

**BRIGHTON & HOVE CITY COUNCIL**

**OVERVIEW AND SCRUTINY COMMISSION AD-HOC PANEL - STREET ACCESS ISSUES**

**5.00pm 28 SEPTEMBER 2009**

**COMMITTEE ROOM 1, BRIGHTON TOWN HALL**

**MINUTES**

**Present:** Councillor Rufus (Chairman)

**Also in attendance:** Councillor Hawkes, Pidgeon and Watkins

**Other Members present:** Councillors

**PART ONE**

**12. PROCEDURAL BUSINESS**

**12a. Declaration of Substitutes**

12.1 Apologies were received from Councillor Jayne Bennett. Substitutions are not permitted on Ad-hoc Scrutiny Panels.

**12b. Declaration of Interests**

12.2 There were none.

**12c. Declaration of Party Whip**

12.3 There were none.

**12d. Exclusion of the Press and Public**

12.4 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.

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

**13. MINUTES OF THE PREVIOUS MEETING**

13.1 These were agreed as an accurate record, no matters arising.

**14. CHAIR'S COMMUNICATIONS**

14.1 Concern was raised over the functioning of the hearing loop in the room. It was confirmed that everyone present could hear proceedings and as such the meeting would proceed. Officers would check the precise availability of hearing loops in the room for future reference.

**15. FEEDBACK FROM SITE VISITS**

15.1 Since the last meeting a number of site visits had been undertaken.

**Cllr Pat Hawkes:**

15.2 Lewes Road, Boundary Road.

- Generally a mixed picture
- Where there are wide pavements there isn't an issue.
- Lewes Road had sporadic problems with hotspots where traders had items on the pavement. This looks like an enforcement issue.
- Boundary Rd was mixed, some businesses were clearly in the vibrant area didn't need to attract customers, others in the quieter end obviously needed to advertise.
- Felt that in most cases there were opportunities to look at alternatives to A boards.
- Where there is private land in-front of shops improving its visual appearance can have a positive impact on trade.

**Cllr. Brian Pidgeon:**

15.3 Washington Street, Scotland Street, Jersey Street, St. James's Street

- Streets in Hanover had problems with parking
- Also apparent that on refuse/recycling days there were access concerns due to the narrow pavements. However hard to see how this could be solved.
- Also an issue with bikes chained to lamp-posts, usually creating a pinch-point with bins etc

**Cllr. Sven Rufus:**

15.4 Western Road, Little Preston Street, Regency Square

- Had visited nearly all of the sites listed with the Head of Scrutiny
- There are a number of 'known sites' on Western Road where traders are taking up significant space on what appears to be public highway
- However having visited St. James St with the Senior Highway Enforcement Officer it is clear that often there is a considerable amount of private land in-front of business premises that can be mistaken for public highway.
- Often A boards are located on private land over which the Council has limited powers.
- Questioned whether frontage can be blocked off,

**Cllr. David Watkins:**

15.5 Western Road/Church Road, Hove to Regency Square

- LARA members were thanked for undertaking a considerable amount of work in identifying problem areas
- Residents have been monitoring the issue for a long time
- Western Rd is one of the main routes through the city, not just a shopping street and problems there

- This is a 24 hour problem with some hotspots relating to day traders and other to evening/nighttime pubs/clubs/restaurants
- Whilst this is an important trading area, it is also densely populated and pavement access is required
- There is not currently enough enforcement occurring, this is largely due to resourcing issues
- The smoking ban has also added to the problem with large numbers of people gathering on the pavement
- The panel should consider instant fines for repeat offenders

**Cllr. Jayne Bennett:**

15.6 Church Rd, George Street, Blatchington Road, Goldstone Villas, Sackville Road.

- Cllr Bennett is supply notes of her visits to these areas.

15.7 **Ian Denyer, Senior Highway Enforcement Officer** clarified a number of issues that Members had raised regarding their visits:

- The Council has authority over land it maintains.
- There is a significant amount of land that looks like part of the pavement that is in fact privately owned.
- There is also a significant amount of land where ownership is disputed/unclear.
- Marking areas of the highway where items are licensed for has been considered previously but this can appear unsightly and requires alterations as businesses change. The highways team would back this approach but with reservations.
- Barriers surrounding tables and chairs do have benefits so long as the feet to the barrier are flat on the pavement and on limited obstruction.

**16. EVIDENCE GATHERING - PAULA MURRAY - HEAD OF CULTURE AND ECONOMY (BRIGHTON & HOVE CITY COUNCIL)**

16.1 **Paula Murray, Head of Culture and Economy** at the Council was unable to attend but had submitted a written statement which was read out on her behalf.

*“This issue divides opinion amongst traders, urban designers, policy officers etc*

*Similar to some of your earlier witnesses, we have been unable to locate any solid independent evidence on economic impact of A Boards on the success of businesses.*

*Most businesses, however, will assert that the use of A Boards does have a positive impact on their business and clearly in this difficult time of recession, we want to do all that we can to support our local businesses success.*

*You have some speakers on your agenda today who will be able to talk to this perhaps with some local evidence*

*In the case of small scale independent retailers, there is a case to be made for an A Board advertising what exactly the retailer has on offer – everyone recognises the brand of Boots for example and knows what is in there for sale – but the same cannot always be said for the smaller independent local unique retailers, and their role is crucial for the*

*city's economy and reputation and we do want customers to know they are there and support them.*

*I think there is also research that shows that restaurant offers (often advertised on A Boards) do play a major role in bringing people in off the street.*

*On the other hand, in terms of business success - there is also an argument to be made for a clear, clean streetscape and its attractiveness to customers as well as the accessibility issues which this panel is set up to investigate.*

*More space for pedestrians on our pavements is desirable and would encourage greater usage and footfall. Our Legibility Strategy: Public Space Public Life advocates some good principles of urban design particularly in terms of decluttering public spaces.*

*However – whilst clutter free is good, you are going to have instances where you absolutely need a bollard or bin or seating for less mobile/older people for example.*

*I think that what would be difficult would be to establish a “one size fits all” piece of guidance to street design. What people should perhaps do is judge each site on its merit. We have a draft new Street Design Guidance manual which advocates assessing the street and how it operates in each individual case.*

*An additional suggestion from colleagues in Environment as to what to do in places where you wanted to preserve ‘café culture’ – would be to work via licensing and request comments from an Access Officer for any licensing application and look at the impact on the street in addition and not just at the application in isolation.*

*I would suggest that the Panel might wish to invite someone from the Environment Directorate to talk to the draft Street Design Guidance manual which is in development and the Public Space: Public Life study if they have not done so already.*

*We will continue to look out for any independent research in this area for the panel as it concludes its enquiry.”*

## **17. EVIDENCE GATHERING - REGENCY SQUARE AREA SOCIETY**

### **Roger Hinton, Regency Square Area Society**

- 17.1 Mr Hinton presented the Panel with some examples of problems with commercial waste being stored on the highway; a number of the problems are long running.
- 17.2 He advised that there are two main issues relating to commercial bins; firstly it is unsightly in a conservation area and it also prevents access to various areas. The Society has had some success in having bins removed, the process is however very long and drawn-out.
- 17.3 He stated that the planning process should ensure that there is sufficient space within the building premises to store waste.

- 17.4 Members questioned Mr Hinton regarding how the Council respond to residents contacting them on these issues, whether he had been informed of Council policy on commercial bin placement and were these consistently applied.
- 17.5 Mr Hinton advised he had been sent the Council's policy regarding the placement of commercial bins and would be happy to share this with members.
- 17.6 It was confirmed that Cityclean has responsibility for the enforcement of commercial bin placement.
- 17.7 Members thanked Mr Hinton for his evidence. (See also additional sheet with photos). There was broad agreement that the City needs an all encompassing policy regarding the use and licensing of street space.

**18. EVIDENCE GATHERING - NORTH LAINE TRADERS ASSOCIATION**

**Sharon Thomas, Donna Rix-Martin and Peter Stocker, North Laine Traders Association (NLTA)**

- 18.1 There was agreement from the Association that access is needed along pavements to promote trade. The Council's current policy of 1.3 metre clear space was supported.
- 18.2 In the North Laines the access problem arises around specific bottlenecks that need to be sorted out. Traders in the North Laines see the need for good access as this allows people to shop and will attract more people to the area.
- 18.3 The will to engage with other groups is there but times are tough and there is anecdotal evidence that having the daily special on a board does lead to increased trade as people order it.
- 18.4 Traders would be happy to look at alternative forms of advertising to A boards. TH to send round to NLTA.
- 18.5 It was pointed out that the North Laines has always had that 'market' feel with goods etc displayed outdoors. Café's have replaced grocers and butchers and the areas tourist appeal is based to a large extend on its 'café culture'.
- 18.6 There was agreement from the witnesses that outside tables and chairs were vital for their survival. It was recognised however that this needed to be managed to promote the area as a whole.
- 18.7 There should not be a one size fits all solution as different streets have very different problems.
- 18.8 It was suggested that the removal of A boards would have a disproportionately negative effect on small traders. When asked whether there was an arms race with regard to A boards it was felt that it would be hard to get to a fair situation for traders as some enjoy private frontage and therefore could keep a boards. It was reiterated that traders would welcome a discussion on alternatives, however issues such as cost and practicality would be important.

18.8 NLTA were happy to work with other interested groups to explore these issues as ultimately people need to be able to access the area and their shops.

18.9 It was suggested that the NLTA had a role in educating its members on access issues.

18.10 The NLTA was thanked for providing evidence and engaging in such as positive manner.

**19. PANEL & WITNESS DISCUSSIONS**

19.1 There was no further discussions.

**20. ANY OTHER BUSINESS**

20. There was no other business.

The meeting concluded at 7.00pm

Signed

Chair

Dated this

day of