





**Brighton & Hove  
City Council**

# Overview & Scrutiny Commission

Title:	<b>Overview and Scrutiny Commission Ad-hoc Panel - Street Access Issues</b>
Date:	<b>28 September 2009</b>
Time:	<b>5.00pm</b>
Venue	<b>Committee Room 1, Brighton Town Hall</b>
Members:	<b>Councillors:</b> Rufus (Chairman)  Bennett; Hawkes; Pidgeon and Watkins
Contact:	Tom Hook Head of Overview & Scrutiny 01273 291110 tom.hook@brighton-hove.gov.uk

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# AGENDA

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<b>17. Evidence Gathering - Regency Square Area Society</b>	
<b>18. Evidence Gathering - North Laine Traders Association</b>	
<b>19. Panel &amp; Witness discussions</b>	
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For further details and general enquiries about this meeting contact Tom Hook, Head of Overview & Scrutiny (01273 291110 – email [tom.hook@brighton-hove.gov.uk](mailto:tom.hook@brighton-hove.gov.uk)) or email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk)

Date of Publication : Friday, 18 September, 2009



### PROCEDURAL BUSINESS

#### A. Declaration of Substitutes

Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

#### B. Declarations of Interest

- (1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.
- (2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at meeting of that Committee where –
  - (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken the Member was
    - (i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and
    - (ii) was present when the decision was made or action taken.
- (3) If the interest is a prejudicial interest, the Code requires the Member concerned:-
  - (a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].
  - (b) not to exercise executive functions in relation to that business and
  - (c) not to seek improperly to influence a decision about that business.
- (4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

(a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

(b) if the Member has obtained a dispensation from the Standards Committee, or

(c) if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

### **C. Declaration of party whip**

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

### **D. 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 the category under which the information disclosed in the report is confidential and therefore not available to the public.*

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

**BRIGHTON & HOVE CITY COUNCIL**

**OVERVIEW AND SCRUTINY COMMISSION AD-HOC PANEL - STREET ACCESS ISSUES**

**10.30am 13 AUGUST 2009**

**BANQUETING SUITE, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Rufus (Chair); Bennett; Hawkes; Pidgeon and Watkins

**PART ONE**

**6. PROCEDURAL BUSINESS**

**6a. Declaration of Substitutes**

6.1 No substitutes are permitted on Ad-hoc scrutiny Panels.

**6b. Declaration of Interests**

6.2 There were none.

**6c. Declaration of Party Whip**

6.3 There was none.

**6d. Exclusion of the Press and Public**

6.4 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

**6.5 RESOLVED-** That the press and public not be excluded from the meeting.

**7. MINUTES OF THE PREVIOUS MEETING**

7.1 **RESOLVED-** That the minutes of the meeting held on the 31<sup>st</sup> July 2009 be agreed.

**8. CHAIR'S COMMUNICATIONS**

**9. EVIDENCE GATHERING**

**9.1 Western and Church Road Traders Association**

9.2 Adam Campbell (AC) told members he owned a retail outlet on Western Road and that he was also the Chair of the Western and Church Road Traders Association.

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- 9.3 AC informed members that in responding to the on-going public debate on the street access issue he contributed to an article in the Argus recently presenting the traders point of view on A boards and use of the pavement by local businesses.
- 9.4 AC advised the Panel that advertising costs were so high that small traders used A boards as the most cost effective means of increasing footfall.
- 9.5 AC told the Panel that he felt pedestrians were used to A-boards and that they were not as much an issue as some suggested.
- 9.6 In answer to a question on whether AC had any alternative ideas to advertising on A-boards, the Panel were informed permanent bus stop and lamp post adverts were considered to be expensive and that A-boards were removed at the end of each days trading, thus de-cluttering the streets at night.

Additionally advertising boards, including the cost of licensing, totalled £600. AC agreed that if alternative advertising were comparable in price then it would be feasible to consider it.

- 9.7 The Chair explained how at the previous meeting the Chief Officer of the Federation of Disabled People said that they were keen to work with traders on finding cost effective advertising alternatives and asked whether traders would be open to this? AC confirmed that the Traders Association would consider any cost effective alternatives.
- 9.8 In answer to a question on whether the private frontage of the shop was sufficient enough to advertise AC told the Panel the issue was also around Enforcement Officers approaching the trader even though their A-board is placed within their shop frontage.
- 9.9 Mr Campbell advised he felt the ability to advertise and place goods on the pavement in front of his premises had been a major factor in doubling the turnover of his business in a year. However he was unaware of any independent research which had sought to quantify the impact of A boards.
- 9.10 AC confirmed that traders would work with the council on any flexible, common sense ideas, various alternatives which would need to suit different traders and a pragmatic approach would need to be adopted.
- 9.11 AC informed the Panel that the licensing areas were inconsistent, as some areas were licensed and other areas were not.

### 9.12 Openreach

- 9.13 Mike Luck (ML) and Adrian Tollitt (AT) advised that Openreach was part of British Telecommunications (BT) providing services such as installation, repair and maintenance of the actual network. Provision of network is a statutory requirement which requires on occasions BT to place items in locations that are not ideal.



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- 9.14 Openreach's operations involved working with local council's on manholes, green boxes (cabinets) and poles. Openreach are also heavily involved with "Broadband Britain" which is providing services high speed internet connections for the whole of the UK.
- 9.15 In answer to question on whether Openreach are aware of access problems that can be created by the siting of their boxes and whether they would consider alternatives locations, the Panel were informed that the provider tends to work from the location of the existing boxes. However where it is shown there are problems they will look to resite boxes, often though options are limited due to the extensive clutter from specific underground cables which tends to reduce the locations that they can work from.
- 9.16 AT confirmed that safety was a key factor and they have in the past moved equipment. Openreach informed the Panel that if there was an opportunity to operate in less busy streets then they would do this, however in some circumstances they are limited with what they can do.
- 9.17 Additionally AT informed the Panel that Openreach already works well with Local Planning Authorities to prevent problems occurring. Members were encouraged by the obvious desire of Openreach to work with the Council to improve the location of utility items on the pavement where possible. It was suggested by Openreach that the Council should produce a list of 'hotspots' where the relocation of items would be advantageous. This would assist Openreach when they are planning work and allow them to consider relocating boxes etc.
- 9.18 Brighton and Hove Youth Council**
- 9.19 Rohan Lowe (RL) from the Youth Council introduced himself and informed members that he was partially sighted. He explained he had problems navigating certain areas of the City including the Lanes where there had been situations when he had bumped into street furniture. RL explained how he would sometimes plan different routes, using quieter streets to get to his destination.
- 9.20 Nu McAdan (NM), who has physical disabilities and is a wheelchair user introduced herself to the Panel. NM said how she personally did not find A-boards an issue as she was confident enough to ask people to move them out of the way. NM said that her wheelchair was equipped with big footrests which enabled her to move A-boards out of her way too. Compared to other issues she did not believe A boards were a priority.
- 9.21 In reference to tables and chairs on the pavement, outside of restaurants NM advised the Panel how she would go onto the road in certain situations where there was insufficient wheelchair access.
- 9.22 NM told the Panel how dropped kerbs helped her accessibility and how her experience of visiting Germany, especially Berlin, was very positive as dropped kerbs appeared to be the norm; making everywhere very accessible to reach.
- 9.23 In answer to a question on gaining access into shops, NM told the Panel how she found the concrete ramps were the strongest, and the wooden ramps were not strong enough to take the weight of a heavy wheelchair, such as hers.

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- 9.24 NM advised the Panel that wall and pavement “graffiti” type advertising maybe be a more suitable alternative to A-boards.
- 9.25 NM advised the Panel that cars parked across dropped kerbs caused access issues for her.
- 9.26 *Christina Liassides (Head of Network Management) advised the Panel that recent legislation has given Local Authority powers to enforce when cars are parked on dropped kerbs and report these to Parking Services.*
- 9.27 Rottingdean Parish Council**
- 9.28 Councillor Sally Prince from Rottingdean Parish Council advised the Panel that in Rottingdean the main problem regarding street access relates to parking. Increased parking enforcement would be welcomed.
- 9.29 The Parish Council support the traders in utilising A boards as an effective means of advertising. A-boards were within the site lines of pedestrians and were therefore visible and easy to detect.
- 9.30 The Panel heard how cars parked on the pavements caused more access issues.
- 9.31 In answer to a question on whether traders put A-boards out on narrow streets, the Panel were advised that alternative means of advertising were used on some occasions, such as banners.

## 10. PANEL & WITNESS DISCUSSIONS

### 11. ANY OTHER BUSINESS

#### 11.1 Site visits

- 11.2 The Panel agreed for the following Panel members to investigate the following areas and report their findings:

(These locations had been picked from correspondence received).

Cllr. Brian Pidgeon  
Hanover, Brighton  
(Washington Street, Scotland Street, Jersey Street)  
St. James’s Street, Brighton

Cllr. Pat Hawkes  
Wakefield Road, Brighton  
Lewes Road, Brighton

Cllr. Sven Rufus - Brighton  
Western Road, Brighton  
Little Preston Street, Brighton  
Regency Square, Brighton

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Cllr. David Watkins

Western Road/Church Road, Hove to Regency Square

Cllr. Jayne Bennett

Church Rd, Hove

George Street, Hove

Blatchington Road, Hove

Goldstone Villas, Hove

Sackville Road, Hove

Cllr. Pat Hawkes

Boundary Road, Portslade

- 11.3 The information is to be collated and sent to Scrutiny for the 14 September.
- 11.4 It was agreed that the next public meeting will be held at 5-7pm on the 28 September and the venue is to be arranged.

The meeting concluded at 12.00pm

Signed

Chair

Dated this

day of

