

BRIGHTON & HOVE CITY COUNCIL
PLANNING, EMPLOYMENT, ECONOMY & REGENERATION CABINET MEMBER
MEETING

4.00pm 2 FEBRUARY 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Randall (Cabinet Member)

Also in attendance: Councillors Morgan (Opposition Spokesperson) and C Theobald (Opposition Spokesperson)

Other Members present: Councillor MacCafferty.

PART ONE

61. PROCEDURAL BUSINESS

61(a) Declarations of Interests

61a.1 There were none.

61(b) Exclusion of Press and Public

61b.1 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

61b.2 **RESOLVED** – That the press and public not be excluded from the meeting.

62. MINUTES OF THE PREVIOUS MEETING

62.1 **RESOLVED** – That the minutes of the meeting held on 3 November 2011 were approved as a correct record.

63. CABINET MEMBER'S COMMUNICATIONS

63.1 The Leader explained that he was acting as substitute for Councillor Amy Kennedy who was unfortunately unwell.

63.2 Planning permission had been granted for the redevelopment of the Royal Sussex County Hospital – the 3T's scheme – and it was also noted that application numbers for the teaching hospital had increased at a time when there was a national downward trend in the number of applicants for further education.

63.3 The Leader has recently attended a lunch held by the Economic Partnership, and praised some of the good work being done across the city.

63.4 The Leader noted the increased growth in the digital sector in the city, which was far ahead of the average growth nationally. It was highlighted that the city had not qualified for an ultra fast broadband scheme, but the issue was being pursued by the city's MPs and the case was being made that it was necessary for the growing digital sector. There was also a strong case that funding through the Coast to Capital scheme should be focused on the geographical line between Croydon and Brighton & Hove.

64. ITEMS RESERVED FOR DISCUSSION

64.1 **RESOLVED** – That all items be reserved for discussion.

65. PETITIONS

65.1 The Leader noted the receipt of two petitions in relation to transport issues at the Royal Sussex County Hospital; he explained that the petitions had been considered as part of the decision made at the Planning Committee on 27 January 2012, which was approved.

65.2 **RESOLVED** – That the petitions be noted.

66. PUBLIC QUESTIONS

66.1 There were none.

67. DEPUTATIONS

67.1 There were none.

68. LETTERS FROM COUNCILLORS

68.1 There were none.

69. WRITTEN QUESTIONS FROM COUNCILLORS

69.1 There were none.

70. NOTICES OF MOTION

70.1 There were none.

71. EMPLOYMENT UPDATE

- 71.1 The Leader considered an update from the Economic Research and Project Support Officer, Thomas Perrigo, concerning employment in Brighton & Hove.
- 71.2 The Economic Research and Project Support Officer gave a presentation concerning youth employment and wage inequality and inflation in Brighton & Hove. He explained that in relation to the number of 18-24 year olds claiming job seekers allowance (JSA) the city was below both the national and regional average; however, the number of 25-49 years olds claiming JSA was above the regional average, but just below the national average. In relation to wage inequality and inflation, it was highlighted that in the period 1997 – 2010 the gender pay gap between men and woman had closed, despite pay for women still being lower, but the growth in female wages was much higher in the upper quartile than the lower quartile. It was also explained that in 2008/9 inflation had outpaced wage growth, suggesting that some families on lower incomes might have to sacrifice spending on luxury goods; recent fuel poverty research indicated that increases in the cost of fuel were shown to hit elderly and single earner households hardest.
- 71.3 Councillor Morgan asked for further information on the breakdown of not in employment, education or training (NEET) youths by ward, and it was confirmed that this information would be circulated separately to Members after the meeting. The Economic Development Manager, Cheryl Finella, added that the problems in relation to NEET youths were recognised by the Council.
- 71.4 Councillor Carol Theobald asked if there was any evidence to explain if those 18-24 year olds in employment were in jobs that they wanted to be in. The Economic Research and Project Support Officer explained that there were issues in relation to underemployment of graduates, and it was important that entry level positions were created and freed up for graduates.
- 71.5 The Leader acknowledged that the information from Officers demonstrated the depth of some of the employment issues the city faced. He went on to state that women were most affected by budget savings from central government. He also highlighted that housing costs were high in the city and rents had increased by approximately 5% in the last year together with increased costs to energy; and he stated that more work should be done to insulate properties across the city.
- 71.6 Following a query from Councillor Morgan Officers clarified that wage growth for women was being driven by increases in the highest quartile.
- 71.7 Councillor Carol Theobald noted that much of the changes in the wage inequality could be due to the increased number of women working and the increased number who were now the sole earner in households. She went on to note that increased costs to energy and fuel affected everyone, and expressed concern about the number of residents of the city below the poverty line.
- 71.8 **RESOLVED** – That the update be noted.

72. ECONOMIC DEVELOPMENT WORK PROGRAMME

- 72.1 The Leader considered an update from the Economic Development Manager, Cheryl Finella, concerning the work undertaken by the team across the city.
- 72.2 The Economic Development Manager gave a presentation defining economic development and outlining some of the work remit of the team. She highlighted that economic development was a partnership between the private, public and third sectors, with the involvement of residents and businesses. The main functions of the team were highlighted, its role and some of the ways it was able to support local businesses were outlined. It was noted that the team linked to wider strategies – in particular planning, and some of the partners that it engaged with, how impacts were measured and some achievements of the team were also noted.
- 72.3 Councillor Morgan asked how the use of local employment and local labour worked in relation to major projects in the city. The Economic Development Manager explained that the team worked with the Development Control section and developers to create employment strategies, and the outcomes were tracked. The Leader highlighted that major projects were conditioned to require a 20% local labour force, and emphasised the cross party agreement on the need for more apprentice schemes.
- 72.4 Councillor Carol Theobald stated her view that the 20% figure did not go far enough, and there was the need to keep work in the city for residents.
- 72.5 **RESOLVED** – That the update be noted.

73. LOCALISM ACT - PLANNING IMPLICATIONS

- 73.1 The Leader considered an update from the Head of Planning Strategy concerning the latest position with regard to the Localism Act and the implications for planning.
- 73.2 The Head of Planning Strategy, Rob Fraser, explained that the report highlighted that much of the impact of the legislation was not yet fully known as the Act required secondary legislation and further guidance for local authorities. It was suggested that Neighbourhood Planning was likely to have a significant impact.
- 73.3 Councillor Carol Theobald welcomed the new legislation and acknowledged that further details were still yet to be forthcoming. She went on to discuss the necessity for local authorities to meet housing needs, and stated that guidance from central government had suggested this would not be the case if the local authorities could prove the adverse impact of doing this outweighed the benefits. The Leader stated that it was important the Council meet the housing need as this was such a pressing issue for the city; Officers confirmed that they would be making every effort to do this.
- 73.4 Councillor Carol Theobald also asked if the Council would be coordinating between bodies in relation to the proposals for neighbourhood planning, and Officers explained that they would need to wait for further guidance before this work could begin.
- 73.5 Councillor Morgan referenced the proposed duty to co-operate between councils and other key partners in relation to the planning of sustainable developments and asked

how this would be enforced with the abolition of regional planning. In response it was explained that the Council was already holding discussions with neighbouring authorities and there was a genuine willingness to co-operate.

73.6 **RESOLVED** - That the Leader of the Council acting as Cabinet Member for Planning, Employment, Economy & Regeneration note the update in relation to the planning aspects of the Localism Act, how aspects of the Act are being implemented and areas of particular interest for future reports.

74. GOVERNMENT CONSULTATION : NEIGHBOURHOOD PLANNING REGULATIONS

74.1 The Leader considered an update from the Head of Planning Strategy concerning the government consultation on neighbourhood planning regulations.

74.2 The Head of Planning Strategy introduced the report and explained that it was due to have been considered at the December Cabinet Member Meeting which had been cancelled. The principles of neighbourhood planning regulations were supported, but the Council would need further clarification on how this was to be carried out.

74.3 Councillor Carol Theobald asked how this work would be funded, and the Leader explained it was necessary to wait for further guidance.

74.4 **RESOLVED** - That the Leader of the Council acting as Cabinet Member for Planning, Employment, Economy & Regeneration endorse the Council Officers' response to the Government's consultation, as set out at Appendix 1, to the Government's consultation relating to the draft Neighbourhood Planning Regulations.

75. COMMUNITY INFRASTRUCTURE LEVY: DETAILED PROPOSALS AND DRAFT REGULATIONS FOR REFORM - CONSULTATION

75.1 The Leader considered an update from the Head of Planning Strategy concerning the detailed proposals and draft regulations reform of the Community Infrastructure Levy (CIL). In relation to funding from CIL being passed on to neighbourhoods it was suggested that most funding should be prioritised to meet infrastructure needs, and similar concerns had been expressed in relation to using CIL for affordable housing.

75.2 Councillor Morgan acknowledged that it was a positive notion to empower neighbourhoods, but felt that there was the potential to pit neighbourhoods against each other; and it was necessary for the local authority to prioritise the allocation of funds.

75.3 Councillor Carol Theobald highlighted that funding could be needed for affordable housing, and in response the Head of Planning and Public Protection, Martin Randall, confirmed that the approach currently used by the Council would not be downgraded, but it was important to ensure funding was allocated properly.

75.4 **RESOLVED** - That the Leader of the Council acting as Cabinet Member for Planning, Environment, Economy & Regeneration endorses the Council Officers' response to the Government's consultation on the Community Infrastructure Levy - Detailed Proposals and Draft Regulations for Reform (as set out in the report and appendix).

76. DEVELOPER CONTRIBUTIONS - TEMPORARY RECESSION MEASURES AND UPDATED TECHNICAL GUIDANCE

- 76.1 The Leader considered an update from the Head of Planning Strategy concerning temporary recession measures and updated technical guidance for developer contributions.
- 76.2 The Head of Planning Strategy clarified that the Council would still negotiate contributions on planning applications, but the report set out the revised priorities for developers contributions
- 76.3 Councillor Morgan highlighted the need for such measures in the current financial climate, but wanted to ensure that the general presumption was that affordable housing would remain as on site provision and would only be provided off site on the basis that this also met the requirements on an exceptional basis. Officers and the Leader confirmed that this was the case,
- 76.4 The Head of Planning and Public Protection highlighted that the feedback received in consultation with the development sector had been positive. He also went onto say that it was fair to increase the viability testing of sites in the city, and the development industry were well practised in proving the necessary data to the Council. The Head of Planning Strategy also noted a significant aspect of every major application included a discussion in relation to viability.
- 76.5 **RESOLVED** – That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Leader of the Council acting as Cabinet Member for Planning, Employment, Economy & Regeneration (PEER) approve the revised Developer Contributions Temporary Recession Relief Measures and agrees changes to reflect revised Council priorities in the nature and type of developer contributions that will be sought when considering issues of viability on development sites.
 - (2) That the Leader of the Council acting as Cabinet Member for PEER approves the updated Technical Guidance on Developer Contributions attached at Appendix 1.

77. MAINTENANCE OF HISTORIC BUILDINGS

- 77.1 The Leader considered an update from the Head of Planning Strategy concerning the annual update in relation to maintenance of historic buildings. The Leader highlighted that the city had a number of these buildings, and the maintenance was crucial.
- 77.2 The Head of Planning Strategy highlighted that the Council was listed in the top 20% of local authorities nationally for taking proactive actions, and generally the Council had an excellent record in this area.
- 77.3 The Leader noted that the Council could carry out the work in default and claim the costs through the courts as a measure of last resort, and this had been successfully done in the past.

- 77.4 Councillor Carol Theobald welcomed the update, and noted it was important that this type of work continue.
- 77.5 **RESOLVED** - That the updated register of listed buildings that are considered to be 'at risk' is endorsed (Appendix 1) by the Leader of the Council acting as Cabinet Member for Planning, Employment, Economy & Regeneration.
- 78. UPDATE ON PROPOSED ARTICLE 4 DIRECTIONS FOR PATCHAM, ROTTINGDEAN AND O VingDEAN CONSERVATION AREAS**
- 78.1 The Leader considered an update from the Head of Planning Strategy concerning the update on the proposed Article 4 for Patcham, Rottingdean and Ovingdean conservation areas.
- 78.2 The Head of Planning Strategy highlighted that there were ongoing problems where Conservation Areas and the National Park overlapped, and the report was similar to one considered at the previous Cabinet Member meeting.
- 78.3 **RESOLVED** - That the approved Town and Country Planning (General Permitted Development) Order 1995 Article 4(1) Directions for Patcham Conservation Area and Rottingdean Conservation Area are progressed for those parts of the Areas that lie outside the South Downs National Park, and as shown in Appendix 1.
- 79. O VingDEAN CONSERVATION AREA REVIEW**
- 79.1 The Leader considered an update from the Head of Planning Strategy concerning the review of the Ovingdean Conservation Area.
- 79.2 The Head of Planning Strategy explained that the proposed new boundary had been subject to consultation.
- 79.3 **RESOLVED** – That, having considered the information and the reasons set out in the report, the following recommendations be accepted:
- (1) That the Leader of the Council acting as Cabinet Member for Planning, Employment, Economy & Regeneration approves the revised draft Ovingdean Conservation Area Appraisal character statement and boundary changes for public consultation.
 - (2) That a Town and Country Planning (General Permitted Development) Order 1995 Article 4(1) Direction relating to those categories of development set out in Appendix 1 be made for dwellings in those parts of the Conservation Area that lie outside the South Downs National Park and as shown on Appendix 1.
- 80. BACKGROUND STUDIES FOR THE CITY PLAN**
- 80.1 The Leader considered an update from the Head of Planning Strategy concerning the background studies to the City Plan. The report proposed that HMOs register in areas with a heavy concentration, and the study in relation to takeaways near secondary schools was designed to improve the eating choices of secondary school pupils.

- 80.2 Councillor Carol Theobald asked if there had been any success in relation to takeaways near secondary schools, and the Leader explained there were limitations in relation to planning, and it was difficult to stop mobile units; however, this remained an important public health issue.
- 80.3 The Strategic Director of Place, Geoff Raw, explained he had recently attended a meeting about such issues and noted that the planning regime was not the only way to pursue such issues; work had been undertaken to try and get shops to change their offers to be more encompassing of healthier options such as fruit.
- 80.4 Councillor Morgan suggested this matter could be considered by the new Health and Wellbeing Board.
- 80.5 **RESOLVED** – That the Leader of the Council acting as Cabinet Member for Planning, Employment, Economy & Regeneration approves the following studies as supporting evidence for the City Plan and other Local Development Documents – an update of the Strategic Flood Risk Assessment 2011, the Student Housing and Houses in Multiple Occupation Concentration Assessment 2011, the Strategic Housing Land Availability Assessment Schedules Update 2011; and Takeaways Near Schools Study 2011.

81. PLANNING BRIEF: FORMER FALMER HIGH SCHOOL SURPLUS LAND

- 81.1 The Leader considered an update from the Head of Planning Strategy concerning a planning brief for the former Falmer High School released land. The Leader highlighted the history of the site, and noted there were aspirations to use the site to increase the parking capacity for the Amex Community Stadium.
- 81.2 The Principal Planning Officer (Strategy), Alan Buck, introduced the item and noted that the briefing was designed to compliment a strategic objective by highlighting the key planning policies and acting as a promotional tool. Some of the sensitivities of the site were highlighted in the report, and the briefing promoted it as a mixed use site.
- 81.3 The Lead Commissioner - City Regulation & Infrastructure, Mark Prior, went on to add that it had been agreed there would be an independent transport assessment. This would look at the potential for a shuttle bus service, match day parking and the management of the tunnel if the site was used for parking. Eight responses had so far been received from responsible authorities and interested parties and the comments referenced: traffic on the A27; the local railway capacity; on street parking issues and provision for park and ride facilities.
- 81.4 Councillor Morgan noted that there had already been interest in the site, welcomed the report and stressed the economic benefits associated with the new Amex Community Stadium. He also went on to add that he welcomed the potential to alleviate the parking problems in the Moulsecoomb and Coldean areas.
- 81.5 The Leader highlighted concerns in relation to the movement of traffic in the area, and the need for adequate provision and control of pedestrians and cyclists.
- 81.6 Councillor Carol Theobald welcomed the proposed use of the site for parking provision and the potential for a park and ride facility. In relation to the timescales it was

highlighted that application had been received by the Council was expected to be heard by the Planning Committee next month.

81.7 The Principal Solicitor explained that when the Secretary for State had granted the original planning permission for the stadium, which included parking at Falmer High School, it was not considered necessary to widen the tunnel.

81.8 **RESOLVED** – That the planning brief be approved by the Leader of the Council acting as Cabinet Member for Planning, Employment, Economy & Regeneration as a means of helping guide future development proposals on the former Falmer High School released land.

82. CREATIVE INDUSTRIES

82.1 The Leader considered a presentation from the Managing director of Wired Sussex.

82.2 The Managing Director of Wired Sussex, Mr Phil Jones, gave a presentation outlining an overview of the digital, media and technology cluster in the city. Mr Jones highlighted: some of the companies who comprised this sector; the number of jobs in the industry in the city and importance of further growth and expansion of the industry for Brighton & Hove. Mr Jones went on to discuss the role of Wired Sussex and explained how they worked with businesses in the sector, and the future needs for further expansion. He also highlighted the unique selling points of the industry and some of the competition it faced nationally.

82.3 The Leader thanked Mr Jones for the presentation, and explained that the digital sector in the city was a vital aspect of the local economy. He went on to add that it would be positive if provision could be made for New England House to be redeveloped as a centre for the industry in the city.

82.4 Councillor Carol Theobald noted she was pleased to see the ongoing success of the sector in the city. She went on to add that there was the possibility of breaking larger offices down into smaller units, and asked a question specifically in relation to the problems with recruiting graduates to the sector. Mr Jones responded that the sector needed a range of staff and many small businesses were less inclined to hire staff without experience, or those with skills not yet fully adapted to the workplace. Some of the work of Wired Sussex was to help graduates' transition between education and the workplace, and it was important companies were given the opportunity to sample graduates.

82.5 Councillor Morgan highlighted the value of Brighton & Hove as a location, and stressed that it was a place that companies and staff wanted to be. He went on to say that the city was often seen as a location where companies could be innovative. The Leader echoed these comments and referenced recent survey work that highlighted Brighton & Hove came high in places people wanted to work outside of London.

82.6 **RESOLVED** – That the presentation be noted.

83. PART TWO MINUTES OF THE PREVIOUS MEETING

83.1 **RESOLVED** – That the minutes of the meeting held on 3 November 2011 were approved as a correct record.

84. PART TWO ITEMS

84.4 There were none.

The meeting concluded at 6.43pm

Signed

Cabinet Member

Dated this

day of