

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT COMMITTEE

5.00PM – 29 JANUARY 2004

HOVE TOWN HALL

MINUTES

Present: Councillor Mitchell (Chair); Councillors Battle (Deputy Chair), Davidson, Mrs Drake (OS), Fitch, Forester, Kemble, Morgan, Pidgeon, Smith and Wrighton.

Also present: Councillors Bodfish, Edmond-Smith, Mrs Giebler, Mrs Norman, Norman, Pennington, Watkins, Williams and Ms Young

PART ONE

ACTION

129. PROCEDURAL BUSINESS

129A. Declarations of Substitutes

129.1 Substitute Councillor For Councillor

Councillor Pidgeon	Peltzer Dunn
Councillor Davidson	Elgood

129B. Declarations of Interest

129.2 Councillor Smith declared a personal interest in Item 149 concerning traffic calming in Woodingdean as he lives within the prescribed area.

129C. Exclusion of Press and Public

129.3 The Committee 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 100A(3) or 100 1 of the Local Government Act 1972.

129.4 **RESOLVED** - That the press and public be excluded from the meeting during consideration of items 155-157A.

130. MINUTES

130.1 **RESOLVED** - That the minutes of the meeting held on 11 December 2003 be approved and signed by the Chair.

131. CHAIR'S COMMUNICATIONS

131.1 The Chair informed members that in view of the interest in item 139 concerning communal waste containers that she intended to take this item after letters from members.

131.2 The Chair also reported that item 143 concerning seaside pleasure boat byelaws would be deferred to enable further consultation to be carried out.

132. CALLOVER

132.1 **RESOLVED** – That, with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate, excepting Notices of Motion and Petitions.

***133. LETTER: CONSERVATION AREAS ADVISORY GROUP (CAAG) COMMENTS TO PLANNING APPLICATIONS SUB-COMMITTEE**

133.1 The Committee considered a letter from Councillor Paskins concerning a number of Planning Applications going to the Planning Applications Sub-Committee that concern buildings in conservation areas and which have not been commented on by CAAG (see minute book).

133.2 The Chair informed the Committee that the work of CAAG was very much appreciated, and that whilst the remit of both it and the Architects' Panel had been under review, there was no question that CAAG should not continue as a stand alone consultative group. Members were informed that a report would be considered at the next meeting of the Committee following the officer's review and consultation with CAAG, and Councillor Paskins' concerns could be discussed at that time.

133.3 **RESOLVED** – (1) That the letter be received and noted.

Roger Dowty

(2) That the Conservation Officer raise this matter at the meeting of CAAG on 3 February 2004 and that a letter be sent to Councillor Paskins following the meeting.

***134. LETTER: PROPOSAL FOR A COUNCIL 'JUNK MAIL' MANAGEMENT STRATEGY**

134.1 The Committee considered a letter from Councillor Williams

proposing that an officer report on a Council-led 'Junk Mail' Management Strategy to help to reduce the quantity and frequency of unsolicited mail to private households in the city (see minute book).

134.2 The Chair informed the Committee that whilst the issues raised by Councillor Williams were noted there were only limited powers that the Council could use in order to reduce the problem. Tough action was taken about the sending and distribution of flyers; the enforcement team approached clubs that distributed such material; and the Council was promoting an Anti-Litter campaign to increase awareness of the problem. It was difficult to see where the Council would have any powers in relation to preventing businesses posting mail to householders.

134.3 It was also reported that the Brighton & Hove Stable Partnership would be a suitable vehicle for seeking to address this problem in the future.

134.4 **RESOLVED** – (1) That the letter be received and noted.

(2) That reference to the problems identified be included in the Anti-Litter campaign.

**Christina
Liassides**

135. REVENUE BUDGET UPDATE

135.1 The Committee considered a report of the Chief Finance Officer providing a revenue budget update (see minute book).

135.2 **RESOLVED** - That the report be noted.

***136. TALL BUILDINGS SUPPLEMENTARY PLANNING GUIDANCE NOTE**

136.1 The Committee considered a report of the Director of Environment concerning the consultation process for the Tall Buildings Supplementary Planning Guidance Note (SPG), the number and nature of responses and consequential amendments recommended to the SPG and sought approval for the adoption of the revised SPG for development control purposes (see minute book).

136.2 Councillor Wrighton put forward the following amendment:

(1) That the comments made on the draft Tall Buildings Supplementary Planning Guidance Note be noted ~~and the recommended changes to it as illustrated in Appendix 3 be agreed.~~

~~(2) That the revised Tall Buildings Supplementary Planning Guidance Note for development control purposes be adopted, and as supplementary guidance to planning policy in the Brighton and~~

~~Hove Local Plan second deposit draft, in particular policies QD1-4.~~

(2) That the period of consultation be extended to allow sufficient time for public meetings to be held in the presence of planning officers and, if possible, the consultants in order to allow a proper exploration of local concerns.

136.3 The proposed amendment was not seconded and therefore was not carried.

136.2 **RESOLVED** - (1) That the comments made on the draft Tall Buildings Supplementary Planning Guidance Note be noted and the recommended changes to it as illustrated in Appendix 3 be agreed.

Liz Hobden

(2) That the revised Tall Buildings Supplementary Planning Guidance Note for development control purposes be adopted, and as supplementary guidance to planning policy in the Brighton and Hove Local Plan second deposit draft, in particular policies QD1-4.

***137. SUPPLEMENTARY PLANNING GUIDANCE FOR LAND AT HOLLINGDEAN DEPOT/ABATTOIR**

137.1 The Committee considered a report of the Director of Environment seeking approval to adopt Supplementary Planning Guidance for Hollingdean Depot/Abattoir following the period of public consultation (see minute book).

137.2 **RESOLVED** -(1) That the comments made during the publication/consultation period be noted and the formal responses set out in this report be endorsed.

Jeanette Walsh

(2) That the amendments to the draft SPG be approved.

(3) That the SPG for the purposes of Development Control pursuant to policy WLP8 of the East Sussex and Brighton & Hove, Waste Local Plan, (Second deposit draft) and policy EM1 of the Brighton & Hove Local Plan, (Second deposit draft 2001) be formally adopted.

138. CONTRIBUTING TO SUSTAINABLE COMMUNITIES – A NEW APPROACH TO PLANNING OBLIGATIONS

138.1 The Committee considered a report of the Director of Environment summarising a recent Government consultation paper on reforming and improving planning obligations (also known as section 106 agreements/undertakings) and also seeking agreement to the Council's formal response set out in Section 2 (see minute book).

138.2 **RESOLVED** - – (1) That the revised Government guidance on negotiated planning obligations to include a broader definition on

Mike Holford

where the contributions may be used, including pooling contributions from several sites be welcomed.

(2) That the introduction of an optional planning charge where it is agreed by both the developer and the local planning authority be welcomed.

(3) That the fact that the proposals could help to speed up the determination of individual planning applications be noted.

(4) That it be noted that the resources required by local authorities to develop appropriate policies in their local planning documents are likely to be at least as great as in the current system and that local authorities will need additional expertise in some areas.

(5) That in view of the steps the City Council has initiated to improve its planning obligation system, the City Council would welcome piloting future Government proposals.

(6) That the detailed comments in paragraphs 3.8, 3.15 and 3.16 be forwarded to the Office of the Deputy Prime Minister as part of the City Council's formal view.

139. COMMUNAL WASTE CONTAINERS – UPDATE

139.1 The Committee considered a report of the Director of Environment providing an update on the interim consultation commenced in early December and the results of the review conducted as a consequence of this consultation (see minute book).

139.2 In addition the Committee considered a letter submitted by Councillor Pannington, the Notice of Motion submitted by Councillor Elgood, and members of the deputation at the Council meeting on 22 January 2004 had also been invited to listen to the debate.

139.3 The Chair informed the Committee that there had been considerable improvements in the refuse and street cleaning performance since it had been brought back in-house. However, both the Audit Commission and the Council's own waste survey had highlighted dirty streets, particularly in the town centre areas, caused by the lack of adequate refuse containerisation.

139.4 In addition she reminded members that in January 2002, a communal container and wheelie bin trials had been approved as part of the Council's Best Value Review of Waste Management. In July 2003 the Committee had agreed to the making of an experimental traffic order to site the containers on the highway

subject to consultation with the residents.

139.5 At the meeting in December and in view of concerns that had been expressed at the time, the Chair had asked officers to review every street in the trial area so that the suitability of the containers could be assessed; so that the number of car parking places that would be lost could be reduced and to bring a report to this Committee with the results of that review.

139.6 As a result of the review the number of parking spaces that would be lost has been reduced from a potential 133 to 47; and some streets had been suspended from the scheme for further discussion with the residents. The trial was a serious attempt to address the split black bag problem as well as making the refuse service more efficient and to extend the kerbside recycling to 5000 more households.

139.7 Councillor Mrs Drake felt that there had not been enough consultation and that as a result individual issues had not been looked at sympathetically. In the circumstances she put forward the following amendment:

(1) That the report be noted.

(2) That it be noted that, following consultation, the introduction of the communal bin scheme in streets listed under schedule 1 below has been suspended until after consultation on alternative options for containerisation is completed.

(3) That it be further noted that the introduction of the scheme has also been suspended from the streets listed in schedule 2 until after consultations regarding the practice of putting refuse sacks directly onto the pavement for collection has been completed.

(4) That the Director of Environment be authorised to undertake the consultation referred to in paragraphs 2.2 and 2.3 above and to make decisions following consultation but no communal bin scheme shall be introduced in these streets until after the Committee considers the report referred to in paragraph 2.8 below.

(5) That Vernon Terrace be added into the list under schedule 2, providing that no communal bin scheme is introduced in the street until after the Committee considers the report referred to in paragraph 2.8 below.

(6) That the Committee endorses the introduction of the pilot Communal Refuse Scheme in the streets listed under schedule 3 below for a trial period of 12 months beginning on 2 February 2004.

(7) That the Director of Environment be authorised to take all steps necessary or incidental to the implementation of the scheme.

(8) That in view of the concerns expressed by the residents, the Director of Environment be instructed to undertake an interim review of the operation of the scheme and report to the Committee in 6 months time.

SCHEDULE 1

Streets to be subject to consultation regarding alternative options for containerisation

- Clifton Road
- Powis Villas
- Montpelier Crescent

SCHEDULE 2

Streets to be subject to consultation regarding placing of refuse sacks on the footway

- Victoria Road
- Norfolk Road
- Vernon Terrace

SCHEDULE 3

Streets included in the scheme from 2 February 2004

- | | |
|---------------------|----------------------|
| • Albert Road | • Farm Road |
| • Alexandra Villas | • Goldsmid Road |
| • Alfred Road | • Lansdowne Street |
| • Bath Street | • Leopold Street |
| • Bedford Place | • Montpelier Road |
| • Belvedere Terrace | • Norfolk Terrace |
| • Brunswick Place | • Oriental Place |
| • Brunswick Road | • Powis Road |
| • Buckingham Road | • Sillwood Street |
| • Cambridge Road | • St Michael's Place |
| • Compton Avenue | • Western Street |
| • Denmark Terrace | • York Road |

139.8 Councillor Kemble seconded the amendment.

139.9 Councillor Davidson was invited to speak about the Notice of Motion that had been referred to this Committee by the Council in accordance with Procedural Rule 9.2.

139.10 The Notice of Motion was as follows:

This Council notes that a significant number of objections have been raised by residents over the forthcoming implementation of the communal bin pilot in the city centre.

This Council agrees to acknowledge these concerns by bringing forward a report to the next Environment Committee (or Urgency Sub-Committee if required) in consultation with Ward Councillors, to review the streets included in the scheme and remove the ones from which significant levels of opposition have arisen.

139.11 Councillor Davidson informed the Committee that there was a considerable strength of feeling against the scheme and that she felt that the consultation had not been carried out properly. There would be problems for the elderly and the disabled.

139.12 On being put to the vote the amendment proposed by Councillor Drake was approved. Councillor Wrighton proposed that Compton Road and Alexandra Villas be removed from the scheme but on being put to the vote this amendment was lost. On being put to the vote the Notice of Motion was not supported.

139.13 **RESOLVED** – (1) That the report be noted.

Gillian Marston

(2) That it be noted that, following consultation, the introduction of the communal bin scheme in streets listed under schedule 1 below has been suspended until after consultation on alternative options for containerisation is completed.

(3) That it be further noted that the introduction of the scheme has also been suspended from the streets listed in schedule 2 until after consultations regarding the practice of putting refuse sacks directly onto the pavement for collection has been completed.

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| • Bedford Place | • Montpelier Road |
| • Belvedere Terrace | • Norfolk Terrace |
| • Brunswick Place | • Oriental Place |
| • Brunswick Road | • Powis Road |
| • Buckingham Road | • Sillwood Street |
| • Cambridge Road | • St Michael's Place |
| • Compton Avenue | • Western Street |
| • Denmark Terrace | • York Road |

140. REVIEW OF OUTDOOR EVENTS 2003

140.1 The Committee considered a report of the Director of Environment concerning the programme of outdoor events and filming staged in Brighton and Hove in 2003 (for copy see minute book).

140.2 **RESOLVED** - That the report be noted.

Ian Taylor

***141. EVENTS IN THE PARKS AND OPEN SPACES 2004**

141.1 The Committee considered a report of the Director of Environment setting out the proposed programme of special events for the parks and open spaces in 2004 and seeking Landlord's consent (see minute book).

141.2 Councillor Smith suggested that the fees should be reviewed when the event was for commercial purposes. It was noted that there was a need to review the fees and that the Committee would consider a report in due course.

141.3 Councillor Smith also raised the question of the closure of Church Street between 12.00 and 18.00 referred to in paragraph 3.10 of the report and it was agreed that the Head of Leisure and Events investigate this and respond to Councillor Smith in due course.

141.4 Councillor Wrighton put forward an amendment that the events be approved as listed in Appendix A except those involving performing animals pending a report back to this committee for a review of Council policy on this issue. Councillor Wrighton was informed that the policy on performing animals would be reviewed and that a report would be submitted to the Committee for consideration.

141.2 **RESOLVED** - (1) That the events listed in Appendix A be approved.

Ian Taylor

(2) That officers be authorised to enter into formal agreements with event organisers and to determine conditions and fees as appropriate.

(3) That the Director of Environment be instructed to update this Committee on the outcome of negotiations for Party in the Park in due course.

(4) That the Director of Environment be instructed to prepare a report on the fees charged for commercial ventures staging events in parks and open spaces for consideration by the Committee in due course.

(5) That the concerns expressed by Councillor Wrighton in

relation to performing animals be noted and those concerns be considered as part of the review on animal welfare policies.

142. SPECIAL EVENTS – MADEIRA DRIVE CLOSURE 2004

142.1 The Committee considered a report of the Director of Environment setting out the proposed programme of special events on Madeira Drive in 2004 and seeking approval for the associated road closures (see minute book).

142.2 **RESOLVED** - (1) That the 2004 programme for Special Events on Madeira Drive as listed in Appendix A be approved.

Ian Taylor

(2) That officers be authorised to enter into formal agreements with event organisers and to determine conditions and fees as appropriate.

143. SEASIDE PLEASURE BOAT BYELAWS

143.1 The Committee considered a report of the Director of Environment seeking approval for the proposed change to the Byelaws for Seaside Pleasure Boats on the city's foreshore (see minute book).

143.2 **RESOLVED** – That consideration of this item be deferred to enable further consultation to be carried out.

Chris Holm

***144. LICENSING INSPECTION UNIT: OBSTRUCTIONS ON THE HIGHWAY**

144.1 The Committee considered a report of the Assistant Director, Public Safety Division detailing the work being undertaken by the Licensing Inspection Unit following a query regarding the impact of building works intruding upon the highway (see minute book).

144.2 **RESOLVED** - That the report be noted.

Ian Denyer

***145. GEORGE STREET, HOVE – EXTENSION TO HOURS OF PEDESTRIANISATION**

145.1 The Committee considered a report of the Director of Environment concerning the representations received to the experimental Traffic Regulation Order introduced to extend the hours of pedestrianisation in George Street, Hove until 6.00pm and seeking approval to make the revised hours of pedestrianisation (10.00am to 6.00pm Monday to Saturday) permanent (see minute book).

145.2 Councillor Kemble suggested an amendment that the proposed revised hours of the scheme only be extended from 1 April

to 31 October in any year as it could not operate effectively in hours of darkness during the winter. The amendment was accepted by the Committee.

145.2 **RESOLVED** - – (1) That the representations received to the experimental Traffic Regulation Order introduced to extend the hours of pedestrianisation in George Street, Hove until 6.00pm be noted.

Peter Bloxham

(2) That the revised hours of pedestrianisation (10.00am to 6.00pm Monday to Saturday) introduced under an Experimental Traffic Regulation Order be made permanent but only from 1 April to 31 October in any year and that the hours be limited to 10.00am to 4.00pm Monday to Saturday during the remainder of the year.

(3) That authority be given to make and advertise any traffic regulation orders that may be necessary in order to implement (2) above.

(4) That if at all possible a permanent order be introduced to take effect from 1 April 2004.

***146. BRIGHTON STATION: PROPOSED PARKING AND VEHICLE PROHIBITIONS ORDER**

146.1 The Committee considered a report of the Director of Environment concerning the objections received to proposed amendments to existing parking restrictions, new controlled parking restrictions on the new roads and amending prohibiting vehicle movements in the Brighton Station area in connection with the redevelopment (see minute book).

146.2 **RESOLVED** - That the Traffic Regulation Order as advertised be approved and also the various traffic management measures.

Laura Peacock

***147. HANOVER CAR CLUB: PROPOSED PARKING SPACES**

147.1 The Committee considered a report of the Director of Environment concerning objections received to proposed Hanover Car Club parking places and reductions to existing double yellow lines (see minute book).

147.2 **RESOLVED** - (1) That the Traffic Order as advertised, be approved which will allow Car Club spaces to be implemented in Windmill Street, Whichelo Place, Islingword Road, Holland Street, Jackson Street and Lewes Road.

Laura Peacock

(2) That in order to facilitate this, sections of waiting restrictions

be reduced accordingly.

148. EXPERIMENTAL CLOSURE OF DOWNLAND ROAD AND SEAVIEW ROAD, WOODINGDEAN

148.1 The Committee considered a report of the Director of Environment detailing the outcome of the recent consultation exercise undertaken in the Downland Road area of Woodingdean and seeking approval for an Experimental Traffic Order to close Downland Road at its junction with Seaview Road (for copy see minute book).

148.2 **RESOLVED** - (1) That the experimental closure of Downland Road and Seaview Road for a period of 18 months with a review after six months be approved.

Elaine Dignan

(2) That, in conjunction with the experimental closure of Downland Road, consultation takes place with the residents of Hillview Road, Holtview Road and Channel View Road to ascertain any detriment to those roads as a result of the proposed closure.

149. WOODINGDEAN AREA TRAFFIC CALMING

149.1 The Committee considered a report of the Director of Environment concerning the traffic calming proposals being developed for the Woodingdean area and seeking authority to carry out a full public consultation and detailed design (see minute book).

149.2 **RESOLVED** - (1) That the proposed traffic calming measures as set out in the report be approved.

Elaine Dignan

(2) That a full public consultation exercise be carried out to be followed by the preparation of a detailed design of the scheme.

***150. LINEAR TRAFFIC CALMING**

150.1 The Committee considered a report of the Director of Environment seeking approval of the assessment and prioritisation process applied to the sites throughout the city identified for Linear Traffic Calming (for copy see minute book).

150.2 Authorisation was sought for the two schemes ranked as highest priority in the assessment process (Ditchling Road and Hangleton Road) to be developed further and taken to full public consultation.

150.3 **RESOLVED** — (1) That the assessment and prioritisation process applied to the sites throughout the City identified for Linear Traffic Calming be approved.

Peter Bloxham

(2) That authorisation be given for the two schemes ranked as highest priority in the assessment process (Ditchling Road and Hangleton Road) to be developed further and taken to full public consultation.

151. NORTH LAINE TRAFFIC CALMING (PHASE 3) - GARDNER STREET

151.1 The Committee considered a report of the Director of Environment concerning the outcome of the full public consultation undertaken on the preliminary design for the North Laine Traffic Calming Scheme (Phase 3) in Gardner Street and seeking authority to progress the scheme to detail design and subsequent implementation (for copy see minute book).

151.2 **RESOLVED** - (1) That the outcome of the full public consultation undertaken on the preliminary design for the North Laine Traffic Calming Scheme (Phase 3) in Gardner Street be noted.

Peter Bloxham

(2) That authorisation be given for the preliminary design to be taken forward to detail design and subsequent implementation.

152. SCHOOL TRAVEL STRATEGY

152.1 The Committee considered a report of the Director of Environment presenting, for consideration, Brighton & Hove City Council's first 'School Travel Strategy' (see minute book).

152.2 **RESOLVED** - (1) That the objectives of the School Travel Strategy stated in section 2 of the Strategy be approved.

Lisa Simmonds

(2) That the performance indicators stated in section 6 and the accompanying targets stated in section 7 of the Strategy be approved.

(3) That the £26,000 per annum to be received from the Department for Transport and the Department for Education and Skills for the financial years 2004/5 and 2005/6 be used to fund a new post 'Assistant School Travel Officer', to work with the School Travel Officer to encourage more schools to develop school travel plans, collect annual school travel data, promote and set up new Walking Buses and to promote the services of Road Safety Education.

(4) That the requirement for the council to submit an annual review to indicate how we have progressed in increasing the number of school travel plans that are in place and if the proportion of children travelling to school by car has been reduced be noted.

(5) That the School Travel Strategy be endorsed by the Children, Families and Schools Sub-Committee, in order for the Environment and Children, Families and Schools Departments to have joint ownership of the Strategy.

***153. DYKE ROAD, WESTERN ROAD AND NORTH STREET BUS CORRIDOR IMPROVEMENTS**

153.1 The Committee considered a report of the Director of Environment concerning the response to the consultation on proposed improvements to the corridor along North Street, Western Road and Dyke Road and seeking approval for formal advertisement of Traffic Regulation Orders to these changes (see minute book).

153.2 Councillor Wrighton enquired whether it was possible to restrict the scheme to before 10am and after 10pm when the traffic flows were significantly different. It was agreed that steps would be taken to see if this could be incorporated in the scheme.

153.2 **RESOLVED** - That the advertisement of the Traffic Regulation Orders relating to the scheme as shown in outline in Figure 1 as amended in paragraph 3.6 of the report, and implementation, subject to formal representations received be approved.

**Andrew
Westwood**

154. ITEMS TO GO FORWARD TO COUNCIL

154.1 **RESOLVED** – That the political groups advise the Committee Administrator of any items that they wish to be referred to Council.

PART 2 SUMMARY

155. AWARD OF CONTRACTS FOR LEISURE MANAGEMENT – EXEMPT CATEGORY 9

155.1 The Committee considered a report of the Director of Environment in relation to Leisure Facilities Management – Tenders.(see minute book).

155.2 The Committee agreed the recommendation for submission to the Policy and Resources Committee.

156. GROUNDS MAINTENANCE AND OTHER ASSOCIATED SERVICES – EXEMPT CATEGORY 9

156.1 The Committee considered a report of the Director of Environment in relation to Grounds Maintenance and other

associated services (see minute book).

156.2 The Committee agreed the recommendation for submission to the Policy and Resources Committee.

157. ARBORICULTURAL MAINTENANCE TENDERS – EXEMPT CATEGORY 9

157.1 The Committee considered a report of the Director of Environment in relation to Arboricultural Maintenance Tenders (see minute book).

157.2 The Committee agreed to recommend option (b) for submission to the Policy and Resources Committee.

157A GOLF COURSES – TENDERS – EXEMPT CATEGORY 9

157A.1 The Committee considered a report of the Director of Environment in relation to Golf Courses Tenders (see minute book).

157A.2 The Committee agreed to recommend option 1 for submission to the Policy and Resources Committee.