

Subject:	Band of Interest affecting properties in Cheapside		
Date of Meeting:	4 March 2014		
Report of:	Executive Director – Environment, Development & Housing		
Contact Officer:	Name:	Andrew Renaut	Tel: 29-2477
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Ward(s) affected:	St Peter's & North Laine Ward		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 A Band of Interest enables an area of land to be protected in order that the best alignment for a route can be determined prior to pursuing any necessary land acquisition. Approved highway schemes are recorded on the highway terrier and on the local land charges register. In such circumstances, there is a possibility that the council may be served a blight notice by an affected property owner, and if proved to be valid, the council would incur costs in acquiring the property.
- 1.2 An area of land that forms part of an historic Band of Interest was approved many years ago to accommodate a planned road widening scheme, the Preston Circus Western Relief Road, which was to link London Road to New England Road. The extent of this Band of Interest is shown on the Plan attached as Appendix 1 and includes a number of properties in Cheapside, between London Road and the New England Quarter. It is not considered necessary to retain the Band of Interest, and property within it, for highway purposes and therefore the Committee is requested to consider if the approved Band of Interest can be rescinded.

2. RECOMMENDATIONS:

- 2.1 That the Committee agrees that the Band of Interest delineated on the plan attached as Appendix 1 be rescinded; and
- 2.2 That the Committee requests that the Executive Director notifies the owners of the affected properties of the rescission decision and ensures that council records are amended accordingly.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 A number of areas of land/properties on either side of Cheapside were identified as being required to accommodate the design of the southern approach to a proposed scheme called the 'Preston Circus Western Relief Road'. These properties included "The Hobgoblin" public house, part of the then Brighton College of Technology (now City College) and 43-45 Cheapside. A Band of Interest was approved by East Sussex County Council's Highways &

Transportation Committee in June 1994 and was inherited by the city council in 1997. This is the Band of Interest shown in Appendix 1.

- 3.2 Although the Relief Road proposal was subsequently rescinded, the Band of Interest for Cheapside was retained in order to enable the delivery of what was known as Stage 3 of the London Road Bus Priority & Traffic Management Scheme. This proposal was initially approved in June 1993 and was a further, planned stage of the successful traffic management scheme designed to help regenerate the London Road shopping corridor and improve bus passenger journey times. This included the introduction of priority lanes for buses, taxis and cyclists in the London Road/St Peter's Church area in the 1990s. Stage 3 was designed to enable all northbound A23 traffic, other than buses, taxis and cyclists to be routed along Cheapside and the then New England Street to New England Road.
- 3.3 Although the principles of the Stage 3 scheme design have not been pursued, nor has the design been formally withdrawn. However, significant development has since occurred in the New England Quarter area and the alignment of part of the road through the area, now known as Fleet Street, was significantly altered.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The alternative to not rescinding the Band of Interest for this historic scheme would be to retain the properties involved and continue to blight their potential sale or development.
- 4.2 Any future proposal to route additional movement/traffic along Cheapside would need to be tested based on current information and design guidance and, as such, would either do so within the existing Highway boundary or by re-establishing a Band of Interest for an associated road and footway widening.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There has been no local consultation on the proposed rescission of this historic scheme. However, the council has been approached by a local developer and a representative of one of the occupants of 43-45 Cheapside regarding the existence and implication of the declared Band of Interest.

6. CONCLUSION

- 6.1 The proposed recommendation will remove the possibility of any potential blight on the properties included with the Band of Interest. In addition, the council will no longer need to declare the Band of Interest for the proposed scheme when responding to local land charge searches. The rescission of the Band of Interest will not preclude any such similar scheme being reintroduced in the future should it be considered necessary.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The costs of this relate to officer time which will be met from within existing revenue budgets.

Finance Officer Consulted: Jeff Coates

Date:04/02/2014

Legal Implications:

- 7.2 The statutory provisions regarding “planning blight” are set out in Chapter II of the Town and Country Planning Act 1990 and are summarised in paragraph 1.1 of this report. As stated in the report, highway schemes will be registered in the Local Land Charges Register maintained by the Council thereby serving as notice to prospective purchasers of properties affected.

Lawyer Consulted: Hilary Woodward Date:10 February 2014

Equalities Implications:

- 7.3 There are no equalities implications associated with the proposed rescission of the Band of Interest and therefore no Equalities Impact Assessment has been undertaken.

Sustainability Implications:

- 7.4 There are no sustainability implications associated with the proposed rescission of the Band of Interest.

Any Other Significant Implications:

- 7.5 There are no other significant implications associated with the proposed rescission of the Band of Interest

SUPPORTING DOCUMENTATION

Appendices:

1. Plan showing Band of Interest

Documents in Members’ Rooms

None.

Background Documents

1. Plans of highway proposals in London Road area and Band of Interest