered, not applicable.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

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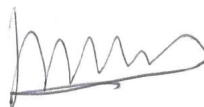
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Proper Officer:

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