

Tourism, Equalities, Communities & Culture Committee

Date: **16 January 2020**

Time: **4.00pm**

Venue **Hove Town Hall - Council Chamber**

Members: **Councillors:** Robins (Chair), Grimshaw (Deputy Chair), Rainey (Opposition Spokesperson), Nemeth (Group Spokesperson), Childs, Ebel, Evans, Mears, Powell and Simson

Invitees: Lola BanJoko (B&H - CCG), Anusree Biswas Sasidharan, Joanna Martindale (Community Voluntary Sector) and Nick May (Sussex Police)

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AGENDA

PROCEDURAL MATTERS

30 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
 - (a) Disclosable pecuniary interests;
 - (b) Any other interests required to be registered under the local code;
 - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **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 Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and 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.

31 MINUTES

7 - 20

To consider the minutes of the meeting held on 21 November 2019.

Contact Officer: Penny Jennings

Tel: 01273 291065

Ward Affected: All Wards

32 CHAIRS COMMUNICATIONS

33 CALL OVER

- (a) Items 36 – 43 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

34 PUBLIC INVOLVEMENT

21 - 22

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public;
 - (i) Keep Hollingbury Park Golf Course as a golf course
 - (ii) Keep Waterhall Golf Club as a golf course
 - (iii) Create a haven for wildlife and wellbeing by restoring biodiversity on Hollingbury and Waterhall golf courses
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 10 January 2020;
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 10 January 2020.

35 MEMBER INVOLVEMENT

23 - 25

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions;
- (b) **Written Questions:** To consider any written questions;
 - (i) Madeira Terraces- Councillor Nemeth
 - (ii) King Alfred Leisure Centre- Councillor Nemeth
 - (iii) King Alfred Leisure Centre- Councillor Nemeth
 - (iv) Planning Process- Councillor Nemeth
 - (v) Webcasts- Councillor Nemeth
 - (vi) Brighton Town Hall- Councillor Nemeth
- (c) **Letters:** To consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.
 - (i) Party Houses

36	COMMUNITY SAFETY AND CRIME IN BRIGHTON & HOVE	27 - 38
	Report of the Interim Executive Director, Housing, Neighbourhoods & Communities	
	<i>Contact Officer: Jo Player</i>	<i>Tel: 01273 292488</i>
	<i>Ward Affected: All Wards</i>	
37	HOLLINGBURY PARK AND WATERHALL GOLF COURSES	39 - 52
	Report of the Executive Director, Economy, Environment & Culture	
	<i>Contact Officer: Ian Shurrock</i>	<i>Tel: 01273 292084</i>
	<i>Ward Affected: All Wards</i>	
38	OUTDOOR EVENTS STRATEGY	53 - 92
	Report of the Executive Director, Economy, Environment & Culture	
	<i>Contact Officer: Ian Shurrock</i>	<i>Tel: 01273 292084</i>
	<i>Ward Affected: All Wards</i>	
39	BRIGHTON CENTRE CATERING CONCESSION	93 - 100
	Report of the Executive Director, Economy, Environment & Culture	
	<i>Contact Officer: Howard Barden</i>	<i>Tel: 01273 292646</i>
	<i>Ward Affected: All Wards</i>	
40	PROVISION OF VIABILITY CONSULTANCY ADVICE TO THE PLANNING SERVICE	101 - 112
	Report of the Executive Director, Economy, Environment & Culture	
	<i>Contact Officer: Simon Barrett</i>	<i>Tel: 01273 290000</i>
	<i>Ward Affected: All Wards</i>	
41	CITYWIDE ARTICLE 4 DIRECTION - HOUSES IN MULTIPLE OCCUPATION	113 - 128
	Report of the Executive Director, Economy, Environment & Culture	
	<i>Contact Officer: Steve Tremlett</i>	<i>Tel: 01273 292108</i>
	<i>Ward Affected: All Wards</i>	
42	PLANNING APPLICATION VALIDATION REVIEW – COMMUNITY INFRASTRUCTURE LEVY	129 - 134
	Report of the Executive Director, Economy, Environment & Culture	
	<i>Contact Officer: Paul Vidler</i>	<i>Tel: 01273 291292</i>
	<i>Ward Affected: All Wards</i>	

43 ADOPTION OF UPDATED DESIGN GUIDE FOR EXTENSIONS AND ALTERATIONS SPD 135 - 182

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Sujeet Sharma*

Tel: 01273 292408

Ward Affected: *All Wards*

PART TWO

44 HOLLINGBURY PARK AND WATERHALL GOLF COURSES- EXEMPT CATEGORY 3 183 - 268

Report of the Executive Director, Economy, Environment & Culture (copy circulated to Members only)

Contact Officer: *Ian Shurrock*

Tel: 01273 292084

Ward Affected: *All Wards*

45 PART TWO PROCEEDINGS

To consider whether the items listed in Part Two of the agenda and decisions thereon should remain exempt from disclosure to the press and public.

46 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 30 January 2020 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact John Peel, (01273 291058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL
TOURISM, EQUALITIES, COMMUNITIES & CULTURE COMMITTEE

4.00pm 21 NOVEMBER 2019

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillor Robins (Chair) Grimshaw (Deputy Chair), Rainey (Opposition Spokesperson), Nemeth (Group Spokesperson), Ebel, Evans, Mears, O'Quinn, Powell and Simson

Other Invitees : Anusree Biswas Sasidharan, Community Works; Joanna Martindale, Community Works and Lola Banjoko, Brighton and Hove CCG

PART ONE

17 PROCEDURAL BUSINESS

17a Declaration of Substitutes

17.1 Councillor O'Quinn was in attendance in substitution for Councillor Childs.

17b Declaration of Interests

17.2 Councillor Powell declared a non-prejudicial interest in items on which the Police had been consulted by virtue of the fact that she was employed by the local Police authority.

17c Exclusion of the Press and Public

17.3 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Planning Committee considered whether the public should be excluded from the meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

17.4 **RESOLVED** – That the public be not excluded during consideration of any item of business on the agenda.

18 MINUTES

18.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 26 September as a correct record.

19 CHAIRS COMMUNICATIONS

19.1 The Chair provided the following updates:

Council Golf Courses

19.2 This Committee had previously approved the marketing of the council's golf courses on leases of at least 25 years. The courses have been advertised for golf, leisure, education or conservation uses including rewilding.

19.3 The marketing exercise had attracted 15 proposals for either one course or both courses. There are an encouraging wide variety of proposals in terms of use, but there was inconsistency to the extent in which the proposals had been developed. Therefore, further time was needed to identify if any of the proposals would provide long term sustainable uses for the golf courses. The existing management contract for the golf courses expired at the end of March 2020, which unfortunately gave uncertainty for staff and current users. Therefore, as a matter of urgency options were currently being assessed to give greater certainty to all stakeholders. Members would be updated as soon as possible, and, if necessary a special meeting would be convened.

Shelter Hall Development on the Seafront

19.4 Those businesses to operate from the new Shelter Hall development on the seafront had been selected. The historic Shelter Hall, which had been entirely rebuilt was due to be completed early next year, and would be home to the city's first food hall, with up to ten independent Brighton & Hove food businesses offering a wide range of cuisine. The new food hall will be run by Sessions Market, a new ethically driven company bringing together experienced business operators from the restaurant and design worlds.

19.5 The Rotunda, located above the Shelter Hall at street level, would be the new beach location for Riddle & Finns, the champagne and oyster bar which had been a prominent name in the city for nearly 14 years. Its food philosophy combined traditional English seafood dishes with international influences. The building boasted spectacular panoramic views and would be a great asset to the city's visitors and seafood lovers.

Blue Plaque – Sake Dean Mahomed

19.6 On 5 November the Chair had attended the unveiling of the Blue Plaque for Sake Dean Mahomed (the Shampooing) surgeon to George IV at the Queens Hotel which was where his Indian Medicated vapour bath had been located. Shampooing involved medicated vapour bath using Indian herbs.

19.7 Brighton Museum & Art Gallery had put up a display dedicated to Sake Dean Mahomed. The star object was Mahomed's court dress – the sumptuous outfit he wore whilst attending to George IV. The display also featured miniature portraits of Mahomed and his wife, Jane, as well as other portraits and personal items, some of which had been recently acquired from his descendants. A short film accompanied the display and highlighted Sake Dean Mahomed's achievements.

Royal Pavilion and Museum sites – Awarded Assured Visitor Attraction Status

- 19.8 The RPM sites had all been awarded Quality Assured Visitor Attraction status, following audit visits by assessors from Visit England's Visitor Attraction Quality Scheme (VAQS). VAQS was a national visitor attraction standard, and the sites were assessed biennially against a set of criteria that focused on the whole visitor experience. The award was recognised by a number of agencies. In particular, having the VAQS award contributed to each sites' Museums and Galleries Accreditation submission by demonstrating that our sites met key service standards the User Services section of the Accreditation Standard.

Tourism – Day Trips and Staying trips

- 19.9 In 2018, Brighton, had seen an increase in tourism day trips with 9.5 million trips made, this was up by 1% from 2017, whilst the direct business turnover resulting from these trips had increased by 4% to £335m. This bucked the England and South East trend, with Brighton and Hove out-performing the country and region as a whole. Overall, an estimated 1.51m staying trips were spent in Brighton & Hove in 2018, of which around 1,138,000 were made by domestic visitors (up by 7% on 2017) and 374,000 by overseas visitors (decrease of 3% on 2017). Compared to 2017, total overnight trip volume increased by 4%, whilst the value remained static at £515m. Across the South East as a whole, the number of staying trips to the region by international visitors had fallen significantly by 23%, so Brighton significantly out-performed the region. The decline in overseas trips was attributed by the Office of National Statistics (ONS) to a reduction in the number of visitors originating from EU countries – potentially a result of ongoing Brexit negotiations which will also impacted on statistics for future years. Overnight trips had resulted in an estimated 4.95m visitor nights spent in Brighton & Hove in 2018, an increase of 1% compared to 2017. The total number of visitors was 11.01m (up by 1.5% on 2017) whilst total expenditure by visitors to Brighton & Hove was estimated to have been in the region of £850 million in 2018, an increase of 1.5% on 2017. Tourism Supported: 15,730 FTE jobs and 21,448 Actual jobs which equates to around 15.7% of all employee jobs in Brighton & Hove.

20 CALL OVER

- 20.1 The Democratic Services Officer read out items 24 – 28 on the agenda. It was noted that any items appearing under items 21 – 23 were automatically reserved. All other items appearing on the agenda were automatically reserved. All items were called for discussion.

21 PUBLIC INVOLVEMENT

21a Petitions

- 21.1 There were none.

21b Written Questions

- 21.2 It was noted that one written question had been received.

Libraries Plan

- 21.3 Mr Hawtree was invited forward to present his question (set out at page 1 of the addendum to the main agenda) and below:
- 21.4 “When I asked the Chair at Full Council, what public involvement there would be in the “Libraries Plan”, he merely replied that Councillors could attend a “presentation” about it on November 19, which did not answer my supplementary and so would the Chair now please take this opportunity to reply to the unanswered question.”
- 21.5 The Chair, Councillor Robins responded in the following terms:

“Public and community engagement will be in four main ways:

- Surveys to gather the views of library users across the city;
- Focus group work to gather more qualitative information from particular groups such as young people, and people with special needs;
- Research into the views of non-users of libraries; and
- Engagement through local community groups to get specific feedback from geographical areas or community interest groups

There will also be input from partner organisations who regularly work with libraries and from libraries staff and volunteers. At the Members working group on Tuesday this week, Members requested a longer period for public consultation, so this will now take place in January and February 2020. Therefore, the Libraries Plan report will come to this committee in June and onto P&R and full council in July 2020, subject to finalisation of committee dates in December.”

Deputation(s) – Whitehawk Hill and the Racecourse Landscape and City Plan Part 2

- 21.6 It was noted that one Deputation had been received.
- 21.7 Mr Bikers was invited forward to present his deputation (set out at page 7 of the addendum) and below:

“Whitehawk Hill and the wider Racecourse Landscape are one of Brighton and Hove’s most important assets, on a par with the Royal Pavilion and Preston and Hove Parks, for example. Whitehawk Hill is a statutorily designated Local Nature Reserve and most of it is statutory access land. It supports a range of rare and scarce habitats and species. It is the South Downs in our city and is a gateway to the wider Downs. It is well used and well loved by people from across the City, and especially by its neighbouring communities. Volunteers from these communities are working with the council’s ranger to conserve and restore its habitats and landscapes for people and wildlife. Despite all of this, this landscape is threatened with damaging development because sites within it are included in the list of housing allocations in City Plan Part 2. These allocations are based on the conclusions of the Urban Fringe Assessments, conclusions that were not adequately evidenced and are unsound. Further, despite meeting all the criteria, this landscape was not proposed for Local Green Space designation in the Urban Fringe Assessments and was not included as such in the City Plan. When asked, council officers were unable to offer any explanation for this. Public opposition to development on Whitehawk Hill was clearly demonstrated during the Save Whitehawk Hill campaign,

which opposed the Homes for Brighton and Hove proposals which emerged last year. This included full public meetings, the 'Beating the Bounds' walk with at least 120 people and a petition which attracted more than 1400 signatures.

Friends of Whitehawk Hill have submitted a document to the council setting out their case for the removal of these sites from the allocations in City Plan Part 2, as well as for the designation of this landscape as a Local Green Space. This includes evidence, for example, from ecological surveys carried out this year by professional ecologists. It demonstrates that development of these sites would damage ecology, landscape and views and people's access to and enjoyment of this landscape.

Friends of Whitehawk Hill have tried repeatedly to engage with councillors and officers over this but whilst some councillors have been supportive, it seems clear that officers do not want to engage with us over the substance of our case. Instead, they have rejected our attempts to engage and indicated that this is something that should be dealt with by the Planning Inspectorate, a national body remote from our city and landscapes. This is a plan for Brighton and Hove and Brighton and Hove Council can and should take ownership of the decisions involved in its preparation, including the decisions about the future of these sites. It should not wash its hands of them.

We ask Brighton and Hove Council to do the right thing, remove these sites from the list of housing allocations, designate it as a Local Green Space and develop a positive vision for the whole of this landscape. We would be happy to work with the council to make this case and deliver this vision and to this end we further urge the council to engage with us so that we can work together."

21.8 The Chair, Councillor Robins responded in the following terms:

"Thank you for deputation.

Consultation on the Draft City Plan Part 2 ended on the 13 September 2019 after ten weeks of consultation and the Planning Policy team have considered all of the representations that were put forward during that period. A revised City Plan Part 2 is due to be considered by the council in January, and if approved, will be published as the Proposed Submission version for six weeks formal consultation.

It would not be appropriate for the Council to look at the submitted evidence at this very late stage. It would be unfair to all those who did make valid representations within the prescribed period and were not given any further opportunity to submit further information.

We do acknowledge the considerable effort and energy that The Friends of Whitehawk Hill have put into their evidence gathering and would encourage the group to engage in the next stage of consultation. If after reading the Proposed Submission City Plan Part 2, you still consider the plan to be unsound, your objections and supporting analysis will need to be formally submitted during the consultation period. Duly made representations will then be considered alongside the submitted City Plan Part Two by an independent planning inspector appointed by the government."

- 21.9 **RESOLVED** - That the contents of the deputation and the Chair's response to it be noted and received.

22 ITEMS REFERRED FROM COUNCIL

Deputation – Pride PVP

- 22.1 It was noted that as the Deputee had already presented the Deputation at Full Council they were invited to hear the response and decision of the Committee but did not have the opportunity to speak to the Deputation again. The Committee needed to decide whether to note the Deputation or to call for an officer report.

- 22.2 The Chair responded in the following terms:

“Thank you for your Deputation.

I understand a written response to your deputation has already been sent to you and I cannot add any more to that today, other than to reiterate that a comprehensive review into the PVP was undertaken in 2018 following a deputation to Full Council by the Kingscliffe Society. Concerns raised by the Kingscliffe Society at that time were included in a report to this committee which was considered by members along with other evidence and the results of public consultation. A decision was taken that the event would remain where it is currently held. The written response sent to you following the deputation to council in October 2019, I believe answers the issues you have raised regarding the safety of the event. I am afraid that I don't have any more that I am able to add in response.”

- 22.3 **RESOLVED** – That the content of the deputation and the Chair's response to it be noted.

23 MEMBER INVOLVEMENT

23a Petitions

- 23.1 There were none.

23b Written Question(s)

- 23.2 It was noted that two written questions had been received from Councillor Nemeth (these were set out at pages 33 and 34 of the circulated agenda) and below:

(i) King Alfred Tenants - Councillor Nemeth

- 23.3 “When were the King Alfred Leisure Centre's tenants and principle user groups last formally informed as agreed about plans for the facility's redevelopment and exactly which tenants and groups did the communication include?”

- 23.4 The Chair, Councillor Robins responded in the following terms:

“Freedom Leisure, the council’s tenant for the King Alfred Leisure Centre were notified on 13 August 2019 that Crest Nicholson had withdrawn from the King Alfred redevelopment. When the council has agreed a way forward with regards to the facility the tenant will be notified to enable staff, sub tenants and user groups to be updated.

23.5 When invited to put a supplementary question, Councillor Nemeth expressed his concern regarding the on-going uncertainties and the Chair responded that the matter was being expedited and that all included members of the committee would be updated further as soon as it was possible to do so. It was hoped that would be early in the New Year. It should also be noted that the end of the project was very heavily publicised, so people would have known about it. If they wanted to find out more about it might mean for their own activities then that was something they would have discussed with “Freedom” who managed the centre day to day, not with the City Council.

23.6 **RESOLVED** - That the question and the Chair’s response to it be received and noted.

(ii) King Alfred Project Board

23.7 “What representations will the Chair be making to the King Alfred Leisure Centre Project Board in his capacity as head of sports for the city?”

23.8 The Chair, Councillor Robins, responded in the following terms:

“When closing the last project, the Policy & Resources Committee agreed that a new cross-party Project Board would lead the creation of a new project and oversee its delivery. The Board, which will meet early next year, will have a crucial role to play in resetting the project. This will include reviewing the sporting requirements of a new facility while taking into account the condition of the council’s existing sports facilities, work that is about to commence. The challenges posed by the last project and changing economic conditions will also be considered.

As Chair of this committee I will be taking a keen interest in the project and will be fully engaged in the process throughout, as will the Strategic Delivery Board, chaired by the Leader of the Council, which is also cross-party.”

23.9 **RESOLVED** – That the question and the Chair’s response to it be received and noted.

24 PUBLIC SPACE PROTECTION ORDERS PARKS AND GREEN SPACES REVIEW

24.1 The Committee considered a report of the Interim Executive Director, Housing Neighbourhoods and Communities the purpose of which was to consider the effectiveness of the Parks and Open Spaces Protection Order (PSPO) that was implemented in April 2017 under section 59 of the Anti-social Behaviour Crime and Policing Act 2014 and the continued use of the PSPO which was in place until 31 December 2019.

24.2 The Head of Safer Communities and Trading Standards introduced the report and explained the context of the existing PSPO, requesting that the Committee note the current arrangements which were in place and were due to lapse on 31 December 2019 and that it was recommended that officers undertake an in depth analysis of the Parks

and Open Spaces PSPO needed to be re-introduced in their current form or altered to include further/less areas and prohibitions in the future. As part of that review officers should explore the use of alternative legal tools.

- 24.3 It was noted that a proposed amendment had been received from the Green Group in the following terms:

~~“2.1 That the Committee notes that the current orders lapse on 31st December 2019 and directs officers to undertake an in depth analysis of whether the Parks and Open Spaces PSPO need to be re-introduced in the current form or altered to include further/less areas and prohibitions in the future. As part of that a review officers should also to explore the use of **enforcement of existing** alternative legal tools **such as bye-laws and to further detail options to remove the use of PSPOs in Parks and Open Spaces in the Brighton & Hove area.**”~~

- 24.4 The amendment had been proposed by Councillor Ebel and seconded by Councillor Powell both of whom at the Chair’s invitation spoke in support of their proposed amendment.
- 24.5 Following discussion the Chair put the proposals as amended and they were agreed as set out below.
- 24.6 **RESOLVED** – That the Committee notes that the current orders lapse on 31 December 2019 and directs officers to undertake a review to explore the enforcement of existing alternative tools such as bye-laws and to further detail options to remove the use of PSPOs in the Brighton and Hove area.

25 WOMEN IN LOCAL GOVERNMENT

- 25.1 The Committee considered a report of Executive Lead for Strategy, governance and Law (Monitoring Officer) prepared in response to the decision of Full Council to explore options implement the recommendations of the Fawcett Society on women in local government.
- 25.2 It was explained that in July 2017, The Fawcett Society in partnership with the Local Government Information unit had published a report on women in local government entitled “Does Local Government Work for Women?” The report had looked at the representation and experiences of women elected to local authorities. It made a number of recommendations for improvement. In December 2018 the Policy and Resources Committee agreed a number of actions but some of the recommendations required further consideration.
- 25.3 The actions proposed in response to the outstanding Fawcett Report recommendations were set out in Appendix 1 to the report. It was noted that these plans had been discussed by a cross-party group consisting of the Group whips.

- 25.4 The Chair noted that the following proposed amendment had been received from the Green Group:
To amend recommendation 2.2 and add recommendation 2.3 as shown in ***bold italics***:
- “2.2 That Members recommend to the Policy and Resources Committee that the proposals set out in Appendix 1 to the report be approved, ***with the additional recommendation 2.3***;
- That the Committee requests officers to promote all roles, available for flexible working and part time.***” (Proposed by Councillor and seconded by Councillor Rainey)
- 25.5 Councillor Powell spoke in support of her proposed amendment stating that whilst the work completed to date and proposed going forward was commended, she was of the view that the council should be doing all that it could both to support women in the workplace and to seek to make them fully aware of the flexible working options available to them. Councillor Rainey stated that she concurred in that view and therefore seconded the proposed amendment.
- 25.6 The Community Works invitee, Anusree Biswas Sasidharan, welcomed the report and the work that had been undertaken to implement the outstanding Fawcett Society recommendations. A great deal of work had obviously been undertaken and that was to be commended.
- 25.7 The Executive Lead for Strategy, Governance and Law explained that the report related primarily to the appointment of elected Members. The Council had arrangements in place in relation to the appointment of officers and that appointment to some posts for instance some group appointments fell outside the direct remit of the council.
- 25.8 Councillors Powell and Rainey stated that notwithstanding the comments made, which were noted and understood they wished their amendment to be considered and voted on. Considering that it was very important to encourage and enable flexible working arrangements and to seek to ensure that potential female councillors and staff were fully aware of those possibilities.
- 25.9 Councillors Nemeth and Mears stated that they did not feel able to support the proposed amendments as though happy to support the report recommendations as they stood, if amended they would take them outside the remit of what the council could do. Candidates were chosen on merit and group leaders were not precluded from operating that on a job share or on the grounds of gender.
- 25.10 Councillor Simson whilst understanding the rationale for the wording of the proposed amendment struggled with it as currently worded especially as the report related primarily to elected members rather than officers. Councillor Simson stated that she might feel able to support an amendment to the amendment which referred to “all roles” without stipulating what those roles might be. That was tentatively suggested as an amendment to the Green Group amendment but was not agreed. The Committee then moved to a vote on the Green Group amendment.
- 25.11 A vote was then taken on the proposed Green Group amendment which was agreed by a vote of 7 with 3 abstentions. It was then voted on as the substantive amendment and was agreed by a vote of 7 with 3 abstentions.

25.12 **RESOLVED** – (1) That the Committee agrees the plans to address the outstanding Fawcett Society recommendations as detailed in Appendix 1 to the report; and

25.13 **RESOLVED TO RECOMMEND TO POLICY AND RESOURCES COMMITTEE** – (2) That Members recommend to Policy and Resources Committee that the proposals set out in Appendix 1 be approved, with the addition of (3) below; and

(3) That the Committee requests officers to promote all roles, including senior roles, available for flexible working and part-time.

26 MADEIRA TERRACE RESTORATION - UPDATE

26.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture which sought to update members on the current status of the first phase of the restoration of Madeira Terrace including the procurement process and responded to the recommendations agreed at the Tourism Development and Culture Committee meeting held on 20 June 2019.

26.2 It was noted that at that committee meeting members had agreed to delegate authority to the Executive Director for Economy, Environment and culture to procure and award a contract for early design stage work and engineering of 30 of the total of 151 Madeira Arches. The report before the Committee that day set out that when the designs were ready and the costings for construction established, the council would move immediately to deliver the three arches paid for by crowd funding and would not wait for the funds to be available to implement 30 arches. Following delivery of the three arches the council would deliver as many arches as possible with the funding available at the time. The Committee had instructed officers to specify innovative renewable technology such as solar panels and rainwater harvesting so that this had been made a priority for the award of any contract awarded. It was considered that this would help to reduce costs in the long term and would help the city to meet its commitment to achieving a carbon neutral status by 2030.

26.3 It was noted that the report also set out the steps necessary to appoint the design team and the work being done with community stakeholders and was requesting that members support a request to Policy and Resources Committee for a cross party project board to be set up to offer governance for Madeira Terrace.

26.4 Councillors Nemeth and Mears supported the approach requested but hoped that funding could be found by whatever means to enable works to be undertaken to all of the arches at the earliest possible time to avoid a part finished scheme.

26.5 Councillors Rainey and Ebel echoed those concerned and hoped that crowd-finding and any other potential funding streams could be utilised in order to facilitate this scheme. It was agreed that the Committee would be provided with periodic updates.

26.6 **RESOLVED** – (1) That the Committee notes the current status of the project and the steps taken towards appointment of a design team, a crucial next step in restoration delivery which will start with the three arches; and

RESOLVED TO RECOMMEND TO THE POLICY AND RESOURCES COMMITTEE:

(2) That the Committee recommends to Policy & Resources Committee that it introduces a Project Board, with cross party representation for Madeira Terrace.

27 OUTDOOR EVENTS – MADEIRA DRIVE ROAD CLOSURES 2020

- 27.1 The Committee considered a report of the Executive Director, Economy Environment and Culture seeking approval from members for landlord's consent for each of the proposed events on Madeira Drive in 2020 and the associated road closures.
- 27.2 It was noted that Madeira Drive was a very important venue for events in the city as they drew residents and visitors and its use extended the seafront offer both geographically and seasonally as events were held throughout the year.
- 27.3 It was noted that a Green Group amendment had been received in the following terms:

To amend recommendations 2.2 and 2.3 and to add recommendation 2.4 as shown below in ***bold italics***

2.2 That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate, ***and welcome the scheduled officer report to the next committee meeting that considers the implications of applying an Environmental Impact Charge to all commercial events in line with the decision made at the Tourism, Development & Culture Committee meeting on 7 March 2019.***

2.3 That the committee authorises the Executive Director, Economy, Environment & Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy, ***and:***

2.4 That the committee requests that in light of this council's pledge to become carbon neutral, that all new applications that involve the display or racing of vehicles with a combustion engine are brought item by item to committee for

- 27.4 The proposed amendment had been proposed by Councillor Rainey and seconded by Councillor Ebel and they spoke in support of their proposed amendments. It was stressed that whilst not against events involving vehicles with internal combustion engines they did consider that issues relating to the climate emergency did need to be addressed.
- 27.5 The Chair stated that due to deadlines in processing applications it may not always be possible for applications to come to Committee direct and it might be necessary for them to be dealt with under urgency powers. He was also of the view that with increased use of electrically powered vehicles, the number of such applications was likely to abate.
- 27.6 Councillors, Nemeth Mears and Simon stated that they did not feel able to support the proposed amendment. Events on Madeira Drive generated a lot of interest in the city

and generated income for local businesses and it would be a mistake to potentially alienate individuals, the city needed to be inclusive.

27.7 **RESOLVED** – (1) That the Committee grants Landlord’s consent for each of the proposed events on Madeira Drive and the associated road closures as listed in Appendix 1 to the report;

(2) That the committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate, and requests an officer report to the next committee meeting that considers the implications of applying an Environmental Impact Charge to all commercial events in line with the decision made at the Tourism, Development and Culture and Culture Committee meeting on 7 March 2019;

(3) That the Committee authorises the Executive Director, Economy, Environment and Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy; and

(4) That the Committee requests that in light of this council’s pledge to become carbon neutral, that all new applications that involve the display or racing of vehicles with a combustion engine are brought item by item to committee for consideration.

28 OUTDOOR EVENTS - PARKS AND OPEN SPACES 2020

28.1 The Committee considered a report of the Executive Director, Economy, Environment and Culture, seeking approval for landlord’s consent for each of the proposed events in parks and open spaces in 2020.

28.2 It was noted that many of the events listed in Appendix 1 to the report had taken place before and had retained their traditional place in the calendar of outdoor events. Notwithstanding this as a balanced approach was required to prevent overuse of these areas, Appendix 1 also showed the range of spaces and sites where events were proposed to take place. Several new or amended event applications for 2020 and these were also summarised in the report.

28.3 In answer to question, it was explained that a sliding scale of charges was levied dependent on whether the event related to a charitable or other use. Those mounting events were also responsible for the costs of clear up afterwards as well.

28.4 **RESOLVED** – (1) That the Committee grants landlord’s consent for each of the proposed events listed in Appendix 1 to the report;

(2) That the Committee authorises officers to enter into formal agreements with event organisers to determine conditions, fees and levels of support as appropriate; and

(3) That the Committee authorises the Executive Director, Economy, Environment and Culture, after consultation with the Chair of the committee and opposition spokespersons, to make any alterations to the events programme as necessary and to approve new applications in accordance with the Outdoor Events Policy.

29 ITEMS REFERRED FOR FULL COUNCIL

29.1 There were none.

The meeting concluded at 6.30pm

Signed

Chair

Dated this

day of

Subject:	Petitions		
Date of Meeting:	16 January 2019		
Report of:	Monitoring Officer		
Contact Officer:	Name:	John Peel	Tel: 01273 291058
	E-mail:	john.peel@brighton-hove.gov.uk	
Wards Affected:	Various		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website.

2. RECOMMENDATIONS:

- 2.2 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum

3. PETITIONS

3. (i) Keep Hollingbury Park GC as a golf course – Matt Shimmans

To receive the following e-petition and paper petition signed by 2401 people at the time of publication:

"We the undersigned petition Brighton & Hove Council to ensure Hollingbury Park GC continues to remain as a golf course available to the general public. As one the last 2 municipal golf courses it is important Hollingbury continues to exist as a golf club, providing affordable and accessible golf to local residents. The course is already a thriving club with opportunity for further improvement and is also resident to a local junior golf business helping bring a new generation of local residents in to the game."

3. (ii) Keep Waterhall Golf Club as a Golf Course – Denis Jenkins

To receive the following petition signed by 264 people at the time of publication:

“We the undersigned petition Brighton & Hove Council to ensure Waterhall continues its use as a Golf Course
Waterhall Golf Course is a Public course, because of its unique natural drainage it can still be played when most other courses in Sussex cannot. We have been advised that 15 bids were made, some intending to keep the course open for golf, please choose a bid that keeps Golf at Waterhall”.

3. (iii) Create a haven for wildlife and wellbeing by restoring biodiversity on Hollingbury and Waterhall golf courses – Claudia Fisher

To receive the following petition signed by 2315 people at the time of publication:

“We the undersigned petition Brighton & Hove Council to 1. ‘Pause’ for sufficient time to carefully consider the future of Hollingbury and Waterhall golf courses (and to complete points 2 & 3), 2. Undertake a full public consultation with all stakeholders (such as Brighton Downs Alliance), and 3. Assess the environmental resources of the two sites before committing to any long-term business arrangements”.

WRITTEN QUESTIONS FROM MEMBERS

Every question shall be put and answered without discussion, but the person to whom a question has been put may decline to answer. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion.

The following written questions have been received from Members:

(i) Madeira Terraces - Councillor Nemeth

“What is (a) the likely cost of the repairs that will now be necessary following the recent theft/vandalism incident at Madeira Terraces and (b) what is the approximate annual cost of security measures that might have been taken to avoid such an incident happening in the first place?”

(ii) King Alfred Leisure Centre - Councillor Nemeth

“When will the first meeting of the new King Alfred Project Board be held and what representations will the Chair of this committee be making in his capacity as head of sport for the city?”

(iii) King Alfred Leisure Centre- Councillor Nemeth

“At the 19th November meeting of this committee, I was assured that detailed information on which tenants and user groups at the King Alfred had been contacted, or would urgently be contacted, about the site’s future. As of 6th January, nothing has been received by me. When will the information be provided?”

(iv) Planning Process

“What, if any, plans are in place to introduce AI routines to the planning system, as is happening in other authorities such as Milton Keynes, to speed up planning applications?”

(v) Webcasts

“Will past webcasts of this committee be made available soon as was suggested upon first usage of the new system on the council website?”

(vi) Brighton Town Hall

“Will the Chair arrange for a briefing to be sent to committee members with an update on this project?”

NOTICE OF MOTION**“PARTY HOUSES” – SHORT-TERM LETS**

- (1) This council notes with concern the ongoing issues raised by residents in neighbouring properties to ‘party houses’, many relating to alcohol abuse, noise disturbance, littering and vandalism. Whilst the vast majority of visitors to our city enjoy themselves without these issues and are very welcome here, we hear residents’ concerns and wish to build on previous work conducted by the council in order to take action against the exceptions.
- (2) This council recognises that it currently does not possess the powers to intervene and regulate these properties, and that this is a problem faced by many local authorities across the country.
- (3) This council deems it reasonable to request sufficient delegated powers to regulate the commercial lets market in the interests of residents, particularly in tourist destination authorities like Brighton & Hove.

Therefore, this council

- (1) Asks the Chief Executive:
 - (a) to write to AirBnB welcoming the consultation on registration, stipulating that council will participate; and to request AirBnB and short-term holiday let companies to consider creating a shareable register of reliable hosts,
 - (b) to write to the Secretary of State for Housing, Communities and Local Government to request:
 - (i) government revisit the planning Use Classes Order with potential introduction of a ‘Holiday Lettings Class’;
 - (ii) charging business rates to landlords of HMOs, party houses and AirBnB properties
 - (iii) the delegation of additional powers to local authorities, in order to allow the regulation of commercial short-term holiday lets, often known locally as ‘party houses.’
- (2) Requests that Tourism, Equalities, Communities & Culture Committee commission a report exploring the principle in planning caselaw from Richmond, Kensington & Chelsea and Cambridge, which stipulates a material change of use had occurred in party houses; and outlining the potential significance for BHCC.

Subject:	Community Safety and Crime in Brighton & Hove		
Date of Meeting:	16th January 2019		
Report of:	Interim Director of Housing Neighbourhoods and Communities		
Contact Officer:	Name:	Jo Player	Tel: 01273 292488
	Email:	jo.player@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Under the Crime and Disorder Act 1998, there is a requirement for statutory and other partners to formulate a plan every three years to tackle crime and disorder and monitor progress. This report provides an update on the current crime statistics and actions that are being undertaken by the Community Safety Partnership in relation to the Community Safety and Crime Reduction Strategy.

2. RECOMMENDATIONS:

- 2.1 That committee notes the information contained in the report which provides an update on work being undertaken by the Safer Communities team and partners in relation to the Community Safety and Crime Reduction Strategy 2017-20.

3. CONTEXT/ BACKGROUND INFORMATION

Overview of police recorded crime

- 3.1 In respect of the police data which follow, it should be noted that police recorded crime statistics can be impacted by changes in reporting practices, recording practices and policing activity, as well as by the number of crimes actually taking place.
- 3.2 In 2018/19 there were a total of 26,940 crimes recorded by the police in Brighton & Hove, a 3% increase compared with 2017/18. Total crimes have continued on a rising trend in the first six months of 2019/20, recording 11.2% more than in the same period in 2018/19. Nationally, recorded crime has also risen; in England & Wales there were 6% more total police recorded crimes in the year ending Jun 2019 than in the year ending Jun 2018¹.

¹ ONS Crime in England & Wales: Year ending June 2019

<https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/bulletins/crimeinenglandandwales/yearendi ngjune2019>

- 3.3 Broadly speaking, total crime is broken down into violent crime (44% of total crime in the first six months of 2019/20 in Brighton & Hove), acquisitive crime² (39% of total), criminal damage (10% of total) and other offences (7% of total).
- 3.4 In 2018/19 in Brighton & Hove, while there was an overall increase in total crime, some crime types increased considerably and some showed a decrease compared with 2017/18. However, in the first six months of 2019/20 all main crime groups have shown an increase to a greater or lesser extent compared with the same months of 2018/19.
- 3.5 Violence against the person crimes have increased by 8%, continuing the upward trend seen in 2018/19, although violence with injury has increased by a lesser extent (up 1.4%).
- 3.6 Robberies showed a marked increase in 2018/19 of 35% compared with the previous year and are continuing to show a substantial rise at 20% in the first half of 2019/20. This increase is also seen nationally. 211 out of the 219 robberies in this period were 'personal' robberies, with the rest being robberies of businesses.
- 3.7 Vehicle crimes rose by 29% in 2018/19, and this rising trend has continued at a slower rate in the first half of 2019/20 (up 2%) although theft of a vehicle has increased by 14%, while theft from a vehicle has dropped by 13%. Brighton & Hove is not alone in seeing an increase in vehicle crime; this is also evident across Sussex and nationally.
- 3.8 Having ended 2018/19 with a 21% decrease, numbers of cycle thefts have increased by 59% in the first half of 2019/20.
- 3.9 The number of criminal damage offences increased by 2% in 2018/19 and by a further 9% in the first half of 2019/20. 34% of criminal damage offences involved damage to a vehicle, 23% damage to a dwelling and 16% damage to other buildings.
- 3.10 Domestic violence incidents and crimes showed a year on year increase up to 2018/19 and this increase has continued into the first half of 2019/20 with a 13% increase compared the same period in 2018/19.
- 3.11 Police recorded sexual offences showed a steep year on year increase of between 14% and 22% between 2013/14 and 2017/18. This increase has subsequently slowed down with a smaller increase of 1.2% in 2018/19 and a very small increase of 0.4% in the first six months of 2019/20.
- 3.12 Appendix 1 provides data for key crime types in the first six months of 2019/20 and shows how this compares with the same months in 2018/19. Longer term trends, with seasonal patterns can be seen in the graphs in Appendix 2.

Anti-social behaviour and hate incidents/crimes

- 3.13 The long term declining trend in the number of police recorded ASB incidents continues with numbers recorded in 2018/19 showing a 17% decrease compared

² eg. burglary or theft

with 2017/18 and a further decrease of 12% in the first six months of 2019/20. 'ASB crimes'³ have shown a less consistent picture over the last few years, and in the first six months of 2019/20 there was a small decrease of 1% compared with the same months in 2018/19.

- 3.14 The Partnership Tactical Tasking and Co-ordination Group continues to agree and review Community Safety Priorities and ensures that resources are appropriately deployed.
- 3.15 The new Rough Sleeping Services Co-ordinator has established a system for the central monitoring and review of unauthorised encampments across the city, including weekly meetings with representatives of key teams from within and outside of the council. This is ensuring a joined-up and consistent response to this issue in the city.
- 3.16 In 2018/19 recorded homophobic incidents and crimes are showed a decrease while other forms of hate increased. In the first six months of 2019/20, with the exception of disability hate incidents which have decreased, all other hate crime/incident types have increased in number compared with the same months of 2018/19 although these findings should be viewed with caution on account of relatively low numbers.
- 3.17 Brighton & Hove City Council has been awarded the Gold Children and Young People's Champion Award from Stonewall for LGBTQ+ inclusion work in schools developed in tandem with Allsorts youth project
- 3.18 There have been continued LGBTQ+ community tensions over anti-trans groups and targeted campaigns against trans inclusion and equality both nationally and in the city.
- 3.19 Work with BMECP staff and partners is being planned aimed at increasing awareness of intersectional issues around trans and non-binary communities.

Safety in the night-time economy

- 3.20 Police recorded violence against the person as a whole rose by 8% in 2018/19 and have risen by a further 8% in the first six months of 2019/20, continuing a longer term upward trend. The subgroup of violence with injury increased by 3% in 2018/19 and has risen by a further 1.3% in the first six months of 2019/20.
- 3.21 Violence against the person offences (excluding those in a dwelling) in the city centre Cumulative Impact Zone and Special Stress Areas (2018 boundaries) in 2018/19 were 10% lower than in 2017/18 during peak night time economy hours (Friday and Saturday nights between 10pm and 5am). However, in the first six months of 2019/20 there were 5% more than in the same months of 2018/29. The Statement of Licensing Policy is due for a refresh in 2021. Consultation will start next year to inform that piece of work.
- 3.22 The Licensing Team are continuing test purchase operations, reviews and a stepped and targeted approach to licence premises management and

³ 'ASB crimes' refers to a grouping of police recorded crimes made up of: criminal damage, common assault, harassment, public order and affray

enforcement. 159 staff and 48 premises have received training regarding the sale of age restricted products since 1st April 2019.

- 3.23 There are now 192 premises that have voluntarily signed up to our Sensible on Strength scheme not to sell beers and ciders over 6% ABV. A further 49 premises have stopped selling strong beers without joining the scheme.

Domestic violence and abuse, sexual violence and violence against women & girls

- 3.24 Police recorded domestic violence crimes and incidents increased by 5% in 2018/19 compared with 2017/18 and have increased further by 13% in the first half of 2019/20 compared with the same period in 2018/19.
- 3.25 The number of police recorded sexual offences in 2018/19 showed a slight increase of 1.2% and in 2019/20 there has been a further small increase of 0.4% in the first half of the year.
- 3.26 Stalking is a relatively new offence. The number of recorded stalking crimes and incidents increased steeply from 60 in 2016/17 to 344 in 2018/19 and a further 221 crimes and incidents have been recorded in the first half of 2019/20. This is likely to be a response to greater awareness of this crime type.
- 3.27 A small number of incidents of harmful practices (including 'Honour Based' Violence and Forced Marriage) are reported to the police, with 6 cases reported in 2017/18 (all HBV), but rising to 14 in 2018/19 (11 HBV and 3 FM). There have yet to be any reported FGM crimes or incidents in 2019/20.
- 3.28 The volume of referrals to the Multi-Agency Risk Assessment Conference (MARAC) for domestic violence continues to increase, with 552 cases referred in 2017/18 and 707 in 2018/19. Numbers continue to rise and in the first six months of 2019/20 there were 354 cases referred.
- 3.29 Work has continued in preparation for the MARAC Hub Pilot which will commence on the 6th January 2020. A robust monitoring and evaluation process has been developed to ensure that progress and outcomes can be recorded.
- 3.30 In the last quarter, work has continued on the review and redesign of service pathways and partnership delivery approach. This will inform the specialist services commission in early 2020 but is also enabling immediate developments with existing partners to respond to service pressures.
- 3.31 The stakeholder engagement work that has been underway for the past year has concluded. The views collated during this process, along with the AVA consultation of 2018, local resource mapping and data and insight information form the evidence base for the strategy delivery plan. The findings will be presented at a Strategy Stakeholder Workshop on the 26th November where stakeholders will have the opportunity to comment on the findings for verification.
- 3.32 Development of the new commission for domestic and sexual violence and abuse and VAWG specialist services continues- with the market place consultation event due to take place on the 26th November. The commission will be launched in February 2020.

Violence Vulnerability and Exploitation (VVE)

- 3.32 Supporting parents to be partners in safeguarding against exploitation is a key national issue currently and as such BHCC is part of the national working group to develop this. Locally, BHCC is working with Sussex Police, Trust for Developing Communities (TDC) and the Office of the Sussex Police & Crime Commissioner (OSPCC) to scope out the current issues and identifying community and voluntary sector organisations to ensure the voices of families / parents help inform what any future parenting / peer support looks like.
- 3.33 There has been an influx of funding opportunities predominantly from the Home Office and / or OSPCC. This has led to a further investment of £20k in youth intervention within the city. Sussex Police was awarded £1.34 million from the Home Office serious violence fund to tackle knife crime which is predominantly being spent on police over-time, although there are funds available for bespoke knife crime interventions and engagement activity. The VVE Coordinator, Serious and Organised Crime Coordinator and the police lead for knife crime are working together to invest this money.
- 3.34 Brighton & Hove Safeguarding Children Partnership has also commissioned WiSE to design and deliver bespoke exploitation awareness training directly to relevant organisations and services. 60% of the city's licenced taxi drivers have already received this training and the remaining 40% will have completed this by national safeguarding week in November 2019. The taxi licencing team is working with the police and WiSE to address some of the issues raised by drivers including clearer reporting mechanisms and improved relationships between drivers and the police.

Community collaboration and resilience

- 3.35 Brighton & Hove has joined eight other UK cities in the Inclusive Cities Project. Inclusive Cities is a knowledge exchange initiative facilitated by the Centre On Migration Policy and Society enabling peer learning. It aims to deliver a step change in the approach to the inclusion of newcomers at the local level. The launch of Phase 2 of this project took place in Cardiff in November 2019 and was attended by an officer from the Communities, Equality and Third Sector Team in the council and the lead elected member for Equalities. There are plans to create a local task force to develop an action plan on inclusion for the city. This will be a subgroup of the Equalities and Inclusion Partnership (EQUIP).

Preventing terrorism and extremism

- 3.36 The Independent Review of 'Prevent' has begun and will focus on impact, ie. if Prevent is achieving its objectives, effectiveness of Prevent delivery and statutory Prevent Duty (both locally and nationally), its interaction with other policy areas and future direction of travel. A call for evidence has been issued on 7th October 2019 and will remain open for 2 months (until 9th December 2019). The review will report to Parliament by August 2020. The Prevent Board will encourage communities and partners to fully engage with the review.
- 3.37 A range of projects are being delivered in the city to mitigate strategic risks. Training to improve communities', young people's and professionals' understanding of the threat from the far right are planned and being delivered. In

the next quarter, cluster of training will be delivered to increase skills and confidence in countering the far right narrative, the champions from communities and professionals thus trained will support this work in the city.

- 3.38 The Prevent Education Officer continues to deliver lessons on Prevent (enabling students to understand what Prevent is, the different types of terrorism and the methods used by online radicalisers) to build resilience amongst young people. 538 students in three secondary schools have had lessons over the 6 months period.
- 3.39 A range of positive events have been participated in including the Mayor's Parlour Faith and LGBTQ Unity event, Disability Pride, Trans Pride and Pride, bringing diverse groups together to build cohesion, and raising awareness of counter-extremism messaging.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 This report is intended to provide an update on current progress on the work carried out as part of the Community Safety and Crime Reduction Strategy, and so this section is not applicable. Ways of achieving the aims set out in the partnership Strategy are considered based on the annual strategic assessment of crime and community safety.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Strategic Assessment on which the current Strategy was carried out in the autumn of 2016 and included a consultation event on the findings and proposed priorities for 2017-20. Invited participants included members of the Safe in the City Partnership Board, and community and voluntary sector partners, including representatives of Local Action Teams and communities of interest.
- 5.2 A draft of the Community Safety Strategy was made available for public comment via the consultation portal and in more targeted arenas.

6. CONCLUSION

- 6.1 This report is to provide an update of progress on work under the Community Safety and Crime Reduction Strategy 2017-20 and to invite any comment.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications arising from this report. However, any work undertaken by the council as a result of this report will need to be met from within current budget resources.

Finance Officer Consulted: Michael Bentley

Date: 03/12/19

Legal Implications:

- 7.2 All work currently being undertaken is within the council's statutory powers. Any new areas of action would either have to be closely aligned to current work or would need specific approval under the scheme of delegation.

Lawyer Consulted: Simon Court

Date: 2nd December 2019

Equalities Implications:

- 7.3 The Community Safety and Crime Reduction Strategy is subject to an ongoing and embedded equality impact assessment where specific actions and activities are identified and assessed for equality impact. The work around hate crime helps us to address our responsibilities under the Equalities Act.

Sustainability Implications:

- 7.4 None

SUPPORTING DOCUMENTATION

Appendices:

1. Crime statistics 2019/20: position at end of September 2019
2. Crime trends up to September 2019

Background Documents

1. ONS Crime in England & Wales: Year ending June 2019

Appendix 1. Crime statistics 2019/20: position at end of September 2019

Performance compared with last year

	number of crimes Apr 18 – Sep 18	number of crimes Apr 19 – Sep 19	rank within 15 bench- marked CSPs ⁴
Police recorded crimes			1=best; 15=worst
Total Crimes	13916	15480	12
Criminal Damage (incl. arson)	1359	1479	10
Injury Violence	1566	1588	10
Violence Against the Person	5756	6220	11
Sexual Offences	496	498	8 ⁵
Robbery	183	219	8
Burglary	643	917	9
Vehicle Crime	1014	1035	5
Pedal Cycle Theft	477	757	14
Theft and handling (incl. motor vehicle theft)	4495	5053	10 ⁶
Police recorded incidents and crimes			
Domestic Violence Incidents and Crimes	2673	3014	n/a ⁷
Racist Incidents and Crimes	285	293	n/a
Religiously-motivated Incidents and Crimes	36	121	n/a
Homophobic Incidents and Crimes	122	134	n/a
Gender Identity Hate Incidents and Crimes	26	29	n/a
Disability Hate Incidents and Crimes	46	41	n/a
Anti-Social Behaviour Incidents	4668	4100	n/a

⁴ Latest available three month period (usually one month lag). Ranking based on crime 'rate' per head of population, or per no. of households in the case of domestic burglary. CSP= Community Safety Partnership

⁵ Because there remains an emphasis on encouraging reporting of sexual offences, it does not necessarily follow that a low rank is 'good' and a high rank is 'bad'.

⁶ ONS theft offences group

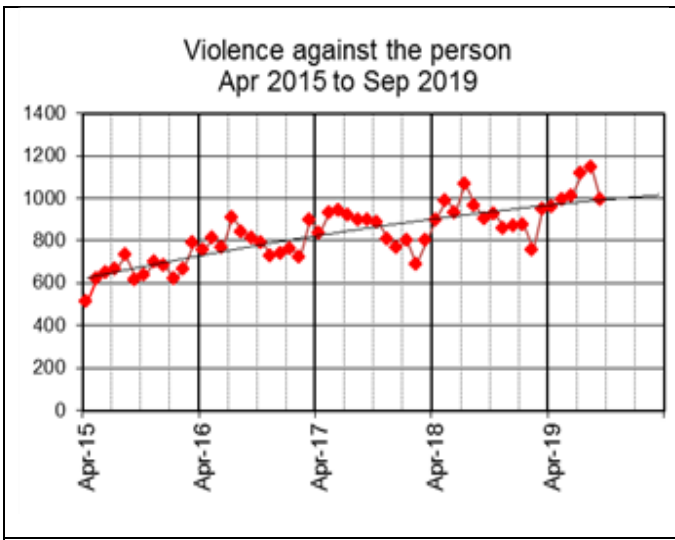
⁷ Comparative/benchmarking data are not available.

Appendix 2:

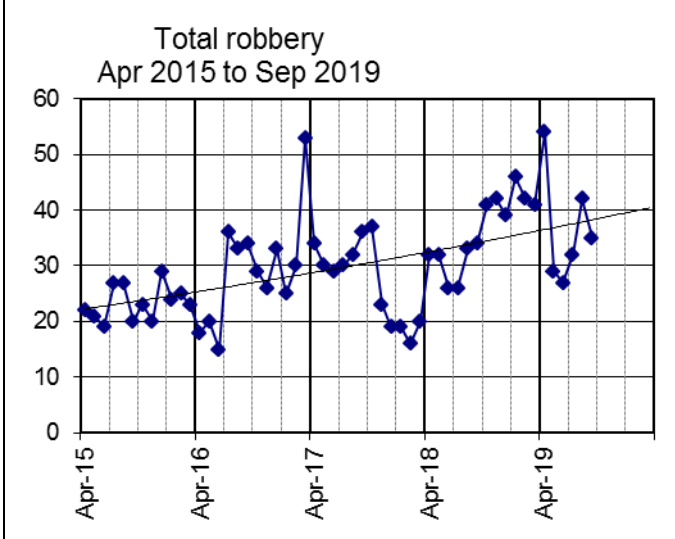
Crime trends up to September 2019 (monthly data)⁸

	<p>8.1 The number of crimes recorded by the police continues to demonstrate a seasonal pattern with higher numbers the summer than the winter months. However, July and August 2019 showed particularly high numbers. Since 2014/15 there has been an overall upward trend in recorded crimes.</p>
	<p>8.2 There has been no clear trend in recorded criminal damage over the last five years and a seasonal pattern is not observable. Although a downwards trend was suggested during 2017/18, there has been a slight upturn since then.</p>

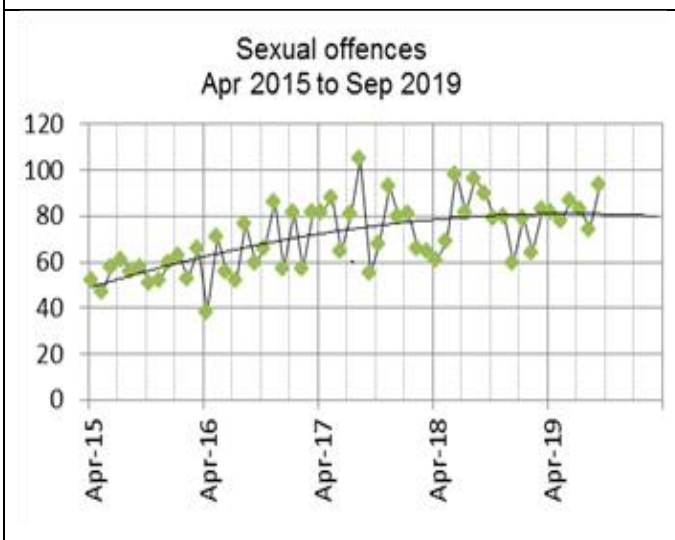
⁸ Trend lines are based on the best fitting 2nd order polynomial curve



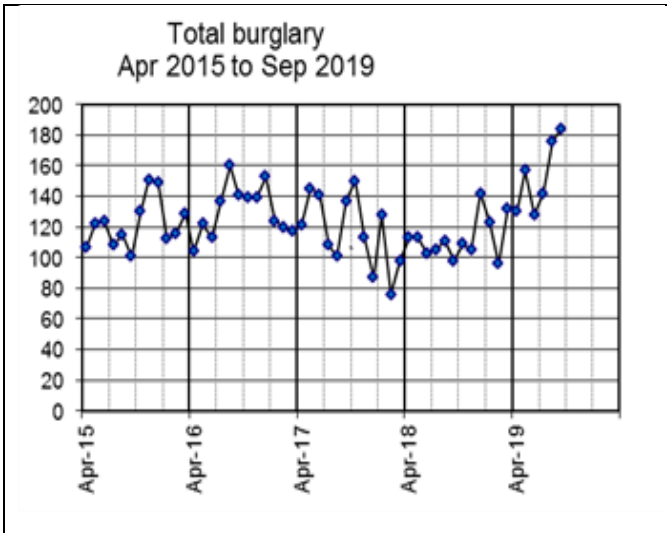
8.3 Police recorded violence against the person data show a steeply rising trend from 2015/16 onwards, overlaid with a seasonal pattern (higher levels in the summer). Some of this increase may have been linked to changes in police data recording practice and was observed both nationally and locally. However, latest data continues to show an upward trend.



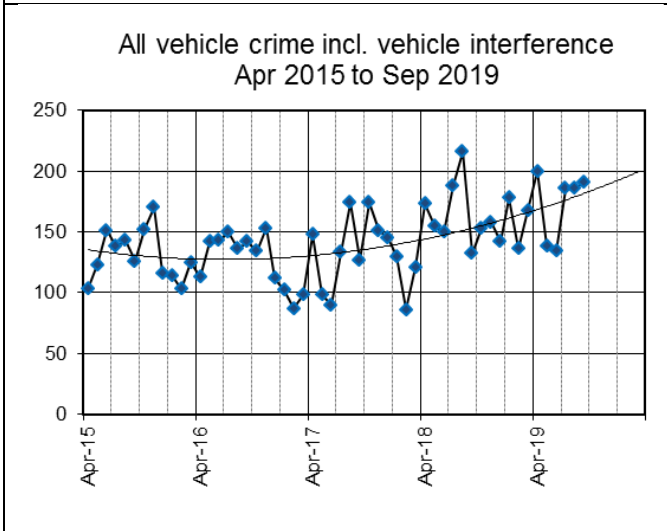
8.4 The number of robberies has overall been on a rising trend since 2015/16, although there has been significant fluctuation over that period. Most robberies are personal robberies (220 in the first 6 months of 2019/20) and a minority are business robberies (8 in the same period).



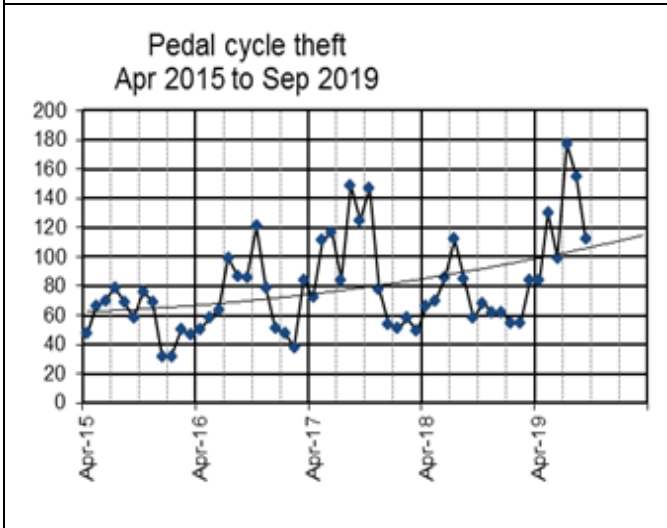
8.5 Police recorded sexual offences have generally been on an upward trend since 2015/16, although there is a suggestion that the trend may have flattened. More reporting of sexual offences is generally regarded as a positive outcome in that victims are feeling more confident in doing so.



8.6 Following an upwards trend in 2015/16 and 2016/17, the trend in burglaries in 2017/18 and 2018/19 was downward. However, there has been a steep rise in burglaries in the first half of 2019/20, peaking at 183 in September 2019, and nearly as high the previous month.

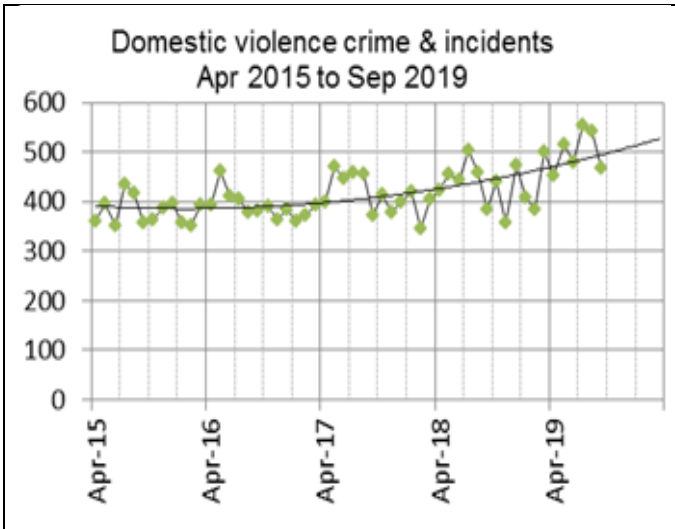


8.7 The number of vehicle crimes were on a long term decline until 2016/17, but since then there has been an increasing trend, albeit with quite a degree of fluctuation from month to month.

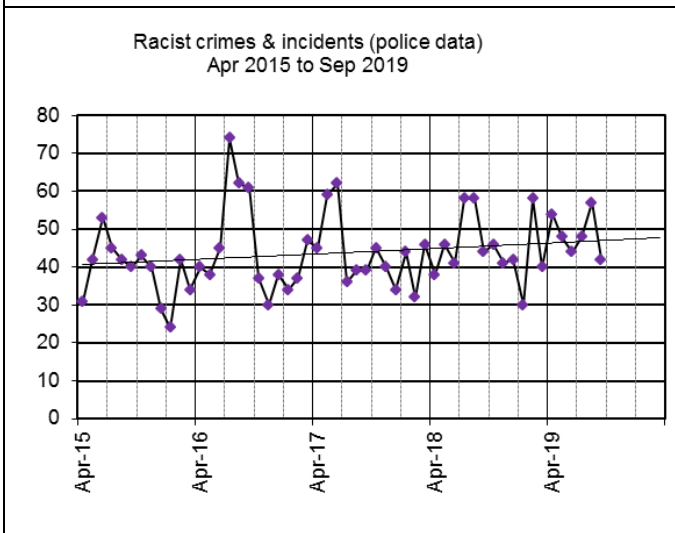


8.8 A seasonal pattern in cycle thefts is normally observed every year and is linked to those months when more people tend to cycle. Enhanced summer peaks have again been observed in each of the last four years. Numbers between July and August 2019 were particularly high, peaking at 177 cycle thefts recorded in July.

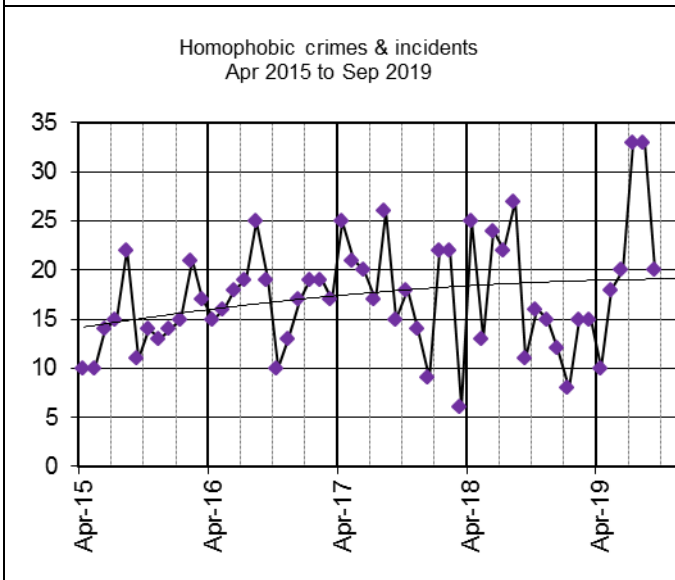
CAVEAT. Police crime data presented in this report only reflects those crimes which are reported and recorded. There is likely to be a level of underreporting in many crime types. However, domestic violence and the hate crimes on this page may be particularly liable to underreporting.



8.9 An upward trend since 2017/18 has continued into 2019/20. Improved recording practices and a greater confidence to report domestic violence crimes and incidents will impact on the number of crimes being recorded.



8.10 A notable spike in racist incident and crimes can be seen in the summer of 2016 shortly after the EU referendum vote to leave the European Union. Since then numbers have fluctuated between about 30 and 50 per month.



8.11 There was a long term rising trend in the number of homophobic crimes recorded by the police up to the summer of 2017. Numbers have fluctuated considerably over the last 18 months, but reached a peak in July and August of 2019 when over 30 were recorded in each of those months.

Subject:	Hollingbury Park and Waterhall Golf Courses		
Report of:	Executive Director, Economy, Environment & Culture		
Date of Meeting:	16 January 2020 23 January 2020 – Policy & Resources Committee		
Contact Officer:	Name:	Ian Shurrock	Tel: 01273 292084
	Email:	ian.shurrock@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The council is the freehold owner of two public golf courses in the city - Hollingbury Park Golf Course (HPGC) and Waterhall Golf Course (WGC). The current ten year management contract with Mytime Active to operate the golf courses on behalf of the council ends on 31st March 2020.
- 1.2 A market assessment was undertaken of the golf courses (in August 2018) due to the challenging financial position experienced by the operator during the current contract. This market assessment identified the potential for a sustainable future for the golf courses through long term leases for golf or other leisure uses. Tourism, Development & Culture Committee (TDC) in June 2019 agreed for a marketing exercise to be undertaken of the golf courses with a further report to be brought to the committee on the outcome of the exercise.

2. RECOMMENDATIONS:

That the Tourism, Equalities, Communities & Culture Committee:

- 2.1 Notes the current management contract with Mytime Active to operate the council's golf courses at Hollingbury Park and Waterhall expires on 31st March 2020.
- 2.2 Recommends to Policy & Resources Committee that it agrees to lease Waterhall Golf Course to the Community Interest Company (CIC) described in the bid appended to the Part 2 report for a period of 25 years.
- 2.3 Recommends to Policy & Resources that it delegates authority to the Executive Director, Economy, Environment & Culture to conclude the lease arrangements for Waterhall Golf Course as per 2.2.
- 2.4 Authorises officers to continue to interrogate and clarify the bids received in relation to Hollingbury Park Golf Course and notes that officers hope to make a recommendation to Policy & Resources Committee on 23 January as to the future of the site.

That the Policy & Resources Committee:

- 2.1 Agrees to lease Waterhall Golf Course to the Community Interest Company (CIC) described in the bid appended to the Part 2 report for a period of 25 years.
- 2.2 Delegates authority to the Executive Director, Economy, Environment & Culture to conclude the lease arrangements for Waterhall Golf Course as per recommendation 2.3 above.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The golf courses are currently operated by Mytime Active on behalf of Brighton & Hove City Council (BHCC). Mytime Active is a social enterprise with charitable objectives and are the largest operator of public golf courses in the UK (16 courses). BHCC currently receives an annual management fee from Mytime Active. This was procured by tendering a management contract to operate the two courses in 2009. In 2010 Mytime Active were appointed to manage both courses on a 10 year contract.
- 3.2 Before the current management arrangements were in place the courses were operated 'in house' by BHCC. When the courses were operated by the council a subsidy was required. By transferring the two courses to an external operator the subsidy was converted to an income stream for the council.
- 3.3 Golf participation in the UK has been showing a gradual decline over recent years. Factors which are considered to be causing the decline includes the oversupply of courses, the length of time it takes to play a full 18 hole round (approximately four hours), that golf is relatively expensive to play, the increased participation in other recreational opportunities such as cycling, and a lack of diversity of golf participants.
- 3.4 The golf market is therefore very competitive and numerous clubs and courses across the country have closed – both private and local authority owned. In Brighton and Hove there are a large number of courses all competing within a fairly small geographical area, however, the costs of participation vary. In general, the membership of a private golf course costs at least £400 per year more than HPGC and WGC.
- 3.5 In addition, less than 15 miles outside the Brighton & Hove boundary there are also a number of other courses. These include Pyecombe (full membership - £1284 per annum), Singing Hills, Albourne (full membership £1150 per annum), Mid Sussex (full membership - £1355 per annum), Haywards Heath (full membership - £1350 per annum), Lewes (full membership £1350 per annum). In addition Hassocks has recently closed for housing development. Golf participation boomed in the 1990's, however it has not been sustained which has impacted on the viability of courses.
- 3.6 Season ticket holders provide the core usage for each course and are very important for the viability of a course. In addition, there is also the opportunity to play golf on a green fee (play and pay basis) for those not wishing to commit to the expense of a season ticket.

- 3.7 Season ticket holders also have the opportunity to join the independently run golf clubs which are based at each course. By joining a club, a golfer is given the chance to play in competitions, competitive matches and enjoy social activities.
- 3.8 In the report at the June Committee the decline in season ticket holders across both courses up to and including 2018 was highlighted. The current position in 2019 has shown a significant increase in season ticket holders at Hollingbury Park, which can be substantially attributed to the efforts of the new management team at the course.

Season Ticket Holders

Golf Course	Season Ticket Holders 2010	Season Ticket Holders 2018	Season Ticket Holders 2019	Change 2018 to 2019
Hollingbury Park	461	271	325	Up 54 20% increase
Waterhall	235	94	88	Down 6

- 3.9 HPGC is far more accessible than WGC from a golf perspective as the course is less challenging and therefore more suitable as an introductory course for those new to the sport. The topography of WGC is such that electric buggies cannot be used. There are steep climbs and descents at different points of the course meaning that it presents a challenge to less mobile users. HPGC has a more forgiving landscape which allows electric buggies to be used. This means the course can better cater for both older and less mobile users and is more appealing to golf societies (group bookings).
- 3.10 Mytime Active have undertaken a number of initiatives to improve the financial position of the courses. These include footgolf at WGC, an enhanced catering and function offer at HPGC and golf development initiatives. However, the financial benefits of these initiatives have not been able to fully compensate for the decline in income from golf.
- 3.11 The planning designation for both sites is D2 which is the use of premises for entertainment and leisure purposes. Both courses are located within the South Downs National Park which combined with the planning designation could restrict planning permission being achieved for future developments.

Outcome of Marketing Exercise for the Golf Courses

- 3.12 The council has been undertaking an open marketing exercise for both golf courses overseen by Savills as a specialist marketing agent for these type of properties. Interested parties have been invited to submit proposals in respect of letting the sites on long leases (of at least 25 years) as agreed by the Tourism, Development & Culture Committee.

- 3.13 The courses have been advertised requesting proposals for golf, leisure, recreation, education or conservation uses e.g. rewilding. Advertising took place in both local and national publications to attract a wide range of interested parties. All proposals would be subject to planning with the South Downs National Park Authority as the Local Planning Authority.
- 3.14 The number and diversity of the bids received was positive although the quality of some of the bids was disappointing. Please see a summary below of the primary use of enquiries for each site. The information is limited because on a first enquiry it is not common practice for an individual to explain their proposed use, it is purely just a request for further information. However, the level and range of interest generated reflected positively on the marketing approach and literature. It is also important to note that a number of the enquiries were for both properties. Also, some enquiries were for more than one proposed use.

Primary Use	Enquiries for HPGC	Enquiries for WGC
Golf	17	16
Re-wilding	5	6
Holiday Lodges, camping, glamping	4	5
Bike park	2	2
Leisure centre		2
Residential	4	2
Weddings	2	1
Burials	1	1
Dog walking		1
Surf pool	1	1
Country park	1	1
Farm		1
TOTAL	75	75

- 3.15 In total 15 actual bids were received by the closing date and they consisted of a combination of bids for individual sites and both sites as below. The primary use of each bid is listed below:

Bids received (15)

HPGC (6)	WGC (6)	Both (3)
Golf - 3	Rewilding - 2	Golf – 1
Bike Park/Outdoors Centre - 1	Bike Park - 1	Rewilding – 2
Burial Ground/9 hole golf course - 1	Farming - 1	
Camping - 1	Outdoor Activity Centre - 1	
	Water Sports Park - 1	

- 3.16 The bid proposals have been evaluated against the following criteria:-

- Suitability of proposed use.
- Understanding of local trading environment and demographics.
- Operating experience in running comparable ventures elsewhere.

- Details of the proposal and associated business plan, including how the venture will be funded.
 - Strength of tenant covenant and financial viability.
 - Social Value (Economic, Social & Environmental).
 - Level of rental offer in the context of the proposed use.
 - Proposed variations to the draft heads of terms.
- 3.17 A number of the bids sought a subsidy from the council. These bids were not considered favourably by the council as we are unable to fund a subsidy. They also present procurement and state aid problems – as described in the legal implications below.
- 3.18 The evaluation of the bids was undertaken by an officer panel with advice from Savills as the marketing agent. The full bid proposal from the preferred leaseholder for WGC and the summary of all the bids submitted by the closing date are included in Part 2 - Confidential Appendix 1 and Confidential Appendix 2. An overview of the bid from the preferred Leaseholder for WGC is summarised below:

Waterhall Golf Course – Preferred Leaseholder

Summary of bid

Restoration/Re-wilding

- The restoration/rewilding of WGC managed by a Community Interest Company (CIC) to restore the chalk grasslands and scrub with a management strategy to:
 - Reduce soil nutrient levels by cessation of all fertilizer applications and by taking hay cuts and removing cuttings.
 - Restore Chalk Grassland by harrowing and the introduction of green hay from more botanically diverse council sites adjacent to the golf course.
 - Scrub improvement by cyclical scrub management and improvement based on coppicing.
 - On-going management by grazing with livestock such as sheep or cattle. The livestock would be temporarily hired from a local grazier for a short period of time in the spring to “agitate” the land. The livestock would remain the responsibility of the local grazier who would be paid a fee to undertake this conservation grazing.
- Without proper management and conservation grazing the bidder indicates that the site would revert to closed canopy woodland in 10 to 20 years’ time. Although this would be at a lower cost, this would result in a loss from the already impoverished biodiversity of the site.
- The proposal is that the site will act as a wildlife corridor connecting the adjoining wildlife sites on council land overseen by the Friends of Waterhall, bringing a net gain to all of these sites.

- Representation from groups and individuals with knowledge and expertise of such a project would be sought for the CIC.

Access Plan

- An access plan would be agreed with the council to ensure that public access is maintained while ensuring that there is not a negative impact on wildlife and the conservation of the area.
- In particular it will be important to ensure that all dogs walked in the area are kept under control and potentially on leads. The site is currently used extensively by commercial dog walkers with numerous dogs at any one time and this would need to be carefully managed to ensure suitable and compatible use.

Education Centre

- A second phase proposal is the replacement of the current green keeping building with an Education Centre. This would take place once the CIC reaches a breakeven position which is anticipated to be in year 4.
- The Education Centre would include classroom and seating area together with ancillary facilities. An Educational Access Plan would be developed with the aim to fund and host between 1000 and 3000 children and adults each year on educational visits.
- The site will host organised volunteering days where local residents can help with and learn about the conservation efforts on the site. In addition, the site would seek volunteers with specific experience in education or ecology to facilitate educational trips.
- In addition, the intention is to use this facility to host corporate events with the income generated to directly fund educational visits.

Business Case

- The above management strategy is expensive both in terms of on-going management revenue costs and capital works such as fencing to enable the conservation grazing. Applications for Countryside Stewardship grants would be made to offset some of the cost, but the vast majority of funding for the project would be provided by available private capital investment from the proposed leaseholder and the associated revenue from an events venue.

Events Venue

- The events venue would be established by the conversion of the existing clubhouse. Significant capital investment would be required at the outset from the leaseholder - which is part of the bid. The events venue would be designed to cater for family occasions as well as other events such as business meetings.
- The events venue would be designed with an external appearance which would ensure the building sits less intrusively within the downland context.

- There would be improved energy performance by increasing insulation levels and the standard of glazing, together with new, energy efficient services.
- Provide a venue for events with a capacity of 120 people.

Payment to the Council

- An annual rent is proposed to be paid to the council (after a rent free period of three years) which reflects the significant capital investment into the events venue and that required over a long period of grassland restoration. In addition, the nature of use which is primarily the managed conservation of the course will improve the environmental well-being of the area.

Waterhall Golf Course – cost of “mothballing” the site

- 3.19 If a tenant is not appointed until after the end of the current golf management contract on 31st March 2020, there would be “mothballing” costs which are estimated to be 53k for the first year. A detailed breakdown of these estimated costs is included in Appendix 1.

Waterhall Golf Course - staff

- 3.20 There are three positions employed by Mytime Active at WGC which will be made redundant when the current management contract ends on 31st March 2020. The council will ensure the Mytime staff employed in these positions will be kept informed of council’s vacancies. It is not possible to give any priority to these staff over other job applicants as they are not council employees. Attention is drawn to the council’s Fair and Inclusive Action plan, and the importance of ensuring open access to council employment vacancies.

Hollingbury Park Golf Course - Current Position

- 3.21 At the current time a preferred leaseholder has not been identified. Officers have asked for more information in relation to a proposal received from a bidder who would continue to run the site as a golf course alongside the development of the clubhouse for activities to promote health and wellbeing. If this additional information is sufficient, officers will make a positive recommendation to Policy & Resources Committee on 23rd January 2020. If the Policy & Resources Committee approves this recommendation it is highly likely that the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) will apply. Once the Council has made this decision Mytime will be able to consult with staff and comply with the TUPE regulations. The Council will need to agree a lease with the bidder very quickly. If the site is to continue to be operated as a golf course, it is important that there is no gap and that the new provider takes over the operation of the course on 1st April 2020. This will provide certainty to staff, ensures that golf club members and players are retained and that the site does not deteriorate. If there is a gap, the site will cease to be a going concern as a golf course (although TUPE may still apply – see the legal implications below).

- 3.22 If there are no bids which can be recommended to Policy & Resources Committee, then the recommendation will be to mothball the site and undertake a review of the options. If the site was mothballed (please see Appendix 1 for costs) the course and clubhouse would deteriorate and is likely to become unviable and too expensive to re-instate for golf in the future. The land would also become quickly overgrown and with no active management, this would not meet the aspirations expressed for rewilding.
- 3.23 At present the council receives a payment from the management contractor to operate both courses. To continue to solely operate HPGC, Mytime Active would require a significant payment from the council and therefore this option has not been recommended.
- 3.24 It is appreciated that this position is not ideal as it creates uncertainty for the staff and users of HPGC. However, it is very important that the council continues to pursue a sustainable solution for HPGC with existing bidders and concludes the marketing exercise.
- 3.25 If the council decides it cannot proceed with a bid which will continue to run the site as a golf course there will be eight Mytime Active employees who will be made redundant when the current management contract ends on 31st March 2020. The council will ensure the Mytime staff employed in these positions will be kept informed of council's vacancies. It is not possible to give any priority to these staff over other job applicants as they are not council employees, particularly given the objectives of the council's Fair and Inclusive Action plan, and the importance of ensuring open access to council employment vacancies.

Hollingbury Park Golf Course – cost of “mothballing” the site

- 3.26 If a tenant is not appointed until after the end of the current golf management contract on 31st March 2020, there would be “mothballing” costs which are estimated to be £98k per annum. A detailed breakdown of these estimated costs is included in Appendix 1.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 At TDC Committee in June 2019 the following four options were considered:

Option 1: Market both Hollingbury Park and Waterhall on long term leases for either golf or other leisure use(s).

Option 2: Procure management contracts for both Hollingbury Park and Waterhall as golf courses.

Option 3: Retain both Hollingbury Park and Waterhall as golf courses with an in-house operation.

Option 4: Market both Hollingbury Park and Waterhall on long term leases for golf only.

- 4.2 As well as considering the above options with the committee approving Option 1 to be undertaken, the committee also requested for an Option 5 to be

considered. This was to explore the opportunity and financial viability of bringing both courses back in-house, with the option to convert one or both of the courses into a different type of leisure facility or environmental space including the feasibility of a rewilding project.

- 4.3 A financial assessment was undertaken by specialist consultants of the future delivery of the golf courses via a management arrangement (rather than long term lease). This assessment indicated that this option in terms of operating the golf courses (either via a specialist golf contractor or in house) is likely to worsen the council's revenue position significantly compared with the current arrangements. The financial assessment indicated that the in-house option would be even more expensive than a specialist golf contractor, and is therefore not considered to be financially viable.
- 4.4 An in house re-wilding proposal was received as part of the bidding process and the evaluation of that bid is enclosed in Confidential Appendix 2

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 Engagement with Hollingbury Park Golf Club and Waterhall Golf Club has taken place throughout the term of the contract principally by Mytime Active as the operator. Council Officers have also met with both clubs in recent months along with MyTime Active.

6. CONCLUSION

- 6.1 A preferred leaseholder has been recommended for WGC following the marketing exercise. However, work is on-going to see if it is possible to identify a preferred leaseholder that could be recommended for HPGC.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The council currently receives an annual contract management fee from the existing management contract to operate the golf courses. The proposed lease of WGC would result in an annual rental fee (after a rent free period of 3 years) payable to the council which is less than the current management fee. This reduced fee reflects the current market conditions and the capital investment required. The fee level would therefore result in a revenue budget pressure which will be considered as part of the budget setting process. The proposed lease is viewed to be the most advantageous and viable when considered against the set criteria as detailed in the main body of the report.
- 7.2 The proposed lease includes a commitment of capital investment in the site funded by the preferred bidder. An alternative to this proposal would be for the council to identify capital funding from its own resources to carry out the equivalent works which would increase the potential annual rental value. Availability of council capital funds is limited due to demands from other priority capital investments.

- 7.3 It is anticipated that the financial implications associated to the future of HPGC will be considered and reported to Policy & Resources Committee on 23rd January 2020.
- 7.4 It should be noted that “mothballing” either or both sites would result in the council incurring expenditure as detailed in Appendix 1. The total costs for the first year are estimated to be £0.151m which is not currently within approved expenditure for 2020/21.

Finance Officer Consulted: Steven Bedford

Date: 16/12/19

Legal Implications:

- 7.5 The proposal is to enter into long leases with exclusive possession and permitted use for the courses. The proposals do not include any obligation on the lessee to provide and/or manage any services at the courses and therefore the Concession Contracts Regulations 2016 did not apply. As the regulations did not apply, the council was not required to carry out a procurement in a prescribed way. Many of the bids received sought a subsidy from the council. Arrangements whereby the council provides funding may constitute contracts for services and therefore raise procurement and state aid issues as a compliant procurement has not been carried out.
- 7.6 When the council invited bids, it indicated the criteria which it would apply to determine which bid was successful. Officers and their advisors have carried out an evaluation based on that criteria and the decision recommended in relation to the Waterhall Golf Course is therefore not susceptible to challenge on public law grounds.
- 7.7 The council is under an obligation when leasing land to achieve the best consideration reasonably obtainable (s123 Local Government Act 1972). However the Secretary of State has issued a general consent: Circular 06/03: Local Government Act 1972 general disposal consent (England) 2003 which allows the Council to dispose of land for less than best consideration provided that the undervalue does not exceed £2m and the authority considers that the disposal will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area. The disposal of the Waterhall Golf Course to the Community Interest Company represents a disposal for best consideration.
- 7.8 Decisions to dispose of land must be made by the Policy and Resources Committee. Where a matter is to be referred to Policy & Resources Committee it will normally be considered first by the service committee, which in the case of these sites is the Tourism, Equalities, Community & Culture Committee. However this is not necessary if it is impractical for timing or for other reasons and a decision in relation to the future of Hollingbury Park Golf Course can therefore be made by the Policy and Resources Committee on the 23 January following consultation with the service Committee Chair.
- 7.9 The staff employed by Mytime may transfer to a new supplier if the Transfer of Undertakings (Protection of Employment) Regulations 2006 apply. This will depend on the nature of the service or business following the transfer. The

Council can assist Mytime and their staff by notifying Mytime as soon as possible if there is a possibility that there will be a TUPE transfer. Mytime and the transferee will then be able to comply with the regulations e.g. in relation to informing and consulting staff.

Lawyer Consulted: Alice Rowland

Date: 16/12/2019

Equalities Implications:

- 7.10 In relation to the preferred bid for WGC, a Public Access Plan would be agreed with the council to ensure appropriate public access could be achieved that is compatible with the conservation of the area.
- 7.11 If golf does not continue at either HPGC or WGC, this would cease the provision of public golf opportunities in the city, which are more accessible from a cost perspective than private provision.

Sustainability Implications:

- 7.12 In relation to the preferred bid for WGC, the focus is on achieving a sustainable chalk landscape that would be for the benefit of the local community.
- 7.13 In addition, the capital investment to provide a new Events Venue and Education Centre would include a range of energy saving measures.

Public Health Implications:

- 7.14 If golf is not continued to be provided at both or either course, the opportunity for members of the public to achieve the physical activity benefits of playing golf at these courses would be lost.
- 7.15 In addition, the mental health and well-being benefits of participation in golf at the courses would not be achieved.

SUPPORTING DOCUMENTATION

Appendices:

- 1. Estimated Mothballing costs
- 2. Confidential bid for Waterhall Golf Course (Copy circulated to Members only. Exempt Category 3).
- 3. Confidential Summary of bids (Copy circulated to Members only. Exempt Category 3).

Background Documents

- 1. Report to Tourism, Development & Culture Committee dated 20th June 2019

Appendix 1: Golf Courses – Estimated Mothballing Costs

Advice from Property and Design colleagues was requested in order to help estimate what costs would be involved in mothballing (decommissioning and securing) the golf course sites. If necessary this approach needs to be comprehensive to ensure the building is secured and protected properly. Vandalism and antisocial behaviour can quickly take over a building when left empty which in the future can require major reinvestment.

Hollingbury - Estimated Vacant Costs	1 year costs
Security bollards to car park	£6,200.00
Security Patrol	£14,560.00
Alarm Monitoring	£250.00
Security hoarding of building (doors and windows)	£20,800.00
Key Holding	£80.00
Insurance	£200.00
Utilities (Standing charges)	£500.00
Modification of air handling fans for ventilation	£1,000.00
Isolation of electrical circuits	£800.00
Legionella/Water Management	£2,000.00
Isolation of Gas	£1,500.00
Upgrade work to Fire Alarm System and monitoring	£1,700.00
Decommissioning of specific services - such as irrigation system	£7,500.00
Ongoing health and safety works in respect of golf course grounds/trees etc	£12,000.00
Health & Safety works required to perimeter of area and unsafe roofs of old sheds	£28,000.00
Management of fly tipping - City Clean costs	£1,270.00
Replacement access gate (near road)	£1,000.00
Total - Securing Club House & Site	£98,360.00

Waterhall - Estimated Vacant Costs	1 year costs
Security to road	£1,000.00
Security bollards to car park	£3,600.00
Security Patrol	£14,560.00
Alarm Monitoring	£250.00
Security hoarding of building (doors and windows)	£10,400.00
Key Holding	£80.00
Insurance	£200.00
Utilities (Standing charges)	£500.00
Legionella/Water Management	£2,000.00
Isolation of electrical Circuits	£800.00
Isolation of Gas Supply	£1,500.00
Modification to ventilation	£1,000.00
Fire Alarm upgrades and monitoring	£1,700.00
Decommissioning of services	£6,500.00
Management of Fly Tipping - City Clean costs	£1,270.00
Health and Safety in respect of golf course grounds	£8,000.00
Total - Securing Club House & Site	£ 53,360.00

Subject:	Outdoor Events Strategy		
Date of Meeting:	16th January 2020		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Ian Shurrock	Tel: 01273 292084
		Ian Taylor	Tel: 01273 292711
	Email:	ian.shurrock@brighton-hove.gov.uk	
		ian.taylor@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 In March 2019 the Tourism, Development & Culture Committee adopted the Outdoor Events Strategy (see appendix 1) and instructed Officers to prepare a report which considered the implications of amending the Outdoor Events Strategy as follows:

- (i) To introduce an Environmental Impact Charge, as requested by respondents to the consultation (and successfully applied in Oxford) to fund maintenance and care of the spaces used, including support for “Friends of” parks and open spaces associations;
- (ii) to request that all outdoor events on council-owned land sign up to the Outdoor Events Charter, irrespective of visitor numbers;
- (iii) that as part of the ongoing review of Hire Charges and Fees, consideration is given to options for a fairer way of calculating charges such as aligning them with commercial event income or attendance figures;
- (iv) that a transport plan is developed for large events (500+ attendees) that makes provision for maintaining access to sustainable transport corridors during the event where practicable and agreed by the Safety Advisory Group, and encourages access to events via sustainable transport in line with the Sustainable Event Commitment.

1.2 The Committee also instructed Officers to prepare a report which considered the implications of amending the Outdoor Events Charter as follows:

- (i) discouraging the use of performing animals in events on council-owned land;
- (ii) a commitment to reduce waste creation at source;

- (iii) a commitment to the Brighton Living Wage;
 - (iv) a commitment to comply with key BHCC corporate commitments as they affect communities, such as policies developed in relation to Licensing and Environmental Health.
- 1.2 Each proposed amendment is listed in the paragraphs below (3.2 to 3.21) followed by the proposed action for each issue.
- 1.3 This report also discusses the following:
- The issue of sky litter generated by outdoor events
 - The creation of a report on events' compliance to the Outdoor Events Charter
 - A review of fees and charges for outdoor events 2020/21.

2. RECOMMENDATIONS:

- 2.1 That the Committee requests an annual report on compliance with the Outdoor Events Charter.
- 2.2 That the Committee agrees the requirement for outdoor events with over 5000 participants/attendees to complete an Environmental Impact Assessment and Action Plan and that this requirement is included as part of the Outdoor Events Charter.
- 2.3 That the Committee agrees the actions proposed in paragraphs 3.2 to 3.21 below are adopted.
- 2.4 That the Committee agrees that releases which result in sky litter are not permitted at events throughout the council's parks and open spaces.
- 2.5 That the Committee agrees the increase in fees and charges for Outdoor Events for 2020/21 as listed in appendix 2.

Note: If the above recommendation 2.5 is not agreed, or if the committee wishes to amend the recommendations, then the item will need to be referred to the Policy & Resources Committee meeting on 13 February 2020 to be considered as part of the overall 2020/21 budget proposals. This is because the 2020/21 budget proposals are developed on the assumption that fees and charges are agreed as recommended and any failure to agree, or a proposal to agree different fees and charges, will have an impact on the overall budget proposals, which means it needs to be dealt with by Policy & Resources Committee as per the requirements of the constitution. This does not fetter the committee's ability to make recommendations to Policy & Resources Committee.

3. CONTEXT/BACKGROUND INFORMATION

- 3.1 A series of cross-party meetings on the amendment have been held since the previous report was considered by the committee. These meetings have been helpful to achieve a proposed consensus across most of the issues raised in the amendment. The only issue on which a consensus was not achieved was the

introduction of an Environmental Impact Charge. These issues are now considered with the wording of the amendment in italics:

Environmental Impact Charge/ Equalities Impact Assessment /Action Plan

Proposed amendment: *“To introduce an Environmental Impact Charge, as requested by respondents to the consultation (and successfully applied in Oxford) to fund maintenance and care of the spaces used, including support for “Friends of” parks and open spaces associations”.*

- 3.2 Response: The charge was not successfully applied in Oxford. Officers have met with colleagues from Oxford who advised the proposed charge proved unpopular, was not implemented and has subsequently been removed from their fees and charges. Brighton and Hove City Council are members of LAEOG – the Local Authority Event Organisers Group. This group covers numerous Local Authorities throughout the UK. Having consulted with LAEOG there are no authorities that currently have this specific charge, in this type of format.
- 3.3 This does not mean the city council should not be at the forefront of sustainable event delivery. The council were the first Local Authority to gain the British Standard in Sustainable Event Management. There is the opportunity for the council to build on that reputation with the introduction of Environmental Impact Assessments (EIA) for the most impactful events (with over 5000 participants/attendees) taking place in the city’s parks and open spaces. The EIA and Action Plan will be a more stringent requirement than the existing Sustainable Events Commitment (attached as Appendix 2).
- 3.4 There were 253 events held in the city’s parks and open spaces in 2019. It is proposed that events of over 5,000 attendees, either at one time or as a cumulative total of a long run (e.g. The Spiegeltent, The Warren, Ladyboys of Bangkok etc) complete an Environmental Impact Assessment (EIA). There were 61 events that attracted over 5,000 people in 2019, whilst this is less than 25% of the number of events, it represents over 80% of the annual attendance of events. The EIA will require event organisers to focus on key elements of sustainable event management:-
- Energy and Water
 - Travel and Transport
 - Care of space / reinstatement
 - The reduction and ultimate elimination of single use plastic
 - Waste, including food waste, and Recycling
- 3.5 The Events Industry is in general comparatively young, both in terms of organisers and attendees. This demographic in particular expect that all sustainable options have been explored and implemented by event organisers. Most large scale organisers have sustainability very high up their agenda when staging events, not least because of the reputational damage that can be caused, resulting in financial loss.
- 3.6 The system of charging event organisers a re-instatement deposit against any damage caused by their event will remain. Approximately £20,000 was spent by event organisers in re-instatement in 2019.

- 3.7 The compliance to this EIA will be monitored by the Outdoor Events Team and reported back to committee as in 2.1.
- 3.8 Events of less than 5000 people will continue to be encouraged to support the Sustainable Events Commitment, in order that measures continue to improve the sustainability of the wider events programme .
- 3.9 **The proposed action is therefore to introduce the requirement that for outdoor events with over 5000 participants/attendees, event organisers complete an Environmental Impact Assessment and Action Plan.**

Outdoor Events Charter - Scale of events

Proposed amendment: *“To request that all outdoor events on council-owned land sign up to the Outdoor Events Charter, irrespective of visitor numbers”.*

- 3.10 Response: The Outdoor Events Programme includes over 250 events which range in scale from a few people to over 250,000 people attending Pride. The proposal of the introduction of the EIA will cover the most impactful events. It would not be practical for the smaller events, usually run by community volunteers, to be able to sign up to the Outdoor Events Charter due to the scale of the requirements. Organisers of small events will be encouraged to maximise the sustainability of their event through the existing Sustainable Events Commitment.
- 3.11 **The proposed action is therefore not to make this amendment as the objective is met by the other actions set out in this report.**

Fees and Charges

Proposed amendment *“That as part of the ongoing review of Hire Charges and Fees, consideration is given to options for a fairer way of calculating charges such as aligning them with commercial event income or attendance figures.”*

- 3.12 Response: The cross party meetings gave the opportunity for the range of factors that are taken into account when negotiating with commercial events to be explained in more detail. These include the income generated by the event and attendance figures, together with the nature of the event including commercial risk and costs involved in staging, amongst other factors. Support was provided for the way in which the Outdoor Events Team negotiates with commercial event organisers and therefore this is proposed to continue.
- 3.13 **The proposed action is therefore to continue with the current approach to negotiating with commercial event organisers.**

Transport Plan

Proposed amendment: *“that a transport plan is developed for large events (500+ attendees) that makes provision for maintaining access to sustainable transport corridors during the event where practicable and agreed by the Safety Advisory*

Group, and encourages access to events via sustainable transport in line with the Sustainable Event Commitment”

3.14 **Response:** A Travel and Transport plan would be one of the central pillars of the proposed EIA. The council would not expect the Safety Advisory Group to need to agree such plans. The Council’s Events and Highways teams are involved in the Transport and Travel plans for major events. Both teams are acutely aware of the need to keep sustainable transport corridors open whenever practical.

3.15 **The proposed action is that this is included in the EIA.**

Outdoor Events Charter

Performing Animals

Proposed amendment: *“Discouraging the use of performing animals in events on council-owned land”*

3.16 **The proposed action is that this will be added to the Outdoor Events Charter.**

Waste

Proposed amendment: *“a commitment to reduce waste creation at source”*

3.17 **The proposed action is that as this is currently included within point 7 of the charter it will be further reinforced by the introduction of the EIA.**

Brighton Living Wage

Proposed amendment: *“a commitment to the Brighton Living Wage”*

3.18 **The proposed action is for this to be included within the Charter.**

Corporate Commitments

Proposed amendment: *“a commitment to comply with key BHCC corporate commitments as they affect communities, such as policies developed in relation to Licensing and Environmental Health”*

3.19 **Further action is not proposed as events already need to comply with any specific licence requirements. The Corporate Policy Team have confirmed that there is not a defined list of corporate policies and therefore it would not be practical to include this as an additional requirement.**

Single Use Plastic

Proposed amendment : *“To amend the Sustainable Events Commitment for Outdoor Events, to require event organisers to find alternatives to single use plastics where possible”*

- 3.20 **The proposed action is that this will be included in the proposed EIA and the Sustainable Events Commitment for smaller events.**

Annual Feedback Report

Proposed amendment :“To request that this committee receives annual feedback on compliance with the Charter, with a presumption against granting future permission to events that show clear disregard for the Charter”.

- 3.21 **The proposed action is that an Annual Feedback Report will be introduced. When the first report is compiled consideration can be given whether to recommend that compliance with the Charter is a pre-requisite for future permission. It will be helpful to trial the Charter for the events season and review its effectiveness prior to deciding upon the implications of non-compliance.**

SKY LITTER

- 3.22 A deputation raising concerns about the mass release of balloons and the consequent impact on the environment has previously been considered by Council and the then Policy, Resources and Growth Committee. The consideration of various issues in relation to outdoor events in the city in this report gives the opportunity to formalise the council’s position on “sky litter”.
- 3.23 In terms of events, sky litter is predominantly generated by aerial lanterns, Chinese lanterns or balloon releases. These present a threat to the natural environment. Both can cause serious harm and death to wildlife through ingestion, entanglement and entrapment.
- 3.24 The recommendation in 2.4 proposes prohibiting such releases anywhere throughout the councils’ parks and open spaces. The council’s website offers the public suggested alternatives for commemorative events.

FEES AND CHARGES

- 3.25 The fees and charges for services are reviewed annually in line with the Corporate Fees & Charges Policy. As a minimum, all fees and charges are increased by the corporate rate of inflation which has been set at 2.0%. The council’s Standard Financial Procedures states that service committees shall consider fees and charges where variations are proposed above the corporately applied rate of inflation.
- 3.26 A table of proposed fees and charges for 2020/21 for Outdoor Events is included as Appendix 3. The fees and charges are proposed to increase in the region of 5% to achieve an estimated increase in total income of £8,000 which is a proposed budget saving for 2020/21.
- 3.27 The fees and charges have been benchmarked against similar comparator authorities which has indicated there is scope for such an increase. Also, it is felt that the market for events in the city would be able to sustain such an increase.

4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The cross-party meetings enabled the issues raised to be discussed and a range of options considered.

5 COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Outdoor Events Strategy was originally developed in consultation with a range of stakeholders including:

- BHCC departments
- Business stakeholders
- Local stakeholders
- Event organisers
- Public consultation

6. CONCLUSION

- 6.1 Approval of the proposed recommendations in relation to the Outdoor Events Strategy would enable the Strategy and Charter to be implemented, which would enable the further development of the Outdoors Events Programme.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The fees and charges recommended in this report have been reviewed in line with the Corporate Fees & Charges Policy and all relevant regulations and legislation. The anticipated recurring financial impacts of fee changes will be reflected within service revenue budgets. Increases to meet the corporate rate of inflation of +2% are normally applied to all council income budgets to ensure income is maintained as a proportion of the net cost of service. Increases above or below the corporate rate of inflation require approval by the relevant service committee or Policy & Resources Committee and can result in additional contributions toward the cost of services and/or corporate and service overheads. This can also result in the achievement of a net budget saving to the council. Where this is the case, this will be reflected in 4-Year Budget Plan proposals for the relevant service and will be incorporated within the revenue budget report to Policy & Resources Committee and Budget Council in February 2020. Income from fees and charges is monitored as part of the Targeted Budget Monitoring (TBM) process.

Finance Officer Consulted: Jess Laing

Date: 16/12/2019

Legal Implications:

- 7.2 There are no legal implications arising directly from the recommendations. Under the provisions of section 145 of the Local Government Act 1972 the Council is permitted to facilitate events on Council land and charge third parties for holding events on Council land on such terms as to payment or otherwise as the Council thinks fit. An Environmental Impact Charge could therefore be

permitted by this piece of legislation although this has not been tested as no other authorities have introduced such a charge.

Lawyer Consulted: Alice Rowland

Date: 06/01/2019

Equalities Implications:

- 7.3 The Events Programme caters for people from across the community as there are a diverse range of events that are staged in the city each year. The Council would need to ensure that a proposal for the Outdoor Events Charter to be universally signed up to would not disadvantage smaller economic operators or indirectly discriminate against a person or group with a protected characteristic and the Council should therefore carry out an equalities impact assessment before introducing this proposal.

Sustainability Implications:

- 7.4 A key aim of the proposed Events Charter is to develop the most sustainable events that help protect the environment. The recommendation to require event organisers of large events to complete an EIA and Action Plan will enhance the achievement of this aim.

Any Other Significant Implications:

Public Health Implications

- 7.5 Outdoor events make an important contribution to the health and well-being of a local community.

SUPPORTING DOCUMENTATION

Appendices

1. Outdoor Events Strategy
2. Sustainable Event Commitment form
3. Proposed Fees and Charges 2020/21 table

Documents in Members' Rooms

1. None

Background Documents

1. Report to Tourism, Development & Culture Committee of 7th March 2019.

61

BRIGHTON & HOVE CITY COUNCIL OUTDOOR EVENTS STRATEGY TO 2024

MARCH 2019

CONTENTS

- 1. INTRODUCTION 3
- 2. OUTDOOR EVENTS TO 2024 5
- 3. SETTING THE SCENE 7
- 4. ACTION 1 - STRATEGIC FOCUS16
- 5. ACTION 2 - EVENTS CHARTER19
- 6. ACTION 3 - CAPACITY BUILDING21
- 7. ACTION 4 - EVENTS INFRASTRUCTURE25

1. INTRODUCTION

Many places claim to be unique or special. The City of Brighton and Hove truly is: as a heritage resort nestling at the foot of the South Downs National Park, a UNESCO World Biosphere region - The Living Coast and is home to recognised attractions such as the Royal Pavilion, the Brighton Palace Pier and the British Airways i360. The city is famous for its vibrant cosmopolitan lifestyle and a reputation for openness and diversity.

Events and festivals are acknowledged in improving the quality of life of a local population. They provide occasions for expressing collective belonging to a group or a place, creating opportunities for drawing on shared histories, cultural practices and ideals. They are also an important element in the marketing and development of tourism. They provide an additional reason for tourists to visit a particular location and can also be a key factor in a tourist’s decision to choose one destination over another. They provide enjoyable ‘things to do’ for visitors, allow informal and rewarding contact with the local community, local environment and provide new cultural and sporting experiences for visitors. All of these things bring money into the visitor economy supporting local jobs and local businesses. Many of the considerations for staging events are set out below:

Social	Cultural	Economic	Skills	Sustainability
<ul style="list-style-type: none"> • Opportunities to participate in community events • Improve the health and wellbeing of residents • Encourage community cohesion, celebrating diversity creating a strong sense of community • Promote inclusivity and equality • Catalyst for regeneration and renewal 	<ul style="list-style-type: none"> • Contribute to a sense of community, local pride and cultural identity • Create community ‘identity’ and cohesiveness • Celebration of cultural heritage • Introduce new and challenging cultural ideas • Fostering a culture of innovation and imagination • Support and showcase art forms 	<ul style="list-style-type: none"> • Attract visitors from beyond the city • Contribute to the growth of overnight stays • Enhance national profile generating significant media coverage • Provide employment opportunities • Support local businesses • Maximise income generation to invest in community events 	<ul style="list-style-type: none"> • Develop capabilities of communities and organisers to take greater responsibility for events • Potential to build skills through volunteering • Continue to build capacity and expertise across the city’s events sector 	<ul style="list-style-type: none"> • Motivate event organisers and suppliers to adopt high sustainability standards in event delivery • Improve on-site infrastructure and facilities that supports positive sustainable behaviour and reduces impact to the environment • Make best use of green infrastructure • Offer nature-based experiences that supports the Biosphere region

Cities around the globe have increasingly recognised these benefits and so have developed extensive events programmes. The last fifteen years or so have seen a remarkable rise in the number of events and cultural festivals in cities throughout Europe and elsewhere. Evidence, including from places such as [London](#), [Northern Ireland](#), [Scotland](#), [Canada](#) and [Adelaide](#) shows that a properly resourced events programme, with a distinctive creative vision, and staged in an interesting and accessible location, can generate significant profile, attract new visitors and deliver substantial economic benefit.

Unlike permanent attractions, stadiums and museums, festivals and events are fleet of foot; they're able to switch venues and upscale programming if necessary. They're also much more inclusive. Many are free to the public, utilise existing public spaces and cultural assets, spark interactions among community members and nurture positive images of urban areas.

Successful events cities offer festivals and events which are connected to the place inspired by its location, history, heritage, people and living culture. They deliver authentic, high quality events which for the most part can only be found and experienced in that way in that particular place.

Cities which nurture this approach – even for those events which are brought in rather than home grown – tend to be more successful and sustainable. Not only as a tourism destination but also a place to live, work, study and invest in.

Brighton & Hove hosts many hundreds of events throughout the year. Some events are targeting a local audience (though visitors might go to them during a visit such as Burning of the Clocks or the Children's Parade); some are more commercial touring events that attract a regional audience because the city is the most convenient location to experience the event (such as the Ladyboys of Bangkok or the Moscow State Circus); and a few are signature events that are unique to Brighton & Hove and high profile, with the ability to attract visitors to the city and shape the reputation of the city (such as the Marathon, Pride and Veteran Car Run).

The City Council is relooking at the city's future, its priorities, approach and the delivery structures needed to realise its potential. This Outdoor Events Strategy has been developed in response to the Brighton Visitor Economy Strategy and to align with the Cultural Framework. It is designed to work with the Brighton & Hove Economic Strategy and Action Plan, and the Greater Brighton Inward Investment and Export Strategy and inform the 20-year Vision for Brighton and Hove.

Brighton & Hove has the ambition to build the range and scope of events staged in the city to deliver a year-round programme of high quality, distinctive events which will appeal to visitors and residents, have a positive impact to the local environment and support the promotion of the city across all its agendas.

2. OUTDOOR EVENTS TO 2024

Outdoor events already play an influential role in the city's wider economic development and social agenda and this strategy outlines a future in which they can play an even stronger role supporting community wellbeing, the city's profile, reputation and economic growth.

Outdoor events help make Brighton & Hove a more vibrant and interesting place to live, work and study in - they bring people together and shape a strong sense of identity. They provide opportunities to stimulate tourism and economic growth.

Events also have wider cultural and social benefits on our society. They strengthen identity and pride, impact positively on health and wellbeing, and enhance educational outcomes and economic opportunities as well as encourage a greater appreciation of the city's unique natural environment.

VISION

The vision represents what needs to be achieved over the next 5 years. It recognises the breadth of impact and benefit that a well-run outdoor events programme can deliver. But it centres that on achieving greater focus on 'quality', 'distinctiveness' and 'impact'.

Over the next 5 years the Brighton & Hove Outdoor Events Strategy will deliver events that create distinctive experiences for residents and visitors and that support the image as a 'Free-Thinking' city with a reputation for high quality events. It is about thinking bigger and smarter and growing sustainably with economic and social benefits felt by our residents and businesses

OBJECTIVES

The specific objectives we propose for Outdoor Events in Brighton and Hove to deliver the vision are focussed on achieving a balanced approach where outdoor events are not the end in themselves but rather a vehicle through which other city-wide needs are met:

Outdoor events in Brighton & Hove will:

- ▶ Enhance our national and international profile and reputation;
- ▶ Attract visitors to the city year-round and align with the Visitor Economy Strategy;
- ▶ Deliver measurable benefits for city businesses;
- ▶ Encourage civic pride and community cohesion;
- ▶ Develop capacity and capabilities in the city’s events sector
- ▶ Support positive engagement between people and the natural environment
- ▶ Improve the sustainability of events

ACTIONS

Identified below are a small number of specific actions that can help deliver the vision and objectives and which are detailed in the following sections:

1. Shift the **strategic focus** into achieving more with the limited resources.
2. An **Outdoor Events Charter** to set clear expectations from organisers and to cement the actions that are important to local communities in event planning.
3. **Capacity building** in the sector to make Brighton & Hove a centre of outdoor events excellence across the spectrum of event types and sizes. To ensure that the events team are focussed on the area of greatest opportunity with the tools and resources to help them.
4. **Events infrastructure investment** in key sites to say to the industry that Brighton & Hove is welcoming and world class.

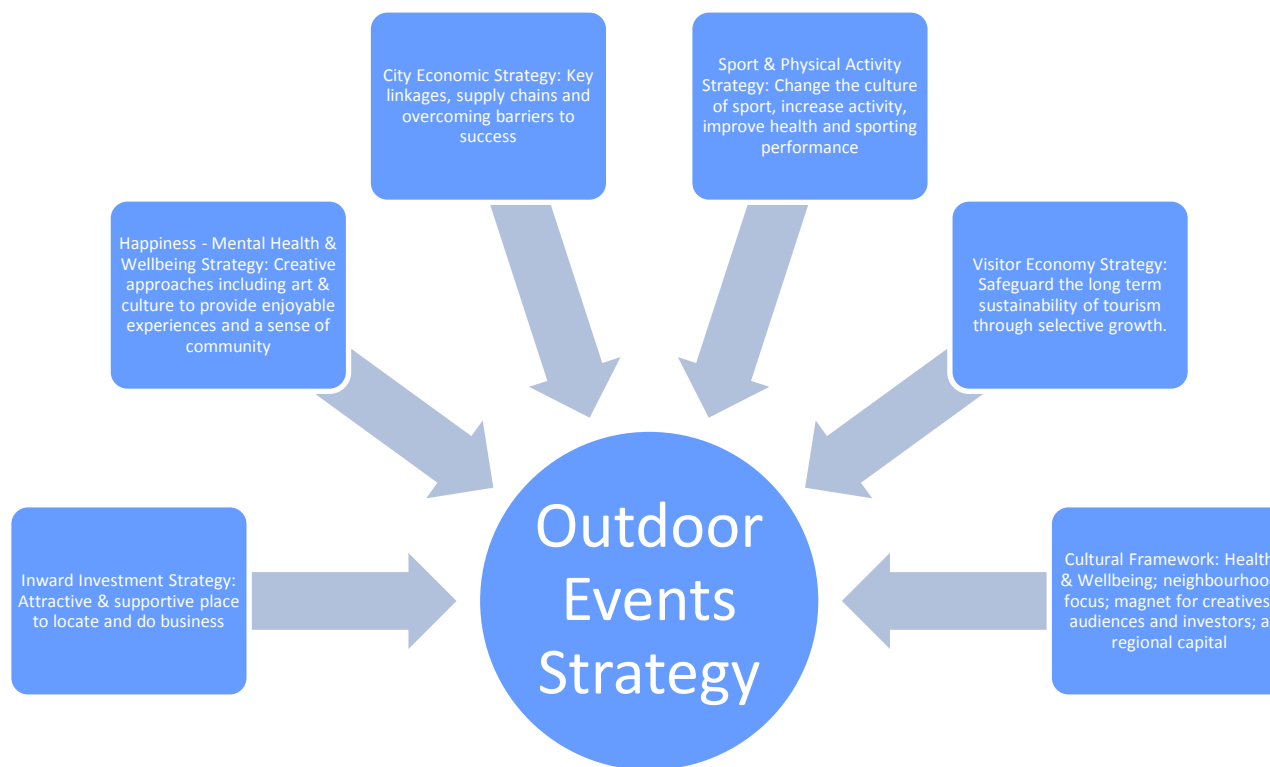


3. SETTING THE SCENE

The scale of outdoor event delivery in Brighton & Hove is set out in this section and where and how this strategy fits into the current policy environment for the City.

ALIGNMENT TO CITY STRATEGIES

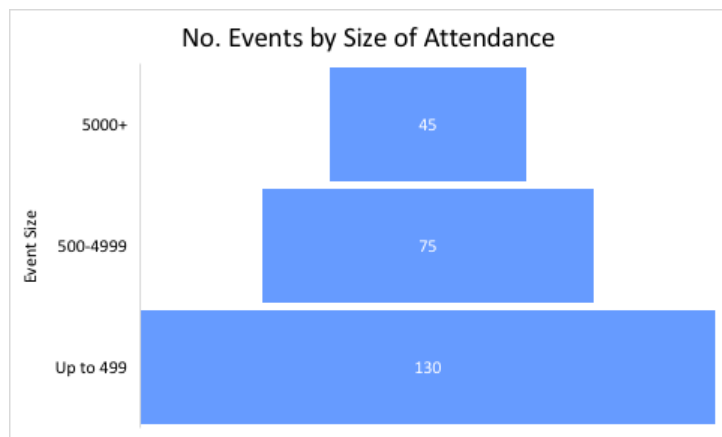
The Brighton & Hove Events Strategy supports and aligns with other major city strategies:



OUTDOOR EVENTS NOW

Brighton & Hove is a popular city for events using a variety of large open spaces. The city is host to approximately 250 outdoor events a year attracting over one million attendees. Of these approximately 40-45 can be classified as major events, ranging across performing arts, leisure sports (predominantly running and cycling), food & drink, circuses, and automotive rallies. These events command large attendances in excess of 5,000 visitors or participants, of which 11 exceed 20,000 attendees. Examples include Brighton Marathon, Pride, Brightona, Historic Commercial Vehicles and Brighton Festival and Fringe. At the other end of the scale nearly half of all events in the annual programme are community or local charity events mostly attracting fewer than 500 attendees.

The breakdown is illustrated as follows:



“The cultural offer of Brighton & Hove has and is central to its success and serves to make the city an attractive place to live, work and visit. The inherent character of the place – the Brighton experience – has a clear impact on the impression we make on opinion-formers in the wider region, nationally and internationally. It is equally important to our residents, whose sense of identity is influenced by the physical environment, our rich heritage, the natural assets of the coast and south downs, the city’s sense of fun and tolerant attitude; the opportunities for enjoying a different (and better) kind of life.”

Brighton & Hove Cultural Framework

The events programme has historically developed as a 'receiver' of events rather than shaping the annual programme as a proactive originator or facilitator. This receptive approach has led to a large number of similar event types such as automotive rallies and participatory leisure sports.

Whilst positive for the participant or enthusiast, through dilution of impact, these events can lose some of their resonance. They also restrict the city's ability to use prime spaces for new events - as a result of restrictive covenants on the number of days Madeira Drive can be closed for events for example – and which hinders developing an enhanced off-season programme.

There is much to commend in terms of where the city is now:

- ▶ **City as a Stage:** An attractive setting for events with amazing spaces and audience on tap some of which are unique (beach); Supporting infrastructure and experience at handling large volumes (rail, hotels, restaurants etc due to 8m+ visitors).
- ▶ **Capabilities and Professionalism:** National reputation for delivering complex and highly regarded events; strong and capable supplier network with international credentials that operate here; 'signposting' service at the city council outdoor events team that helps organisers connect with different departments, services and partner agencies. There is a wealth of experience in a range of services which include cleansing and waste, events and roads management, technical infrastructure and venues.
- ▶ **Economy and Reputation:** Seen as lively and vibrant with a 'can-do' attitude; growing success in pushing events into 'shoulders' and driving up income for City Council; deliver direct economic impacts such as employment and skills training.
- ▶ **Community:** Shows the character of the city and brings communities together; diverse programme for different communities; charitable opportunities for fund-raising.

EVENT CLASSIFICATION

Brighton & Hove’s events are classified below under four distinct categories and which are used to bring focus to the actions proposed later in this strategy:

<p>Community Events</p> <p>These are small to medium community or community of interest events. Often hosted in parks, they are primarily neighbourhood focused, aimed at local residents as audiences and participants e.g. Patchfest</p> <ul style="list-style-type: none"> ▶ Local interest and visits ▶ Meet a local need 	<p>City Events</p> <p>These are cultural and sports activity events delivered at city level that are predominantly aimed at Brighton & Hove residents with limited impact or attraction to visiting audiences beyond the city e.g. Children’s Parade</p> <ul style="list-style-type: none"> ▶ Supported by large number of locals across the city ▶ Animate the city for a visitor
<p>Feature Events</p> <p>These are events with a regional catchment or have a niche national profile that attracts visitors and participants to the city either from the sub-region or as specialism enthusiasts. We suggest that Boundary Brighton, Brighton & Hove Half Marathon, and nearly all automotive events (e.g. National Speed Trials, Ace Café Reunion, Mini Rally, InCarNation) are Feature Events.</p> <ul style="list-style-type: none"> ▶ Niche and special interest so reach audiences from outside the local area ▶ Recurring and one-off 	<p>Headline Events</p> <p>These are high profile events that draw significant numbers of London or national participants or visitors. We suggest Pride, Brighton Marathon, London to Brighton Bike Ride, and Veteran Car Run.</p> <ul style="list-style-type: none"> ▶ Significant Reach and media coverage ▶ High resource and partnership requirements ▶ Largest economic impact ▶ Distinctly Brighton & Hove ▶ Maybe multiple day events

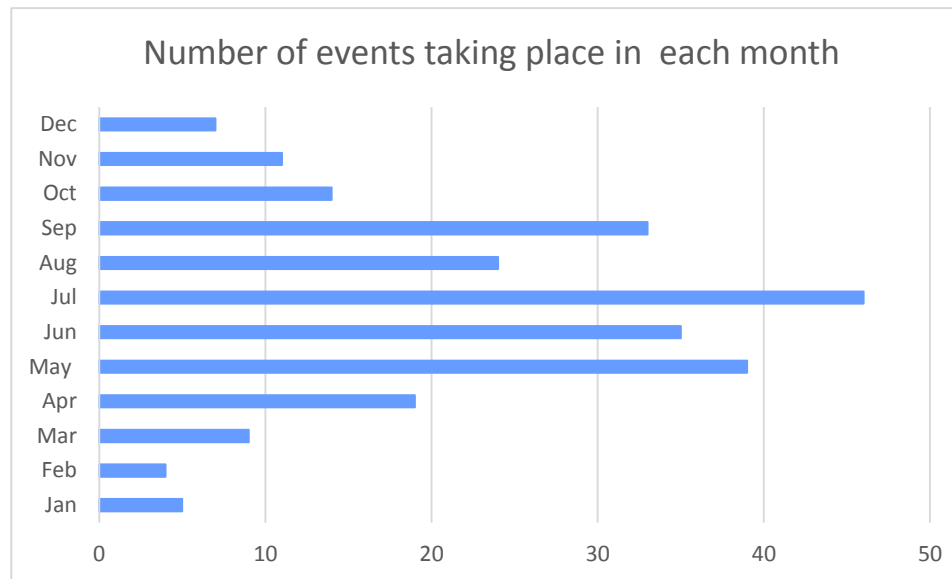
70

EVENT CALENDAR

The city’s calendar of events is predominantly weighted to the summer months, with over 70% of events taking place between May and September. Only 10% take place between November and March. The calendar is very much driven by event organisers who in order to ensure the viability plan their events when there is the expectation of better weather conditions and a seasonal rise in visitors to draw upon as audiences and participants.

EVENT FEE INCOME

Currently the income from hire charges generated from events across the city is £180,585, with 246 events in 2017/18. Events income is secured by the Outdoor Events team and funds the delivery of the events programme across the city supporting community and local events and the wider work of the events team.



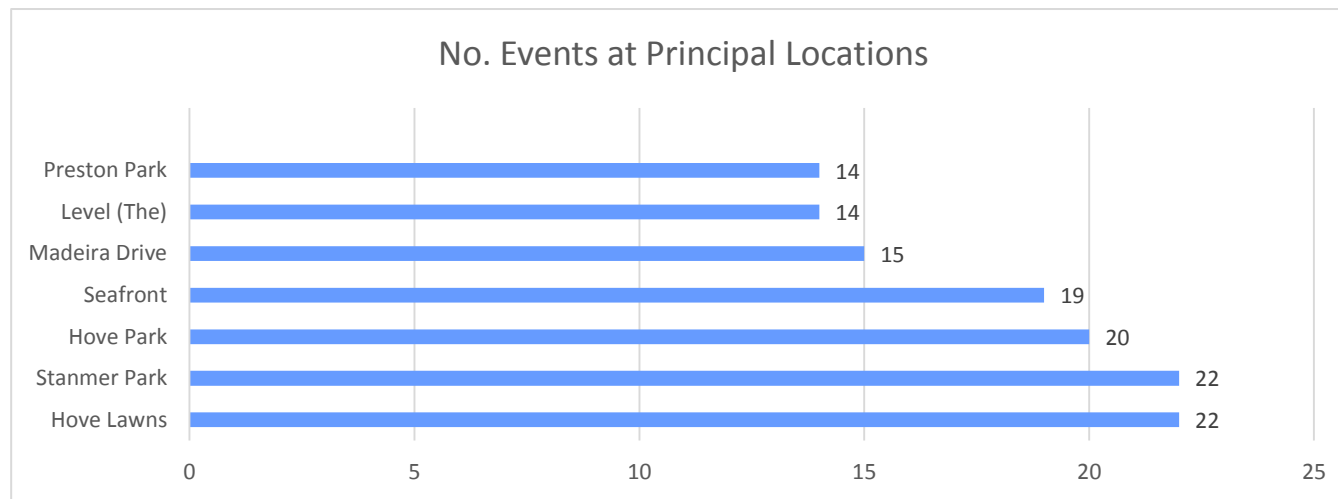
EVENT VENUES

The city’s outstanding prime parks, green spaces and seafront are suitable for hosting events across a wide range of sizes and genres and are a key selling point to event promoters and attendees. Brighton & Hove has approximately 147 parks and greenspaces across the city, of which the largest used for events are Preston Park, Hove Lawns and Stanmer Park. Along the seafront Madeira Drive, a road which runs east of Brighton Palace Pier to Black Rock, is an important venue for many motoring, running and cycle participation events.

71

In 2017, thirty five different event spaces were utilised for outdoor events that were managed through the Outdoor Events office. Of these, seven principal public event spaces hosted 10 or more events.

This demonstrates a spread of activity across the main event spaces with no single location bearing an excessive amount of activity.



SWOT ANALYSIS

A summary of the strengths, weaknesses, opportunities and threats for outdoor events in Brighton and Hove gives some insight into what needs to happen. It highlights the importance of outdoor events and the role they play in supporting broader economic, health, cultural and tourism agendas and also the challenges that need to be overcome if outdoor events are to reach their full potential.

Strengths	Weaknesses
<ul style="list-style-type: none"> ▶ Attractive setting for outdoor events with amazing and unique spaces ▶ Seen as lively and vibrant with a ‘can-do’ attitude ▶ Large catchment for audiences and participants ▶ Supporting infrastructure and experience at handling large numbers ▶ Good reputation for delivering complex and highly regarded events ▶ Strong and capable local supplier network ▶ Dedicated events service at BHCC ▶ Direct economic impacts and employment benefits ▶ Brings communities together and offers a diverse programme ▶ Positively engages people with our local environment 	<ul style="list-style-type: none"> ▶ Events programming results in quantity not quality and does not necessarily align to city’s needs e.g. Oct-Mar. ▶ Negative event impacts such as noise, waste, access, disruption etc. can feel overwhelming at peak times. ▶ Perception that events can be seen as a source of higher income despite delivery costs and organiser risk. ▶ Organisational capacity is restricted by hundreds of small events that limit capacity to be more strategic. ▶ Infrastructure not embedded in the main event spaces (e.g. power). ▶ Negative impact on local health and social care due to increased activity related to the event ▶ Negative impact on public transport provision during major events
Opportunities	Threats
<ul style="list-style-type: none"> ▶ Increasing the impact from the visits that the events generate, getting visitors to stay longer and spend more and supporting local business. ▶ Building a stronger community and delivering events to achieve this. ▶ Improving the health and wellbeing of our communities ▶ Organisational/financial – maximising income and developing the capabilities of communities to take greater responsibility for events ▶ Responsible - minimising the negative impacts of events while maximising the potential benefits ▶ Demonstrate best practice in environmental sustainability including applying alternative solutions for single-use plastics. ▶ Reputation – raising the positive profile of Brighton & Hove 	<ul style="list-style-type: none"> ▶ City Council's financial position continues to be very challenging ▶ Events under threat due to cuts and grant funding pressure ▶ Investment in festivals and events in competitor destinations ▶ Lack of distinctiveness and duplication with an oversupply of events (running/cycling) ▶ Local residents’ attitude to events when daily life disrupted ▶ Negative environmental impact of events particularly those along the seafront from which litter and particularly single-use plastics can end up in the sea.

COMPARATOR LESSONS

To inform this Events Strategy, two comparator UK cities, Liverpool and Oxford, have been reviewed that are recognised as exponents of good practice in the strategic co-ordination and promotion of events. Though not directly comparable they nonetheless provide insights into the ways in which other cities use the power and profile of events to further economic and community objectives.

Liverpool

Liverpool City Council acknowledges the huge impact culture is having in transforming the City and sees the major events programme as a backbone of its cultural activity. The Liverpool City Region Visitor Economy Strategy to 2020 identifies Liverpool's cultural offer as the driver for visitor growth and the main priority for marketing the metropolitan area's visitor offer.

Major events in Liverpool are managed by Culture Liverpool a department of the City Council. Its strategy for events is fewer but larger events and festivals that attract large attendances delivering economic impacts.

It produces 10 events plus manages a further 5 programmed by external promoters. It also delivers major LCC civic events. Smaller community events in the city's parks and green spaces are managed by the Council's Parks management.

The annual programme and budget are drawn up by the events team and makes an investment case to the Council's cabinet based on economic impact, city profile and fit with cultural programme. Culture Liverpool raises significant commercial income for its events. Since 2013 a commercial and marketing team within Culture Liverpool has generated over £6 million in cash and in-kind support.

"I have great ambition for this city and culture to me is the rocket fuel for its continuing regeneration...We know the feel good benefits and the economic impact that culture brings, it sustains and attracts jobs and is the lifeblood of the fast-growing visitor economy. Liverpool has well documented evidence on the importance of culture to the economy and the return on investment the arts generate."

Mayor Joe Anderson

Oxford

The City of Oxford has a population 158,000 of which one third is aged 18 to 29 with 32,000 students enrolled for full-time studies in two universities. It has 10 wards that are amongst the 20% most deprived in England, and the 5th highest percentage of working-age residents claiming benefits.

It is the seventh most visited city in the UK attracting circa. 7 million visitors each year. It is a popular day visitor destination for historic heritage and cultural assets but only has 1 million overnight stays. Oxford City Council recognises 3 distinct audience profiles: Students; Visitors; and Residents. The latter has been a core focus reflecting the City's desire to use events to deliver important social impacts around deprivation and diversity.

However, in an evolving events strategy, the future focus will be on developing major events to increase dwell time of visitors in order to deliver greater economic impacts.

The City Council's events team manages and co-ordinates around 300 events a year held on council land. Only circa. 15 are considered large, as the City is limited by the availability of dedicated event space restricting major event development. Oxford City Council directly delivers 4 core major city events: May Morning, St Giles Fair, Christmas Light Festival & Alice Day.

Comparator Conclusions

Comparator cities present a number of consistent themes which Brighton & Hove can learn from:

- ▶ Primarily for citizens recognising that local audiences are what sustain the event and ensure they support public sector funding decisions
- ▶ Successfully challenged/changed external perceptions, and increased pride and self-confidence of residents in their city
- ▶ Exploit the authenticity and distinctiveness of the city
- ▶ Provide a crucial stimulus to tourism
- ▶ Major headline events supported by a year-round programme of smaller events.

4. ACTION 1 - STRATEGIC FOCUS

This strategy will build on a year-round, multi-layered portfolio of events that deliver distinctive experiences for visitors and residents and also supports economic development and profile building priorities. It argues for a mixture of established successful events, new events which can be developed and national/international events which we will be trying to attract to the city. In most instances the council will work in partnership with one or more organisations to support the delivery of these events. This may mean doing fewer events of greater benefit.

KEY AIMS

The aims of this approach are to:

- ▶ Differentiate Brighton & Hove in a competitive and overcrowded market for event audiences;
- ▶ Ensure Headline Events’ profile, attendance and impacts are not diluted by an excess of similar events;
- ▶ Develop new opportunities that fill gaps outside the core summer months in the annual calendar.

To support these Key Aims we propose that the city’s events are classified in a framework of four distinct groups:

Headline Events

These are 3 or 4 (or even 5) big impact annual cultural and sporting highlights which showcase the city. The aspiration should be for events that can be classified as ‘distinctively Brighton’ that: display excellence in quality and high levels of ambition; deliver high economic impact; attract large audiences; achieve significant media coverage; and generate more overnight stays in the city.

Potential Development – Headline Events

This programme of annually recurring activities we suggest incorporates Brighton Marathon, London to Brighton Bike Ride, Brighton Festival and Pride. The Brighton Marathon and to some extent Pride have demonstrated



an ambition to extend reach by developing additional activities and days which has increased longer stays and encouraged overnight stays. The London to Brighton Bike Ride should be encouraged to respond similarly by adding value to their utilisation of Brighton & Hove, by building additional activity around the event in the city.

The recurring events calendar would be supported by new home grown or one-off national or international sporting events acquired under a competitive bidding process such as UEFA Women's Football or Rugby World Cup, Tour of Britain cycle race, WTC Ironman championship; Swatch FIVB Beach Volleyball World Tour; or ITU Triathlon World Championship Series. Alternatively, a quick (but not cheap) way to achieve something of scale is to commission or buy in 'spectaculars' such as Liverpool's Spider or Hull's Place des Anges. Using established international companies could deliver high profile, impactful events in a relatively short time-frame.

Feature Events

Established, growing or one-off events that contribute to the vibrancy, profile and tourism appeal of the city. They will be able to demonstrate how they can deliver quality and high levels of ambition, achieve greater public profile, deliver economic impact and attract visitors to the city from London and the wider sub-region. Brighton Fringe, Boundary Festival, Ace Café Reunion, Paddle Round the Pier, B&H Food & Drink Festival have the growth potential to be classified as Feature Events.

Potential Development – Feature Events

A significant vacuum exists during the winter months leading up to Christmas and New Year. The potential exists to build the 'Winter Festival' brand. A distinctive, authentic and creative, promotional 'umbrella' branding that creates the opportunity to promote Brighton and Hove as a winter visitor destination. The Winter Festival programme will be essentially framed around high-profile events, (e.g. City Fireworks, Burning the Clocks, Veteran Car Run) but also integrate the City's wider cultural offer promoting theatre shows, seasonal concerts, and distinctive exhibitions. Ideas should be developed in consultation and co-operation with the Brilliant Brighton (BID) to ensure emerging ideas have the support of other business sectors such as retail. The city's creative event expertise could be used to develop high profile events during the Christmas season to enhance the City's reputation as a festive retail destination and to attract visitors. This packaging and enhancing of the existing offer is a way to support the city's Visitor Economy Strategy through improved packaging.

City Events

These are events delivered at city level that although of a recognised quality are predominantly aimed at residents. They will have limited impact or attraction to visiting audiences beyond Brighton & Hove sub region but contribute to the year-round ambience of the city as a happening place.

Take Part Festival, Apple Day, Foodies Festival, Spiegeltent, and Children's Parade currently fit this category. We would group touring tented circus, fairs and light entertainment shows as city level events. However, these events are unlikely to achieve more than modest growth in visitor impacts or engagement beyond local audiences. They should however be well-managed exemplars of sustainable events, adding to the distinctiveness and uniqueness of the city and it's neighbourhood and making the most of opportunities to support local suppliers.

Community Events

These are small scale community or community of interest organised festivals and events taking place across the city. They have a capacity of 499 or less. The city council provides advice and guidance and runs several grant schemes including the Community Festivals Fund and Arts Partnership Awards which eligible organisations can apply to for project funding.

While these events have real value to local communities and should be welcomed, the limited resources of the city council should be targeted at events which deliver a wider set of impacts and many of these events will continue to look after themselves. Nonetheless the city council should support the permissions required and offer guidance and advice on best practice delivery.

SUMMARY OF OPPORTUNITIES

- ▶ Focus efforts on making the most of events with the greatest potential to deliver economic impacts
- ▶ Encourage actions to increase the direct impact on the local economy by Headline Events with a focus on events such as the L2B Bike Ride
- ▶ Support Bids for occasional international events e.g. Rugby World Cup
- ▶ Develop the winter programme of events and packaging to present a coherent offer
- ▶ Encourage the use of local suppliers and the distinctiveness of all events that take place in Brighton & Hove

5. ACTION 2 - EVENTS CHARTER

The city council should create an Outdoor Events Charter as a public statement about what the city council and organisers are trying to achieve through outdoor events and how they are going about it. It is intended to help organisers understand what the city expects from them and to which they publicly commit themselves. It is also a tool to use with local communities who may be impacted by events, to show what is trying to be achieved, to highlight the approach to quality and well-managed events and to build better relationships between those delivering events and those impacted by them. We are not aware of another UK destination operating a charter such as this and it would be a 'first'.

The Charter acknowledges that the council will:

- ▶ Provide a welcoming and supportive location for events;
- ▶ Promote events that enhances the reputation and image of the city;
- ▶ Provide resources to assist the planning and delivery of priority events as well as financial support to community events;

And that the organisers will:

- ▶ Positively contribute to the quality of life for local communities;
- ▶ Maximise the economic contribution from outdoor events to the city economy;
- ▶ Deliver innovative and imaginative programming;
- ▶ Make the most of creative partnerships and collaboration that's supports city-based event producers and suppliers and strengthens capacity building;
- ▶ Promote health and wellbeing while minimising any disruption to local health and social care services.
- ▶ Deliver the most sustainable events that help protect the environment as far as possible.
- ▶ Minimise disruption to residents and businesses

The city council's commitment also includes a single point of contact to all event enquiries drawing upon extensive experience gained in managing and regulating outdoor events and help facilitating end-to-end multi-agency support in the planning and delivery of outdoor events including across the different departments and responsibilities of the city council. The city council will also aim to simplify the events application process by exploring digital services that reduce paperwork and increase efficiency and will aim to embed infrastructure in outdoor events locations, as part of new developments, that will help provide environmentally sustainable event spaces in the future.

All event organisers above a certain threshold (500 attendees+) will be required to sign up to the Charter. A suggested draft of which follows:

BRIGHTON & HOVE OUTDOOR EVENTS CHARTER

Brighton & Hove is a city which values outdoor events as a way to bring together and value our diverse communities. Also, to support the economic wellbeing of those communities through the jobs supported. We want to host the best outdoor events possible and will work in partnership with organisers to mitigate negative impacts and maximise the positive values of the event.

We are asking all organisers of outdoor events to sign up to this outdoor events charter and to publicise their commitment through their own marketing and communications. By signing up to this charter, we agree to:

1. Plan an outdoor event that is high quality and which meets the needs of the audience.
2. Communicate our plans to residents and businesses who may be impacted and to deal with any concern to the best of our ability.
3. Design an event which maximises the economic benefits to Brighton & Hove, attracting visitors and getting them to stay and spend in the local economy.
4. Share plans with the City Council and any other organisations they recommend to ensure the event is well thought through.
5. Deliver a safe and secure event.
6. Deliver an event which supports the priorities of [The Living Coast UNESCO Biosphere region](#) and has a positive impact on our environment.
7. Use the Council's guidance for sustainable events and particularly the [Sustainable Events](#) Commitment for Outdoor Events to deliver an event as sustainably as possible.
8. Provide a publicised contact name and number to deal with any immediate issues occurring during the event and to enable quick resolution to any problems arising.
9. Aim to measure the economic impact of the event and provide the city council with the results using an evaluation tool such as www.eventimpacts.com
10. Promote our commitment to this charter on our website.
11. Endeavour to make healthy choices available to eat or drink at family events in the city.
12. Promote travel by Public Transport at every available opportunity
13. Minimise any disruption to local health and social care services.

Signed:

Position:

6. ACTION 3 - CAPACITY BUILDING

This strategy advocates a shift in resource towards outdoor events that can help the city get bigger and better impacts and recognises that as it stands a large proportion of time and resource is spent facilitating the permissions of smaller and community events that have limited economic impact.

The city council approves approximately 250 events a year, which necessitates a significant workload and time spent by the events team processing applications, facilitating consultations and supervising event preparations to ensure well-managed, safe events that mitigate negative impacts on local communities.

The sector and organisers can help the council achieve what it wants but often are unclear exactly what that is. So, it is recommended to bring them on board to help find solutions to the challenges faced by outdoor events – whether that is programming outside of peak periods; sharing best practice in sustainable delivery; or innovating and driving out distinctiveness.

There are six specific recommendations in this Action:

- ▶ Explore digital tools that can help with event applications to improve efficiency
- ▶ Use existing digital platforms (e.g. social media groups) to connect the various organisers to support each other
- ▶ A new role in programme development using clear criteria
- ▶ Fostering the capacity and capabilities of the local sector and engaging them in the city's challenges
- ▶ Retain support from other operational teams at the Council to deliver this strategy and maintain the reputation as an attractive destination to deliver events
- ▶ Ongoing review of hire charges and fees

MANAGING APPLICATIONS

Currently events with an expected audience capacity under 3,000 at one time, submit an Outdoor Event Application Form. The application form is assessed by outdoor events team and a Consent Form issued if permission is granted.

For large events categorised as over 3,000 people, an initial discussion is required with Events Team, followed up with submission of an Event Management Plan 6 months prior to the event. This is subject to the approval of the Outdoor Events Team and the multi-agency event liaison officers for the event.

Event organisers are required to complete a Sustainable Events Commitment form. Event organisers must also ensure that all required permissions and licenses are acquired as required.

Currently the outdoor events team use an email and paper-based application system for event organisers to complete that can be burdensome. Exploring the options for a digital system could provide advantages for facilitating a speedier application process, reducing the workload of the outdoor events team, providing online guidance; and facilitating more efficiently the sharing of information with stakeholders such as SAG and consultation group representatives as well as providing easy access to repeat applications in subsequent years.

In employing an online event application and management platform such as apply4 EventApp, and removing paper forms altogether, this helps in pre-empting queries from applicants and reduces the workload for the outdoor event team. For each booking, all supporting documents are uploaded and stored in the one place. Stakeholders such as police and safety advisory groups can view event calendars, event information and supporting documents.

Conscious of the limited resource at the city council it would be unrealistic to suggest new options such as monthly advice sessions for community event organisers who would have the opportunity to meet an officer to talk through their event in a surgery style meeting. So instead we recommend helping the organisers work more closely with each other and relying on the network of organisers to assist and answer questions. Social media groups for Brighton & Hove organisers which the team could set up and monitor might be one way to help organisers without adding to the burden on the events team.

PROGRAMME DEVELOPMENT

The Events Unit will act as an enabler, facilitator (and occasional commissioner) rather than a direct deliverer of events. The programme would be developed and advanced through a process of stakeholder engagement and collaborative working to create and shape a high-quality annual calendar of activity. Opportunities should be taken to broker linkages among event organisers, encourage use of public

CRITERIA FOR HEADLINE EVENTS

We recommend that to ensure the objectives of the Events Strategy are achieved the Outdoor Events team apply a robust, consistent set of criteria to deliver clarity for all event organisers on the type of events the city council wants to host. Organisers should demonstrate how their event supports the following criteria:

- ▶ Time of Year – does it help build business outside of peak times?
- ▶ Does it promote Brighton & Hove as a vibrant, contemporary city?
- ▶ Does it demonstrate distinctiveness and high quality?
- ▶ Will it generate an economic benefit for the city?
- ▶ Will it attract wide and broadly-based audiences/participants?
- ▶ Will it have the potential to attract visitors and generate spend from key target visitor markets (see Brighton VES strategy for more information)?
- ▶ Will it involve the city's communities?
- ▶ Can it provide capacity building opportunities for sector development?
- ▶ Will the event sign up to the Sustainable Event commitments?

spaces and manage a clash diary for the city. The outdoor events team will provide the supervision for the city's events programme. They will be responsible for advising, supporting and in some instances investing in the city's Signature, Feature, City and Community portfolio of events.

Using clear criteria, the Events Unit would engage with local, national and international external organisations and agencies to identify and bid for one-off Headline sporting and cultural events. An essential criterion would be that an external local lead or co-partner(s) is secured. The criteria are a guideline and not all potential Headline Events will meet every criterion.

FOSTERING BRIGHTON AND HOVE'S EVENTS SECTOR

Our Strategy recognises the importance of a vibrant, flourishing independent events sector within the city. We will embark on closer collaboration with the sector, engaging with a broader range of independent promoters, producers and venues in a similar way to that which occurs in the cultural sector.

If there is sufficient demand from the network of Brighton & Hove event organisers we may consider the delivery of an annual outdoor events conference of city-wide event stakeholders to share and exchange ideas, potentially creating new projects and complementary workstreams. This will facilitate dialogue about what the city wants from outdoor events and those attending could include professional independent promoters, creative / festival producers and leisure/sports event promoters across the spectrum of outdoor events in the city. This would need to be self-funding.

OPERATIONAL ROLES

The Events Team's role will be to provide leadership to the sector working across the city with event organisers and producers. Their focus will be on managing partnerships, attracting and retaining events to secure and optimise the benefits to the city.

- Provide a single point of contact for event enquiries and signpost across the different departments within the city council and SAG membership
- Maintain networks & building relationships crucial in identifying and securing events
- Engage with, and act as enablers and facilitators for, independent event promoters
- Collaborate effectively with city's tourism and hospitality businesses, through VisitBrighton, to maximise the opportunity that events offer.
- Facilitate opportunities for residents' engagement through working with event producers and appropriate departments of the city council and other organisations.

It is beneficial for the city council to have nominated and named individuals in other key departments that work on outdoor events. This would include but is not limited to key staff in Parks, Cityclean, VisitBrighton, the Seafront, Highways and Environmental Health.

VisitBrighton will support and take to market signature events and growth events that reinforce the Brighton Brand, appeal to target markets and have the capability of attracting visitors now or the potential to do so in the future.

SITE HIRE CHARGES

In 2017, 246 events hosted by the city council generated £180k for the Events budget while many community events (large and small) paid no fees for holding an outdoor event on Council land. This income forms part of the expenditure profile for the department and is used to support the wide work of the Outdoor Events Team and through them, local events.

An ongoing review of the event fees is recommended as part of the annual cycle of reviewing fee and charges and suggest that future reviews take greater account of event classification/organiser status and event capacities. Future reviews should also consider:

- ▶ Continued waiving of site fees for small community events where no road closures/ licenses are required
- ▶ Explore the potential for a non-refundable administration fee, to cover the cost of administration and compliance time which the officer takes to assess applications.
- ▶ In the longer term and for larger commercial events, the costs of the compliance and support service may need to be recharged in a format agreed upfront with the organiser.

It is recognised that moving from the current to a future position can take time and helping organisers to understand future commitments and how these may scale up over 3 years is something that needs to start sooner rather than later.

REINSTATEMENT BOND

Currently a reinstatement bond is required from event organisers where there is the potential for damage to be caused to parks and open spaces during an event. The bond required ranges from £500 to £5000 depending upon the scale, location and nature of the event. Inspections take place before and after events to assess whether any damage has occurred as a result of the event. The bond is then used to fund any repairs. The intention is to continue with the bond to ensure that such works take place as required.

7. ACTION 4 - EVENTS INFRASTRUCTURE

Brighton & Hove is a city that benefits from a variety of large open spaces including Madeira Drive, Preston Park, Valley Gardens, Hove Lawns and Stanmer Park. However, Brighton & Hove's principal spaces are not equipped to support major events, requiring substantial infrastructure to be brought in.

Madeira Drive, Preston Park, and the Valley Gardens have been recognised by the city council as priority event spaces. However, they need to be developed as dedicated events ready spaces capable of hosting a range of events and entertainments. This means investing in built-in infrastructure in the public realm with outdoor performance front of mind. This is necessary to fulfil the objectives set out in Section 2 of this report namely to 'Enhance our national and international profile and reputation; Encourage civic pride and community cohesion; and develop capacity and capabilities in the city's events sector.

With proposed development of Valley Gardens and Peter Pans there are already plans to ensure that these developments provide for the existing and future needs of events and event organisers. Introducing surfaces that can accommodate events, dropped kerbs for vehicle access, rail crossings for Volks alongside Madeira Drive are all examples of improvements that are needed.

Discrete funding for capital improvements to support events is unlikely to be forthcoming in the current climate. But the needs of events and event organisers should be considered as part of the early thinking and planning for major projects (public and private) that are taking place in and around the main event locations.

The main requirements that future development should consider would include:

- ▶ Provision of flat, open space;
- ▶ No street furniture or public art that cannot be easily moved;
- ▶ Provision of electricity power supply (preferably from renewable sources), data, water (including drinking water) and drainage at appropriate underground points;
- ▶ Vehicle access for unloading;
- ▶ Performer parking;
- ▶ Security and site safety designed in.

The establishment of event ready infrastructure will also critically assist reducing environmental impacts managing energy and water more efficiently, reducing waste and carbon emissions.

CONCLUSION

This strategy recognises that Brighton & Hove is already in a good place – it has a broad programme of events that deliver meaningful benefits to the community and the local economy and which attract visitors.

But there is an ambition to achieve more – and to be able to do so with less resource. It is of course easy to say and hard to do. This report however advocates four specific actions that we believe can help achieve this by a greater focus on ‘quality’, ‘distinctiveness’ and ‘impact’ and which will help achieve the following vision:

Over the next 5 years the Brighton & Hove Outdoor Events Strategy will deliver events that create distinctive experiences for residents and visitors and that support the image as a ‘Free-Thinking’ city with a reputation for high quality events. It is about thinking bigger and smarter and growing sustainably with economic and social benefits felt by our residents and businesses

Sustainable Event Commitment for Outdoor Events



Dear Event Organiser,

Events are a vital part of our city's economy; attracting visitors and making this a vibrant place to live and visit. The city's Sustainable Events Programme provides support to anyone organising an event to minimise negative impacts and maximise benefits to the environment, people and the local economy.

What you can do

Events of any size can sign up to our Sustainable Event Commitment. By signing up, you commit to take actions that improve sustainability at your event.

Which actions to take

Just choose ten or more actions and from any of the sections in this document: Energy & Water, Travel & Transport, Waste & Recycling, Food & Beverage, Suppliers & Products and Community, Landscape, Health & Culture.

Why make the Sustainable Event Commitment

By making commitment, you can publicly show everyone involved with your event that you have taken actions to manage it in a responsible way and you have chosen products and services that have a positive local economic and social impact. Some of the actions you will take will save you money too.

Further information

Tailored guides are available for different types of events including:

- Meetings
- Outdoor events
- Conferences

Visit the [Sustainable Events pages](#) to download guides for other types of event and find details of suppliers who can help you with the actions in our [Suppliers List](#).

Please complete and return this form to the Events Team.


Thank you.

Document ref.	Document owner	Revision date	Version	Page
D-36	Shelaine Siepel	01/07/16	8	1 of 4


Event Details

Name of event	
Date of event	
Name of event organiser	
Event organiser contact details	

Energy & Water

- Done** **Book an outdoor site covered by ISO 20121, the International Standard for Sustainable Events** 
- 1.1 Measure the amount of electricity and / or water used during the event if there is a metered supply
- 1.2 Specify low energy LED lighting for the site including flood lighting
- 1.3 Use solar powered and / or biodiesel generators instead of diesel
- 1.4 Put in a procedure to power down the site after hours including switching off lights to the minimum level required for security at night or use daylight / movement sensors to ensure lights only come on when they are needed

Travel & Transport


- Done** **All Brighton & Hove outdoor sites can be accessed by public transport and city centre venues are within walking distance of most city amenities including shops, restaurants, hotels, the train station and buses.** 
- 2.1 Use conference calls or skype to reduce the need for travel when planning the event.
- 2.2 Make it clear on all communications with visitors, exhibitors and suppliers that you would like them to choose the most sustainable transport options and make it easy by using the [JourneyOn](#) website with live transport info. Tell people about safe cycle routes and cycle storage.
- 2.3 Set up cycle storage, crowd barriers can be used as long as someone is keeping an eye on them to ensure security and a disclaimer displayed.
- 2.4 Survey people to see where they have travelled from and how they travelled when they register at the event. Use the information to calculate the carbon footprint of travel.

Document ref.	Document owner	Revision date	Version	Page
D-36	Shelaine Siepel	01/07/16	8	2 of 4


Waste & Recycling

- Done** As the event organiser, you have a [Duty of Care](#) to ensure that all waste from the event is properly disposed of within the law. Anyone that takes ANY waste from your site must be registered with as a Registered Waste Carrier. Check the register here: <https://www.gov.uk/guidance/access-the-public-register-for-environmental-information>. Recycling is available through Cityclean and many waste companies. Unless you ask, some companies will only offer general waste collection, so it is important to ask. 
- 3.1 Recycle plastic bottles, cans and glass at your event.
- 3.2 Recycle food waste at your event. Not many companies offer this as a service yet, but do ask your contractor and check the Supplier List. Caterers will have to use compostable food packaging to make this work.
- 3.3 Design display materials (signs, stands, banners, lanyards) without dates so that they can be reused.
- 3.4 For sporting events, plan for minimising litter from discarded drink / food packaging either by asking competitors not to throw away containers or have litter pick stations.

Food & Beverage


- Done** Many caterers now offer sustainable food options including fair trade, locally sourced, in-season, meat-free, organic, animal welfare standards or sustainable fish. 
- 4.1 Book caterers that offer one or more of the above.
- 4.2 Plates, cups and cutlery should be reusable or recyclable (or compostable if you are having food waste recycling).
- 4.3 Make free drinking water available.
- 4.4 Ask your caterers to take an [online course](#) in sustainable catering.

Suppliers & Products

- Done** Brighton & Hove has a thriving green business community – from hotels, to restaurants to service providers. 
- 5.1 Book a meal in a restaurant from the [Green Traveller Guide](#) or a [Sustainable Restaurant Association](#) member.
- 5.2 Book accommodation from the [Green Traveller Guide](#) or with a [Green Tourism Business Scheme](#) member.
- 5.3 Consider where products & services are coming from. Suppliers in and around Brighton & Hove are listed on the [Sustainable Event Supplier List](#).
- 5.4 Choose fair trade or recycled giveaways and encourage exhibitors to do the same.
- 5.5 Take on a volunteer or an intern. You could advertise your post on: [Do-It.org](#).

Document ref.	Document owner	Revision date	Version	Page
D-36	Shelaine Siepel	01/07/16	8	3 of 4

Community, Landscape, Health & Culture

- Done** **Book an outdoor site with controls in place to consider local residents and protect the local landscape including remediation deposit if the site is damaged. Please note that sky lanterns and helium balloons are dangerous to animals both on land and in the sea and are not permitted.** 
- 6.1 Link up with a local charity so that they benefit from the event
- 6.2 Ensure you have an effective procedure for dealing with complaints
- 6.3 Minimise damage to the site by protecting grass, flowerbeds and other vegetated areas, especially if the ground might be wet
- 6.4 Use trees and plants from the nursery at Stanmer Park or plants in pots rather than cut flowers. Trees will be planted out across the city afterwards. See Supplier List.
- 6.5 Ensure you have procedures and equipment in place to deal with environmental emergencies such as oil or chemical spills and that people have the right training to deal with them

Anything Else?

Use this space to give details of anything else you are doing.

Declaration

I confirm that as part of this event I commit to making a positive impact by taking the actions marked above. I agree to being contacted after the event to feedback on what was achieved and details of the actions to be taken included in publicity materials on sustainable events.

Name:

Organisation:

Date:

Document ref.	Document owner	Revision date	Version	Page
D-36	Shelaine Siepel	01/07/16	8	4 of 4

Subject:	Brighton Centre Catering Concession		
Date of Meeting:	16th January 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Howard Barden	Tel: 01273 292646
	Email:	howard.barden@brighton.gov.uk	
Ward(s) affected:	All Wards		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 To seek approval from the Tourism, Equalities, Communities & Culture Committee to procure a new catering concession contract for the Brighton Centre. The contract will have an initial term of five years with an option to extend for two further periods of twelve months.
- 1.2 The current contract at the Brighton Centre is with Kudos Ltd and is a Concession Contract and is due to expire on 30th September 2020 allowing sufficient time for procurement to take place.
- 1.3 The current catering turn-over at the Brighton Centre is currently in the region of £1.4m per annum supplying food & beverage to conference and entertainment events.
- 1.4 The value of the existing catering contract at the Brighton Centre provides a guaranteed franchise fee to the Brighton Centre per annum or a percentage of the receipts received by the contractor per annum, whichever is the greater.

2. RECOMMENDATIONS:

That the Tourism, Equalities, Communities & Culture Committee:

- 2.1 Grants delegated authority to the Executive Director, Economy Environment & Culture to:
 - (i) Procure and award a concession contract for catering at the Brighton Centre with an initial term of 5 years; and
 - (ii) Approve an extension(s) to the contract referred to in 2.1 (i) above for a period of up to two years, subject to satisfactory performance by the contractor.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The Brighton Centre is an internationally known venue of considerable scale; it hosts conferences, events, exhibitions, meetings, festivals and concerts with a capacity of up to 5,500.
The Brighton Centre opened in 1977 and has become a landmark on the seafront. The striking building has a track record of hosting a wide range of events from corporate functions to large-scale, high profile international exhibitions and conferences.
The Brighton Centre sells in the region of 250,000 ticket per annum for its Entertainment programme, and holds on average 20 major conventions per year contributing to an economic impact to the City of Brighton & Hove on an annual basis circa £800 million per annum and contributing to 18,000 jobs in the local area.
- 3.2 As part of the financial evaluation, bidders will be required to propose a capital investment fee. The successful bidder will be required to use these funds for improvement of the Brighton Centre's catering. Investment into the catering infrastructure is vital to ensure the continued success of the conference and entertainments programme. In addition relevant and modern catering solutions are a key factor within the sales process of the venue to our conference clients.
- 3.3 The contract for Brighton Centre catering is currently being let as a service concession contract, whereby the Council does not provide an up-front payment to the contractor but instead grants permission for the contractor to operate on its premises and generate revenue. In return, the Council receives a guaranteed annual minimum payment to be paid by the contractor or payment of a specified percentage of annual turnover (whichever is greater)
- 3.4 The present catering contract and current contractor has been in place for the past six years. It is necessary for the venue to test the market to ensure that we are offering clients and customers catering solutions which are fit for purpose in a modern events market and to also ensure that the Local Authority is receiving best value in terms of the commercial arrangements.
- 3.5 This tender will be run in accordance with the Contract Concession Regulations 2016 suppliers will be invited to bid and will be evaluated against a set of agreed criteria, taking quality and price into consideration.
- 3.6 The current service is performing well, with year on year growth, the current income levels to the venue are exceeding the guaranteed franchise fee and the venue therefore receives a larger share of revenue via the percentage of receipts taken. After each conference we benchmark all service provision including the catering operation offered to the client through our post event feedback questionnaire. The quality of the current catering service with the incumbent has improved year on year with many of our repeat customers scoring Kudos Ltd in the good to excellent categories for quality, presentation of product, value for money and overall satisfaction of service.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Under the current arrangements, a contract is in place which provides the relevant controls and protections for the Council, the terms are competitive, the basis of the contractual responsibilities are sound and that the proportional amount of income achieved by the Brighton Centre from the contract is high.
- 4.2 If the catering provision were to be taken in-house then the Council would assume the risk of operation and any potential failures in operations would be the Council's responsibility. Additionally, the current guarantee arrangement ensures the liability for maintaining the service, irrespective of fluctuation in demand, sits with the concessionaire and not with the Council.
- 4.3 Most event venues operate on a concession arrangement for their food and beverage provision. It is only when an organisation operates multiple venues they are able to operate their catering in-house. The rationale for this is based on the economy of scale derived from delivering the provision across multiple sites. Therefore the standard model for standalone venues is to concession the offer to an organisation with the existing knowledge, experience and reputation to deliver this service.
- 4.4 Upon signing of the current contract in 2014 a capital Investment figure was made available by Kudos Ltd as part of the financial agreement to improve the catering infrastructure at the Brighton Centre. Further capital investment is now required and in the event that this service is brought in house, the council would have to identify capital fund from its own resources to carry out the equivalent works.
- 4.5 A further consideration is the initial contract term of 5 years. Based on the current timeline for the Waterfront Project and the potential relocation of the Brighton Centre this 5 year term falls well inside the timescales for the project. This term also provides potential bidders with an attractive concession opportunity whilst providing the Council with the flexibility to terminate this contract prior to the end of the initial term in order to align with any agreed relocation timescales. Any new contract would also allow for a pay back on any capital investment to the contractor on a pro rata basis.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 This is a concession agreement opportunity whereby the Venues section receives an income for the catering provision. Therefore the need to consult with external bodies is not applicable.
- 5.2 The procurement of the Brighton Centre Catering Concession report was presented to the Procurement Advisory Board on Monday 14th October 2019 for consideration. The Board reviewed the recommendations set out in the report and agreed that they should be taken to the Tourism, Equalities, Communities and Culture Committee where approval is sought for the recommendations set out in Section 2.

- 5.3 The Board agreed that given the specific requirements of the catering concession at the Brighton Centre that an outsourced concessionaire contract would be the most appropriate solution.
- 5.4 It was also confirmed to the Procurement Advisory Board that three water fountains had recently been installed in the Brighton Centre, and that plans were in place to become 90% single use plastic free by the end of 2020 by moving over to a multiple use alternative, and to install during 2020 greenhouses on the flag terrace to grow herbs and a wormery to deal with food waste. It should also be noted that the Brighton Centre has recently removed beef from the menu as an option and is looking to introduce meat free Mondays. If a client's event day does not fall on a Monday then they may elect an alternative meat free day during their event. The venue will work with the new provider to ensure these activities continue under the new contract

6. CONCLUSION

- 6.1 The procurement and award of this concession contract will enable the Council to deliver its priorities, to achieve best value for money and to ensure that a high quality catering is provided as part of the venue's service for the benefit of its customers and clients.
- 6.2 Offering the market a contract with an initial term of five years aims to attract significant levels of investment into the venue's catering infrastructure.
- 6.3 Additionally a five year term is vital to build confidence and business relationships with clients and similarly essential within the sales process of the venue around securing world class conferences and events to the city.
- 6.4 This new agreement will ensure that if a new provider is awarded the contract, there will be a seamless transition so that a continuous service is provided to the public.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The proposed procurement is subject to compliance with the councils Contract Standing Orders and Financial Regulations The council's Contract Standing Orders state that contracts above the value of £0.500m require the approval of the relevant Committees or executive decision-making body.
- 7.2 The procurement process, including the contract term, will be prepared on a basis to maximise economy and effectiveness, and will therefore support achieving value for money for the council. The achievement of value for money in the procurement of services is a key task to ensure that public money is well spent.
- 7.3 Bidders will be required to propose a capital investment fee for improvement of the Brighton Centre's catering provision to maximise potential revenues. The alternative to this proposal would be for the council to identify capital funding from its own resources to carry out the equivalent works. Availability of capital

funds is limited due to demands from other priority capital investments, and therefore the option to seek bidders to propose capital investment is considered the most favourable option.

- 7.4 The detailed financial implications will be dependent on the outcome of the procurement process. Any income receivable from the contract will form part of the Culture, Tourism and Sport revenue budget, any variation between contract income and approved budgets will be reported as part of the budget monitoring process.

Finance Officer Consulted: Steven Bedford

Date: 03/12/19

Legal Implications:

- 7.5 The Concession Contracts Regulations 2016 (the “CCR”) apply to the procurement and award of concession contracts above the relevant financial thresholds for services and works. That threshold is currently £4,551,413. The same general principles that apply to other procurement rules apply to the award of concessions contracts, in particular that all economic operators be treated equally and without discrimination and any contracting authority shall act in a transparent and proportionate manner.

- 7.6 It is requirement of the CCR that where a concession contract is to exceed five years, its maximum duration shall not exceed the time that a contractor could reasonably be expected to take to recoup the investments made in operating the works or services together with a return on invested capital taking into account the investments (both initially and during the term) required to achieve the specific contractual objectives.

Lawyer Consulted: Barbara Hurwood

Date: 10/12/2019

Equalities Implications:

- 7.7 The Councils Code of Practice on equalities and Workforce matters is enforced in all procurements and is incorporated within this concession agreement.
- 7.8 It is believed that there will be a TUPE requirement for existing Kudos staff should another contractor be successful in winning the future contract. Further investigation will be undertaken to fully understand the implications of TUPE for this procurement prior to the tender being carried out.

Sustainability Implications:

- 7.9 The Contractor is expected to have conformance with the Food for Life Bronze standards when providing the Catering Service. Throughout the life of the contract, the Council and Contractor will work together to ensure further compliance such as Silver and Gold standards. .
- 7.10 Food for Life is a Soil Association programme. Goals are about making good food the easy choice for everyone – making healthy, tasty and sustainable meals for all to enjoy, reconnecting people with where their food comes from, teaching

them how it's grown and cooked, and championing the importance of well-sourced ingredients.

- 7.11 The contractor will be expected to work towards the removal from their supply chain of the use of single use plastics and must clearly demonstrate their commitment to reducing food waste and packaging from their supply chains.

Any Other Significant Implications:

Social Value and Community Wealth Building Considerations:

- 7.12 The Social Value Act 2012 defines social value as 'improvement to economic, social and environmental well-being of the relevant area' and requires specific consideration by the council. The Public Contracts Regulations 2015 expressly allows contracting authorities to incorporate social and environmental factors into specifications for a contract, award criteria and contract conditions provided that they are linked to the subject matter of the contract, proportionate to what is being procured, do not result in unequal treatment of bidders, are free from discrimination and comply with the EU principle of transparency.
- 7.13 The successful provider will be required to demonstrate a contribution to social value in its arrangements for the performance of the contract including:
- 7.14 How they source high quality, responsibly sourced, local, seasonal produce.
- 7.15 Demonstrating the culture of their organisation which will; be an inclusive culture that respects, supports and embraces the communities around us, is accessible for all and champions nutrition, health and wellbeing.
- 7.16 How they use natural resources as efficiently and effectively as possible and continually innovate to find sustainable solutions to help reduce their impact on the environment.
- 7.17 As an organisation demonstrate how they will enrich our surrounding communities through the support and inclusion of local suppliers.
- 7.18 The contractor must demonstrate that they understand the importance of building today's talent for tomorrow's future and clearly demonstrate their commitment to employing locally and that they are actively involved in developing or working with apprenticeship schemes and providers where they will provide young people with the opportunity to gain experience and develop a career in the hospitality industry.
- 7.19 The Council is an accredited living wage employer. Bidders will be asked to demonstrate as part of the tender process that they are committed to paying the Foundation Living Wage to their employees.
- 7.20 The Council does not support the practice of unpaid trial shifts, any bidder will need to demonstrate that this practice is not condoned by them as an organisation within their recruitment process.

SUPPORTING DOCUMENTATION

Appendices:

None

Background Documents

None

Subject:	Provision of Viability Consultancy Advice to the Planning Service		
Date of Meeting:	16th January 2020		
Report of:	Executive Director Environment, Economy & Culture		
Contact Officer:	Name:	Simon Barrett	Tel: 01273 293296
	Email:	Simon.barrett@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks approval for the Head of Planning to secure suitable arrangements for the council to continue to access high quality and timely advice on the provision of independent development viability assessment reviews. Reviews verify affordable housing levels associated with applications for new developments seeking planning permission.
- 1.2 Members have recently expressed some concerns about the viability assessments undertaken by the current provider, the District Valuers Service (DVS.) This relates to the percentage of affordable homes being deemed acceptable in viability terms relative to the levels recommended in City Plan Part One (Policy CP20 – Affordable Housing). Further to this a question was raised at full council by Councillor Fishleigh and it was agreed that work would be undertaken and a report prepared to address this

2. RECOMMENDATIONS:

- 2.1 That the Head of Planning be authorised to establish a panel of suitably experienced and qualified viability consultants for the council to utilise to undertake independent viability assessment reviews of evidence submitted by planning applicants.
- 2.2 That the Committee agree that the viability reviews undertaken by the consultants utilise a standard model and set parameters (for profit levels, contingencies, professional fees etc) as agreed and reviewed by the Planning Committee Cross Party Members' Working Group.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 When an applicant for a development (over 5 dwellings), submits a planning application, their proposal is required to make provision for the appropriate number of affordable units in accordance with the adopted City Plan Part One policy for affordable housing (CP20 – Affordable Housing.)

The applicant can submit the results of a viability assessment to demonstrate that the proposed development cannot support the full policy requirement for affordable housing provision (either fully/partially) and remain a viable investment proposition for the developer. The assessment of viability is a specialist role usually undertaken by a chartered (RICS) estates surveyor. The content and format of viability assessments are broadly prescribed by national guidance.

- 3.2 The majority of major applications (for 10+ units) for housing developments made each year (circa 20) are submitted with a viability study.
- 3.3 BHCC Planning Authority currently commissions the DVS to review the submitted viability assessment and provide independent advice on the level of affordable housing that the development should support. This is then used by planning officers to negotiate the level of actual provision, which is then secured legally through a S106 agreement linked to the planning approval.
- 3.4 The DVS has not been able to deliver viability assessment reviews in a timely way during periods of peak workload and resource shortages. This elongates the overall period taken to decide planning applications and impacts on planning performance. Currently the DVS is unable to take any new instructions for cases so an interim measure, with an alternative provider, has been implemented on a few applications.
- 3.5 The viability assessment review examines the following key financial areas of the development:

Development Value	The likely scheme value realised from the potential sales (or rental value) of all market units and values for affordable housing units and any other scheme elements.
Construction Costs	The estimated costs of building the dwellings, all ancillary works (car parks, gardens) and all associated fees (professional & statutory)
Acquisition Costs	The costs that the applicant paid to acquire the site, including fees and taxes
S106 Obligations	Contributions the council requires to mitigate the impact of a development (education, transport, art, greenspace, affordable housing)
Profit	The level of profit that the development will generate for the applicant (after overheads, finance costs etc.)

It should be noted that the cost to the council of independent viability advice is paid for by the applicant in addition to the standard planning application fees.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 A benchmarking exercise (Appendix One) has been undertaken to compare the policy targets for and the percentage of affordable housing achieved over 5 years (ending 2016/17) by similar unitary authorities in Southern England. This shows that there is no established link between the way viability advice is procured and the level of housing achieved.

- 4.2 The option to replace the current arrangement with a panel of suitable consultants has been explored. The potential operating model is outlined below:

Number of Providers – Up to six	Firms would be selected solely through a quality selection questionnaire
Conflict of Interest	Selected firms would have appropriate arrangements in place to identify any conflict and their main income stream should be generated through advising public sector clients
Viability Model	BHCC would specify the standard model and set parameters (profit, contingency etc) that all providers use to ensure consistency across assessments
Selection	The developer would select the consultant to appoint from the panel. The Planning Service would retain the right to veto the consultant proposed by the developer based on the information included in their proposal for undertaking the commission.
Appointment	Firms would be appointed jointly with the fee payment made directly by the applicant (reducing risks and administrative costs for the council.)

- 4.3 The Head of Planning was also asked to explore options to self deliver specialist viability appraisal advice “in house.” The high level business case is included as Appendix Three.
- 4.4 The business case demonstrates that the income and volume of work currently generated would be insufficient to offset the costs of delivering the service direct.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The Chair of Planning Committee, in response to a question from Councillor Fishleigh at the Full Council Meeting on 25th July, agreed to ask the Head of Planning to review the existing arrangements and report the outcome and recommendations to this committee. The members of the Planning Committee have been informed of the scoping of the study and its conclusions.
- 5.2 Their comments have shaped how the viability assessments will be established, managed and regularly reviewed to ensure that robust advice is being provided to the council.
- 5.3 The Community Engagement Framework and Standards has not been used in this case as the service is mainly required by private sector developers who are based outside of the city.

6. CONCLUSION

- 6.1 There is no evidence that the viability advice being received from the DVS is a significant factor in the council not achieving fully compliant policy levels of affordable housing.

- 6.2 At present, there is not a sustainable business case for the council to self deliver viability consultancy services.
- 6.3 However, due to resource constraints within the DVS, the council needs to establish alternative supply arrangements in order to support the timely determination of major housing planning applications across the city.
- 6.4 This will be best achieved through the establishment of a panel of consultants as outlined in this report.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The value of undertaking independent viability assessment reviews will be dependent on the number and type of applications received, however based on historic averages, it is estimated that the value of would be in the region of £0.090m annually. The costs of these reviews are met from the planning applicant and will therefore not result in a net cost to the council
- 7.2 As detailed in the main body of the report, consideration has been given to alternative methods of delivery. The recommended panel of consultants is considered the most favourable option in terms of value for money, as it is expected to provide the required outcomes in the timeliest manner. An in house delivery option has been considered, and it is expected that the level of income and volume of work would be insufficient to offset the costs of delivering the service.

Finance Officer Consulted: Steven Bedford

Date: 11/12/19

Legal Implications:

- 7.3 The Council's legal advisors will advise to ensure that the procurement complies with the relevant legislation. Whilst the value of this contract means the decision could be taken by the Executive Director, the recommended course is a change of approach for the Council and Officers have therefore brought the report to Committee for approval.

Lawyer Consulted: Alice Rowland

Date: 06/01/20

Equalities Implications:

- 7.4 An EIA has not been prepared in this instance as the service is restricted to the provision of professional advice to the planning service.
- 7.5 All information relating to viability assessments is already published as part of the general transparency arrangements utilised in the determination of planning applications.

Sustainability Implications:

- 7.6 There are no sustainability implications in relation to the proposals contained in

the report.

Any Other Significant Implications:

- 7.7 Although commissions will be procured by the developer in conjunction with the council on a case by case basis, the creation, maintenance and monitoring of the panel will be managed by the Planning Service. A fair and transparent selection process will be undertaken to ensure suitably qualified consultants are admitted to the panel. This will ensure transparency for the arrangements, set out clear operating procedures and mechanisms to scrutinise the advice being provided by individual firms appointed.
- 7.8 The process for selecting the panel is in the process of being agreed with the timetable for this process being developed following approval of this report. The Head of Planning may therefore need to extend the existing use of an alternative provider for advice if the DVS are unable to undertake particular applications in the interim.

Corporate / Citywide Implications:

- 7.9 Provision of viability advice to the service helps to deliver the policy and objectives of the City Plan and other agreed strategies in the city.

SUPPORTING DOCUMENTATION

Appendices:

1. Benchmarking Exercise with other Unitary Councils in Southern England
2. High level business case for self delivery option

Background Documents

1. None.

Provision of Viability Consultancy Advice to the Planning Service – Appendix One

	Bournemouth		Brighton & Hove		Bristol		Portsmouth		Southampton		Southend	
Advisor	DVS		DVS		Approved List		Approved List		DVS		DVS	
THRESHOLD/AUTHORITY	Dwellings	% Affordable Target	Dwellings	% Affordable Target	Dwellings	% Affordable Target	Dwellings	% Affordable Target	Dwellings	% Affordable Target	Dwellings	% Affordable Target
Lowest Band	3+	40%	5 - 9	20%			8 - 10	20%	5 - 14	20%	10 - 24	8%
Intermediate Band			10 - 14	30%			11 - 14	25%			25 - 49	20%
Top Band			15 +	40%	15+	30%	15 +	30%	15 +	35%	50 +	30%
5 Year Actual Performance		4.6%		23.3%		14.1%		38.9%		34.4%		17.9%
TENURE	Rent	Intermediate Products	Rent	Intermediate Products	Rent	Intermediate Products	Rent	Intermediate Products	Rent	Intermediate Products	Rent	Intermediate Products
Percentage Split	70%	30%	55%	45%	77%	23%	70%	30%	65%	35%	60%	40%

COUNCIL / COMPLETIONS & PERCENTAGE ACHIEVED	2012/1	2013/1	2014/1	2015/1	2017/201	Five Year Total
Bournemouth						
Total dwellings completed	639	394	964	730	581	3308
Total affordable units completed	13	22	86	26	5	152
% affordable units completed	2.0%	5.6%	8.9%	3.6%	0.9%	4.6%
Bristol						
Total dwellings completed	878	1287	1454	1539	1994	7152
Total affordable units completed	290	102	240	180	199	1011
% affordable units completed	33.0%	7.9%	16.5%	11.7%	10.0%	14.1%
Portsmouth						
Total dwellings completed	379	236	419	413	393	1840
Total affordable units completed	121	123	190	154	127	715
% affordable units completed	32.0%	52.0%	45.3%	37.3%	32.3%	38.9%
Southampton						
Total dwellings completed	455	490	1312	1046	230	3533
Total affordable units completed	118	295	415	191	195	1214
% affordable units completed	25.9%	60.2%	31.6%	18.3%	84.8%	34.4%
Southend on Sea						
Total dwellings completed	254	204	322	222	480	1482
Total affordable units completed	39	55	76	0	95	265
% affordable units completed	15.4%	27.0%	23.6%	0.0%	19.8%	17.9%
TOTAL SAMPLE AUTHORITY PERFORMANCE						
Total dwellings completed	2605	2611	4471	3950	3678	17315
Total affordable units completed	581	597	1007	551	621	3357
% affordable units completed	22.3%	22.9%	22.5%	13.9%	16.9%	19.4%
Brighton & Hove						
Total dwellings completed	374	436	581	687	339	2417
Total affordable units completed	113	163	132	99	56	563
% affordable units completed	30.2%	37.4%	22.7%	14.4%	16.5%	23.3%

Provision of Viability Consultancy Advice to the Planning Service – Appendix Two

High Level Business Case for Self-Delivery Option

The outline high level business case has been produced in order to ascertain if it would be a sustainable option to explore further.

Income Assessment - BHCC

The total fees and number of cases commissioned from the current provider (District Valuer Service) over the last 3.5 years is shown below:

	2016/17	2017/18	2018/19	2019/20	Total	Average
Total Fees	£73,228.38	£72,666.10	£119,920.22	£33,363.75	£299,178.45	£85,479.56
Commissions	16	16	29	13	74	21
Average Fee	£4,576.77	£4,541.63	£4,135.18	£2,566.44	£4,042.95	

There may be some limited scope to increase charges to developers (say 7.5%) which would give an **annual income** from 21 cases of **circa £91,250**.

Income Profile - BHCC

The total fees per quarter have also been assessed to examine the potential issues of peaks and troughs in workload for a small niche team, as shown below:

Fee Profile	2016/17	2017/18	2018/19	2019/20	Quarterly Average	Total Fees 3.5 Years	Quarterly Percentage	Forecast Profile
Qtr 1	0	£3,458.00	£2,797.00	£19,025.60	£ 6,320	£ 25,281	8.5%	£7,711
Qtr 2	0	£8,321.50	£20,473.57	£14,338.15	£ 10,783	£ 43,133	14.4%	£13,156
Qtr 3	£25,310.10	£38,126.40	£44,454.20		£ 35,964	£ 107,891	36.1%	£32,907
Qtr4	£47,918.28	£22,760.20	£52,195.45		£ 40,958	£ 122,874	41.1%	£37,477
Total	£73,228.38	£72,666.10	£119,920.22	£33,363.75		£ 299,178	100%	£91,250.00

This shows that the likely profile of work (77% of the annual workload will be required in the last 2 quarters of the year) does not match the minimum required resource (2 FTE.)

Third Party Income

A questionnaire was sent to all 12 districts and borough councils seeking data on their volume and value of viability work, how they currently source it and potential interest in joining a Sussex wide viability service. Whilst there was interest in participating in a procurement exercise to establish a framework of viability consultants, there was little interest in participating in a council delivered service. It is therefore not considered prudent to assume third party income could be generated for the service.

Resources

In order to provide a responsive, timely service, the following minimum resources would be required:

Provision of Viability Consultancy Advice to the Planning Service – Appendix Two

Role	FTE	Mid Point Salary	Total Employment Cost
Senior Estates Surveyor	1.0	£ 41,675	£ 57,927
Estates Surveyor	1.0	£ 33,799	£ 47,249
TOTAL COST TO EMPLOY			£ 105,176

There would also be the need to secure third party cost advice on most schemes from an external quantity surveying practice. This could not be provided in house due to the workload volume, profile and need to maintain current experience of the construction market rather than just relying on the building cost construction index. This is estimated to cost circa £26,250 per annum (based on 21 assessments.)

This also assumes that the team would use an existing standard model to evaluate viability. If it was decided to develop a local model, these additional development and maintenance costs (circa £20,000) would have to be recovered through additional charges to developers.

High Level Financial Plan

The forecast plan for a self-delivered service is shown below:

	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Total
Income	£7,711	£13,156	£32,907	£37,477	£91,250
Less:					
Staff Costs	£ 26,294	£ 26,294	£ 26,294	£ 26,294	£105,176
QS Fees	£ 2,218	£ 3,785	£ 9,466	£ 10,781	£26,250
Total Costs	£ 28,512	£ 30,079	£ 35,760	£ 37,075	£131,426
Surplus/Deficit	-£20,801	-£16,923	-£2,853	£402	-£40,176

Conclusion

The provision of a self-delivered viability service is unlikely to be sustainable for the council. In order to close the £40k forecast deficit, fee charges to developers would need to increase by approximately 55% over the current rates levied by the DVS, which will be challenged by the industry

This will especially be the case as, in order to flatten out the workload peaks, the team would need to extend the timescales to deliver studies received in the second half of the year. The council would therefore be directly contributing to further slowing down development, with the knock on impact of achieving housing targets and associated reputational damage.

The alternative strategy (to engage additional agency staff resources in the Autumn/Winter) would add circa £48k to the annual costs and require a total increase in fees of 110% over the current DVS rates to be viable. This level of charge would put the fee costs at around the same level as charged by private practice and we could therefore be challenged by developers to use this route, which would negatively impact on the viability of the service.

Provision of Viability Consultancy Advice to the Planning Service – Appendix Two

Self Delivery Option SWOT Analysis

Strengths	Weaknesses
<ul style="list-style-type: none"> • More quickly update own viability tool to reflect changes to local housing market (incl rents) • Provides planners and councillors with access to subject matter expertise for reports and committee using a single, consistent model • Improved resilience compared to reliance on current single supplier arrangement • Develops over time better understanding of local housing market and issues affecting development 	<ul style="list-style-type: none"> • Small niche team that could become quickly overloaded with work and lack of ability to easily increase capacity (without supporting frameworks for viability & cost consultancy advice) • Difficult to reduce capacity if workload reduces due to economic climate (with consequent burden on general fund) • Need to fund set up costs & any income shortfall on fixed costs (model, BCIS & RICS subscriptions) competing with other council investment bids/priorities • Viability is a non-statutory duty for an authority to provide • BHCC reputation potentially diminished if work backlogs occur & council able to be blamed directly for delays to planning permissions by developers
Opportunities	Threats
<ul style="list-style-type: none"> • Potential to trade service with other Sussex districts & boroughs • Option to expand fee paying Planning Performance Agreement to include viability appraisal • Publicise model to developers to encourage them to consider viability prior to overpaying for site • May provide some additional estates surveying capacity within Property & Design team & possible wider staff progression options • Possible capacity to support other policy work currently commissioned from consultants 	<ul style="list-style-type: none"> • Pay and reward structure may make it difficult to recruit/retain suitably qualified and experienced resources • Developers are more likely to challenge refusals on viability grounds where the council has provided its' own advice • Sub-consultancy models leave future workload level risk with suppliers rather than the council • Service vulnerable to central government changes to NPPF and viability requirements/thresholds • Challenge to fee levels from developers (which would be set by BHCC) if higher than charges levied by DVS • May deter some developers from working in the city due to perceived introduction of another unknown variable in the process

Subject:	Citywide Article 4 Direction - Houses in Multiple Occupation		
Date of Meeting:	16 January 2020		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Steve Tremlett	Tel: 01273 292108
	Email:	steve.tremlett@brighton-hove.gov.uk	
Ward(s) affected:	(All Wards);		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The report seeks authorisation to confirm a citywide Article 4 Direction, excluding that part of the city within the South Downs National Park, which will have the effect of removing permitted development rights, which allow changes of use from dwellinghouses, i.e. family homes, (Use Class C3) to small Houses in Multiple Occupation (Use Class C4). This will replace the existing Article 4 Direction confirmed in 2013 which covers the wards of Hanover and Elm Grove, Hollingdean and Stanmer, Moulsecoomb and Bevendean, Queen's Park and St. Peter's and North Laine.
- 1.2 The Article 4 Direction is attached to the report in Appendix 2 with a map showing its extent in Appendix 3.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the representations made during the consultation period.
- 2.2 That the Committee authorises the confirmation of the Direction made under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 to remove permitted development rights relating to changes of use from a C3 dwellinghouse to a C4 small HMO.
- 2.3 That the Committee authorises the making of a Direction ("the Cancellation Direction") cancelling the existing Article 4 Direction confirmed in 2013 within the wards of Hanover and Elm Grove, Hollingdean and Stanmer, Moulsecoomb and Bevendean, Queen's Park and St. Peter's and North Laine as these wards will be covered by the new citywide Direction.
- 2.4 That the Committee authorises the Head of Planning to confirm the Cancellation Direction subject to the consideration of any representations received on the same.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 An Article 4 Direction that removes permitted development rights relating to changes of use from use class C3 (dwellinghouse) to use class C4 (small HMO) has been in place since 2013 in five wards of the city, listed in paragraph 2.3 above. Changes of use to larger HMOs do not benefit from permitted development rights and already require planning permission anywhere in the city.
- 3.2 At the June 2018 meeting, the Tourism, Development & Culture Committee (TDC) supported an evidence gathering exercise to assess the impact of HMOs in areas of the city outside the existing Article 4 Direction area due to growing concern from local communities about the impacts of increasing numbers of HMOs in other areas of the city. A recommendation was approved that following the evidence review, a report be brought back to that Committee with a recommendation on whether and where to extend the Article 4 Direction that removes the permitted development rights relating to changes of use from dwellinghouses to small HMOs.
- 3.3 Consequently a report was brought to the January 2019 meeting of TDC Committee setting out the evidence reviewed which was considered to support an extension to the existing Article 4 Direction area. A recommendation to progress a citywide extension was agreed by the Committee. In summary the key factors supporting this approach were:
- The presence of significant numbers of HMOs outside this area, including some pockets with very high concentrations;
 - To provide a proactive strategic approach to HMO management in the city, providing long-term certainty for developers and communities by avoiding the need for further reactive extensions
 - Avoidance of a 'cliff-edge' scenario where streets immediately adjacent to the boundary of an Article 4 Direction area attract higher levels of HMO development due to planning permission not being required;
 - The expectation that much of the future additional demand for HMO accommodation will stem from non-student groups who are likely to be more flexible over the location of their accommodation, rather than the historic focus on accommodation occupied by students in the Lewes Road area.
- 3.4 The Committee supported the report's recommendation and authorised the making of citywide non-immediate direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) to remove the permitted development right for the change the use of a building from a dwelling house (Class C3) to a House in Multiple Occupation (Class C4). The Direction was subsequently made on 3 June 2019. As the Direction is non-immediate, it does not come into force for a year and is subject to confirmation by the Committee following a minimum three week consultation period and no intervention from the Secretary of State. The Secretary of State was notified at the time the Direction was made in June 2018 and has not indicated an intention to use his powers to modify or cancel the Direction.
- 3.5 If confirmed, the citywide Direction would come into force on 3 June 2020 and would duplicate the Article 4 Direction made in 2013. The 2013 Direction should

therefore be cancelled from the date the citywide Article 4 Direction comes into effect.

Consultation

- 3.6 Consultation on the proposed Article 4 Direction took place for a six week period from 3 June to 8 July 2019. A total of 261 responses were received, of which 95% of respondents were Brighton & Hove residents, 3% organisations, businesses or landlords, or agents acting on their behalf. 92% of the overall responses were in favour of the Direction being confirmed.
- 3.7 Postcodes of those responding were recorded and are illustrated on the map in Appendix 4. Markers in blue indicate those who were not in favour of the Article 4 Direction being confirmed. It can be seen there is a wide geographical spread of respondees, with responses not solely received from residents in areas where HMOs proliferate, although there are some concentrations in communities such as the Bristol Gardens and Argyle Road areas from where petitions had previously been received on this issue.
- 3.8 The most commonly stated reasons for supporting the proposal were:
- The negative effect of HMOs on local amenity (for example noise and other anti-social behaviour)
 - Negative effect on the character of neighbourhoods
 - Lack of family housing in the city
- 3.9 Points of objection included:
- The need to maintain more affordable housing (e.g. for young professionals/ minimum wage earners);
 - The proposals would discriminate against people who have no choice but to live in HMOs;
 - HMOs are stigmatised by a perception they are only inhabited by students.
- 3.10 A full summary of representations made and officer's responses is set out in Appendix 1.
- 3.11 In response to the objections, it is important to note that an extension of the Article 4 Direction will not, and is not intended to, halt further HMO development. Rather, the Direction and the current and emerging City Plan policies would give the city council greater ability to better manage the outcome of change of use applications across the city through the planning process in order to help maintain balanced and sustainable communities. It would also allow the consideration of other planning matters such as the standard of living for future occupiers which cannot be considered through the planning process where permitted development rights apply. The intended result is a more even spread of HMOs. In those parts of the city where there are low HMO concentrations it is expected that the number of applications will be relatively low, and those that are received are likely to be approved.
- 3.12 The consultation demonstrates very strong support for the confirmation of the Article 4 Direction.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The alternative option is not to confirm the Article 4 Direction. This would mean that permitted development rights for changes of use from a C3 dwellinghouse to a C4 small HMO would remain in place in that area of the city outside the existing Article 4 Direction. The council would have little control over the proliferation of HMOs in this area which could result in a negative impacts

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The June 2018 report supporting an evidence gathering exercise on this issue was, in part, a response to a petition submitted to the Committee in January 2018 entitled "Petition to restrict number of HMOs on Bennett Road, Bristol St and Princess Terrace and preserve our lovely community spirit which is alive and well". A response to the petition was given to TDC at that time.
- 5.2 A letter was received from Councillors Morgan, Platts and Mitchell in support of East Brighton Ward being evaluated for coverage by an Article 4 Direction in order to better manage the spread of Houses in Multiple Occupation (HMOs) in the area. The letter noted the concern of local residents regarding increasing numbers of HMOs in that area.
- 5.3 Correspondence had also been received from the Argyle and Campbell Roads Residents' Association expressing concern over the impact of HMO proliferation in that area of the city. Further correspondence was received from members representing communities in Withdean ward and the Robertson Road area in Preston Park ward.
- 5.4 Following the making of an Article 4 Direction, a consultation period took place for six weeks, in excess of the minimum of 21 days required by the Town and Country Planning (General Permitted Development) (England) Order 2015. Strong support was demonstrated for the confirmation of the Direction.

6. CONCLUSION

- 6.1 Evidence previously presented to the TDC Committee was considered to justify a citywide extension to the Article 4 Direction relating to HMOs. Consultation responses indicate strong support for the proposal and the Secretary of State has not indicated an intention to intervene. It is therefore considered appropriate to confirm the Direction.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications resulting from this report. It is assumed that the service impact of, for example, additional planning applications resulting from confirming the Article 4 Direction will be contained within existing planning services revenue budgets. This will be reviewed and monitored as part of budget monitoring and setting.

Finance Officer Consulted: Jess Laing

Date: 05/11/2019

Legal Implications:

- 7.2 The Citywide Article 4 Direction has been made and advertised in accordance with the Town and Country Planning (General Permitted Development) (England) Order 2015. That Order requires that in deciding whether to confirm a direction, the LPA must take into account any representations received during the publicity period.
- 7.3 As noted above, if Committee agree the recommendation to confirm the Citywide Article 4 Direction, the Direction made in 2013 will be redundant as being duplicated in the wider Direction. The legislation specifies that a direction can be cancelled by a subsequent direction, although in this case, of course, the restrictions contained in the 2013 Direction will continue to apply, albeit in the Citywide Direction. The same procedure applies to the making of a cancellation direction as applies to a direction removing permitted development rights. Accordingly the Cancellation Direction will need to be advertised and any representations will need to be taken into account in considering whether to confirm the Direction.

Lawyer Consulted: Hilary Woodward

Date: 8/11/19

Equalities Implications:

- 7.4 Concerns were raised during the consultation about the effect of a city wide Article 4 Direction on the availability of low cost housing and a consequent negative effect on younger people and those on lower incomes. However the measure will not cap HMO development in the city, rather it is intended to ensure a more even distribution and to avoid negative impacts associated with high concentrations

Sustainability Implications:

- 7.5 Confirming the Article 4 Direction will help the Local Planning Authority to better manage the distribution of HMOs in order to better maintain sustainable, balanced communities.

Any Other Significant Implications:

- 7.6 None identified.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of Representations
2. Article 4 Direction
3. Article 4 Direction Map
4. Map Showing Postcodes of Respondents

Background Documents

1. None

Analysis of Representations

Total Number of Responses	261
Number of Representations that Support	240
Number of Representations that Object	21
Number of Representations – Other	0
Summary of Comments	
Summary of Comments	Officer Response
Objections	
General objection	Objection noted
Need for affordable housing (e.g. for young professionals/ minimum wage earners) – minimising HMOs not the solution	The proposed Article 4 Direction does not cap the number of HMOs. It is intended to manage the distribution to avoid further areas of high concentrations developing.
HMOs are stigmatised due to a perception that they are only occupied by students.	It is acknowledged that this perception may occur. The Council recognises that HMOs are an important low-cost housing option for many people on lower incomes, not just students.
Conversions to three bedroom properties should not be included due to lesser impacts.	The C4 use class is defined nationally and the Council does not have the power to differentiate between a three person HMO and other types of C4 accommodation.
Brighton should be kept inclusive. The policy discriminates against people who have to live in HMOs	The proposed Article 4 Direction does not cap the number of HMOs. It is intended to manage the distribution to avoid areas of high concentrations developing.
Policy would be implemented too late.	Not accepted. The vast majority of the area proposed for the extension has low levels of HMOs currently and the Article 4 extension is a proactive measure.
Do not pay council tax and therefore not contributing to local council	Full time students are not liable for Council Tax whether they are in HMOs or other kinds of accommodation. Equally many non-students live in HMOs

	and do pay Council Tax.
The policy is too blunt. Housing cooperatives should be exempted in order to sustain affordable housing for non-families.	It is not possible to provide for specific exemptions through an Article 4 Direction. The circumstances of each planning application will be considered during the determination of an application.
Support	
General support	Support noted.
Too many HMOs in the area proposed for extension already	Comments noted. It is agreed that some areas already have excessively high concentrations.
HMOs cause parking problems	Parking is an example of a problem that can be exacerbated by high concentrations of HMOs.
Negative effect on local amenity (e.g. noise, vandalism, anti-social behaviour)	It is acknowledged that high concentrations of HMOs can lead to problems such as these.
HMOs have a negative effect on the character of neighbourhoods (e.g. decreased social cohesion, less local activities taking place due to being temporary occupants)	It is acknowledged that high concentrations of HMOs can cause the character of areas to change.
Unrestricted HMO growth causes studentification (i.e HMOs cause an issue because they are occupied mainly by students)	It is agreed that some areas of high HMO concentrations in the existing Article 4 Direction area are largely due to high numbers of student houses.
Lack of Affordable/ Family Housing (e.g. need for a better balance across the city)	Comment noted, the extended Article 4 Direction is intended to ensure an appropriate balance between family housing and HMOs is maintained in all areas of the city.
Needs to be more control of HMOs by the council/ additional legislation alongside this policy	The Council does not have the power to introduce legislation. The Draft 'City Plan Part Two introduces additional policy criteria which will be used in the determination of planning applications for changes of use to HMO.
The approach to the issue should be consistent across the city	Support for a consistent citywide approach noted.
Landlords take advantage (e.g. charge high rents for unsuitable accommodation and don't pay tax)	The planning system is unable to control rental processes for HMOs.

Concerns about the standard of HMOs in the city	Comments noted. The HMO licensing system is intended to ensure that certain minimum standards are met.
There should be democratic control of neighbourhood (e.g. Neighbours being able to object to HMOs when they are next door)	Where planning permission is required, neighbours are able to register objection to applications.
More formalised student housing is needed (e.g. needed on campus/ Universities need to be more accountable)	Significant purpose built student accommodation has been permitted in the city and will be delivered over the forthcoming years, both on and off campus.
HMOs are not the answer to the housing shortage	Comment noted.
Effects on Local Services - schools/ businesses at risk of closure due to high concentrations of HMOs	It is acknowledged that high concentrations of HMOs can cause the character of areas to change.
Concerns about implementation of the policy (e.g. council decisions overturned at appeals, ability of the Council to undertake enforcement action)	The Article 4 Direction would require planning applications to be submitted for changes of use from use class C3 to C4 citywide. This would be enforced. Developers would retain the right to appeal to the Planning Inspectorate against planning refusals.
The policy should be implemented on other types of accommodation (e.g. Holiday Lets or Air BnB)	These types of accommodation are classified as use class C3 (i.e. the same as standard residential accommodation) and cannot be controlled through the planning system as they do not normally represent a change of use.
Good idea to help reduce concentration of HMOs	Support noted.
Numbers need to be capped in areas of high density already	The planning policy requirements set out in City Plan Policy CP21 do effectively cap HMOs in areas with the highest densities.
Estate Agents work with developers to increase profits by exploiting HMO occupants with high rents which reduces affordable housing available to families	Planning policy cannot control rents however the Article 4 Direction is intended to maintain an appropriate balance between HMOs and family housing.
HMOs attract a transient population who do not care for the neighbourhood	It is recognised that the transient nature of HMO populations can cause a breakdown in community cohesion in areas with high concentrations.
Minimum standards should be applied to HMOs to protect communities and tenants	Minimum standards are applied through the HMO licensing process, and City Plan Part Two proposes additional requirements relating to living standards for occupiers.
Pre-app advice for change of use from C3 to C4 should be	Standard pre-application charge is expected to apply, however there would

free for the first application.	be no fee associated with a planning application.
The Article 4 direction should exclude owner occupiers with up to 2 lodgers.	The use class order does not permit allow this kind of differentiation.
HMOs should be banned in the city	The council does not have the powers to ban HMOs. Furthermore, it is recognised that HMOs are an important element of the city's housing stock.

BRIGHTON & HOVE CITY COUNCIL

**TOWN AND COUNTRY PLANNING (GENERAL PERMITTED DEVELOPMENT) (ENGLAND)
ORDER 2015**

DIRECTION MADE UNDER ARTICLE 4(1)

WHEREAS Brighton & Hove City Council, being the appropriate local planning authority within the meaning of article 4(5) of the Town and Country Planning (General Permitted Development) (England) Order 2015, are satisfied that it is expedient that development of the description set out in the Schedule below should not be carried out on the land shown edged red on the attached plan unless planning permission is granted on an application made under Part III of the Town and Country Planning Act 1990, as amended.

NOW THEREFORE the said Council in pursuance of the power conferred on them by article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 hereby direct that the permission granted by article 3 of the said Order shall not apply to development on the said land of the description set out in the Schedule below:

SCHEDULE

Development consisting of a change of use of a building from a use falling within Class C3 (dwellinghouses) of the Schedule to the Town and Country Planning (Use Classes) Order 1987, to a use falling within Class C4 (houses in multiple occupation) of that Schedule and not being development comprised within any other Class.

THIS DIRECTION is made under article 4(1) of the Town and Country Planning (General Permitted Development) (England) Order 2015 and in accordance with Schedule 3 of that Order and shall come into force, if confirmed, on 3 June 2020.

Made under the Common Seal of Brighton & Hove City Council
this 3rd day of June 2019

The Common Seal of Brighton & Hove City Council was affixed
to this Direction in the presence of

E. Woodley

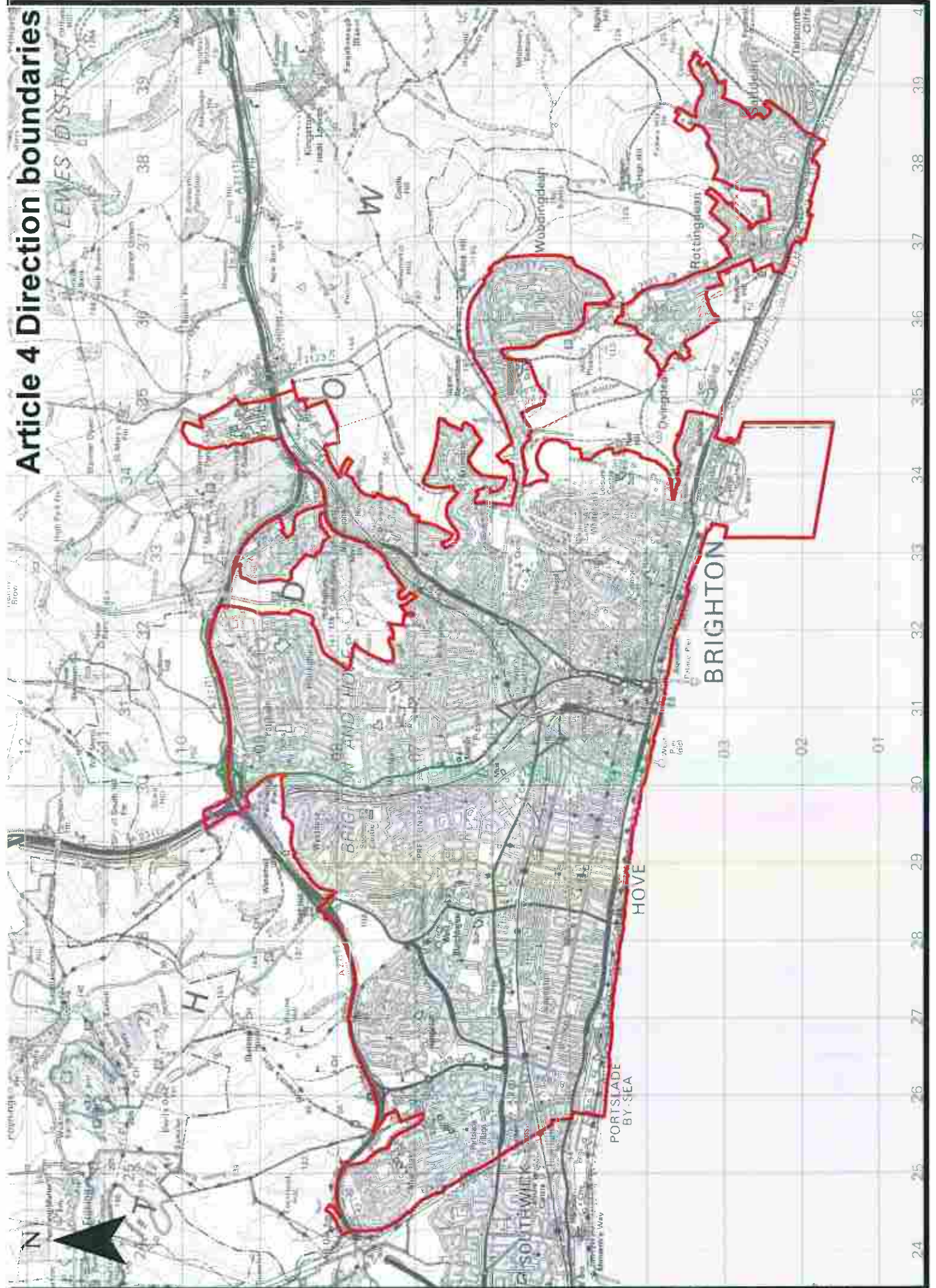
Confirmed under the Common Seal of Brighton & Hove City Council
this day of

The Common Seal of Brighton & Hove City Council was affixed
to this Direction in the presence of

.....
Authorised Officer

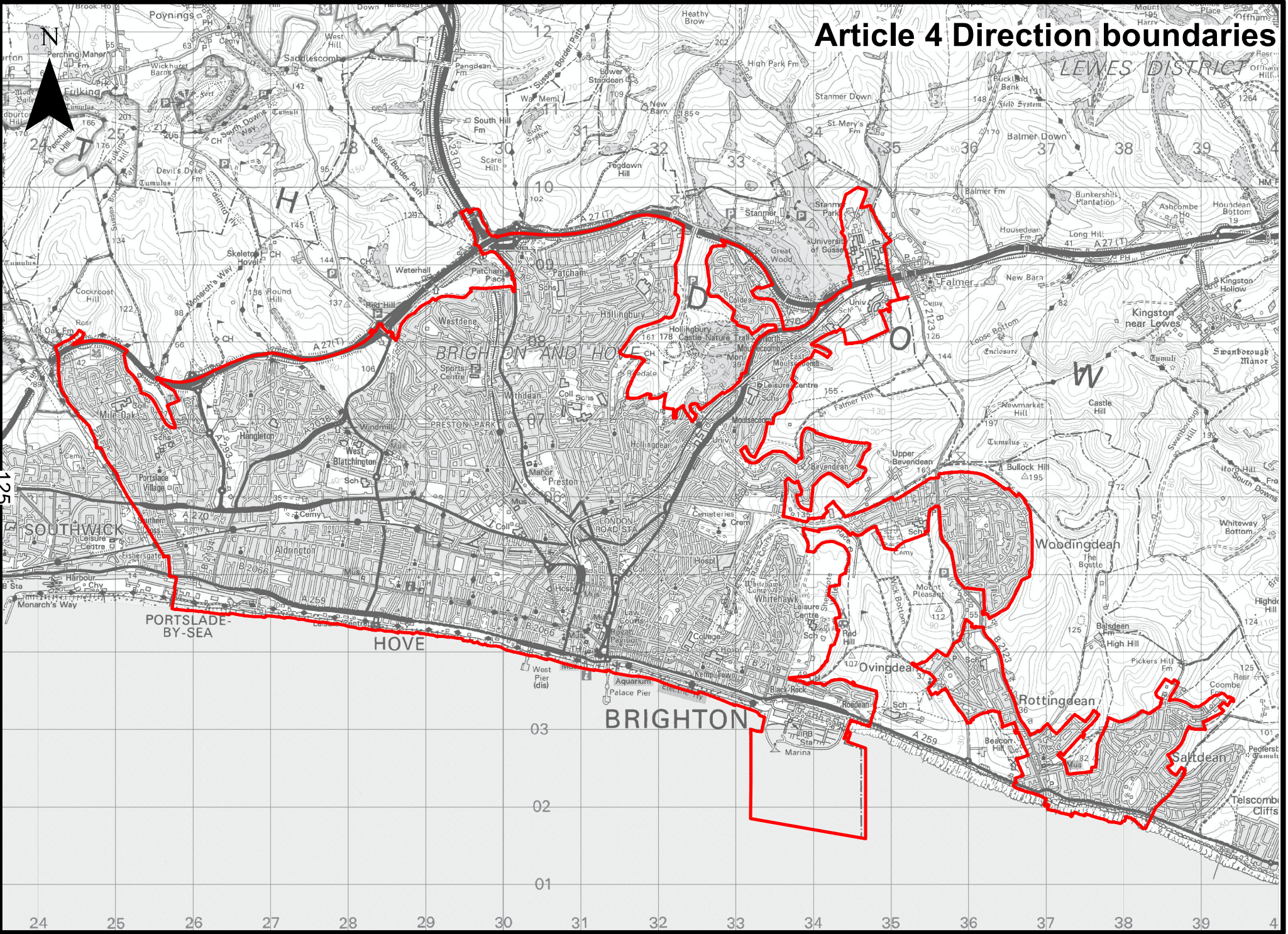


Article 4 Direction boundaries



J. Woodley

Article 4 Direction boundaries





Postcode of Respondants

Black stars indicate those not in favour of the Article 4 Direction being confirmed. Light grey markers indicate those in favour.



127

Postcode of Respondants

Subject:	Planning Application Validation Review - Community Infrastructure Levy		
Date of Meeting:	16 January 2020		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Paul Vidler	Tel: 01273 292192
	Email:	paul.vidler@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The purpose of the report is to seek agreement for the amendment of the planning application local validation criteria to require a completed Community Infrastructure Levy (CIL) Additional Information Form 1 as part of the validation process in conjunction with the planned introduction of CIL.

2. RECOMMENDATIONS:

- 2.1 That the Committee agrees the amendment of the planning application local validation criteria to require a completed CIL Additional Information Form 1 as part of the validation process from 2nd March 2020 for all applications for full planning permission, including householder applications and reserved matters following an outline planning permission, and applications for lawful development certificates.
- 2.2 That the Committee agrees the validation requirement set out in paragraph 2.1 will lapse if Full Council does not approve the commencement of CIL on 2 April 2020.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The council is planning on introducing a Community Infrastructure Levy (CIL) on all liable planning permissions granted approval on and from 1st June 2020. This is subject to approval by Full Council on 2nd April 2020. CIL is a non-negotiable financial payment which will pay for infrastructure across the City.
- 3.2 In Brighton & Hove, CIL will be levied on developments for Residential (C3); Extra Care/ Assisted Living (C2); Purpose Built Student Housing/ Purpose Built Shared Living Accommodation and Retail uses, subject to the CIL Regulations 2010 (as amended) criteria.
- 3.3 In order to assess whether a development is CIL liable, the council will require a completed CIL Additional Information Form 1 as part of the planning application validation process from 2nd March 2020. This date allows for an appropriate

lead in time before the CIL implementation date of 1st June 2020. The validation requirement will lapse if Full Council does not approve the commencement of CIL on 2 April 2020.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The Committee can decide not to require the submission of the CIL Additional Information Form 1 as part of the validation process, however the submission of the form at this stage provides certainty for the applicant and the council early in the development process on CIL liability and is common practice for those local planning authorities that have introduced a CIL.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 In accordance with current guidance, a 4 week consultation has been undertaken seeking views from residents, businesses, property owners, developers, agents, community groups, council teams and other stakeholders on the change to the planning application validation requirements. The consultation responses are set out in Appendix 1.
- 5.2 [Analysis of consultation responses following closure of consultation on 15/12/19 to be inserted]

6. CONCLUSION

- 6.1 Agreeing the amendment of the planning application local validation criteria to require the submission of the CIL Additional Information Form 1 as part of the validation process will provide certainty for the applicant and the council early in the development process on CIL liability.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 There are no direct financial implications of the proposed new planning application validation criteria. It is assumed that any associated costs of delivering this will be adsorbed within existing budgets. This will be monitored and reviewed as part of ongoing budget monitoring and setting.

Finance Officer Consulted: Jess Laing

Date: 11/12/2019

Legal Implications:

- 7.2 Section 62 (3) of the Town and Country Planning Act 1990 provides that local planning authorities may require that certain particulars and/or evidence is included with an application for planning permission. However, such information must be reasonable having regard, in particular, to the nature and scale of the proposed development and relate to a matter that it is reasonable to think would be a material consideration in the determination of the application (Article 11(3) (c) of The Town and Country Planning (Development Management Procedure) (England) Order 2015). The list of requirements must be published on the

Council's website. The inclusion of the CIL Additional Information Form 1 within the Council's validation criteria would comply with the statutory requirements.

Lawyer Consulted: Hilary Woodward

Date: 11/12/19

Equalities Implications:

- 7.3 There are no equalities implications in relation to the proposals contained in the report.

Sustainability Implications:

- 7.4 There are no sustainability implications in relation to the proposals contained in the report.

Any Other Significant Implications:

- 7.5 None.

SUPPORTING DOCUMENTATION

Appendices:

1. Responses to consultation

Background Documents

None.

Planning Application Validation Review - Community Infrastructure Levy

Responses to Consultation Undertaken 18/11/19 to 15/12/19

In order to assess CIL liability, the council will require a completed CIL Additional Information Form 1 as part of the validation process from 2nd March 2020 for all applications for full planning permission, including householder applications and reserved matters following an outline planning permission, and applications for lawful development certificates. This date allows for an appropriate lead in time before the CIL implementation date of 1st June 2020. The validation requirement will lapse if Full Council does not approve the commencement of CIL on 2 April 2020.

Do you agree or disagree with the proposal to require the submission of a completed CIL Additional Information Form 1 as part of the validation process for the applications set out above?

Type of responder	Number of responses	Agree	Disagree	Don't know/not sure/no comment
Planning agent/architect	2	0	2	0
Resident	12	8	2	2
Local business	1	1	0	0
Statutory body	6	1	0	5
Local community/voluntary group	3	3	0	0
Other local authority	2	2	0	0
Internal consultee	1	0	0	1
Unspecified	2	1	0	1
TOTAL	29	16	4	9
	100%	55%	14%	31%

Summary of Responses

Agree

- Submission of the CIL Form 1 as part of the validation process is an essential part of working out whether or not a development is CIL liable.
- Should be a phased introduction for reserved matters applications.
- We should keep it all as simple as possible
- Some agents and applicants will find the forms a bit confusing.

Disagree

- Will delay the planning process.
- Should not be necessary on Householder applications nor Existing LDC's and very rarely Proposed LDCs.

Other Comments

- A number of responses related to the introduction of CIL, the proposed charging schedule, the determination of planning applications and planning enforcement which are outside the scope of this consultation.

Officer Response

The responses received to the consultation indicated a significant degree of support for the submission of the CIL Form 1 as part of the validation process, with only 14% disagreeing with the proposal.

The CIL Form 1 requires minimal information to be provided to enable an initial assessment to be made early in the application process to determine whether a development is CIL liable. This provides clarity for both the applicant and the local planning authority. It is not considered to be an onerous requirement and is consistent with many other local authorities that have adopted a CIL.

Subject:	Adoption of Updated Design Guide for Extensions and Alterations SPD		
Date of Meeting:	16 January 2020		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Sujeet Sharma	Tel: 01273 292408
	Email:	sujeet.sharma@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report seeks authority to adopt the Updated Design Guide for Extensions and Alterations Supplementary Planning Document (SPD). The report sets out the results of consultation undertaken on the draft SPD and the changes made in response to comments. Once adopted, the updated SPD will provide guidance to applicants wishing to undertake extension and alteration to their properties and will be used by case officers to help determine planning applications.
- 1.2 The current SPD was adopted in 2013. Since its adoption, there have been changes to planning policy nationally and locally and the implications arising from appeal decisions need to be considered. The SPD has been amended to reflect these changes and other updates in policy and practice.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the consultation undertaken on the draft SPD (Appendix 1) and endorses the changes made to the document.
- 2.2 That the Committee agrees the Updated Design Guide for Extensions and Alterations SPD (Appendix 2) for adoption as part of the city's suite of planning documents subject to any minor grammatical and non-material text and illustrative alterations agreed by the Head of Planning in consultation with the Chair of the Committee prior to publication.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 A Design Guide for Extensions and Alterations (SPD 12) was adopted in June 2013 which set out detailed guidance for planning applicants regarding the type of extensions and alterations likely to receive a favourable planning decision. Its replacement is required to take account of the changing planning policy context as set out in the National Planning Policy Framework (2019), the City Plan Part 1 (2016) and in particular the emerging City Plan Part 2. Changes in the permitted development rights for householders and the implications of recent appeal

decisions (allowing alterations that were initially refused on the basis of the 2013 guidance) have also prompted the need to update and review the guidance.

3.2 The updated SPD will:

- Provide guidance for developers and property owners to incorporate good design principles into schemes for extensions and/or alterations;
- Set out supporting information that will need to be submitted with planning applications to assist in planning decision making;
- Help support the delivery of City Plan Part 1 policy CP12: Urban Design and
- Support the delivery of draft City Plan Part 2 policy DM21: Extensions and Alterations (subject to adoption)

3.3 The SPD is prepared as local guidance to assist in delivering local design policy. It is part of the suite of planning documents that seek to continue to raise the quality of the development that will take place in the City.

3.4 At the Tourism, Development & Culture Committee of 20th June 2019, authority was given to consult on the Draft Updated Design Guide for Extensions and Alterations SPD.

3.5 Public consultation was undertaken from 5th July 2019 until the 16th August 2019.

Consultation on Draft SPD

3.6 During the consultation period: the SPD was made available on a dedicated website through the council's Consultation Portal and also at all of the local libraries in Brighton and Hove. Consultees on the Local Plan consultation database were emailed and invited to comment via the consultation portal. They were asked specifically to respond to ten questions relating to different sections of the SPD. A bespoke event was also held with representatives from the Planning Agents Forum (PAF). A press release was issued and the consultation was publicised via social media.

3.7 A total of 10 responses were received during the consultation from six individuals and 4 organisations which included a statutory consultee (Highways England) which had no comments. Three local organisations (The Brighton Society, RSPB Sussex and Planning Agents Forum) broadly supported the content of the SPD with some suggestions.

3.8 The main issues and concerns raised through the public consultation are summarised in the Consultation Statement that accompanies this SPD (see Appendix 1). The Consultation Statement indicates how key concerns have been addressed. Many of the issues raised have been positively incorporated into the SPD. Some of the issues raised were however considered outside the remit of a SPD.

Consultation with the Planning Agents Forum (PAF)

3.9 The preparation of the SPD has been undertaken in consultation with PAF. PAF has engaged with the Council as a critical friend in the process. At the scoping

stage, engagement with PAF (on 2nd November 2018) helped to set the tone of the document. There was strong support for a more positive and flexible approach. As part of the public consultation on the draft SPD a bespoke meeting was held with PAF (30 August 2019) in which PAF provided detailed feedback on the consultation draft SPD. The notes from the meeting have been incorporated in the Consultation Statement.

Key changes

3.10 Some of the key comments and concerns raised through the consultation are summarised in the table below indicating the changes that have been made:

Concern	Changes
The document needs to be jargon free and should be set out in plain English.	The document has been reviewed and revised in response to the comment.
Key design principles which should be applied to the design of extensions should be more fully described and discussed.	Section 3 has been reviewed and new information added to explain the role of building line, pattern, roof lines, pitch and shapes of roofs, views and orientation in Section 3A. Content of the Detailed Guidance section has also been reviewed and amended.
Wording of 'Delivering Sustainability' section is weak. Include requirement to survey prior to construction to examine if there are any active swift nests.	An SPD should not be too prescriptive. The objective of the SPD is not to set policy but support it. New text has been added in Section 3C suggesting it is a good practice to survey the property for any active swift nests prior to construction.
Introduce detailed guidance in relation to infill extension, new and replacement windows and minor alterations.	New sub-sections introduced relating to new and replacement windows and minor alterations have been added.
Roof extensions and alterations guidance needs strengthening and guidance on dormers needs tightening up. Hip to gable changes on semi-detached properties needs to be introduced.	Text has been added to the Roof Alteration Guidance with appropriate advice on hip to gable changes. Guidance on front and back dormers has been reviewed and revised.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 Options were fully considered during the preparation of the draft City Plan Part Two and these have informed the detail and content of the SPD.
- 4.2 An alternative option would be to rely on the existing SPD which is dated. The updated document will provide up to date and clear guidance consistent with national policy, permitted development rights and reflect recent appeal decisions.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012. The council's Statement of Community Involvement (SCI) sets out policy and standards for engaging residents, local groups, stakeholders and statutory consultees in the preparation of planning-related documents. The public consultation was carried out in accordance with this statement.
- 5.2 There was a six week public consultation period which began on 5th July 2019 and closed on 16th August 2019. There were bespoke meetings held with PAF at scoping stage (2nd November 2018) and as part of the public consultation (30th August 2019) to collect feedback.
- 5.3 The findings of the consultation are included in Appendix 1.

6. CONCLUSION

- 6.1 The new SPD makes changes to the existing SPD that are consistent with regulatory changes and current best practice. The main purpose of this report is to formally adopt the Updated Design Guide for Extensions and Alterations SPD to ensure there is detailed, clear advice for future applicants and to assist the delivery of high quality extensions and alterations in the City.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The cost of officer time, production of documents and consultation associated with the recommendations in this report has been funded from existing revenue budgets within the Planning service. It is anticipated that any financial implications arising from the adoption and ongoing regulation of the recommended guidance in the SPD will be met from existing resources. The relevant budgets will be monitored and reviewed as part of budget monitoring and setting.

Finance Officer Consulted: Jess Laing

Date: 11/12/2019

Legal Implications:

- 7.2 As noted in the body of the report, consultation on the draft SPD has been carried out in accordance with the relevant statutory provisions, namely the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 7.3 Those Regulations also govern the contents of a SPD. To be lawful, a SPD must be limited to statements regarding "any environmental, social, design and economic objectives which are relevant to the attainment of development and use of land" which "the local planning authority wish to encourage during any specified period" [Regulation 5. (1) (a)]. Once adopted a SPD will be a material planning consideration in the determination of relevant planning applications.

Lawyer Consulted: Hilary Woodward

Date: 5/12/19

Equalities Implications:

- 7.4 The Draft City Plan Part 2 was accompanied by a Health and Equality Impact Assessment (HEQIA). The HEQIA for the policy of relevance to this SPD, DM21 Extensions and alterations, found there to be no specific equalities implications and found it to be beneficial for the health of the occupiers. The findings in relation to this policy are of relevance to the SPD.

Sustainability Implications:

- 7.5 SPDs do not require a Sustainability Appraisal, however they may require a Strategic Environmental Assessment (SEA) if they are likely to have significant environmental effects that have not already been assessed during the preparation of the Local Plan. A SEA screening was undertaken in March 2019, taking into account the criteria specified in Schedule 1 of the Environmental Assessment of Plans and Programmes Regulations 2004, to determine whether the SPD was likely to give rise to significant effects. The screening concluded that the SPD was unlikely to result in significant adverse environmental effects, that the impacts should be largely beneficial and that the SPD supplements existing policy which has already undergone SEA.

Any Other Significant Implications:

None

SUPPORTING DOCUMENTATION

Appendices:

1. Consultation Statement, October 2019
2. Updated Design Guide for Extensions and Alterations Supplementary Planning Document (SPD) November 2019

Background Documents

1. City Plan Part One
2. Draft City Plan Part Two

Updated Design Guide for Extensions and Alterations SPD

Brighton and Hove City Council

Consultation Statement October 2019

PLANNING AND COMPULSORY PURCHASE ACT 2004 TOWN AND COUNTRY PLANNING (LOCAL PLANNING) (ENGLAND) REGULATIONS 2012, REGULATION 12

This Consultation Statement has been prepared in accordance with Regulation 12(a) and (b) of the Town & Country Planning (Local Planning) (England) Regulations 2012. which states: “Before a local planning authority adopt a supplementary planning document it must – (a) Prepare a statement setting out – (i) the persons the local authority consulted when preparing the supplementary planning document; (ii) a summary of the main issues raised by those persons; and (iii) how those issues have been addressed in the supplementary planning document; and (b) for the purpose of seeking representations under regulation 13, make copies of that statement and the supplementary planning document available in accordance with regulation 35 together with details of – (i) the date by which representations must be made (being not less than 4 weeks from the date the local planning authority complies with this paragraph), and (ii) the address to which they must be sent.”

This statement sets out details of the consultation that has taken place to date which has informed and refined the Supplementary Planning Document (SPD). It sets out the details of how, when and with whom the initial consultation with interested parties and organisations took place and how this had informed the SPD.

Background

The B&H Design Guide for Extensions and Alterations Supplementary Planning Document (SPD 12) was adopted in September 2013. Since the adoption of the SPD, local circumstances, national, regional and local planning policies have all substantially changed. In particular there have been significant amendments to residential permitted development rights. These have allowed more extensive changes to dwelling-houses to happen without the need to obtain planning permission. Many of these changes go beyond limitations and good practice which were considered appropriate when SPD12 was adopted.

It is a good practice for Local Planning Authorities to periodically review development plan policies to ensure that they are up to date. The same is true of associated guidance. This is likely to result in sustaining its status as a material consideration in the determination of planning applications.

The Updated Design Guide for Extensions & Alterations Supplementary Planning Document (SPD 12) seeks to provide guidance that is contemporary. It takes account of current permitted development rights and B&H’s ambition to support the continued regeneration of the City through allowing development that adapts to existing occupiers’ needs. It is part of the suite of documents that seek to continue to raise the quality of the development that will take place in the City. It sets out guidance specific to Brighton and Hove, recognising the different characteristics of areas and the need for a design response tailored to these circumstances.

Area of Coverage

Brighton and Hove City Council with an exception of land that fall within South Downs National Park.

Drafting the SPD

The SPD has been informed by a review led by the Council's planning policy team, with input from urban design, conservation, landscape, development management teams internally and a range of stakeholder externally.

Early consultation was also undertaken with Planning Agents Forum (PAF) to discuss the gaps in the current document and scoping of the new document. The Forum is an umbrella organisation for over 200 town planning and architectural firms based in Brighton making them one of the biggest user groups for the SPD. In summary, there was an overwhelming support for moving away from an approach that relied on detailed prescriptions; shortening the document for user friendliness; making it more Brighton specific along with some comments on specific design details. A meeting was held on 2nd November 2018 and the feedback from this engagement is included in appendix 2. Alongside this feedback the Council reviewed Appeal decisions and conducted internal consultation to inform the new draft of the revised document which was consulted.

Consultation

The SPD has been prepared in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.

Consultation on the draft SPD is a requirement of Part 5 of the Town and Country Planning (Local Planning) (England) 2012 Regulations and has been undertaken in accordance with those Regulations and the council's Statement of Community Involvement. The Council's Statement of Community Involvement (SCI) sets out policy and standards for engaging residents, local groups, stakeholders and statutory consultees in the preparation of planning-related documents. The public consultation was carried out in accordance with this statement. There was a six week public consultation period which began on the 5th July 2019 and closed on the 16th August 2019. There were bespoke meetings held with PAF at scoping stage (2nd November 2018) and as part of the public consultation (30th August 2019) to collect feedback from the PAF.

During the consultation period:

- the SPD was made available on a dedicated website through Citizen Portal. Hard copies were made available in Council Offices and 15 libraries across the city (Hangleton Library, Hove Library, Hollingbury Library, Mile Oak Library, Moulsecoomb Library, Patcham Library, Portslade Library, Rottingdean Library, Saltdean Library, Westdene Library, Whitehawk Library, Woodingdean Library)
- interested groups on the Local Plan consultation database were emailed and invited to comment
- a press release was issued
- the consultation was publicised via social media

Consultation comments have been taken into consideration in the preparation of the revised document and responses are identified within Appendix 2. Consultation comments received related to 10 questions.

The consultation generated 10 responses (six returned via online tool; three via email and one via bespoke meeting). The online survey respondents included two representatives of organisations and six individual citizens. Responses have been largely positive to the approach, structure and details provided in the updated SPD. Responses that were returned

via feedback email included Highways England, RSPB, Brighton Society and an individual citizen. A summary of consultation feedback and responses is given in Appendix 1.

Bespoke consultation event with PAF

Given the early contribution of PAF at the scoping stage, the Council invited PAF for a further bespoke meeting with the intention to gather their views on the consultation draft SPD. The meeting was held on 30 August 2019. The notes from the meeting are incorporated in the Table in Appendix 1.

These comments together with recommended changes to the Draft Residential Extensions & Alterations Supplementary Planning Document will be presented to the council's Tourism, Equalities, Communities and Culture Committee on 21 November 2019 for its consideration and adoption. Once adopted, SPD 12 will be revoked.

Appendix 1 Schedule of comments and officer's responses

Representor	ID	Summary of responses	Officer's response
Duncan Thomas	SPD001	<p>The SPD is overly prescriptive in terms of design "instruction". The preservation of footprint of buildings for extensions when not seen from the street, even in conservation areas, ought not to be a restriction, but a general high quality design standard should be sufficient.</p> <p>The concept that an extension needs to be subservient to the host building is not necessarily correct. This seems to predicate against wholesale remodelling of houses where some are considerably improved because of this.</p> <p>Agree with SPD imparts positive guidance to applicants Disagree SPD is set at appropriate level</p>	<p>The SPD has significantly moved away from using design 'instruction' that formed bulk of guidance in the existing document. Disagree with the comment on the footprint of the building in conservation areas, which does need to be retained to ensure the original integrity remains.</p> <p>Disagree, as the SPD's emphasis on 'subservience' does not act against wholesale remodelling. Remodelling is outside the scope of this document</p> <p>Support noted Disagree as the SPD significantly revised to set at appropriate level that would benefit both property owners and professional agents.</p>
Burten Shaw	SPD002	<p>Hip to gable changes on semi detached properties. That it must stay the same as the adjoining property. This used to be included but I can't see it in there anymore.</p>	<p>Included in the updated document</p>
Simon Bareham	SPD003	<p>Need to help encourage sustainable forms of transport. Brighton housing stock is biased towards terrace housing. This causes issues for cyclists, parents of young children, and people with mobility issues. All such people would greatly benefit from the ability to provide secure sheds in front gardens.</p> <p>As above. Support from bike sheds etc</p>	<p>The predominance of terraced housing in Brighton and Hove is a wider issue which will be addressed through the City Plan. The idea of a bike shed in the front gardens is likely to benefit many, however, the benefit has to be weighed against whether it has adverse impact on the streetscene. The guidance does not intend to be too prescriptive by including every proposals</p>
Gill Wales	SPD004	<p>I think it's brilliant in concept but lets itself down by lack of Plain English in several parts. It's written as if for other experts and it needs to be written for the layman. I know this is difficult - experts forget that what they know is not common knowledge. But if you don't make it easy for ordinary householders to read then they won't bother and the good thinking behind the document</p>	<p>Comment noted. Issue of plain English, jargons and longer sentences have been addressed in the revision</p>

		<p>will have no impact. Either avoid or explain jargon such as 'curtilage' or include it in the glossary. There is a typo in the first par under Listed Buildings – 1948 Formal - that makes it hard to comprehend. It would be worth repeating the advice to discuss plans with neighbours at an early stage in the second section, on Neighbourly Development.</p>	<p>The Town and Country Planning Act (2012) Regulations sets out how neighbour consultation should take place. It is not considered necessary to repeat that information on the SPD.</p>
Jacqueline Pomeroy	SPD005	<p>Make consulting neighbours compulsory, especially showing them the plans. It is not only useful to discuss initial ideas with neighbours, it is vital!</p>	<p>See above comment</p>
John Rodway	SPD006	<p>With the advent of E-cars and cycles it would assist if consent could be given to erection of small secure units at front of houses.</p> <p>The provision of small secure structures at front of houses for E-charging and storage (small 2 metre x 2 metre x 3metre secure structure to secure charging point and storage)</p> <p>SPD needs to consider future development of greener (electric) vehicle charging for all new developments and grant consent for existing premises</p>	<p>The document does not preclude against any proposal to have a small secure structure at front of houses as long as they do not detract from the quality of the streetscene.</p> <p>This issue is being addressed through other council policy and initiatives.</p>
Karolina Roszkowska - RSPB	SPD007	<p>Supportive of the inclusion of the paragraph found under General Principles/ Delivering Sustainability. However, "You may wish to consider" is too weak and should be strengthened. Also consider including :</p> <p>"It is paramount to examine any building before the extension work commences to establish if there are any active swift nests within the building.</p>	<p>The SPD is guidance and it is not considered appropriate to make alterations that will seem like giving 'instruction' or policy.</p> <p>New text suggesting the need for a survey prior to construction to examine if there are any active swift nests has been added.</p>
The Brighton Society	SPD008	<p>In general terms we support the draft update. It is less prescriptive than the previous SPD, in line with our comments on that SPD we submitted on 19 April 2013. We are pleased to see that many of our comments appear to have been taken account of in the current draft.</p> <p>However some of the points we made in that document are still relevant to the current draft SPD, and there are some</p>	<p>Support noted.</p> <p>Guidance similar to what has been suggested is at the start of the detailed section.</p>

		<p>additional ones which apply to the current draft.</p> <p>A - Achieving high quality design</p> <p>1.1 We think it would be helpful if there was a general statement included in this section to the effect that design proposals for dealing with situations which are different from those described in the guidance would be considered on their merits, within the general parameters of the guidance.</p> <p>1.2 Because the draft is not prescriptive, we think it is important that some of the key design principles which should be applied to the design of Extensions be more fully described and discussed.</p> <p>For example para 7 on p.6 could be amplified to include topics such as the context of the street or neighbourhood, and emphasise the importance of creating a polite relationship to that context, in terms of form, detail, materials as well as appropriate and sympathetic architectural language and vocabulary, (in addition to matters such as scale, mass... etc., which are already mentioned in that paragraph).</p> <p>1.3 It would be helpful if this section could include a few well-chosen example images of what is considered a good design solution in a particular context and what is not considered to be acceptable.</p> <p>C – Delivering Sustainability</p> <p>1.4 Solar panels There is no mention of solar panels. We think solar panels should not be allowed at all on street frontages in Conservation Areas, unless they are treated as part of the roof finish – for instance there are panels which blend into a slate roof visually. These should be encouraged in areas where a slate finish could be acceptable. A consistent approach is required to this.</p> <p>2 Section 4 – Detailed Guidance</p>	<p>The text of Section 3 was reviewed and guidance has been added to suggesting consideration of building line, pattern, roof lines, pitch and shapes of roofs, views and orientation in Section 3 A Achieving High Quality Design.</p> <p>Relevant images will be added</p> <p>Comment noted. Including specific guidance on solar panels will be too prescriptive. Each application will be assessed on its individual merit and impact on the character of the neighbourhood and streetscene.</p> <p>Inconsistency removed in the revised document</p> <p>This inconsistency has been removed</p> <p>The SPD does not rule out</p>
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		<p>2.1 Rear Extensions – guidance notes Paras 5 and 7 both mention two storey extensions – but the guidance is different in each. Para 5 states the ridge should be 0.5m lower, para 7 says it should “normally be set lower...”</p> <p>2.2 Single storey side extensions There could be situations where a side extension can be better integrated with an existing house by bringing the extension forward and continuing the lower part of the roof in front of the existing house to form a porch or bay window. The possibility of such perfectly satisfactory visual solutions should be permitted.</p> <p>2.3 Corner plots We are glad to see our previous comment on this has been taken account of. Corner sites can be handled in a variety of ways in which a corner extension could form the dominant element of a row of terrace houses - for instance by acting as a positive visual stop at the end of a row. This is definitely one situation where proposals should be considered on their merits.</p> <p>2.4 Roof extensions and alterations is too prescriptive. There are several examples in Brighton and Hove where one side of a semi-detached property has had a roof conversion and the other hasn't. It isn't a big problem visually and the clause prevents both owners of unconverted roofs converting their attics, as each side is prevented by the other one, thus precluding any roof alterations on both sides. It seems most inequitable.</p> <p>Extensions which are out of scale and character such as box dormers which occupy almost the full width of a house are far worse. The paragraph dealing with the latter type of roof extension probably needs to be tightened up.</p> <p>2.5 p.13 – principle is spelt wrongly – should be principal.</p>	<p>possibility of innovative solutions, however each of the proposals will be subject to individual assessment.</p> <p>SPD could not provide guidance on specific proposals.</p> <p>Support on the guidance on corner plot is welcomed.</p> <p>This is a tricky issue requiring careful assessment of the need for balance. The guidance intends to avoid imbalance in semi-detached pairs</p> <p>Disagree. Box dormers that are not seen from the streets are potentially acceptable.</p> <p>Amendment made.</p>
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		<p>2.6 Dormers with balconies - add “...and amenity and privacy...”</p> <p>3. Section 5 – Conservation Areas</p> <p>3.1 First para – <i>Some areas of the city...</i> There are 34 Conservation Areas. Why not say so? You mention the number of Listed Buildings.</p> <p>3.2 Locally listed buildings should also be mentioned in this paragraph as well.</p> <p>3.3 Conservation Areas, Buildings of Local Interest Existing pattern and grain of development is also an important consideration which should be added to the list.</p> <p>3.4 Side, Rear and front Extensions in CAs (p.16) There are several references to “historic” buildings in this section. It is not clear whether this term refers to listed or locally listed buildings or to all buildings in Conservation Areas. Clarification is required.</p> <p>3.5 New and replacement windows Some further explanation is required here. Traditional single glazed windows are generally much more finely detailed than their double-glazed equivalents. It is possible to achieve an acceptable level of fine detail, but this needs to be highlighted, as by no means all window manufacturers will provide windows which are acceptable in visual terms.</p> <p>4. Appendices</p> <p>4.1 It should be emphasised that the documentation for applications in Conservation Areas require more detail, and should specifically include information relating to the local context and relevant Heritage considerations.</p> <p>As a member of the Conservation Advisory Group we see far too many low quality applications which do not include this information.</p>	<p>Amendment made</p> <p>Amendment made</p> <p>Amendment made</p> <p>Amendment made</p> <p>‘Historic’ refers to both nationally and locally listed buildings in Conservation Areas.</p> <p>Amendment made in response to the comment</p> <p>Comment noted. This will be dealt with as part of wider review of Development Management Services.</p>
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Highway England	SPD009	No comments	
PAF	SPD0010	<p>General – The document appears much improved, more user friendly and is considered to address many of the issues by not being too prescriptive. Welcomed the proposed approach but question how this will be interpreted by officers and inspectors.</p> <p>Neighbourhood typologies – Question the need for the inclusion of this table. Useful for interest only but does not tie into the document overall.</p> <p>General Principles – The inclusion of a paragraph discussing and acknowledging the overall context and setting of the site would be beneficial. Agreed that pursuing this approach was beneficial.</p> <p>General Principles –Retention of the visual symmetry of semi-detached pairs is not necessary.</p> <p>Neighbourly Development – Inclusion of a paragraph relating to roof terraces and balconies would be useful.</p> <p>Delivering Sustainability – Agreed to include source of documents in reference web-links to assist off-line research.</p> <p>Detailed Guidance - 45 degree rule should be flexibly applied as cases do exist where the rule isn't complied with but no harm to amenity results. Suggested softening of the wording to; "all rear extensions ideally should comply with the 45 degrees rule".</p> <p>Detailed Guidance – Question what is meant by "rear extensions unacceptably extending beyond side walls" and if it is necessary</p> <p>Detailed Guidance – Remove the guidance suggesting a two storey pitched roof extension should have a ridge set lower than principal ridge of the dwelling.</p> <p>Detailed Guidance – Revise guidance on</p>	<p>Support noted. The document remains "guidance" and not policy</p> <p>Neighbourhood typologies figure removed</p> <p>Support noted</p> <p>Disagree. It is considered that semi-detached pairs in vast majority cases do benefit from the guidance.</p> <p>New guidance added in response</p> <p>Support noted and sources of documents added</p> <p>Suggested amendment made</p> <p>The sentence is caveated by "in the majority of cases" and considered useful to be retained.</p> <p>Disagree. It is considered that in majority cases this guidance is helpful to achieve the subservience principle.</p> <p>Text revised to suggest "should integrate well with the</p>

	<p>integration of flat roofs into pitched roofs</p> <p>Detailed Guidance – Agreed the requirement that a pitched roof (single storey extension) should generally be set lower than the cil of the first floor windows.</p> <p>Side Extensions – Questioned the sentence in paragraph 4 stating; “parapet walls are preferred.”</p> <p>Side Extensions – The requirement to maintain an “appropriate set-in” between the extension and side boundary is more relevant to detached and semi-detached dwelling.</p> <p>Side Extensions – Reintroduce paragraph 1 from SPD 12 with regards to infill extensions. Requested the removal of the requirement to be “as close to 2m as reasonably possible” in consideration of what can be done with permitted development.</p> <p>Side Extensions – Requested the removal of the requirement to maintain the boundary wall and fence as this can cause problems for overall maintenance and can be detrimental overall. Potential for benefit to all parties through Party Wall agreements.</p> <p>Front Extensions – No overall comments</p> <p>Roof Alterations – Request the removal of paragraph relating to roof alterations unbalancing the semi-detached pair.</p> <p>Dormer Windows and Rooflights – Agreed in general that the section is a great improvement on previous.</p> <p>Question if it is necessary to always insist that dormer windows line-up with windows on storeys below. If it is to be retained wording should be caveated as “normally” to allow for exceptions.</p> <p>Dormer Windows and Rooflights – Agreed that entertaining the possibility of front dormers is a positive inclusion in the document.</p> <p>Balconies and Roof Terraces – Requested a revising of the wording to paragraph 3.</p>	<p>existing eaves”. Support noted</p> <p>Removed from the document</p> <p>Agreed that this is more relevant for detached and semi-detached properties. Minor changes made for clarity.</p> <p>Changes made</p> <p>Changes made</p> <p>In vast majority cases this guidance has been judged to be beneficial.</p> <p>Support noted</p> <p>Change made</p> <p>Support noted</p> <p>The guidance is considered useful in cases where the inclusion of such features introduces new/or exacerbates further overlooking then refusal</p>
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		<p>Outbuildings –and Requested clarification as to how “purposes incidental” is interpreted by officers. All agreed that wording “...do not include primary accommodation” but requested the removal of the requirement to never include bathrooms/shower rooms, toilets or kitchens” as this should be assessed on a case by case basis.</p> <p>Conservation Areas Clarification needed to distinguish the type of building within the CA. Example referred to of 60’s blocks being within CA’s but being required to have Conservation rooflights and whether this was always necessary.</p> <p>Conservation Areas – Roof Extensions and Alterations - Discussion around whether sentence advising “...historically rooflights were small and confined to rear roof slopes or hidden valleys” was accurate.</p> <p>Conservation Areas – This section should include guidance as to how double glazed units could be considered appropriate even in historic buildings. Questioned whether an insistence upon single glazing was always necessary and whether this needs addressing given the drive towards sustainable architecture and development. Further discussion also around whether UPVC could be appropriate subject to detailing.</p> <p>General – Discussion generally held around submission of materials and the preference that this is agreed within the scope of the application and through the submission of photographs of samples rather than insistence of physical samples.</p>	<p>is likely. No change made.</p> <p>Agreed and changes made</p> <p>Text of SPD amended to clarify that the policy guidance relates only to historic buildings and does not apply to modern buildings that do not contribute positively to a conservation area.</p> <p>We confirm that we consider this sentence to be accurate.</p> <p>The text of the SPD has been amended to clarify that in many cases timber windows can acceptably incorporate double glazing. Further guidance – and justification for the approach relating to UPVC windows – can be found in SPD09 and does not need to be repeated here.</p> <p>This is outside the scope of the SPD but the principle of the comment is accepted.</p>
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Appendix 2 Notes of the meeting with PAF on 2nd November 2018

SPD 12 Design Guide for Extensions and Alterations

Professional Agents' Forum
Hove Town Hall, G87
02 November 2018, 0900-1130

Notes from the meeting

Attendees:

BHCC: Liz Hobden, Paul Vidler, Tim Jefferies, Sujeet Sharma

PAF: Nick Lomax, Liam Russell, Kim Strassman, Paul Burgess

The meeting started with a presentation from BHCC giving an introduction and overview of work undertaken so far and an outline of the methodology suggested for updating/review of SPD12 which includes:

- input made by this meeting by PAF
- appeal decision analysis (ongoing)
- internal review within the Council involving officers and Members (ongoing)

Draft contents, timescales for SPD preparation and suggestions for a broader approach were presented as agenda items for discussion. PAF members were invited to make general comments as well as detailed observations on seven key elements in the SPD.

Moving forward, these points will be further considered in updating the SPD in combination with comments collected through other sources and review outcomes undertaken by the Council. Timetable shared with PAF.

General Comments from PAF representatives:

- Correct interpretation of the guidance by Case Officers is key to effective implementation of the SPD. Less experienced planners have difficulty in interpreting the guidance which lacks clarity in places
- Inconsistency in guidance and illustrations (example illustration does not follow 45 degrees rule)
- There needs to be a distinction in the guidance between public and private views of extensions (front and rear) and between areas of the city – conservation areas and other areas of the city
- Householders have difficulties deciding whether to invest in something like daylight assessment due to inconsistencies in the decision making
- Sometime rigid compliance to the SPD has been seen to have poor quality outcomes. SPD should ultimately seek to achieve good design
- Over-controlling and prescriptive on certain elements
- Recognised that heritage sensitive areas can have highest bar, but there are areas where SPD application can afford to be more relaxed. Variation of architectural styles and street scene in different areas require different approaches

- SPD needs to catch up with expanding PD rights
- Given the variety of applications there has to be some rules, however it is all about implementation. Principles in the SPD follow established design criteria applicable to all typology of schemes but the emphasis should vary
- Overall the guidance/illustration do not take account of the topography in Brighton and Hove
- A checklist approach might help in bringing this clarity for both applicants/agents and Case Officers. A simplified SPD would obviate the need for extensive guidance
- Guidance could have 10 or 20 examples demonstrating why they are positives and covering range of cases
- Keep SPD simple if not, explain different terminologies used
- More common sense should be applied on objections and lack of objections
- Compliance with SPD 12 could be linked to validation requirements

Single storey rear extensions

- Emphasis on visual impact at the rear unduly cumbersome and needs a rethink
- Extension should be seen on its own merits and should be judged in its own right. Some schemes do not have front, back or side. Corner buildings fall within that aspect. SPD however aiming at the common situations
- Clarity in criteria needed. Criterion 5 is overarching and should be the first one to be assessed. It should then obviate the need for applying other more prescriptive criteria
- Overlooking receiving unduly emphasis for single storey rear extensions and need rationalising especially for city centre areas
- More clarity over the meaning of overbearing needed
- Overlooking in city centre is different. Application of overbearing criterion for a single storey rear extension not appropriate

Two storey rear extension

- In areas with less sensitivity – SPD should be more relaxed
- Where schemes do not complying with overbearing or 45 degrees rules SPD should be clear about how to mitigate against those. Rules are important to distinguish poor quality schemes from good quality schemes. SPD should have hooks that would enable Officers to suggest solutions. The order of how that is processed is important
- If all other conditions are fulfilled new roof below the ridge appears rather too prescriptive
- Flat roof issue and sensitivity of rear building needs to be looked at - especially the positives. Flat roofs often give more light to neighbours; solar panels
- The guidance provides some flexibility with the inclusion of 'generally' and 'normally', which is often not exercised by less experienced Officers

Infill extension

- Wrong illustrations in the document
- Causes practical problems with what is being prescribed and an area to review
- Rear of the building - wrap around should be made clear. Diagram showing wrap around as acceptable does not make sense
- Wrap around in Conservation Areas can be less restrictive as long as it follows original forms of the building. Listed buildings is a different matter

Side extensions

- Setback is generally not a bad rule but blanket application may not be appropriate. How much to set back – is an issue. There can be no rule of thumbs on street scene impact which requires design justification exercise
- 'Balance' is a criterion to be reviewed. Common in semi-detached extensions, its application on detached houses not appropriate
- Need to think out of the box for some cases - Corner sites/contemporary design solutions are often positively received by Inspectors

Dormers

- Key issue is that the guidance doesn't seem to distinguish between front and rear and in and outside conservation areas. This needs to be addressed.
- Too much emphasis on aligning windows. Everything does not need to be symmetrical. Prescribing style is inappropriate and can be very subjective.
- Dormer policy needs reviewing - is often described as impacting on the host building which is not necessarily correct
- Page 17 restrictive on box dormers. This needs to be relaxed for areas with less sensitivity.
- What is wrong with rear box dormers (set in from sides and down from ridge, up from rear wall) outside conservation areas. Dormers window should be as small as possible' needs reviewing. Sense of proportion is what matters
- Guidance on matching materials too prescriptive. It should starting point. The latitude given is hidden

Roof alterations

- Illustration in the document incorrect
- Roof alteration sensitivity differs and needs to be rationalised according to location
- Roof alteration and dormers should be separated. There should be no dormer policy just the roof alteration
- Roof lights as few as possible small as possible contradicting
- Cabrio style roof light visually inappropriate needs reviewing
 - Text suggesting distinction on the front and rear especially with dormers should be included

Balconies

- Balconies and roof terraces guidance are restrictive and discourage exploiting sea views/garden views. Front balconies have positives and negatives. Visual harm by having a balcony in non- conservation area needs to be reviewed
- Too prescriptive. Balconies should be encouraged as they provide amenity space

Finally,

The panel agreed that it is a good way forward for the BHCC to set a higher bar for design quality. SPD update should be priming people for positive intervention. It is recognised that SPD cannot cover everything but efforts should be directed to the SPD that is less rigid and more proportionate in its advice. Going forward, engagement with PAF will continue.

It was agreed that comments would be shared with the PAF and would inform the revisions to the SPD along with the views of other consultees (including officers and councillors)

Sujeet Sharma

BHCC

Updated **Design Guide for Extensions and Alterations**
Supplementary Planning Document, January 2020

Brighton and Hove

Contents

1 Introduction

2 Understanding the local context

3 General principles

- Achieving High-Quality Design
- Neighbourly Development
- Delivering Sustainability

4 Detailed Guidance

5 Extensions and Alterations in Historic Buildings/Conservation Areas

6 Appendices

1 | Introduction

The Brighton and Hove City Plan contains planning policies that are used to determine planning applications for new development. Planning policies set out how development proposals can be supported to make sure good quality development is achieved. The City Plan is available on the Council's website, and relevant policies should be consulted before making a planning application for any extension or alteration. It may also be helpful to look up your address using the Council's on-line map to see if there are any area-specific constraints relevant to the property.

Supplementary Planning Documents (SPDs) are produced to provide additional guidance, information or clarification on how the requirements of local planning policies can be met. SPDs do not carry as much weight as the City Plan policies but can be used as a material consideration in assessing planning applications.

Any extension or alteration to a property requires careful thought in terms of planning and design in order to ensure it has a good fit with the existing environment.

It is also useful to discuss initial ideas for an extension or an alteration to a property with neighbours. All planning applications are subject to public consultation, so it is best to iron out any neighbour concerns at an early stage. However, agreement with the neighbour does not imply the application will be automatically approved.

It may be helpful to consider appointing an accredited professional to assist in drawing up the scheme or the planning application. The Royal Town Planning Institute (RTPI) and the Royal Institute of British Architects (RIBA) provide details on their website of all accredited professionals.

A checklist at Appendix 1 of this document provides guidance on what documents, plans, photographs and details should be submitted as part of a planning application.

How your application will be assessed

In determining planning applications the Council will make an assessment against adopted planning policies, whilst having regard to other material considerations. There are three main considerations outlined by planning policy that relate to extensions and alterations:

- Achieving high-quality design;
- Neighbourly development; and
- Delivering Sustainability.

Further details on each of the considerations above are outlined within this Supplementary Planning Document. If the proposed works constitute significant changes to the property, consider engaging with the Council prior to submitting the planning application by applying for Pre-application advice.

Using this SPD

This document offers guidance on how to comply with relevant planning policies and achieve the best possible extension or alteration. When developing a proposal, it is important to balance your own needs with the needs and rights of neighbours and also considers what is best for the wider community. This guide has been structured to help to achieve this balance. The document is set out as follows:

- It begins by stating the need to understand the local character of Brighton and Hove and how acceptable extensions and alterations may differ depending on where they are (Section 2);
- It then outlines some general design principles applicable to all alterations and extensions (Section 3), before giving more detailed, project specific guidance and standards (Section 4);
- Section 5 sets out additional guidance on extensions and alterations involving listed buildings or those set within a Conservation Area. Applicants considering such proposals are encouraged to engage with and seek early advice from the Council's Heritage team through the pre-application service or review the information on the Heritage pages of the Council's website.

This guide ends with advice on further information to be submitted to assist the application and a glossary explaining the meaning of technical terms used. Whilst the focus of the guidance is on residential extensions, the SPD is equally applicable to buildings in other uses. This guidance will also be used by the council when determining planning applications.

Permitted Development Rights

Some extensions and alterations may not require planning permission. This is known as 'Permitted Development'. Permitted development rights are detailed in the Town and Country Planning (General Permitted Development) Order 2015 (as amended). The permitted development rights have changed over time and they can sometimes be quite complicated to interpret. For example permitted development rights do not apply to: residential buildings which are not single dwelling houses, flats, listed buildings, or where there are planning conditions in place specifically removing permitted development rights relating to planning permissions. If the property is within a Conservation Area or an Article 4 designation, the 'permitted development' rights of the property will be affected. It will be useful to look at the guidance on permitted development rights available at the Planning Portal website.

This SPD is also a useful tool to achieve a high quality of design from extensions and alterations that fall within permitted development.

2 | Understanding the local context

Understanding the local context will help proposals for extensions and alterations to take account of the important qualities and characteristics of the neighbourhoods or streets which help define them.

The city contains many residential areas and neighbourhoods each with their own distinctive identity and characteristics. The particular challenges for extensions and alterations therefore vary across different townscape types within neighbourhoods or streets, as do the opportunities. Streets for example are often characterised by a common design based upon the repetition of an architectural style and/or a setting which establishes a distinctive building rhythm.

It is acknowledged that some areas can accommodate change more easily by virtue of being more diverse in character compared to others. Some areas, due to their elevated position, may be more sensitive than others. This document recommends examining in detail the local context for any proposed development and relating the new extension/alteration to its surroundings.

3 | General principles

This section outlines general principles for achieving a good design and therefore a well-designed extension or alteration.

A. Achieving high-quality design

It is important that extensions and alterations should have an attractive design and complement the character and appearance of the original property and, where relevant, the group of buildings of which it forms a part.

- In general achieving high-quality design is about ensuring that an extension or alteration has regard to the host building and its surroundings in terms of scale, mass, height, siting, character, choice of materials and spacing;
- An extension should be appropriately positioned, scaled and materially finished such that it would relate sympathetically to the architectural character of the building and the wider area;
- As a rule of thumb new extensions should be subservient to the original property. One way of achieving this is, for example, by stepping the extension back (or in) from building lines of original buildings to create a clearer delineation between the form of the original building and the extension. An appropriate extension should not impose or intrude upon the original or neighbouring dwelling;
- A relationship with the street scene needs to be carefully considered. Building line, pattern, roof lines, pitch and shapes of roofs, views and orientation are all important considerations. For example, new extensions should respect the visual symmetry of semi-detached pairs and context of the terrace of which it forms a part;
- The front elevation and its setting and other parts of the property visible from the street are normally more sensitive to change than other parts of the property that are not visible from the streets. Corner properties, due to their higher visibility from the street require more attention;
- Sometimes it may be more appropriate to design an extension using a sensitive but contemporary design with contrasting materials such that the extension is clearly identifiable from the original building. In such cases the design and materials used should still be of the highest quality and demonstrate a strong response to the original building;
- In Conservation Areas and where high quality historic buildings require extensions, it may be more appropriate to

generally seek to introduce or retain the prevailing architectural features and character of the area. Where original architectural details to the property have been lost, these should be reinstated to enhance the character of the property and the wider street scene. In most cases, new windows, doors and other details such as choice of materials should reflect the design and alignment of the existing fenestration of the building. More detailed guidance is available for properties in Conservation Areas in Section 5 of this document.

B. Neighbourly Development

Neighbours have the right to enjoy their home without intrusion from inappropriate development at adjoining properties. Extensions and alterations will be expected to be designed to be respectful of neighbours' privacy, daylight and outlook.

Proposals should avoid loss of daylight or overshadowing of adjoining properties. In particular loss of light to main windows serving principal rooms (such as living rooms, bedrooms and kitchens) will be an important consideration.

Proposals should

- Avoid direct overlooking into neighbouring habitable rooms (including kitchens) and the private outdoor amenity spaces. Garden spaces that are closest to the property are the most sensitive areas;
- Ensure the extension does not appear overbearing by keeping the overall bulk minimal so that that the extension does not appear visually dominating or intrusive to an adjacent property;
- Where relevant, respond to topography and level changes in their design to minimise their impact upon adjacent properties;
- Balconies and roof terraces should be discreetly located to avoid overlooking and noise disturbance to adjacent properties;
- Consider the scale, massing, height and the size of the extension including its positioning generally to ensure the new extension has a good fit with adjacent properties.

C. Delivering Sustainability

Extensions and alterations should be designed and constructed to deliver sustainable development which respects the environment. They may also offer an opportunity to incorporate renewable energy sources and to potentially provide some urban greening to the property.

- Where relevant consider design that helps to promote and enhance biodiversity. Subject to the character of the area, methods of achieving this might include the use of green/living roofs, green walls, planting, garden landscaping and methods to support local wildlife including installation of bee bricks, bat and swift boxes;
- It is a good practice to check any building before the extension or alteration work commences to establish if there are any active swift nests within the building and whether they need replacement or relocating. Further guidance will be made available regarding orientation and number of bricks/boxes suitable for different scales of development;
- Established trees, hedges and other natural features should be preserved, replaced/relocated or their loss appropriately mitigated. Any adverse impact on neighbouring trees should be avoided. Trees in Conservation Areas and those with Tree Preservation Order (TPO) are subject to additional protection;
- Extensions and alterations should be energy efficient and incorporate renewable energy sources where practicable;
- All new paving, driveways and patio areas should be constructed from permeable materials or incorporate sustainable urban drainage techniques to reduce surface water run-off.

Useful references:

City Plan Part 1 Policy 10 CP10 Biodiversity, Brighton and Hove City Council, 2016

Supplementary Planning Document (SPD11) - Nature Conservation and Development, Brighton and Hove City Council, 2010

4 | Detailed Guidance

The detailed guidance set out below is not exhaustive or definitive. Its purpose is to guide the design of new extensions/alterations to enable a better fit with the host building as well as minimise any visual intrusion on the street scene or character including avoiding harm to neighbour's amenity. Variations to these guidelines are acceptable where it can be demonstrated that no harm is caused to existing neighbouring amenity or to the character of the local area. Innovative and contemporary solutions that enhance a sense of scale, proportion and place will be encouraged.

Rear Extensions

The Council will seek to ensure that rear extensions are of a suitable scale to remain subservient to the character and appearance of the main property and are sensitively designed. Particular care is needed if the property is located at the end of a terrace or is a corner property as an extension to the rear is likely to be visible from the street.

The following guidance should be followed where relevant:

- Rear extensions should generally be subservient to the host property, however, for properties with a very large overall plot size larger extensions can sometimes be considered appropriate;
- Rear extensions should not have an overbearing impact or cause adjacent properties to be excessively overshadowed or enclosed. The bulk of the extension alongside the shared boundary should therefore be kept to a minimum;
- All rear extensions should ideally comply with the 45 degree rule (see Appendix 3). This rule ensures there will not be an unacceptable loss of daylight to the neighbouring properties;
- Rear extensions should not overhang neighbouring properties and should not replace the boundary wall/fence (unless the adjacent property has an existing extension themselves and the loss of the wall is required for better maintenance purposes);
- In the majority of cases rear extensions (both single and two storey) should not extend beyond the main side walls of the building (including all projections/wings);

- The ridge of the pitched roof of single storey rear extension should sit lower than the cill of the first floor windows;
- Flat roofs can be suitable for single storey rear extensions particularly where they integrate well with the host building;
- Two storey rear extensions should generally have a roof form and pitch which reflects that of the host building. A pitched roof to a two storey extension should normally be set lower than the main ridge of the roof;
- Where side-facing windows are required for light, they should generally be high level, permanently fixed shut or obscurely glazed to prevent the overlooking of neighbouring properties. The number of windows should be kept to a minimum;
- Materials used in the extension should be sympathetic to the property being extended;
- Rear extensions should ensure that the amenity value of the outside amenity area is not significantly reduced.

Side Extensions

Spacing between buildings helps to define the character of an area. Side extensions therefore should ensure that rhythm of spacing between buildings is maintained in order to minimise the potential 'terracing' effect. In terms of semi-detached and terraced properties, the proposed extension should avoid unbalancing the attached properties.

The following guidance should be followed where relevant:

- Side extensions should be set back from the front elevation appropriately in order to ensure a subordinate appearance (and setdown from the roof ridge in the case of a two storey side extension). The setback and setdown helps to avoid the terracing effect and enables the extension to be read as subservient to the original building;
- Side extensions should complement the original property. The width of a side extension should respect the width of the original property and the overall plot size in which it is located to avoid it appearing over-extended;
- The design, detailing, and materials used in the extension, including window position/pattern, sizes, proportions, style and method of opening, should complement those of the main building;

- The incorporation of a roof form which matches the character and materials of the host property and surrounding area will often be considered to be most acceptable;
- The residential amenity of adjoining residents will be a consideration when assessing side extensions. Flank windows should not allow overlooking and may have to be permanently fixed shut and fitted with obscure glazing (or obscure glazed blocks) and kept to a minimum. Windows, roof eaves, gutters or downpipes should be avoided on party walls so that extensions do not intrude on neighbouring properties or restrict their future extension;
- For detached properties appropriate set-in should be provided between the site boundary and the extension retaining a proportionate amount of space. Where the property is located in a more spacious plot, a greater separation may be more appropriate to complement the character of the area;
- Infill extensions should not have an overbearing impact or cause adjacent properties to be excessively overshadowed or enclosed. The bulk of the extension alongside the shared boundary should therefore be kept to a minimum, and as close to 2 m in height as reasonably possible on the boundary;
- Infill extensions should not overhang neighbouring properties and should not replace the boundary wall/fence (unless the adjacent property has an existing extension themselves and the loss of the wall is required for better maintenance purposes);
- On corner properties windows are encouraged in the side elevation in order to ensure an active and attractive street frontage. Corner plot side extensions should also respect the building lines to both streets, and be set within existing boundary treatments.

Front Extensions (including porches)

Extensions to the front of buildings will normally be highly visible in the street scene therefore particular care should be taken to ensure they do not detract from the appearance of the property, or the general character of the street. Particular regard should be given to the materials, detailing, prevailing building lines and fenestration of front extensions to ensure they relate well to the original building and the street scene.

The following guidance should be followed where relevant:

- All front extensions should respect the building line to the street, particularly where a strongly defined building line forms an important character of the area;
- A front extension should not dominate the existing façade or any important architectural feature that already exists in the original building;
- The roof pitch of the extension should complement the pitch of the original building so that the extension blends with the character of the building;
- A small porch is generally acceptable on most building types provided it does not compete with other architectural features on the building and is of the right scale and proportion;
- Even an extension that is subservient in size can add an incongruous shape or form that is out of character with the front elevation of the property or the surrounding area. Careful attention should be given to the size, proportion and style of any front extension.

Roof Alterations

The rhythm and continuity of the rooflines to buildings are often a key visible element within a street scene therefore any poorly designed or excessively bulky additions can have a significantly harmful impact on both the appearance of the property and the continuity of a streetscape. In addition, consider the following guidance:

- Extensions involving roof alterations should ensure that they would not result in an imbalance between the semi-detached pair or in a small terrace. A well-designed alteration that returns symmetry to the pair may be acceptable;
- Additional storeys or raised roofs may be permitted on detached properties where they respect the scale, continuity, roofline and general appearance of the street scene, including its topography;
- Roof extensions that alter the basic shape of the roof, for example, from a hip to a gable end are likely to have an impact on the street scene. It is useful to take account of wider trends and patterns and prevalence of similar roof

alterations in the neighbourhood.

Dormer Windows

A dormer is a window that is typically set vertically on a sloping roof. The dormer has its own roof, which may be flat, arched, hipped, gabled, or ornamented. Dormers can add elegance and appeal to the property, but they can also end up making the property look out of proportion, so the design should be carefully considered in line with following guidance:

- As a rule, the size, design and siting of dormer windows should not significantly change the appearance of the building externally and should not introduce detrimental visual elements into the street scene through radical change in materials or its size and scale;
- Dormer extensions are expected to avoid appearing unduly bulky or visually harmful, and should not materially disrupt the rhythm and continuity of the prevailing roofline in the area;
- The most appropriate roof design of a dormer (gabled/hipped/flat/eyebrow) will vary depending upon the character of the host property and surrounding area;
- Where a terrace or group was built with dormers, these original features should not be removed or altered. Where a terrace or group was originally designed without dormers, but over the years a majority of the buildings now have them, new dormers may be acceptable provided their scale, design and positioning is sympathetic to the continuity of the terrace/group;
- Supporting structures such as dormer cheeks (especially those that are visible from the street), should be faced in a lightweight cladding to avoid a "heavy" appearance.
- The glazing, framing and any ornamentation on the dormer window should match the existing property.

Rear and Side Dormer Windows

Dormer windows on the rear roof slope will normally have limited or no impact on the street scene, however, they should clearly be a subordinate addition to the roof set appropriately in the roof space to avoid looking disproportionate to the property. As a rule, to minimise any harm to the host property, rear dormers should be set in from the side, setdown from the

ridge and set up from the eaves so as not to appear as an additional storey or appear "top heavy".

In addition, further consideration should be given to ensure that:

- Rear dormer windows do not appear above the ridge line of the dwelling;
- Rear dormer windows are generally well-proportioned to the roof space and not appear overly dominant. Where two or more dormers are proposed they should be evenly aligned and spaced within the roof space;
- Rear dormer windows normally align with the windows below, however, in certain cases it may be preferable for dormers to be positioned on the centre line of the building;
- They use the materials on the window frames, roofing and cladding that match or relate well to those of the existing roof or the property;
- Well-designed side dormers are acceptable where they do not compromise the character of the building or the street and/or the privacy of a neighbouring property.

Front Dormer Windows

Dormer windows on the front roof slope will have a greater impact on the street scene. Front dormer windows should be sensitively designed to respond to their prominent setting. Depending on the character of the street, front dormers may be acceptable, and where acceptable they will generally be limited to a single dormer extension. Exception may be made in some areas of the City where front dormer windows are a common feature and where the size of the property can comfortably accommodate more than one dormer.

To cause less harm to the host property/street, front dormers should be:

- Set-back appropriately from the eaves of the main building;
- Set-down down appropriately from the ridge;

- Designed to feature a roof and materials to complement the features of the host property.

Normally it is expected that dormer positioning will align well with the windows below. As in the case of rear dormers in certain cases it may be preferable for dormers to be positioned on the centre line of the building or the centre line of the space between the windows below.

Balconies in the roof

Balconies held within dormers or formed from rooflights (eg 'Cabrio'-style rooflights) will need to ensure they do not have adverse impact on the outlook, appearance of the host building and character of the street or upon the amenity of the neighbours. Substantial alteration of the roof form to accommodate a balcony is normally not recommended.

Rooflights

The size, design and siting of rooflights should not significantly change the appearance of the building externally and should not introduce detrimental visual elements into the street scene.

- Roof lights (particularly to street elevations) should be kept as few as possible and should relate well to the scale and proportions of the elevation below, including aligning with windows where possible or centring on the spaces between them where appropriate;
- Where two or more rooflights are proposed they should be evenly aligned and spaced within the roofspace;
- Irregular rooflight sizes and positioning should be avoided, and in particular will be resisted on street elevations.

Balconies and roof terraces

Balconies and roof terraces, where appropriate, can provide valuable and welcome amenity space for properties; however, in many cases they can significantly affect a neighbour's privacy and create a sense of overlooking, particularly if they are located where it is possible to look into gardens or windows that previously enjoyed privacy. The presence of balconies and roof terraces may also result in noise disturbance, particularly to nearby windows, and can be harmful to the appearance of a building. Careful consideration needs to be given to the location and design of a balcony or a terrace including any associated balustrades

Balconies and roof terraces at the front and rear of the building including any other prominent locations visible from the street are only acceptable where they do not harm the appearance of the building and street scene. For example the insertion of a balcony into an otherwise uninterrupted facade can lead to changes in the character of the dwelling and the street scene.

It is acknowledged that the urban character of certain parts of Brighton and Hove makes some degree of overlooking inevitable. Balconies and roof terraces that exacerbate overlooking are unlikely to be approved. In such cases screening can provide the required privacy to all parties but their detailing and size must also be appropriate to the character of the building and area as well as neighbouring amenities.

Outbuildings

The construction of outbuildings in rear gardens and other undeveloped areas can often have an impact upon the amenity, biodiversity and character of an area.

The siting, location, scale and design of the outbuilding should have a minimal visual impact on, and be visually subordinate to the host garden. The maximum size of the outbuilding (or number of outbuildings) will usually be determined by the location and the size of the garden area.

- Irrespective of the size of the outbuilding proposed, the open character and outlook of the rear garden should be maintained;
- Outbuildings will normally be restricted to a single-storey so that they do not harm the amenity of neighbouring homes and gardens. The maximum permitted height will normally be determined by the impact on residential amenity and the

proximity of the outbuilding to the neighbouring boundaries, on both sides and to the rear. The intended use of the outbuilding will be a consideration. Outbuildings specifically intended to be erected for the purposes of residential annex accommodation with facilities to allow independent use (such as kitchenettes, bathrooms and toilets) will be outside the remit of this guidance.

New and Replacement Windows

The character of a property can be enhanced by the alteration or addition of new windows or doors that align with the style and character of the original. Good quality window design and placement can contribute to the general appearance of buildings, help maintain the rhythm of the street scene, particularly on large blocks of flats and more traditional building forms where the continuity of fenestration is a key design element. New and replacement windows should:

- Complement the appearance and character of an existing building / terrace, closely matching original details, frame styles and materials where possible;
- Align well with the existing windows in terms of size, design, rhythm and pattern of openings in terms of window positioning, and orientation;
- Be set within the established reveal depth;
- In most cases windows positioned to match the symmetry of those in the existing building help maintain the aesthetics and character of the building.

Minor Alterations

Boundary walls, fences and hedges

Garden walls, fences, railings and hedges are all important elements in the street scene. They provide the distinction between the private space and the public space of the pavement and street.

Differing boundary treatments along a street can result in a cluttered, disordered appearance. This effect is particularly noticeable

in streets of terraced or semi-detached houses. Alteration of front boundary walls and fences will need to

- Be constructed from materials in sympathy with the building or surrounding area;
- Respect the height of other enclosures in the street so that it does not appear unduly conspicuous and out of character;
- Consider well maintained planting as an attractive and green solution for a new boundary;
- Incorporate visibility splays to safeguard pedestrian and vehicular safety.

The design and height of boundary walls (including pillars), railings and gates should relate to the character of the street/surrounding area, particularly if of a uniform character. Details such as railed sections and pillars can reduce the visual impact of a high wall. The removal of a front boundary wall or hedge and the development of the front garden into a forecourt for parking will be resisted where it would have an adverse impact on visual amenity or the character of the street scene.

Satellite Dishes, Cables, Ducts and Pipework

Satellite dishes and aerials including cables, ducts and pipeworks can add visual clutter and detract from the appearance of a building and street scene if located in a prominently visible position. It is therefore important to ensure that

- Satellite dishes and aerials are sited in the most unobtrusive position possible and not be located on walls, chimneys or roofs visible from the street;
- The number of dishes should be reduced where possible to avoid the visual clutter;
- All cables, ducts and pipework should run internally or up the rear wall in discrete positions and be coloured/painted to match the background wall. Flues, ventilation units and other services that appear as 'add-on' elements will not normally be accepted in elevations visible from streets.

5 | Extensions and alterations in historic buildings / Conservation Areas

Some areas of the city have been designated as Conservation Areas due to their special architectural or historic interest. Some individual buildings have been deemed so important that they have been statutorily listed. It is useful to check whether the property being extended is within a Conservation Area or is a listed building before making any plans for changes. A street directory of all Conservation Areas within the City can be found at <http://www.brighton-hove.gov.uk/index.cfm?request=c1001585>. This is particularly important as Conservation Areas may have special planning controls that apply. In all cases stricter policies apply to any alterations. Some additional considerations relating to Conservation Areas, listed buildings and locally listed buildings are set out below but proposals should also take account of the policy guidance in SPD09 on Architectural Features.

Listed Buildings

Brighton & Hove has over 3,400 listed buildings which are of special architectural or historic interest. Where a building has been listed, it is listed in its entirety, which means that both the exterior and the interior are protected. The listing includes any object or structure fixed to the building (such as railings or boundary walls), and any object or structure within the curtilage of the building, which although not fixed to the building, forms part of the land and has done so since before 1 July 1948. Formal 'Listed Building Consent' is required from the Council for any works that would affect a building's special character, alongside an application for planning permission (if required). A directory of all Listed Buildings within the City can be found at <http://www.brighton-hove.gov.uk/index.cfm?request=c1001398>. It is worth noting that:

- The detailed advice in this guide is not intended for listed buildings. Applications for works to listed buildings will always be treated on a case-by-case basis outside of the general guidance contained within this document, as the acceptability of such schemes is strongly dependent upon the individual character, form, layout and detailing of the building;
- In general, proposals for extensions and/or alterations to listed buildings will be expected to demonstrate that the significance of the building has been understood and conserved, and will be expected to show an exceptional level of

design quality and detailing.

Conservation Areas, Buildings of Local Interest

Many buildings within Brighton & Hove are located within Conservation Areas and/or have been identified as buildings of local interest. Any proposal for extension or alteration therefore must seek to preserve or enhance, and not cause harm to, the special character or appearance of the area.

Proposals for extensions and alterations that affect historic buildings and those in Conservation Areas are expected to demonstrate

- A clear understanding of the importance of the historic street pattern, building form, layout, design and materials of these buildings and areas;
- A high level of design and detailing that would preserve or enhance their significance for future generations. This approach will not apply to modern buildings such as blocks of flats that do not contribute positively to conservation areas;
- Adherence to the Conservation Area Character Statement for that area (if one is in place) which sets out the significance of a Conservation Area including what makes it special.

Side, Rear and Front Extensions in Conservation Areas

Extensions and alterations to Buildings of Local Interest and buildings within Conservation Areas should be completed to a high design standard, with materials and detailing matching those of the host building. The council will expect the submission of material samples and design details where appropriate, for approval as part of the application. In addition consider following guidance:

- Side extensions and rear infill extensions will not be acceptable where they would result in the loss of symmetry of a historic building, symmetrical pair or group of historic buildings, or result in excessive disruption or loss of the original plan form of the building;

- The roof form and pitch of an extension should normally reflect the host building's roof form and pitch, when visible from the street, and be clearly read as a subordinate addition to the building;
- In some cases historic buildings with pitched roofs have flat roofed rear extensions and where this is typical of a terrace or group it may well be acceptable to follow this precedent;
- Front extensions are unacceptable in principle to historic buildings within a Conservation Area and the original front façade should be retained generally unaltered;
- Porches are not acceptable unless it can be shown that the building was originally intended to have one, whilst unnecessary clutter from new flues, pipes and cables will not be permitted on street elevations;
- In general a more flexible approach will be taken in respect of rear elevations that are not publicly visible, particularly where the rear of a terrace or group has been subject to past incremental alteration that has eroded its significance;
- Modern design approaches and finishes may be acceptable where it can be demonstrated the scale and exceptional design quality of the extension would enable the special character of the host building or the area to be most appropriately conserved. For example, a modern, lightweight approach can be appropriate for infill extensions where this would enable the original building form to be more clearly distinguished.

New and Replacement Windows

On historic buildings windows contribute to the character of the building through their design, materials and workmanship. Any proposal for new or replacement windows should note that:

- Plastic or aluminium replacement windows will not be acceptable on elevations visible from the street where the original windows were designed to be timber;
- In cases where such windows already exist and need to be replaced the council will seek the re-instatement of appropriate timber windows;
- In many cases timber windows can acceptably incorporate double glazing. Further guidance on fenestration within historic buildings can be found within SPD09 Architectural Features, and this will be used to guide decision making.

Roof Extensions and Alterations

On historic buildings the roof is often the 'crowning glory' and an integral part of the overall design. Alterations to the shape or form of the roof, the use of unsympathetic materials and the loss of original features can all have a serious effect on the appearance and character of historic areas. In addition following guidance apply:

- Roof extensions, including dormers, respect the particular architectural character of the building and should be carefully related to it. Not all roof spaces will be suitable for extension/alteration to provide additional accommodation; for example those with shallow or limited roof pitches;
- The original form, shape and fabric of the main roof are not to be altered and its ridge height is not to be raised. Exceptions to this may only be considered where the roof is not a visible feature of the building and its alteration would not harm the integrity of the wider area.
- Alteration of a pitched roof to form a roof terrace is normally not acceptable;
- Where a street has developed with buildings of varying height and scale, and where a varied roof-line is an important aspect of its character, this should be respected, and any tendency to level up buildings to a uniform height will be resisted;
- Original or historic decorative features at roof level, including dormers, party wall upstands, ridge tiles and lantern lights should always be retained, and where appropriate, re-instated.

Dormer Windows and Rooflights

Traditional dormers or rooflights were located to provide a small amount of daylight and ventilation to the loft or attic rooms, or to provide access onto a valley roof for maintenance purposes. Larger ones were sometimes used to light a stairwell. Lantern lights were often also used where more light was required to stairwells and other areas. Historically, rooflights were small and confined to rear roof slopes or hidden valleys. Where significant amounts of daylight are needed for rooms in the roof space, a dormer window is often a more architecturally and historically appropriate solution, but

- Front dormers will not be considered appropriate unless typical of the street;

- Inset dormer windows will usually be acceptable on the rear roof slopes, but only rarely on the front or side;
- All dormer windows should be finished with moulded eaves, cornices and timber fascias. Rooflights will usually be acceptable on rear roof slopes, and on occasion, the sides;
- Front rooflights are rarely acceptable unless typical of the street;
- All rooflights should be 'conservation rooflights' (double or single glazed) which lie flat in the roofs.

6 | Appendices

Appendix 1: Planning Application Requirements

Upon receipt of an application for planning permission, officers will undertake an initial consideration of the proposed development. It is important that the information provided to the Council clearly demonstrates how the extension or alteration to the property is being proposed.

Mandatory requirements

The following documents are mandatory requirements for most planning applications including householder planning applications and must be provided with your application at the point it is made:

1. Application Form
2. Application Fee
3. Location Plan (1:1250 or 1:2500)
4. Site / Block Plan (1:100/200/500) *(Must show the proposed extension in relation to existing buildings on and adjoining the site, areas and boundaries of site, including detail of access points, trees and hard-surfacing)*
5. Existing Floor Plans, Roof Plans & Elevations (1:50/100)
6. Proposed Floor Plans, Roof Plans & Elevations (1:50/100)
7. Sections & Site Levels (1:50/100)

Further information on all of the above can be found on the Council's website.

Desirable additional information

It will be helpful to officers if the following documents, drawings and photographs are submitted with the application (in addition to the mandatory requirements):

1. Site Photographs

- A photograph showing the relevant elevation of the property being extended. (e.g. for a rear extension the photograph should be taken from the rear garden looking back towards the property showing both neighbouring properties);
 - A photograph showing the outlook from the proposed extension. (e.g. for a rear extension the photograph should be taken from the back door/ window/first floor window looking towards the back of your garden);
 - A photograph of any other relevant angles/elevations you consider to be helpful to officers in their initial consideration of your application.
2. 3D Visualisation or Isometric Drawing. 3D drawing is usually not necessary but can be helpful in interpreting a complicated scheme.
 3. A brief written summary of any other matters you wish to draw to the attention of the planning officer.

Appendix 2: Glossary

Article 4 Direction: Direction removing some or all permitted development rights, for example within a Conservation Area or curtilage of a listed building. Article 4 directions are issued by local planning authorities.

Biodiversity: The whole variety of life encompassing all genetics, species and ecosystem variations, including plants and animals.

Character: A term relating to Conservation Areas or Listed Buildings but also to the appearance of any rural or urban location in terms of its landscape or the layout of streets and open spaces, often giving places their own distinct identity.

Conservation Area: Local authorities have the power to designate as conservation areas, any area of special architectural or historic interest. This means the planning authority has extra powers to control works and demolition of buildings to protect or improve the character or appearance of the area. Conservation Area Consent has been replaced by planning permission for relevant demolition in a conservation area.

Eaves: Part of a roof that meets or overhangs the walls

Flank window: A side window

Gable: The vertical triangular end of a building from eaves to ridge

Hipped roof: Pitched roof where two roof planes meet at the ridge

Listed Building: A building of special architectural or historic interest. Listed buildings are graded I, II* or II with grade I being the highest. Listing includes the interior as well as the exterior of the building and may include buildings or permanent structures (e.g. wells within its curtilage)

Locally listed building: Locally important building valued for contribution to local scene but not meriting listed building status

Obscure glazed: Opaque glass reducing visibility

Overbearing: A term used to describe the impact where the effect is dominating

Overlooking: A term used to describe the effect when a development or building affords an outlook over adjoining land or property often causing loss of privacy

Overshadowing: The effect of a development or building on the amount of natural light presently enjoyed by a neighbouring property resulting in a shadow being cast over that neighbouring property

Ridge: Top line of the roof

Terracing effect: A term used to describe the closing of gaps between houses by extending the houses sideways

Tree Preservation Order (TPO): A mechanism for securing the preservation of single or groups of trees of acknowledged amenity value. A tree subject to a tree preservation order may not normally be topped, lopped or felled without the consent of the local planning authority

Appendix 3: 45 degree rule

When designing an extension it is important to consider the level of sunlight and daylight currently enjoyed by the neighbouring properties. Extensions that are poorly designed and sited can result in unacceptable impact on neighbour's amenities. It is a common practice to use the 45-degree rule to measure such impact. The 45 degree rule is set out in the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: A guide to good practice (2011) and is an accepted rule of thumb test to determine whether or not further detailed daylight and sunlight tests are required.

The primary concern of the 45-degree test is the level of light and unobstructed view from a habitable room window. Rooms such as bathrooms, halls, utilities and landings/stairs do not require this consideration. Whilst this test is more common to residential dwellings it is also suited to non-residential properties, where occupants have a reasonable expectation of daylight, for example schools, hospitals, hotels, offices and workshops.

The 45 degree test work usually for extensions that are perpendicular to a window in a neighbouring property. A centre point is marked on the plan of the neighbouring window that may be affected by the extension. A 45 degree angle is drawn from that centre point towards the outer most part of the extension. Any extension that breaches that angle can reasonably be expected to cause significant loss of daylighting to neighbouring property.

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