

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 9 JULY 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor West (Chair), Councillor Sykes (Deputy Chair), Cox (Opposition Spokesperson), Mitchell (Group Spokesperson), Robins (Group Spokesperson), Davey, Deane, Hawtree, Janio (Opposition Spokesperson) and G Theobald

Other Members present: Councillors Jones, Mears, Pissaridou, Summers

PART ONE

1. PROCEDURAL BUSINESS

1(a) Declarations of substitutes

1.1 There were none.

1(b) Declarations of interest

1.2 There were none.

1(c) Exclusion of press and public

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

1.4 **RESOLVED-** That the press and public not be excluded.

2. CONSTITUTIONAL MATTERS

2.1 The Committee considered a report of the Monitoring Officer that set out the new committee's terms of reference and related matters including the appointment of its urgency sub-committee.

2.2 **RESOLVED-**

1. That the committee's terms of reference, as set out in Appendix 1 to this report, be noted; and
2. That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

3. MINUTES (FOR INFORMATION)

- 3.1 **RESOVLED-** That the minutes of the previous meetings of the Environment & Sustainability and Transport Committee held on 27 March and 30 April respectively, be noted.

4. MINUTES OF THE PREVIOUS MEETING OF THE CITY SUSTAINABILITY PARTNERSHIP (FOR INFORMATION)

- 4.1 **RESOLVED-** That the minutes of the previous City Sustainability Partnership meeting held on 16 May 2013 be noted.

5. CHAIRS COMMUNICATIONS

- 5.1 The Chair provided the following communications:

"Welcome to this our first meeting of the Environment, Transport & Sustainability Committee, which combines the former Environment & Sustainability Committee and former Transport Committee.

I have to say it was not this administrations choice to make that change, as the burden of work load on members of this super committee will be disproportionately greater than that of other executive committees. However that was the will of the Labour and Conservative groups and I'm sure we'll all make the best of it.

I see that both opposition groups have named two spokespersons each, in response to the breadth of this new brief, and I look forward to working with them.

As chair I am very pleased that I will be supported by my deputy chair, Councillor Sykes, and we are joined by the deputy leader of the council, Cllr Davey, in his new role as lead councillor for Transport.

Fitting to the important and public facing work of this committee I'm glad we have many experienced members with us, and as I am sure you will all agree, as ever, we are very fortunate to be supported in our work by so many excellent officers.

I would also like to welcome members of the public who are joining us today, either to participate in business or to observe, and I would like to extend a special welcome to a group of residents and students who are working with Councillor Summers on a shadowing project – we met yesterday to discuss the business of today and I hope you will all take away something useful from today's meeting.

As is my custom I will now use this opportunity at meetings to briefly share and celebrate some of the latest news and achievements in the city.

As you may be aware the council's scheme to encourage food-growing in new developments has received a highly commended award for innovation. I'm delighted to say I will be joining officers and members tomorrow at the award ceremony at the Royal Institute for Town Planning.

Last week I was also pleased to support officers attending the National Recycling awards where our communal recycling scheme made it into the final short list for recycling innovation.

4,000 people flocked to the Brighton Centre for the annual Eco Technology Show last month. Attendance was up compared to last year's event with the number of trade visitors alone increasing by more than 40%, indicating strong growth and firmly establishing the show as a hub for the public & private sector, suppliers, distributors, builders and installers. I was especially taken by some of the electric and hydrogen powered vehicles being exhibited, this technology is clearly moving on and holds great promise to help improve air quality.

The city's 20th community compost scheme launched this month, taking the total number of households involved to 600. That's 3.7 double decker buses' worth of waste converted into a valuable usable resource every year.

2013 is a special year for Brighton & Hove Healthwalks. The scheme has been providing free walks in the city for ten years, and in that time has helped thousands of local people improve their physical and mental health.

And finally, I'd like to give a last plug to the current public consultation on emerging master plan for the Stanmer Park estate. The consultation was launched at this year's well attended Sussex Festival of Nature in the park and closes on 14 July so don't miss out on giving your views".

6. CALL OVER

6.1 All items on the agenda were reserved for discussion.

7. PUBLIC INVOLVEMENT

(a) Petitions

(i) Veterans Roundabout- Laura Luxton

7.1 The Committee considered a petition signed by 143 people that requested the council to change the name of the roundabout on the A259 at Greenways to the 'Blind Veterans UK' roundabout.

7.2 Councillor Mears spoke to the petition stating that, whilst she fully supported the work of Blind Veterans UK, she and the residents of Ovingdean, did not feel a permanent name change was advisable. Councillor Mears added that the roundabout was a national address and used by the emergency services and utility companies amongst others, and a name change would not be straightforward. Councillor Mears requested the council consider changing the name for one day per year as recognition by the council of the superb work carried out by Blind Veterans UK.

7.3 The Chair provided the following response:

“Thank you for this petition. The Council has a policy on street naming and numbering and has to follow the correct legal process to re-name an existing street or roundabout. The proposed change of name would have to go through a public consultation process. This would involve asking local people and ward members for their views on the proposals, and consulting other people who might be affected by the name change such as utility companies and emergency services. The Council would also have to take into account any additional costs that may arise as a result of the proposals such as the display of official name plates and the work involved in updating relevant highway records and notifying interested parties.

If a decision is taken to proceed with the change of name there is a statutory procedure under which people may object, and any objections must be heard by a Magistrates’ Court.

The first part of the process would be for Blind Veterans UK to make a formal request to the Council’s Street Naming and Numbering team for the change to be made, who will be able to give further advice on the process”.

7.4 **RESOLVED-** That the petition be noted.

(ii) **Pedestrian crossing near Rookery Close- Beverley McArdle/Marlene Loftus**

7.5 The Committee considered a petition signed by 1014 people that requested the placement of a pedestrian crossing or traffic island on Preston Road to improve safety.

7.6 The Chair provided the following response:

“Thank you for your petition which I’m also aware has the support of all three Preston Park Councillors. The council has adopted a comprehensive crossing request assessment criteria to ensure that the council installs new pedestrian crossings in places that will have the greatest benefit. A report will be coming to the Committee in October with a proposed list of crossings to be implemented this financial year. I will ask officers to include your request for assessment and report back to the Committee in October”.

7.7 **RESOLVED-** That the petition be noted.

(iii) **Petition for the parking bay on Southdown Avenue outside Stanford Avenue Methodist Church to read “pay and display or residents parking- Steven Shove**

7.8 The Committee considered a petition signed by 84 people that requested the council change the pay and display parking spaces outside Stanford Avenue Methodist Church to include resident parking.

7.9 The Chair provided the following response:

“Thank you for your petition regarding the exclusive pay & display parking on Southdown Avenue which has been provided at the request of the Church for community needs and services.

I appreciate that residents have concerns that this will cause less parking for resident permit holders. However, this resident parking scheme has gone through an extensive consultation and previous experience has shown that parking availability does tend to

increase within resident parking schemes within the first few weeks of the scheme beginning operationally.

Resident permit holders can still park in over 90% of the parking available within the resident parking scheme and have exclusive priority in permit only bays in a majority of these spaces. As with all the parking schemes introduced into Brighton and Hove the objective is to find the right balance of residents, businesses, church goers, and other daily parking in the area.

We are not intending to suspend the exclusive pay & display bays on Southdown Avenue as this would lead to free parking within a controlled area which would be heavily used by a number of users due to the restrictions in place elsewhere.

However, Officers will continue to monitor the area and if the exclusive pay & display bays are not being utilised and there are still concerns from residents about the parking situation then we will investigate this matter further”.

7.10 **RESOLVED-** That the petition be noted.

(iv) Withdrawal of Section 116 application 1 Portland Road/School Road- Mike Preston

7.11 The Committee considered a petition that requested Brighton & Hove Council withdraw the section 116 application 1 for Portland Road/School Road.

7.12 The petitioner was not present at the meeting at this stage. The following response was provided in writing after the meeting:

“The decision on whether to proceed with this application will be taken when the Committee considers the report dealing with the issue at Item 14 on the Agenda. Your representations will be taken into account at that stage”.

7.13 **RESOLVED-** That the petition be noted.

(b) Written Questions

(i) Mike Preston

7.14 Mr Preston was not present at this stage of the meeting; therefore the question was not put to the Committee. The following response was provided in writing subsequent to the meeting:

“The decision on whether to proceed with this application will be taken when the Committee debates the report dealing with the issue at Item 14 on the Agenda and I would not like to anticipate the debate or the decision to be made. Your representations will be taken into account at that stage”.

(c) Deputations

(i) Visitor car parking in Brighton

7.15 The Deputation was withdrawn in advance of the meeting.

(ii) Better Bus Area Proposals (Carlton Hill area)

7.16 The Committee considered a Deputation presented by Stephanie Clay and Jan Norris of the Carlton Hill Community regarding their objections and concerns about the proposed Better Bus Area scheme.

7.17 The Chair provided the following response:

“Thank you for your deputation. With regards to the consultation on the Edward Street Better Bus proposals, over 9000 paper consultation leaflets and questionnaires were distributed to residents and businesses in the local area, including to addresses on Carlton Hill. In addition to this direct mailing, information on the scheme proposals, with details of how to respond to the consultation, were posted on the Council website, discussed at residents meetings in the area and published by The Argus newspaper. The public consultation has revealed residents are very supportive of the proposals to give priority to bus users, pedestrians and cyclists
The issues that you raise regarding the proposals are discussed in the report which will be considered as part of agenda item 16 of this Committee, however, in response to your question as to what measures are being taken in the area I can confirm that Road Safety Officers have for some time been working with residents and other stakeholders, including the school, in the Carlton Hill area. Some improvements have already been implemented such as the improved layout of St Johns St and Carlton Hill that you have mentioned. Work on further improvements in the area have begun this week and include the addition of a pedestrian refuge on John Street and pavement extensions on the corner of Ashton Rise and John St. Officers are, and will continue, working with the local community and the school to improve safety in this area. In addition, traffic speed and volumes will be monitored in the area as part of the 20mph speed limit programme”.

7.18 **RESOLVED-** That the Deputation be noted.

(iii) Better Bus Area proposals- St James' Community Action Group

7.19 The Committee considered a Deputation presented by Nick Head and Jeremy Ogden of the St James' Community Action Group regarding their objections and concerns about the proposed Better Bus Area scheme.

7.20 The Chair provided the following response:

“Thank you for your deputation. In response to your first request calling for a review of the Better Bus Area proposals, I can inform you that the proposals form part of a successful bid to central government for funding to improve westbound bus journey times into the city while also improving conditions for cyclists and pedestrians. The current proposals are to be considered as part of agenda item 16 of this Committee and I can assure you they would not preclude any future proposal for improvements to St James' Street coming forward in the future.
With regards to the consultation undertaken with local businesses and residents on these proposals, a copy of the consultation leaflet and proposals was posted to every address, commercial and residential in the St James Street area. In total 9004 consultation leaflets and survey forms were mailed. Officers offered numerous times to attend the public meeting of the St James Community Action Group on 12th June 2013

to talk through the proposals, answer questions and hear concerns. On the 29th May 2013, officers were informed that the group “had decided against inviting [an officer] to speak at the meeting.” In order to ensure that members of this community would have an opportunity to talk to officers, a public exhibition was then arranged to take place in advance of the meeting on 12th June in the same location. The exhibition was well attended. In addition, in response to a request from the Action Group additional copies of the consultation materials and survey were provided by officers.

In regard to your second request to reroute eastbound buses in St James’ Street into Edward Street by pedestrianising some or all of St James St, the council has no immediate plans or resources to investigate this proposal and it is important to note that the central government funding for the Better Bus Area project is specific to Edward Street”.

7.21 **RESOLVED-** That the Deputation be noted.

8. MEMBER INVOLVEMENT

(c) Written Questions

(i) Councillor Cox- Dog Fouling

8.1 Councillor Cox asked the following question:

‘How many prosecutions has the Council undertaken for dog fouling in the last 12 months?’

8.2 The Chair provided the following response:

“2 fixed penalty notices were issued for fouling over the last 12 months, one was withdrawn due to insufficient evidence and the other was not paid that resulted in court action and a successful prosecution. The courts sentenced the dog owner to a £100 fine, £350 costs and £15 victim surcharge”.

8.3 Councillor Cox asked what action the Council were undertaking or would undertake to improve.

8.4 The Chair provided the following information:

“In the last 12 months the animal welfare team have received 432 complaints about dog fouling.

We decide the appropriate enforcement action by using the Councils enforcement policy. Each case is judged on its own merits along with an assessment of the strength of the evidence to bring a successful prosecution.

The Animal Welfare Team has 4.1 full time equivalents. In the last year the team have carried out 361 dog related enquiries. 328 kennelled, re-homed, reunited strays dogs, 315 Proactive fouling patrols, 254 Investigated dangerous dogs/dog attacks, 213 investigated animal cruelty/welfare investigations, 180 investigated other animal complaints, 118 animal enquiries, 34 stray dogs assessments, 33 recorded dog education activities, licensed 1 Zoo, 7 pets shops, 7 boarding establishments, 5

performing animals. The Council has a mixed approach that includes education, advice and enforcement”.

(ii) Councillor Robins- Road junctions in South Portslade and Old Village Portslade

8.5 Councillor Robins presented the following question:

“Having been contacted by worried parents at two schools in South Portslade who are concerned about dangerous junctions near their schools as well as a group of residents suffering from continual anti social driving in their small road in the conservation area in the Old Village Portslade, I'm told by the Road Safety Team they are currently only considering work on junctions where there has been 8 injury causing accidents in 3 years. Can you confirm this is the case and when asked by parents "will a child need to be injured before something is done" should I answer, no it will take 8 actually”

8.6 The Chair provided the following response:

“The Council’s Road Safety Team will investigate the safety of any location in the city to determine the frequency and severity of reported injury collisions and will take action to respond to each location accordingly. In order to prioritise the way in which the Council’s limited funds are directed towards the reduction of injury in those locations with the highest frequency and severity, collisions reported within a statistically robust period of analysis (3 years) are prioritised and assessed. Public funds are then directed to those locations where the maximum possible benefit can be achieved.

The way in which these locations are assessed is currently under review in preparation of a new road safety strategy to 2020 and from April 2014 locations where the collision history is shown to be worsening will be ranked, along with associated criteria, including injury severity, the involvement of vulnerable road users and age of casualty to enable more sites to be addressed with the funding expected to be available.

Both Benfield Primary and St Peter’s Infants school have school travel plans and were two of the five schools involved in the 2011-12 Safer Routes to School Project that delivered safer walking and cycling measures in February/March 2012 including a pedestrian refuge in Carlton Terrace, redesigned junctions in Trafalgar Road to improve visibility and space for pedestrians as well as reduced speed limits. At the same time, pedestrian refuges were added at two locations to the North and South of the Church Road junction with St Peter’s Road.

Since implementation of these measures there has regrettably, been one collision over the last year (up to May 2013) involving a child during term time. However, this was a slight collision involving a reversing vehicle.

I trust this of assistance to you and will enable you to reassure the parents accordingly”.

9. INTRODUCTION TO THE ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE (PRESENTATION)

9.1 The Committee considered a presentation from the Head of City Infrastructure and the Head of Transport that outlined the new Committee’s functions, the meetings programme and the proposed Committee Workplan for 2013-14.

9.2 **RESOLVED-** That the presentation be noted.

10. COMMUNAL RECYCLING

- 10.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that sought permission to introduce communal recycling in the city centre based on the results of the recent consultation on the matter.
- 10.2 Councillor Mitchell noted the report indicated the measures would result in a citywide increase of just 3% which was a return to 2008 levels. Councillor Mitchell queried why the consultation literature asked respondents whether they would use communal recycling bins rather than if they supported their introduction. Furthermore, Councillor Mitchell noted her concerns regarding the sparse positioning of glass bins and if that might lead to glass being placed in refuse bins. Councillor Mitchell asked if there had been any consultation with the cityclean workforce on potential job losses and/or weekend working.
- 10.3 The Head of Strategy & Projects replied that the trial in Brunswick & Adelaide represented a small portion of the city and the 70% increase in rates was specific to that area. If accepted, the proposals covered a much larger area and an approximate 3% rise in recycling rates was predicted. The Head of Strategy & Projects added that the positioning of glass bins had always been problematic- if the bins were too close to households then there were noise pollution complaints and if they were positioned further away, distance became an issue. The Head of Strategy & Projects added that, during the trial, the bins had been moved in order to find the ideal position, that flexibility could be continued in a citywide scheme. The Head of Strategy & Projects supplemented that there were currently 9 full-time equivalent staff currently and it was intended to use 6 over time. There had been no consultation with staff on the policy issue as the scheme was awaiting approval from the Committee and impact on employees terms and conditions would not change as result of communal recycling. Consultation with staff was still ongoing regarding changes to their work patterns and pay.
- 10.4 Councillor Janio enquired if the cost of new trucks had been factored in to costings of the scheme.
- 10.5 The Head of Strategy & Projects replied that the expenditure on new fleet and new bins had been factored in to the costings.
- 10.6 Councillor Theobald stated that he was pleased to be associated with the scheme as he had originally signed the first application and he welcomed the grant from central government. Councillor Theobald noted that he hoped the impact on car parking spaces could be monitored and the scheme adapted to increase spaces wherever possible.
- 10.7 Councillor Hawtree stated that he was encouraged by the proposals that he hoped would lead to an increase in recycling rates in order to counter the recent decline. Councillor Hawtree also hoped it would ultimately lead to a culture change in awareness of waste.
- 10.8 Councillor Sykes stated he found the opposition Members claims unusual as they had instigated very few schemes in power whereas the current administration had been

quick to propose such measures. Councillor Sykes relayed that recycling rates and contentment with the scheme in the Brunswick & Adelaide ward had continued.

- 10.9 Councillor Cox welcomed the scheme and the associated funding from government which he hoped would increase recycling rates and be more efficient. Councillor Cox asked if the loss of spaces might be offset by the opening of Norton Road car park to residential parking, a scheme he had previously suggested.
- 10.10 Councillor Davey stated that the trial in Brunswick & Adelaide had clearly demonstrated all round improvements and he hoped this would be reflected to the benefit of the city with this scheme.
- 10.11 Councillor Janio congratulated the administration for pursuing the scheme that he was sure would result in a increase in recycling rates. Councillor Janio stated that he did not agree with food waste and he hoped the administration would allow the proposed scheme to 'bed-in' before they pursued another project.
- 10.12 Councillor Mitchell stated that the Labour & Co-operative Party would be supporting the proposals and accepted the scheme as an efficient and convenient way of removing waste. Councillor Mitchell added that she hoped the scheme would be monitored and that the awareness campaign continued.
- 10.13 The Chair agreed adding that the improvements in communication with residents on the issue of recycling would be pursued. The Chair stated that the council would also be working with specific communities where recycling rates were low.
- 10.14 **RESOLVED-**
1. That Committee notes the outcome of the communal recycling consultation
 2. That Committee approves the roll out of communal recycling across the streets in the central parts of the city listed in Appendix 1.

11. CITY DOWNLAND ESTATE ADVISORY BOARD – TERMS OF REFERENCE

- 11.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that requested agreement that the purpose of a City Downland Estate Advisory Board is to provide expert advice for the advancement of the City Downland Estate policy, plans and delivery, the SDNPA aims and duty and the Biosphere objectives and also the Board's terms of reference.
- 11.2 Councillor Sykes suggested adding promotion of knowledge, learning and awareness to the policy aims as listed in the terms of reference. Committee Members were in agreement with the proposal.
- 11.3 **RESOLVED-**

1. To agree that the purpose of a City Downland Estate Advisory Board is to provide expert advice for the advancement of the City Downland Estate policy, plans and delivery, the SDNPA aims and duty and the Biosphere objectives.
2. To agree the terms of reference for the City Downland Estate Advisory Board as set out in Appendix 1 (as amended).
3. To note that the arrangements and Terms of Reference for the Board are subject to review by the Environment Transport & Sustainability Committee

12. BRIGHTON & HOVE AND LEWES DOWNS BIOSPHERE APPLICATION

- 12.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that sought approval of the Biosphere Management Strategy and the application to UNESCO to become a Biosphere Reserve.
- 12.2 Councillor Janio moved a motion to change the recommendation 2.3 as shown in bold italics below:
 - 2.3 That the Committee ***strongly*** endorses an application to UNESCO to become a Biosphere Reserve.
- 12.3 Councillor Theobald seconded the motion.
- 12.4 The motion was carried.
- 12.5 Councillor Theobald noted that the bid predicted an increase in tourism if the application was successful and asked if there were any projections as to a figure.
- 12.6 The Head of Strategy & Projects replied that whilst the council had not studied projections for Brighton & Hove, comparative data did show an increase in tourism associated with visiting biosphere sites. The Head of Strategy & Projects noted the importance of promotion in maximising those potential visitors.
- 12.7 Councillor Hawtree welcomed the report and the UNESCO had recognised the uniqueness of Brighton & Hove. Councillor Hawtree stated that he hoped the Biosphere Strategy would eventually include marine life also.
- 12.8 Councillor Mitchell noted her support for the proposals and that the co-funding of the Biosphere Reserve Officer demonstrated the support of the council's partners.
- 12.9 **RESOLVED-**
 1. That the Committee note the progress made on the project.
 2. That the Committee agrees the Biosphere Management Strategy
 3. That the Committee strongly endorses an application to UNESCO to become a Biosphere Reserve.

4. That the Committee formally thanks the Biosphere Partnership for the progress made on the project.
5. That the Committee delegates authority to the Executive Director of Environment, Development & Housing to sign off the UNESCO application on behalf of Brighton & Hove City Council

13. AIR QUALITY MANAGEMENT AREA

13.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that set out a proposal for a new Air Quality Management Area (AQMA) and brief outline for a new Air Quality Action Plan (AQAP). The report also considered the outcome of detailed air quality assessments and, based on the findings, made recommendations for amendments to the existing AQAP.

13.2 Councillor Davey moved a motion to add a further recommendation 2.4 as shown in bold italics below:

2.4 Instructs officers to investigate the development of a Low Emission Zone in the central city area and, after discussion with partners, report back to Committee later this year on the possibility of implementation in 2015.

13.3 Councillor Sykes formally seconded the motion.

13.4 Councillor Cox expressed his concern that the administration had issued a press release earlier in the day that misleadingly claimed they had succeeded in introducing a Low Emission Zone (LEZ) in 2015 when the Committee had yet to make their decision.

13.5 Councillor Janio noted his concern that the proposals appeared to be a foregone conclusion. In addition, Councillor Janio enquired as to why the AQMA area had been reduced when the air quality problems had not necessarily been solved. Councillor Janio stated that there had been a significant amount of rain in 2013 which may have led to the particle matter being washed away. Councillor Janio also felt more extensive comparable data should be provided.

13.6 The Senior Technical Officer clarified that there had been a net reduction in nitrogen dioxide in the AQMA with several areas declining for the first time since monitoring had begun. There had been a gradual improvement in air quality in Hove between 2000 and 2010. Furthermore, the Technical Officer explained that AQMA was an assessment of airborne nitrogen dioxide levels and not particle matter.

13.7 Councillor Cox noted that he had been intending to support the amendment put forward but was now unsure as the administration's press release in advance of the decision had made the topic overtly political. Councillor Cox noted that the AQMA in London had seen the introduction of 1000 new buses at considerable cost. Councillor Cox enquired if an equivalent scheme in Brighton would lead to fare rises which could lead to fewer people using them as a means of transport.

- 13.8 Councillor Mitchell thanked officers for adding the five actions listed at 3.25 with reference to air quality and taxi licensing policy as these issues had been the source of some difficulties within East Brighton ward. Councillor Mitchell echoed Councillor Cox's concerns regarding the politicisation of the issue by the administration and that a decision had already been made in advance of the findings of the subsequent report to be presented to Committee.
- 13.9 The Chair stated that whilst the administration could rightfully have views on a variety of issues, the motion was clear that introduction of an LEZ was only to be investigated at this stage and was still only a possibility.
- 13.10 Councillor Deane expressed her hope that the opposition Members could support the motion as they all had a duty to put forward a solution to the benefit of the city.
- 13.11 Councillor Robins enquired why 2015 had been identified as a date of implementation.
- 13.12 Councillor Davey clarified that the issue required urgent attention and working to a deadline would prompt focus. Councillor Davey supplemented that that the issue required thorough work and 2015 was a reasonable time-frame for this work to be undertaken. Furthermore, many other cities had introduced a LEZ ahead of that schedule.
- 13.13 Councillor Sykes stated that the city was in breach of air quality requirements and setting a realistic deadline to partly resolve that would be helpful.
- 13.14 Councillor Robins moved a motion to remove the words "in 2015" from the motion.
- 13.15 Councillor Janio formally seconded the motion.
- 13.16 The Chair put the motion, as amended, to a vote.
- 13.17 The motion was carried.
- 13.18 Councillor Mitchell asked if opposition Members could contribute to the report particularly with regard to the economic impact of introducing a LEZ.
- 13.19 The Chair stated his agreement with Councillor Mitchell's proposal.
- 13.20 Councillor Davey stated that reducing air quality had been identified as a priority for the Transport Partnership and he would welcome extra meetings to comprehensively work through the issue.
- 13.21 **RESOLVED-**

That Committee:-

1. Approves the proposed refocusing of the existing AQMAs and instructs the Executive Director Environment, Development and Housing, after necessary consultation, to take all necessary steps to vary the AQMA Orders of 2004 and 2008 as shown in Figure 2 of Appendix 1.

2. Instructs the Executive Director Environment, Development and Housing to continue to explore measures to improve air quality in the new AQMA, including the policy themes listed in paragraph 3.27 and Appendix 2.
3. Instructs the Executive Director Environment, Development and Housing to consult the taxi trade and stakeholders concerning the potential new taxi licensing policy measures as set out in paragraph 3.25.
4. Instructs officers to investigate the development of a Low Emission Zone in the central city area and, after discussion with partners, report back to Committee later this year on the possibility of implementation.

14. PORTLAND ROAD DEVELOPMENT STOPPING UP ORDER APPLICATION

- 14.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that requested approval to proceed with an application to the magistrates' court for the stopping up orders related to the site of the former ABC Cinema/Gala Bingo Hall on the corner of Portland Road and School Road.
- 14.2 The Head of Transport provided an introduction to the report. He stated that it was a very detailed report on a complex matter adding that the stopping up order related to a very small part of the public highway. Furthermore, it was the view of officers that Application 1 was favourable as it provided a more practical layout and would be easier to maintain and keep clear. In addition, it was the view of officers that the area considered was not a viable piece of public highway.
- 14.3 Councillor Pissaridou made a representation to the Committee detailing her objections to proceeding with the application. Councillor Pissaridou stated that the development had been contentious from the outset. Furthermore, the current application had been excluded from proposals submitted by the developer in October 2012 which demonstrated they could proceed with the development without that portion of land. Councillor Pissaridou highlighted that the section of land was a public right of way and should be prized rather than built upon. In addition, Councillor Pissaridou believed the authority would set a dangerous precedent in accepting this loss of public highway.
- 14.4 Mr Preston, who had been invited to speak to the item by the Chair of the Committee, detailed his objections to the application. Mr Preston stated that the area concerned was not a recess as had been described. Mr Preston added that he had attempted to engage with the Highways department regarding the proposals but had been left no option but to go to court as Highway Authority had decided to go ahead with the extinguishment order application based on compelling reasons for future use of the development and a subjective assessment of something that no longer exists. Furthermore, Mr Preston believed accepting the application would set an extraordinary precedent and the Committee should acknowledge the wider public concern and reject the recommendations.
- 14.5 The Head of Transport explained that the development had been given planning approval. Further more, it was the view of the highways and transport team that there

would not be a material impact upon transit if the application was approved. In addition, the application would join up the boundary line and maintain the width of the pavement.

- 14.6 Councillor Hawtree enquired as to the legal position with regard to a potential overhang on Application 1.
- 14.7 The Head of Transport clarified that there would be a slight overhang to the development and the successful planning application supported that right.
- 14.8 Councillor Theobald asked why the authority were not requesting a fee from the developers for the piece of land.
- 14.9 The Head of Transport replied that this was not a process that would support asking for revenue.
- 14.10 The Lawyer supplemented that the developer had requested the authority to exercise its right to apply for a stopping up order and submit the application which the council had agreed to do. The financial cost to authority of doing so would be met by the developer.
- 14.11 Councillor Sykes noted that the developer owned the sub-soil so therefore the authority would not be able to sell the portions of land concerned.
- 14.12 The Head of Transport stated this was correct and the authority could only sell the depth of the highway.
- 14.13 Councillor Robins asked for the measurement of the two stretches of land included in the application.
- 14.14 The Head of Transport clarified that the strip on Portland Road measured 16.5sq metres and the strip on School Road 24sq metres.
- 14.15 **RESOLVED-** That, having taken into account the objections and representations made by the objectors, the Committee agrees to proceed with an application to the magistrates' court for the stopping up of the areas of highway set out in Application 1.

15. BETTER BUS AREAS - RESULTS OF EDWARD STREET PUBLIC CONSULTATION

- 15.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that outlined the results of the recent public consultation on the proposals for Edward Street as part of the DfT funded Better Bus Areas Programme and proposed commencing the scheme.
- 15.2 Councillor Janio stated that he hoped the proposals would include contingencies should any problems arise regarding the positioning of loading bays.
- 15.3 The Principal Transport Planner clarified that officers would continue to liaise with stakeholders in the area and those discussions would inform the detail of the necessary TRO.

- 15.4 Councillor Hawtree welcomed the report proposals and improvements to the area which were much needed.
- 15.5 Councillor Robins stated that he travelled along Edward Street regularly and great caution should be taken regarding the location of loading bays as significant traffic issues may arise.
- 15.6 **RESOLVED-**
1. That the Committee notes the results of the public consultation on the proposals for bus priority, pedestrian and cyclist infrastructure improvements on Edward Street as part of the Department for Transport funded Better Bus Areas Programme.
 2. That, having taken into account the responses received, the Committee authorises officers to proceed with detailed design and advertising the formal Traffic Regulation Order (TRO) for the Edward Street Bus & Cycle lanes and any necessary waiting & loading restrictions.
 3. That the Committee authorises officers to commence construction on elements of the scheme that are not dependant on the outcome of the TRO consultation process. This would include the introduction of additional controlled crossings at the junction of Edward Street with Upper Rock gardens and Egremont place, footway build outs at Tillstone and John Street and side road raised entry treatments involving some kerb realignment. This work would not be abortive should the overall scheme fail to materialise following the formal TRO consultation.

16. OLD SHOREHAM ROAD - PHASE 2

- 16.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that sought permission to consult on Phase 2 of the Old Shoreham Road cycle and pedestrian facilities scheme. The Principal Transport Planner supplemented that the council were awaiting a decision from the DfT as to whether the £1.4m bid for a 'Cycle City Ambition (CCA) Grant' had been successful.
- 16.2 Councillor Janio asked if the Committee would be provided the full plans of the scheme before the consultation commenced.
- 16.3 The Principal Transport Planner replied that the consultation would focus on the principal of the scheme and whether residents and stakeholders supported it. Subsequent to the consultation, a detailed design would be worked upon and presented to the next Committee meeting on 8 October 2013.
- 16.4 **RESOLVED:**
1. That the Environment, Transport and Sustainability Committee gives approval to undertake a public consultation exercise with identified city stakeholders and residents as detailed in this report (section 4.7), subject to the award of DfT 'Cycle City Ambition Grant' funding.

2. That Members of the Committee be informed of the outcome of the consultation and findings be brought back to the Environment, Transport & Sustainability Committee on 8th October 2013 for a decision on whether to proceed with the implementation of the scheme, including the advertising of any necessary Traffic Regulation Orders.
3. That the Committee formally allocates DfT 'Cycle City Ambition Grant' funding to implement OSR cycle and pedestrian facilities, subject to the award.

17. TRAFFIC REGULATION ORDER - JUNCTION ROAD, QUEENS ROAD AND WEST STREET

- 17.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that presented the objections received to the advertising of a TRO seeking to make permanent the temporary traffic arrangements currently in place in Queen's Road and West Street.
- 17.2 Councillor Theobald stated that the ban on right turns for southbound traffic on West Street should be removed from the Order as he believed there would be an unacceptable increase of traffic on the seafront.
- 17.3 Councillor Davey stated that prior to the temporary re-modelling, traffic would queue back from the car parks impacting on traffic using Queens Road. This had such a detrimental impact on traffic flow that Brighton & Hove Buses had re-directed their services away from that area.
- 17.4 The Chair then put the recommendations to a vote with the following outcome:

For: 8
Against: 2
Abstentions: 0
- 17.5 **RESOLVED-** That, having taken account of all duly made representations and objections, the Committee approves the following Order:
 - Brighton & Hove (Junction Road, Queens Road and West Street) (One-Way Traffic and Prohibition of Right Turns) Order 20**

Subject to the amendment that Schedule 2, Item 2 (ban on right turns for vehicles exiting the station taxi rank) is removed from the Order.

18. ITEMS REFERRED FOR FULL COUNCIL

- 18.1 No items were referred to Full Council for information.

The meeting concluded at 7.40pm

Signed

Chair

Dated this

day of