

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT CABINET MEMBER MEETING

4.00pm 11 SEPTEMBER 2008

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member) and Young (Cabinet Member)

Also in attendance: Councillor Mitchell (Opposition Spokesperson)

Other Members present: Councillors Alford, Davey, Janio, Kennedy and Smart

PART ONE

35. PROCEDURAL BUSINESS

35a Declarations of Interests

35.1 The Cabinet Member declared a personal and prejudicial interest in Item 54, a report from the Director of Environment concerning the approval of a Traffic Regulation Order (TRO) in relation to stage two of the North Street Mixed Priority Route (MPR) scheme, as he owned property in the vicinity of the scheme.

35.2 Councillor Davey declared personal, but non-prejudicial interests in Items 53, a report of the Director of Environment concerning additional funding to build on the city's status as a Cycling Demonstration Town by becoming a Cycling Town, as he worked for a cycle training organisation.

35.3 Councillor Davey also declared a personal, but non-prejudicial interest in Item 54 for the same reason.

35b Exclusion of Press and Public

35.4 The Cabinet Member 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 Schedule 12A, Part 5A, Section 100A(4) or 100 1 of the Local Government Act 1972 (as amended).

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

36. MINUTES OF THE PREVIOUS MEETING

36.1 **RESOLVED** – The minutes of the meeting held on 4 July 2008 were approved and signed by the Cabinet Member as a correct record.

37. CABINET MEMBER'S COMMUNICATIONS

37.1 The Cabinet Member informed the meeting that as he had declared an interest in Item 54, the Leader of the Council had nominated the Cabinet Member for Finance to take this Item and that he would leave the room during consideration of this Item. The Cabinet Member stated the Cabinet Member for Finance would be coming from another meeting and would be unlikely to arrive before 5.30pm, and that a short adjournment may be necessary.

38. ITEMS RESERVED FOR DISCUSSION

38.1 **RESOLVED** - That all the items were reserved for discussion by the Cabinet Member.

39. PUBLIC QUESTIONS

39.1 There were none.

40. WRITTEN QUESTIONS FROM COUNCILLORS

40.1 There were none.

41. DEPUTATIONS

41.1 The Cabinet Member reported that one deputation had been referred from Council on 17 July 2008. It concerned a request from parents, carers and staff of children at St Luke's Infant and St Luke's Junior Schools for a pedestrian crossing to be installed in Queen's Park Terrace.

41.2 The Cabinet Member stated that he had provided a response at Council and that he now had further information, but noted that the deputees were not present at the meeting.

41.3 **RESOLVED** – That the deputation be noted and a written response be provided (for copy see Appendix A).

42. PETITIONS

42.(i) Petition – request for a pedestrian crossing for the Doctor's surgery on Sackville Road

42.1 Councillor Cobb had submitted a petition signed by 98 people concerning a request for a pedestrian crossing for the Doctor's surgery on Sackville Road.

42.2 Councillor Cobb was unable to attend the meeting.

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

42.(ii) Petition – parking restrictions in the area surrounding Hove Methodist Church

42.4 Councillor Oxley had submitted a petition signed by 98 people concerning parking restrictions in the area surrounding Hove Methodist Church.

42.5 Councillor Oxley was unable to attend the meeting and had also submitted a letter in support of the petition at Item 43(i),

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

42.(iii) Petition – consultation on proposals to create a permanent travellers site

42.7 Councillor Morgan had submitted a petition concerning consultation on proposals to create a permanent travellers site.

42.8 Councillor Mitchell informed the Cabinet Member that Councillor Morgan was unable to attend the meeting, but that she would report any response back to him.

42.9 The Cabinet Member stated that he wished to remind Councillor Morgan that this matter had been the subject of a Special Cabinet meeting and a subsequent Scrutiny Committee. Following these meetings the Council would be taking forward the proposal for a permanent traveller site in Brighton and Hove through the planning process.

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

42.(iv) Petition – request for a pedestrian crossing in Chalky Road

42.11 Councillor Alford presented a petition signed by 866 people concerning a request for a pedestrian crossing in Chalky Road.

42.12 The Cabinet Member stated that following the tragic death of Henry who had recently been killed on Chalky Road when he ran out from behind a bus, Road Safety Officers had made three visits to the site. Two of these visits had been with senior officers from Sussex Police. The traffic calming measures, including the speed reducing features such as the Chicanes had been successful in slowing down traffic on Chalky Road, visibility was good for both drivers and pedestrians, and there were sufficient gaps in the traffic flow to allow pedestrians to cross safely. The Cabinet Member added that the Council's Road Safety team needed to ensure that safety measures would be implemented where they were demonstrably necessary, as had been the case on Chalky Road, and the number and severity of injury collisions had now been significantly reduced. The Cabinet Member stated that the council placed an extremely high priority on providing children with high quality Road Safety Education; in 2007 more than 1500 children in 26 schools had been trained and the Council was on target to match or exceed these numbers in 2008. The Cabinet Member added that he would ask officers to meet with Councillor Alford to discuss this matter further.

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

43. LETTERS FROM COUNCILLORS

43.(i) Letter – parking restrictions in the area surrounding Hove Methodist Church

43.1 A letter had been submitted by Councillor Oxley in support of the petition at Item 42(ii) regarding parking restrictions in the area surrounding Hove Methodist Church.

43.2 The Cabinet Member stated that he had already resolved to provide a written response in relation to this matter.

43.3 **RESOLVED** – That the letter be noted.

44. NOTICES OF MOTIONS REFERRED FROM COUNCIL

44.1 There were none.

45. MATTERS REFERRED FOR RECONSIDERATION

45.1 There were none.

46. REPORTS FROM OVERVIEW & SCRUTINY COMMITTEES

46.1 There were none.

47. MADEIRA DRIVE PROGRESS REPORT

47.1 The Cabinet Member considered a report of the Director of Environment concerning short-term proposals for improvements to the operation of Madeira Drive and requesting authorisation for officers to investigate long-term initiatives (for copy see minute book).

47.2 The Cabinet Member stated that the report set out the proposals for both improving areas of Madeira Drive in the short term as well as outlining how the Council would look to promote Madeira Drive as an 'all year round' destination. A strategic vision supported by an implementation plan would be developed to set out the long-term future regeneration of the area. The Cabinet Member added that measures to address lighting to make the area feel safer and proposals to remove the concrete blocks and replace them with bollards would greatly improve the appearance of the area in the short term. The Cabinet Member stated that the time was now right to bring together key partners to develop a strategic plan detailing all elements and themes that would contribute to making Madeira Drive a vibrant and active place for all.

47.3 Councillor Mitchell was disappointed that a new strategy would be developed and that funding had not been identified for improvements, as she believed that a strategy, including allocation of funding already existed. Councillor Mitchell commented that she was particularly concerning about the need for lighting around the Yellowwave Beach Sports Venue and added that the use of concrete blocks was excessive; she asked how long the blocks would be there for?

- 47.4 The Acting Head of Sport and Leisure stated that he was not aware of an existing plan and added that it was necessary to ensure that any permanent measures allowed the area around Yellowave to be used before the concrete blocks were removed.
- 47.5 The Development Manager for Sport and Leisure Projects stated that the concrete blocks near to the Palace Pier were in place as a result of strengthening works being carried out and would be removed in November. She added that other blocks were in place to deter travellers.
- 47.6 Councillor Mitchell asked that officers investigate to ensure that access to the Reading Room had not been obstructed by the concrete blocks.
- 47.7 The Cabinet Member stated the budget was fully committed; however, he would continue to find funds to make further improvements such as those underway on the bandstand and planned for the Madeira Lift.
- 47.8 The Director of Environment commented that the report aimed to find a middle ground while funding was sought for long-term improvements and that the Council would look for better ways to protect these areas so that they could be marketed.
- 47.9 Councillor Kennedy welcomed much of the report, but had also noted that no funding had been identified. The Green Group wished to put forward the possibility of raising money by placing a levy on events in Madeira Drive in the hope of obtaining match funding. Councillor Kennedy added that events which caused pollution could be subject to higher charges.
- 47.10 The Director of Environment commented that such a proposal would have to be considered by the Council as a city-wide policy and that any benefits would have to be weighed up against the impact on smaller communities that use parks and open spaces. She added that officers have been carrying out work around sustainable events.
- 47.11 The Cabinet Member added that many of the events that had utilised Madeira Drive had raised a lot of money for charity and that it would therefore be difficult to create levels of fees; for this reason the Cabinet Member was not prepared to take the suggestion forward.
- 47.12 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the proposals to complete essential short-term infrastructure work including, lighting to improve night time levels of safety and longer-term measures to restrict traveller encampments be approved, subject to funding being identified.
 - (2) That officers be authorised to seek expressions of interest and external investment in relation to the marketing of any leisure and business proposals for the area.
 - (3) That officers be authorised to submit any necessary planning applications that may be required and seek all relevant consents relating to carrying out any essential infrastructure work.

- (4) That officers be authorised to bring to a future Cabinet Member Meeting a report detailing how the strategic vision and action plan would be developed to address the future regeneration of Madeira Drive.

48. GATING ORDERS - PROTOCOL FOR IMPLEMENTATION

- 48.1 The Cabinet Member considered a report of the Director of Environment concerning approval of a protocol for implementing Gating Orders (for copy see minute book).
- 48.2 The Cabinet Member stated that In April 2006, Local Authorities had been given the power to restrict alleyways in order to reduce crime and anti social behaviour by using a Gating Order. These Orders were currently implemented by the Council's Environment Improvement Team. The Cabinet Member stated that the protocol outlined in the report was intended to assist in managing the implementation of Gating Orders and clarifying the process and timescales involved to ensure that the communities requesting Orders had a clear understanding of how that request would be taken forward.
- 48.3 Councillor Mitchell welcomed the establishment of a local protocol and was pleased that there was no presumption of gating, but enquired about the legal costs of a Gating Order.
- 48.4 The Lawyer to the meeting stated that she believed there were no substantial costs, but that she would confirm this and advise Councillor Mitchell directly.
- 48.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That the attached protocol (See Appendix A) which would be used to inform the councils response to requests for Gating Orders be approved.

49. NATURE CONSERVATION AND DEVELOPMENT SUPPLEMENTARY PLANNING DOCUMENT (SPD)

- 49.1 The Cabinet Member considered a report of the Director of Environment concerning the results of a consultation exercise in relation to the Nature Conservation and Development Supplementary Planning Document (SPD) (for copy see minute book).
- 49.2 The Cabinet Member stated that the SPD was a further demonstration of the city's commitment to nature conservation and the aim of the document was to provide clear guidance on securing nature conservation improvements as part of a new development.
- 49.3 The Cabinet Member stated that the recommendations attached to this report had been amended and invited the Assistant Director for City Planning to explain the reason for this.
- 49.4 The Assistant Director for City Planning stated that there was a need to consult further on Annex 6 of the SPD as a result of further changes that have been made that would improve the impact of the SPD as a whole.

49.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following amended recommendation:

- (1) That the results of the public consultation exercise (Appendix 1) be noted and officers be requested to bring the draft Nature Conservation and Development SPD back to a future meeting for adoption following a further round of consultation on Annex 6 (Calculating Developer Contributions and New Nature Conservation Benefits).

50. ESTATE AGENTS BOARDS IN HISTORIC AREAS

50.1 The Cabinet Member considered a report of the Director of Environment concerning approval for a proposal to be made to the Government's South East Regional Office (GOSE) in relation to the erection of residential for sale or to let boards within the city's central conservation areas (for copy see minute book).

50.2 The Cabinet Member stated that the report recommended that estate agents boards displayed outside houses and flats in the central historic areas should be brought under planning control. The results of the consultation had been strongly in favour of more controls, particularly so in those streets with many houses in multi occupation; which reflected a generally held feeling that such boards were both unsightly and anachronistic. The Cabinet Member considered that a balance needed to be struck between commercial and amenity interests and added that he had been pleased to note from the report that the Brighton and Hove Estate Agents Association (BHEAA) were content with the recommended area of control, however, he had been made aware that there had been new developments and invited the Design & Conservation Team Manager to provide further details.

50.3 The Design & Conservation Team Manager stated that the BHEAA had now informed the Council that they were opposed to the proposal, calling it excessive. The BHEAA would support a regulation that only applied to listed buildings in a modest area of control and were considering making their own representations to GOSE. The Design & Conservation Team Manager added that if the recommendations were to be agreed, statutory consultation would ensue.

50.4 The Cabinet Member commented that despite the BHEAA's new position, he was happy to take this proposal forward as it was in line with the wishes of residents of the city.

50.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That a proposal be made to the Government Office for the South East for a Regulation 7 Direction on residential properties within those conservation areas described in paragraph 7.2 and as illustrated in appendices 1 and 2.
- (2) That the proposal should have the effect of removing from the categories of deemed consent in the Town and Country Planning (Control of Advertisements) Regulations 1992, advertisements relating to the sale or letting of residential premises.

- (3) That the Director of Environment be authorised to carry out all further consultation required by statute and at the times prescribed.
- (4) That in the remaining conservation areas, the existing voluntary agreement between the council and the Brighton & Hove Estate Agents Association (BHEAA) be reconfirmed; the effect of which would be to restrict the number of advertisement boards to one per property.

51. PROPOSED CHANGES TO PLANNING POLICY STATEMENT 6: PLANNING FOR TOWN CENTRES CONSULTATION

- 51.1 The Cabinet Member considered a report of the Director of Environment concerning the proposed changes to Planning Policy Statement 6(PPS6) – Planning for Town Centres and the Council's consultation response to PPS6 Communities and Local Government (CLG) (for copy see minute book).
- 51.2 The Cabinet Member stated that the new proposals strengthened the current Planning Policy Statement 6 and gave local authorities more scope to refuse out of town development proposals that threatened the survival of high streets and small shops.
- 51.3 Councillor Mitchell welcomed the report and was pleased that the changes did not have the effect of compromising the vitality of town centres.
- 51.4 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
 - (1) That the changes and implications regarding national policy advice outlined in this report be noted.
 - (2) That the draft response to CLG as set out in Appendix B of this report be endorsed.

52. CLOSURE OF BRIGHTON PARKING INFORMATION CENTRE - IMPROVEMENT OF SERVICES

- 52.1 The Cabinet Member considered a report of the Director of Environment concerning the closure of the Brighton Parking Information Centre and the centralisation of Parking Information Services to Hove Town Hall (for copy see minute book).
- 52.2 The Cabinet Member stated that the report explained that through the transfer of Brighton Parking Information Centre to better facilities in Hove, the Council would be making the best use of available resources. The relocation of all parking front office staff to one location would also reduce queues and provide much improved facilities for disabled access and Blue Badge holders. The Cabinet Member added that he was pleased that Parking Services aim to further develop their telephone, postal and online services.
- 52.3 In response to concerns from Councillor Mitchell, the Assistant Director for Sustainable Transport stated that information regarding the proposed closure had been available to businesses on the Council's website and that the decision proposing the closure was largely as a result of numerous complaints received about the Brighton Parking

Information Centre. In addition, the opportunity to relocate the whole service to Hove would allow vast improvements to be made at little or no cost.

52.4 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

- (1) That the centralisation of Parking Information Services to Hove Town Hall and closure of North Road Parking Information Centre by the end of September 2008 be approved.

53. CYCLING DEMONSTRATION TOWN - ADDITIONAL FUNDING

53.1 The Cabinet Member considered a report of the Director of Environment concerning a further external funding award to enable the Council to build on its status as a Department for Transport (DfT) Cycle Demonstration Town (CDT) to a Cycle Town (CT) (for copy see minute book).

53.2 The Cabinet Member stated that the Council's achievements and recognition from having the status as a CDT had secured a further three years funding from the DfT and earned the new designation as a CT. The Cabinet Member was pleased that the Council had been successful in this important cycling initiative and that it would enable the Council to build on the earlier achievements and deliver improvements in health, air quality and travel choice across the city.

53.3 Councillor Mitchell welcomed the investment and looked forward to hearing how the funding would be spent.

53.4 Councillor Davey also welcomed the further funding, but felt that more needed to be done to improve cycling throughout the city; in particular more stakeholder involvement was required.

53.5 The Assistant Director for Sustainable Transport stated that the Cycle Forum, which included councillors, had been successful and assured Councillor Davey that officers would attend on a regular basis. He added that other successes included personal travel planning, changes to junctions and infrastructure and bikeability training, and that Brighton and Hove was considered an exemplary city for cycling.

53.6 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That it be welcomed that the City Council had been successful in retaining its designated status as a Department for Transport Cycling Town.
- (2) That the Director of Environment be given delegated authority to enter into a Funding Agreement on behalf of the City Council with Cycling England upon formal notification of funding.
- (3) That a further report be brought to a future Cabinet Member Meeting detailing a programme of works in relation to specific schemes.

Note

That having declared a personal and prejudicial interest in Item 54 the Cabinet Member for Environment withdrew from the meeting and took no part in the debate on decision thereon.

The Cabinet Member for Finance, having been given delegated responsibility by the Leader of the Council to deal with the matters, presided over the meeting and took the decision thereon.

An adjournment was called at 5.00pm and the meeting was reconvened at 5.20pm when the Cabinet Member for Finance arrived.

54. NORTH STREET MIXED PRIORITY ROUTE (MPR) ROAD SAFETY SCHEME - STAGE 2 OBJECTIONS TO TRAFFIC REGULATION ORDERS (TROS) AND NOTICE FOR ROAD HUMP ENTRY TREATMENTS

54.1 The Cabinet Member considered a report of the Director of Environment concerning a Traffic Regulation Order (TRO) in relation to the North Street Mixed Priority Route (MPR) Road Safety Scheme and deferral of consideration of the Brighton & Hove (Ship Street) (one Way Traffic) Order 2008 (for copy see minute book).

54.2 Councillor Mitchell had to leave the meeting during the adjournment and had instead submitted a written statement which the lawyer to the meeting read out:

"I would request that Councillor Young does not agree recommendation 2.1 on this report and that both recommendation 2.1 and 2.2 are deferred pending the outcome of the Environment and Community Safety Overview & Scrutiny Committee meeting on 15 September.

The reason for this request is to take into consideration the strong statement from the Brighton & Hove Bus Company as detailed in Appendix C of the report, that states that to implement the southbound proposals

"in conjunction with the raised table for pedestrians at the junction with North Street will give rise to vehicle/pedestrian conflict".

The money has been given to the Council to ensure maximum pedestrian casualty reduction so I would urge that both recommendations are deferred pending further discussion."

54.3 The Assistant Director for Sustainable Transport stated that recommendation 2.1 would allow the scheme to proceed, which is necessary in order to deliver the safety benefits and to spend the allocated funding, and that 2.2 allowed officers more time to consider the findings of the scrutiny committee. He added that the scrutiny committee were considering the option approved in relation to Ship Street.

54.4 The Project Manager commented that they were in close consultation with Brighton & Hove Bus Company and assured the Cabinet Member that the junction could be designed to meet their concerns if the recommendations in the report were agreed.

54.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the Brighton & Hove City Council South Central Brighton Controlled Parking Zone (Area Z) Traffic Regulation Order 2007 Amendment Order No * 2008, Ship Street/North Street & King Place/North Street Road Hump Entry treatment be approved.
- (2) That consideration of the Brighton & Hove (Ship Street) (One Way Traffic) Order 2008 be deferred pending the outcome of a related review by the Environment and Community Safety Overview & Scrutiny Committee.

The meeting concluded at 5.30pm

Signed

Chair

Dated this

day of

