

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT CABINET MEMBER MEETING

4.00pm 6 NOVEMBER 2008

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillor Mitchell (Opposition Spokesperson)

Other Members present: Councillors Bennett, Carden, Caulfield, Davey, Davis, Fallon-Khan, Harmer-Strange, Kennedy, Oxley, Rufus, Watkins and Young

PART ONE

55. PROCEDURAL BUSINESS

55a Declarations of Interests

55.1 There were none.

55b Exclusion of Press and Public

55.2 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Environment considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press or public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

55.3 **RESOLVED** – That the press and public be not excluded from the meeting.

56. MINUTES OF THE PREVIOUS MEETING

56.1 **RESOLVED** – The minutes of the meeting held on 11 September 2008 were approved and signed by the Cabinet Member as a correct record.

57. CABINET MEMBER'S COMMUNICATIONS

57.1 There were none.

58. ITEMS RESERVED FOR DISCUSSION

58.1 **RESOLVED** – That all the items be reserved for discussion.

59. PUBLIC QUESTIONS**59(i) Public Question – Mr. R Pennington**

59.1 This public question was taken immediately prior to Item 68.

59.2 Mr Pennington asked the following question:

“Given the significant discrimination against disabled persons caused by car-free developments and the associated Traffic Regulation Order, and given that the report has no comparative studies of what other authorities do to mitigate that discrimination, and given that local organisations for the disabled have not been consulted on these TRO’s in any meaningful way, and given that there is no urgency on this matter as the other elements of the TRO can be approved and the car-free elements can be delayed, why has the TRO not been designed to allow a disabled resident to have a resident’s permit?”

59.3 The Cabinet Member stated that the question was closely linked to an element of Item 68 and thanked Mr Pennington for his patience in waiting for the main agenda item to come forward. The Cabinet Member stated that the council fully recognised the interest in the matter that had previously been expressed by the Federation of Disabled People, through Mr Pennington, as their co-opted representative, on the council’s Planning Committee. The Cabinet Member informed Mr Pennington that, in accordance with the Planning Committee’s recent resolution, he would be receiving a fuller report on the policy approach on the matter at the next Environment Cabinet Member Meeting in December and that this would enable him to formally consider the matter and any potential changes to the way in which it would be addressed. The Cabinet Member confirmed that until the next meeting, the approach that officers have taken in addressing his objections to this particular Traffic Regulation Order was consistent with previous decisions, in that there were a number of alternative parking options available to disabled people with a blue badge who may choose to live in a car-free development. The Cabinet Member added that he was hopeful that it would be possible to reach a satisfactory conclusion, and that Mr Pennington was welcome to attend the meeting in December.

59.4 Mr. Pennington asked the following supplementary question:

“Can parts of the Traffic Regulation Order therefore be deferred until the outcome of the meeting in December?”

59.5 The Cabinet Member reiterated that until that meeting the current policy would continue to apply.

59(ii) Public Question – Mr T Chavasse

59.6 Mr. Chavasse asked the following question:

“Following inadequate preparation for halving Refuse Collections from large Brunswick Town HMOs, also causing litter by collection now being on a different day to recycling, 3 out of 4 collections have been made on the wrong day. We would, however, like to help with another useful question. Would you provide an assurance that we will now really be meaningfully consulted on the planned change of Recycling day so that it again coincides with refuse collection? Thereby reverting to the most cost effective method of reducing litter and increasing recycling without further prejudicing the residents’ goodwill or another area’s requirements.”

59.7 The Cabinet Member stated that it was very difficult to schedule collections for refuse and recycling collections to take place on the same day because they were two separate services with separate crews. The Cabinet Member informed Mr Chavasse that the council was implementing refuse changes across the city which would affect 121,000 homes every week; a change of this scale would mean that it would take time for the new routes to bed in and he hoped that by Christmas the service would have settled down. The Cabinet Member requested that ward councillors and residents be patient, but recognised that it was important to work with them. The Cabinet Member pledged to ask officers to meet with the residents association and ward councillors to discuss how the changes could be implemented. The Cabinet Member added that the council recognised that Mr Chavasse’s local knowledge and the influence of the association and ward councillors were very important to the success of implementing changes as smoothly as possible.

60. DEPUTATIONS

60.1 The Cabinet Member reported that one deputation had been referred from Council on 9 October 2008. It concerned issues of road safety in Highdown Road (for copy see minute book).

60.2 The Cabinet Member stated that he had provided a response at Council and that he now had further information to report.

60.3 That Cabinet Member asserted that whilst the Police accident data for Highdown Road showed that injury accidents were not occurring in the location, and the speed survey found that traffic speeds seemed to be reasonably well complied with, he recognised that traffic flows in the area had changed since the completion of the new pedestrian facilities. The Cabinet Member had asked officers to monitor the situation carefully and to organise a meeting with Mr. Shaw on site to discuss the concerns that have been raised, and to explore possible solutions. The Cabinet Member reported that, although Mr Shaw had been unable to attend due to work commitments, officers had visited the site and identified measures that would be implemented: to complement the existing junction entry treatment and slow markings, a further slow marking for westbound traffic would be added further down the hill and a children warning sign would be added in Highdown Road to warn drivers turning into Highdown Road of the presence of children in the road.

60.4 **RESOLVED** – That the deputation be noted.

61. PETITIONS**61(i) Petition – review of bus lanes on the A259 coast road**

61.1 The petition had been withdrawn.

61(ii) Petition – opposition to communal bins in First Avenue

61.2 Councillor Watkins presented a petition signed by 8 people concerning opposition to communal bins in First Avenue.

61.3 The Cabinet Member gave assurance that the consultation on the location of communal bins would be extended to include First Avenue.

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

61(iii) Petition – review of the Vogue Gyrotory and local area

61.5 Councillor Marsh had submitted a petition signed by 41 people concerning a request to review the Vogue Gyrotory system and local area.

61.6 Councillor Marsh was unable to attend the meeting.

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

61(iv) Petition – road safety in Highdown Road

61.8 Councillor Davis presented a petition signed by 269 people concerning road safety issues in Highdown Road.

61.9 The Cabinet Member referred Councillor Davis to his response to the deputation on the same issue at Item 60.

61.10 **RESOLVED** – That the petition be noted and written response provided to address the additional points raised by Councillor Davis.

61(v) Petition – safe access to Preston Park

61.11 Councillor Kennedy presented a petition signed by 324 people concerning safe access to Preston Park.

61.12 Councillor Kennedy submitted a late addition to the petition bringing the total to 358 signatures.

61.13 The Cabinet Member stated that he had instructed officers to investigate access into Preston Park at the specified junction and understood that, whilst there had been some minor collisions, there was no serious accident history. The Cabinet Member stated that there was an alternative crossing point to the north that was currently underused, and so would ask officers from Transport and Cityparks to further review access arrangements into the Park to find a solution.

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

61(vi) Petition – traffic calming measures in Chalky Road/Fox

61.15 Councillor Carden presented a petition signed by 288 people concerning a request for traffic calming measures in Chalky Road/Fox Way.

61.16 The Cabinet Member offered his condolences to the family and friends of the child who sadly died as a result of the collision with a car in Chalky Road. The Cabinet Member reported that he and Councillor Trevor Alford, who had previously submitted a petition on this issue, had met officers on site to discuss the issues that had been raised and explore possible actions; officers would now be investigating the possibility and feasibility of extra measures in Chalky Road.

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

61(vii) Petition – Meadowview/Tenanry local bus service

61.18 Councillor Meadows had submitted a petition signed by 19 people concerning dissatisfaction with the Meadowview/Tenanry local bus service.

61.19 Councillor Mitchell received the response on behalf of Councillor Meadows who was unable to attend the meeting.

61.20 The Cabinet Member was pleased to report that the council had renewed the contract for the supported Route 37, and so the future of this service was secure. The Cabinet Member also reported that the council had specified a low floor, wheelchair and buggy accessible bus for the service, and that Brighton & Hove Buses had put a similar vehicle on their commercial service 38, since the introduction of the Winter timetables on 28 September 2008. The Cabinet Member added that a representative of the bus company had attended the CAG meeting on 3 September 2008, and that the issues of reliability were discussed.

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

61(viii) Petition – parking in Eggington Close

61.22 Councillor Caulfield presented a petition signed by 23 people concerning parking problems in Eggington Close.

61.23 The Cabinet Member stated that officers had identified that responsibility for the grassed areas in Eggington Close was split between Housing and Highways. The Cabinet Member advised that as it was not entirely clear from the petition which areas were being suggested for parking, some further discussions would be required and I understand that the council's Housing Car Parks & Garages Manager has kindly agreed to contact the local Residents Association to discuss the matter further. The Cabinet Member added that he was sure that it would be possible for the two Directorates to work together to consider the possible options available to address residents' concerns.

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

61(ix) Petition – support for a 24 hour noise abatement service

61.25 Councillor Caulfield presented a petition signed by 493 people concerning support for a 24 hour noise abatement service.

61.26 The Cabinet Member thanked Councillor Caulfield for presenting the petition as it served as a timely reminder about the service. He stated that he was aware that sometimes residents felt that the only response to noise complaints was the weekend night time noise patrol but that the council had a full service that responded appropriately throughout the rest of the week. The Cabinet Member stated that he appreciated that many people may not have been aware of the full service offered and so felt that the council needed to communicate more clearly with the public to raise awareness of the valued, effective and extensive noise service. The Cabinet Member reported that he had asked that information would be provided in as many ways as possible including using council newsletters, City News, wider distribution of our noise information leaflets and posters.

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

61(x) Petition – parking in Maresfield Road

61.28 Councillor Morgan had submitted a petition signed by 78 people concerning parking problems in Maresfield Road.

61.29 Councillor Mitchell presented the petition on behalf of Councillor Morgan who was unable to attend the meeting.

61.30 The Cabinet Member stated that Maresfield Road would be part of a parking review of an extension to the current Area H parking scheme which was due to begin at the end of November with parking surveys. Residents in Maresfield Road would be consulted next year on whether they wished to be included within the detailed design for a parking scheme which he hope would help solve some of the parking issues

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

61(xi) Petition – request for high fence around Hove Park Bowls Club green

61.32 Councillor Fallon-Khan presented a petition signed by 48 people concerning a request to erect a high fence around Hove Park Bowls Club green.

61.33 The Cabinet Member stated that the problem with erecting a high fence around the green would be the visual impact, and that other users of the park were likely to object. The Cabinet Member advised that the newly appointed Park Rangers would help to address any problems of anti-social behaviour and that the council would consider possible solutions to the problem.

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

61(xii) Petition – congestion calming measures in Highbank

61.35 Councillor Drake had submitted a petition signed by 20 people concerning a request to consider congestion calming measures in Highbank.

61.36 Councillor Drake was unable to attend the meeting due to official Council business.

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

62. LETTERS FROM COUNCILLORS**62(i) Letter – Charges for Parking Permits**

62.1 A letter was received from Councillor Oxley regarding charges for parking permits.

62.2 The Cabinet Member stated that at the last budget meeting of the Full Council Members had voted that the charges for parking permits would increase in line with inflation, therefore, in order to change this the issue would have go back to Full Council. The Cabinet Member confirmed that the budget would allow for inflationary increases to parking permit charges only.

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

63. NOTICES OF MOTIONS REFERRED FROM COUNCIL**63(i) Notice of Motion – A Permanent Memorial for Ken Fines**

63.1 The Cabinet Member considered the following Notice of Motion proposed by Councillor Kennedy and referred from the Council Meeting on 9 October 2008 under procedural rule 8.2:

“This council wishes to place a permanent memorial to Ken Fines in the North Laine, in recognition of his outstanding contribution to conserving the built environment of Brighton & Hove.

This council would like to pay tribute to Ken Fines, Brighton’s first planning officer, who sadly died on March 24th this year.

Mr Fines served as Borough Planning Officer from 1974 until his retirement in 1983, and his vision and determination was instrumental in protecting parts of Victorian Brighton from wholesale demolition and brutal redevelopment.

Most notably, Mr Fines worked with the community to gain conservation area status for the area he named the North Laine, which is now one of the city’s most vibrant and bohemian quarters, much-loved by residents and visitors alike.

Brighton born and bred, Mr Fines was passionate about his home town and conserving the beauty of its historic built environment, and this council wishes to honour his memory by placing a permanent memorial to him within the North Laine.”

- 63.2 The Cabinet Member invited Councillor Kennedy to speak to the motion.
- 63.3 Councillor Kennedy addressed the Cabinet Member Meeting on the substantive points of the motion.
- 63.4 **RESOLVED –**
- (1) That the Notice of Motion be noted and
 - (2) That the proposal be referred to the Commemorative Plaques Committee for its comments and action and
 - (3) That as part of the process, Ken Fines' family and the North Laine Community Association be consulted.

64. MATTERS REFERRED FOR RECONSIDERATION

- 64.1 There were none.

65. REPORTS FROM OVERVIEW & SCRUTINY COMMITTEES

- 65.1 There were none.

66. WALKING NETWORK - IMPROVEMENTS

- 66.1 The Cabinet Member considered a report of the Director of Environment concerning the proposed consultation on the Walking Network capital programme works (for copy see minute book).
- 66.2 The Cabinet Member stated that the proposals were designed to improve access to the seafront, arguably the city's largest asset and attraction. Secondly, they would enhance the appearance of areas which had become tired and worn. The first phase of the Walking Network scheme sought to enhance existing pedestrian links between some of the busiest parts of central Brighton & Hove. It would increase accessibility and pedestrian movement between key destinations in the city. City centre retail, restaurant, beachfront and cultural establishments were key to Brighton & Hove's economy and the works would contribute to the economic vitality of the city by improving access and movement for its visitors, workers and shoppers.
- 66.3 Councillor Mitchell welcomed the opportunity for the spotlight to be on walking and asked that new signage be considered in addition to addressing the issue of pavement surface quality in some areas of the city.
- 66.4 The Assistant Director for Sustainable Transport commented that gas and water board works in the city had had an effect on pavements, but that the council would continue to monitor these areas.
- 66.5 The Director of Environment added that any benefits of introducing new signage would be considered against the success of the Journey On campaign and branding.

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

- (1) That officers be authorised to conduct public consultation with key stakeholders and residents on the Walking Network proposals detailed in this report. Members will be informed of the outcome of consultation and permission to proceed with the scheme will be sought at a future Environment Cabinet Member Meeting following public consultation.

67. ELM GROVE SAFER ROUTES TO SCHOOL - THE BRIGHTON & HOVE (ST LEONARD'S ROAD AND MELBOURNE STREET) (ONE WAY TRAFFIC AND PROHIBITION OF TURNING) TRAFFIC REGULATION ORDER (TRO) 200*

67.1 The Cabinet Member considered a report of the Director of Environment concerning approval of a Traffic Regulation Order (TRO) advertised as part of the Elm Grove Safer Routes to School Scheme (for copy see minute book).

67.2 The Cabinet Member stated that the scheme would help children in the Hanover and Elm Grove area travel to school in a safer way by providing a range of road safety measures that would promote safer and more sustainable journeys to and from school. The Cabinet Member explained that the report detailed objections, letters of support and responses to the recently advertised Traffic Regulation Order, which proposed a one-way westbound on St. Leonard's Road, and a right turn only from Melbourne Street, both of which were thought necessary in order to see the scheme through to completion.

67.3 Councillor Mitchell was pleased that officers had listened to the representations made and come to a satisfactory solution. She also wished to emphasise the importance of consulting with cycling groups

67.4 The Assistant Director for Sustainable Transport confirmed that the council was committed to standardising its involvement in the Cycle Forum.

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

- (1) That (having taken account of all duly made representations and objections), the making of the Brighton & Hove (St Leonard's Road and Melbourne Street) (One Way Traffic and Prohibition of Turning) Traffic Regulation Order (TRO) 200* be approved with no amendments.

68. VARIOUS CONTROLLED PARKING ZONES TRAFFIC REGULATION AMENDMENT ORDER NO* 200*

68.1 The Cabinet Member considered a report of the Director of Environment concerning approval of a Traffic Regulation Order (TRO) regarding alterations to parking restrictions within the Controlled Parking Zones (for copy see minute book).

68.2 The Cabinet Member stated that he was pleased to present the report as it consisted of a number of requests for alterations to parking restrictions within the Controlled Parking Zones. These requests were most often from residents, but could also be from

businesses, local members, or other teams within the council, such as Road Safety. The amendments often help to improve sustainable transport, for example, by providing additional motorcycle bays, or could improve accessibility for disabled people by providing disabled parking bays.

- 68.3 Councillor Kennedy stated that as a Green Party councillor and member of the Planning Committee she supported car-free developments, but was concerned that the current position locally had a discriminatory effect by not allowing blue badge holders to apply for residents' permits. She urged the Cabinet Member to defer his decision on the TRO until the decision on the report being taken to the December Cabinet Member Meeting had been made.
- 68.4 The Cabinet Member commented that until the December meeting the current policy would continue to apply, but he hoped that the Planning Committee would formulate some suggestions that he could support.
- 68.5 Councillor Mitchell commented that the car-free developments had always been considered on a case by case basis and that there had never been a blanket policy around provision of parking for blue badge holders. She added that the policy review should consider whether the council has contravened any disability discrimination laws.
- 68.6 **RESOLVED** – That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That (having taken into account of all the duly made representations and objections) the Brighton & Hove Various Controlled Parking Zones Traffic Regulation Order No* 200* be approved with the following amendments:
 - (a) The proposed removal of disabled parking bays in Compton Avenue, Clarendon Road, Clarendon Villas are to be removed from the Traffic Order as the bays are still required by local residents;
 - (b) The proposed new disabled bays in Milnthorpe Road, Davigdor Road and Ruskin Road are no longer required and therefore to be removed from the Traffic Order;
 - (c) A proposed new loading bay in Denmark Villas is to be removed from the Traffic Order due to the large amount of objection from local residents and no support received for the bay;
 - (d) Proposed motorcycle bay in Chadbourne Close not to proceed at present but to be advertised in a slightly different location on the next CPZ Traffic Order; and
 - (e) Proposed motorcycle bay in Freshfield Road to be removed from this order and new location considered on the next CPZ Traffic Order, if there is still a need for the bay.

69. CONCESSIONARY FARES SCHEME

- 69.1 The Cabinet Member considered a joint report of the Director of Finance & Resources and the Director of Environment concerning the Council's withdrawal from the county-wide Concessionary Fares Scheme (for copy see minute book).
- 69.2 The Cabinet Member stated that since the Government had changed Concessionary Bus Fare Reimbursement from a local to a national scheme it made little or no sense to remain as part of a local consortium. By setting up arrangements to operate its own scheme the council would have a more direct relationship with the Bus Companies and ensure they were reimbursed at a fair rate. The proposal would make the system fairer and more efficient and would continue to provide the same free travel concessions for older people.
- 69.3 Councillor Mitchell supported the proposal, but sought confirmation that it would not have the effect of allowing the council to withdraw funds from any of the current council subsidised routes.
- 69.4 The Director of Environment confirmed that the proposal would not have this effect, but added that the future of specific subsidised routes would be considered as and when they came up for renewal.
- 69.5 **RESOLVED** – That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That East Sussex County Council (and other members of the scheme) be formally notified of Brighton and Hove City Council's withdrawal from the East Sussex Concessionary Fares Scheme effective from 31 March 2009.

The meeting concluded at 5.15pm

Signed

Cabinet Member

Dated this

day of