

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT COMMITTEE

5.00PM – 18 MARCH 2004

BRIGHTON TOWN HALL

MINUTES

Present: Councillor Mitchell (Chair); Councillors Battle (Deputy Chair), Kielty, Morgan, Norman, Peltzer Dunn, Pennington, Pidgeon, Smith, Watkins and Wrighton.

PART ONE

ACTION

159. PROCEDURAL BUSINESS

159A. Declarations of Substitutes

159.1	<u>Substitute Councillor</u>	<u>For Councillor</u>
	Councillor Kielty	Councillor Fitch
	Councillor Pennington	Councillor Forester
	Councillor Watkins	Councillor Elgood
	Councillor Norman	Councillor Mrs Drake
	Councillor Pidgeon	Councillor Kemble

159B. Declarations of Interest

159.2 There were none.

159C. Exclusion of Press and Public

159.3 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.

159.4 **RESOLVED** - That the press and public be not excluded from the meeting during consideration of any of the items on the

agenda.

159.5 With the agreement of the Committee Chair, items 178 and 180 were brought forward and considered after item 172 on the agenda.

160. MINUTES

160.1 The meeting noted the following amendments to the minutes:

At 134.3 'Stable' should read 'Sustainable'

At 139.12 'Compton Road' should read 'Compton Avenue'. In addition an amendment to the Notice of Motion proposed by Councillor Wrighton requiring that the trial be suspended was not supported.

At 141.3 Councillor Smith had also requested that Gardner Street remain open for an extra half-hour until 10pm during the Brighton Festival.

At minute 144.1 the work being undertaken regarding obstructions on the highway would take into account the considerate builder scheme.

At 153.2 'Before' should read 'between'

160.2 At 141.2 and 141.3 the officers were asked to report to the next Committee and to clarify with Councillor Smith a matter of the location of the closure of Church Street.

160.3 **RESOLVED** - That subject to the amendments minuted above the minutes of the meeting held on 29 January 2004 be approved and signed by the Chair.

161. CHAIR'S COMMUNICATIONS

161.1 On behalf of the Committee the Chair, Councillor Mitchell congratulated the Assistant Director, City Planner, and officers for the improved performance. The recent achievements of the Division had been recognised by the government and had resulted in an extra £620,000 government funding.

161.2 Following concerns about a proposed closure to traffic of Carden Avenue relating to Brighton and Hove Albion Football Club, the Chair told the meeting that the application for a traffic regulation order was being withdrawn in order that alternative sustainable transport measures could be developed.

162. CALLOVER

162.1 **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.

163. LETTER: HOVE PARK COLTS FOOTBALL CLUB

163.1 The Committee considered a letter from Councillor Willows concerning the home of the Hove Park Colts Football Club (for copy see minute book).

163.2 **RESOLVED** - (1) That the letter be received and noted.

(2) That officers meet Councillor Willows to discuss the points raised.

164. PETITION: INTRODUCTION OF COMMUNAL BINS

164.1 The Committee received the following petition, signed by 69 people, presented at Council on 22 January 2004 by Councillor Williams:

"Residents Petition Against Communal Bins in the Following Areas 'UN-SPECIFIED'."

"We, the undersigned, protest in the strongest possible terms to the introduction of communal bins. We believe they will cause many, or all, of the following problems which the Council has not adequately considered, or taken action to prevent:

- Fly tipping
- Loss of parking spaces
- Danger to the elderly and infirm
- Lack of hygiene on the streets

The Council must now concede that the action they wish to take is inappropriate, and that the street/area named above be removed from those taking part in the communal bin system, whether it be a trial or full scheme.

We are happy to consider other ideas they or Cityclean may have, if they are applicable to our street, and on the understanding that they are presented and discussed in a democratic fashion."

164.2 **RESOLVED** - That the petition be received and noted.

165. PETITION: INTRODUCTION OF COMMUNAL BINS

165.1 The Committee received the following petition, signed by 51 people, presented at Council on 22 January 2004 by Councillor Williams:

"Residents Petition Against Communal Bins in the Following Area 'Compton Avenue'."

"We, the undersigned, protest in the strongest possible terms to the introduction of communal bins. We believe they will cause many, or all, of the following problems which the Council has not adequately considered, or taken action to prevent:

- Fly tipping
- Loss of parking spaces
- Danger to the elderly and infirm
- Lack of hygiene on the streets

The Council must now concede that the action they wish to take is inappropriate, and that the street/area named above be removed from those taking part in the communal bin system, whether it be a trial or full scheme.

We are happy to consider other ideas they or Cityclean may have, if they are applicable to our street, and on the understanding that they are presented and discussed in a democratic fashion."

165.2 **RESOLVED** - That the petition be received and noted.

166. PETITION: INTRODUCTION OF COMMUNAL BINS

166.1 The Committee received the following petition, signed by 56 people, presented at Council on 22 January 2004 by Councillor

Williams:

"Residents Petition Against Communal Bins in the Following Area 'Alexandra Villas'."

"We, the undersigned, protest in the strongest possible terms to the introduction of communal bins. We believe they will cause many, or all, of the following problems which the Council has not adequately considered, or taken action to prevent:

- Fly tipping
- Loss of parking spaces
- Danger to the elderly and infirm
- Lack of hygiene on the streets

The Council must now concede that the action they wish to take is inappropriate, and that the street/area named above be removed from those taking part in the communal bin system, whether it be a trial or full scheme.

We are happy to consider other ideas they or Cityclean may have, if they are applicable to our street, and on the understanding that they are presented and discussed in a democratic fashion."

166.2 **RESOLVED** - That the petition be received and noted.

167. PETITION: INTRODUCTION OF COMMUNAL BINS

167.1 The Committee received the following petition, signed by 70 people, presented at Council on 22 January 2004 by Councillor Davidson:

"Residents Petition Against Communal Bins in the Following Area 'Alexandra Villas'."

"We, the undersigned, protest in the strongest possible terms to the introduction of communal bins. We believe they will cause many, or all, of the following problems which the Council has not adequately considered, or taken action to prevent:

- Fly tipping
- Loss of parking spaces
- Danger to the elderly and infirm
- Lack of hygiene on the streets

The Council must now concede that the action they wish to take is inappropriate, and that the street/area named above be removed from those taking part in the communal bin system, whether it be a trial or full scheme.

We are happy to consider other ideas they or Cityclean may have, if they are applicable to our street, and on the understanding that they are presented and discussed in a democratic fashion."

167.2 **RESOLVED** - That the petition be received and noted.

168. PETITION: CONTAINER BINS – NORFOLK ROAD

168.1 The Committee received the following petition, signed by 44 people, presented at Council on 22 January 2004 by Councillor Elgood:

"We, the undersigned residents of Norfolk Road, wish to express our complete opposition to the proposed trial of container bins in our road. We do not wish to take part in any such trial."

168.2 **RESOLVED** - That the petition be received and noted.

169. PETITION: PORTLAND ROAD, HOVE

169.1 The Committee received the following petition, signed by 100 people, presented at Council on 22 January 2004 by Councillor Elgood:

"We the undersigned request the City Council to investigate traffic management and safety measures in Portland Road, Hove as a matter of urgency.

Portland Road is a busy thoroughfare, a lively shopping street and a popular residential area. There are two schools and a large nursery school on Portland Road.

Cars are increasingly travelling at great speed along Portland Road causing a danger to pedestrians and other road users alike.

Residents and traders are in agreement that speed controls and safety measures must be implemented as soon as possible."

169.2 The Committee discussed the petition alongside item 171. Members heard that an assessment would be carried out for this area and all Ward Councillors would be notified of the priority ranking for traffic calming measures

169.3 **RESOLVED** - That the petition be received and noted.

170. PETITION: BLADE REPLICATION PRODUCTS

170.1 The Committee received the following petition, signed by

137 people, presented at Council on 22 January 2004 by Councillor Mrs Theobald:

"Shops aimed at young children and teenagers are selling bracelets and necklaces with replication razor blades hanging off them. Some shops are also selling T-shirts with a picture of a blade on the sleeve. Do you want young children and teenagers to think a razor blade is a pretty adornment or do you want this sharp object, associated with Self-Harm (sic), to be banned? If yes, please sign below."

170.2 The Assistant Director said with the exception of general under-age sales restrictions, the Council had no powers to regulate this type of merchandise but could possibly lobby for additional powers. This will be considered further and the petitioner contacted; but it would difficult to define which objects should be included in a general ban.

170.3 **RESOLVED** - That the petition be received and noted.

171. PETITION: TRAFFIC CALMING MEASURES IN LAWRENCE ROAD

171.1 The Committee received the following petition, signed by 26 people, presented at Council on 22 January 2004 by Councillor Oxley:

"We, the under-signed (sic) insist that the Council provide a number of traffic calming measures in Lawrence Road to ensure the safety of our children."

171.2 The petition was considered together with item 169 (above). At the invitation of the Chair, Councillor Peltzer Dunn made a statement on behalf of Councillor Oxley, on traffic and parking problems in Lawrence Road. (For copy see minute book)

171.3 The Director, Environment, said a number of queries had been received on traffic and parking issues across the City. This area has been assessed and was ranked 14/25 in priority for traffic calming measures. As regards parking, schemes in individual wards had citywide implications and a report would be brought to the next committee on the wider programme of measures across the whole city.

171.4 **RESOLVED** - (1) That the petition and statement be received and noted.

(2) That a report be brought to the next Committee meeting

with an overview of schemes across the City.

***172. BEST VALUE PERFORMANCE REPORT QUARTER 3 2003/2004**

172.1 The Committee considered a report of the Director of Environment presenting the 2003/04 quarterly performance indicator (PI) results for all indicators for which the Environment Committee is the Service Committee. These indicators are taken from the statutory Best Value Performance Indicator (BVPI) suite. (For copy see minute book).

172.2 It was noted that the report should be titled 'Quarter 3' and not 'Quarter 2,' and that the financial and legal implications of the report needed updating.

172.3 **RESOLVED** - (1) That the Performance Indicator results achieved during the third quarter 2003/04 (as detailed in the abridged Q3 Best Value Performance Report 2003/04) be noted.

(2) To note that the 2002/03 year end results have been audited.

(3) That the 2002/03 quartile comparison data be noted.

173. STOPPING-UP PART OF A PUBLIC FOOTPATH – ST JAMES'S PLACE

173.1 The Committee considered a report of the Director of Environment detailing the making of the Stopping-up Order, the objections to the proposals and responses from statutory undertakers and seeking a decision to request the Secretary of State to confirm the Order. (For copy see minute book).

173.2 **RESOLVED** - That the Stopping-up Order (relating to part of the public footpath at St James's Place) be submitted to the Secretary of State for confirmation.

***174. CONSULTATION ON DRAFT PLANNING POLICY STATEMENT 6 (PPS6): PLANNING FOR TOWN CENTRES**

174.1 The Committee considered a report of the Director of Environment seeking endorsement of the Council's consultation response to draft PPS6, which will be reported back to the Office of the Deputy Prime Minister (ODPM). (For copy see minute book).

174.2 The Assistant Director was asked to provide further information to Councillor Wrighton who asked a question on

sustainability checklist at paragraph 4.2 of the report.

174.3 **RESOLVED** - (1) That the changes and implications regarding national planning policy advice outlined in this report be noted.

(2) That the Council's response to the Office of the Deputy Prime Minister, as set out in paragraphs 4.2 to 4.7 of the report be endorsed.

175. SUPPLEMENTARY PLANNING GUIDANCE – FIRE PRECAUTION WORKS

175.1 The Committee considered a report of the Director of Environment seeking approval to carry out public consultation on the latest draft Supplementary Planning Guidance Note (SPG), on the subject of Fire Precaution Works to Historic Buildings. (For copy see minute book).

176. FOOD LAW ENFORCEMENT SERVICE PLAN

176.1 The Committee considered a report of the Director of Environment seeking agreement to the Food Law Enforcement Service Plan as required by the Food Standards Agency. (For copy see minute book).

176.2 **RESOLVED** - To recommend to Council, approval of the Food Law Enforcement Service Plan as set out in Appendix A.

***177. HEALTH AND SAFETY ANNUAL SERVICE PLAN**

177.1 The Committee considered a report of the Director of Environment seeking the adoption of the statutory Health and Safety Annual Service Plan as required by guidance issued by the Health and Safety Commission (HSC) under S.18 of the Health and Safety at Work etc Act 1974. (For copy see minute book).

177.2 **RESOLVED** - (1) That the 'Health and Safety Annual Service Plan, April 2004-March 2005' be approved.

(2) That the Director of Environment be instructed to make suitable and appropriate amendments to the Plan as a result of the end of year figures.

(3) That the Plan is published in accordance with guidance issued under S.18, Health and Safety at Work etc Act 1974.

***178. OLD STEINE WAR MEMORIAL RAILINGS**

178.1 The Committee considered a report of the Director of Environment concerning the recommendations of the War Memorial Scrutiny Review Panel set up in response to requests from

several ex-services associations for the provision of higher railings around the War Memorial and the response to the recommendations made. (For copy see minute book).

178.2 At the invitation of the Chair, Councillor Geoffrey Theobald explained why he had raised the issue for scrutiny and said the work as recommended should be carried out without delay. If planning permission were needed this should have been progressed sooner.

178.3 The Assistant Director said the planned maintenance budget for all war memorials in the city was £6,000; the undertaking of the work as recommended by the scrutiny review would mean that no work on other war memorials could be done at present.

178.4 The Director said it was intended to install higher railings and other works to the war memorial in The Old Steine speedily and in time for Remembrance Sunday this year.

178.5 Councillor Wrighton said it was important that an understanding of past sacrifices would be included in implementing the other scrutiny recommendations.

178.6 On behalf of the Committee the Chair thanked the Ex-Services Associations for their participation in the review.

178.7 **RESOLVED** - (1) To request that new railings with a height of 3 feet 6 inches be installed, subject to obtaining any relevant planning permission and the cost being less than £6,500.

(2) To request a further report on the cost of the other proposals from the Scrutiny Panel as detailed in the report.

***179. BEST VALUE REVIEW OF APPEARANCE**

179.1 The Committee considered a report of the Director of Environment on the progress made in relation to the Best Value Review of Appearance. (For copy see minute book).

179.2 **RESOLVED** - (1) That the contents of the report be noted.

(2) That the review had been substantially implemented and that for Best Value purposes the review is complete.

***180. UPDATED RESPONSE TO PATCHAM PLACE PAVILION SCRUTINY**

180.1 The Committee considered a report of the Director of Environment on the progress of the responses to the eleven recommendations made by the Patcham Place Pavilion Scrutiny Panel. (For copy see minute panel).

180.2 At the invitation of the Chair, Councillor Geoffrey Theobald,

who had requested scrutiny of the matter, said he welcomed the pavilion being erected and pitches being renovated, as more sports grounds and pavilions were needed. Sports should attract the same effort by the Council as arts and music. The appointment to the new post of Sports Officer was also pleasing.

180.3 The Assistant Director reported further development of a draft Sports Strategy which would be presented to the September meeting of the Committee.

180.4 **RESOLVED** - (1) To instruct officers to make further bids to all available potential sources to further implement the recommendations of the Patcham Place Pavilion Scrutiny Panel.

(2) That the contents of the report be noted.

***181. MADEIRA DRIVE: CHILDREN'S PLAYGROUND TOILETS**

181.1 The Committee considered a report of the Director of Environment seeking approval to apply for planning permission and seek tenders for the connection of services (electricity, gas, water and drainage) and the erection of a new 'chalet style' children's toilet block on the site that currently occupies the new children's playground that was opened in July 2003. (For copy see minute book).

181.2 **RESOLVED** - (1) To apply for planning permission for the erection of children's toilet facilities and seek appropriate consents for the connection of services.

(2) To prepare tender documentation and let tenders for the erection of the facilities and connection of services.

(3) To prepare a further report on the options for future development between Brighton Pier and the Banjo Groyne.

***182. MADEIRA DRIVE EXPERIMENTAL ROAD CLOSURE ORDER**

182.1 The Committee considered a report of the Director of Environment detailing the objections to the Experimental Traffic Regulation Orders for the temporary closure of Madeira Drive. (For copy see minute book).

182.2 Councillor Battle asked for more information about dispersal orders dealing with spontaneous gatherings (para 3.4.2 of the report refers). The Assistant Director said new legislation in this area was expected and the Council's options for using this power more frequently would be investigated.

182.3 **RESOLVED** - To approve the permanence of the Experimental

Traffic Regulation Order, (introduced in September 2002 and amended in August 2003) allowing the temporary closure of Madeira Drive and Duke's Mound.

***183. VARIOUS TRAFFIC ORDERS**

183.1 The Committee considered a report of the Director of Environment concerning taking out several sites from advertised Traffic Regulation Orders after objections had been received. (For copy see minute book).

183.2 **RESOLVED** - That the Brighton & Hove (Various Roads) Order Amendment 2003 and The Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2001 Amendment * 2004 be approved but with Tongdean Road, Meadow Close, Valley Drive, Dyke Road and Goldstone Villas removed.

***184. CRANMER AVENUE – PROPOSED LEGAL DISABLED BAYS**

184.1 The Committee considered a report of the Director of Environment concerning objections received to proposed parking restrictions in Cranmer Avenue, Hove and seeking approval for the proposals to be implemented. (For copy see minute book).

184.2 **RESOLVED** - That the making of the Disabled Bay Traffic Order as advertised, be approved.

185. ITEMS TO GO FORWARD TO COUNCIL

185.1 **RESOLVED** - That items 178 War Memorial Railings Response to the Scrutiny Review and 180 Patcham Place Update report be reported to the next Council meeting.

PART TWO

186. ITEMS TO REMAIN EXEMPT FROM DISCLOSURE TO THE PRESS AND PUBLIC

186.1 **RESOLVED** - That no items remain exempt from disclosure to the press and public.

The meeting concluded at 6.40pm

Signed

Chair

Dated this

day of

2004