



**Brighton & Hove  
City Council**

# Overview & Scrutiny

Title:	<b>Environment &amp; Community Safety Overview &amp; Scrutiny Committee</b>
Date:	<b>13 September 2010</b>
Time:	<b>4.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillors:</b> Morgan (Chairman), Janio (Deputy Chairman), Davis, Drake, A Norman, Rufus, Smart and West
Contact:	<b>Mary van Beinum</b> <b>Overview &amp; Scrutiny Support Officer</b> 01273 - 29 - 1062 mary.vanbeinum@brighton-hove.gov.uk

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**AGENDA**

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## ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

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Date of Publication - Friday, 3 September 2010



## Agenda Item 12

### A. Declaration of Substitutes

Where a Member of the Commission is unable to attend a meeting for whatever reason, a substitute Member (who is not a Cabinet Member) may attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Commission. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

### B. Declarations of Interest

- (1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.
- (2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at meeting of that Committee where –
  - (a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and
  - (b) at the time the decision was made or action was taken the Member was
    - (i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and
    - (ii) was present when the decision was made or action taken.
- (3) If the interest is a prejudicial interest, the Code requires the Member concerned:-
  - (a) to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].
  - (b) not to exercise executive functions in relation to that business and
  - (c) not to seek improperly to influence a decision about that business.
- (4) The circumstances in which a Member who has declared a prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

(a) for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

(b) if the Member has obtained a dispensation from the Standards Committee, or

(c) if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

#### C. Declaration of party whip

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

#### D. Exclusion of press and public

To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

*NOTE: Any item appearing in Part 2 of the Agenda states in its heading the category under which the information disclosed in the report is confidential and therefore not available to the public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

**BRIGHTON & HOVE CITY COUNCIL**

**ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE**

**4.00PM 21 JUNE 2010**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Morgan (Chairman); Janio (Deputy Chairman), Davis, Drake, A Norman, Rufus, Smart and West

**Also present:** Councillors Simpson, Watkins and Phillips

**PART ONE**

**1. PROCEDURAL BUSINESS**

1.1 The Chairman welcomed Councillors Mrs Ann Norman and Pete West as new Members of the Committee.

**1a Declarations of Substitutes**

There were none.

**1b Declarations of Interests**

Councillors Davis and Mrs Norman declared personal and non-prejudicial interests in item as they served on the South Downs Joint Committee.

**1c Declaration of Party Whip**

There were none.

**1d Exclusion of Press and Public**

In accordance with section 100A(4) of the Local Government Act 1972, it was 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 100I (1) of the said Act.

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

**2. MINUTES OF THE PREVIOUS MEETING**

2.1 The Head of Community Safety handed around a short reply to a question from the previous meeting, as minuted at 55.3.

2.2 **RESOLVED**; that the minutes of the meeting held on 19 April be agreed and signed by the Chairman.

**3. CHAIRMAN'S COMMUNICATIONS**

3.1 The Chairman stated that the report of the scrutiny review of Support Services for Victims of Sexual Violence would be considered after item 6. The Head of Community Safety would present item 5 'Community Safety Forum Update.'

**4. PUBLIC QUESTIONS/LETTERS FROM COUNCILLORS/NOTICES OF MOTION REFERRED FROM COUNCIL**

4.1 A public question about toilets from the Local Involvement Network had been received. An officer reply was tabled at the meeting.

**5. DISCUSSION WITH CHAIRMAN, COMMUNITY SAFETY FORUM**

5.1 The Chairman reminded the meeting that the Committee had asked for items to be added to the Community Safety Forum agenda (minutes 55.7 and 59.7 refer).

5.2 The Head of Community Safety, replying to a question, said there was general guidance on Local Action Teams (LATs) available on request. This included only one sentence on Charing LATs; that the Council would like a LAT Chair to be resident in the area. The Head of Community Safety reassured the Committee that there was no intention to change this. The local network of 40 LATs that had grown over many years was arguably one of the most successful in the country.

5.3 **RESOLVED**; that the report be noted.

**6. CHALK DOWNLAND RESTORATION IN WILD PARK LOCAL NATURE RESERVE**

6.1 Councillor Simpson introduced the report on Chalk Downland Restoration following her letter which appeared as Appendix 4. She circulated photographs of cleared areas.

6.2 She said that the officer report was helpful and showed the wide extent of consultation that had taken place. However Councillor Simpson said that she and colleagues had been contacted by large numbers of people who were concerned at the appearance of the areas where scrub had been cleared. She questioned whether wellgrown trees needed to be cleared and said that people interested in conservation had asked about the effects on bird and other wildlife populations.

6.3 Councillor Simpson said that there was unhappiness about the way some of the work had been done. A scrutiny review would involve more consultation and include the views of groups such as the Friends of Wild Park and those who opposed the works. This would give greater public assurance about how the Council works, she said.



6.4 The Council's Ecologist, Matthew Thomas, explained the reasons why the ancient chalk grassland is internationally important. He said scrubland typically becomes invaded by opportunist species which quickly move on. This particular area was one of Brighton & Hove's most important sites; the plan is to reverse the decline and improve the environment for chalk grassland species.

6.5 The Assistant Director, CityClean and CityParks clarified that the next stage of work depended on funding from Natural England. She was aware that there had been some concern about the works and there were to be further discussions before the next round of formal consultation took place.

6.6 Members were pleased at the proposals for future consultation set out in the report. The Committee discussed whether or not the matter would benefit from scrutiny action such as a 1-day Panel meeting, taking into account the degree of opposition, the extent of consultation, possible lessons to be learned and the future plans for consultation.

6.7 On balance the Committee did not agree that scrutiny input was necessary at this stage. However acknowledging that the chalk habitat would take some time to grow, the Committee suggested that more could be done in future to prepare people in the early stages to indicate how the area would look at the start of works. Members asked for an informal briefing to a future meeting.

6.8 **RESOLVED;** (1) that no formal scrutiny activity is needed.

(2) that an informal briefing be brought to a future ECSOSC meeting

## **7. REPORT OF THE WINTER SERVICE PLAN SCRUTINY REVIEW**

7.1 Councillor Warren Morgan, Chairman of the Scrutiny Review on the Winter Service Plan introduced the Panel's report. The Panel had been set up following unusual cold weather conditions during December 2009 and January 2010, and disquiet about the council's response to this. The second spell of snow had been dealt with more successfully than the first and experience was being taken into account in revising the Winter Service Plan.

7.2 The Panel had considered written and verbal evidence in a single meeting; the first time a scrutiny review had been completed in one day. It fell to the Executive, not scrutiny, to respond to individual complaints.

7.3 Councillor Morgan thanked his colleagues, those who had given evidence and scrutiny officers who had worked on the Panel.

7.4 ECSOSC commented on the recommendations regarding communications, helping residents, prioritising pedestrian networks and specialised vehicles.

7.5 **RESOLVED;** (1) that the scrutiny panel report be endorsed.

(2) that the report recommendations be referred to the Council's Executive and to the appropriate partner organisations

(3) that monitoring outcomes of agreed recommendations be added to the ECSOSC work plan.

## 8. REPORT OF THE 20MPH SPEED LIMIT/ZONES SCRUTINY REVIEW

8.1 Councillor Pete West, Chairman of the 20mph speed limits/zones scrutiny review introduced the Panel's report by summarising the reasons for the review, the evidence heard and describing the main recommendations on speed reduction initiatives in some areas of the City. Support from residents would be key to success, he said.

8.2 Causes of collisions and effects on road safety plus environmental implications had been investigated and the Panel undertook a visit to Portsmouth where 20mph restrictions had been introduced in 2007-08.

8.3 Councillor West thanked his colleagues who served on the Panel, all those who gave evidence and the scrutiny officers who supported the review.

8.4 The ECSOSC Chairman thanked the panel for their cross-party working. The committee noted bus company views and commented on the possible costs of schemes, how they would be enforced and the processes for consultation. Interpretation of what might constitute a residential area was discussed and environmental implications such as the potential effect on air quality and traffic congestion.

8.5 Some Members wished specifically to exclude the possibility of a speed limit of 20mph across the whole city. It was pointed out that a pilot, shown to be successful in one area would likely encourage residents elsewhere to support a reduced speed zone.

8.6 Following a vote the Committee approved the report.

8.7 **RESOLVED** (1) that the scrutiny panel report be endorsed

(2) that the report's recommendations be referred to the Council's Executive and to appropriate Partner organisations

(3) that monitoring of the outcomes of agreed recommendations be added to the ECSOSC work plan.

## 9. REPORT OF THE SCRUTINY REVIEW OF SUPPORT SERVICES FOR THE VICTIMS OF SERIOUS SEXUAL ASSAULT

*[This report was considered after item 6 on the agenda.]*

9.1 Councillor David Watkins the Chairman of the Scrutiny Panel on Support Services for Victims of Sexual Assault introduced the report. He said the recommendations, which included four on commissioning, reflected the seriousness of the evidence that had been received. The information had been particularly disturbing. Women men and children could be affected and often had to live with the effects for many years. There were high levels of under-reporting locally and nationally. Councillor Watkins commended the work already in progress and said it was important that all agencies were fully aware of what goes on in the community.

9.2 Councillor Watkins especially thanked all those who gave information to the scrutiny review, colleagues who had also served on the Panel and also the Scrutiny Assistant.

9.3 ECSOSC Chairman also thanked the Panel Members who had worked on such a serious matter. He said this was one of the finest examples of what scrutiny can achieve.

9.4 Members of the Committee discussed possible measures to help prevent sexual violence, clarification of the personal and financial cost estimates, and the levels of under-reporting. The Head of Community Safety noted that sexual violence had been a priority within the Community Safety Strategy only since 2008. Alcohol misuse was also recognised as a high priority for the Community Safety Partnership. There was no research-based evidence that economic changes were an additional factor; however in the context of domestic violence poverty had been shown to increase stresses in families. Working towards developing training and employment opportunities would help sex workers move away from prostitution.

9.5 Councillor Alex Phillips who had been a Member of the Scrutiny Panel referred to: the estimated £60 million total monetary cost of sexual offences for 2007/08 with each rape estimated to cost £76,000; no stability in funding for support services; and recommendation 6 which asks for the capacity of local independent support services to be strengthened.

9.6 Councillor Phillips asked that an extra recommendation be added; that the Chief Executive be asked to write to the Government to request yearly ring-fenced funding to support those who experience sexual violence.

9.7 The Head of Community Safety commented that intelligent commissioning pilot work on domestic violence and alcohol and drugs, to be run during the summer would include comprehensive needs analysis of sexual violence in the city as well as making recommendations about levels of investment that in the most cost effective way could address concerns about funding levels.

9.8 Some Members argued that the scrutiny report should include a recommendation on funding of these support services. However it was agreed that the financial implications were not within the direct remit of this Committee. Actions supported by evidence and recommended by scrutiny were to be funded in ways to be identified by the Executive and partner agencies. Report paragraph 5.1 refers.

9.9 The Committee agreed that the minutes of this meeting including Councillor Phillips' comments at 9.5 and 9.6 above would be taken forward.

9.10 **RESOLVED** (1) That subject to 9.9 above the Scrutiny Panel report as attached at Appendix 1 be endorsed.

(2) That the report recommendations be referred to the councils' Executive and to the appropriate partner organisations.

(3) That monitoring of outcomes of agreed recommendations be added to the ECSOSC work plan.

**10. ECSOSC DRAFT WORK PLAN 2010 - 2011**

10.1 In considering the draft work plan the Committee requested an officer report to a future meeting on pedestrian crossings.

10.2 Members asked how locations are chosen and prioritised, how they are funded, how many have been installed in recent years and whether there was a limit on the numbers introduced in any one year.

**11. ITEMS TO REFER TO CABINET MEMBER, CABINET OR FULL COUNCIL**

11.1 The Committee noted that the three scrutiny reviews would be referred to the Executive and partner organisations.

The meeting concluded at 6.40pm

Signed

Chair

Dated this

day of

# **ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE**

## **Agenda Item 16**

Brighton & Hove City Council

**Subject:** Open Spaces Strategy  
**Date of Meeting:** 13 September 2010  
**Report of:** Director of Strategy and Governance  
**Contact Officer:** Name: Mary van Beinum Tel: 29-1062  
E-mail: Mary.vanbeinum@brighton-hove.gov.uk  
**Wards Affected:** All

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 ECSOSC on 8 February 2010 agreed to add 'Open Spaces Strategy' to the annual work plan following a letter to the Chairman from Councillor Amy Kennedy. For Letter see Appendix 1.

#### **2. RECOMMENDATIONS:**

- 2.1 That Members:
- (1) Consider the enclosed report and Appendices
  - (2) Decide if any scrutiny action is needed.

#### **3. BACKGROUND INFORMATION**

- 3.1 The main questions asked were:
- What is the current status of the Council's Open Spaces Strategy?
  - What work is underway to develop policies to inform the Open Spaces Strategy?
  - How can the Council support and reinforce the work being undertaken towards designation of the city as an urban Biosphere Reserve through its Open Spaces Strategy?
  - Is the Council following Government Guidance on Open Space Assessment and Public Consultation?
  - How have the above planning decisions affected the Council's ability to defend valuable open spaces from development?
  - Will the Council now begin to formally identify vulnerable open spaces in the city as sites which should be protected in accordance with PPG17?

- 3.2 The letter from Councillor Kennedy is included as Appendix 1 to this report.
- 3.3 Information from City Planning and City Parks is included as Appendix 2.

#### **4. CONSULTATION**

- 4.1 No consultation has been carried out on this report for information.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 None identified directly in relation to this report for information.

##### Legal Implications:

- 5.2 None identified directly in relation to this report.

##### Equalities Implications:

- 5.3 None identified directly in relation to this report.

##### Sustainability Implications:

- 5.4 None identified directly in relation to this report.

##### Crime & Disorder Implications:

- 5.5 None identified directly in relation to this report.

##### Risk and Opportunity Management Implications:

- 5.6 None identified directly in relation to this report.

##### Corporate / Citywide Implications:

- 5.7

#### **SUPPORTING DOCUMENTATION**

##### **Appendices:**

1. Letter from Councillor Kennedy to ECSOSC Chairman, January 2010
2. Information from City Planning and City Parks

##### **Background Papers**

'Urban Biosphere City Status' report to 19 January 2009, the Sustainability Cabinet Committee

## Agenda Item 16 Appendix 1

Dear Cllr Morgan

### **REQUEST FOR SCRUTINY INTO THE COUNCIL'S OPEN SPACES STRATEGY**

The last twelve months have seen the loss of three of Brighton & Hove's open spaces to development, namely:

1. Land to the east of 55 Highcroft Villas (planning permission granted on appeal by Public Inquiry, January 2009)
2. Land to the rear of 67-81 Princes Road (planning permission granted on officer recommendation, July 2009)
3. Land to the rear of 140-146 Springfield Road (planning permission granted on appeal by Public Inquiry, October 2009)

All three sites are 'greenfield', having never been previously built on, and having been used historically as allotments in the case of Highcroft Villas and Springfield Road. While not publicly accessible, these sites are quite rightly much-loved by the residents who live nearby, providing valuable pockets of wildlife habitat, and forming part of the city's 'green network'.

Indeed, Planning Policy Guidance Note 17 (PPG 17: Planning for Open Space, Sport and Recreation) paragraph 2.4 recognises that such plots, including privately owned ones which are inaccessible, can offer wide-ranging environmental benefits, visual amenity and can contribute to the health and well-being of those who overlook them.

Although the Local Authority sought to defend the sites at Highcroft Villas and Springfield Road, the Planning Inspector upheld the appeal in both cases, citing the earlier decisions to allow development on the Highcroft Villas site and at Princes Road in his Appeal Decision Notice for Springfield Road (ref. APP / Q1445 / A / 09 / 2105969).

Members and residents alike are now gravely concerned that a dangerous precedent has been set by this series of decisions to grant planning permission for development on 'greenfield' sites.

As a city, Brighton & Hove is physically constrained by the sea and the South Downs, and is under considerable pressure to provide sufficient land for development, particularly housing.

The recent reluctant decision to include the Urban Fringe as contingency land for development in the Local Development Framework amplifies the likelihood that there will now be even greater stress on open spaces in the city.

I would therefore like to request a report to the committee into the Council's policies and strategy for identifying and protecting the City's open spaces.

Seeking out best practice from other authorities and the Commission for Architecture and the Built Environment (CABE), among the questions that such a report might examine are:

- What is the current status of the Council's Open Spaces Strategy?
- What work is underway to develop policies to inform the Open Spaces Strategy?
- How can the Council support and reinforce the work being undertaken towards designation of the city as an urban Biosphere Reserve through its Open Spaces Strategy?
- Is the Council following Government Guidance on Open Space Assessment and Public Consultation?
- How have the above planning decisions affected the Council's ability to defend valuable open spaces from development?
- Will the Council now begin to formally identify vulnerable open spaces in the city as sites which should be protected in accordance with PPG17?

Many thanks for your consideration in this instance. I hope that you and the committee will feel able to accommodate my request in your work programme.

Yours sincerely

A handwritten signature in black ink that reads "Amy Kennedy". The signature is written in a cursive style with a large, stylized initial 'A' and 'K'.

CLlr Amy Kennedy

Green Member for Preston Park Ward  
Brighton & Hove City Council



## Agenda Item 16 Appendix 2

### JOINT RESPONSE FROM CITY PLANNING AND CITY PARKS

The following response is set out in two parts. The first part seeks to respond to the questions raised by Councillor Kennedy in her letter to Councillor Morgan. The second part provides further information on the current planning system and background in respect of open space.

#### PART A: RESPONSE TO THE QUESTIONS RAISED

##### 1. What is the current status of the Council's Open Spaces Strategy?

- 1.1 There is a Parks and Green Spaces Strategy and Action Plan (2006). This document relates to the main parks and open spaces in the city (approximately 45 sites) and helps City Parks identify key priorities for these sites.
- 1.2 The main priorities from the 2006 Parks and Green Spaces Strategy are for each park to:
  - be safe and clean
  - have facilities appropriate to its community and size
  - be maintained on sustainable principles, including the conservation of biodiversity
  - have mechanisms to involve the local community
  - be used for community events and where appropriate high profile sponsored events
  - where appropriate be used for health improving and sporting activity
- 1.3 In 2008 the Open Space, Sport and Recreation Study was completed in accordance with PPG17. The study will inform future management of open space.

##### 2. What work is underway to develop policies to inform the Open Spaces Strategy?

- 2.1 The Parks and Green Spaces Strategy and Action Plan contain the current policies in relation to key public open spaces.
- 2.2 The commitment to seek designation as a Biosphere Reserve means a stronger emphasis on the links between conservation/promotion of biodiversity and the development needs of local communities. The next stages of work in relation to the Biosphere Reserve are outlined under the response to question 3 below.
- 2.3 Several other studies are underway to inform the future management of open spaces which will also feed in to the Biosphere work.

- 2.4 Work on reviewing the city's Sites of Nature Conservation Importance and developing a Biodiversity Action Plan has commenced and it is envisaged will be completed by spring 2011.
  - 2.5 The SNCI project will identify the most important open spaces for nature conservation in the city and set out conservation management proposals for each site. This data can then be incorporated into the wider open space strategy.
  - 2.6 The Biodiversity Action Plan will prioritise the habitats and species requiring conservation action in the city and set out the steps needed to achieve their favourable conservation status, in open spaces and at other sites.
- 3. How can the Council support and reinforce the work being undertaken towards designation of the city as an urban Biosphere Reserve through its Open Spaces Strategy?**
- 3.1 The Biosphere Reserve initiative will form an overarching strategic document for promoting sustainable development in the city, including the management of green spaces.
  - 3.2 Consideration of Brighton and Hove as a UNESCO Biosphere Reserve began in 2008 when the city hosted an international conference on the proposal. In January 2009, the Sustainability Cabinet Committee affirmed the council's commitment to work towards designation of Brighton & Hove as an Urban Biosphere.
  - 3.3 A steering group chaired by Chris Todd (City Sustainability Partnership and Friends of the Earth) has been established to oversee progression of the bid. The steering group comprises senior officers from the Sussex Wildlife Trust, South Downs Joint Committee, Royal Society for the Protection of Birds, Natural England, the council Sustainability team and City Parks. The Assistant Director of City Parks oversees the council's involvement with the support of the Sustainability Team, Council Ecologist and Countryside Manager. Progress is reported to the Leader of the Council.
  - 3.4 In July 2010 the steering group hosted a visit to the city by UNESCO advisors which concluded that Brighton and Hove has a strong case for designation. The group will meet shortly to consider how to take forward the detailed advice collated during the visit.
  - 3.5 Designation of the city as a Biosphere Reserve will require completion of a city-wide management plan setting out how biodiversity conservation will be progressed across the city.

- 3.6 All the work referred to in the section above (the preliminary work on the Open Spaces Strategy, the SNCI Project and the Biodiversity Action Plan) will form an important component of the management plan.
- 3.7 This work is extensive and requires the full involvement of variety of stake holders including non governmental organisations, private sector and local communities and potentially neighbouring councils depending on the boundaries of the reserve. To gain status as Biosphere Reserve is likely to take 3 years.

**4. Is the Council following Government Guidance on Open Space Assessment and Public Consultation?**

- 4.1 Yes.
- 4.2 The Open Space, Sport and Recreation Study complied with PPG17. Various forms of public consultation were undertaken by the consultants to help determine the city's open space needs. The open space standards and key findings of the study were then included within the Core Strategy which was subject to wide spread public consultation (the council is generally accepted to have undertaken exemplary consultation on its Core Strategy).
- 4.3 Key nature conservation organisations and local naturalists have been consulted on the methodology to be employed for the SNCI and BAP projects. This has built broad consensus which will be essential for the projects to be successfully implemented.
- 4.4 Community engagement is an essential part of the Biosphere Reserve bid. The city is fortunate to have a large number of active community groups protecting, enhancing and enjoying green spaces in and around the city. The work of individuals volunteering to create community groups and undertake a variety of roles from events organisers, conservationists, promoters and protectors of a park, nature reserve, or garden, lobbyists, fund raisers, labourers is enormous.
- 4.5 There are 24 'Friends of Groups' including the Stanmer Stakeholder Group and Allotment Federation. The council will be approaching the groups to review how the council currently consults at a local and strategic level and to gain views on what needs changing to increase communities engagement with green spaces.
- 4.6 As Biosphere Reserves can cross administrative areas, organisations and a range of activities from transport to tourism, the form of consultation and oversight of the reserve will be very important.

**5. How have the above planning decisions affected the Council's ability to defend valuable open spaces from development?**

- 5.1 The previous government's planning guidance and the priority to identifying sufficient housing land over all other issues has resulted in inspector's considering, what is perceived to be, a blanket policy of protection over all open space unreasonable irrespective of the impact on the city's quantity of space. At the exploratory meeting in May on the Core Strategy the Inspector gave strong priority to the identification of housing land and advised if sufficient land for housing cannot be identified then open space, employment site etc should be assessed further. At the time of writing this report City Planning are undertaking additional work to provide this further evidence and assist with the protection of open space in the future.
- 5.2 Every planning application should be judged on its individual merits. However other planning decisions can form a material consideration which should be taken into account when determining an application. When considering future proposals for development on open space it would therefore be good practice to have regard to the appeal inspectors' conclusions in respect of 55 Highcroft Villas and rear of 140-146 Springfield Road and the issues raised in respect of the application at Princes Road.
- 5.3 With the change in government and a move towards localism it is at present hard to determine how Inspectors' will interpret the balance between different planning guidance in future or how planning guidance will be reviewed. Any changes are not however considered to reduce the need to undertake the additional work by City Planning which will add to the relevant background evidence.
- 6. Will the Council now begin to formally identify vulnerable open spaces in the city as sites which should be protected in accordance with PPG17?**
- 6.1 There are in the order of 1500 identified areas of open space from amenity grass areas within a highway upwards. We do not know if sites are 'vulnerable' until we have inquiries about developing them consequently we need to find a methodology for ranking the value of all sites as open space. At present the merits of identifying 'vulnerable' open spaces is still under consideration. The council seeks to protect its own public open spaces it is therefore the private sites that are more vulnerable to development. There is often a link between resources and vulnerable sites, careful thought needs to be given to assess whether the protection of all vulnerable sites is achievable. Indeed the 'vulnerability' of a site can change. It may not be appropriate therefore to identify 'vulnerable' open spaces in a potentially long lived document such as a Core Strategy.

## **PART B: PLANNING AND OPEN SPACE**

### **8. NATIONAL GUIDANCE AND CIRCULARS:**

- 8.1 **PPG17** -The main National Planning Policy Guidance Note addressing open space is PPG17 'Planning for open space, sport and recreation (July 2002)'. The approach adopted by the Council was based on the guidance in PPG17, in particular paragraph 10, which states that open space "should not be built on unless an assessment has been undertaken which has clearly shown the open space or the buildings and land to be surplus to requirements. For open space, 'surplus to requirements' should include consideration of all the functions that open space can perform". A consultation paper was issued in March this year in respect of a new national Planning Policy Statement entitled 'Planning for a Natural and Healthy Environment'. The replacement of PPG17 is therefore currently under consideration.
- 8.2 **PPS3** - Planning Policy Statement 3 'Housing' was amended in June 2010. One of the amendments excludes private residential gardens from the definition of previously developed land. In respect of the policies in the local plan it is considered private residential gardens are not 'private open space' within the scope of QD20 and should be treated as a unique classification in their own right. The key paragraphs in respect of the appeals relating to the open space and the priority to identifying sufficient housing land were not subject to amendment. They are paragraphs 59 which resists allowances for windfall in the first 10 years of housing land supply and paragraph 71 which indicates planning applications for housing should be considered favourably where an identified five year housing supply cannot be demonstrate (in respect of Brighton & Hove a five year housing supply could not be demonstrated without an allowance for windfall when set against the housing targets in the South East Plan. The South East Plan was however revoked on 6 July 2010). Unlike its predecessor (PPG3), PPS3 has never included a sequential test requiring the development of brownfield land (pdl) in advance of greenfield land and/or, requiring applicants seeking new housing development on greenfield sites to demonstrate there is no previously developed land available.
- 8.3 **National Government Circular 02/09** : The Town and Country Planning (Consultation) (England) Direction 2009 offers particular protection to playing fields. It requires Local Planning Authorities to consult the Secretary of State should they be minded to approve development on land that forms part of a playing field (land of a local authority or used by an educational institutional within the last 5 years as a playing field) when Sport England have objected to the development.

### **9. DEVELOPMENT PLAN:**

- 9.1 **Local Plan** - At present the Brighton & Hove Local Plan (2005) sets out the local planning policies for the city. It forms part of the statutory adopted Development Plan and should be read in conjunction with

National Planning Policy Guidance Notes and Policy Statements with regard given to government planning circulars. It was adopted in 2005 after extensive consultation and following a Public Inquiry presided over by a Planning Inspector. The Brighton & Hove Local Plan includes a number of policies which seek to protect open space and/or increase the amount or offer of open space, such as:

<b>Local Plan Policies that offer protection of open space</b>	<b>Local Plan Policies that seek an increase in the amount and/or offer of open space</b>
QD20 'Urban open space'	QD15 'Landscape design'
SR20 'Protection of public and private outdoor recreation space'	QD20 'Urban open space' (last paragraph)
NC2 – NC4 which address sites important for nature conservation'	HO5 'Provision of private amenity space in residential development'
HE6 'Development within or affecting the setting of conservation areas'	HO6 'Provision of outdoor recreation space in housing schemes'
HE11 'Historic parks and gardens'	

**9.2 Brighton & Hove Local Development Framework : Core Strategy Proposed Submission (February 2010)** - The Brighton & Hove City Council's Core Strategy was submitted on 8 April 2010 to the Secretary of State for Examination in Public. The Core Strategy includes the open space standards recommended in the Open Space, Sport and Recreation Study (Core Strategy policies relating specifically to open space and sport are CS5, CS6 and CS7). A Planning Inspector was appointed to conduct the Examination and determine whether the Core Strategy is sound. On 20 May 2010, a Pre-Examination Exploratory Meeting was held in order to discuss the council's approach to the delivery of new housing in the Core Strategy document. At the meeting the Inspector advised that more evidence would be required to support the council's approach to land supply for new housing. Since the meeting was held, the new coalition government has abolished Regional Spatial Strategies and their associated housing targets. The city council requested that the Core Strategy Examination that was due to be held in August 2010, be suspended. The Inspector agreed to suspend. This therefore enables further evidence to be produced that reflects the Inspector's advice within the context of emerging guidance from the coalition government.

**9.3** The suspended Core Strategy is therefore at submission stage and does not form part of the statutory adopted development plan. It is however a material planning consideration as it was agreed by Full Council on 10 December 2009 and represents the council's agreed future planning policies.

**10. Open Space, Sport and Recreation Study:**

10.1 A Brighton & Hove Open Space, Sport and Recreation Study was commissioned by City Planning in liaison with City Parks. The study was completed in 2008 and undertaken to provide baseline information in accordance with PPG17 to inform the Local Development Framework and future open space strategies. It assessed all open space (both public and private) as audited by the council and recommended quantity, quality and accessibility standards for the different types of open space (eg parks and gardens, children's play space, amenity greenspace, allotments, natural and semi-natural space, and outdoor sports provision). The key findings of the study are:

- the existing level of provision should be maintained per head of population in order to meet the needs and demands for open space, sport and recreation sites/facilities
- No surplus space was identified and in view of the predicted increase in population an additional 215 hectares of open space would be required by 2026 to meet the recommended standards
- whilst the interim findings indicated there was evidence to justify an increase in the current level of provision regard was given to the constraints on the city and the other land use pressures, including the housing requirements





# **ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE**

## **Agenda Item 17**

Brighton & Hove City Council

**Subject:** Pedestrian Crossings  
**Date of Meeting:** 13 September 2010  
**Report of:** Acting Director of Strategy and Governance  
**Contact Officer:** Name: Tom Hook Tel: 29-1110  
E-mail: Tom.hook@brighton-hove.gov.uk  
**Wards Affected:** All

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 During discussion on the annual work plan, ECSOSC on 21 June 2010 asked for information on 'Pedestrian Crossings.' This report provides a summary of the assessment of potential sites for crossings and the criteria used.

#### **2. RECOMMENDATIONS:**

- 2.1 That Members:
- (1) Consider the attached report
  - (2) Decide if any scrutiny action is needed.

#### **3. BACKGROUND INFORMATION**

- 3.1 The main questions asked by ECSOSC concerned: prioritisation of locations for pedestrian crossings and funding for new crossings.
- 3.2 Appendix 1 to this report shows the process used to assess requests for pedestrian crossings in the form of a flow chart.
- 3.3 The criteria used to assess the provision of a crossing and the choice between pelican/puffin/toucan and zebra crossings are based on detailed measurements and calculations of volumes of pedestrian- and vehicular- traffic, accident record, types of pedestrian, and site characteristics.

- 3.4 These include whether a central refuge is provided, whether the site is at an existing traffic signal junction, the geometrical layout and visibility, approach speed of vehicles, whether a high percentage of blind or partially sighted pedestrians will use the crossing and whether a high number of pedestrians will be crossing which, with a Zebra crossing, could cause undue delay to vehicular traffic.

#### **4. CONSULTATION**

- 4.1 No consultation has been carried out on this report for information.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 None identified directly in relation to this report for information.

##### Legal Implications:

- 5.2 None identified directly in relation to this report.

##### Equalities Implications:

- 5.3 None identified directly in relation to this report.

##### Sustainability Implications:

- 5.4 None identified directly in relation to this report.

##### Crime & Disorder Implications:

- 5.5 None identified directly in relation to this report.

##### Risk and Opportunity Management Implications:

- 5.6 None identified directly in relation to this report.

##### Corporate / Citywide Implications:

- 5.7 The Council's approach to Pedestrian Crossings is included in the report.

#### **SUPPORTING DOCUMENTATION**

##### **Appendices:**

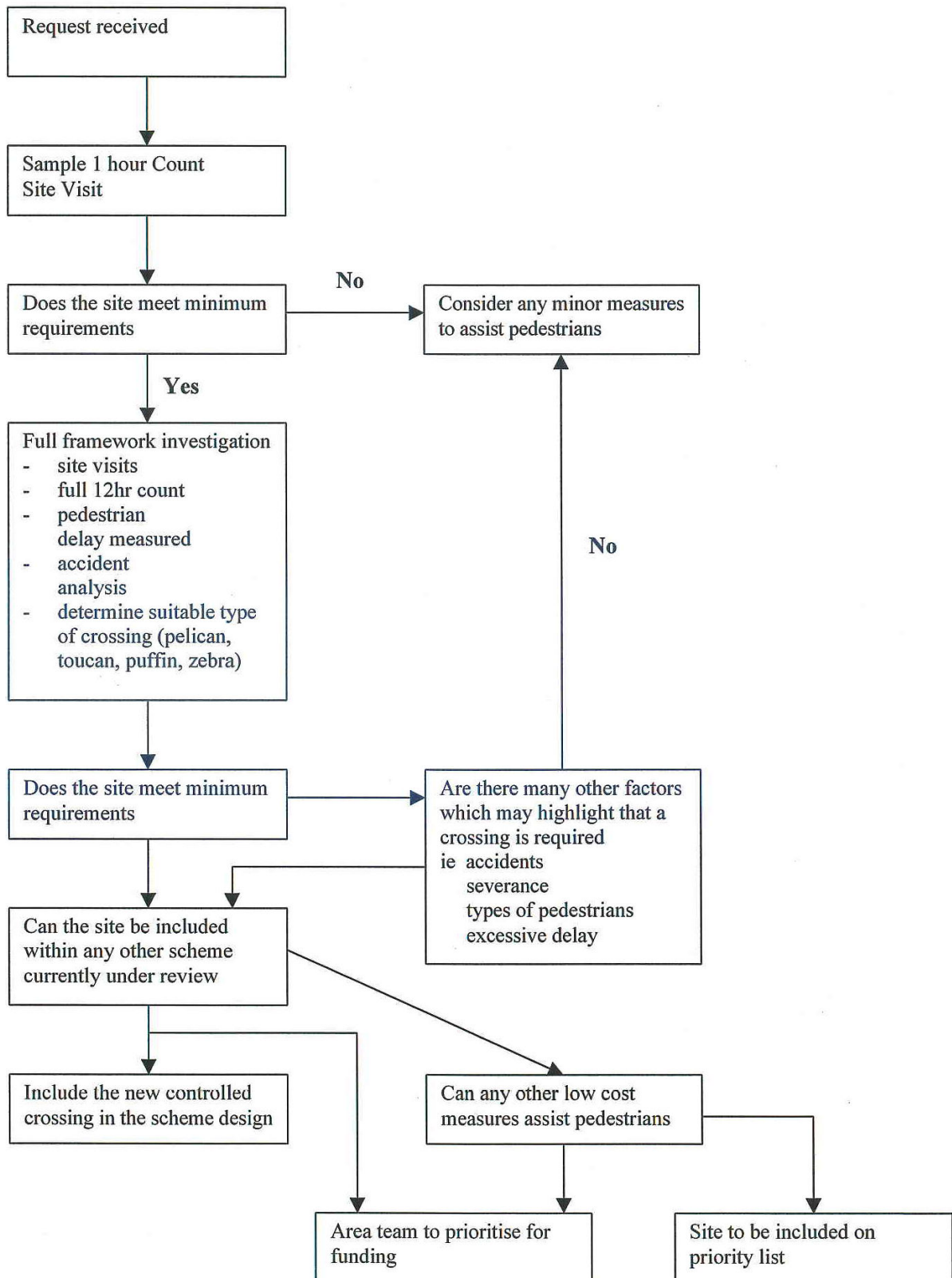
1. Flowchart showing assessment of potential sites for Pedestrian crossings

##### **Background Papers**

None

# Agenda Item 17 Appendix 1

## PEDESTRIAN CROSSING ASSESSMENT





# **ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE**

## **Agenda Item 18**

Brighton & Hove City Council

**Subject:** ECSOSC Work Programme  
**Date of Meeting:** 13 September 2010  
**Report of:** Acting Director of Strategy and Governance  
**Contact Officer:** Name: Tom Hook Tel: 29-1110  
E-mail: Tom.hook@brighton-hove.gov.uk  
**Wards Affected:** All

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 This report presents to ECSOSC Members options for their work programme through to May 2011. Members are being asked to confirm the priority areas of work for the Committee, a series of workshops and scrutiny panels.
- 1.2 Each Overview and Scrutiny Committee has the power to establish scrutiny panels to undertake short, focused reviews on specific issues. During July consultation was undertaken with residents, partners and Members as to their priorities for scrutiny reviews during 2010/11. This report sets out the results of this consultation as relevant to ECSOSC.

#### **2. RECOMMENDATIONS:**

- 2.1 That the ECSOSC:
- (1) Agrees the Committee work programme for 2010/11 (Appendix 1)
  - (2) Agrees to LTP3 workshops being arranged
  - (3) Decides upon topics for future scrutiny panels (Appendix 2)

#### **3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

##### **ECSOSC Work Plan 2010/11**

- 3.1 Appendix 1 sets out the workplan for ECSOSC during 2010/11.
- 3.2 Members will recognise the regular updates from the Chair of the Community Safety Forum and the Cabinet Member for Environment on the work plan.
- 3.3 Members will also be presented with the first monitoring report on the implementation of the Older People and Community Safety Scrutiny review.

- 3.4 The November meeting will also receive feedback from the Intelligent Commissioning pilots currently being undertaken.
- 3.5 The January meeting of ECSOSC is devoted to pre-decision scrutiny of the budget proposals. Building on the process from last year comments/recommendations from ECSOSC will be reported to OSC for a single joint scrutiny response to the budget.

### **Local Transport Plan 3**

- 3.6 LTP3 needs to be agreed at council in 2011. An outline timetable for the development process of LTP3 can be found below. It is proposed that ECSOSC runs two workshop sessions to allow input into the development of the Plan.
- 3.7 One of these would allow for members to input prior to cabinet and consultation on the initial draft document. Following consultation and once amendments have been made another workshop would be held again allowing scrutiny input prior to Cabinet and final Council sign-off.
- 3.8 LTP3 Timeline:
  - Early 2010 - Scoping
  - Spring 2010 - Gathering evidence/data
  - Spring Mid 2010 - Internal/External Workshops
  
  - Mid 2010 - Strategy drafting
  - Mid 2010 - Delivery Plan Framework
  
  - Autumn 2010 - ESCOSC workshop (Oct?)
  - Autumn 2010 - Cabinet
  - Autumn 2010 - Consultation
  
  - Autumn/Winter 2010 - Finalise Strategy and Delivery Plan
  
  - Winter 2010/11 - Overview and Scrutiny (Dec?)
  - Winter 2010/11 - Cabinet
  - Winter 2010/11 - Council
  - Winter 2010/11 - Final Publication

## Scrutiny Panels

- 3.9 Public consultation on possible scrutiny panel topics ran during the course of July with a total 69 separate suggestions for scrutiny topics received. The consultation was promoted through a number of means:
1. All Members of the council were invited to submit ideas
  2. All LSP themed partnerships were written to and scrutiny officers attended a number of partnership meetings
  3. Citynews and the Argus both carried articles promoting the consultation
  4. A press release was issued and promoted on Facebook and Twitter
  5. Information was be added to the Consultation Portal at <http://consult.brighton-hove.gov.uk/portal>
- 3.10 Preliminary research has been undertaken to see which suggestions are suitable topics for scrutiny. This has been based on criteria agreed previously at OSC and outlined below:
- Length of review – Topics need to be achievable within 3-4 meetings, or undertaken as Select Committees in around 6 meetings.
  - Relevance to Brighton and Hove – The focus needs to be a local issue, or at least an issue that is within the decision making power of a local organisation.
  - Policy Context – What is the policy/strategy development cycle, are changes expected to legislation, or has a local strategy just been finalised?
  - Alignment to LSP and Council priorities – Reviews of issues identified as key to improving the lives of residents are by definition the best use of scrutiny resources.
  - Highlighted as an issue within performance regimes – Is the issue in question something that has been shown as requiring improvement during performance monitoring? With limited resources scrutiny should avoid reviewing issues which the council and partners are seen as doing well.
  - Avoiding duplication with existing work-streams – If a suggestion would replicate work already ongoing there is limited utility in also scrutinising it.
  - What is the outcome a scrutiny review could achieve? Will the review be able to add value to the issue?
- 3.11 Appendix 2 outlines all of the topics put forward that fall within the remit of ECSOSC. For the topics suggested the scrutiny team has undertaken some preliminary scoping.

## 4. CONSULTATION

- 4.1 This report summarises the consultation responses received from residents, Members, officers and partner organisations. Consultation was undertaken throughout July.

## **5. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 5.1 There are no financial implications as all panel work will be undertaken within the existing resource envelope allocated to scrutiny.

### Legal Implications:

- 5.2 The recommendations at 2.1 is consistent with the statutory framework for overview and scrutiny committees under section 21 of the Local Government Act 2000.

### Equalities Implications:

- 5.3 In undertaking detailed scoping work on panels equality implications will be addressed. The consultation as a whole has highlighted some equality issues that can be taken forward.

### Sustainability Implications:

- 5.4 There are no direct implications.

### Crime & Disorder Implications:

- 5.5 There are no direct implications.

### Risk & Opportunity Management Implications:

- 5.6 The consultation exercise was undertaken to ensure that scrutiny resources are focused on the most appropriate areas. There is an opportunity for scrutiny to influence some of the key issues facing the city.

### Corporate / Citywide Implications:

- 5.7 An annual work programme for scrutiny reviews should enable the scrutiny function to respond to those issues that affect the city as a whole and take a more active role in place-shaping.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. ECSOSC Work Programme
2. Panel scoping information

### **Documents in Members' Rooms**

None

### **Background Documents**

1. The Community Engagement Framework
2. Report to March OSC



## Agenda Item 18 Appendix 1

### Environment and Community Safety Overview and Scrutiny Committee Draft Work Plan 2010- 2011

Issue	Overview & Scrutiny Activity	Outcome & Monitoring/Dates
<b>8 February 2010</b>		
Discussion with Environment Cabinet Member	Regular opportunity for joint working.	Discussion of key issues.
Council's response to weather conditions	Request for information.	1-day Scrutiny Panel; Winter Service Plan; operation and Review; established for 17 March.
Policing the use of drugs: Operation Reduction	As requested at 14 September ECSOSC following magazine article.	Presentation given by Police, Crime Reduction Initiatives and a service user.
<b>19 April 2010</b>		
Half-yearly update from Community Safety Forum	Discussion with CSF Chairman, Councillor Dee Simson.	Deferred to the next meeting..
Health & Safety Annual Service Plan	Opportunity to comment on annual plan prior to Council – see para 2(b) of Part 4.4 of the constitution: Budget and Policy Framework Procedure Rules.	Comments to be included in report to Council.

<b>Issue</b>	<b>Overview &amp; Scrutiny Activity</b>	<b>Outcome &amp; Monitoring/Dates</b>
Official Feed and Food Controls Service Plan	Opportunity to comment on annual plan prior to Council – see para 2(b) of Part 4.4 of the constitution: Budget and Policy Framework Procedure Rules.	Comments to be included in report to Council.
Performance report	Regular update.	CSF asked to include items on agenda. Information requested on CDRP and setting targets.
<b>21 June 2010</b>		
Chair of Community Safety Forum	Regular discussion.	Information provided by the Head of Community Safety.
20mph scrutiny; panel report	For endorsement.	Report and Recommendations endorsed.
Winter service plan; panel report	For endorsement.	Report and Recommendations endorsed.
Support Services for Rape and sexual violence; panel report	For endorsement.	Report and recommendations endorsed with extract from the ECSOSC minutes to be taken forward to the Executive.
Toilets public question	Referral from LINK.	Answers provided to questions.
Request for Scrutiny; Wild Park scrub clearance	To determine whether scrutiny activity is needed.	No scrutiny action needed but informal update requested.

Issue	Overview & Scrutiny Activity	Outcome & Monitoring/Dates
<b>13 September 2010</b>		
Open Spaces Strategy	Report following request from Councillor Kennedy.	
Pedestrian Crossings	Report following request from the Committee.	
ECSOSC Work Programmes	To agree ECSOSC Work Programmes	
<b>8 November 2010</b>		
Half-yearly update from CSF	Regular discussion with Chair of Community Safety Forum.	
Monitoring outcome of Older People and Community Safety Scrutiny review	Tracking the outcomes of scrutiny recommendations.	
Feedback from Intelligent Commissioning Pilots	As requested by ECSOSC 21 June.	
Policing in the 21 <sup>st</sup> Century White Paper, briefing		
Local Design Panel	Opportunity to comment on proposals for a Local Design Panel	

Issue	Overview & Scrutiny Activity	Outcome & Monitoring/Dates
<b>25 JANUARY 2010 NB REVISED DATE;</b> to replace 7 February 2011		
Scrutiny of Budget Proposals		
Cabinet Member Environment possible		
<b>4 April 2011</b>		

## Appendix 2

### 1. Renewable Energy Potential

Community and private renewable energy developers have real ambitions to see more renewables installed locally and are looking for opportunities here. While there is a general Corporate Plan commitment currently to more renewables and some success in grant-aiding solar hot water heating systems on a modest scale, there has been no large scale support or uptake of renewable energy in the city. The planning environment is criticised by some as conservative, especially in Conservation Areas, and it seems other UK cities are moving ahead on this at a greater pace.

Focus of the review:

- Why and what can we learn from other cities?
- What is the renewable energy potential here and which technologies should we realistically go for?
- How can we overcome barriers to much more renewable energy generation locally e.g. visual impact
- What support is needed to enable more generation, especially community schemes / those which have multiple benefits (e.g. env industries sector, low income households' energy bills)?

What is the renewable energy potential of the City? Is this being maximised and if not why not?

The feed-in tariff provides a very strong investment window between now and April 2012 for renewable energy in the UK. The government is strongly pushing local power and heat generation and there is broad political consensus on this nationally.

[http://www.decc.gov.uk/en/content/cms/news/pn10\\_079/pn10\\_079.aspx](http://www.decc.gov.uk/en/content/cms/news/pn10_079/pn10_079.aspx)

A recent study has shown the potential in the south east:

<http://www.se-partnershipboard.org.uk/page/5/view/175/sub/77/energy>

There is a clear role for a scrutiny panel on this issue. It is a live issue, with a short window of opportunity for scrutiny to make an impact.

### 2. State of the Local Environment

This would be essentially a mapping exercise; however the council's sustainability team is already planning for a very similar piece of work. Any scrutiny activity in this area would therefore risk duplication. It is however recommended that ECSOSC should take an interest in the outcome of this study.

### 3. Steps to a Low Carbon City

This would potentially be a massive piece of work encompassing carbon reduction, renewable energy, transport, housing etc. Any scrutiny work on renewable energy would be a component part of this. It is doubtful whether a

piece of work this size could be undertaken without the commitment of a significant level of scrutiny resource.

#### **4. Air Quality within the City**

*A general review of air quality levels within the city to identify areas of concern and what can be done to improve air quality.*

Air quality is monitored across the city at a number of locations. The council has an Air Quality Action Plan, which is updated regularly. Air quality is expected to meet air quality objectives with the exception of hourly and annual mean standards for Nitrogen Dioxide. In 2008 an expanded Air Quality Management Area (AQMA) was declared for this pollutant. One consolidated AQMA includes Central Brighton and Hove and the harbour at Portslade.

Where a local authority considers that one or more of the air quality objectives is unlikely to be met it must declare an AQMA covering the part of the area where the problem lies. Having declared an AQMA the local authority must draw up an action plan setting out what it will do to meet the objectives within the area.

Given that there is a Air Quality Action Plan and that transport is the major source of the emissions in the city that contribute towards poor air quality; 50% of total UK emissions in 2000, it is suggested that the issue could be addressed through LTP3 with further work undertaken once that process is complete.

#### **5. Commitment to the 10:10 Campaign**

Brighton & Hove City Council 's commitment to 10:10 campaign, and the impact on carbon emissions of council services, and also in terms of education for residents.

Whilst a review of the 10:10 campaign is an excellent idea this should wait until it has finished and the council is in a position to judge its success and act on any issues learnt.

#### **6. Evaluation of LIFE programme – how successful has this been and what lessons can be learnt?**

*Evaluation of the LIFE programme in the City as a key multi agency behavioural change agent for youth.*

*This programme is already addressing successfully the problems of young people who are drawn into deliberate fire-setting and other anti-social behaviour and is part of the City's priority area of reducing crime and improving safety. It is vital that we should be able to collectively measure and evaluate the programme's success in effecting permanent positive behavioural change in order to seek continued partnership commitment and funding support in the City,*

*and indeed the rest of the County, bearing mind the bleaker prognosis of funding on this sort of initiative.*

*Our preliminary evaluation work undertaken with Brighton University demonstrates successful long term outcomes in changed behaviour for key people within each cohort, and whilst partnership comments on other aspects of the evaluation report have merit, fundamentally unless we can find similar ways of proving the long term worth of particular preventative initiatives to funders, partners and other stakeholders, we will not be able to make sufficiently robust business cases to justify continuation programmes, despite long term outcomes actually saving money to the collective public purse in the long term. Essentially, we have to toughen up to deliver defined community outcomes from specified levels of resource inputs and know what investments achieve greatest impact for each £1 invested. This will be an altogether harder nut to crack with ever tighter financial constraints. An area scrutiny panel could look at how smart we are in considering, developing and managing the collective worth of relevant initiatives to meeting defined SMART outcomes.*

There's certainly an interesting topic here in broad terms: i.e. the (cost) effectiveness of diversionary programmes, including the LIFE programme. As the council moves to a commissioning system, these kind of questions will presumably come to the fore – i.e. do we re-commission the existing model of services or do we look to invest in areas which may ultimately reduce the demand for services (funding youth projects rather than policing, public health information rather than secondary healthcare etc).

However, focusing only on the LIFE programme seems very narrow. Although O&S is certainly looking to become more of a whole-city resource, we're not currently in a situation where we can readily justify focusing on what is essentially an ESFA initiative. This is not to say that the O&S team would be unwilling to undertake the piece of work if commissioned to do so by ESFA – it does sound interesting, and as noted above, there are doubtless learning points which would have broad benefit to public services in the city.

## **7. Dog fouling**

*I would like the Commission to look at dog fouling problems. I am concerned about the amounts of dog excrement I see daily on Brighton and Hove footpaths and roads. This does not seem to be cleared up. I wondered if you could review this issue to see if the Council needs to put in extra dog bins and to scrutinize the clean up times. I also think that the Council should look at having an education campaign to help the public understand the need to clear up the dogs mess. It is shocking in 2010 that the City has to put up with dogs mess on the streets. This issue needs to be addressed, particularly in areas close to schools and children's play parks.*

The Council recently reviewed the rules relating to dogs in the City after an extensive public consultation in 2007 & 2008. The council implemented these new Dog Control Orders in 2009. The control of fouling and dog exclusion areas was included in the orders.

Currently all land open to the public including roads, streets and open spaces require owners of dogs to clear up after them. All children's playgrounds, the gardens of some of the small historic squares, the Council cemeteries and some of the beaches during the summer are dog exclusion areas. The Council animal welfare officers, park rangers, and seafront officers enforce the rules and can issue fixed penalty notices of £80 if they catch offenders. The city's animal welfare officers carry out approximately 350 fouling investigations each year and 250 proactive patrols in hot spots across the city. The team also works with the LATs and the police to enforce the rules.

Dog fouling bins are installed in areas where people exercise their dogs. Some are also carefully located in residential areas, as a result of public requests and after careful consultation with residents. The City Clean service funds and installs these bins. The public can also use litter bins found throughout the city to dispose of dog waste. City Clean will clean badly affected streets and residents are encouraged to telephone this service on 29-2929 if they are experiencing problems.

ECSOSC could look at this issue; it lends itself to short focused piece of work rather than a lengthy panel.

## **8. Parking Issues**

A number of consultation responses suggested a review of parking, either city-wide or in specific areas. Parking is clearly a significant issue in the city with a regular flow of petitions and questions being received by the council.

It is understood that the scope and timing of a city-wide review of parking are currently being discussed. There is limited utility in scrutiny therefore undertaking a review of parking. ECSOSC could however seek to ensure it has the opportunity to comment on the methodology of any review.

## **9. Transport Issues**

There were a number of transport related issues raised as part of the consultation. However, as set out in the covering report, it is recommended that ECSOSC undertakes a body of work on LTP3. It would therefore seem sensible to hold-fire on establishing a panel to at transport issues that may well be addressed through the LTP3 process.

The issues are listed below; if following the LTP3 process members feel there are still outstanding issues that could usefully be addressed ECSOSC could undertake an in-depth review.

- Pedestrianisation
- Congestion charging
- Pedestrian crossings
- Free bike scheme – e.g. London, Washington
- No-passing of buses restriction within the city – cars shouldn't be allowed to overtake buses at bus stops to ensure swifter bus journeys



- Affordable Travel in the city – general review of affordable travel options
- Cycling on the pavement/seafront - Brighton and Hove seem very keen to get people cycling, but there seems to be a lack of tolerance of cyclists who are keen to do just that. Hove promenade is so wide there is plenty of room for people to move along it by foot, bike or skateboard. Cyclists in a hurry should use the road, but recreational cyclists should be allowed to use the prom.
- Cycling on the pavement – hazardous for pedestrians
- Transport - reduce the number of buses, a major overhaul of the road networks and maybe provide some kind of circular tram service for the buses to connect to & create more pedestrian zones.
- Lewes Road Traffic – To get the traffic on the Lewes Road moving, remove one set of traffic lights between the Level and Saunders Park, [there are too many] and re-think the cycle lane provision on the section, the road is too narrow to accommodate a cycle lane both sides of the road, and that bit of road is almost at gridlock most days. And enforce no parking both sides. They seem to be permanent parking spaces between the Level and Sainsburys, yet they are double lined.

## **10. Bees**

*Given the worrying decline in the UK's bee population, we would like to request scrutiny into how we can make B&H the most bee-friendly city in the UK, not least because B&H is home to the UK's largest research group for the study of honey bees and other social insects: the Laboratory of Apiculture and Social Insects (LASI) at the University of Sussex, supervised by Professor Francis Ratnieks, the UK's only Professor of Apiculture.*

*Some things a scrutiny panel on bees might consider would be:*

- a) using council-owned land (eg Stanmer nurseries) to establish city hives*
- b) producing city honey from these hives which can be sold to the public*
- c) a review of pesticides used on council-owned farm-land*
- d) seeking external funding for bee-related projects from the Co-operative's 'Plan Bee' fund, and Waitrose (who have recently given some funding to Sussex)*

This is potentially a very interesting issue, particularly as the University of Sussex hosts the country's only academic department of apiculture.

There is already in existence a Sussex Bee Plan – co-ordinated by University of Sussex. Much of this is focuses on academic research areas, but some of it is relevant, for example there's an aim to encourage the siting of hives on park/allotment land. There have also been local events/conferences bringing together partners to coordinate support for bees.

There does therefore seem to be a solid body of bee-related activity and the need for a scrutiny panel to spur people into activity or to get the parties concerned talking to one another is already being met.

However there are definitely issues here – it seems links between the US apiarists and BHCC could be strengthened, and some work could be undertaken to exploit the media potential of the Bee Plan very well. These issues however could be addressed by ECSOSC itself.

Prof Ratnieks has invited members to tour his lab and see the work that his team are doing – this or a committee report would seem sensible starting points. Any report could address the issue of siting hives on council land.

## **11. Winter Service Plan**

*Winter Service Plan – In view of the problems faced by (among others) older people in Brighton and Hove as a result of the severe weather last winter, we would suggest that a further review of the Winter Service plan would be appropriate: bearing in mind the provisions made by the council following the problems experienced last winter, a subsequent review of the effectiveness of the modified Service Plan during and following the coming winter would be extremely welcome by older people, and by those with mobility and/or other disabilities.*

ECSOSC has a role in monitoring the implementation of the recommendations relating to the winter service plan. If these are not being implemented, or there is another severe weather event that results in significant disruption, ECSOSC could undertake a further review.

## **12. Street Lighting**

*Reduce the amount of light pollution, caused by inefficient outdoor lighting, in Brighton. This, in turn, would lead to considerable financial savings.*

- *Vast waste of energy (and so money, and the excessive carbon footprint) caused by inefficient outdoor lighting throughout the city.*
- *Yellow smog that hangs over our city every night, and is predominantly caused by council-owned lighting.*
- *In Calgary, Canada, they replaced all existing street-lights with efficient street lights that only shone light onto the street*
- *The project was completed in 2005, and will have paid for itself in energy savings within 6 years.*
- *Lights in Brighton shine throughout the night – there is limited utility in a street light being on at 3am*
- *Street-lights are often erroneously left on over night in the hope of reducing crime, even though research indicates that, at best, over-night street lighting has no effect, and at worst lighting can help criminals see what they are doing thus leading to an increase in crime.*
- *Essex County Council has recently trialled a mass over-night switch off street-lights. According to the local news-paper:  
"Commenting on the scheme, a police spokesman said: "A year on year comparison for April 2006 to May 2007 and April 2007 to May 2008 has shown that night-time crime has almost halved in Saffron Walden and reduced by over a third in Dunmow.*
- *This vast waste of energy is not only limited to street lighting, but also to other public buildings (such as schools, hospitals, monuments, etc)*

- that are all needlessly illuminated through the small hours of the night when most people are sleeping*
- *A search on the internet also reveals the effect of excessive lighting on human health (sleep disruption; increase of stress and anxiety; increases the risk of breast cancer and fertility problems as light suppresses the production of the brain chemical melatonin), wildlife (nocturnal wildlife such as owls and bats have evolved over millions of years to take advantage of darkness which does not exist near Brighton anymore), and on astronomy (only the brightest few stars can now be seen through the smog of light pollution that hangs over Brighton).*
  - *Today, street lights can be installed that minimise energy usage by only shining where they are needed (on the ground, and not into peoples homes or into the sky), and when they are needed (either through automatic dimming of the lighting, or even turning them off completely, in the small hours).*

Street lighting was the subject of an ECSOSC scrutiny report some 18 months ago. It is suggested that an update including energy-efficient bulbs be added to ECSOC work programme.

### **13. Bonfires**

*Neighbours having bonfires which cause problems for other neighbours e.g. having to close windows on a hot day, further breathing problems for asthma sufferers. They weren't sure whether there was a Bye Law to stop bonfires. People should be taking their waste to a tip instead of burning it.*

What laws exist to prevent problem bonfires? What action does the Council take re this? What action can be taken when there are repeated problems?

Every year especially during the summer months Brighton & Hove City Council receives many complaints about garden bonfires which can be annoying to neighbours.

Smoke, smuts and smells can prevent residents from enjoying their gardens, putting out their washing and opening windows. They may also affect people's health, particularly the young and elderly and people with asthma, bronchitis or other breathing problems.

It is unnecessary for most people to have bonfires. Household refuse is collected by the dustman. Bulky and garden refuse can go the Civic Amenity sites at Wilson Avenue, Brighton or Leighton Road, Hove. However, many things can be recycled and the best example of recycling is the compost heap.

In many parts of Brighton, it is not possible to have a bonfire without causing a nuisance because gardens are so small. However, a bonfire can be a convenient way of getting rid of waste or wanted for recreational purposes -on Guy Fawkes night for instance. If a bonfire is the best practical option for

disposing of garden waste, the following guidelines may minimise the chance of annoying your neighbours or causing a serious nuisance.

Under the Environmental Protection Act 1990 it is an offence to produce smoke which causes a nuisance. The Council could serve a Notice requiring this to stop – continuation would cause a fine of up to £5,000 being issued.

It is difficult to see the issue of bonfires and enforcement forming a wide enough topic for a scrutiny review.

#### **14. Wild Park Tree Removal**

*Why scrutiny could not look at the situation with the removal of trees from Wild park? Is there a conflict of interest with the Council and the Southdowns organisations?? Consultation for Wild Park? Where did the timber go? Why is the sheep contract not put out to tender? Should there be barbed wire in a public park? Should enclosure be taking place?*

Members will recall discussing Wild Park at the July meeting of ECSOSC. Members requested that further discussion and consultation should take place between officers and the conservation/interest groups involved. This continues to be a live issue with a petition on the council website. Conversations with officers indicate that consultation is still on-going.

#### **15. Wheelie Bins**

*I noted today that our recycling boxes were emptied into 'wheelie bins' which were then emptied into the carts. This seems to me to be a considerable improvement in efficiency, allowing the workmen to work much faster. I suggest that an even better idea would be to provide households with said 'wheelie bins', instead of the current black rectangular bins provided. The wheelie bins could be filled by residents, cutting out double handling by workmen. Separated glass is a different matter. No separate receptacles are currently provided. I have very little glass for recycling, but I can see that in a house where there is a large consumption of beverages, this could present a problem.*

The current black box recycling scheme was introduced when all materials had to be sorted on to the vehicle before the materials recycling facility (mrf) was constructed. These are the only suitable containers to sort materials out as they are being collected.

Now the mrf has been constructed at Hollingdean paper, card, plastic bottles and cans can be collected mixed, only glass has to be kept separate.

The possibility of using wheelie bins for recycling has been considered in detail. However our 'kerbside vehicles' purchased to be able to sort materials as they are collected, are not suitable for lifting and emptying large numbers of wheelie bins as the tipping process is very slow compared to refuse

vehicles. In addition most kerbside vehicles have not been adapted to lift wheelie bins.

When the vehicles are due to be replaced different collection options will be considered, however glass will still need to be kept separate so a wheelie bin system only will not be suitable.

In addition to this many properties in the city are not suitable for wheelie bins, or only have room for one wheelie bin.

Finally recycling collections using wheelie bins tend to result in a larger percentage of non-recyclable material being mixed in which affects the quality of recycling.

How we collect recycling is kept under review but all the above factors need to be considered.

## **16. Public Toilet Provision**

*Insufficient public toilets along the seafront at night e.g. Madeira Drive*

CityServices have an annual survey on the website which people can complete with comments and suggestions e.g. about public toilets.

In terms of opening the toilets at night, this has been and continues to be reviewed. A number of toilets are open until 10pm along the seafront. Consideration has to be given to the health & safety of staff monitoring the toilets at night, and have found the 10pm close allows the balance between public use and contractor safety.

Automatic toilets (eliminating staffing concerns) were operated but there were some issues of anti-social behaviour and rough sleeping.

A lot of late night activity originates in private settings e.g. pub/club, who provide their own facilities.

The LINK has previously referred the issue of toilet provision to ECSOSC, a detailed answer being supplied.

## **17. Hove Lawns BBQ Provision**

*Suggestion that fixed BBQs should be provided either on Hove Lawns or on the prom.*

There is an ongoing issue with BBQs on Hove Lawns, which has been the subject of a petition. BBQs on the lawns burn patches of grass and residents also raise the issue smoke.

Alternative options are being investigated and discussed with residents. It is suggested that CMMs are the most appropriate arena to deal with this issue.

