





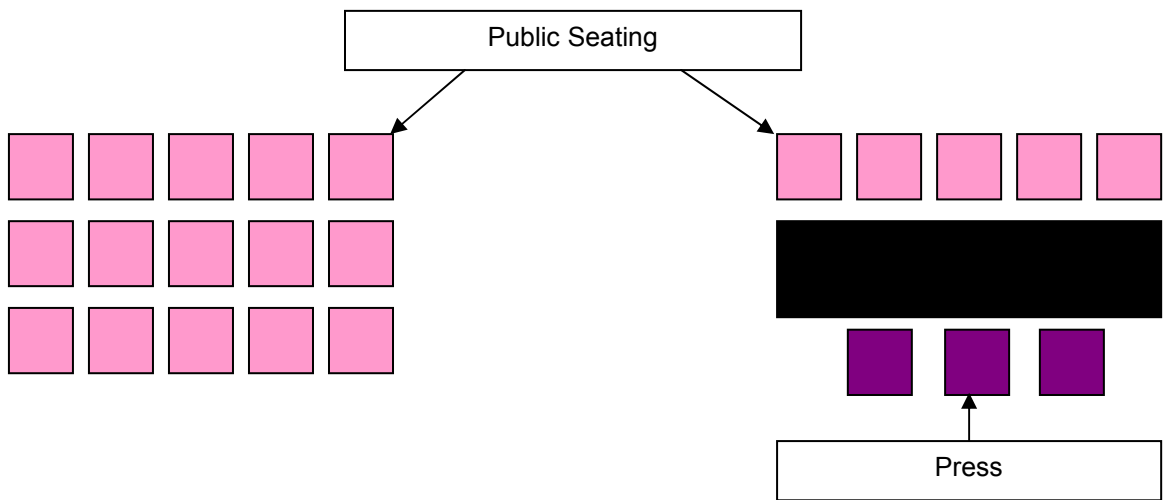
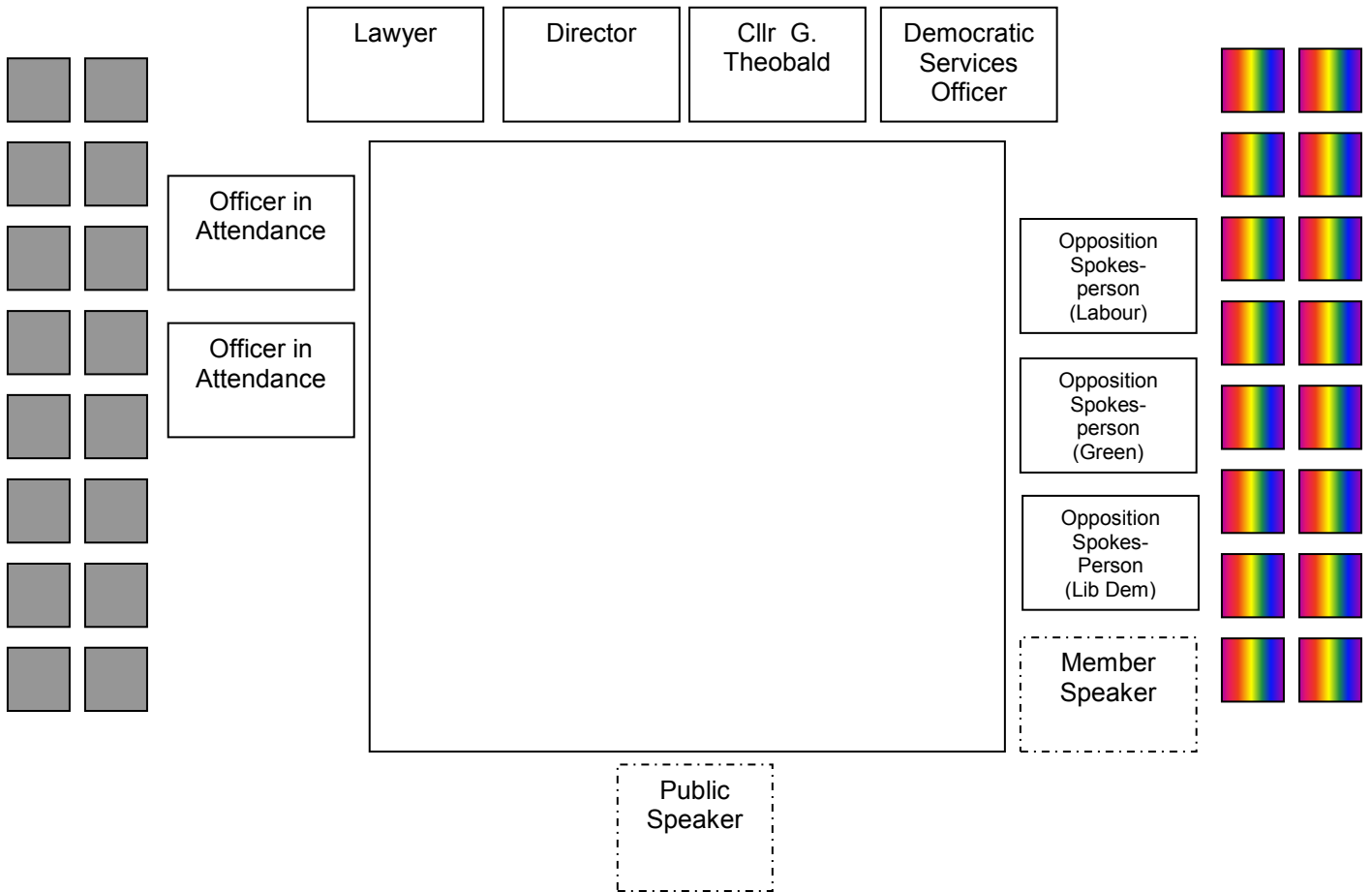
Brighton & Hove
City Council

Cabinet Member Meeting

Title:	Environment Cabinet Member Meeting
Date:	30 July 2009
Time:	4.00pm
Venue	Committee Room 1, Hove Town Hall
Members:	Councillor: G Theobald (Cabinet Member)
Contact:	Tanya Massey Acting Senior Democratic Services Officer 01273 291227 tanya.massey@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

11. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) 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 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

12. MINUTES OF THE PREVIOUS MEETING

1 - 4

Minutes of the meeting held on 4 June 2009 (copy attached).

13. CABINET MEMBER'S COMMUNICATIONS

14. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokespeople
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

15. PETITIONS

5 - 10

Report of the Acting Director of Strategy & Governance (copy attached).

Contact Officer: Tanya Massey Tel: 29-1227
Ward Affected: Hangleton & Knoll;
Hanover & Elm Grove;
Hollingdean & Stanmer;
Patcham; Preston Park;
Queen's Park; Regency;
Stanford; Wish

ENVIRONMENT CABINET MEMBER MEETING

- 16. PUBLIC QUESTIONS** **11 - 12**
- (The closing date for receipt of public questions is 12 noon on 16 July 2009)
- (copy attached).
- 17. DEPUTATIONS** **13 - 18**
- (The closing date for receipt of deputations is 12 noon on 16 July 2009)
- (a) Road safety at the junction of Dyke Road Drive, Stanford Road and Highcroft Villas** (copy attached).
- (b) Road Safety in Chalky Road, Portslade** (copy attached).
- 18. LETTERS FROM COUNCILLORS** **19 - 42**
- (a) Downland Mowing.** Letter from Councillor Morgan (copy attached).
- (b) Introducing a 20 mph speed limit in West Hill and beyond.** Letter from Councillor West (copy attached).
- 19. WRITTEN QUESTIONS FROM COUNCILLORS** **43 - 44**
- (copy attached).
- 20. NOTICES OF MOTION**
- No Notices of Motion have been referred.
- CITY PLANNING**
- 21. South Downs National Park - Land At Green Ridge** **45 - 52**
- Report of the Director of Environment (copy attached).
- Contact Officer: Rob Fraser* *Tel: 29-2380*
Ward Affected: Patcham
- 22. Local Development Framework Core Strategy - Background Studies** **53 - 62**
- Report of the Director of Environment (copy attached).
- Contact Officer: Rebecca Fry* *Tel: 29-3773*
Ward Affected: All Wards
- 23. Response to Consultation Paper on a new Planning Policy Statement 4: Planning for Prosperous Economies** **63 - 72**
- Report of the Director of Environment (copy attached).
- Contact Officer: Carly Dockerill* *Tel: 29-2382*
Ward Affected: All Wards

ENVIRONMENT CABINET MEMBER MEETING

- 24. Partial Review of the Regional Spatial Strategy for the South East: Provision for Gypsies, Travellers and Travelling Showpeople** **73 - 84**

Report of the Director of Environment (copy attached).

Contact Officer: Sandra Rogers Tel: 29-2502
Ward Affected: All Wards

SUSTAINABLE TRANSPORT MATTERS

- 25. Resident Parking Scheme – Formal Traffic Order Report** **85 - 102**

Report of the Director of Environment (copy attached).

Contact Officer: Charles Field Tel: 29-3329
Ward Affected: Preston Park; Stanford; Withdean

- 26. Old Shoreham Road Cycle Route** **103 - 108**

Report of the Director of Environment (copy attached).

Contact Officer: David Parker Tel: 29-2474
Ward Affected: Goldsmid; Hangleton & Knoll; Preston Park; South Portslade; Stanford

- 27. Woodingdean Crossroads - Proposed Public Consultation** **109 - 116**

Report of the Director of Environment (copy attached).

Contact Officer: Andrew Renaut Tel: 29-2477
Ward Affected: Woodingdean

- 28. Double Parking and Dropped Footway Enforcement** **117 - 120**

Report of the Director of Environment (copy attached).

Contact Officer: Paul Nicholls Tel: 29-3287
Ward Affected: All Wards

CITY SERVICES

- 29. Consultation Plan for the Level Redevelopment** **121 - 124**

Report of the Director of Environment (copy attached).

Contact Officer: Jan Jonker Tel: 29-4722
Ward Affected: St Peter's & North Laine

ENVIRONMENT CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Tanya Massey, (01273 291227, email tanya.massey@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Wednesday, 22 July 2009

**BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT CABINET MEMBER MEETING**

4.00PM 4 JUNE 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member)

Other Members present: Councillors Bennett, Kitcat, McCaffery and Morgan

PART ONE

1. PROCEDURAL BUSINESS

1a Declarations of Interests

1a.1 There were none.

1b Exclusion of Press and Public

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

1b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

2. MINUTES OF THE PREVIOUS MEETING

2.1 **RESOLVED** – The minutes of the meeting held on 7 May 2009 were approved and signed by the Cabinet Member as a correct record.

3. CABINET MEMBER'S COMMUNICATIONS

3.1 There were none.

4. ITEMS RESERVED FOR DISCUSSION

4.1 There were no substantive items.

5. PETITIONS**5(i) Petition – Barn Rise playground, Westdene**

5.1 Councillor Mrs Norman had submitted a petition signed by 160 people requesting improvements to be made to Barn Rise playground in Westdene.

5.2 Councillor Mrs Norman was unable to attend the meeting.

5.3 **RESOLVED** – That the petition be noted and a written response be provided.

5(ii) Petition – resident parking scheme in the Tivoli Crescent area

5.4 Councillor Mrs Norman had submitted a petition signed by 90 people requesting further consultation with residents on a resident parking scheme in the Tivoli Crescent area.

5.5 Councillor Mrs Norman was unable to attend the meeting.

5.6 **RESOLVED** – That the petition be noted and a written response be provided.

5(iii) Petition – discounted car parking in Regency Square Car Park

5.7 Councillor Kitcat presented a petition signed by 54 people concerning a request from Preston Street Traders' Association to offer discounted car parking in Regency Square Car Park to their customers visiting in the evening.

5.8 The Cabinet Member recognised the concerns expressed by the Preston Street Traders' Association and had asked officers to analyse usage data and review the tariff structure at the car park. A response would be provided once the results and of analysis and review were available.

5.9 **RESOLVED** – That the petition be noted.

5(iv) Petition – Blakers Park playground

5.10 Councillor McCaffery presented a petition signed by 192 people requesting that improvements be made to the play equipment in Blakers Park.

5.11 The Cabinet Member confirmed that Blakers Park had been selected for Playbuilder funding and that work was scheduled to be carried out in year one of the project; officers were currently in the process of setting consultation dates for the year one projects and the information would be made public in the near future.

5.12 The Assistant Director for City Services explained that ward councillors would be consulted and that the project plan would be shared once it was ready.

5.13 The Director of Environment added that health and safety concerns could be looked into separately.

5.14 **RESOLVED** – That the petition be noted.

5(v) Petition – communal in bins in Hova Villas

5.15 Councillor Older had submitted a petition signed by 31 people opposing the introduction of communal bins in Hova Villas.

5.16 Councillor Older was unable to attend the meeting.

5.17 **RESOLVED** – That the petition be noted and a written response be provided.

5(vi) Petition – parking restrictions in Worcester Villas

5.18 Councillor Kemble had submitted a petition signed by 62 people concerning parking restrictions proposed for Worcester Villas.

5.19 Councillor Kemble was unable to attend the meeting.

5.20 **RESOLVED** – That the petition be noted and a written response be provided.

5(vii) Petition – bonfires and green waste

5.21 Councillor Bennett presented a petition signed by 13 people concerning the effects of bonfires burning green waste on allotments.

5.22 The Cabinet Member explained that while bonfires were permitted on allotment sites as a last resort for the disposal of green waste, tenants must be mindful of the impact on local householders; officers had been asked to remind the Weald allotment tenants of the rules. The Cabinet Member asked residents to report any incidents so that action could be taken; the council had the right to ban bonfires if they were causing a nuisance. Allotments rules were currently being revised and the issue of bonfires would be included.

5.23 **RESOLVED** – That the petition be noted.

5(viii) Petition – traffic calming on Manor Hill

5.24 Councillor Morgan presented a petition signed by 40 people requesting traffic calming measures to be installed on Manor Hill.

5.25 The Cabinet Member stated that the council had recently added a 'bend' warning sign on a high visibility backing board at the location. The Road Safety Team had reviewed the collision data for the location and records showed 3 injury collisions during the last 3 years; excessive or inappropriate speed was not listed as a cause for any of the collisions. The Cabinet Member explained that because the road was part of a bus route, the type of traffic calming measures that could be installed were limited and CCTV was not a recognised road safety measure. The Cabinet Member wanted to listen

to the concerns of local residents and therefore the Road Safety Team would carry out a survey of vehicle speeds in Manor Hill to determine whether speed was a problem; it would assist in determining any appropriate measures that might need to be implemented in the interest of road safety.

5.26 **RESOLVED** – That the petition be noted.

6. PUBLIC QUESTIONS

6.1 There were none.

7. DEPUTATIONS

7.1 There were none.

8. LETTERS FROM COUNCILLORS

8(a) Letter – installation of yellow lines at the junction of Woodruff Avenue and Goldstone Crescent

8.1 A letter was received from Councillor Bennett regarding calls for single yellow lines to be installed at the junction of Woodruff Avenue and Goldstone Crescent on safety grounds (for copy see minute book).

8.2 The Cabinet Member confirmed that the site had been added to the list of sites to look at and monitor for a Traffic Regulation Order (TRO); a TRO was required to make parking restrictions such as yellow lines legally enforceable.

9. WRITTEN QUESTIONS FROM COUNCILLORS

9.1 There were none.

10. NOTICES OF MOTION

10.1 There were none.

The meeting concluded at 4.20pm

Signed

Cabinet Member

Dated this

day of

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 15

Brighton & Hove City Council

Subject:	Petitions	
Date of Meeting:	23 July 2009	
Report of:	Acting Director of Strategy & Governance	
Contact Officer:	Name: Tanya Massey	Tel: 29-1227
	E-mail: tanya.massey@brighton-hove.gov.uk	
Key Decision:	No	
Wards Affected:	Patcham	

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive any petitions presented directly to the Environment Cabinet Member Meeting.

15. (i) To receive the following petition presented directly to the Environment Cabinet Member Meeting by Councillor Pidgeon:

We the undersigned object to adverse effect on parking facilities at Mayfield Crescent, Brighton, through the imposition of double yellow lines.

15. (ii) To receive a petition presented at Cabinet on 9 July by Councillor Kitcat and signed by 37 people calling for an urgent review of how seafront rents and license fees are agreed (for more details see Appendix 1).

15. (iii) To receive the following petition presented at Council on 16 July by Councillor Barnett and signed by 114 people:

We, the undersigned, would like to give our support to Cllr Dawn Barnett, Cllr Tony Janio and Cllr David Smart who are campaigning to reduce the road speed to 20 miles an hour in the Hangleton and Knoll area where there are schools and playgroups.

15. (iv) To receive the following petition presented at Council on 16 July by Councillor Kemble and signed by 196 people:

We the undersigned call upon Brighton & Hove City Council to introduce a 20 mph speed limit and a safe crossing on New Church Road, in the vicinity of The Fold School and Deepdene School.

15. (v) To receive the following petition presented at Council on 16 July by Councillor Duncan and signed by 93 people:

The undersigned believe Brighton and Hove City Council should consult with local residents and the wider community who use Queen's Park to decide the future use of the bowling green. Action is needed to prevent further

deterioration of the playing surface and the pavilion and to end the waste of what should be a valuable community asset.

- 15. (vi)** To receive the following petition presented at Council on 16 July by Councillor Brown and signed by 38 people:

We the undersigned urge the council to remove the newly planted trees on the green by Queen Caroline Close and make good any damage to the ground caused by these trees.

We the undersigned also require the removal of the sign restricting enjoyment of the open space to only those of eight years and under.

These trees and the sign both contravene Register of the Title Number ESX 162889 and its restrictive covenant in "maintaining the area as Open Space for recreational purposes for the benefit of the recent housing estate development".

- 15. (vii)** To receive the following petition presented at Council on 16 July by Councillor Randall and signed by 55 people:

The undersigned believe Brighton and Hove City Council should take action to end the activities of those people who use the pavements of Elm Grove as a showroom to sell cars.

This activity has a detrimental effect on the neighbourhood and the local community and is unfair to those legitimate car dealers who pay rent and business rates on their garages and showrooms.

- 15. (viii)** To receive the following petition presented at Council on 16 July by Councillor Bennett and signed by 37 people:

The lower half of Woodland Avenue is enhanced by street trees. Those of us living in the upper section of the road would like trees planted in our part of the avenue to enhance our area.

- 15. (ix)** To receive the following petition presented at Council on 16 July by Councillor McCaffery and signed by 136 people:

Following the announcement that Brighton and Hove City Council is planning to introduce a Residents Parking Scheme at the Fiveways end of Stanford Avenue, we the undersigned oppose this, for the following reasons:

- *There is no problem with parking at this end of the road.*
- *There are no businesses except for a nursery*
- *There are no plans to impose the scheme on the much busier Ditchling Road*
- *The imposition of permits is a tax on residents as there are no access or highway safety concerns in this area*
- *Many of the residents are retired or work from home and need parking spaces during the day. A meter system is unfair and expensive for these residents.*

15. (x) To receive the following petition presented at Council on 16 July by Councillor McCaffery and signed by 81 people:

We, the undersigned residents of Waldegrave Road call upon the council to:

- 1) *Reject the proposed plan for the triangle of roads north of the train line between Ditchling Road and Stanford Avenue: i.e. the Florence Road, Southdown Avenue, Grantham Road, Rugby Road, Edburton Avenue area.*
- 2) *Consider the needs of each road within the proposed zone and implement restrictions according to the “problems” in each area. i.e.:*
 - a. *to impose a light touch restriction in the triangle of roads north of the train tracks (roads listed above) e.g. restrictions between 12 – 1 pm weekdays only.*
 - b. *To have full residents parking in areas with real problems such as the Ditchling Rise to Stanley Road area.*
- 3) *Make a full consultation of all residents likely to be affected by the creation of a new CPZ i.e. all residents within a 200m radius of the edge of the zone **before** implementation of the scheme.*
- 4) *If any Controlled Parking Zone restrictions are to go ahead as far as Stanford Avenue, then to include Waldegrave Road within that zone to protect Waldegrave Road residents from the displacement parking problem currently faced in the area around Ditchling Rise.*

15. (xi) To receive the following petition presented directly to the Environment Cabinet Member Meeting by Councillor Lepper:

We, the undersigned, are gravely concerned about the ever increasing volume and speed of traffic in Davey Drive especially at the junction with The Crossway which is directly opposite St Josephs Primary School. This is an extremely difficult and dangerous stretch of road to cross to get to the school. The bus stop positioned opposite the school and parked cars add to the danger and difficulties.

*It is imperative that Brighton & Hove City Council take appropriate measures before someone is seriously injured or worse, there is a fatality: **we call upon the Council to install a crossing on this part of Davey Drive to give our children a safe place to cross.***

Dear Cllr Mears,

PETITION CALLING FOR AN URGENT REVIEW OF HOW SEAFRONT RENTS AND LICENSE FEES ARE AGREED

We the undersigned, being traders of The Seafront Traders' Association, call on both you and the Council to review as a matter of extreme urgency the rents and patio license fees currently being asked for by the Council from the Seafront Traders of the city.

It is now an issue of grave concern to us; many of our clients; many of our suppliers; many of our staff; many of the other businesses in the immediately adjacent and surrounding areas; and to a number of Councillors, that the current Council policy of attempting to exert punitive rents and patio license fees from our businesses, creates a genuine risk of the seafront area suffering business closures and consequential economic decline.

We call on both you and the Council to levy rents and patio licence fees that are commonly agreed to be fair to all parties because:

- 1 These proposed rent increases make no allowances whatever for the current dire economic climate.
- 2 These proposed rent increases create huge pressure on traders as employers, at a time when the city's unemployment difficulties are inevitably likely to worsen.
- 3 These proposed rent increases fail to recognise the important contribution made by the Seafront Traders to the city's overall attractiveness as a popular tourist destination. It being commonly agreed that our businesses are key to making the seafront both attractive and financially sustainable.
- 4 These proposed rent increases fail to recognise that the Seafront Traders are a natural magnet for visitors to the city, and that these visitors subsequently also spend their visitor pounds elsewhere in the city economy, so we can genuinely claim to contribute to businesses throughout the city, with a consequential loss to the city if we are unable to continue this contribution.
- 5 The poor summer weather in the last couple of years has already seen trading conditions deteriorate and become more difficult and challenging for Seafront Traders. Consequently, for many the future is already uncertain. The punitive increases in rents and patio license fees will inevitably exacerbate this situation.
- 6 The risk of business closures along the seafront could see the return of empty, derelict, and blighted properties. The consequential decline in that local economy would undo years of careful strategic planning and Council support.
- 7 The independent nature of the businesses on the seafront creates the unique atmosphere

and tourist destination that is at the heart of the city's visitor offering. If these independent businesses were to be replaced by national or global chains, there is a risk to the ongoing attractiveness of the city as a destination. We do not believe the city would continue to prosper as a "Bluewater beside the sea".

8 The Council's current strategy to aggressively push for rent increases of up to 300%, in conjunction with above inflation patio license increases, plus the use of legal actions and outside consultants, will inevitably see business closures and a consequential negative affect on both the seafront and the city's long term economic future.

9 The costs incurred by many Seafront Traders in trying to negotiate these rent reviews, in conjunction with the costs of dealing with the legal manoeuvres employed by the Council, now prevents many traders from focussing on managing their businesses to their own, and the city's, true potential.

10 These proposed rent increases are now more than likely going to affect the ability of the current owners to sell their businesses as going concerns. Thus the effect becomes very long term as, was once the case, it becomes extremely difficult to attract the right sort of business owner to buy into and continue to contribute to, a vibrant and sustainable seafront economy.
We therefore call on both you and the Council to:

1 Recognise that the long term viability of the seafront businesses contributes positively and directly to the entire economy of the city.

2 Agree that rent reviews should only consider the strict 'seafront value' of the unique properties under consideration, not other commercial properties off the seafront.


3 Agree that rent reviews should NOT take the premiums involved in business sales into account, as these relate to the brand, goodwill and equipment of a business - NOT the cost of rent of their premises.

4 Urgently review both the processes and tactics used in agreeing both rent and patio licence increases.

We would like it to be understood by both you and the Council that, whilst we would always wish to enjoy a strong and positive working relationship with yourselves, we are now encountering severe business difficulties as a consequence of your current policy, and that consequently we have our backs now very firmly against an economic wall. In these circumstances we shall proactively pursue a course of action to make our case heard and to contest further punitive rent and licence increases.

We look forward to your reply as a matter of urgency.
Your sincerely,

The members of The Seafront Traders' Association



CAROL E POLLEX

WRITTEN QUESTIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by a member of the public who either lives or works in the area of the authority.

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

The following written questions have been received from members of the public.

(a) Mr R. Pennington

“Given the importance of the Madeira Drive Lift to enabled children, carers with buggies and the disabled to access the beach etc; and given that the alternative routes are over two kilometres long (ignoring the 23 stepped routes which are inappropriate for many):

Since the season started in 2009, on how many days has the Madeira Drive Lift been working with access to the public and on how many days has it been closed for repairs etc. (including the current closure which started on or about July 15th 2009)?”

(b) Mr C. Hawtree

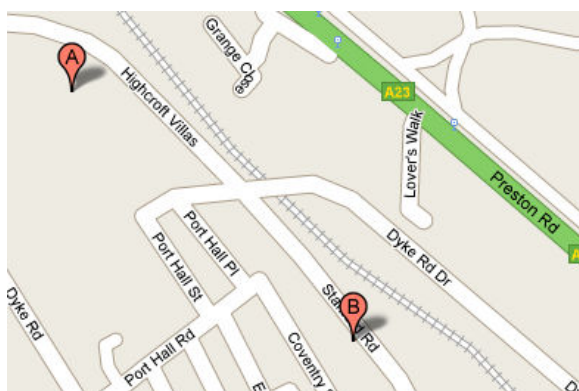
"Would Councillor Theobald please give us his view of the public seating in George Street, Hove?"

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes following which the Cabinet Member may speak in response. The deputation will be thanked for attending and its subject matter noted.

(a) Deputation concerning primary school allocations in BN3.

Mr Keith Turvey (Spokesperson)



(Figures 1 & 2)

This deputation would like to bring to the council's attention a road safety issue that has come to light at the junction of Highcroft Villas, Stanford Road and Dyke Road Drive (Figures 1 & 2). Although there are times of day when the volume of traffic at this junction is relatively low, during the morning rush hour it is a particularly difficult junction for pedestrians and cyclists. Many of the pedestrians in the morning are children and families on the morning school run dropping children at Stanford Infants and Stanford Junior schools, which the junction separates.

The threat posed to pedestrians and particularly children crossing here in the morning has been the subject of discussion and concern at the separate Governing Body meetings of both the Junior School and the Infant School. Both Governing bodies have recorded separate and potentially fatal incidents that have occurred at the junction in the last few months.

Stanford Junior School has been for several years been working with Sustrans and Bike-It to encourage children to cycle to school. One issue which has been identified as a barrier is this junction: parents are reluctant to allow their children to cross from Highcroft Villas to Stanford Road on bicycles. Visibility is particularly poor because cyclists coming down Highcroft Villas are obscured to cars coming up Dyke Road Drive by the high wall over the railway line. In addition, cars coming up Dyke Road Drive frequently cut the corner, swerving on the wrong side of the carriageway at the bottom of Highcroft Villas.

These incidents stem from two key issues with the junction. Firstly, many cars travelling up Dyke Road Drive and carrying straight ahead or turning right into Highcroft Villas approach the junction at a speed, which is inappropriate for the area at this time of day. This is compounded by the fact that there is no signage on the Dyke Road Drive approach to the junction alerting drivers to the fact that they are in the vicinity of school children. Such signage could warn drivers to check their speed on approach.

Secondly, it is unclear to many drivers who has priority at the junction. There is often a queue of traffic in Highcroft Villas, Porthall Street and Stanford Road, giving way to cars travelling up Dyke Road Drive at speed. This means that children often end up crossing between queuing cars.

Whilst the addition of signage warning drivers of the presence of school children in the Dyke Road Drive approach would go some way to making this a safer junction, this deputation would like the council to consider a range of options.

The provision of a mini roundabout at the junction: This would have the effect of clarifying priorities and also force traffic on the Dyke Road Drive approach to slow down.

A 20mph speed limit in Highcroft Villas, Stanford Road and Dyke Road Drive during school start and finish times.

A pedestrian crossing at the bottom of Port Hall Avenue.

Installation of traffic calming measures in Dyke Road Drive approach such as speed camera and/or speed bumps.

Change of priorities at the junction

Signage – together with signage warning of school children, stop signs could also alert drivers of the need to take care on their approach to this junction.

This deputation of representatives from both Governing Bodies and the Prestonville Community Association believe the council should respond to this request as a matter of urgency as the issue has been raised by a number of different parties and the verbal and formal reports of incidents involving near misses has increased recently. The only way to ensure the safety of the pedestrians, cyclists and young children using this busy junction in the mornings is to ensure that cars all on the approach to the junction are both aware of the fact that there are school children in the area and that they respond appropriately by slowing down and being extra vigilant. To this end we request that the council consider the range of measures suggested to address this issue.

(b) Deputation concerning Road Safety in Chalky Road, Portslade.

Ms Stacey Howard (Spokesperson)

“The issue of road safety in Chalky Road and Fox Way is one that presents an ongoing concern for many. We do appreciate the measures that have already been put into place such as the flashing LED light and the 20mph zone but we feel that these need to be seen as a starting point which can be built on rather than a completed project.

We hope that we have demonstrated both the need and the benefits of the provision of an additional ‘green man’ crossing system and we have many other ideas such as painting ‘20mph’ actually on to the road surface, adding railings at any crossing points and the removal of some pinch points that cause many problems rather than solves them.

We really feel that if we are going to promote sustainable transport from an early age within schemes such as healthy routes to school, bike it, walking buses, etc, the environment in which we are expecting people to travel needs to be made as safe and user friendly as possible. I, as do many others within the local community, look forward to working with you all in order to make this happen.”

(Appendix 1 – Document submitted to Council on the 16 July 2009).

RESPONSE FROM COUNCILLOR THEOBALD, CABINET MEMBER FOR ENVIRONMENT

Provided at the meeting of the Full Council on 16 July 2009.

“I am well aware of the situation in Chalky Road, indeed there was at least two petitions that came to my Cabinet Member Meeting from Councillor Alford and I think from a Councillor on that side drawing my attention to the situation, particularly after the very sad death of Henry.

I went up to Chalky Road and I stood there with our Road Safety Officer and Councillor Alford for at least half an hour trying to consider what we could actually do in this situation. I watched the movements, I watched the buses coming up and down, I watched people coming off the buses and at that time I think officers were thinking, well we are not sure that 20mph would really suit the situation but I was quite adamant here that I really did think the 20mph should be put in and I was very pleased when officers did that. It is possible, you refer to the other accident, that the fact that this was 20mph may well have made that injury less severe than it was.

The problem here, and I am sure you recognise that, is what I have already alluded to that there are a number of desire lines and it all depends where the pedestrians cross the road. It’s quite a long strip as you know and if you stand there you can see some pedestrians crossing the road at point A, others at point B, others at point C and others further along the road. Now, that means that any formal crossing would probably only suit one set of people, the other sets of people because it wouldn’t be on their desire line wouldn’t use it, so that is the problem that we actually have here.

Having said all that the Road Safety Team have been up there since this other accident. They have reviewed the location and they are looking into this again to see whether there is anything that we can really do to alleviate the situation there, so I must just leave it at that particular stage, you know, what you are saying is well understood and I certainly sympathise with the situation there. It's just that there are so many desire lines there and buildings in different parts of the road that people wish to actually go to that makes it extremely difficult to know what you can do to alleviate the situation."

“CHALKY ROAD/FOX WAY

The history

- A year since the fatal incident that saw 9 year old Henry Nugent lose his life
- Another recent incident on Monday 6th July 09 that saw a 10 year old boy being hit by a car, and although he wasn't seriously injured, this caused much distress to both the child and driver alike.
- Many near misses that go unreported
- Local community expressed much concern over this stretch of road and how unsafe it was.

Recent actions

- Road Safety officers visited the site shortly after Henry's death and proposed no further action
- Two petitions, one presented by Cllr Trevor Alford and another presented by myself, asked for further action/a safety audit
- After further dialogue the introduction of 20 mph zones along some of Chalky Road went live earlier this year
- Further feedback from Mark Prior stated that “officers have made numerous site visits to the area and their observations suggest that, although this road is perceived as quite busy, there are sufficient gaps in the traffic for people to choose to cross where they wish”.
- He also explained that “Government guidelines are followed when considering sites for pedestrian crossings. This guidance advises against installing crossing points where the facility will be unused for a large part of the day because ‘drivers who become accustomed to not being stopped for a large part of the day at the crossing may begin to ignore its existence, with dangerous consequences’”.
- Review of Mile Oak Safer Routes To School scheme, proposed in April 09, to be completed during the Summer term 09.....awaiting outcome of this.

Responses to some of the above points

- Regarding “sufficient gaps” – This would depend on what time of day one is talking about. Are children/teenagers able to make the same informed decisions as adults? Have different circumstances been taken in to account, eg elderly, disabled people, parents/carers with buggys and toddlers, children on scooters/bikes etc.
- Regarding “Government Guidelines and unused crossings” – If a green man system was in place, it would be very clear when a red light was on, and further signage would promote awareness for drivers. Drivers **should** be and **need** to be aware, the statement that they may ignore its existence could be applied to any crossing on any road.
- If a crossing was to be provided, parents would have the opportunity to educate their children to use this appropriately, and it would provide increased safety for other vulnerable members of the community.

Specific proposals

- A green man crossing system to be introduced in the Thornhill Rise area, and a further crossing system at the bottom of Fox Way, in the Downs Park vicinity, with appropriate signage
- Bigger signs that highlight the 20mph zone

- The removal of the “pinch points”, that give pedestrians a false sense of a safe crossing place, and also create a situation where some drivers race to beat the oncoming traffic.

Positives of the proposals

- Increased safety for both residents of the local community, some of whom may be deemed as being vulnerable
- Increased safety for pedestrians and motorists alike
- If a crossing was to be provided, parents would have the opportunity to educate their children to use this appropriately.
- Increased chance of parents feeling that their children can embrace sustainable travel to school, eg walking, biking, walking bus schemes etc.

Final point

Accidents will always occur, because by their very definition, they are accidents that cannot always be prevented. However, I feel it is time that we pushed to reducing the risk of this happening time and time again, as volume of traffic increases. It is time to reduce the risk and look at providing increased safety for the local community and all those who travel within it.”

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 18(a)

Brighton & Hove City Council

Councillor Warren Morgan

Brighton & Hove City Council
King's House
Grand Avenue
Hove BN3 2LS

To

Cabinet Member for Environment

Councillor G Theobald

Date: 13 July 2009
Our Ref: WM/MvB
Your Ref:

Dear Councillor Theobald

I write as Chairman of Environment and Community Safety Overview and Scrutiny Committee.

ECSOSC on 22 June received a letter from Wildlife Groups and an Officer briefing regarding downland mowing, enclosed. Following discussion the committee resolved to write to you as Environment Cabinet Member.

The Committee agreed to ask Councillor Sven Rufus as specialist ecologist, to add further comments which are included with this letter.

Attached also is the extract from the draft minutes with the resolution to request an urgent review of the mowing policy on a site by site basis.

I would like to speak at Cabinet Member meeting about this request.

Yours sincerely



Councillor Warren Morgan
Chairman (ECSOSC)

**EXTRACT FROM THE PROCEEDINGS OF THE ENVIRONMENT AND COMMUNITY
SAFETY OVERVIEW AND SCRUTINY COMMITTEE MEETING HELD ON THE 22
JUNE 2009**

**ENVIRONMENT AND COMMUNITY SAFETY
OVERVIEW AND SCRUTINY COMMITTEE**

4.00PM 22 JUNE 2009

**BANQUETING ROOM
HOVE TOWN HALL**

DRAFT MINUTES

Present: Councillors Morgan (Chairman), Davis, Drake, Kitcat, Older, Rufus, Wells.

**4 PUBLIC QUESTIONS/LETTERS FROM COUNCILLORS/NOTICES OF
MOTION REFERRED FROM COUNCIL**

Letter from Wildlife Groups and officer briefing

- 4.1 The Chairman stated that this was the first letter that the Committee had received and said he had asked officers to prepare a brief response in time for this meeting. Councillor Morgan invited the wildlife group representatives to speak about the letter.
- 4.2 Mr Bangs said in his opinion the decision to end the grass collection service on mown conservation grasslands was a stealth cut related to increasing costs, which had been expected to be a one-off only. The increase in budget for mowing amenity grasslands was welcomed but the reduction in downland conservation management had adverse implications for core wildlife sites; however 'the circle could be squared.' National policy encouraging social enterprises had not been taken into account in tendering for composting services and the City's application for Biosphere reserve status would be badly affected, he said.
- 4.3 Ms Taylor of the Friends of Hollingbury and Burstead Woods referred to the internationally rare chalk grassland supporting a wonderful biodiversity. She said for 20 years the Council had worked with the voluntary local conservation groups to conserve and enhance this but grazing was not suitable for every situation. Ms Taylor highlighted some problems of conflicting interests for example separating sheep and dogs, costs of fencing, shepherding, moving sheep, removal of droppings and questioned whether costings for grazing had been compared with other options.
- 4.4 Ms Taylor said the issue needed to be addressed urgently as biodiversity would reduce as a thatch of uncollected mowings built up. Ms Taylor outlined a composting service used on the Isle of Wight and handed details to the scrutiny support officer.

- 4.5 Councillor Rufus commented that continuity of care was important and individual management plans were needed for each site. He remarked that the City did not have a biodiversity action plan.
- 4.6 The Countryside Manager welcomed the opportunity to thank volunteers for their work and said that issues raised by the increase in costs of cutting collecting and composting sites, together with opportunities for increasing grazing of many sites along with continued mowing of others would be addressed in due course by the proposed draft grazing plan to be considered by the Cabinet Member.
- 4.7 **RESOLVED** - That the Chairman write to Environment CMM on behalf of the Committee with a request urgently to review the downland mowing policy on a site by site basis.

My comments at the last ECSOSC emphasised the importance of a Biodiversity Action Plan (BAP) which currently BHCC has not got one of its own. We are partners in the Sussex BAP process, but as a distinct urban area and Unitary Authority we should have our own, with our own objectives and targets specific to our own conditions embedded within it.

The BAP would underpin all other nature conservation and management work, and hopefully lead seamlessly on to developing a coherent, comprehensive and costed set of management plans for all sites of conservation interest in the City. The work within them would need adequate resourcing to ensure delivery. The importance of proper management plans cannot be overstated as it ensures that continuity of management, and avoids ad hoc decisions being made for financial or other transitory reasons that could result in loss of biodiversity. Continuity of management is vital – even one year of different (or absent) management practice could result in a species being unable to breed, and possibly become extinct from a site.

The move to grazing on sites as discussed in the last ECSOSC can be a very beneficial thing, although it presents all sorts of practical (animal welfare, access to water for livestock etc) and cost implications. However, it may not be appropriate on all sites, or be the most cost effective at all times.

It is true that grass cutting has many drawbacks, as stated in the officer report, and at times grazing is clearly preferable for practical (eg steep slopes) or conservation reasons.

Given assurances that cutting continues on the downland sites, the lack of collection and composting remains of some concern and measures to address this need as part of effective downland management should be finalized as a matter of some urgency.

Where management has been undertaken on a site over many years – even where this is sub-optimal – it is important (in relation to this matter) to continue with previous practice until such a time as improved management is agreed and available. If grazing is to be introduced, the previous management (cutting) should be continued until the year in which the sheep are to be introduced to the site.

The officer's **briefing** did not address the impacts of the manner in which management changes are being implemented. The key issue **for the grazing plan** is not whether grazing or cutting is best for management, but ensuring that the shift between management methods, when such occurs, is undertaken in a considered and deliberate way.

Councillor Sven Rufus

July 2009

Don't lets bash nature conservation in Brighton

Briefing notes on the cessation of conservation mowing grass collection on City wildlife sites

Brighton and Hove Wildlife Groups Forum Spring 2009

The decision to end the grass collection service on mown conservation grasslands is a big blow to nature conservation in Brighton.

Maureen Connolly , of the Friends of the Green Ridge, describes it as “undoing all the good work we have done over the past ten years”.

Many open spaces and wildlife sites have benefited tremendously from the improvements in management over the past decade and more, which have seen the introduction of grass collection with the ‘Downland cut’. Sites like Bexhill Road Woodingdean, Ladies Mile, and parts of Whitehawk Hill have seen a greater flourishing of wild flowers and butterflies than ever before.

This service has brought two different kinds of benefit.

Firstly, amenity lawns previously managed merely by regular mowing and devoid of most wildlife interest have seen a great flourishing of their wildlife, to obvious public enjoyment. (We think of sites like The Green Ridge, parts of Sheepcote Valley, and Bexhill Road).

Secondly, previously under-managed sites have seen hope of a revival of their core wildlife assemblages. (We think of the crown of Race Hill, where the old chalk grassland interest was only recently widely recognised, and which has the best City site for rare ‘old meadow fungi’).

The facts...as far as we have been told them

Grass collection was stopped last year on these wildlife sites because it had become more expensive and because of the problems of disposal of the cut product.

Thus, the budget for conservation mowing last year (2008) was £15,000, whereas Council officers estimated a cost increase to between £28,000 and £48,000 (depending on the weather) “due to increased fuel and composting costs”.

The Environment Agency have vetoed the Council’s past messy practice of dumping the baled grass at Stanmer, because the cut material rots and the leachate soaks into the chalk aquifer.

This means that the Council must compost the baled material or expensively dispose of it to land fill.

The council is currently seeking a composter, and is looking at 2 businesses: KPS (at Scaynes Hill and two other sites) and one other near Littlehampton.

Additionally, the Council rejected out of hand an application to compost the material from Brighton Community Compost Centre (BCCC), at Upper Lodges, Stanmer Park, who have done some of the Council's composting till recently.

Rodaways of Chailey, the past contractor, gave up last year for personal and business reasons. The Council bought a mower of their own and mowed very late last year 'in house', without collecting.

The cut grass is not readily marketable because it is low in nutritional value due to its mostly late summer harvesting (known in council practice as a 'Downland cut'). It could be cut at hay time (May/June) and perhaps have more saleability, but such a date would affect the flowering and seed setting of the grass and herbs, and their invertebrate assemblages.

The Council's argument

The council argues that the conservation grass collection service will be adequately replaced by the new, extended, Grazing Project.

This Project will work at a much wider, agricultural scale of grazing. At present grazing has been experimental only, covering sites of not more than a few acres for very limited periods of time.

The Council is applying for Higher Level Stewardship funding, which is a new government agro-environmental support scheme. Local councils can now apply for this funding on land they manage, which they have not been able to do before.

The Council argue that the cessation of this service "is not a cut", because the expenditure overall is rising.

A win-win solution to a very solvable problem

1. "Horses for courses": re-jigging existing budgets to maximize benefits

At the same time as this service cut has taken place the Council has voted a very welcome £100,000 increase in the budget for mowing of the City's amenity grasslands – verges, parks, greens and so on - which will be mown to a new regime, as required to keep them 'in good order', rather than on a three weekly cut, as has been the case heretofor.

Yet on some sites user groups have been arguing for years for a **less** intense mowing regime to increase wildlife interest. There will be many urban parks and green spaces that do not need **comprehensive** additional mowing and some will need **less** mowing in parts.

There is lots of room here for the careful working out of the new mowing regime, so that **both** the concerns of neatness and good order and the concerns for biodiversity and traditional Downland sites are addressed.

Thus, the Friends of Withdean Park have been arguing for years for **less** mowing of part of the Park. The Brighton Urban Wildlife Group, has, too, over

decades, been arguing for a more flexible approach to Park and amenity mowing to increase the wildlife interest and visual variety of our grassed areas.

2. Saving money: composting

The cost of grass collection and composting does not have to rise as has been predicted. Brighton Community Compost Centre (BCCC) could undertake the composting service much cheaper than a distance composter can do. They are a not-for-profit business with an existing track record of working for the Council and have the skills, experience and willingness to undertake the work.

The Council's rejection of them was contrary to government guidelines encouraging the use of social enterprises. It showed an over-caution which is likely to cost the Council dearly in service delivery or in cash.

If the Council rejects the use of this on-hand local solution they can still undertake the composting in-house. They have the land and they can easily commission the expertise if they feel they do not have it already.

3. Saving money: mowing and collecting

Other local contractors are available to tender for the conservation mowing and collecting service at economic rates. One local farmer described the argument that local farmer-contractors were not interested as "nonsense" and expressed his own eagerness to tender.

The argument that farmers' use of cheap red farm diesel was no longer possible is also not correct. There is no reason why contractors cannot use red farm diesel for this service.

It may be possible, in any case, to use the collected cuttings as an agricultural field dressing.

Myths

The Council has argued that the **proposed Grazing Project** will replace grass mowing and collection. However, the Grazing Project - to make any sense - will have to concentrate on those old Down pasture sites that are too steep to mow (such as Whitehawk Hill slope and Moulsecoomb Wild Park slopes). It would make no sense to focus on flat, tractor-accessible areas which can – in the immediate term – be mown, when these steeper areas have been without conservation management sometimes for 80 years and more !

The two management tools complement each other. They do not duplicate each other.

Furthermore, the Grazing Project will have to be introduced very carefully, on a site by site basis, as a result of consultation and negotiation with local communities, and with the mobilization and training of whole tranches of new volunteers. There will also be infrastructure to construct – new fencing, water

supplies, and so on, and new scrub control to complete (so as to reduce risk of sheep entanglement and enable easy shepherding of the flock). The Grazing Project will also take time to gather a new flock(s) and to expand from its current very tentative and small scale experiments.

Conservation grazing is not profitable, overall, despite producing valuable premium meat products. If the council put resources into grazing the nutritionally better, more commercially viable grasslands (such as 39 Acres) they will detract from the task of grazing long-neglected high biodiversity sites. (This is exactly what happens on many private farms under the recent ESA and Countryside Stewardship agro-environmental schemes).

The council has set aside **no** budget of its own for the Grazing Project. It is entirely reliant on the success of its forthcoming bid for Higher Level Stewardship funding. There is no guarantee that this bid will succeed.

The Council has thus cut one service without any guarantee that any part of it can be replaced by any new source of funds. Yet this has not prevented them from arguing that the new Grazing Project will do just that.

There is absolutely no way that the Grazing Project can fully substitute for the mowing service on urban and urban fringe Downland. This is a complete smokescreen.

The management of chalk grassland valued for wildlife

Conservation grass mowing and collecting of the cut material is one of the core management techniques for maintaining and enhancing the biodiversity of chalk grassland, which is the City's primary wildlife resource and the one for which they have the clearest international responsibility (for it is both globally a very rare ecosystem, and a very threatened one).

Grazing and scrub control are the other main techniques.

Without the use of all these techniques the more delicate herbs and grasses are out-competed by the more vigorous species, and diversity steeply declines. Swards in which 30-50 herbaceous species and many more lower plants and old meadow fungi grow are replaced by one or two tall grasses, at the base of which a nutrient-rich 'thatch' of dead material accumulates.

Grazing is by far the best technique in most cases. Sheep grazing has been the traditional management of most species-rich chalk grassland from medieval times onwards, with cattle grazing on a small fraction of the Down pastures.

Mowing-and-collecting will always be an essential tool on many urban and urban fringe sites, on very fragmented and small sites, and on parts of other sites subject to heavy public usage. It does not require fencing or water supply, is less labour-intensive, and does not raise animal welfare issues or conflict with user groups.

Each kind of grazing, together with mowing, encourages a different sward type. Thus, sheep grazing encourages a closed, flower-rich sward, which is also good for many emblematic old Down pasture butterflies, like the Blues. It is also good for most lower plants, like mosses, and lichen. More intensive grazing is essential for many species that depend on an open sward with some bare ground, like some rare moths. Cattle grazing is best for some threatened molluscs, like Heath Snail and Carthusian Snail. **Mowing creates a range of different micro-habitats (because it passes an even cut over uneven ground) which can be good for some invertebrates. It can also be modulated more readily (for instance, by close-mowing walkways and leaving adjacent areas for an annual or twice-annual cut).**

Grassland which is cut and the cuttings **NOT** collected loses its biodiversity value over time (as on the Benfield Hill LNR west slope when it was managed in the past by the West Hove Golf Club).

Grassland which is **NEITHER** cut **OR** collected loses value much quicker (as on the Woodvale 'meadow' site).

LIST OF AFFECTED SITES

1. Waterhall 19 Acres (south valley, south side plateau grassland, alongside Devil's Dyke Road)

Urban fringe. Heavy public usage. Part of the 2 mile long walking route to the Devil's Dyke. (See 2 below). Fully accessible because on level ground. Dramatic viewpoint. Part of a very important wildlife site: - the Waterhall complex of old Down pasture, re-established chalk grassland, and old and new scrub thickets. Part of a deeply neglected area that has a 70 year deficit of conservation management.

2. Devil's Dyke Road roadside strip (between Saddlescombe Road turnoff and Devil's Dyke Farm)

Part of the 2 mile long walking route to the Devil's Dyke. (See 1 above). Heavy public usage. Important introductory site for many walkers to Downland wildlife. Fully accessible because on level ground. Dramatic viewpoints. Part of two very important wildlife sites with mixed grassland, bare ground and scrub (Waterhall and the Dyke Golf Course). Has some Waxcap old meadow fungi species.

3. Waterhall north valley (north of Golf Clubhouse)

Urban fringe. Heavy public usage. Fully accessible because on level ground. Moderate views. Important piece of chalk grassland restoration in a very neglected complex which has been deteriorating for 70 years.

4. Beacon Hill LNR, Rottingdean.

They make their own arrangements because they have generated their own funds.

5. Bevendean Down LNR

Urban fringe. Heavy public usage. Relatively accessible, though a minority of the mown ground is on steeper contours. On high ground with good views of Bevendean Valleysides. Part of a very important Local Nature Reserve complex of old Down pasture, re-established chalk grassland, old and new scrub thickets. Part of an area that has a 30 year deficit of conservation management.

6. Bexhill Road Open Space, Woodingdean

Urban fringe. Heavy public usage. Fully accessible because on level ground. Dramatic viewpoint. Very exciting site with steep increase in attractive butterflies and grasshoppers and Downland herbs, since the excellent new wildlife-friendly management came in.

7. Braeside Avenue Open Space (alongside the A27 Bypass, and adjacent to Ladies Mile Open Space, Patcham).

Urban fringe. Heavy public usage. Relatively accessible, though the mown ground is on a slope. A greatly welcome extension of the chalk grassland fragments islanded at Ladies Mile Open Space.

8. The Chattri

Heavy public usage. Very important cultural monument. Relatively accessible because on level ground. Dramatic viewpoint. It's grounds should be tended with the same reverence as the Pavilion's grounds. Its excellent plantings have been of heathy plants which reflect the site's past history as 'chalk heath'. Such plants, of course, are intolerant of nutrient enrichment, which uncollected cuttings cause.

9. Cliff edge grasslands: western clifftop and eastern clifftop (from Ovingdean to East Saltdean), Marine Drive orchid site, and Roedean carpark.

Over 3 miles of nationally important cliff edge, plus a major wild orchid site (with Autumn Ladies Tresses). SSSI and adjacent to SSSI. (These are nationally important statutorily protected sites). Urban & urban fringe. Heavy public usage. Fully accessible and often on level ground. One of the best and most iconic Brighton sites. A mixture of relict maritime grassland, old chalk grassland and restored chalk grassland.

10. Foredown allotments, Portslade.

Urban fringe. A flagship accessible allotment site for the disabled (who are so often excluded from wildlife sites by access problems).

11. The Green Ridge, Patcham

Urban fringe. Heavy public usage. Fully accessible because on level ground. Dramatic viewpoint. Gateway site to the open Downs. Lovingly tended by one of the oldest community 'Friends' groups. Has been consistently managed to a high standard for many years - and seen a major rise in its biodiversity.

12. Happy Valley, Woodingdean

Urban fringe. Heavy public usage. Fully accessible because on level ground. Adjacent to an old, farm-grazed chalk grassland site to which its present wildlife conservation management is re-connecting it.

13. Moulsecomb Wild Park

Urban fringe. Very heavy public usage. Heavily compromised as a site for children's free play by the extensive scrub cover and the busy A270, which both create child safety problems. A nationally famous lepidopterists (moths and butterflies) site a century ago, now reduced to the edge of extinction, but remarkably clinging on to its core old Down pasture interest against all the odds. Been neglected by the Council for the whole 80 years of its existence. Needs an expansion of BOTH mowing and grazing management, not a contraction.

14. Hollingbury Hillfort

Urban fringe. Heavy public usage. Fully accessible because on level ground. Highly dramatic viewpoint. A first class wildlife site, continuous with the Wild Park old Down pastures. Very important acid grassland habitat with an excellent old meadow fungi (Waxcap) assemblage, with species more typical of the Wealden heaths. Wonderful spring orchid display (Early Purple Orchids). Important Gorse thickets. Old and very under-managed chalk grassland on the earthworks.

15. Hollingbury LNR - 39 Acres.

Urban fringe. Heavy public usage. Fully accessible because on level ground. Dramatic viewpoint. Part of a very important wildlife site: - the Hollingbury Castle-Moulsecomb Wild Park complex of old Down pasture, re-established chalk grassland, and old and new scrub thickets. Part of a deeply neglected area that has an 80 year deficit of conservation management.

16. Hollingbury Park, Ditchling Road.

Urban fringe. Heavy public usage. Fully accessible because on level ground. Dramatic viewpoint. Adjacent to a major orchid site (Early Spider Orchids) to which the present Downland management will - in time - reconnect it. This is a model initiative to render an important and very rare Downland Orchid population more sustainable.

17. Chelwood Flats Open Space, (north of Stanmer Heights Estate, Hollingbury)

Urban fringe. Heavy public usage. Relatively accessible, because on gently sloping ground. Fine long views. An area that has been increasing in wildlife importance, with good displays of orchids.

18. Ladies Mile Open Space, Patcham

Urban fringe. Heavy public usage. Almost all fully accessible, because on level ground. Fine viewpoint. This is one of the top old Down pasture sites on the urban fringe: - remarkable for preserving a large extent of intact *plateau* chalk grassland. (Plateau chalk grassland is nearing extinction through loss to ploughing and chemical sprays). Large swarms of Yellow Rattle, Dropwort, and Harebell. These species are particularly vulnerable to loss from mulching by grass cuttings. Good archaeology (Iron Age field lynchets and Bronze Age burial mound).

19. Varncombe Barn Model Aircraft Site, Saddlescombe Road.

Regular public usage. Fully accessible because on level ground. A small site near to other relict old Down pasture sites, which its current wildlife-friendly management helps to move towards sustainability.

20. Sheepcote Valley

A very major chalk grassland restoration site which is increasingly at risk even with current levels of management. Urban fringe. Heavy public usage. Fully

accessible because on level ground. Dramatic viewpoint. Its interest almost entirely lies in its *early successional stage* wildlife – ‘arable weeds,’ which need disturbed ground (like Venus’s Looking Glass), open chalk grassland (which the Bee Orchids and the famous swarms of Creeping Bellflower need), and ground nesting birds (Skylarks and Meadow Pipits).

21. Stammer Park LNR - Great Wood archaeological sites.

Important woodland glades, which are already greatly more attractive with their better Downland management. Urban fringe. Heavy public usage. Fully accessible because on level ground. Provide important variation in relatively structurally similar woodland.

22. Stanmer Park LNR - Great Wood and Marquee Brow.

Urban fringe. Heavy public usage. Fully accessible because mostly on a gentle slope. An important area of chalk grassland restoration. Important, too, for providing structural variation to the Great Wood vegetation, and important nectar sources. Has many important species on site and close by, such as Adder’s Tongue Fern and Orchids.

**23. Whitehawk Hill LNR – Wilson Avenue old allotments:
Compartment 3 of the Local Nature Reserve Management Plan.**

Urban fringe. Heavy public usage, particularly by children. Would be fully accessible if present management improved because on level ground. Good viewpoint. Very under-managed even with present arrangements. Only British site for the Whitehawk Soldier Beetle. Needs *more*, not less management.

**24. Whitehawk Hill LNR - Tenantry Down: Compartment 2 of the
Local Nature Reserve Management Plan.**

Urban fringe. Heavy public usage. Fully accessible because mostly on level ground or gentle contours. Arguably the best and most dramatic viewpoint on the entire urban fringe. At least 10 prehistoric camps visible from it. The best old meadow Waxcap fungi site on the urban fringe, with at 14 species recorded, including Pink Gills and Fairy Clubs. A rare piece of (almost extinct) plateau Down pasture. Present management is inadequate. Need increasing to at least two cuts and collection annually.

**25. Whitehawk Hill LNR – Neolithic causewayed camp:
Compartment 7 of the Local Nature Reserve Management Plan.**

Urban fringe. Heavy public usage. Important view both for amenity and archaeological landscape interpretation. Fully accessible, because mostly on level ground or gentle contours. Definitely the most important archaeological monument Brighton has. One of the ten best preserved causewayed camps in Britain. Camp ramparts have a good old down pasture flora, and enclosure area is greatly improving with current cut-and-collect regime. The area south of Manor Hill has good open and semi-open ground with good displays of characteristic short-lived herbs.

**26. Whitehawk Hill LNR - Hilltop overlooking Craven Vale:
Compartment 9 of the Local Nature Reserve Management Plan.**

Urban fringe. Heavy public usage. Important view both for amenity and archaeological landscape interpretation. Fully accessible because mostly on level ground or gentle contours. Important mixed areas of grassland and scrub with good invertebrates and colourful wild flowers. Under-managed at present. This currently makes it at risk of occupation by homesteaders.

27. Withdean Woods

A small area which provides important structural variation in this largely woodland site.

Downland Mowing; Information from the Countryside Manager

11 June 2009

1. Summary

1.1 The change from mowing to conservation grazing the council downland sites has been underway for some time, but has been hastened by a substantial increase in the cost of cutting, baling and composting since 2007. If the council continued cutting, baling and composting there would have to be a substantial reduction in the area of downland managed to stay within the same budget. Grazing results in an improvement to the quality of chalk grassland management and will also cover a considerably greater area than could ever be achieved by mowing. A Grazing Plan to will go before Environment CMM in due course.

2. Background

2.1 The Downs around Brighton and Hove were grazed by sheep for many hundreds, probably thousands of years. This traditional management technique was instrumental in creating and maintaining the species-rich turf. Chalk grassland supports up to forty different species of plant in one square meter and many of these are chalk specialists, which require a 'high stress' environment (very low soil fertility and regular browsing) to survive.

2.2 Sheep grazing began to decline towards the end of the 19th Century and this decline accelerated from the Second World War. As grazing reduced, sward height and soil fertility on many sites increased, which favoured an 'invasion' by scrub and coarse grasses at the expense of the classic downland species. During the 1950s, the decline was accelerated by a reduction in rabbit grazing (due to myxomatosis) and by artificially fertilising many of the old pastures to increase their yield. Many of the old downland pastures were also destroyed by ploughing.

2.3 Today chalk grassland is internationally rare. It is recognised in the EC Habitats Directive as a habitat of 'Community Interest' and is included in the UK List of Habitats that are of principal importance for the purpose of conserving English biodiversity. These are the habitats local authorities are expected to prioritise as part of their duty to further biodiversity, set out in Section 40 of the Natural Environment and and Rural Communities Act 2006.

3. Chalk grassland management in Brighton & Hove

3.1 About twenty years ago, Brighton Borough Council introduced grass cutting and baling on some chalk grassland sites under its control. This 'emergency management' was a reaction to the serious decline in the quality of the remaining chalk grassland, most of which had received little or no grazing for many years. However cutting is an inferior management technique to grazing for a number of reasons, including:

- It is catastrophic method which can cause severe disruption to grassland invertebrates and ground nesting birds;
- It cannot be used on the steeper slopes (where much of the remaining chalk grassland is found);

- It is uniform in its application and therefore prevents the establishment of swards of varying height, which are favoured by some chalk grassland species and
- It damages chalk grassland features such as ant hills and some archaeology.

3.2 Reintroducing sheep grazing on the council's chalk grassland sites was therefore always desirable and ten years ago, Brighton & Hove Council reintroduced sheep to a few key sites, working with a local grazier and in close liaison with the local community.

3.3 Further incentives have developed for accelerating the move towards sheep grazing. It is now possible (under the DEFRA Stewardship Scheme) to attract external funding for the reintroduction of grazing but this is not available for cutting and baling. The council has also successfully established a grazing partnership with the Sussex Wildlife Trust and the South Downs Joint Committee (which both fully support the grazing option). Extensive pre-publicity is needed to ensure that people understand the reasons for the reintroduction, which takes time.

3.4 No problems have been encountered with the reintroduction of grazing to date and the educational and community benefits of reintroducing grazing on the urban fringe are just beginning to be recognised. The Ranger service has so far trained over 50 volunteer 'lookers' (to help check on the sheep) and has a further 38 people on a waiting list for the next training course. The city's grazing project has also received national and international press coverage and it clear we are amongst the lead local authorities in this important area of work.

3.5 From last year the costs of cutting and baling have multiplied. The main reason for the increase is that grass bales are now defined by the Environment Agency as 'waste' and therefore the council has to pay to have them removed. There has also been an increase in fuel costs because DEFRA has decided that moving bales is not an agricultural operation and therefore ordinary diesel has to be used rather than the cheaper, red (agricultural) diesel.

Councillor Pete West

King's House
Grand Avenue
Hove
BN3 2LS

Date: 20 July 2009

Our Ref:

Your Ref:

Dear Councillor Theobald

Introducing a 20 mph speed limit in West Hill and beyond

I have been contacted by residents of St Nicholas Road, concerned about the danger speeding traffic in their road is presenting to children attending St Paul's school, other highway users, residents, their properties and parked vehicles.

St Nicholas Road is a narrow one-way street with a slim pavement on one side only and parked cars abutting a wall on the other. Residents, parents and the school are concerned that the road is frequently used as a high speed rat run in particular by taxis and delivery vans. The lives and safety of children accessing St Paul's School are clearly endangered, and there is further concern for the safety of pedestrians and occupants of homes if a speeding driver were to take evasive action in the face of a potential collision with a child.

I have appended a letter from Mr Addison addressing these concerns, in which he calls for traffic calming measures including the introduction of 20mph speed limit. This call is backed by the Head teacher of the school. Mr Addison and his neighbour Joyce Duncan have subsequently raised a petition, which has been supported by most households in St Nicholas Road.

I understand St. Paul's School is working very hard to encourage sustainable travel, and is regarded as an exemplar among the city's schools for its proactive work. The council are currently working with the school on the "Bike It" initiative which is encouraging many children to cycle to school. In support of this the council provides a "Bike It" officer from the sustainable transport charity Sustrans. The council is also working with the school on the pilot "Golden Flip-Flop" scheme which is encouraging children to walk to school by rewarding them with golden flip-flop stickers. I also understand the school is restarting its Walking Bus, which is an organised walk to school initiative. The school is one of only 8 in the city to operate a walking bus.

The children, their parents, the school, and council officers are to be commended for their efforts towards making sustainable travel a growing reality. However, these great achievements need to be supported by the creation of a safer travel environment in the travel to school area.

Council officers have explained that the road will not qualify for speed humps as there has been no accident recorded in the past three years. Apart from the wincing inhumanity of this policy, its inflexibility seems disingenuous in its failure to account for the rising likelihood of accidents with more children now travelling by foot and by bike – as encouraged and supported by the council!

I note your statement at Council (July 16) in which you recognised the importance of the 20mph limit in Chalky Road had been in helping to reduce the severity of injury to a recent child road accident casualty. So, notwithstanding the willingness or ability of the Council to introduce physical traffic calming, I wish to request your support for the introduction of a 20 mph speed limit in St Nicholas Road and surrounding travel to school area.

Council officers have suggested that without supporting physical measures, motorists won't adhere to the speed limits, and the Police will see this as an enforcement problem and therefore would be unlikely to support traffic orders.

However, the Department of Transport (DfT) are clear that implementation of 20 mph limits by signs only and without physical measures is feasible where the general traffic speed is already relatively low. I suggest that this is the case in the narrow short streets of the area and that introducing a 20 mph limit will only help to reinforce this and reduce speeds further.

I further note the emphasis the DfT places on the benefit of 20 mph limits in that they *"help to protect children walking and cycling to and from school, and may encourage other children to walk or cycle."* 20mph speed limits have also proven to reduce vehicle-related injuries and fatalities, improve air quality, cut carbon emissions and reduce noise.

In January 2006 new DfT guidance was issued (DfT circular 01/2006) allowing local authorities to implement 20mph speed limits across large areas without having to install new traffic calming measures. Since then, a growing number of local authorities have decided to adopt 20mph as the default speed in their area. The list now includes Leicester, Norwich, Oxford, Portsmouth, Newcastle, large areas of Bristol, and the London Borough of Islington.

In March 2008 Portsmouth became the first city in Britain to have a 20 mph limit on almost all residential roads – in effect a default speed limit throughout the city, with exceptions for important arterial roads only. The entire cost was a mere £500,000.

If a pedestrian is struck by a vehicle at 35 mph there is a 50% chance they will die... At 20mph their chance of survival is improved 97%. For children this is significantly worse.

I therefore call on Cllr Theobald to:

- a) take seriously the concerns of residents of St Nicholas Road;
- b) introduce physical traffic calming measures and 20mph in St Nicholas Road;
- c) recognise the vital need to introduce a low speed culture in the city;
- d) acknowledge that this can and must be achieved in St Nicholas Road, it's surrounding area, and across the whole city by the comprehensive introduction of 20mph limits on all residential (non arterial) roads;

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Pete West', written in a cursive style.

Councillor Pete West
For and on behalf of the Green Party Councillors
St Peter's & North Laine Ward

11 St Nicholas Road
Brighton BN1 3LP

See Distribution list

8th March 2009

TRAFFIC CALMING NEEDED OPPOSITE ST PAULS SCHOOL

I am writing as a resident and a concerned parent. I live in St Nicholas Street which is a narrow 1 way street with a junior school (St Pauls) on one side.

There is no signs indicating a speed limit on the street and cars, particularly taxi's but also delivery vans, regularly drive at relatively high speed down the road using it as a short cut. I am very concerned about the risk to a child running out of the school gates into the path of passing vehicle (I have two young children under the age of 6).

In addition I am concerned about the risk from evasive action a driver might take to avoid such a collision. The pavement is under 4' wide and a car taking instinctive evasive action would presumably would go into the front room of a house. The front of the houses in this street are bays made out of ply wood which would offer little protection from the impact of a moving vehicle.

As evidence of the risks please note that it is not uncommon for mirrors to be knocked off parked cars by the passing vehicles.


As well as vehicles driving at speed it is also not infrequent to find cars coming down the street the wrong way. In fairness to those drivers it can be difficult to spot that this is a 1 way street if you enter it from Church Street.

If at all possible I would like the council and the councillors to consider imposing traffic calming measures. I have noticed that on the roads outside many schools in this area there is a mandatory 20mph speed limit.

For your information I have also written to the Head Teacher of St Pauls school who has advised that she would be in favour of a 20mph limit and anything that makes the school safer for the children.

I have sent this letter to my own ward councillors and also to Regency Ward as I am aware St Pauls schools attracts many children from their ward. In addition I have sent this, for obvious reasons, to the relevant council departments and their associated Council Cabinet members.

Yours sincerely


Andrew S Addison

Distr:

Councillors	
All letters sent to Kings House , Grand Avenue, Hove BN3 2LS	
St Peters and North Laine Ward	Councillor Ian Davey
	Councillor Keith Taylor
	Councillor Pete West
Regency Ward	Councillor Sven Rufus
	Councillor Jason Kitcat
Cabinet Member with responsibility for Highways	Councillor Geoffrey Theobald
Cabinet Member for Children & Young People	Councillor Vanessa Brown
Brighton & Hove Council Departments	
Highways Dept	Soft copy sent to
	Hard copy to , Portslade Neighbourhood office Victoria Road,

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 19

Brighton & Hove City Council

WRITTEN QUESTIONS FROM COUNCILLORS

The following questions have been received from Councillors and will be taken as read along with the written answer to be circulated the meeting. The Councillor asking the question may then ask one relevant supplementary question which shall be put and answered without discussion.

(a) Councillor Kennedy

“At the meeting of Full Council on the 16th July, Cllr Theobald said he would ask officers to look into the possibility of installing a new access ramp into Preston Park at the northern end of Preston Park Avenue. Please can the Cabinet member update me on this request?”

Response from Councillor Theobald, Cabinet Member for Environment.

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 21

Brighton & Hove City Council

Subject: South Downs National Park – Land at Green Ridge
Date of Meeting: 30 July 2009
Report of: Director of Environment
Contact Officer: Name: Rob Fraser Tel: 29-2380
E-mail: rob.fraser@brighton-hove.gov.uk
Key Decision: No
Wards Affected: Patcham

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report considers the decision of the Secretary of State under the National Parks and Access to the Countryside Act regarding the boundaries of the intended South Downs National Park, the omission of Green Ridge and the recommended response.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment:
- (a) Welcomes the Government's recent decision that there should be a South Downs National Park.
 - (b) Supports the addition of land at Roedean Crescent and Patcham Recreation ground.
 - (c) Formally objects on behalf of the council to the Addition 6 embankments on the basis that land at Green Ridge and the adjacent Mill Road/A27 embankments should all be included in addition 6 if discussions with DEFRA fail to result in acceptance of the inclusion of Green Ridge within the National Park Designation.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The decision to create the South Downs National Park (SDNP) was taken by the Secretary of State for the Environment on 31st March 2009. Consultation on the intended South Downs National Park is restricted to commenting on the proposed additions which include the land to the rear of Roedean Crescent and Patcham Recreation Ground.
- 3.2 Whilst the omission of Toads' Hole Valley is regretted, it is also noted that no objection may be raised to this because although the Council had successfully proposed its inclusion at the first SDNP Inquiry, the owners subsequently argued against its inclusion at the reopened Inquiry and their case was accepted by the Inspector and this has been endorsed by the Secretary of State.

3.3 It is recommended that the Council supports the proposed additions which it recommended for Patcham recreation Ground and land to the rear of Roedean Crescent.

3.4 The major outstanding issue remains the omission of Green Ridge

Green Ridge

3.5 Green Ridge, was excluded from the proposed South Downs National Park despite the fact that it forms part of a continuous stretch of land that extends north east to Coney Hill which is included in the SDNP.

3.6 In his decision letter of 31 March the Secretary of State stated that Green Ridge was "*included as part of addition 23*" (paragraph 71). However this was incorrect because it was only the embankments alongside Mill Road and the A27 bypass, north of the land at Green Ridge that were included as part of addition 23, (which also included Toads' Hole Valley on the other side of Dyke Road).

3.7 When the proposed Designation Order boundary was published in 2003, all of the land from Green Ridge to Coney Hill was included within the SDNP but for some reason, the south western part of the A27 and Mill Road embankments from the Dyke Road junction to the windmill were excluded.

3.8 This left what the Inspector referred to in his first report as '*an awkward and convoluted boundary*' (paragraph 7.683, of the Inspector's First Report of the SDNP Inquiry) which sandwiched the land at Green Ridge between the built up area and the excluded south western half of the embankments between the Dyke Road junction and the A23/A27 junction to the east.

3.9 The Council argued successfully for the inclusion of Toads' Hole Valley at the initial SDNP Inquiry and when the Inspector's First Report was published, Toads' Hole Valley was identified as a proposed 'addition 23' together with the previously excluded embankments on the east side of Dyke Road in what appeared to be a cartographic or administrative convenience since the two areas are separated from each other by the Dyke Road intersection. Subsequently at the re opened Inquiry, the owners of Toads' Hole Valley persuaded the Inspector to reverse his earlier decision and exclude Toads' Hole Valley.

3.10 However because Toads' Hole Valley had been artificially grouped with the embankments on the other side of the Dyke Road intersection, these were specifically excluded by the Planning Inspector in Volume 2 of his report. However the Secretary of State has excluded them although there had been no objections to their inclusion. This again, resulted in a boundary that was '*awkward and convoluted*'. The Secretary of State therefore asked the Inspector to clarify the boundary at this point. In his first report, the Inspector had considered different options for the boundary:

1 including all of the land north of Green Ridge in the pSDNP.

2 exclude the narrow strip of land north of Green Ridge as well as the adjoining A27 and its embankments.

3 The Designation Order boundary

- 3.11 He considered that either of the first two options was preferable to the Designation Order boundary. On balance, he preferred including all the land north of Green Ridge. However he added that if Toads' Hole Valley were to be excluded then, *'the boundary should run along the northern edge of the A27 and thus exclude all of the land north of Green Ridge'*. It is unclear from this whether he meant north of Green Ridge, the road or north of the land at Green Ridge.
- 3.12 The Secretary of State selected a hybrid boundary that was none of these options that excluded the publicly accessible land at Green Ridge that had always been within the Designation Order boundary together with part of the south western sequence of embankments along Mill Road and the A27. At the same time the eastern sequence of embankments alongside Mill Road and the A27 between the Dyke Road intersection and the A23/27 junction have been included in the SDNP.
- 3.13 There would be no difficulty in re-including these embankments and land at Green Ridge because the land at Green Ridge did not form part of the disputed 'addition 23' (comprising Toads' Hole Valley and the embankments) and no representations were made to exclude the embankments.
- 3.14 The Inspector has not set out any sound reasoning to justify the exclusion of the land at Green Ridge and severing it from the continuous area of land at Coney Hill.
- 3.15 Land at Green Ridge meets the designation criteria because it meets the tests for natural beauty because:
- (a) it is in the AONB;
 - (b) it forms part of a larger designated Site of Nature Conservation Interest (SNCI) together with other land north of Windmill Drive and part of Coney Hill
 - (c) it contains an ancient Saxon hedge boundary line,
- 3.16 It meets the tests for recreation because it is:
- (a) public open space, owned and maintained by a public body – the City Council
 - (b) it is linked to the SDNP land north of the A27 by a footbridge and the path to the footbridge runs through this excluded parcel of land.
- 3.17 The Council has two main options regarding Green Ridge:
1. to formally object to the Addition 6 embankments on the basis that land at Green Ridge and the south eastern part of the Mill Road/A27 embankments should be included in Addition 6.
 2. to seek to mount a legal challenge to the exclusion land at Green Ridge because of the failure of the Inspector to 'clearly explain' the reasoning behind his decision to exclude the land; and to sever an SNCI, contrary to his recommendations elsewhere along the boundary and thus fail to provide the Secretary of State with a sound and equal basis on which to inform his decision making. However as this is a costly option a legal challenge

should only be pursued as a last resort and considered only in the event that formal objections or discussions with DEFRA are not successful.

- 3.18 Officers are seeking an urgent meeting with DEFRA to attempt to resolve the matter before the deadline for objections which is 13th July 2009.

4. CONSULTATION

- 4.1 Currently consulting with colleagues in the Countryside team, Legal and financial sections.
- 4.2 Groups campaigning in support of the South Downs are of the opinion that further delays to the designation of the National park should be avoided if at all possible but are in principle concerned that Green Ridge be included.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications

- 5.1 There are no direct financial implications arising from the recommendations contained within the report. The raising of an objection to the Addition 6 embankments would be covered within existing resources. There would be costs involved in mounting a legal challenge, which are difficult to quantify at this stage.

Finance Officer Consulted: Patrick Rice

Date: 18/06/09

Legal Implications:

- 5.2 "The South Downs National Park will ultimately be designated and confirmed as such under the provisions of the National Parks and Access to the Countryside Act 1949 as amended by the Natural Environment and Rural Communities Act 2006. The 1949 Act provides that should any person wish to challenge the validity of the designation order this must be done within 6 weeks of publication of notice of confirmation of that order. A legal challenge can be directed at the reasoning in the Inspector's Report. As stated in this Report to Cabinet, it is the opinion of your officers that the exclusion of Green Ridge may have been unintentional and unwitting and that the reasons for the exclusion have not been made out.
- 5.3 Insofar as a designation order for the South Downs National Park has not yet been made or confirmed any challenge through the Courts would be premature. However, it is incumbent on the Secretary of State to set out clearly his reasons for coming to his decisions and hence it is appropriate at this stage to make the representations and requests as recommended in this Report.
- 5.4 It is not considered that any adverse human rights implications arise from this Report

Lawyer Consulted:

Hilary Woodward

Date: 19/06/09

Equalities Implications:

- 5.5 It is considered that there will not be any significant impact on any of the equality strands.

Sustainability Implications:

- 5.6 None identified

Crime & Disorder Implications:

- 5.7 None identified

Risk and Opportunity Management Implications:

- 5.8 Court costs.

Corporate / Citywide Implications:

- 5.9 None identified

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Seeking a resolution that does not involve a legal challenge or accepting the Secretary of State's proposed boundary would be less costly and could increase the chances of an earlier designation of the National park Boundary.
- 6.2 Mounting a legal challenge is a costly option which should be pursued only as a last resort and considered after formal designation of the boundary should formal objections or discussions with DEFRA not be successful.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The need to agree to submit a formal objection to the exclusion of land at Green Ridge before the deadline of 13 July 2009, if that is the wish of the Council

SUPPORTING DOCUMENTATION

Appendices:

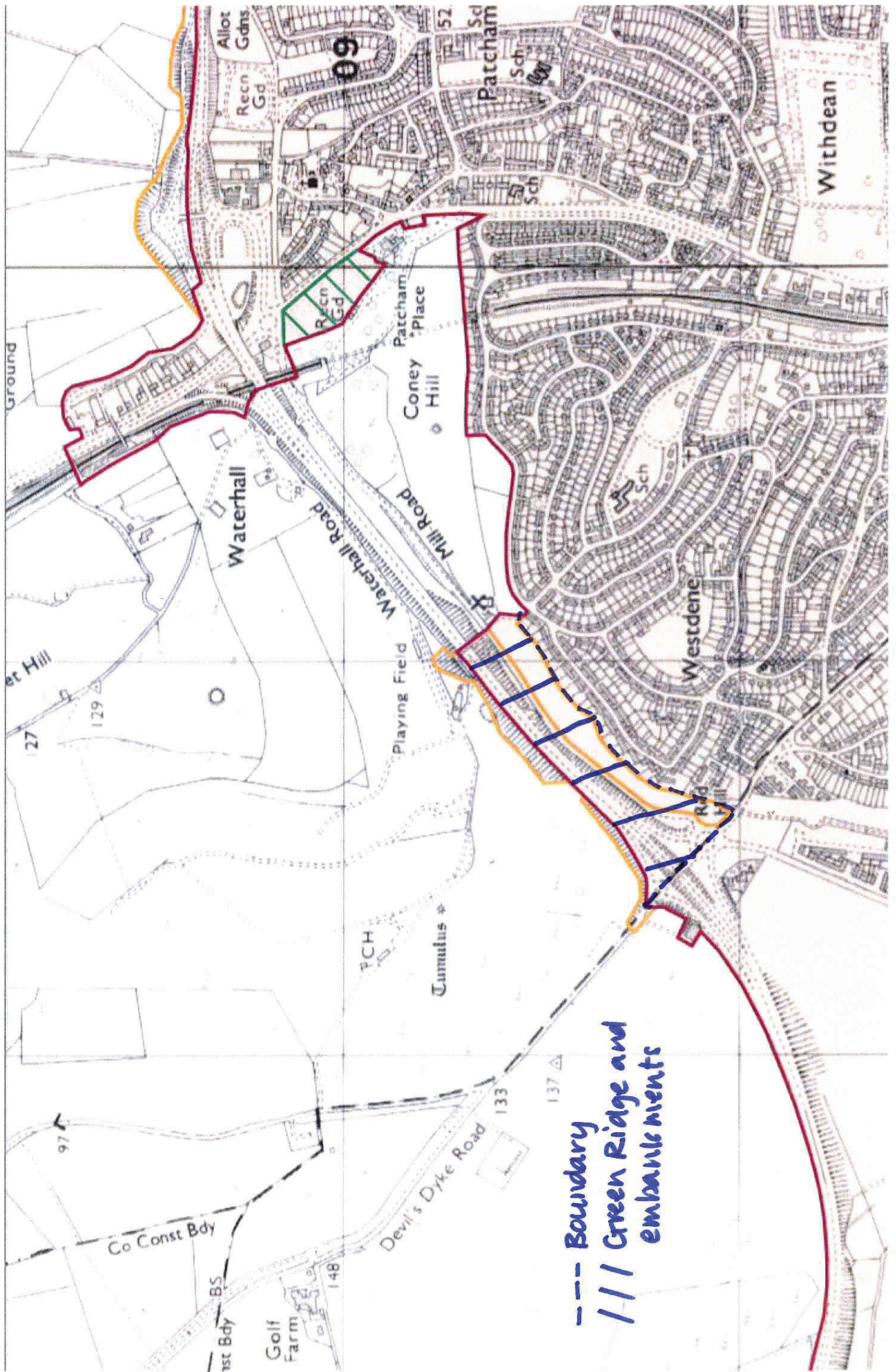
1. Map showing the areas around Green ridge described in the report (to be added)

Documents In Members' Rooms

None

Background Documents

None



--- Boundary
 /// Green Ridge and embankments

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 22

Brighton & Hove City Council

Subject:	Local Development Framework Core Strategy – Background Studies		
Date of Meeting:	30 July 2009		
Report of:	Director of Environment		
Contact Officer:	Name:	Rebecca Fry	Tel: 29-3773
	E-mail:	rebecca.fry@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report seeks approval of five background studies as supporting evidence for the Core Strategy, part of the Local Development Framework and other Development Plan Documents and council strategies. The interim versions of three of these background studies were approved in June 2008.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment approves the final reports of these five background studies as supporting evidence for the Core Strategy and other appropriate Development Plan Documents and council strategies.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Core Strategy is part of the Local Development Framework (LDF), which has been introduced by the Government to replace the Local Plan. In addition to conforming to national and regional planning policy, the Core Strategy is required to be supported by a sound evidence base. A number of background studies have been prepared which form part of this evidence base. It is important to note that whilst the background studies are important evidence contributing to policy development they cannot in themselves define what the policies should be.
- 3.2 Several other background studies have been completed and previously approved at the same time as the interim versions of these background studies in June 2008. The interim studies were approved on the basis that the final versions were to be subject to approval.
- 3.3 The five studies currently under consideration are technical documents produced in order to comply with planning guidance and to help ensure therefore that the Core Strategy is considered to be sound. The Background Studies under consideration here are:

- Transport Assessment (updated)
- Strategic Housing Land Availability Assessment (SHLAA)
- Open Space, Sport and Recreation Study
- A Green Network for Brighton & Hove
- Employment Land Study (updated)

3.4 See appendix 1 for summary of key findings.

4. CONSULTATION

4.1 Consultation with relevant council departments and key stakeholders has been undertaken, where appropriate, during the preparation of these documents. Further consultation will take place on the Core Strategy which is informed by these documents.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 Preparation and consultation costs for the various background studies have been identified and a budget allocation has been set aside for this within the Environment Directorate. There are no capital implications.

Finance Officer Consulted: Patrick Rice

Date: 02/06/09

Legal Implications:

5.2 The Planning and Compulsory Purchase Act 2004 introduced a new development plan system. The new system is generally known as the Local Development Framework and this Framework will include documents which have the status of Development Plan Documents (DPDs). The Core Strategy is a DPD and will, in due course, be submitted to the Secretary of State for examination and as part of that process the Secretary of State will consider whether the Core Strategy is “sound”. As pointed out in paragraph 3.1 of this Report the Core Strategy must be supported by a sound evidence base and this will require studies, such as the Studies that are the subject of this Report, to inform the Core Strategy’s policies and to ensure the Core Strategy will meet the tests to be applied by the Secretary of State at the examination stage.

Lawyer Consulted:

Hilary Woodward

Date: 03/06/09

Equalities Implications:

5.3 This is a technical study not a policy document therefore an EQIA is not considered to be necessary given that an Equalities Impact Assessment will be carried out on the Core Strategy which will propose policies based on these studies. The Council has already adopted a Statement of Community Involvement, which encourages effective social inclusion for all groups to influence the policy making agenda. In addition to this during the preparation of these studies a wide range of organisations and individuals have been consulted.

Sustainability Implications:

- 5.4 Sustainability considerations are central to the new planning system. The Core Strategy to be informed by these background studies requires a sustainability appraisal. Which, in itself, also contributes to the development of policies within the Core Strategy.

Crime & Disorder Implications:

- 5.5 None identified.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 The background studies will assist delivery of a number of council and city-wide strategies, in particular the Core Strategy and emerging open space strategies, along with the Sustainable Community Strategy. They will also form a material consideration in current and future planning proposals.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 None required as the studies are concerned with the identification of matters of fact. The Studies are required by Government planning guidance requiring plans to be supported by a sound evidence base. Indeed if the final background studies are not approved the interim versions will remain in the public domain. The latest information may not therefore be taken into consideration in planning matters. Without formal approval of the background studies the evidence base to the Core Strategy may be considered unsound.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To gain formal approval of the five completed background studies that form part of the evidence base for the Core Strategy and other Development Plan Documents and council strategies. It also allows the final documents to go into the public domain to inform planning decisions.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of Background Studies

Documents In Members' Rooms

1. A Green Network for Brighton & Hove
2. Open Spaces, Sports and Recreation Study
3. Strategic Housing Land Availability Assessment
4. Transport Assessment (updated)
5. Employment Land Study (updated)

Background Documents

As above for Documents in Members' Rooms

Appendix 1: LDF Core Strategy – Background Studies

Summary of Background Studies

1. Green Network for Brighton & Hove

The purpose of the Study is to identify a green infrastructure network, to identify the locations for delivering areas of new habitat under Biodiversity Action Plan targets and to improve access for people to natural green space. The network also links open spaces to establish continuous routes of green through the city and into surrounding countryside. The green infrastructure network has been defined by a partnership of the City Council, Sussex Wildlife Trust and Geospec (a GIS consultancy based at the University of Brighton). The method used reflected the three key aims of the network:

- Access to natural green space method: Using as a baseline a detailed habitat audit of the City, Natural England's Accessible Natural Greenspace standards (ANGSt) were used to define a 'buffer' around each area of known natural green space.
- Biodiversity method: An alternative method of defining hinterlands around natural green space was devised using 'generic species'. These were combined with other data to show the parts of the landscape outside the natural green spaces which are most accessible to the generic species.
- A 'final potential network' was defined as being all land identified by either method 1 or 2 or both. Expert opinion and local knowledge was then used to identify the most appropriate linkage areas between the 'baseline' spaces. This final stage achieved a continuous green network through the city and defined four types of space within the network: i) core areas, ii) potential core areas, iii) biodiversity enhancement areas linking core areas and potential core areas; and, iv) buffer areas where the primary land use is not biodiversity related.

The findings of the study include maps setting out the proposed Green Network that link to preferred option CP5 in the Core Strategy. It is anticipated that funding to implement the network will be generated by a combination of off-site developer contributions and external funding. The interim findings of the Study were subject to consultation which then informed the final version of the Study.

2. Open Space, Sport and Recreation Study

The Open Space, Sport and Recreation Study is designed to help deliver the Council's statutory requirements – establishing a baseline appreciation of levels of provision in Brighton & Hove and setting standards for quality, quantity and accessibility. The Study aims to provide a clear vision, identify priorities for future open space, recreation and sport provision, and consequently provide direction for the allocation of future Council and developer resources.

The purpose of the Study is to provide a comprehensive assessment of the open space, sports and recreational facilities within the city and recommend open space standards and future strategic options. The Study:

- identifies the current and future needs of the city;
- reviews and analyses the open space and indoor facilities audits;
- recommends local provision standards for all types of open space in terms of quantity, quality and accessibility and recommends the future requirements for indoor sport facilities;
- identifies an appropriate approach to calculating the methodology for developer contributions;
- provides basic information on areas of deficiency (please note no areas of over provision were identified);
- proposes strategic options for addressing identified shortfalls in provision, protection and enhancement of existing provision, to relocate or make better use of existing provision and seek new provision.

The findings of the study primarily inform preferred options CP5, CP6 and CP7 in the Core Strategy

3. Strategic Housing Land Availability Assessment (SHLAA)

Planning Policy Statement 3 – Housing (PPS3) specifically requires local planning authorities to undertake a Strategic Housing Land Availability Assessment (SHLAA) as part of the evidence base to inform policies and strategies for delivering strategic housing requirements (set out in the South East Plan) for at least the first 15 years of plan provision. The SHLAA sets out:

- The potential level of housing that could be provided on identified sites/land from the anticipated adoption date of the Core Strategy (including sites which already have planning permission, sites already identified in the adopted local plan, supplementary planning guidance, supplementary planning documents, planning briefs and other sites within the city which have potential for future housing development).
- The likely contribution to land supply from windfall sites (sites likely to come forward over the plan period which are not currently identified) by an evaluation of past trends in windfall land coming forward for development and an estimate of the likely future implementation rate.
- Constraints that might make a particular sites unavailable and /or unviable for development.
- Identifies sustainability issues and physical constraints that might make sites unsuitable for development.
- Identify what action could be taken to overcome constraints on particular sites.

The report indicates that South East Plan housing targets can be met over the first 15 years of the Core Strategy period with a robust allowance for windfall

site development (which is highly significant in B&H) The interim results were tested through consultation with key stakeholders.

4. Transport Assessment (update)

In accordance with government advice, a strategic Transport Assessment has been carried out to examine the transport-related impacts of adopting the proposed Spatial Strategy for new development and land uses in the city, as set out in the Local Development Framework [LDF] Core Strategy Revised Preferred Options (June 2008) and the Core Strategy Proposed Amendments (June 2009) documents.

The city council's computer-based transport model has been used to:

- examine the possible transport impacts of the proposed spatial strategy in two future years - 2016 and 2026;
- determine the particular impact that the proposed spatial strategy might have on the national (Highways Agency) Trunk Roads, as well as local roads;
- test a range of indicative transport measures that could be used to offset any future detrimental impacts that the proposed spatial strategy might have on the Strategic Road Network; and
- consider the implications of the additional regeneration proposals that are planned for the Shoreham Harbour area, following the designation of Growth Point status

In summary, the analysis that has been undertaken shows that the additional impacts of the city council's proposed Spatial Strategy, over and above the impacts of the 'without Spatial Strategy' scenario, can generally be overcome by implementing transport measures that involve a continuation and, ideally, an increase in the proposals/approach currently set out in the city council's LTP2.

Measures that involve the introduction of Park and Ride and the principle of some form of fiscal/charging measure for road use would have a greater impact in reducing overall levels of future congestion. Generally, the introduction of such measures will have the impact of reducing congestion levels below those that are forecast to be experienced solely in the 'without Spatial Strategy' levels of development. Table 1.2 and Table 1.3 summarise these findings for 2016, without and with the Shoreham regeneration proposals, and Table 1.4 and Table 1.5 do so for 2026. However, in order to ensure that the effects of any charging measure do not have a detrimental effect on the government's Trunk Roads, it is not proposed that such a fiscal measure should be implemented in the local area independently of a nationally-led scheme.

A further assessment of the likely levels of development that will occur at Shoreham Harbour, over and above the council's originally proposed Spatial Strategy, indicates that in 2016 the effects are relatively small in terms of congestion. This reflects the fact that the majority of the proposed

development will come forward between 2016 and 2026. However, in 2026 the additional amount of travel likely to be generated will be more significant and therefore associated congestion levels will increase, despite the proposed mitigating measures that have been tested, to levels that exceed those predicted in the 'without Spatial Strategy' scenario.

This underlines how essential the work being undertaken as part of the Joint Area Action Plan [JAAP] for Shoreham Harbour will be in terms of providing a more in depth understanding of the local and strategic implications for the transport network, based on the emerging land-use and transport strategies that are being developed by the partners involved in the project.

5. Employment Land Study Update

The purpose of the Study is to update Brighton & Hove's Employment Land Study 2006 to take account of the current proposals for Shoreham Harbour. It is an addendum to the ELS 2006 that sets out the potential impact of the current proposals for Shoreham Harbour on the conclusions of the 2006 ELS.

It concludes that the proposed development at Shoreham Harbour must be of a form that does not adversely impact upon the development planning proposals elsewhere in the city. Development at Shoreham Harbour should complement proposed activity elsewhere in the city. In this context, the aspirations for growth and development at Shoreham Harbour present both opportunity and risk for the Brighton & Hove economy, This includes potentially conflicting or competing development. One of the roles for the LDF is to guide a way through this potential conflict by not over-allocating sites and by trying to provide clear guidance to the investment and developer market as to where it seeks to encourage development.

Brighton & Hove has a shortage of sites for development of large new employment activity and the prospects being generated at Shoreham Harbour should be welcomed as adding to the stock of available land.

The results of this review do not have any significant implications for the conclusions with regard to industrial and warehousing floorspace. The supply and demand for industrial space remains fairly well balanced and the 2006 conclusions were that any significant growth or large scale development in this sector should be accommodated outside the city boundaries.

With regard to the office sector the current recession should not affect long term land use allocations as the Plan should be providing for when the economy emerges from recession. However given the severity of the recession and period of below trend growth the consultants could not see the prospect of substantially higher forecast being realised during the plan period.

The Cambridge Econometrics forecasts produced for this study can be seen as an upside sensitivity test. The Baseline projections imply an additional 25,000 sq m of office floorspace over and above the 2006 ELS. However this is more than accommodated on the Supply side as the Development Area

office space exceeds the MDA figure used in the 2006 report by over 30,000sqm.

The City Council may wish to review its Development Area targets in the light of the Shoreham Harbour proposals. It might be considered, for example, that Shoreham Harbour is a better location and more deliverable product than the Hove Station Area which is slated for 20,000 sq m of office space. Alternatively is the City Council wished to plan for a higher growth scenario in line with Scenario 5 of the Cambridge Econometrics projections, then Shoreham Harbour would be needed in addition to all the Development Areas of the Core Strategy.

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 23

Brighton & Hove City Council

Subject: Response to consultation paper on a new Planning Policy Statement 4: Planning for Prosperous Economies

Date of Meeting: 30 July 2009

Report of: Director of Environment

Contact Officer: Name: Carly Dockerill Tel: 29-2382
E-mail: carly.dockerill@brighton-hove.gov.uk

Key Decision: No

Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to advise members of the new draft Planning Policy Statement 4: Planning for Prosperous Economies and seek agreement on the proposed response to the Department of Communities and Local Government.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment notes the content of draft PPS4 Planning for Prosperous Economies and agrees the proposed response on draft PPS4 to the Department of Communities and Local Government as set out in Appendix B of this report.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Since the planning white paper 'Planning for a Sustainable Future' was published in 2007 the Government has been considering its strategy for delivering its commitment to review the planning policy framework to make planning policies clearer, more concise, more businesslike and easier to use. It published a new draft planning policy statement on Sustainable Economic Development in December 2007 to replace PPG4.
- 3.2 The new PPS4 aims to update draft Planning Policy Statement 4: Sustainable Economic Development; update draft Planning Policy Statement 6: Planning for Town Centres; and consolidate national planning policy on economic development into a single streamlined planning policy statement. A summary of key points made in draft PPS4 is in appendix A.
- 3.3 In its final form the PPS will replace Planning Policy Guidance Note 4: Industrial, Commercial Development and Small Firms (PPG4, 1992), Planning Policy Guidance Note 5; Simplified Planning Zones (PPG5 1992) which will be republished as practice guidance and Planning Policy Statement 6: Planning for Town Centres (PPS6, 2005).

- 3.4 The PPS will also replace certain paragraphs of Planning Policy Statement 7: Sustainable Development in Rural Areas (PPS7) and Planning Policy Guidance Note 13: Transport.
- 3.5 A significant implication of the new draft PPS4 is the inclusion of town centre uses within the wider definition of 'economic development', which in policy terms was previously limited to industrial and commercial uses. This means that uses such as retail, leisure, art, culture and tourism should be considered favourably if they provide employment opportunities, generate wealth and produce or generate an economic output.

Proposed Response to PPS4

- 3.6 Overall the council is generally supportive of the aims of draft PPS4 in that it will:
- Help achieve sustainable growth;
 - Promote the vitality and viability shopping centres as important places for communities and ensure that they are economically successful;
 - Ensure economic growth and development is focused in existing centres;
 - Promote high quality and inclusive design;
 - Deliver more sustainable patterns of development and respond to climate change.
- 3.7 The council does however have concerns relating to the following:
- The inclusion of retail within the definition of economic development. There is a concern that employment sites or premises could be at risk of being replaced by retail and leisure uses in mixed use schemes.
 - The additional resources that may be required by officers in order to assess the impacts of edge and out of centres developments and the undertaking of Local Economic Assessments alongside Strategic Housing Land Availability Assessments. This may mean that resources are further stretched.
 - Need for more clarity to aid the interpretation of policies.
- 3.8 Details of the city council's draft response are set out in Appendix B.

4. CONSULTATION

- 4.1 Internal consultation with the Economic Development team have been undertaken and any comments incorporated into this report accordingly.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There are no direct financial implications arising from the recommendations contained within the report.

Finance Officer Consulted: Patrick Rice

Date: 10/06/09

Legal Implications:

- 5.2 The Human Rights Act has been considered and it is considered that there are no Human Rights implications arising from the report.

Lawyer Consulted:

Alison Gatherer

Date: 12/06/09

Equalities Implications:

- 5.3 There will not be any significant impact of any of the equality strands.

Sustainability Implications:

- 5.4 The principle of sustainable development underpins the policy proposal. Its emphasis on high quality design, including encouraging low and zero-carbon commercial development as practicable, should play a part in promoting an attractive and inclusive built environment and addressing climate change issues.

Crime & Disorder Implications:

- 5.5 The proposals require local authorities to promote good design when planning for sustainable economic growth. This should help to reduce the costs associated with bad design such as higher crime rates. In managing the late night economy the proposals require local authorities to set out the number and scale of leisure developments they wish to encourage based on their potential impact, including the cumulative impact, on the character and function of the centre, anti-social behaviour, crime, including tackling security issues raised by crowded places, and the amenities of nearby residents.

Risk and Opportunity Management Implications:

- 5.6 None identified.

Corporate / Citywide Implications:

- 5.7 Retaining the town centre as a competitive Regional Shopping area is essential to the economy of the city as well as securing the economic growth of the city.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The report considers the draft guidance in comparison to the status quo.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure there is detailed, up to date, clear advice to all those with an interest in the development process on the economy and relevant town centre issues.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A: Outline of Proposed Consultation on draft PPS4
2. Appendix B: Consultation response to CLG: Consultation on draft PPS4

Documents In Members' Rooms

None

Background Documents

1. Draft 'Planning Policy Statement 4: Planning for Prosperous Economies 2009'
see website;
<http://www.communities.gov.uk/documents/planningandbuilding/pdf/consultationeconomicpps.pdf>
2. Planning for Town Centres: Good Practice Guide on Need, Impact and the Sequential Approach
<http://www.gvagrimley.co.uk/Documents/pdr/Planning%20for%20Town%20Centres%20-%20Good%20Practice%20Guide%20on%20Need,%20Impact%20and%20the%20Sequential%20Approach%20LIVING%20DRAFT.pdf>

Appendix A: Outline of Draft PPS4 Planning for Prosperous Economies

Town Centres and Retail

- Maintenance of the town centre first approach recognising the importance of the vitality of town centre's, consumer choice and retail diversity.
- Retaining the important "sequential test", that requires the most central town centre sites to be developed first.
- Removing the "needs test" for applicants, which required them to show there was a need for their proposal i.e. the balance between the turnover capacity of existing facilities and the available expenditure in the area. Replacement with a tougher, more sophisticated "impact test" which will give local authorities an improved tool to measure the wider positive and negative effects of retail and other town centre related development. Using this test the local authority will need to examine factors including retail diversity, impact on town centre investment, scope for regeneration, job creation and sustainability.
- The proposed policy emphasises an approach for local authorities to determine their own priorities through proactive and positive policies, underpinned by a robust evidence base.
- The guidance proposes the removal of national car parking standards, allowing local authorities to set local levels.

Economic Development

- A definition of what constitutes 'economic development'- to include development within the B use classes, town centre uses (i.e. retail, leisure and offices) and other development that provides employment, generates wealth or produces economic output or product.
- Considering planning applications for economic growth favourably unless there is good reason to believe the costs outweigh the benefits.
- Regional spatial strategies should set out a policy to disaggregate minimum employment targets down to a district level.
- Developing plans that take account of long term economic benefits, including for the wider regional and national economy such as job creation, and promoting opportunities to regenerate deprived areas and support business diversification in rural areas.
- Requirement of Local Economic Assessments alongside the Strategic Housing Land Availability Assessment.
- Review of employment land allocations required as part of preparation of new Plans.

Simplified Planning Zones:

- Encouraging local authorities to make full use of the planning tools available to them to simplify and speed up the planning process, such as creating simplified planning zones.

Sustainable Development in Rural Areas

- Provide for sustainable economic growth in keeping with the need to protect the countryside.

Appendix B Consultation Response to CLG PPS4

Name: Local Development Team

Organisation: Brighton & Hove City Council

Address: Room 407-410 2nd Floor Hove Town Hall, Norton Road, Hove, East Sussex, BN3 3BQ

E-mail address: ldf@brighton-hove.gov.uk

Please state whether you agree to your response being made public: **Yes**

1. Do you support the consolidation and streamlining of national planning policy on economic development into a single policy statement? What do you think are the costs and benefits of the approach?

Yes in principal, subject to the concerns set out below.

Comment: The consolidation and streamlining is supported in principal; however it is questioned as to whether the process will actually be more efficient in practice, considering the new requirements to assess the impact of out of centre retail developments and to prepare Local Economic Assessments alongside Strategic Housing Land Availability Assessments (SHLAA). With the latter, there needs to be more guidance on how the assessments should be carried out and how often they should be reviewed. Lack of clear guidance may lead to delays in preparing development plan documents.

It seems plausible to streamline policy in terms of economic and retail policy as both are interchangeable; however the increased emphasis on jobs in sectors such as retail is of concern to a city such as Brighton & Hove, which already has a high proportion of the population employed in the service sector. It is important to ensure that a balance employment uses and high value jobs are provided and retained in order to provide a mix of opportunities for all and to ensure that the city grows sustainably.

The council also has concerns with the new emphasis on the setting of floorspace thresholds for edge of and out of town developments. Local authorities will all be at different stages of DPD production and there is a concern that this may be exploited by the development industry where councils have not been able to introduce thresholds into policies that are already adopted. This may lead to an influx of planning applications for out of centre development, where local authorities have identified a need but have not yet identified appropriate sites.

Whilst the guidance advocating mixed use developments might be a signal towards a more flexible approach to dealing with wider forms of other employment activities the inclusion of retail and leisure do not sit comfortably in the list, though the removal of housing is welcomed. In constrained urban areas where land availability is limited and the pressure for sites is acute, there is a concern that with the approach in PPS4, higher value land uses such as retail and housing land will displace B-type

employment sites. Additionally, the inclusion of retail in particular could the unintended effect of undermining recent efforts to strengthen the vitality and viability existing shopping centres.

2. Does the draft Statement include all that you understand to be policy from draft PPS4, PPG5, PPS6 and PPS7? If not, please be specific about what paragraphs in any of these documents you feel should be included in this document? Please can you explain why this should be the case?

Yes

Comment: We understand that the need test for applicants was removed in the consultation draft of PPS6 in 2008, however it is questioned as to whether this will be absent in practice, as 'need' is likely to remain a key consideration in the determination of planning applications in edge and out of centre locations, particularly where proposals are not in accordance with development plans. In principal the removal of need test is supported as the proposed impact test appears to be robust enough to protect town centres.

3. Other than where specifically highlighted, the process of streamlining policy text previously in draft PPS4, PPS6 and PPS7 to focus on policy rather than guidance is not intended to result in a change in policy. Are there any policies which you feel have changed in this process? Please tell us what you think has changed and provide alternative wording that addresses your concerns.

No

4. Does the structure of draft Statement make it easier to understand what is required at different stages in the planning process? Are there any improvements you would like to see made?

Yes and no.

Comment: **Yes**, as the structure is considered to be fairly clear as it divides policy making policies from decision making policies. **No**, as there are concerns that the decision making policies are too convoluted (with over complex cross-referencing) and too detailed and prescriptive.

It may be useful to include a diagrammatic portrayal of the key stages as a summary in order to aid the checking process for officers and applicants.

5. Do you think the restructuring of the impact test from the consultation draft of PPS6 achieves the right balance and is it robust enough to thoroughly test the positive and negative impacts of development outside town centres?

Yes, subject to comments below.

Comment: The impact test appears to be robust, subject to the comments below. The Practice Guidance that accompanies this consultation is welcomed; however there are concerns that overall the new impact test may difficult to use in practice as it will

require more resources and expertise in assessing planning applications. Additional resourcing is fundamental in ensuring that the new requirements in this PPS are consistent across all local authorities. There should be a commitment in the PPS to providing this. The reasons for these concerns are set out below.

The interpretation of the impact test is also queried as this is likely to rely upon subjectivity and judgements, particularly the weighting of the Impact Evaluation Matrix in the Practice Guidance.

As planning officers we have to balance time spent analysing Retail Impact Assessments (RIAs) with other LDF deadlines. The balance of the amount of RIAs assessed also differs between local authorities, with some assessing very few in numbers annually compared to larger authorities.

6. Should more be done to give priority in forward planning and development management to strategically important sectors such as those that support a move to a low carbon economy, and if so, what should this be?

Yes

Comment: Clearer guidance on growth sectors would be welcomed in preparing policy documents and in decision making. More detailed guidance on this could go into regional spatial strategies.

7. Is the approach to the determination of planning applications set out in policy EC21 proportionate?

Comment: There needs to be more clarity provided on what represents a 'significant adverse impact' in EC21.1(2) as this will determine whether a proposal falls under EC21.1(3) where impacts are 'not significant' and can therefore be outweighed by economic and social benefits. Without clear guidance, this clause will be used by the development industry to justify out of centre retail development.

The text of EC21.2 is questioned in terms of the following; '*Judgements about the extent and significance of any impacts should be informed by the development plan (where this is up to date)*'. This sentence is somewhat ambiguous and should be elaborated upon in order to ensure consistency in application and to ensure that local authorities have the required material within their DPD's.

8. Do you think the requirement for regional spatial strategies to set employment land targets for each district in their area should be imposed? Please give reasons for your view.

Yes, subject to the condition set out below.

Comment: The proposal of a regional target for employment floorspace has the benefit of giving equal footing to residential development and B1-8 employment development in regional spatial strategies. However this support is subject to the condition that targets are agreed with unitary and local authorities and not imposed at a regional level.

9. Do you agree the policies do enough to protect small or rural shops and services, including public houses? If no, please explain what changes you would like to see.

No

Comment: Strong support is given to protecting local facilities in rural areas, however, guidance/policy on protecting and promoting such facilities should be extended to suburban areas too especially given the context of spatial planning.

In Brighton & Hove there is often a lack of shops, public houses and other facilities in local neighbourhoods (particularly deprived neighbourhoods). The city council is proposing to introduce a sustainable neighbourhoods policy (SA6) in our Core Strategy to promote such facilities. The implementation of such a policy approach would be strengthened by government guidance in PPS4.

10. In response to Matthew Taylor, we have altered the approach to issues such as farm diversification. What do you consider are the pros and cons of this approach?

Comment: Policy EC9.2 supports farm diversification and does state '*subject to recognising the need to protect the countryside*' – however it is unclear how far this will provide sufficient protection to urban fringe areas.

11. Do you think that the proposals in this draft PPS will have a differential impact, either positive or negative, on people, because of their gender, race or disability? If so how in your view should we respond? We particularly welcome the views of organisations and individuals with specific expertise in these areas.

Yes

Comment: the PPS will target and develop deprived areas, therefore target more people on lower incomes helping to improve equalities overall. More could be done in PPS4 to reduce inequalities between other groups, for example, prioritising opportunities for BME, LGBT groups, women and disabled people.

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 24

Brighton & Hove City Council

Subject:	Partial Review of the Regional Spatial Strategy for the South East: Provision for Gypsies, Travellers and Travelling Showpeople		
Date of Meeting:	30 July 2009		
Report of:	Director of Environment		
Contact Officer:	Name:	Sandra Rogers	Tel: 29-2502
	E-mail:	sandra.rogers@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The South East England Partnership Board (formerly the South East England Regional Assembly – SEERA) has published and submitted to government its ‘preferred option’ for the provision of new pitches for Gypsies, Travellers and Travelling Showpeople in the South East in the period 2006 – 2016 for 12 weeks formal consultation.
- 1.2 The recommendations set out in the submission document are the latest stage in the partial review of the South East Plan (the Regional Spatial Strategy for the South East) and the closing date for comments is 1 September 2009. This report sets out the Director of the Environment’s response to the proposed recommendations. Responses need to be forwarded to the Planning Inspectorate to inform the next stage of the process which is an Examination in Public scheduled to take place in February next year.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment agrees the proposed response as set out in this report, which states that:
 - (a) The council generally supports the overall levels of provision proposed in the submission document for Gypsies, Travellers and Travelling Showpeople (1,064 pitches for Gypsies and Travellers and 302 spaces for Travelling Showpeople for the South East region in the period to 2016).
 - (b) The council supports the proposed allocation of 13 residential pitches for Gypsies and Travellers in Brighton & Hove.
 - (c) The council supports the delegated approach to the determination of further transit provision made in the region.
 - (d) The council is unable to support the allocation of 2 Travelling Showpeople spaces to Brighton & Hove.

2.2 That the Cabinet Member for Environment agrees that the report be forwarded to the Planning Inspectorate.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The partial review of the South East Plan was initiated in 2006 in response to the publication of government guidance¹ requiring that Regional Spatial Strategies (RSS's) should address the accommodation requirements of Gypsies and Travellers. Guidance states that the RSS should identify the number of caravan pitches each local planning authority should provide (but not their location). The number of pitches set out in the RSS must then be translated into specific site provision through the Local Development Framework. The submission document notes that the partial review process has taken account of local authority advice, local Gypsy and Traveller Accommodation Assessments² (GTAA's) and a strategic view of needs across the region.
- 3.2 In the Autumn of 2008, SEERA undertook an extensive 'Issues and Options' consultation on the overall provision and distribution of additional Gypsy, Traveller and Travelling Showpeople pitches to be provided 2006- 2016. The overall level of provision proposed for Gypsies and Travellers was 1,064 residential pitches and 276 residential plots for Travelling Showpeople. Four distribution options (Options A-D), all providing the same total number of pitches, were consulted on (See Appendix 1 for a summary). The Council's response is attached at Appendix 2.
- 3.3 In summary, the council offered support for the overall numbers proposed at regional level. In terms of the local authority distribution options (Options A-D), the council expressed support for Options A and B (based on local authority advice) in terms of Gypsy and Traveller pitch provision and also offered some support for Option D, in terms of Gypsy and Traveller provision, which sought to promote an element of wider regional responsibility for the provision of Gypsy and Traveller accommodation. The council did not support the allocation of Travelling Showpeople spaces to Brighton and Hove on the basis that there is no evidence of local need.
- 3.4 The approach consulted on at the Issues and Options stage for transit provision (suitable authorised temporary stopping places for gypsies and travellers) recommended that the level of transit provision be determined by local authorities by them making appropriate provision through the local development framework. This approach was supported by the council.

¹ Planning Circulars 1/2006, Planning for Gypsy and Traveller Caravan Sites (CLG, February 2006) and 4/2007 Planning for Travelling Showpeople (CLG, August 2007).

² East Sussex and Brighton & Hove Gypsy and Traveller Study, 2006.

- 3.5 At the Regional Assembly's Plenary Meeting in March 2009, Option D in terms of proposed pitch provision for Gypsies and Travellers and Travelling Showpeople was agreed as the recommended 'preferred option' to be submitted to Government. The submission document suggests that Option D will offer widened choice to the Gypsies, Travellers and Travelling Showpeople. It also suggests that the combination of local and regional pitch redistribution will assist pitch delivery by sharing responsibility more widely between councils.
- 3.6 In a new policy H7, the submission document recommends that an additional 1,064 permanent residential pitches are provided for Gypsies and Travellers, and a further 302 spaces for Travelling Showpeople³ in the period 2006 – 2016. For East Sussex and Brighton & Hove, policy H7 recommends that 55 pitches are provided for Gypsies and Travellers and 9 for Travelling Showpeople. Brighton & Hove's share is 13 residential pitches for Gypsies and Travellers and 2 residential plots for Travelling Showpeople. In terms of transit provision, Policy H7 requires local planning authorities to make appropriate provision in Local Development Documents to meet requirements for transit and temporary stopping purposes.

Proposed Response to Submission Document

- 3.7 The proposed response to the submission document recommendations is consistent with the council's response made at the earlier Issues and Options stage of consultation (2008). The recommended response is as follows: 'The council generally supports overall levels of provision proposed by the partial review for Gypsies and Travellers and for Travelling Showpeople on the basis that assessments are largely based on advice from local authorities drawing upon their local assessments of Gypsy, Traveller and Travelling Showpeople's accommodation needs'.
- 3.8 'The council is able to support the proposals for the distribution of Gypsy and Traveller permanent pitch provision which identify 13 such pitches for Brighton & Hove. Towards this end, the Council has already identified a 'preferred site' to meet the locally identified need for local Gypsy/Traveller families. The search for a suitable site has proven extremely difficult given the very densely developed nature of the existing built-up area of the City and the highly constrained boundaries. Much of the city's urban fringe is now designated a National Park. The 'preferred site' will itself require a 'departure application' since it is located within a local countryside designation and no other suitable site was able to be identified'.

³ Submission document incorporates results of updated surveys of need for Travelling Showpeople spaces.

- 3.9 'In addition to the work being progressed to secure new permanent pitch accommodation, the council also operates and manages a 23-pitch formal transit site on the edge of the city. This site currently falls within the Sussex Downs Area of Outstanding Natural Beauty (AONB) and will fall within the intended South Downs National Park boundary. This provision represents a significant proportion of the total amount of transit provision currently being made within the South East region. The council supports the approach recommended for additional transit provision within the wider region; that it should be for local authorities to determine through their local development frameworks drawing upon local knowledge'.
- 3.10 'It is against this context that the council is unable to support a further requirement for 2 Travelling Showpeople plots. In numerical terms, the proposed allocation may appear small in comparison to some other local authorities in the region. However, this is a very densely built city which is severely constrained between the South Downs and the Sea. The particular site requirements for Travelling Showpeople (as outlined in Circular 4/2007 in terms of the space requirements and the visual/noise impact considerations regarding storage/repair/maintenance of significant amounts of equipment) need to be set against the very serious constraints to further development of all types faced by the city. The council is unable, therefore, to support this aspect of the proposed distribution'.

4. CONSULTATION

- 4.1 SEERA (now the South East Partnership Board) have held several stages of consultation as part of the South East Plan partial review process.
- 4.2 Stakeholder consultation took place in 2006 on the Project Plan for the review and the Sustainability Appraisal (SA) Scoping Report.
- 4.3 In 2007, SEERA sought formal advice from Local Authorities on the on the appropriate level of pitch provision, drawing on local Gypsy and Traveller Accommodation Assessments (GTAA's). All South East councils fed into the process. Brighton & Hove provided advice together with councils across East Sussex. Brighton & Hove undertook local consultation with local Gypsies and Travellers as part of the formulation and submission of its advice to the Regional Assembly.
- 4.4 SEERA undertook a 12 week consultation process 1 September – 21 November 2008 on 'Issues and Options'. This is detailed in Section 6 of this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The provision of pitches for Gypsies and Travellers is likely to bring about a reduction in the number of unauthorised encampments within the city and a reduction in the costs associated with managing these unauthorised encampments.

- 5.2 The cost of providing a site will be fully met by the Government grant which has been made available for the purpose of this provision.

Finance Officer Consulted: Patrick Rice

Date: 03/07/09

Legal Implications:

- 5.3 The Housing Act 2004 requires local housing authorities to include gypsies and travellers in their accommodation assessments and to take a strategic approach, to demonstrating how the accommodation needs of gypsies and travellers will be met, as part of their wider housing strategies.
- 5.4 The Planning and Compulsory Purchase Act 2004 introduced a new development plan system. The new system is generally known as the Local Development Framework and this Framework will include documents which have the status of Development Plan Documents (DPDs). The Regional Spatial Strategy is a DPD and is required to identify the number of pitches required for each local planning authority in the light of Gypsy and Traveller Accommodation Assessments and a strategic view of needs across the region. Local Development Documents including the authority's Core Strategy and forthcoming Development Plan Policies and Site Allocation DPDs will be required to be in conformity with the Regional Spatial Strategy and are required to translate pitch requirements into site provision.
- 5.5 The provision of pitches gives the council the opportunity to meet its obligations under section 71 of the Race Relations Act 1976.

*Lawyer Consulted: Hilary Woodward
Oliver Dixon*

Date: 03/07/09

Date: 06/07/09

Equalities Implications:

- 5.6 The provision of pitches is clearly in line with the council's Diversity policy, in particular with regard to Gypsy and Irish Travellers, who are a recognised ethnic group as defined by the Race Relations Act.

Sustainability Implications:

- 5.7 Sustainability considerations are central to the new planning system. An independent Sustainability Appraisal (SA) was undertaken on the four options put forward at Issues and Options stage by consultants Scott Wilson and completed by the Regional Assembly. At the regional scale, the SA showed that there are no significant differences between the impacts of the four options. All options produced a positive overall effect on sustainability without adverse effects on habitat areas of European significance. The most important SA effects are the positive socio-economic benefits to Gypsies, Travellers and Travelling Showpeople of making provision, and the consequent reduction in the potentially adverse effects of recourse to unauthorised sites.

Crime & Disorder Implications:

- 5.8 The provision of permanent pitches for Gypsies and Travellers is likely to lead to a reduction in the amount of trespass on public land within the city.

Risk and Opportunity Management Implications:

- 5.9 The provision of pitches gives the council the opportunity to meet its obligations under the Race Relations Act. As stated above, it is also likely to lead to a reduction in the amount of trespass on public land within the city.

Corporate / Citywide Implications:

- 5.10 Local Development Plan Documents such as the Brighton & Hove Core Strategy (submission version November 2009) and the forthcoming Development Policies and Site Allocations DPD will need to be in conformity with the Regional Spatial Strategy. The Core Strategy is required to set out criteria for the location of gypsy and traveller sites which will be used to guide the allocation of sites. Such criteria can also be used to assess planning applications that come forward before the formal adoption of the Core Strategy or Development Policies and Site Allocations DPD.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 SEERA held a 12 week 'Issues and Options' consultation between 1 September and 21 November 2008 with respect to the provision of 1,064 residential pitches for Gypsies and Travellers between 2006 – 2016 and the provision of up to 276 residential plots for Travelling Showpeople between 2006 – 2016 and four distribution options (A-D). The four options consulted on at Issues and Options stage, all providing the same total number of pitches, are summarised in Appendix 1.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To inform the Environment Cabinet Member of the South East Partnership Board's recommendations to government in terms of the proposed pitch/plot requirements for Gypsies, Travellers and Travelling Showpeople for Brighton & Hove for the period 2006 – 2016 and to agree the council's response to help inform the next stage of the process which will be the Examination in Public scheduled for February 2010.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of Issues and Options Consultation Distribution Options, 2008
2. Consultation response to Issues and Options Consultation (November 2008).

Documents In Members' Rooms

None

Background Documents:

1. Circulars 1/2006 Planning for Gypsy and Traveller Caravan Sites, CLG February 2006 and Circular 4/2007 Planning for Travelling Showpeople, CLG August 2007.
2. Partial Review of The Draft South East Plan: Somewhere to Live: Planning for Gypsies, Travellers and Travelling Showpeople in the South East, September 2008.
3. Partial Review of The Regional Spatial Strategy for the South East – Provision for Gypsies, Travellers and Travelling Showpeople, Recommendations for new policy H7, June 2009.

South East Plan Partial Review – Provision for Gypsies and Travellers and Travelling Showpeople.

Issues and Option Consultation (September-November 2008) Distribution Options A-D.

Four distribution options (A-D) set allocations for local authority advice groups¹ and individual local authorities. The distribution options A-D for Brighton & Hove were as detailed in Appendix 1. The options were as follows:

- **Option A:** to meet need where it arises. New spaces should all be provided as close as possible to where Gypsies and Travellers currently live. This may mean some councils have no spaces.
- **Option B:** redistribution within local authority advice areas as locally determined, for Gypsies and Travellers only. New spaces should all be in the same general areas where Gypsies and Travellers currently live. Neighbouring councils would share the duty for providing new spaces but some council areas would have none.
- **Option C:** Option B plus 50% regional redistribution. Half of all new spaces should be in the same general areas where Gypsies and Travellers currently live. The other half would be spread across the region to make sure all councils provide some spaces.
- **Option D:** Option B plus 25% regional redistribution, a midpoint between options B and C. Most new spaces should be in the same general areas where Gypsies and Travellers currently live. A quarter would be spread across the region to make sure that all areas provide some spaces.

Distribution Options A – D for Brighton and Hove (Autumn 2008).

Brighton & Hove	Option A (need where it arises)	Option B (need where it arises balanced by sustainability considerations)	Option C (50% regional re-distribution)	Option D (25% regional redistribution)
Gypsies and Travellers	14	11	15	13
Travelling Showpeople	0	0	3	2

¹ Partnership groupings of local authorities provided advice to SEERA in October 2007. East Sussex councils, ESCC and Brighton & Hove City Council worked together as an advice group.



Councillor Moira Gibson
Regional Planning Committee Chairman
GTTS Consultation
SEERA
Berkeley House
Cross Lanes
Guildford GU1 1UN

Date: 19 November 2008

Our Ref: GT/tn

Dear Councillor Gibson,

Partial Review of the South East Plan: Gypsy and Traveller Accommodation Needs

I am writing in response to your letter of 1 September 2008 seeking views on providing places to live for Gypsies, Travellers and Travelling Showpeople in the South East region.

Thank you for the opportunity to respond to the Regional Assembly's consultation exercise as detailed above. In response to the proposed pitch numbers and distribution options outlined in the consultation papers please note that Brighton & Hove City Council's response is as follows:

Proposed overall provision for Gypsies, Travellers and Travelling Showpeople in the period to 2016.

The council supports the overall numbers being proposed for the provision of new pitches/plots for Gypsies, Travellers and Travelling Showpeople in the South East region as a whole for the period to 2016 (1,064 spaces for Gypsies and Travellers 274 spaces for Travelling Showpeople). The council also supports the overall level of provision to be provided in the East Sussex and Brighton & Hove area (47 spaces for Gypsies and Travellers and 0 spaces for Travelling Showpeople). These assessments are based on advice from local authorities drawing upon their local assessments of Gypsy/Traveller and Travelling Showpeople's accommodation needs.

Distribution Options A – D.

The council is able to support Distribution Options A and/or B as the most appropriate and preferred distribution options for the provision of permanent Gypsy / Traveller pitches for Brighton & Hove (14 or 11 pitches respectively). Towards this end, the Council has already identified a 'preferred site' capable of accommodating up to 14 permanent pitches to meet the locally identified need for local Gypsy/Traveller families.

A bid has been made to central government for 100% grant to fund the development of the site which will, of course, be subject to planning consent. The search for a suitable site has proven extremely difficult given the very densely developed nature of the existing built up area of the city and the highly constrained boundaries. Much of the city's urban fringe is designated either Area of Outstanding Natural Beauty (AONB) or proposed National Park designation.

The 'preferred site' will itself require a 'departure' application since it is located within a local countryside designation and no other suitable sites were able to be identified. As such, the council sees Option A (14 pitches) as the maximum that can realistically be delivered given the very serious constraints noted above.

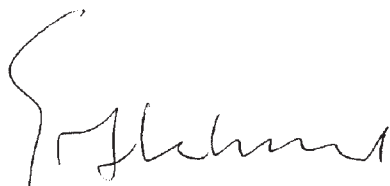
The council does also recognise the role and value of promoting wider regional responsibility for the provision of Gypsy/Traveller accommodation needs and in this respect could support Option D for Gypsy/Traveller permanent pitch provision. This option seeks to allocate most of the need for new spaces to be in the same general areas where Gypsies and Travellers currently live but redistributes a proportion (25%) of locally assessed need across the region to make sure that all areas provide some spaces. Under this option we understand that the requirement for Brighton & Hove would be for 13 permanent pitches to be provided.

Future Transit Provision

The council supports the approach outlined in the consultation document that the details for future transit provision should be for determination in Local Development Frameworks drawing on local knowledge.

I hope you find the council's comments useful and trust that they will be taken into account in determining the preferred option for distributing spaces across council areas. Once again, thank you for the opportunity to respond to the Regional Assembly's consultation exercise.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Geoffrey Theobald', written in a cursive style.

**Councillor Geoffrey Theobald, OBE
Cabinet Member for Environment**

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 25

Brighton & Hove City Council

Subject: Resident parking scheme – Formal traffic order
Date of Meeting: 23 July 2009
Report of: Director of Environment
Contact Officer: Name: Charles Field Tel: 29-3329
E-mail: charles.field@brighton-hove.gov.uk
Key Decision: Yes Forward Plan No: ENV10358
Wards Affected: Preston Park; Stanford; Withdean

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to address comments and objections to the draft Traffic Regulation Orders for the Preston Park Avenue, The Martlet and Preston Park Station areas parking schemes plus double yellow lines on Dyke Road.

2. RECOMMENDATIONS:

- 2.1 That, the Cabinet Member for Environment, having taken account of all duly made representations and objections, approves as advertised the following orders;
- (a) Brighton & Hove Various Controlled Parking Zone Consolidation Order 2008 Amendment Order No* 200* Regulation Order 2003 (Area J Extension)
 - (b) Brighton & Hove Various Controlled Parking Zone Consolidation Order 2008 Amendment Order No* 200* Regulation Order 2003 (Area O Extension)
 - (c) Brighton & Hove Various Controlled Parking Zone Consolidation Order 2008 Amendment Order No* 200* Regulation Order 2003 (Area A)
 - (d) Brighton & Hove (Waiting & Loading Restrictions and Parking Places) Consolidation Order 2008 Amendment Order No.* 200* (Dyke Road).
- 2.2 That the Cabinet Member for Environment agrees that any amendments included in the report and subsequent requests deemed appropriate by officers are added to the proposed scheme during implementation and advertised as an amendment traffic regulation order.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

Preston Park Avenue

- 3.1 Following detailed parking surveys which took place in April 2008 and meetings with the Ward Councillors it was agreed a letter drop would take place in a number of areas to see if residents would like to be consulted on the detailed design for a resident parking scheme in their area.

- 3.2 Following the results of the initial letter drop it was agreed that a second stage consultation incorporating detailed design would take place in Preston Park Avenue in November / December 2008. Residents & businesses had until 12 December 2008 to respond and a staffed Public exhibition was arranged at the Bowling Pavilion in Preston Park on Friday 14 November 2008. The exhibition was then available for the public to view at Hove Town Hall until Monday 15 December 2008.
- 3.3 Following the results of the second stage consultation there was a positive opinion from the majority of respondents within the road. Therefore, it was agreed at CMM on 19 February that the road should be progressed to the advertisement of a traffic regulation order.

The Martlet Area

- 3.4 Following detailed parking surveys which took place in April 2008 and meetings with the Ward Councillors it was agreed a letter drop would take place in the area to see if residents would like to be consulted on the detailed design for a resident parking scheme in their area.
- 3.5 Following the results of the initial letter drop it was agreed that a second stage consultation incorporating detailed design would take place in the Martlet area shown in November / December 2008. Residents & businesses had until 12 December 2008 to respond and a staffed Public exhibition was arranged at the Church of Good Shepherd on Dyke Road from Wednesday 12 November 2005 until Thursday 13 November 2008. The exhibition was then available for the public to view at Hove Town Hall until Monday 15 December 2008.
- 3.6 Following the results of the second stage consultation there was a positive opinion from the majority of respondents within the road. Therefore, it was agreed at CMM on 19 February that the Martlet area should be progressed to the advertisement of a traffic regulation order.

Preston Park Station area and Double Yellow lines on Dyke Road

- 3.7 Following detailed parking surveys which took place in April 2008 and meetings with the Ward Councillors it was agreed a letter drop would take place in the Preston Park Station area to see if residents would like to be consulted on the detailed design for a resident parking scheme in their area.
- 3.8 Following the results of the initial letter drop it was agreed that a second stage consultation incorporating detailed design would take place in the area to the south of Preston Park Station in November / December 2008. Residents & Businesses had until 12 December 2008 to respond and a staffed Public exhibition was arranged at the Church of Good Shepherd on Dyke Road from Wednesday 12 November 2005 until Thursday 13 November 2008. The exhibition was then available for the public to view at Hove Town Hall until Monday 15 December 2008.
- 3.9 Following the results of the second stage consultation there was a positive opinion from the majority of respondents within a clearly defined, smaller geographical section of the area. It was therefore agreed at CMM on 19 February to proceed with a scheme within this newly formed boundary It was

also agreed at CMM to letter drop Compton Road, Inwood Crescent and Millers Road, in order to inform residents that a scheme will go ahead in adjacent roads, and to give them an opportunity to consider the effect this may have. Residents in these 3 roads could then make an informed decision about whether to be included or excluded from the scheme. This meant the Preston Park Station area, with the possible exclusion of Millers Road, Compton Road & Inwood Crescent was progressed to final design and agreed to be advertised through a traffic regulation order.

- 3.10 The re-consultation letter / questionnaire to Millers Road, Compton Road & Inwood Crescent was sent out in early March 2009 and residents & businesses had until Friday 27 March 2009 to respond.
- 3.11 Following the results of the re-consultation of the three roads the officer recommendation was that the Council should proceed with advertising a traffic regulation order for a resident parking scheme in this area including these three roads. This was agreed at CMM on 7 May and the further area was included in the advertisement of a traffic regulation order.

4. CONSULTATION

Preston Park Avenue

- 4.1 The draft Traffic Regulation Order (TRO) was advertised on 1 May 2009 with the closing date for objections on 26 May 2009. There were 3 items of correspondence received. All 3 items were received from individuals and 1 item received was an objection and 2 were in support. Copies of the correspondence will be available for inspection in the Members' room. A plan showing the proposals will be displayed at the meeting and is shown on Appendix A (i).
- 4.2 2 items of support were received from local residents thanking the Council for proceeding with this resident parking scheme proposal.
- 4.3 1 objection was received from a resident in the Surrenden Road area concerned about displacement of travellers vans.
- 4.4 The Council is concerned about displacement but it is very difficult to predict the extent and location of any displacement that could occur.

The Martlet area

- 4.5 The draft Traffic Regulation Order (TRO) was advertised on 1 May 2009 with the closing date for objections on 26 May 2009. There were 4 items of correspondence received - which were all received from individuals - and one petition. 3 items received were objections and 1 made general comments. Copies of the correspondence will be available for inspection in the Members' room. A plan showing the proposals will be displayed at the meeting and is shown on Appendix A (ii).
- 4.6 1 objection was received from a resident in Fulmar Close and a petition of 12 signatures from Fulmar Close concerned with the amount of parking spaces being lost on their street.

- 4.7 The issue of parking loss here was discussed at the Environment Cabinet Members meeting on 12 February 2009. Due to a number of complaints from residents about insufficient resident parking bays being allocated within the proposals officers have revisited the area and have identified that more bays can be included in the final design. With regard to Fulmer Close originally because of the narrow nature of the width of the roads in this close the Council were not going to provide any parking provision. After discussions with residents and Councillors we looked at the road again and decided a limited amount of provision could be provided despite this being against the Council's guidance on parking design. The reason for this was the very limited amount of turning movements in the close. The current proposals provide one space on the entry arm and 3 spaces at the north west corner of Fulmer Close. As previously stated we applied officer discretion to overrule guidance in order to provide some parking for residents. Officer opinion is that any further increase in parking provision would create an unacceptable road safety hazard.
- 4.8 1 objection was received from a resident in Kestrel Close wanting single yellow lines rather than a resident parking scheme and a petition from December 2008 dealt with at a previous Environment Cabinet Member meeting was enclosed.
- 4.9 The Council is currently consulting on a resident parking scheme for the area rather than a "light touch" single yellow line approach. Recommendations which were agreed by members at a previous Environment Committee meeting is not to extend any single yellow lines as a form of blanket on-street parking restriction. This is because single yellow lines when used as extensive parking restrictions cause the following problems:
- They can stop residents parking on their own street. Single yellow lines can cause serious problems for residents who have no off-street parking and cannot always be available to move their car twice a day. For example, shift workers or those who do not use their car regularly every day for purposes such as driving to work.
 - They can cause serious displacement to other areas. Single yellow lines completely deter commuters from the area but because no alternative parking options (such as Pay & Display) are provided, the commuter vehicles are likely to move to an adjacent area, thus repeating the parking problems in the next neighbourhood.
 - As individual schemes, they are not financially viable. The council needs to enforce this nearly as often and with as much resources as a full scheme, but does not receive any income from residents or Pay & Display to support this.
 - They can be confusing to visitors and people new to the area, and confusing to enforce. Because the restrictions are confusing, non residents tend to avoid these areas and park elsewhere, thus increasing displacement to neighbouring streets.
- 4.10 1 objection was received from a resident in Fulmar Close who objected to replacing advisory white access protection markings with double yellow lines across driveways.

- 4.11 It is proposed that double yellow line restrictions will apply across all vehicle accesses. Whilst this means that residents or their guests will not be able to park across a garage or drive access, it will ensure that these remain unblocked and enforceable by the Civil Enforcement Officers at all times. Unfortunately, white return lines are only advisory and cannot be enforced by the Civil Enforcement Officers.
- 4.12 1 comment was received from a resident in The Martlet asking for the shared pay & display bays to be minimised in the road, clarification of the permit policy and a request for double yellow lines outside 36 The Martlet due to difficulties getting out of the shared drive.
- 4.13 In regard to the parking layout all parking in the Martlet area Closes are resident permit only. Shared pay and display is only being proposed in the Upper Drive.
- 4.14 In terms of the permit allocation if a resident / household has sufficient space to park vehicles in an off-street space then a resident / household will not be issued a resident parking permit in the first allocation. However, if after the initial allocation there are still resident parking permits available a resident / household would be able to apply to purchase resident parking permits for further vehicles as long as they don't have space available for further vehicles in their off-street parking facility. Within this area, there is very likely to be a second allocation of permits as the majority of residents in this area have an off-street parking facility.
- 4.15 Due to the reasons outlined by the resident it has been agreed to remove one parking space and double yellow lines are now to be placed directly outside no.36 The Martlet opposite the shared driveway.

Preston Park Station area

- 4.16 The draft Traffic Regulation Order (TRO) was advertised on 14 May 2009 with the closing date for objections on 8 June 2009. There were 33 items of correspondence received. 29 items received were objections, 3 were general comments and 1 was in support. 29 items were received from individuals and 3 from businesses. There were a total amount of 17 different reasons for objection with 65 objections from the 29 items of correspondence. Copies of the correspondence will be available for inspection in the Members' room. A plan showing the proposals will be displayed at the meeting and is shown on Appendix A (iii).
- 4.17 14 objections were received regarding the hours and days of the resident parking scheme. 10 wanted shorter hours / days while 4 objections argued that there should be evening / overnight enforcement as that is when the parking issues are.
- 4.18 The 9am-8pm Monday to Sunday resident parking scheme proposal was designed by officers as it was felt this would be the best scheme for the area taking into account previous experience of implementing resident parking schemes over the last few years. This seven day proposal takes into account possible displacement at weekends and evenings (if the roads were not restricted) into the area from other resident parking schemes and restricted areas (for example Area Q in the Prestonville area which is a 7 day parking scheme up to 8pm), other proposed schemes in the area and proposed double yellow lines

on Dyke Road. The 9am-8pm Monday to Sunday resident parking scheme proposal has been through extensive consultation and there has been little correspondence asking the Council to change the hours or days of the scheme.

During the main consultation only 23 people made a comment about the operating hours / days which was only 6.5% of the total response.

- 4.19 13 objections were received regarding the results of the informal consultation and stating that because the results were 50/50 a scheme should not have been proceeded with. Comments were also made that Compton Road, Inwood Crescent and Millers Road should not have been re-consulted as they were against the parking scheme proposal.
- 4.20 The Cabinet report presented to the Environment Cabinet Members meeting on 19 February 2009 analysed the breakdown of results and concluded that in a particular identified area (not including Compton Road, Inwood Crescent and Millers Road), the majority of residents who voted were for a scheme. This identified area was proposed for a scheme, and the report stated that certain roads had been included in this remaining area despite voting against in order to ensure that the proposed scheme was geographically viable.
- 4.21 It was stated in the Council's original letter in October 2007 that "The boundary for any parking scheme will be established from the answers we receive. Ultimately the council has to have a boundary for parking schemes that is economically and geographically viable. This means a scheme has to be introduced for an area rather than for individual or isolated roads."
- 4.22 Part of Dyke Road has been included in the results because residents in this road will be eligible for a resident permit to park in the resident parking scheme. This is because double yellow lines are proposed on this side of the road. Even if the results of Dyke Road had not been included there would still be an overall majority of residents in favour within the resident parking scheme area agreed at the Cabinet Members Meeting and taken forward to the legal Traffic Regulation order stage.
- 4.23 With regard to Inwood Crescent, Millers Road, and Compton Road, it was geographically possible to exclude these. However, the council felt that the fairest way forward was to make residents in these roads aware that scheme proposals would still go ahead in adjacent roads and to give them an opportunity to consider this accordingly. The results of this consultation was presented to the Environment Cabinet Member meeting on 7 May 2009 and it was agreed to proceed with these three roads.
- 4.24 9 objections have been received from people arguing that the proposed parking scheme is just a revenue raising exercise for the Council.
- 4.25 When introducing new residents parking schemes the Council must demonstrate that these would be self financing. This is why charges have to be made for On-street parking through permits and pay & display. Any surplus from the revenue received from the proposed parking schemes goes back into transport improvements throughout the City.
- 4.26 8 objections received argued that there was no parking problem.

- 4.27 Several residents in this area have been requesting parking controls to the Council and Ward Councillors for a number of years and that is the why the Council agreed to include this area in the resident parking scheme priority timetable. The report to Environment Committee on 24 January 2008 listed the criteria for considering areas for parking schemes as previously agreed and presented in Sustainable Transport's strategy and policy. Parking schemes should only be introduced where there is a genuine need i.e. where there are genuinely insufficient parking spaces for residents because of the impact of commuter or other types of parking, and where the available parking capacity needs to be controlled in order to balance the need of residents and other vehicle users.
- 4.28 8 objections have been received from people parking in the roads and using the railway station including concerns that a car park should be made available for commuters to park.
- 4.29 As part of the consultation undertaken regard has been given to the free movement of traffic and access to premises since traffic flow and access are issues that have generated requests from residents and in part a need for the measures being proposed. The provision of alternative off-street parking spaces has been considered by officers when designing the scheme but there are no opportunities to go forward with any off street spaces due to the existing geographical layout of the area and existing parking provisions in the area. The Council also consulted Southern Railway as part of this current formal consultation and received no response.
- 4.30 4 objections and 1 comment were received with concerns about business parking if a scheme is introduced.
- 4.31 If the scheme is approved a business will be able to apply for up to 2 business permits if they can demonstrate a business need for their vehicles.
- 4.32 2 objections received were concerns about displacement northwards into the Tivoli Crescent area which is unrestricted.
- 4.33 Following detailed parking surveys which took place in April 2007 and meetings with the Ward Councillors it was agreed a letter drop would take place in a number of areas to see if residents would like to be consulted on the detailed design for a resident parking scheme in the area. Following the results of the initial letter drop sent out in October 2007 residents in the Tivoli Crescent area were against any resident parking scheme being introduced in their road. Therefore it was agreed that a second stage consultation would not take place in the roads northwards who were also against the proposals. Residents in this area were sent a postcard informing them of this decision in Spring 2008.
- 4.34 A further 7 individual comments were received. These were on a range of subjects regarding the permit parking placement and issuing of permits, additional street furniture, disabled provision, that there was no need for 4 hour medium term parking, motorcycle provision and that there was no evaluation of Area Q where roads should become unrestricted.

- 4.35 In terms of the permit parking we have placed resident permit areas in the most suitable locations possible alongside shared resident permit / pay & display bays. Each household in the proposed scheme will be able to apply for one permit if they do not have off street parking for that vehicle. Any household requiring more than one permit can call the Parking Information Centre to request a second permit application form. Assuming that permits are available following the initial allocation, (as has been the case with previous schemes) these will be issued to other members of the household who have applied for a second permit for that household before the scheme begins operation. First of all permits will be issued to households requiring a second permit and households with off street parking and then if permits remain to households requiring a third permit and so on. Any further permits issued are on a first come first served basis within each allocation. These further permits made at a later date (for example people moving into the area) will be dependant on demand and assessed once the scheme is in operation. The number of permits issued is based on a 1:1 ratio of spaces available in resident permit only and shared resident permit/ pay & display spaces available and a waiting list will be created at that cut off point.
- 4.36 The Council has also considered the issue of additional street furniture causing street clutter and difficulties on narrow pavements. Therefore, the Council will be putting down the minimal signing / machines possible to allow enforcement and will take into consideration pavement widths.
- 4.37 Disabled provision has also been considered and existing blue badge spaces will remain along with recent requests. Blue badge holders can also park for free in shared pay & display spaces and local residents with a blue badge can also apply for a discounted £5 resident parking permit.
- 4.38 The 4 hour medium term parking has been provided for visitors to businesses and service to the area and to allow flexibility for visitors to residents in the area as there is a limit to the amount of visitor permits allowed per year for local residents.
- 4.39 In terms of motorcycle provision we have provided one motorcycle bay on the majority of roads, however, if specific representation is received the Council would be more than happy to relocate, remove or create motorcycle bays.
- 4.40 If roads such as Highcroft Villas or Dyke Road Avenue become unrestricted in Area Q there would be likely to be a large number of objections from residents in these roads. Therefore, due to the demand from residents around Preston Park Station to be included in a resident parking scheme it was felt it was better to concentrate on these roads.
- 4.41 Further comments were received from residents of Woodside Avenue, a resident in Scarborough Road and a resident in Inwood Crescent.
- 4.42 In Woodside Avenue residents were concerned about the allocation of resident permit parking and issues with the current locations for parking. It has been agreed to extend the resident permit only parking on the west side to allow residents easier access to that side of the road.
- 4.43 In Scarborough Road there was a concern at the current parking arrangement. Officers looked into this and residents parking has been amended from the

advertised TRO location from the east side to the west (and visa versa for shared parking), due to the majority of properties and residents being located on the west side. Also the east side is better suited to shared parking as it provides more unobtrusive locations for pay and display machines. The disabled bay and motorcycle bay retain their original proposed locations.

- 4.44 In Inwood Crescent it was agreed that posts and signs would be put in sensitively and not near access areas and residents can contact the Council during the implementation stage to discuss the locations.

Double Yellow lines on Dyke Road

- 4.45 The draft Traffic Regulation Order (TRO) was advertised on 14 May 2009 with the closing date for objections on 8 June 2009. There were 3 items of correspondence received from individuals. All 3 items received were objections and copies of the correspondence will be available for inspection in the Members' room. A plan showing the proposals will be displayed at the meeting and is shown on Appendix A (iv).
- 4.46 3 objections were received with concerns that stopping double yellow lines in Dyke Road at the location in the current proposal would displace vehicles further up the road or into the roads around The Drove.
- 4.47 Officers and Councillors discussed the best way forward regarding the extent of double yellow lines on Dyke Road, and decided to propose up to the boundary of each scheme on each side.

Conclusions

The Preston Park Station area

- 4.48 The recommendation is that the Preston Park Station resident parking scheme area be progressed due to the reasons outlined within the relevant background.

The Preston Park Avenue area

- 4.49 The recommendation is that the Preston Park Avenue resident parking scheme area be progressed due to the reasons outlined within the relevant background.

The Martlet Area

- 4.50 The recommendation is that The Martlet resident parking scheme area be progressed due to the reasons outlined within the relevant background.

Dyke Road - Double yellow lines

- 4.51 The recommendation is that the double yellow lines proposed in Dyke Road be progressed due to the reasons outlined within the relevant background. Residents in these parts of Dyke Road will be allowed to apply for a relevant resident permit for the scheme on their side of the road.

- 4.52 Any additional amendments to the schemes approved deemed necessary through the formal consultation will be introduced during the implementation stage and advertised through a traffic regulation amendment order.
- 4.53 As part of the consultation undertaken in each of the schemes regard has been given to the free movement of traffic and access to premises since traffic flow and access are issues that have generated requests from residents and in part a need for the measures being proposed. The provision of alternative off-street parking spaces has been considered by officers when designing the schemes but there are no opportunities to go forward with any off street spaces due to the existing geographical layout of the areas and existing parking provisions in the areas.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The full cost of advertising traffic regulation orders and amending the lining and signing will be covered from existing budgets. New parking schemes are funded through unsupported borrowings with approximate repayment costs of £130,000 per scheme over 7 years. The financial impact of the revenue from the proposed new schemes has been included within the budget for 2009-10 which was submitted to Budget Council on 26 February.

Finance Officer Consulted: Karen Brookshaw

Date: 22/03/09

Legal Implications:

- 5.2 Broadly, the Council's powers and duties under the Road Traffic Regulation Act 1984 must be exercised to secure the expeditious, convenient and safe movement of all types of traffic and the provision of suitable and adequate parking facilities on and off the highway. Also, as far as is practicable, the Council should also have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles and securing the safety and convenience of users; any other matters that appear relevant to the Council.
- 5.3 The Council has specific powers under the Road Traffic Regulation Act to make various types of order and the most relevant in relation to the proposals in this report are summarised below.
- 5.4 Section 1 of the 1984 Act enables the Council to make orders prohibiting, restricting or regulating the use of roads. The various grounds for such action include safety, prevention of congestion and preservation of amenity and are not restricted to the roads mentioned in an order but can be for the benefit of other roads.
- 5.5 Under sections 32 and 35 of the 1984 Act, there is power to provide and regulate the use of parking places (without charges) on the highway, for the purpose of relieving or preventing congestion. The parking places powers must not be used in relation to any road so unreasonably as to prevent access to adjoining premises, or its use by anyone entitled to use it, or so as to be a nuisance.

- 5.6 Under section 45 of the 1984 Act, the Council has wide powers to designate pay parking places on highways for vehicles or classes of vehicles. It includes power to authorise parking by permit. Under subsection (3), in determining what parking places are to be designated under this section the Council must consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard include –
- (a) the need for maintaining the free movement of traffic;
 - (b) the need for maintaining reasonable access to premises; and
 - (c) the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section.
- 5.7 Before making Traffic Orders, the Council must consider all duly made, unwithdrawn objections. In limited circumstances it must hold public inquiries and may do so otherwise. It is usually possible for proposed orders to be modified, providing any amendments do not increase the effects of the advertised proposals. The Council also has powers to make orders in part and defer decisions on the remainder. Orders may not be made until the objection periods have expired and cannot be made more than 2 years after the notices first proposing them were first published. Orders may not come into force before the dates on which it is intended to publish notices stating that they have been made. After making orders, the steps which the Council must take include notifying objectors and putting in place the necessary traffic signs.
- 5.8 Relevant Human Rights Act rights to which the Council should have regard in exercising its traffic management powers are the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them in appropriate circumstances.

Lawyer Consulted:

Stephen Dryden / Liz Culbert

Date: 11/06/09

Equalities Implications:

- 5.9 The proposed measures will be of benefit to many road users.

Sustainability Implications:

- 5.10 The new motorcycle bays and on-street cycle parking bay will encourage more sustainable methods of transport.

- 5.11 Managing parking will increase turnover and parking opportunities for all.

Crime & Disorder Implications:

- 5.12 The proposed amendments to restrictions will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

- 5.13 Any risks will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

- 5.14 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To seek approval of the 3 schemes to the implementation stage after taking into consideration of the duly made representations and objections. These proposals and amendments are recommended to be taken forward for the reasons outlined within the report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A (i-iv) – Plans

Documents In Members' Rooms

1. Objections / representations.

Background Documents

1. Report to Environment Cabinet Member Meeting on 7th May 2009 (Item 146)
2. Report to Environment Cabinet Member Meeting on 19th February 2009 (Item 112)
3. Report to Environment Committee on March 20th 2008 (Item 146)
4. Report to Environment Committee on 24th January 2008 (Item 118)

- (i) Plan of Preston Park Avenue resident parking scheme proposal.**
- (ii) Plan of The Martlet resident parking scheme proposal.**
- (iii) Plan of Preston Park Station resident parking scheme proposal.**
- (iv) Plan of Dyke Road double yellow line proposal.**



Item 25 Appendix A(i)



KEY:

- CROSSOVER
- PERMIT HOLDERS ONLY (Monday - Sunday, 9am - 8pm)
- SHARED PERMIT HOLDERS & MEDIUM TERM PARKING (up to 4 hours) (Monday to Sunday, 9am - 8pm)
- DISABLED BAY
- LOADING BAY
- MOTORCYCLE BAY
- 1m MARGIN FOR PEDESTRIAN WALKWAY
- LAMP COLUMN
- P&D PAY AND DISPLAY PRELIMINARY LOCATIONS
- ┆ POST AND SIGN PRELIMINARY LOCATIONS

NOTES :

1. DOUBLE YELLOW LINE RESTRICTIONS WOULD APPLY ACROSS ALL VEHICLE ACCESSES. WHERE THERE ARE NO PARKING BAYS / PED CROSSINGS ETC INDICATED, DOUBLE YELLOW LINE RESTRICTIONS WOULD APPLY ALONG KERB SIDE.

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Amendments:
1.

Client	ENVIRONMENT
	PARKING STRATEGY
Job title	Extension to Area "J"














Drawing Title
Traffic Regulation Order map for Preston Park Avenue (Area "J" extension)
98



Scale	N.T.S	Original dwg. size	A1	Date	APR'09
Drawn	P.T.	Checked	P.T.	Approved	C.F.
Drawing status	FINAL	Drawing Number	B&H_PPS_021	Rev	-




KEY:

-  CROSSOVER
-  PERMIT HOLDERS ONLY (Monday - Sunday, 9am - 8pm)
-  SHARED PERMIT HOLDERS & MEDIUM TERM PARKING (up to 4 hours) (Monday to Sunday, 9am - 8pm)
-  DISABLED BAY
-  BUS STOP
-  LINING FOR CROSSING FACILITY
-  SCHOOL KEEP CLEAR
-  MOTORCYCLE BAY
-  TAXI BAY
-  CONSULTATION AREA BOUNDARY
-  LAMP COLUMN
-  PAY AND DISPLAY PRELIMINARY LOCATIONS
-  POST AND SIGN PRELIMINARY LOCATIONS

NOTES :

1. DOUBLE YELLOW LINE RESTRICTIONS WOULD APPLY ACROSS ALL VEHICLE ACCESSES. WHERE THERE ARE NO PARKING BAYS / PED CROSSINGS ETC INDICATED, DOUBLE YELLOW LINE RESTRICTIONS WOULD APPLY ALONG KERB SIDE.

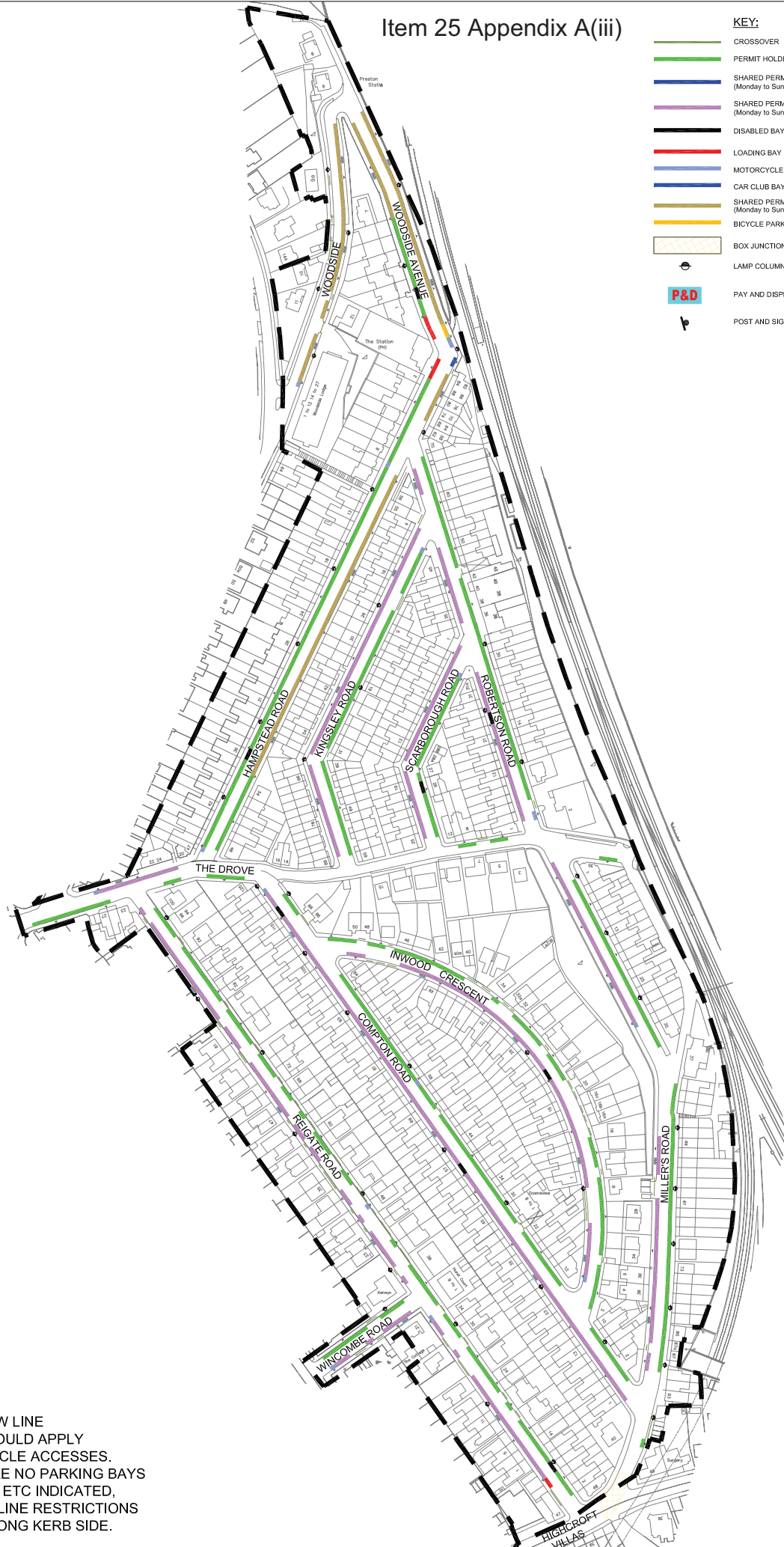
<p style="font-size: small;">Reproduced from: Based on the Ordnance Survey mapping with permission of the Controller of Her Majesty's Stationery Office. Copyright Unauthorised reproduction is prohibited. All rights reserved. Brighton & Hove City Council. Licence: 10000986.0005.</p>	<p>ENVIRONMENT</p> <p style="font-size: x-small;">PARKING STRATEGY</p> <p>Site title</p> <p style="text-align: center;">Extension to area "O"</p>	<p>Issued by</p> <p style="font-weight: bold;">Traffic Regulation Order</p> <p>map for</p> <p style="font-weight: bold;">The Martlet</p> <p>(Area "O" extension)</p>	<p>Scale</p> <p>N.T.S.</p> <p>Drawn</p> <p>P.T.</p> <p>Covering status</p> <p>FINAL</p>	<p>Original date</p> <p>A2</p> <p>Checked</p> <p>P.T.</p> <p>Drawing Number</p> <p>B&H_PPS_020</p>	<p>Date</p> <p>APR '09</p> <p>Approved</p> <p>C.F.</p> <p>Rev</p> <p>-</p>
					



Item 25 Appendix A(iii)

KEY:

- CROSSOVER
- PERMIT HOLDERS ONLY (Monday - Sunday, 9am - 6pm)
- SHARED PERMIT HOLDERS & SHORT TERM PARKING (up to 2 hours) (Monday to Sunday, 9am - 6pm)
- SHARED PERMIT HOLDERS & MEDIUM TERM PARKING (up to 4 hours) (Monday to Sunday, 9am - 6pm)
- DISABLED BAY
- LOADING BAY
- MOTORCYCLE BAY
- CAR CLUB BAY
- SHARED PERMIT HOLDERS & LONG TERM PARKING (up to 11 hours) (Monday to Sunday, 9am - 6pm)
- BICYCLE PARKING
- BOX JUNCTION
- LAMP COLUMN
- PAY AND DISPLAY PRELIMINARY LOCATIONS
- POST AND SIGN PRELIMINARY LOCATIONS



NOTES :

1. DOUBLE YELLOW LINE RESTRICTIONS WOULD APPLY ACROSS ALL VEHICLE ACCESSES. WHERE THERE ARE NO PARKING BAYS / PED CROSSINGS ETC INDICATED, DOUBLE YELLOW LINE RESTRICTIONS WOULD APPLY ALONG KERB SIDE.

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Amendments:
1.

Client	ENVIRONMENT
	PARKING STRATEGY
Job title	Area "A"

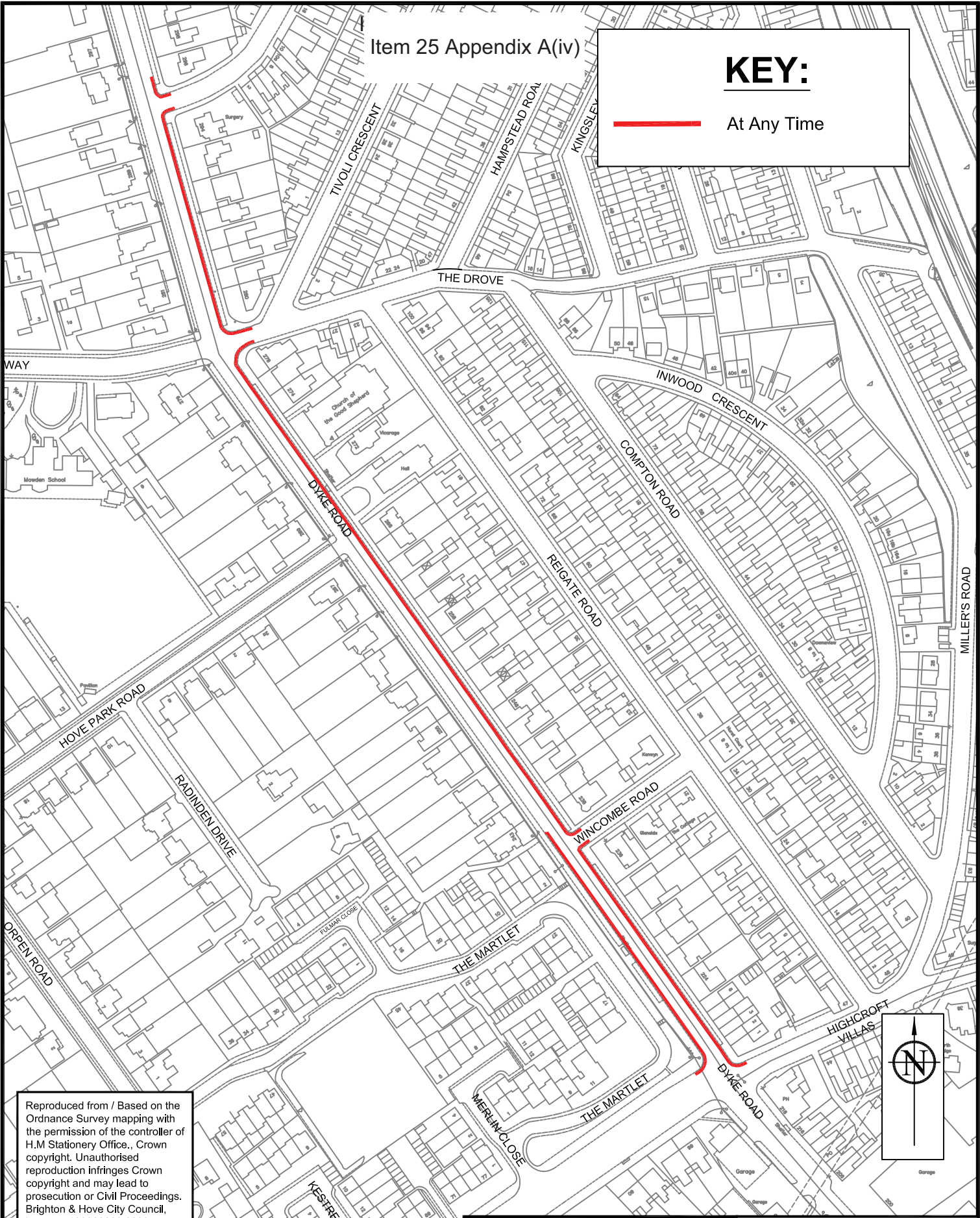
Drawing Title
Traffic Regulation Order map for Preston Park Station Area (Area "A")
100




Scale	N.T.S	Original dwg. size	A1	Date	MAY'09
Drawn	P.T.	Checked	P.T.	Approved	C.F.
Drawing status	FINAL	Drawing Number	B&H_PPS_022	Rev	-

KEY:

 At Any Time



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ENVIRONMENT		PARKING STRATEGY	
Project : Dyke Road	Scale : 1:2500	 Brighton & Hove	
Title : Double Yellow Line Proposals	Date : MAY '09		
	Drawn : P.T.		
Drawing Number : B&H/DYKE-01			

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 26

Brighton & Hove City Council

Subject:	Old Shoreham Road Cycle Route		
Date of Meeting:	23 July 2009		
Report of:	Director of Environment		
Contact Officer:	Name: David Parker	Tel: 29-2474	
	E-mail: david.parker@brighton-hove.gov.uk		
Key Decision:	No		
Wards Affected:	Goldsmid; Hangleton and Knoll; Preston Park; South Portslade ; Stanford		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To inform the Cabinet Member for Environment of progress on the Old Shoreham Road Cycle Route Scheme and to seek permission to consult on the scheme as proposed in this report.
- 1.2 The provision of an east - west cycle route along Old Shoreham Road between BHASVIC and Applesham Way forms part of the Council's Local Transport Plan 2006/7-2010/11 objectives to seek opportunities to provide transport choices including cycling, to reduce congestion and assist in delivering objectives of the Council and its Cycling Town status.
- 1.3 The objectives of the cycle facilities along Old Shoreham Road are to achieve long term and measurable increases in cycling to benefit the community and schools by encouraging physical activity, reduce obesity in children, reduce congestion and improve air quality.
- 1.4 The proposed east-west route links the north-south cycle lanes of Regional Route 82 which runs along Grand Avenue and The Drive. This will enhance east/west movements. The route will further improve accessibility for schools, commuters and residents and provide improved cycle network connectivity.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment gives approval to conduct public consultation with key stakeholders and residents along the Old Shoreham Road route as detailed in this report. Members will be informed of the outcome of the consultation and findings will be brought back at a future Environment Cabinet Member Meeting.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The proposal for improvements along Old Shoreham Road was adopted as part of a package of capital schemes in the current Local Transport Plan 2006/7-2010/11. The scheme will contribute towards achievement of the LTP objective to increase cycling trips by 5% per year and reducing congestion by 5% by 2010. Brighton & Hove City Council was awarded Cycling Demonstration Town (CDT) status by Cycling England in October 2005 and Cycling Town Status again in 2008. The Old Shoreham Road scheme will also contribute to improving the health of the local population by encouraging more people to cycle.
- 3.2 The full proposed cycle route extends from Applesham Way (Portslade) to BHASVIC (Dyke Road, Hove), and connects to an existing signed link into the city centre. This is illustrated on the attached plan in Appendix 1.
- 3.3 The scheme will provide improved accessibility and safety to the high number of schools that line the route. There are approximately 7000 pupils in the area and the proposed facilities will provide a safer journey for parents and children who currently cycle. Furthermore, by providing safer facilities it will also encourage more people who currently do not cycle because of their concerns on safety. Encouraging more children to cycle will also assist in tackling the growing problem of obesity in children.
- 3.4 There are also a large number of retail areas and major employers along or near the route such as Goldstone Retail Park and City Park. The route would help encourage local commuter and shopping trips, to and from these areas to be undertaken by cycle and therefore help reduce congestion. It will also assist major employers such as Lloyds bank and Legal & General fulfil their corporate commitments to reduce their carbon footprint.
- 3.5 The route will also provide better links to a number of recreation and leisure facilities such as Hove Park, Dyke Road Park and the Greyhound stadium.
- 3.6 The route has been developed to incorporate on road cycle lanes in each direction between 1.2 and 1.5 metres wide, marked by simple lining and signing and coloured surfacing. The cycle scheme will also include advanced stop lines as used throughout the City to improve safety at junctions. Public consultation will help to determine the level of popularity for users, schools, residents, local businesses, and visitors. Local Ward Members will also be involved in the consultation process.
- 3.7 The route will be designed in accordance with national guidelines and will be further subject to a Stage One Road Safety Audit by an independent assessor. Once consultation has been completed the results will be presented at a future CMM for approval.
- 3.8 The current proposal has undergone an initial assessment to gain an understanding of effects on capacity and results show that there will be no real impact on traffic. Further, more detailed studies on road capacity, will be undertaken in developing further details of the scheme.

- 3.9 The scheme is funded through the Local Transport Plan 2006/07 – 2010/11 and a total of £600k has been set aside to deliver the scheme.

4. CONSULTATION

- 4.1 The public consultation will comprise a mail drop to residents, businesses and schools along the Old Shoreham Road and a staffed public exhibition in a central venue on Old Shoreham Road. To enable schools to be able to provide views it is anticipated that the public consultation will be undertaken in September 2009.
- 4.2 Other stakeholders to be consulted will include the emergency services, public transport providers, Brighton and Hove Cycle Forum along with Cycling England's Cycling Advisory Services. Cycling England has already been consulted and has provided advice and support for the route as a freeway option and also has provided initial further support for the signing and lining scheme as presented in this report.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 £750, 000 has been identified for cycle routes within the LTP budget for 2009/10. Within this £600, 000 has been set aside for the Old Shoreham road cycle route, and any costs associated with consulting on this scheme will be met from this budget.

Finance Officer consulted: Karen Brookshaw Date: 12/06/09

Legal Implications:

- 5.2 Section 2 of the Local Government Act 2000 gives authorities power to promote the economic, social or environment well being of their communities. This project can be perceived to fall under promotion/improvement of the social and environmental well being of members of the community. The Highways Act 1980 allows for the creation of cycle tracks and permits alterations to be made as deemed appropriate. It imposes a duty of maintenance on highway authorities in respect of those highways.

Lawyer Consulted: Oliver Dixon Date: 11/06/09

Equalities Implications:

- 5.3 The consultation exhibition will be held in a venue conforming to Disability Discrimination Act regulations. It will be manned at specific advertised times to allow the visually impaired to discuss the scheme with Officers.
- 5.4 The scheme will increase accessibility for schools, commuters, residents and visitors. Improving awareness and provision for cycling will increase the overall transport choice for residents and visitors, particularly for those without access to private motorised transport.

Sustainability Implications:

- 5.5 The consultation element has no sustainability implications.
- 5.6 Creating a better cycling environment along the A270 between BHASVIC and Applesham Way will encourage people to cycle instead of using less sustainable means of transport thus reducing carbon emissions, improving health, and reducing congestion.

Crime & Disorder Implications:

- 5.7 There are no crime and disorder implications associated with the consultation stage.

Risk and Opportunity Management Implications:

- 5.8 There are no significant risks attached to the consultation stage of the project.

Corporate / Citywide Implications:

- 5.9 The provision of a cycle route on Old Shoreham Road is to facilitate current cyclists with an east/west route and encourage more people to cycle within their daily travel experiences. The design of the cycle route will develop from best practice and guidance used in both local and national schemes.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Progressing the scheme with minimal external consultation was rejected due to the scope and location of the cycle route. The improvements will affect a large area and will affect a large number of users and it was therefore felt that to ensure the scheme benefited everyone a city-wide consultation is required. Two design alternatives such as an extended footway or a freeway cycle route have been rejected based on the availability of funds and timescales for implementation, as both these options would exceed these.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 By granting approval to consult on the plans the Cabinet Member will allow Officers to amend the design in line with the views of local people and present an improved final design to the Cabinet Member later in 2009.

SUPPORTING DOCUMENTATION

Appendices:

1. Plans (to follow)

Documents in Members' Rooms

None

Background Documents

1. Local Transport Plan 2006/7-2010/11

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 27

Brighton & Hove City Council

Subject:	Woodingdean Crossroads – proposed public consultation		
Date of Meeting:	23 July 2009		
Report of:	Director of Environment		
Contact Officer:	Name:	Andrew Renaut	Tel: 29-2477
	E-mail:	andrew.renaut@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	Woodingdean		

FOR GENERAL RELEASE.

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The junction of the B2123 (Falmer Road)/Warren Road/ Warren Way, locally known as Woodingdean Crossroads, was identified and agreed as being one of 26 high risk casualty reduction sites by council's Environment Committee in November 2006. In March 2009, the Cabinet Member for Environment approved the need for further engineering design work to be carried out to ensure that a scheme could be constructed adequately and safely to also address a number of other issues that exist at the junction. These included measures for reducing delays to car drivers, assisting pedestrians and cyclists, and upgrading and maintenance of the traffic signals and road surface respectively.
- 1.2 The purpose of this report is to explain the outcome of the design work and to seek permission to consult with the local and wider community.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment approves the initial principles of the proposals to improve Woodingdean Crossroads as set out in Appendix A.
- 2.2 That the Cabinet Member for Environment authorises the Director of Environment to undertake consultation with the local community and wider interest groups within the city on the proposals and to report the outcome of the consultation to a future Environment Cabinet Member Meeting in 2009.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 An initial report explaining proposed improvements to Woodingdean Crossroads was considered by the Cabinet Member for Environment on 26 March 2009. At this meeting it was agreed that:

- an appropriate level of funding be included in the 2009/10 Local Transport Plan capital budget allocation to enable consultation and construction of the Woodingdean Crossroads scheme; and
- that the Director of Environment is authorised to finalise the engineering design for the junction and to report the outcome of that work to a future meeting.

3.2 The further design work that has been carried out has enabled officers to finalise the principles of the proposals for the junction. These are outlined below.

Principles of the scheme

3.3 The main elements of the proposal put forward for consultation include:

- changing the southbound, B2123 Falmer Road approach to the junction from one to two lanes by utilising part of the existing verge (and slightly relocating part of the footway), south of 558 Falmer Road, to reduce driver delays;
- altering the Warren Way approach into the junction to create some additional space for left turn and straight ahead traffic, with a dedicated lane for right turns into Falmer Road (north) to reduce delays;
- upgrading the ageing traffic signals with the latest energy efficient equipment; and install new traffic signal technology that will optimise the control and movement of people and vehicles through the junction;
- improving the crossing facilities at the junction for pedestrians, across the busy Falmer Road, Warren Road and Warren Way, with Advanced Stop Lines for cyclists in accordance with current practice; and
- maintaining the road surface in the region of the junction.

Options for consultation

3.4 The proposals also include some alternative suggestions for minor amendments to parts of the design, the locations of which are indicated on Appendix A. These include:

- the alignment of the pedestrian crossing point on Falmer Road (northside); and
- the parking and loading arrangements on the south side of Warren Way on the approach to the junction. These include options that involve an Advanced Stop Line for cyclists and the alignment of the pedestrian crossing point on Warren Way.

4. CONSULTATION

4.1 Following the analysis of survey data, a number of site visits and discussions with local members, a proposed scheme has now been prepared. In order to engage with, and seek the views of, the local community and other interest groups within the city, it is necessary to undertake wider public consultation. This will be carried out at an appropriate and accessible local venue. The outcome of the consultation will be reported back to a future Environment Cabinet Member meeting to enable a preferred scheme to be considered and potentially agreed.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Capital – The current estimated cost of public consultation and implementation of the proposed design set out in Appendix A will be between £350,000 and £400,000. The allocation of funding for the 2009/10 LTP capital programme was agreed in March 2009 and included provision for consultation and works to begin on this junction, if a preferred scheme is agreed by the Environment Cabinet Member. The costs will be met from a number of different headings within the LTP allocation, such as Road Safety Engineering, where there is a budget of £400k, Traffic Control Equipment, having a budget of £150k and Walking and Cycling Facilities with £700k.
- 5.2 Revenue - The introduction of new traffic signal equipment will reduce future maintenance and power costs funded out of revenue budgets.

Finance Officer Consulted: Karen Brookshaw Date: 18/06/09

Legal Implications:

- 5.3 There are no direct legal implications associated with seeking permission to consult on proposals to improve the crossroads junction. All relevant procedural requirements will need to be undertaken, such as the advertisement of Traffic Orders and consideration of any representations and objections, before any final decision is taken to implement any proposals. There are no human rights implications to draw to the Cabinet Member's attention at this stage.

Lawyer Consulted: Elizabeth Culbert Date: 16/06/09

Equalities Implications:

- 5.4 There are no direct equalities implications associated with seeking permission to consult on proposals to improve the crossroads junction. The proposals include measures to assist and improve the movement of all road users, particularly those with mobility- and sensory-related disabilities. The consultation materials will be designed in accordance with council standards and an appropriate, accessible venue will be sought for the consultation.

Sustainability Implications:

- 5.5 The proposals being developed incorporate measures that will increase the choice and attractiveness for people to make use of sustainable forms of transport for some journeys, such as walking and cycling, and reduce the effect of congestion for local drivers and bus services.

Crime & Disorder Implications:

- 5.6 There are no direct crime and disorder implications associated with outlining and consulting on proposals to improve the crossroads junction.

Risk and Opportunity Management Implications:

- 5.7 There are no direct risk and opportunity management implications associated with outlining and consulting on the proposals to improve the crossroads junction. An initial safety audit has been carried out, and further safety audits will be required to ensure that safe designs are implemented.

Corporate / Citywide Implications:

- 5.8 By seeking to improve road safety and address local traffic congestion, these proposals will contribute towards the corporate priority to 'protect the environment while growing the economy'. Combining a number of different measures into one scheme will also result in achieving 'better use of public money'.
- 5.9 The improvements to this junction will also address concerns highlighted in the 'Traffic, Transport and Parking' section of the March 2009 Woodingdean Neighbourhood Action Plan.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Having been identified as a road safety priority in 2006, it is considered essential that measures are developed and introduced at this junction. The proposed design is considered to be the most appropriate to address the problems that have been identified. Subject to finalising a safe and satisfactory engineering solution, changes may be necessary as a result of consultation, prior to the approval of any preferred scheme. A number of options are also proposed for consideration as part of the consultation to address some specific elements of the proposed scheme, such as pedestrian crossing and loading/parking facilities.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 In order to seek the views of the local community in Woodingdean and wider interests in the city, such as other stakeholders, organisations and agencies, it is essential to:
- ensure that any proposed scheme can be built and is both safe and is cost effective; and
 - provide an opportunity for people to see and discuss the proposals with council officers and representatives, prior to approving a preferred scheme/design.

SUPPORTING DOCUMENTATION

Appendices:

1. Proposed scheme for Woodingdean crossroads

Documents In Members' Rooms

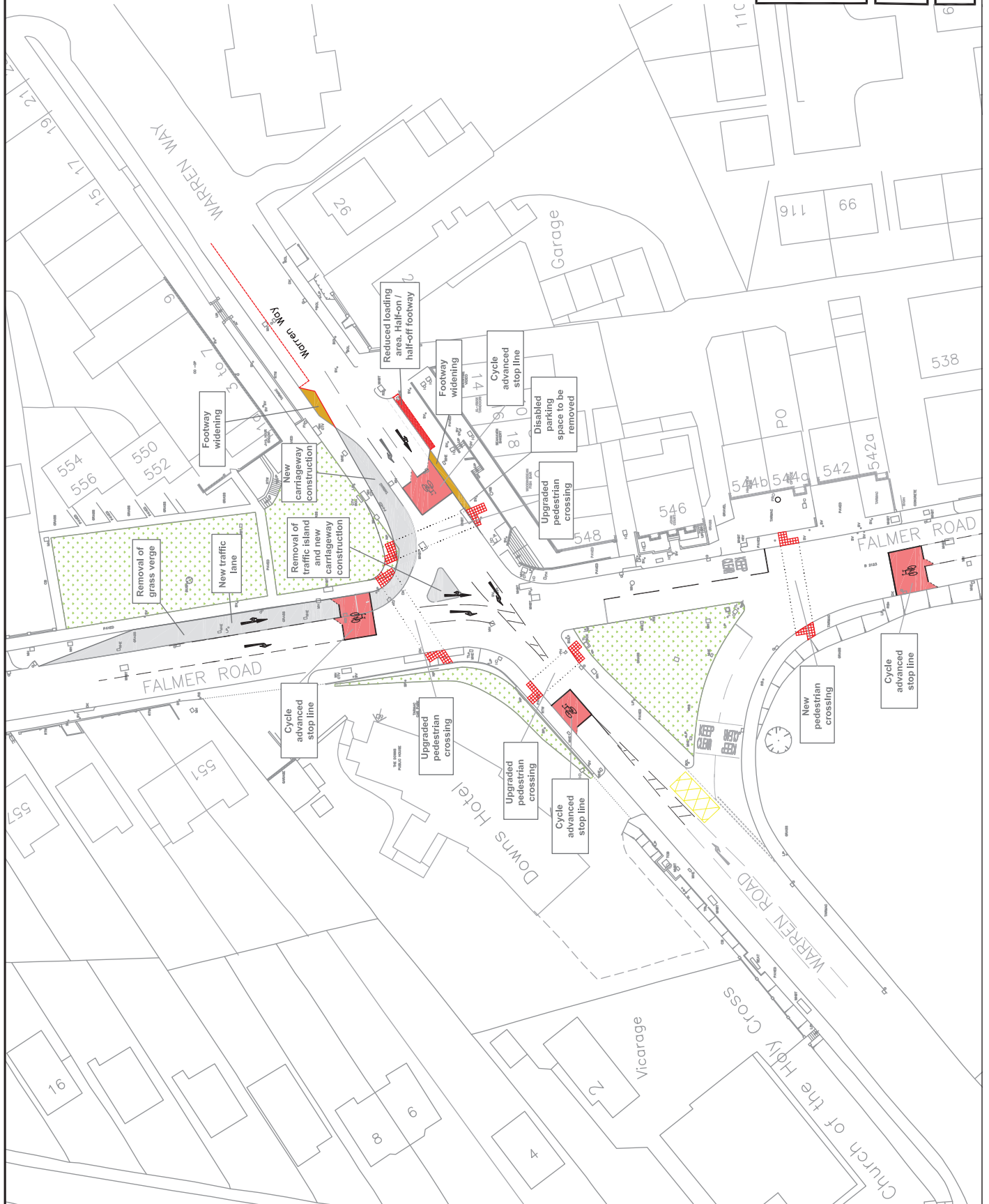
None

Background Documents

1. Road Safety Engineering Programme – Report to November 2006 Environment Committee
2. Woodingdean Crossroads – Report to March 2009 Environment Cabinet Member Meeting



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**Brighton & Hove
City Council**

Project Name	FALMER ROAD / WARREN ROAD WOODINGDEAN	
Drawing No	NNSTS025	Scale
Rev		Not to Scale

CABINET MEMBER MEETING

Agenda Item 28

Brighton & Hove City Council

Subject: Double parking and dropped footway enforcement
Date of Meeting: 30 July 2009
Report of: Director of Environment
Contact Officer: Name: Paul Nicholls Tel: 29-3287
E-mail: paul.nicholls@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Traffic Management Act 2004 introduced new parking contraventions of 'double parking' and 'parking adjacent to a dropped footway' for Local Authorities outside London. Environment Committee agreed on 24 January 2008 not to enforce these new contraventions until the issue of signage had been resolved by Government. Parliament has now passed a Statutory Instrument which allows Local Authorities to enforce the contraventions of 'double parking' and 'parking adjacent to a dropped footway' without the need for signage or a Traffic Regulation Order.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment approves the commencement of enforcement of the contraventions of 'double parking' and being 'parked adjacent to a dropped footway' under the provisions of the Traffic Management Act 2004.
- 2.2 That the Cabinet Member for Environment approves additionally that the contravention of being 'parked in an electric vehicles' charging place during restricted hours without charging' is to be enforced at a later date, should it be required, under the provisions of the Traffic Management Act 2004.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Traffic Management Act 2004 was successfully implemented on 31 March 2008 and included a number of optional new contraventions which Local Authorities could enforce. In the case of 'double parking' and parking 'adjacent to a dropped footway' it has only previously been possible to enforce these contraventions if the particular street or location was subject to a Traffic Regulation Order specifically prohibiting parking in this manner and signage had been installed to advise motorists that they could not double park or park alongside a dropped footway.

- 3.2 The cost of signage and the drafting of Traffic Regulation Orders would have been very expensive and added to street clutter. The decision was taken by Environment Committee on 24 January 2008 not to enforce these contraventions until the issue of required signage had been decided by Parliament following Department for Transport consultation.
- 3.3 The Local Authorities' Traffic Orders (Procedure) (England and Wales) (Amendment) (England) Regulations 2009 came into force on 1st June 2009 and removed the requirement for the prohibition of double parking and parking adjacent to a dropped footway to be signed or be the subject of a Traffic Regulation Order.
- 3.4 There are a number of exceptions to enforcement of these contraventions these are principally:
- vehicles parked wholly within a designated parking place or other part of the carriageway where parking is specifically authorised
 - vehicles used by the fire ambulance or police services
 - loading and unloading; and
 - vehicles used for waste collection, building works or road works
- 3.5 The contravention of parked adjacent to a dropped footway does not apply to vehicles being parked outside residential properties with the owner's consent. In practice this means that in the case of residential driveways a Civil Enforcement Officer will only issue a Penalty Charge Notice in response to a complaint from a resident about a vehicle blocking their driveway.
- 3.6 The contravention of parking adjacent to dropped footways applies where a vehicle parks next to a place where the footway, cycle track or verge has been lowered or raised to the level of the carriageway to assist:
- pedestrians crossing the carriageway
 - cyclists entering or leaving the carriageway
 - vehicles entering or leaving the carriageway across the footway, cycle track or verge
- 3.7 The contravention of double parking applies to vehicles causing an obstruction by parking more than 50cm away from the edge of the carriageway.
- 3.8 The contravention of being 'parked in an electric vehicles' charging place during restricted hours without charging' does not apply at present as no such bays currently exist within Brighton and Hove. The ability to enforce is being requested so that parking services can respond promptly to any possible future developments agreed at cabinet.
- 3.9 In line with operational guidance, should the report be approved, Parking Services will raise public awareness of the new contraventions through a Public Notice, press releases and information on the council's website. Warning notices would also initially be issued to vehicles in contravention for the first week of enforcement.

4. CONSULTATION

- 4.1 The Department for Transport has consulted widely on the issues of signage for double parking and being parked adjacent to a dropped footway. The results of which are published on the Department for Transport website.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Whilst we are aware that double parking is a significant problem in a number of streets particularly outside the Controlled Parking Zone it is expected that within these streets compliance will quickly improve as a result of enforcement. We would therefore expect a slight short term increase in the number of PCNs issued after which overall number of Penalty Charge Notices will remain broadly the same as compliance with the parking regulations continues to improve year on year.
- 5.2 No additional resources are required to enforce these new contraventions and any surplus income will be paid into the Civil Parking Enforcement surplus account which must by law be spent on transport related projects.

Finance Officer Consulted: Patrick Rice

Date: 04/06/09

Legal Implications:

- 5.3 Although a Traffic Regulation Order is not required before enforcing these provisions, the council is required to advertise its intentions and to explain the circumstances in which they will or will not take action. No human rights issues have been identified but if they are then they will be made the subject of a separate report.

Lawyer Consulted: Stephen Dryden

Date: 04/06/09

Equalities Implications:

- 5.4 Vehicles parked adjacent to dropped footways can be particularly hazardous for the visually impaired, wheelchair users and other disabled groups when attempting to cross the road. Enforcement of these contravention aims to improve compliance with the regulations and assist in making the city more accessible to the disabled. The exemption to park on yellow lines for Blue Badge holders does not apply to parking adjacent to a dropped footway as this would cause an obstruction.

Sustainability Implications:

- 5.5 None identified.

Crime & Disorder Implications:

- 5.6 None identified.

Risk and Opportunity Management Implications:

5.7 None identified.

Corporate / Citywide Implications:

5.8 None identified.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 None considered.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 The enforcement of these contraventions should help reduce inconsiderate parking which causes congestion and help improve road traffic safety throughout Brighton and Hove.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents In Members' Rooms

None

Background Documents

None

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 29

Brighton & Hove City Council

Subject:	Consultation Plan for The Level Redevelopment		
Date of Meeting:	30 July 2009		
Report of:	Director of Environment		
Contact Officer:	Name:	Jan Jonker	Tel: 29-4722
	E-mail:	jan.jonker@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	St Peters and North Laine		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Level is an important historical park in the city centre which is well used by residents. It includes a children's play area, a skate park, an area used for ball games and expanses of green space used for recreation. However parts of the park are in a state of disrepair, the skate park will need to be removed or replaced in the next few years and some of the children's play facilities also need upgrading. Some of the general and historic features of the park including buildings, walls, and walk-ways are also in a poor condition and the park has a reputation for anti-social behaviour.
- 1.2 The Level is an important park for the city, with a significant catchment providing recreation and outside space in a very densely populated area. It is important to the heritage of the city and is a gateway close to the city centre. For these reasons it is considered to be a priority for redevelopment.
- 1.3 A limited amount of section 106 funding is available which is allocated specifically to The Level, namely £97,200 for the skate park, £137,175 for play and £22,204 for general improvements. While this funding will go some way to improving the park, it is insufficient to transform it to a flag ship park, and further funding will have to be secured.
- 1.4 In order to be able to plan improvements to the park, and seek additional funding applications, a master plan is required. This report seeks permission to carry out extensive public consultation to allow a master plan to be drawn up. Following consultation it is proposed that the master plan is presented to Cabinet for approval. Delivery of the master plan will be subject to securing funding and phased over a number of years accordingly.
- 1.5 Potential funding may be available through the Parks for People Heritage Lottery Funding. It has been confirmed by the Heritage Lottery fund that the park meets the criteria to be considered for funding. While there is no guarantee that a bid would be successful it is recommended that a strong application is made.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Environment endorses the consultation plan for The Level, set out in Section 4 of this report.
- 2.2 That the Cabinet Member for Environment endorses the preparation of a funding bid to the Parks for People Heritage Lottery Fund.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Level is a well used open space, despite some of the issues surrounding ant social behaviour and the poor condition of certain aspects of the park.
- 3.2 In the past limited consultation has already taken place, in particular in relation to the redevelopment of the skate park. Key issues that have come out of previous consultations have been considered in the concept designs.
- 3.3 The proposed consultation is the first formal step in the development of a master plan for the site the speed of delivery of which will be subject to securing funding.

4. CONSULTATION

- 4.1 This report seeks permission to carry out wide-scale consultation. The purpose of the consultation will be to seek the views of residents, businesses and visitors which will contribute to the development of the master plan. The consultation will also inform stakeholders of issues surrounding funding and other issues that will affect the redesign of The Level such as conservation issues, sustainability and equalities. The consultation will be carried out working in partnership with key officers and agencies including park rangers, the environmental improvement team and the police.
- 4.2 It is proposed that the consultation includes:
 - At least one consultation meeting to be held at The Level which will:
 - provide information to the public about the plans to improve the park
 - allow the public an opportunity to provide feedback about the park and the concept designs
 - allow the public to give their feedback about the location of the new skatepark
 - At least one consultation meeting to be held in the New England Quarter/London Road area focussing on the local businesses in and around The Level
 - The establishment of a focus group involving local residents and businesses who can be consulted throughout each stage of the design process
 - Consultation with groups within The Level catchment who may not use the park to explore why and what would encourage them to use it.
 - Development of a web page with information about the plans to improve the park and to allow the public to feedback on their views about the park and on the designs.
 - Development of survey forms to be used at consultation meetings, on the web page and via direct mailing.

- Displaying all documents at the libraries, nearby meeting halls and on park display boards.
- Holding workshops with the established Stakeholder group to help develop the designs

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Securing funding is a significant risk to the redevelopment of The Level, particularly in the current economic climate. However, consultation and the development of a master plan will improve the ability to submit successful funding applications. The consultation itself will be carried out for less than £5,000 which is available through the 106 funding for the project.

Finance Officer Consulted: Patrick Rice

Date: 17/07/09

Legal Implications:

- 5.2 There are no legal implications arising from the proposal to consult on redevelopment at The Level. If funding is secured, the proposed scheme would need to come back to CMM/Cabinet for approval.

Lawyer Consulted

Elizabeth Culbert

Date: 17/07/09

Equalities Implications:

- 5.3 Equalities will be a key design element for The Level redevelopment. An equalities impact assessment will be carried out to ensure that all relevant members of the community are consulted including those who may at present be unable or unwilling to use The Level.

Sustainability Implications:

- 5.4 Sustainability will be a key design element for the master plan, including financial and environmental sustainability.

Crime & Disorder Implications:

- 5.5 The Level has a reputation for anti-social behaviour. Measures to minimise crime and disorder will have embedded in the designs for the park. This will be achieved by involving the relevant agencies right from the start of the consultation.

Risk and Opportunity Management Implications:

- 5.6 While some funding is available, this is insufficient to transform The Level in to a flagship park. In the current economic climate it may not be possible to raise sufficient capital for the project, or the work will have to be phased over numerous years. The skate park in particular is in a state of disrepair, and unless funding is secured, will have to be removed. In addition to this many aspects of redevelopment will be interdependent, eg if a change in location of the skate park or children's play is proposed.

5.7 Carrying out consultation and development of a master plan will put the council in a better position to submit funding applications. To further minimise risks it is proposed that:

- A funding bid is submitted to the Parks for People Heritage Lottery Fund;
- A specific Skate Park Funding plan is developed

Corporate / Citywide Implications:

5.8 None identified.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 This report seeks permission to consult. As part of the consultation process options will be developed which will feed in to the development of a master plan.

6.2 The alternative to consulting on redevelopment at The Level is not to consult on or bid for improvements to the park. Given the reasons outlined in this report, not consulting is not considered to be appropriate.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 The Level is an important open space for the city, heavily used by residents and visitors. It does suffer from anti-social behaviour and parts of it are in a poor state of repair. Some funding is available to make improvements to the park, and applications are being made for further funding. In order to be able to start to deliver improvements and apply for further funding a master plan is essential. This plan needs to be based on extensive public consultation.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents In Members' Rooms

None

Background Documents

None