

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

**4.00pm 5 MARCH 2020**

**HOVE TOWN HALL - COUNCIL CHAMBER**

**DRAFT MINUTES**

**Present:** Councillor Robins (Chair) Ebel (Opposition Spokesperson), Nemeth (Group Spokesperson), Childs, Mears, Powell, Rainey, Simson, Fowler and Hill

**Other Invitees present:** Lola Banjoko (B& H CCG), Anusree Biswas Sasidharan, Joanna Martindale (Community Voluntary Sector) and Nick May (Sussex Police)

**PART ONE**

**47 PROCEDURAL BUSINESS**

**47(a) Declarations of substitutes**

47.1 Councillor Hill was present as substitute for Councillor Evans and Councillor Fowler was present as substitute for Councillor Grimshaw.

**47(b) Declarations of interest**

47.2 Councillor Nemeth declared an interest regarding Item 58 Review of Planning Service Fees & Charges and stated that he would leave the room for the duration of this Item in the meeting.

**47(c) Exclusion of press and public**

47.3 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.

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

**48 MINUTES**

48.1 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 16 January 2020 as a correct record.

## 49 CHAIRS COMMUNICATIONS

### 49.1 The Chair provided the following updates:

“ Good afternoon and welcome to this meeting of the Tourism, Equalities, Communities & Culture Committee. I’d like to inform those present that this meeting is being webcast live and will be capable of repeated viewing.

On Friday 21 February I attended an event to mark the opening of Queer the Pier exhibition in the Spotlight Gallery at Brighton Museum. The exhibition has been created by a group of community curators from LGBTIQ+ communities in Brighton & Hove and celebrates the lives of the writers, artists, performers, activists and ordinary people who have made Brighton and Hove so fabulous. Their stories are brought to life with film and photography, fashion and drag and oral history.

The 100 First Women Portraits exhibition is also now on show at Brighton Museum until 7 June. The collection of photographs by Anita Corbin features 100 pioneering women of 21st Century.

On 30 March I will be attending the Brighton & Hove Cultural Summit at The Attenborough Centre for the Creative Arts. This years Summit is titled Your City, Your Art? and explores inclusive arts practice. The day will include presentations, performances, workshops and exhibitions looking at how we can involve as many people as possible to take part in the arts and how we can make sure the arts are engaging, friendly, and accessible for everyone across the City.

There is less than 500 days to go until the UEFA Women’s EURO tournament which kicks off on 7 July 2021. Excitement is already building for the tournament which will see England's Lionesses joining 15 other nations, playing 31 matches at venues across the country including three at the Brighton & Hove Community Stadium. Hundreds of thousands of fans are expected to attend the tournament and millions more will watch the globally-televised event.

The Stadium was chosen as a host city following a bid by Brighton & Hove City Council, Brighton & Hove Albion FC and the Sussex County Football Association.

As one of the eight host cities, Brighton & Hove is planning a programme of fan events in the lead-up to and during the tournament, as well as a legacy programme to improve access to and participation in girls’ and women’s football.

I was pleased to attend an event for Holocaust Memorial Day at the Old Courtroom on 27<sup>th</sup> January. The event was led by the Jewish Community Holocaust Education Project, who also do really important work in schools, and supported by Rwandan Youth Information Community Organisation as well as by the Council. This year’s Holocaust Memorial Day marked the 75<sup>th</sup> anniversary of the liberation of Auschwitz and the 25<sup>th</sup> anniversary of the genocide in Bosnia. The theme was Standing Together and it was great to see such a diverse mix of people coming together for this event, including those from faith, LGBTQ, refugee and disability community groups, with 170 people attending. We heard powerful personal stories relating to both the Holocaust and the Rwandan

Genocide and messages which reiterated the importance of continuing to stand together against all forms of hatred.

### Brighton and Hove Tourism Awards

Working with over 530 City partners engaged in tourism, in the last 3 months

VisitBrighton has:

- Engaged with 23.1k followers on Instagram; 61.4k Twitter followers and 28k likes on Facebook
- Run a digital campaign to promote May Festivals with a reach estimate of 1m+ people
- Since the 1st October 2019 to 29th February 2020 the VisitBrighton Convention Bureau has:
- Submitted 57 Conference Proposals to conference planners that has a combined Direct Economic Benefit of £21m+
- Confirmed 19 new Meetings and Conferences for the city and its venues:
  - Biochemical Society, September 2020, x 400 delegates
  - British Association of Cognitive Neuroscience, September 2020, x 300 delegates
  - British Association of Supported Employment, November 2021 x 200 delegates
  - British Neuroscience Association, April 2021, x 200 delegates
  - UK Council for Graduate Education, February 2021, x 400 delegates

This year the tourism industry is pleased to announce the inaugural Brighton and Hove Tourism Awards, in association with Visit Brighton and the Brighton and Hove Tourism Alliance, the Brighton and Hove Tourism Awards aims to promote and celebrate the city's vibrant and diverse tourism sector.

These awards are a great opportunity to show appreciation to those individuals and businesses in the tourism sector that embrace the city's values and have become great ambassadors for Brighton and Hove.

There are 15 coveted trophies up for grabs, representing a diverse range of business sectors involved in attracting visitors to our great city, winners will be announced on the June 15<sup>th</sup> 2020. Further information can be found at [www.bhtawards.com](http://www.bhtawards.com) ."

## 50 CALL OVER

50.1 Items 54 – 60 were read out in the Call Over and Items: 54 – 57 and 59 – 60 were reserved for discussion.

## 51 PUBLIC INVOLVEMENT

51a Petitions

(i) **Brighton Community Workshop Project – Garry Meyer**

51.1 Garry Meyer gave a short presentation to the Committee on the online petition signed by 113 people.

51.2 The Chair provided the following response:

“Thank you for the petition regarding the Brighton Community Workshop project. This is an interesting project that fits into the circular economy work that the council is currently exploring and developing as part of the council’s community wealth building priority.

I have asked the council’s Property Estates team to meet with the petitioners to understand more about this project and how we might be able to offer support.”

51.3 **RESOLVED** - That the Committee note the petition.

## **52 ITEMS REFERRED FROM COUNCIL**

52.1 There were no items referred from Full Council.

## **53 MEMBER INVOLVEMENT**

### **(b) Written Questions**

#### **(i) Brighton Centre Catering Concession**

53.1 Councillor Nemeth put the following question:

“At the last meeting of this committee, why was the item ‘Brighton Centre Catering Concession’ pulled from the agenda at the last moment and why is it not due to be considered at this meeting?”

53.2 The Chair provided the following reply:

“The item ‘Brighton Centre Catering Concession’ was deferred to a future TECC Ctte to enable further review of the commercial arrangements for that particular concession. This is to ensure that the Council was obtaining best value from the contract. The Ctte paper ‘Brighton Centre Catering Concession’ is scheduled to be represented at a future TECC Committee”.

53.3 Councillor Nemeth put the following supplementary question:

“Please can you confirm the financial implications which will result in deferring this report and what the subsequent officer time costs would be. I am concerned that this report may not come to fruition.”

53.4 The Chair replied that the Report would come to Committee, and that a written response to this supplementary question would be provided.

53.5 Councillor Mears stated that a date was required in order to set up the new contract within the deadline required and the Chair responded that this was already being done within the deadline.

**(ii) Shingle**

53.6 Councillor Nemeth put the following question:

“What assessment has been made of, and what updated policies are now in place to counter, the impact of shingle on the promenade during the winter period to (i) disabled or elderly users of the seafront and (ii) those organising or participating in outdoor events?”

53.7 The Chair provided the following reply:

“The Seafront Office undertake daily patrols along the entire length of the Brighton & Hove coastline. As part of these patrols they will identify areas where there has been shingle overtopping which may be causing access issues along the promenades. In collaboration with the council’s Coastal Protection, Seafront and Cityclean teams, addressing a safe pedestrian route and clear cycle lane (where applicable) along the seafront promenades is prioritised. Comprehensive clearance will be undertaken when forecasts provide a suitable period of stable weather and where the risk to continued overtopping has subsided. Programming comprehensive clearance also takes into consideration the annual Outdoor Events calendar. This approach ensures the most efficient use of the councils’ limited resources across these three departments. Officers are researching specialist equipment which could be purchased to enable council staff to clear and maintain a temporary pedestrian route and the cycle lane more efficiently. The long term management of beach profiles is also being researched by council officers. This is to determine whether a policy of micro management would provide improved coast protection as well as reducing the possible risk and frequency of overtopping.”

53.8 Councillor Nemeth put the following supplementary question:

“To clarify, do you recognise that this has got worse in recent years and whether complaints have mainly been from disabled beach users? Could these two issues be looked at in parallel?”

53.9 The Chair replied that these two issues could be run in parallel.

**(iii) Waterhall Golf Course**

53.10 Councillor Nemeth asked the following question:

“Given that Waterhall Golf Club will needlessly fold if a new operator does not take over the course immediately after the impending deadline, and that mothballing costs are potentially huge, will a TECC Urgency Sub-committee be formed imminently to consider options?”

53.11 The Chair gave the following response:

“This committee recommended to P&R that the Waterhall Golf Club was leased to a CIC for restoration and rewilding. It is not a matter of Waterhall Golf Club needlessly folding if a new operator does not take over the course at the end of the current management contract. There is not a long-term, financially viable option available that would enable the Golf Club to continue. The council is still working with the proposed leaseholder for the Waterhall site to conclude the lease arrangements as agreed at Policy & Resources Committee. If the outcome of those discussions is not successful, engagement would then take place with elected members as appropriate.”

53.12 Councillor Nemeth asked the following supplementary question:

“The deadline is at the end of this month. What will happen in the run up to this, if there is no successful negotiation with the new owner? I believe that they will lock the doors to the golf house, and that the club will fold unless people break in to the building. The current owners will take it away so there will be no option to carry on as normal.”

53.13 Nick Hibberd, Executive Director Economy, Environment & Tourism stated that the Council were aware of the timetable and were working together with the company on this issue. He added that if any Members would like a briefing on the situation, he would be happy to offer this. Cllr Nemeth confirmed that he would like to have a briefing on the matter.

**(iv) Self Build Register**

53.14 The Chair stated that since the question and answer for Cllr Nemeth’s question was long and complex that instead of reading it out, he would send the answer via email, circulate this to everyone and publish these in the Minutes. The question and answer are as follows:

53.15 Councillor Nemeth asked the following question:

“Please supply the following figures in advance of City Plan Part Two discussions:

- (i) How many people are currently on the Self-Build Register which is maintained by the Council?
- (ii) How many have joined each year since its creation?
- (iii) How many communications have been made with its members?
- (iv) How many sites have been put forward by the Council?
- (v) How many homes are known to have been built as a result of the Council’s work in this area?

53.16 The Chair issued the following response:

- (i) How many people are currently on the Self-Build Register which is maintained by the Council?  
193 individuals and 12 groups (as at 24 February 2020).

- (ii) How many have joined each year since its creation?

At Oct 16

1 individual and 2 groups

Oct 16 – Oct 17	41 individuals and 4 groups
Oct 17 – Oct 18	84 individuals and 6 groups
Oct 18 – Oct 19	55 individuals and 0 groups
Oct 19 – Feb 20	12 individuals and 0 groups

(iii) How many communications have been made with its members?  
Communications are made on an individual basis with applicants as they register or when they have requested an update. All applicants are advised that the council will be in contact when details of serviced plots for sale are available.

(iv) How many sites have been put forward by the Council?

There haven't been any plots identified to date to offer to those on the register. We are negotiating with developers to include self/custom build plots within s106 agreements where practicable and viable. If the council are aware of any other plots that become available for sale we will contact all members of the register so interested applicants can liaise with the owners/developers direct.

(v) How many homes are known to have been built as a result of the Council's work in this area?

Brighton & Hove City Council (BHCC) has a long history of working with housing co-operatives and supporting community led housing to build new homes on council or privately owned land. At present Bunker Housing Co-operative are building two homes on a former council owned site at Plumpton Road. Working in partnership with the Brighton & Hove Community Land Trust a number of additional council owned sites have been identified for community led housing schemes at Coldean Lane and Dunster Close with plans to deliver homes in the next couple of years. Further work is being undertaken to identify other suitable sites in the city. City Plan Part Two includes specific policy references promoting self and custom build housing as part of the general housing mix and specifically on the urban fringe housing sites.

The council is also looking into identifying and monitoring individual planning approvals for self and custom build developments. Self-build homes will also be exempt from Community Infrastructure Levy and its introduction presents a further opportunity to collect information on self-build in the city. Applicants for self/custom-build will be required to submit a specific form to claim CIL exemption which will allow us to identify these developments for monitoring purposes (which has been difficult previously).

53.17 Councillor Nemeth asked the following supplementary question:

“Are you happy with the approach of the Selfield ?

53.18 Liz Hobden, Head of Planning stated that she would email a written response which would be circulated after the meeting.

**v) Ice Rink**

53.19 Councillor Nemeth asked the following question:

“Following numerous promises that were made to members of the public campaigning for an ice rink in the city, what progress has been made in finding a site and making the idea a reality?”

53.20 The Chair gave the following response:

“The council has not made any promises with regard to the provision of an ice rink in the city. The council undertook a soft market testing exercise inviting potential designers, builders and operators to work with the council to identify whether the provision of a new permanent ice rink is feasible in the city. This exercise was not successful in identifying any feasible proposal for an ice rink in the city.”

53.21 Councillor Nemeth did not have a supplementary question.

**53 d) Notices of Motion**

**i) Mary Clarke Statue**

53.22 The Chair introduced the Notice of Motion which went to Full Council on 30 January 2020 and was referred to this Committee for consideration. The Chair confirmed that he had attended the Double Standards concert featuring Lianne Carroll and Claire Martin which had already raised over £4,500 for the Statue Appeal.

53.23 Councillor Nemeth queried whether there would be a report from Full Council on this Notice of Motion.

53.24 Councillor Hill stated that from recommendation 21 on page 31, it could instead be noted

53.25 Councillor Simson stated that she felt strongly about this issue.

53.26 The Chair stated that the issue was fully supported and that there was no avoidance on the issue and that a report could be brought to the next meeting, if required.

53.27 Councillor Mears stated that Full Council’s wishes had to be recognised and followed. The Cha

53.28 The Chair concluded that a written update would be given to a future TECC Committee meeting, in order to resolve the issue.

53.29 **RESOLVED:** That the Committee agreed to a report and written update being presented to the next TECC Committee meeting.

**54 BEACH ACCESS UPDATE**

- 54.1 Ian Shurrock, Head of Sport and Leisure and Toni Manuel, Seafront Development Manager introduced the report, which had followed an initial report from BAT the Beach Access Team and was supported by SCOPE, whose members were present at the meeting. They confirmed that this was an important issue for improving access to the beach for the city and that access to the beach was widely acknowledged as a challenging issue. The Officers confirmed that they had met with BAT and now requested the Committee supported the ongoing work on this issue. They highlighted the main recommendations to support the allocation of S106 money in order to support infrastructure projects and plans for the immediate future.
- 54.2 The Chair thanked Hannah and Neil from BAT, since he felt that the meetings opened people's eyes to the problems of beachfront access.
- 54.3 Councillor Powell noted that it had taken over a year from the issue of the petition in 2019 to come to fruition and that she was astounded that the whole process had taken around 10 years to get off the ground.
- 54.4 Councillor Powell also asked the following 6 questions:
1. She asked for more information on the wheelchair trials and asked if the use of scooters had also been researched.
  2. The issue of staffing on how the wooden strips and the rubber mats would be maintained; and whether staff with disability awareness would be involved.
  3. Where would the beach access be advertised?
  4. How would people get to the seafront and is provision for transport and / or parking being made?
  5. How would the Health and Safety on the beach be managed.
  6. Since SCOPE was a national body, which local disability groups had been engaged with, such as GIG on this?
- 54.5 The Chair replied that regarding question 6 the Beach Access Team had been engaged with and meetings had already been happening for one year.
- 54.6 The Seafront Development Manager gave the following replies:
1. Regarding the wheelchair trial, a number of electric chairs had been trialled but none had had the capacity to cope with the terrain and the gradient on Hove beach had proved problematic and that extra assistance from a carer was needed. She confirmed that the research did not source a good selection of wheelchairs from the UK and wheelchair had not yet been found that would be suitable for the terrain. There was only one from the US – the Nomad chair which they had deemed suitable to purchase. They had looked into mobility scooters but had concluded that these were not suitable for the shingle beach due to the small wheels.
  2. The wooden strips and rubber matting would be laid down for each season. There would need to be the correct access route found to allow more ease to get across the shingles.
  3. The access would be advertised on the Seafront Office webpage and there would also be additional coverage through SCOPE web pages to get more information out into the community.

4. Areas for viewing platforms had already been identified and the first one was next to King Alfred's leisure centre in Hove. There were already disabled parking bays and toilets available in this area and also near the Seafront Office, which was accessible to public car parks, with a ramped access area to the beach.
  5. She noted that staffing would be required for health and safety since shingle was slippery and that matting was required.
  6. Possability People and SCOPE had already been involved in the project as well as the Beach Access team and that the research and had been broad and wide ranging.
- 54.7 Councillor Powell queried whether the rubber mats were only for summer use and if there was a long term solution. She felt that the scheme was extremely positive for the City and should be advertised more widely in papers such as the Argus. The Councillor queried what the end result for the beach would be, and whether the whole seafront would be widened. The Head of Sport and Leisure replied that the input from the Beach Access Team and their local knowledge had been excellent and that they wanted to improve access with new technology as much as possible, with the priority on starting with current solutions in order to make progress as quickly as possible.
- 54.8 Councillor Nemeth echoed the admiration for this project and confirmed that he had already been in touch with the Beach Hut Group whose members were keen to assist with access. He also highlighted the point that the shingle moved all the time and buried additions to the beach and that therefore a mat would easily be covered in stones in the event of a small storm and that therefore technical questions had to be covered on this issue. He also recommended that the new Project Board for the King Alfred project should be included in all future plans. He also asked about the issue of sourcing a UK-based wheelchair and how many chairs and their upkeep could be bought within the 10K budget. The Seafront Development Manager confirmed that only one wheelchair could be purchased within the 10K budget. She confirmed that in future they wanted to trial different chairs suitable for different users.
- 54.9 Councillor Mears stated that she saw beach access as an important issue and was concerned that only the Chair had been asked to be involved and that Members from the other Parties should have been invited and that this was an oversight, since it should be a cross party consultation. The Chair replied that he thought a cross party invitation had been issued to the petitioners.
- 54.10 Councillor Simson asked about the consultation with Sea Lanes and other professional contacts and also about the planning applications that had been submitted. The Seafront Development Manager replied that there had been consultations with Sea Lanes and that the ongoing problem had been getting down to the water's edge. She also confirmed that the Beach Access Team had spoken to architects and engineers on this issue. She also confirmed that the last application for funding from Pride had been unsuccessful and that BAT were currently looking at alternative funding methods at present.
- 54.11 Councillor Powell asked whether there would be a designated member of staff available and the Seafront Development Manager replied that staff would be trained in assisting

with the wheelchair, and on giving tips and advice on beach access and that there would be a broom for sweeping up shingle.

54.12 Jo Martindale asked about consulting with the parent carer council on the issue of children's wheelchairs for the beach and that it was also important to include Adult Social Care, and the Council should be thinking across all departments. The Seafront Development Manager replied that this was possible and that currently they had trialled an adult wheelchair but were looking at a range of different models for different needs and ages.

54.13 **RESOLVED:** That the Committee:

1. Noted the progress already made towards improving beach access in Brighton & Hove.
2. Supported the continuation of improvements to beach and seafront access in Brighton & Hove.
3. Agreed that, where appropriate, Transport and other allocations from Section 106 and future Community Infrastructure Levy (CIL) contributions be used to facilitate beach access improvements as identified by the Beach Accessibility working Group (BAWG).
4. Agreed that the Beach Access Team (BAT) were established as a key consultee for all seafront infrastructure and redevelopment projects.

## **55 PROPOSED SUBMISSION CITY PLAN PART 2**

55.1 The Planning Manager gave a brief summary of the report together with the Principle Planning Officer.

55.2 Councillor Ebel asked the following questions:

1. How did Officers feel the plan met the provision for affordable housing in the city?
2. Can Officers identify the site above the shopping centre / brown field site and will there be an investigation into this site?
3. The Green party asked for restrictions to be place on the number of conversions to holiday homes. Is it possible to explore other council precedents such as Cambridge and Richmond, where holiday lets have been considered as a change of use.

55.3 The Planning Manager gave the following replies:

1. The main policy is CP20 which seeks up to 40% affordable housing which is quite an ambitious target. It would not be possible to offer 100% as there is no evidence to show it is viable, so the council tries to secure 40% with a high proportion of affordable homes in the city.
2. The Council has a program called Direct Delivery on restricted urban sites and these have to be demonstrated as suitable and available. Sites that have been allocated have been delivered over the period. The Brighton General Hospital site identified has a number of constraints such as listed buildings and it is simply not viable to require 100% affordable housing on this site.
3. Holiday lets are classified as residential and that where the council has evidence, the council will change the classification.

55.4 Councillor Ebel then asked 3 more questions:

1. How will the urban fringe sites be achieved on a practical level?
2. What kind of eco surveys have been carried out for the areas for rewilding ?
3. The reference to achieving a 19% reduction in carbon emissions is low – why is this figure not higher?

55.5 The Planning Manager gave the following answers:

1. Whilst it is often possible to secure a positive management plan for urban fringe sites, however, some of these are not as well managed as they could be.
2. In 2015 an incorporated Phase1 habitat surveys were carried out.
3. The policy has been adopted of CP8 sustainable buildings. This has to be in accordance with the targets. The Council's evidence around the other requirements meant that they could not show to inspections in order to meet the targets.?

55.6 Councillor Nemeth stated that he recognised the work that had gone into the plan. However, he confirmed that he wanted to abstain and have a full debate at Full Council on this report.

55.7 **RESOLVED:**

- (1) That the summary of the main issues raised in the consultation on the draft City Plan Part Two carried out 5 July – 13 September 2018 (included at Appendix 2 with a full summary schedule set out in the Statement of Consultation published on the City Plan Part Two webpage be noted:  
<https://www.brightonhove.gov.uk/content/planning/planning-policy/city-plan-part-two-proposedsubmission-stage-2020>);
- (2) That the procedural note for tabling amendments at Full Council (included at Appendix 6) be noted;
- (3) That the Proposed Submission City Plan Part Two (along with the policies map and other proposed submission documents) is referred to Full Council for consideration;
- (4) That the following studies as supporting evidence for the City Plan: Student Accommodation Study, SHLAA update, Gypsies and Travellers Needs Assessment Update, Build to Rent Study, an Update to the 2018 Wildlife Study, the Strategic Flood Risk Assessment Level 1 and 2 Screening and the Older Person Housing Needs Assessment 2019, be approved.

55.8 **RESOLVED TO RECOMMEND:**

- (1) That the summary of the main issues raised in the consultation on the draft City Plan Part Two carried out 5 July – 13 September 2018 (included at Appendix 2 with a full summary schedule set out in the Statement of Consultation published on the City Plan Part Two webpage be noted:

<https://www.brightonhove.gov.uk/content/planning/planning-policy/city-plan-part-two-proposedsubmission-stage-2020>);

- (2) That the Proposed Submission City Plan Part Two (along with the policies map and other proposed submission documents) for statutory public consultation for a period of six weeks commencing May 2020 in accordance with Regulation 19 of the Town & Country Planning (Local Planning) (England) Regulations 2012 be approved;
- (3) That the subsequent submission of the documents to the Secretary of State under Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012 subject to no material changes, other than alterations for the purposes of clarification, improved accuracy of meaning or typographical corrections, being necessary be approved;
- (4) That the Head of Planning be authorised to agree any draft “main modifications” to the City Plan Part Two necessary to make it sound and to authorise the publication of such draft modifications for public consultation save that should any draft modification involve a major shift in the policy approach of City Plan Part Two the draft modification shall be referred by the Head of Planning to the Tourism Equalities, Communities & Culture Committee for approval.

## **56 REGULATION OF SHORT TERM HOLIDAY LETS**

- 56.1 The report was introduced by Jo Player, Head of Safer Communities.
- 56.2 The Chair confirmed that two Amendments had been received from the Conservatives and the Green Party and that both amendments should be considered together. He then asked Councillor Nemeth to move the proposed Conservative Amendment.
- 56.3 Councillor Nemeth proposed the Conservative Amendment. He stated that he proposed that an existing member of the Council should be employed, so that an extra post would not be created. He confirmed that it was important that there was a separate point of contact within the team.
- 56.4 Councillor Mears seconded the Conservative Amendment.
- 56.5 The Chair then took a vote and the Conservative Amendment was approved.
- 56.6 The Chair then invited Councillor Ebel to move the Green Party Amendment.
- 56.7 Councillor Ebel moved the Green Party Amendment. Councillor Ebel gave an example of a hen party which demonstrated the problems that unregulated holiday lets caused,

which included noise pollution, residents lack of access to help and anti social behaviour. She added that the Green amendment would allow Officers to tackle the problem and she felt that both Amendments could work together.

- 56.8 Councillor Rainey seconded the Green amendment. Councillor Rainey added that there was a high proportion of properties that were empty during the week and then full at the weekend, citing examples of Camelford Street and Margaret St which both held a high numbers of rented houses, which needed to be regulated in future.
- 56.9 Councillor Powell stated that what had been a simple idea had now become a multi million pound business that had become unbearable and she highlighted point 2.3 on the contact was definitely required.
- 56.10 Councillor Nemeth queried whether council tax payment was an issue within this and the Chair replied that this issue did not need to be checked.
- 56.11 Councillor Ebel stated that it was not regulated, as in Denmark where Air BnB bookings were sent straight to the tax man. The Head of Safety stated that she was happy to look into the issue of tax which could be conveyed via email after the meeting.
- 56.12 Councillor Simson stated that she thought the recommendations required strengthening and that the Green amendment required too many resources to implement.
- 56.13 Councillor Hill stated that Labour had already looked into the matter in depth and that this issue needed to be addressed nationally, since the right regulations were not currently in place to do this. She gave the example that a C3 – a whole house let, should be regarded as a business, in order to be regulated properly. She added that the only issue with the Conservative amendment was a time issue and that time was required to address properly and therefore the Conservative amendment was not realistic. She therefore concluded that she was minded to support the Green amendment, but not the Conservative amendment.
- 56.14 Police Officer Nick May stated that he had spoken to Council Officers about the issues regarding Anti Social Behaviour (ASB) and drug dealing and that these were significant issues that the Police did not have the facilities to cope with and that regulations were required. He stated that they could deal with immediate criminality but that any thing the council could do to strengthen the enforcement on these issues would be welcome.
- 56.15 The Executive Director, Families Children & Learning stated that from an Officer perspective, the Council was happy to set up a contact to the deal with the problem, which would consist of more than just one single person. He added that regardless of which amendment was passed, a designated contact point could be put in place.
- 56.16 Councillor Simson confirmed she was happy to vote for the Green amendment due to the urgency of the matter.
- 56.17 There was then a ten minute detailed discussion about how wording of individual paragraphs of the two amendments could be combined and then adjusted in order to be approved. After the discussion, an agreed composite of both Green and Conservative Amendments was confirmed by the Legal Advisor.

56.18 The Chair then took a vote and the revised composite Amendment was agreed.

56.19 **RESOLVED** that the Committee:

- 1 Noted the content of this report
- 2 Agreed to officers using existing powers to investigate and respond to complaints about short term holiday lets, ensuring a co-ordinated approach to enforcement between services.
3. Agreed that the Interim Director Housing Neighbourhoods and Communities (ID) will determine which is the most appropriate department to be the central point of contact (POC) for residents and others to raise concerns about short term holiday lets with, and for that department to be responsible for co-ordinating the efforts described in 2.2 and liaising with the complainants. The council will also publish by way of general communication and on the website the point of contact details for the public to use. The website to be updated no later than 30th April 2020. The ID to update Committee Members once the actions are complete.
4. Agreed that the Interim Director of Housing, Neighbourhoods and Communities:
  - a. explore the feasibility of setting up an officer 'task force,' that could jointly share information, resident concerns and help address problems raised by short-term holiday lets. This could, for example comprise of a Planning Officer, an EHL Officer, a Community Safety Officer, a Field Officer, a Highways Officer, a representative from Cityclean, a Private Sector Housing Officer and a Licensing Officer.  
The feasibility should take into consideration any resource issues among staff teams.
  - b. Set up mechanisms to further promote the options available to residents affected by a short-term holiday let or 'party house', such as through:
    - Raising awareness of the role and jurisdiction of the planning enforcement team;
    - Raising awareness of the work and role of the council's noise complaint service (EHL);
    - Any other appropriate measures that will build as rich a picture as possible of the city's short term holiday let/party house lets, particularly in lieu of a registration scheme or any similar powers emerging from government.
5. Noted that officers are actioning the requests in the Notice of Motion to lobby central Government for a national registration scheme and for enhanced enforcement powers for officers to deal with issues caused by these types of properties and to write to Air BnB regarding a consultation. Committee asks the Chief Executive to write to the Secretary of State seeking changes or additions to legislations as

follows:

- Nationally prevent tax evasion similar to those applied in Denmark, where owners' tax details and income will automatically be sent to the authorities by AirBnB (and other providers),
- Nationally introduce a new planning use class for such holiday lets or measures for such properties to apply for a change of use class from C3 to another appropriate use class (e.g. C1): in order to convert a property from a residential unit into a short-term letting place.
- Introduce measures that permit local authorities to monitor and restrict the maximum number of short-term holiday lets or 'party houses,' permitted in one street; similar to the recently approved BHCC Art. 4 Direction for HMOs with a maximum % threshold.
- Detail the feasibility of any short-term holiday let regulations or measures that can help local authorities to reflect the pressure on neighbourhoods and local housing need, such as a minimum, or maximum length of stay in areas of high density 'short term holiday lets,' and in high housing need;
- Introduce a requirement that operators in the market share data on the location of properties with the local authority;
- Introduce mechanisms for supporting local authorities to address issues of use/duration/frequency of short-term holiday lets where such measures can have a beneficial effect on local housing need and on communities.

## **57 SWIFT BOXES IN NEW DEVELOPMENT**

57.1 The Head of Planning gave a brief summary of the report which had been requested by Full Council in 2019. She highlighted the two main recommendations: 1. Noting that work had already been done with the assistance of the County Ecologist on Bee bricks and the differences between Swift Boxes and bricks. She confirmed that the officer recommendation was that this was agreed from 1<sup>st</sup> April 2020.

57.2 Councillor Ebel pointed out that swifts needed to eat insects and thus it was important to ensure there was wildlife around the Swiftbox.

57.3 The Chair confirmed that an Amendment had been received from the Conservative Group and asked Councillor Nemeth to move the amendment.

57.4 Councillor Nemeth brought in examples of swift bricks to show the Committee and said he was delighted to bring this to the Committee as he was concerned that Swift Bricks could be filled in, but Swift Boxes could not. He stated that the Amendment was a clarification on the terminology.

57.5 The Amendment was seconded by Councillor Mears.

57.6 The Chair took a vote and was agreed unanimously.

**57.7 RESOLVED:** That the Committee

- 1 Noted the introduction of a model planning condition and informative requiring the provision of bee bricks which have been attached to all planning permissions for new build developments from 1<sup>st</sup> November 2019.
- 2 Agreed to the introduction from 1<sup>st</sup> April 2020 of a model planning condition and informative (Appendix 1) requiring the provision of swift boxes (including swiftbricks) in planning permission granted for new development and an informal advice note, as set out in paragraphs 3.6 to 3.8 of the report (Appendix 2) and grants delegated authority to the Executive Director Economy, Environment & Culture to make minor amendments to the note having consulted the members of the three Groups who sit on this committee in advance of implementation.

**58 REVIEW OF PLANNING SERVICE FEES & CHARGES 2020/21****58.1 RESOLVED:** That the Committee

- 1 Granted delegated authority to the Executive Director Economy Environment & Culture to agree the final lump sum fee rates for the proposed new charging structure for PPAs in Appendix 1
- 2 Re-confirmed delegated authority to the Executive Director Economy Environment & Culture to negotiate fees for lar scale PPAs outside the new charging structure set in 2.1 above, based on the hourly cost of officers, agency/consultant planning, transport and other specialist staff as required
- 3 Agreed the new rates and simplified fee structure for PAA for applications for householder and small scale projects outlined in Appendix 2
- 4 Approved the proposed fees and charges increases for Building Control outlined in Appendix 3

**59 ROYAL PAVILION AND MUSEUMS SERVICE - ANNUAL SERVICE PLAN**

59.1 Donna Chisholm, Assistant Director Culture Tourism & Sport and Janita Bagshawe, Head of Royal Pavilion and Museums gave a brief summary of the report, which recognised the work involved in the transfer of 190 members of staff . It was confirmed originally at the P & R Committee on 5<sup>th</sup> December 2019 that the Annual Service Plan should be presented at the beginning of each financial year.

59.2 Councillor Mears congratulated the Head of Royal Pavilion and Museums on the report and the Chair also noted Julian Crampton's input into the report.

**59.3 RESOLVED:** That the Committee

1. Approved the Annual Service Plan for 2020-21.

**60 REVIEW OF THE WASTE AND MINERALS LOCAL PLAN**

- 60.1 The report was introduced by Steve Tremlett, Principle Planning Officer.
- 60.2 Councillor Rainey asked about the reliance on imported minerals and asked where they were sourced and what the possible environmental impact of the transport arrangements. The Principle Planning Officer replied that gravel was still being transported some distance from the East of the county to Brighton and Hove. He also stated that some came from Surrey and marine- dredged aggregates came from Shoreham Harbour. He stated that they had requested that the impact of this would be taken into account within the planning and environmental processes.
- 60.3 Councillor Nemeth raised the issue of Waste disposal, stating that there could be up to 50 companies in the City owning up to 100 caged vehicles who dispose of waste which would incur 100 trips to a waste transfer station – which had previously been delivered to the Moulsecoomb site. However, now if zero flytipping was to be achieved, this waste now had to be transferred to Newhaven. He highlighted the knock-on effect for the building trade in addition to litter on the A27. He confirmed that the Conservatives would not support this report, but would abstain in order to alert the committee to this problem.
- 60.4 The Principle Planning Officer replied that this was a valid point and that a lack of waste sites could be a problem.
- 60.5 Councillor Hill stated that flytipping was a massive issue in the city and that possibly amnesty days were required.
- 60.6 Councillor Nemeth stated that the Council needed to look at the policy on existing tips. Councillor Mears added that the Council should look into at the waste tip at Sheepcote Valley.
- 60.7 Nick Hibberd, Executive Director, Economy, Environment & Culture stated that the ETS Committee had been asked to look at the change in waste disposal. He stated that through the Environments Bill, they were aware of the effects of Newhaven and that these concerns could be brought to the ETS committee in the future.
- 60.8 Councillor Hill asked if there was a shortage in the supply of minerals. The Principle Planning Officer replied that the local quarry was providing 100K per year, but a robust supply was required which involved liaising with other councils.
- 60.9 **RESOLVED:** That the Committee
1. Noted the representations made to the Waste and Minerals Local Plan Review Scoping Consultation and Call for Sites undertaken from 25 September to 20 November 2017 (summarised in Appendix 1);
  2. Approved the publication of draft revised policies for public consultation, together with the following supporting documents: Sustainability Appraisal, Strategic Flood Risk Assessment and Equalities Impact Assessment.

## 61 ITEMS REFERRED FOR FULL COUNCIL

61.1 There were no items referred for Full Council.

The meeting concluded at 6.48pm

Signed

Chair

Dated this

day of

