

Decision No: CMM107 – 16/09/10

Forward Plan No: N/A

This record relates to Agenda Item 40 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER:	COUNCILLOR GEOFFREY THEOBALD
PORTFOLIO AREA:	ENVIRONMENT
SUBJECT:	BUILDING (LOCAL AUTHORITY CHARGES) REGULATIONS 2010: NEW BUILDING REGULATIONS CHARGING SCHEME EFFECTIVE 1 OCTOBER 2010
AUTHOR:	MIKE SANSOM

THE DECISION

- (1) That the Cabinet Member approves the proposal to replace the existing scheme of charges with a new scheme for the Building Regulations chargeable function in accordance with the 2010 Regulations.
- (2) That the Cabinet Member authorises the Head of Building Control, in consultation with relevant members, to agree the monetary value of the charges for work outlined in Appendix C (Fees and Charges), following advice from the service accountants.
- (3) That the Cabinet Member notes the flexibility contained within the Regulations to vary the scale of charges set depending on the individual circumstances to ensure the service can cover its costs on a project by project basis and help to improve our competitive position with the private sector.

REASON FOR THE DECISION

A new scheme of Fees and charges must be in place by the 1st October that is based on the methodology outlined in the revised CIPFA guidance issued in April 2010. This has resulted in a significant amount of work in identifying costs on a project type basis. The Communities and Local Government department have confirmed that they believe it will take 3 years for Local Authorities to refine the new costings to a point that ensures the enforcement of the Building Regulations in a fair and proportionate way.

DETAILS OF ANY ALTERNATIVE OPTIONS

Matter considered and no alternatives identified.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD:

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision

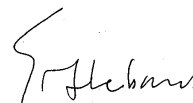
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM108 – 16/09/10

Forward Plan No: N/A

This record relates to Agenda Item 41 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: PATCHAM CONSERVATION AREA
REVIEW

AUTHOR: SANNE ROBERTS

THE DECISION

- (1) That the Cabinet Member approves the draft Patcham Conservation Area character statement and boundary change for public consultation.

REASON FOR THE DECISION

Patcham Conservation Area does not have an up-to-date, in depth character appraisal. A review of the Conservation Area and its boundary would accord with the council's adopted Conservation Strategy (2003), and with national and Government guidance (English Heritage Guidance 2006, Planning Policy Statement 5: Planning for the Historic Environment).

Public consultation on such documents is in line with national guidance and with the council's adopted procedures and strategy.

DETAILS OF ANY ALTERNATIVE OPTIONS

None considered.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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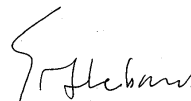
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM109 – 16/09/10

Forward Plan No: N/A

This record relates to Agenda Item 42 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: PORTSLADE OLD VILLAGE
CHARACTER STATEMENT

AUTHOR: SANNE ROBERTS

THE DECISION

- (1) That the Portslade Old Village Conservation Area Character Statement be adopted, subject to any minor grammatical and non-material text and illustration alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment.
- (2) That an Article 4(1) Direction is made for unlisted dwellings in the area under the Town and Country Planning (General Permitted Development) Order (1995), as recommended by the Portslade Old Village Conservation Area Appraisal and detailed in annex 3.
- (3) That the proposed boundary changes, as set out in the Character Statement and illustrated in annex 4, be approved and formally designated.

REASON FOR THE DECISION

Portslade Old Village Conservation Area does not have an up-to-date, in depth character appraisal. A review of the Portslade Old Village Conservation Area would accord with the council's adopted Conservation Strategy (2003), and with national and Government guidance (English Heritage Guidance 2006, Planning Policy Statement 5: Planning for the Historic Environment).

The results of public consultation are broadly supportive. The recommendation to adopt the Statement and implement its recommendations has taken account of the representations received during public consultation and the changes made to the document are a result of those comments. The revised wording of the character statement is attached in appendix 2. The making of an Article 4(1) Direction will help preserve the character and appearance of the unlisted dwellings in the village through controlling incremental change.

DETAILS OF ANY ALTERNATIVE OPTIONS

None considered.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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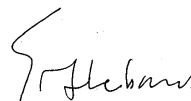
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM110 – 16/09/10

Forward Plan No: N/A

This record relates to Agenda Item 43 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: RESPONSE TO THE REPORT OF THE ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE ON 'AN INVESTIGATION INTO 20 MPH SPEED LIMITS/ZONES'

AUTHOR: PHIL CLARKE

THE DECISION

- (1) That the Cabinet Member notes the evidence, findings and recommendations of the Environment & Community Safety Overview & Scrutiny Committee and its scrutiny panel in relation to 20mph speed limits and zones.
- (2) That the Cabinet Member notes and agrees the actions detailed in the officer response to Scrutiny's recommendations (Appendix B) with particular regard to timescales and any constraints identified.

REASON FOR THE DECISION

The recommendations for which consideration and approval are sought are as a result of Scrutiny. Considerable supporting evidence was provided to inform the process from the start.

DETAILS OF ANY ALTERNATIVE OPTIONS

The full submission of analysis reports and evidence by the Scrutiny Panel facilitated consideration of options in how to address the issues raised. The recommendations proposed by the panel are the final outcome of the options considered.

Officers have considered all the recommendations and subject to timescale/capacity and funding issues feel the recommendations provide a useful basis for developing a programme framework to make more use of 20mph limits/zones. The alternative is to not increase their use.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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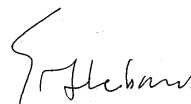
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM111 – 16/09/10

Forward Plan No: N/A

This record relates to Agenda Item 44 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: QUEEN'S PARK SAFER ROUTES TO SCHOOL SCHEME

AUTHOR: MATTHEW THOMPSON

THE DECISION

- (1) That the Cabinet Member gives approval to implement the measures at the identified sites:
 - Freshfield Road,
 - Egremont Place
 - Queens Park Road.
- (2) That the Cabinet Member approves the advertising of an order under the Road Traffic Regulation Act 1984 in respect of elements in the preferred scheme.

REASON FOR THE DECISION

Not applicable.

DETAILS OF ANY ALTERNATIVE OPTIONS

To enable Officers to proceed with the implementation of the scheme.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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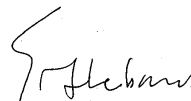
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM112 – 16/09/10

Forward Plan No: ENV17745

This record relates to Agenda Item 45 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER KEY DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD

PORTFOLIO AREA: ENVIRONMENT

SUBJECT: HANOVER & ELM GROVE RESIDENT
PARKING SCHEME REVIEW
COMMUNITY CONSULTATION

AUTHOR: OWEN MCELROY
CHARLES FIELD

THE DECISION

- (1) That no changes be made to the St Luke's (Area U) Controlled Parking Zone.
- (2) That the Queen's Park (Area C) Controlled Parking Zone operational times be extended from Monday to Saturday 9am to 8pm to Monday to Sunday 9am to 8pm and a Traffic Regulation Order be advertised.
- (3) That no changes be made in the area covered by the Hanover & Elm Grove residents parking scheme review.

REASON FOR THE DECISION

To seek approval to proceed to the next formal stage of consultation consisting of the advertisement of a Traffic Regulation Orders. This proposal is recommended to be taken forward for the reasons outlined within the report.

DETAILS OF ANY ALTERNATIVE OPTIONS

The alternative option for the majority of the proposals is to do nothing which would mean the proposal is not taken forward. However, it is the recommendation of officers that this proposal is taken forward with for the reasons outlined within the report.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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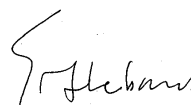
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM113 – 16/09/10

Forward Plan No: N/A

This record relates to Agenda Item 46 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER:	COUNCILLOR GEOFFREY THEOBALD
PORTFOLIO AREA:	ENVIRONMENT
SUBJECT:	VARIOUS CHANGES TO CONTROLLED PARKING ZONES (CPZ) ORDER, AREAS OUTSIDE OF CPZ ORDER AND SEAFRONT ORDER
AUTHOR:	CHARLES FIELD

THE DECISION

- (1) That the Cabinet Member (having taken into account of all the duly made representations and objections) approves the Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No.* 201*, Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 amendment Order No.* 201* and Brighton & Hove Seafront (Various Restrictions) Consolidation Order 2008 Amendment No.* 201* with the following amendments:
 - (a) The proposed disabled bay in Mile Oak Road is being withdrawn from the Traffic Order as it is no longer required by local residents. The proposed removal of the disabled bay outside 36 Sussex Square is to be withdrawn from the Traffic Order as the bay is still required by a local resident who's recent application is still being determined
 - (b) The proposed double yellow lines in Upper Bevendean Avenue are to be withdrawn from the Traffic Order due to reasons outlined in section 3.3.
 - (c) The proposed double yellow lines in Winfield Close are to be withdrawn from the Traffic Order due to reasons outline in section 3.4
 - (d) The operating hours of existing single yellow lines in Albion Street are to be changed from Monday to Saturday 8am to 6pm to Monday to Friday 8am to 5pm due to reasons outlined in section 3.8.
 - (e) The proposed double yellow lines in St Andrew's Road between Nos. 67c & Coastline Fire Protection will be reduced due to reasons out lined in section 3.9
 - (f) The proposed shared parking bays in Westbourne Place are to be removed from the Traffic Order due to the reasons outlined in the report under section 3.10.
 - (g) The proposed limited waiting bays in the Kingsway are to be removed from

- the Traffic Order due to reasons outlined in section 3.11.
- (h) The proposed double yellow lines at the junction of Matlock Road and Tivoli Road are to be removed from the Traffic Order due to reasons outlined in section 3.12.
 - (i) The proposed double yellow lines and limited waiting bays in The Deneway are to be removed from the Traffic Order due to reasons outlined in section 3.13.
 - (j) The proposed Car Club bays in Charlotte Street, Cowper Street, Sutherland Road, Lucerne Road and Rugby Road are to be removed from the Traffic Order due to reasons outlined in section 3.14.

REASON FOR THE DECISION

To seek approval of the Traffic Order with amendments after taking into consideration of the duly made representations and objections.

DETAILS OF ANY ALTERNATIVE OPTIONS

For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals do proceed for the reasons outlined in Appendix A and within the report.

For the proposals outlined as being removed from the order in the recommendations the only alternative option is taking these forward. However, it is recommended that these proposals are withdrawn for the reasons outlined within the report.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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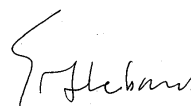
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM114 – 16/09/10

Forward Plan No: ENV17457

This record relates to Agenda Item 47 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER KEY DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD
PORTFOLIO AREA: ENVIRONMENT
SUBJECT: CIVITAS ROAD SAFETY PROJECT
AUTHOR: DEBBIE REED

THE DECISION

- (1) That the Cabinet Member gives approval to implement at the identified sites:
- London Road (Real Time Bus Information sign outside Iceland)
 - London Road / Baker Street junction
 - Lewes Road / Franklin Road junction
 - Lewes Road / Coombe Terrace / Coombe Road junction
- (2) That the Cabinet Member upholds the objection to the proposal for the loading bay (positioned on the north-east side of Franklin Road) from the traffic order.

REASON FOR THE DECISION

To enable the Cabinet Member for Environment to note progress to date and give formal approval for work at the proposed sites to commence; and approval to withdraw the proposal for the loading bay positioned the north-east side of Franklin Road from the traffic order.

DETAILS OF ANY ALTERNATIVE OPTIONS

The primary objective of the project is to address high priority road safety sites in the Civitas area and protect road users who are proven to be at highest risk of involvement in road traffic collisions. As such the approach is evidence based.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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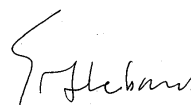
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

Decision No: CMM115 – 16/09/10

Forward Plan No: N/A

This record relates to Agenda Item 48 on the agenda for the Decision-Making

RECORD OF CABINET MEMBER DECISION

DECISION-MAKER: COUNCILLOR GEOFFREY THEOBALD
PORTFOLIO AREA: ENVIRONMENT
SUBJECT: PARKING ANNUAL REPORT 2009/2010
AUTHOR: PAUL NICHOLLS

THE DECISION

- (1) That the Cabinet Member endorses the publication of the Parking Annual Report for 2009/10 for submission to the Department for Transport and Traffic Penalty Tribunal under the provisions of the Traffic Management Act 2004.
- (2) That the Cabinet Member authorises the Acting Director of Environment to produce and publish a public version of the report to be made available on the Council's website.

REASON FOR THE DECISION

To provide the public and stakeholders with information on the performance and aims and objectives of parking services and to meet the Council's legal obligations under the Traffic Management Act 2004.

DETAILS OF ANY ALTERNATIVE OPTIONS

None considered.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None.

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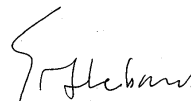
Date:

16 September 2010

Decision Maker:

Councillor Geoffrey Theobald
Cabinet Member for Environment

Signed:



Proper Officer:

16 September 2010

Mark Wall, Head of Democratic Services

Signed:



SCRUTINY

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Call-In Period

17-23 September 2010

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*