

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT & SUSTAINABILITY COMMITTEE

4.00pm 28 NOVEMBER 2012

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor West (Chair), Councillor Sykes (Deputy Chair), Cobb (Opposition Spokesperson), Cox, Deane, Janio, Mitchell (Opposition Spokesperson), Pissaridou, G Theobald and Wakefield

PART ONE

27. PROCEDURAL BUSINESS

27(a) Declarations of Substitutes

27.1 There were none.

27(b) Declarations of Interest

27.2 Councillor Deane declared a non-pecuniary interest in Item 35 as she was an active member of the St Nicholas Community Association.

27(c) Exclusion of press and public

27.3 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).

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

27.5 In addition the Chair stated that he had received a request to allow the meeting to be recorded by Members of the Public. The Chair stated that as per Rule 31 of the Constitution, he would grant permission for this to happen.

28. MINUTES

- 28.1 Councillor Deane stated that at 22.7 she had not stated what was recorded and had in fact said that her ward shared similar characteristics and that residents of her ward were happy with the introduction of communal refuse in their particular area with no reference to Hanover ward.
- 28.2 **RESOLVED-** That subject to the above amendment, the minutes of the previous meeting held on 17 October 2012 be approved and signed as the correct record.
- 28.3 As a matter arising, Councillor Pissaridou enquired whether the consultation documents for communal refuse in Hanover had indicated the number of parking spaces that would be lost as recorded at 22.4 of the minutes.
- 28.4 The Head of Projects & Strategy replied that it had not been although loss of parking spaces was mentioned in the pro's and con's sheet that had been circulated.
- 28.5 Councillor Pissaridou stated her disappointment that this had not specifically been set out in the consultation documents as the Environment & Sustainability Committee had agreed.
- 28.6 Councillor West noted that he believed this had been a request and not an agreement of the Committee.
- 28.7 The Strategic Director, Place recorded his apologies to the Committee if this had been missed. He would write to each of them clarifying the issue after the meeting.

29. MINUTES OF THE PREVIOUS CITY SUSTAINABLE PARTNERSHIP MEETING- FOR INFORMATION

- 29.1 **RESOLVED-** That the minutes of the previous meeting of the City Sustainability Partnership held on the 12 November 2012 be noted.

30. CHAIR'S COMMUNICATIONS

- 30.1 Councillor West provided the following communication:

"I would first of all like to welcome Councillor Cox as new member of the committee.

I am glad to say that Eco Open Houses has enjoyed another successful year. I think you will all agree that this showcase makes an increasingly valuable contribution, demonstrating practical measures to make homes more sustainable and cost effective to run. I understand Eco Open Houses is to move to June next year to align with the Eco Technology Show, which will no doubt strengthen both of these initiatives.

I am very grateful to the group of pupils from St Bartholomews School, who with me, cut the turf as we begin the much anticipate renewal of the Level. And I am grateful also to Veolia Environmental Trust for awarding £50,000 in support of our development of the new skatepark at the Level. The work is progressing well towards reopening next summer.

I was delighted to witness the switch on of the new energy saving lights at the Royal Pavilion, which I am told use just one eighth of the energy of their defunct predecessors.

Councillor Skyes and I were both impressed by the Energy Café & Albion in the Community kid's football club roadshow which we attended in Coldean. The aim of the day was to introduce residents to energy efficiency measures while the kids honed their footie skills.

I was presented with a pack of energy saving measures that 10:10 are distributing. The pack includes an energy meter which has help me see the cost of electricity we are using at home, and I am now eyeing my fridge with suspicion. I aim to pass on the pack on soon.

I recently visited Patcham Memorial gardens to meet with our gardeners and volunteers from the university of the 3rd age, who have been working hard tackling the shrub growth and making the park brighter and more inviting. Thank you and well done to them.

I'm please to report that the new Whitehawk Hill masterplan has received great local interest with 30% of consultees responding, and showing very positive support for the plan.

The Leader of the Council and I have also visited Wild Park to meet volunteers making a start on the 10 year programme of improvements to habitats including efforts to save and expand the patches of rare species-rich downland chalk grassland.

Following committees decision to endorse the Memorandum of Understand with the National Park, I can report the Leader of the Council and Chair of the Park Authority have signed the agreement at Stanmer House – the relationship between the two authorities is building very positively.

Congratulations are due to Brighton Peace and Environment Centre which has celebrated their 30th birthday. I look forward to the next 30 years of their important work with communities and schools promoting peace and sustainable living.

I would also like to draw member's attention to the new B&HESCo, a great new initiative that promises to have great positive impact for residents struggling with rising energy bills. The aim is for the B&HESCo to bulk purchase energy and pass on discounts to customers while also supporting local energy saving and renewable energy schemes. This initiative has a lot of potential for helping with the fight against fuel poverty.

And finally, can I thank committee members for attending our recent visit to Newhaven, I think we all found that very helpful in developing our understand of the waste PFI. I am discussing with officers future visits, and I propose we take a short report at the next committee that allows Members to develop a proper schedule of future visits".

31. CALL OVER

31.1 **RESOLVED-** That all items on the agenda be reserved for discussion.

32. PUBLIC INVOLVEMENT

32 (a) Petitions

32.1 The Committee considered a petition signed by 85 people requesting the increase in the number of Council-run public toilets. The petition had been referred from Full Council held on 25 October.

32.2 Councillor West provided the following response:

‘Thank you for your petition regarding public toilet provision which has been presented at Full Council and referred to this committee.

I share your view regarding the importance of public toilet provision. The council is recognised for its good performance as reflected in our Loo of The Year Competition results where we consistently head the national league table, as well as results from customer satisfaction surveys.

However we do need to consider future service provision, particularly given the financial constraints the council faces which is one of the reasons why I have requested a scrutiny on this service. I am pleased to say this is now being conducted by the Overview and Scrutiny Panel and the first meeting of the Panel took place on Monday to consider the scope of the exercise.

The Panel will focus on future provision of this service and consider: whether current provision is adequate and cost effective; how the service can be best provided in future given the resource constraints and whether there are better ways to provide access to toilets for all user groups.

The Panel is aiming to complete its work by April of next year and I very much look forward to its findings to help inform decisions about this very important service in the city.

I would like to recommend that your petition is forwarded to the Overview and Scrutiny Panel’.

32.3 **RESOLVED-** That the petition be noted and referred to the Overview & Scrutiny Panel for information.

32.4 Isobel Elliot presented a paper and e-petition with a combined 627 signatures that requested the Council to allow free parking to Park users for a maximum of 2-3 hours.

32.5 Councillor West provided the following response:

‘Thank you for your petition. I think it is right to review how the parking scheme in the park is working and whether we need to make any changes. Following Councillor Mitchell’s request committee agreed to consider feedback on the scheme after the first 6 months operation. We are therefore bringing a report to committee in February and that will look at suggestions which we have received from residents and park users, like yourself, and from councillors including Councillor Geoffrey Theobald. Officers are collating information to inform the review.

One point I do need to make is that as well as, reducing the impact of cars on park, a parking scheme must also pay for itself. That means it needs to cover the costs of monitoring and enforcement of the rules and the installation of equipment, through the charges raised. That does not mean there is no flexibility to reconsider some of the charges but it does provide a restriction.

Your petition has been passed to officers to help inform the review and I am asking the committee to note it for now’.

- 32.6 Councillors Janio and Theobald stated that several sports clubs has raised concerns with them about parking issues. Councillor Janio requested that the Committee be presented with options in the report in February 2013.
- 32.7 Councillor West stated that sports clubs had been contacted as part of the original consultation on the measures. He asked Members to invite the sports clubs to contact the Cityparks team on concerns they have. Councillor West supplemented that he was sure Officers would provide options in the progress report.
- 32.8 **RESOLVED-** That the petition be noted.

(b) Written Questions

- 32.9 Gillian Fleming presented the following Question:

“As Hanover Street is part of the Valley Gardens Conservation Area, and forms a geographic and historic entity with Hanover Crescent, and as there are frontages the whole of the length of the street on both sides, why is the street included in the consultation? Given the perfectly adequate storage space for individual bins that exists there, and given the failure so far by Cityclean to find a discreet location for communal bins in that street (i.e. a location where residents' windows and doors are not directly affected) why impose the misery of communal bins where they are simply not needed”

- 32.10 Councillor West provided the following response:

‘Thank you very much for your question. I must assure you that we are consulting with residents to find out their views on a communal bin scheme and we are carefully listening to everyone's views and that includes yours about Hanover Street. We know there are difficulties with finding discreet locations for the bins but we have also been asked by residents to look at a better and cleaner form of refuse collection in the area to help improve the cleanliness of Hanover. We have tried binevelopes which don't seem to work well as they are left out on the street all day, every day, obstructing the pavement, and so we have tried a trial of communal bins in Washington street and Coleman Street which has worked better. For that reason officers have been meeting with the Local Action Team and decided to get the views from all residents about possibly extending communal bins across the area. That is not to say we do not think communal bins are without their problems and certainly in Hanover, finding suitable locations away form from people's homes is one of them. We are collecting everyone's views on a proposed scheme and we will be carefully considering all comments including the ones you make and we envisage we will need to adjust the scheme if it is to go ahead. We will be consulting your ward councillors on the matter as well and officers will attend the Local Action Team meeting again, so please be assured we are listening very carefully as we try to come up with a better way to collect refuse in the area’.

33. MEMBER INVOLVEMENT

33. (c) Notices of Motion

- 33.1 Councillor Theobald presented a Notice of Motion that requested that the Committee consider the adoption of a Traveller Encampment sensitive site protocol, in partnership with Sussex Police, and that any future incursions on sensitive sites be the subject of immediate eviction under the Criminal Justice and Public Order Act 1994. In addition, the Motion requested that any areas not included on the sensitive site list should not automatically become tolerated sites for unauthorised camping.
- 33.2 Councillor West stated that he had received a briefing from Officers on this Motion particularly the legal aspects. The Briefing Note he had received was tabled to the Committee.
- 33.3 Councillor Cox asked why the Briefing Note could not have been circulated before the meeting.
- 33.4 The Strategic Director, Place explained that there was an obligation for the Chair to respond to the Notice of Motion and the tabling of the document followed this procedure.
- 33.5 Councillor Mitchell stated that she had already received a briefing from Officers as well as the Briefing Note circulated at the meeting. She asked if the same had been offered to the Conservative Party.
- 33.6 Councillor Theobald clarified that he had received an offer of a briefing but was unable to make the dates offered.
- 33.7 Councillor Janio stated that he believed there were serious legal issues in circulating the briefing sheet at the meeting and not in advance. He noted his astonishment that the Briefing Note could not have been circulated to the Committee Members before the meeting.
- 33.8 The Acting Assistant Head of Law reminded the Committee that they had two options in dealing with the Notice of Motion: to note it or to call for an officer report.
- 33.9 The Head of Housing & Social Inclusion apologised for not circulating the Briefing Note in advance and for not ensuring a briefing for Councillor Theobald. The Head of Housing & Social Inclusion provided a verbal update that included the following:
- The Traveller Strategy, agreed by Full Council in March 2012, covered the majority of the issues raised in the Notice of Motion
 - Site profiles outlined current site protection measures, issues in relation to community impact (such as whether the site is used for community or sports events) and the usual appropriate way of dealing with the encampment. Officers had shared these site profiles with Sussex Police as part of a joint approach to managing unauthorised encampments.
 - There couldn't be a blanket approach as each encampment was different and by necessity required different approaches.
 - The council worked with the Pan-Sussex Local Authority Traveller Forum to develop a joint protocol on dealing with unauthorised encampments. The police had been involved as a partner in the development of the protocol.

- The powers for removing travellers referred to in the Notice of Motion were police powers, not local authority powers. The Council could only request that the police use them, not compel the police to use them.
- The Council frequently submitted Section 61 requests to Sussex Police and, in the majority, these were upheld.

33.10 Councillor Theobald stated that the origin of the Notice of Motion came from a Scrutiny Panel recommendation. He asked if this had been implemented.

33.11 The Head of Housing & Social Inclusion explained that the Scrutiny recommendation had been accepted and was incorporated into the Traveller Strategy.

33.12 Councillor Cox noted his disappointment in the tabling of the Briefing Note which could have easily been sent out to Members prior to the meeting. Whilst he did not contest what was said, he believed maintenance of the status quo would increase prejudice against the Traveller Community as the majority of people felt the law was lacking. Councillor Cox added that he was disappointed that no mention of the new elected Police Commissioner was made in the Briefing Note and re-iterated his disappointment that one Member of the opposition had received a briefing and the other had not.

33.13 Councillor Wakefield stated that she had also just received the Briefing Note. She stated that Full Council had extensively discussed the points in the Notice of Motion before. Councillor Wakefield stated her conviction that most Traveller Communities did not want to use sensitive sites but were forced to because of the lack of adequate provision offered. This could only be solved by the development of permanent sites.

33.14 Councillor Janio stated that there should be a list of authorised sites that indicated toleration. He believed the Committee needed to discuss the matter again at a later date.

33.15 Councillor Mitchell urged the Head of Housing & Social Inclusion to set up a briefing with Councillor Theobald to provide assurance on the measures being undertaken. She noted that there were already site by site protocols and the provision of a Traveller protocol and a new report was no necessary at this time.

33.16 Councillor West moved to note the Notice of Motion.

33.17 Councillor Sykes formally seconded the motion

33.18 Councillor West then put the recommendation to note the Notice of Motion to a vote, with the following result:

For: 6

Against: 4

33.19 **RESOLVED-** That the Notice of Motion be noted.

33.20 Councillor Janio expressed his outrage at the handling of the issue.

- 33.21 Councillor Theobald stated that he was very angry that council officers could not allocate time to meet with him to provide a briefing.

34. VERBAL UPDATE ON BRUNSWICK & ADELAIDE COMMUNAL RECYCLING TRIAL

- 34.1 The Committee considered a verbal update on the Brunswick & Adelaide Communal Recycling Trial.
- 34.2 Councillor West added that the item was timely as in the last week the council had learned of Eric Pickles MP decision to award a full £840,000 to enable roll out communal recycling across the city centre.
Councillor West stated that Mr Pickles had clearly been most impressed by the highly successful trial in Brunswick and Adelaide and the work of officers in developing an exciting and attractive bid.
The funding would enable the council to consult on rolling out communal recycling across the city centre.
This would offer an end to living with black boxes, cleaner and less cluttered pavements, and considerably higher recycling rates, making better use of materials and saving the council tax payer £800,000 in cost over 6 years. Councillor West wished it noticed that Councillor Theobald had co-signed the letter to Eric Pickles MP.
- 34.3 The Head of Projects and Strategy explained that In October 2011 the council consulted with approximately 3000 households in Brunswick and Adelaide ward about trialling communal recycling.
There was overwhelming support for the trial (87%) and the trial commenced in April 2012.
Resident's views on the trial were sought four months after implementation and the survey found that: 64% of respondents found the service easier to use; 78% of respondents thought the streets looked better without the black boxes; 35% recycle more with the new service. The percentage of respondents who never recycle had reduced from 13% to 3% and 73% of respondents preferred the new scheme.
Analysis of the tonnage of material collected for recycling had shown that it increased by up to 70% in comparison to the black box collections.
The council had submitted a funding bid to DCLG to roll the scheme out more widely subject to consultation.
Last week DCLG notified the council that the bid to extend communal recycling had been successful. A report would be presented to the February meeting of this committee seeking permission to consult on the scheme.
- 34.3 Councillor Sykes stated that as ward councillor for the area, the issue of communal recycling had been raised with him many times and he pleased that the trial had gone well.
- 34.4 **RESOLVED-** That the update be noted.

35. NOMINATION OF SITES FOR QUEEN ELIZABETH II FIELDS CHALLENGE

- 35.1 The Committee considered a report of the Strategic Director, Place that set out the background to the Queen Elizabeth Fields Challenge initiative and sought approval for the proposed sites for protection under the scheme.
- 35.2 Councillor West stated that he was very pleased that Committee could receive the report. Councillor West added that slow start he was glad to see many community groups had now put forward their local open spaces for consideration for dedication. He was glad the initiative has received cross party support, and noted that the chronology overlooked that officers had already instructed to begin looking at sites we could put forward to become Fields in Trust before the Conservative Group tabled their Notice of Motion. Councillor West stated his administrations support for the initiative.
- 35.3 The Head of Projects and Strategy provided a historical background to the issue. He further explained that the criteria for selection were broad, as summarised in the report, as a result of which the majority of public open spaces in the city could be eligible for nomination.
The majority of open spaces in the city were already protected by deeds of covenant, the City Plan or Planning law so most sites were unlikely to be lost unless a very strong case can be made for their development.
The Head of Projects and Strategy added it should be noted that nomination of sites under the scheme will require the council to enter in to a Deed of Dedication which will effectively prevent the council from disposing of nominated sites in future.
The benefits of the scheme included: Raising the profile of local sites; an opportunity to gain more community involvement and the opportunity to bid for potential funds for nominated sites
Sports groups and Friends of groups were invited to put their sites forward explaining why: they felt their site should be protected; how their site encouraged residents to enjoy sport and recreation and what they would do for the Have a Field Day launch.
The Head of Projects and Strategy went on to explain that nominated sites need to be checked by planning to ensure they did not conflict with the council's planning policies and ensure there are no legal reasons preventing their nomination.
The Head of Projects and Strategy stated that nominations had now been received from: Blakers Park; Carden Park; Horsdean Recreation Ground; Woodingdean Bowls Club and Hangleton Park. These sites had been checked and are recommended for nomination.
Expressions of interest had also been received from: St Nicholas Rest Garden; Kingsway Bowls Club and Three Cornered Copse
Checks on these sites were being carried out and the Cityparks team were working with these representatives from these sites to submit their nominations.
- 35.3 Councillor Cobbb stated her delight that the Committee could receive the report and she welcomed that later requests for nomination could be accepted.
- 35.4 Councillor Mitchell stated her support for the proposals and her hope that more applications would be submitted.
- 35.5 **RESOLVED-**

1. That Committee approve the sites nominated for protection under the Queen Elizabeth II Fields Challenge (Blakers Park, Carden Park, Woodingdean Bowls Club, Horsdean Recreation Ground and Hangleton Park)
2. That the Committee delegates authority to the Strategic Director of Place, after consultation with the Chair of the Committee and the Head of Legal and Democratic Services, to consider and put forward additional nominations received before 14th December 2012. These nominations are expected to include St Nicholas Rest Gardens and Kingsway Bowls Club, both of which have expressed an interest in the scheme;
3. That the Committee delegates authority to the Strategic Director of Place and the Head of Legal and Democratic Services to agree and complete all documentation associated with the nominations.

36. UPDATE ON FINAL FUTURE CITIES DEMONSTRATOR BID AND FEASIBILITY STUDY

- 36.1 The Committee considered a report of the Strategic Director, Place that provided an update on the Council's Future Cities Demonstrator bid.
- 36.2 Councillor West stated his disappointment that the Technology Strategy Board (TSB) hadn't decided to take forward the Council's bid to the next stage. He added that the council had worked hard making very good use of the initial feasibility funding to develop a strong vision, and its legacy was extremely good news for the city. Councillor West stated that the Council could still look to enact the vision through other channels, as through the bid development, new and important relationships had been forged and built upon across the city and beyond. He supplemented that the Council were indebted, for example, to the contribution Ricardo had made to the initiative and the new strong links would stand the city and the wider economic area in good stead for the future. The systems were sought to develop played to the city's strengths, and would help realise a One Planet Smart City; develop the workforce, economy, and improve quality of life. Councillor West supplemented that Members, officers consultants The Real Economy, and most of all partner organisations, had all worked extremely hard to pull off the feat of building the vision and making the submission in such short time. Councillor West invited members to join him in congratulating and thanking them.
- 36.3 The Strategic Director, Place stated his disappointment that the bid had not been successful. This decision had only recently been received and he would circulate a note to Members on the feedback from the TSB when this arrived. The Strategic Director added that new initiatives based on the bid submission were already being examined and there was some indication that the proposals could be implemented through a different course.
- 36.4 Councillor Deane expressed her disappointment that the bid had not been successful however, she felt a lot had been gained from the work already conducted including new relationships and the strengthening of pre-existing partnerships. She thanked officers for their work.

- 36.5 Councillor Sykes stated his regret that the bid had not been a success however, the £50,000 secured from being shortlisted and the new partnerships created had been very positive.
- 36.6 Councillor Janio agreed that £50,000 funding and the work conducted had been very positive. Councillor Janio hoped that the Committee would acknowledge central government for providing funding for the initiative.
- 36.7 Councillor Mitchell stated that she did not share Councillor Janio's praise for central government who, in her opinion, were conducting an unnecessarily harsh austerity programme. Councillor Mitchell supplemented that she shared the disappointment expressed by other members of the Committee however, she believed the ideas and partnerships created from the work conducted would not be lost. She hoped that the ideas to come from the feasibility study would be incorporated into work on the City Deal and her hope that the work could be revisited in a better financial climate.
- 36.8 **RESOLVED-** That the Environment & Sustainability Committee note the report.

37. ENVIRONMENTAL MANAGEMENT SYSTEM

- 37.1 The Committee considered a report of the Strategic Director, Place that provided an update on the Council's ISO 14001 Environmental Management System (EMS) specifically, the acquisition of the new ISO 20121 standard.
- 37.2 Councillor West stated that at a penalty cost of 250,000 per year, the Carbon Reduction Commitment rightly placed a heavy financial incentive on the Council to ensure it was using energy efficiently and supporting low and zero carbon sources, like wind and solar.
Councillor West added that as a part of the drive to be a One Planet Council, there had been a recent agreement to invest in automatic metering, so the Council could establish wastage and fix it.
Councillor West supplemented that the huge financial, carbon and water savings realised at the Brighton Centre through environmental management demonstrated the real practical value and importance of these initiatives.
Councillor West stated that this was not a Green pet project, these initiatives were saving the city money and the improving future prospects.
- 37.3 Councillor Janio praised the tremendous work of Officers which would be of significant benefit as an increasing number of organisers sought to book sustainable venues.
- 37.4 Councillor Cox stated his support for the acquisition of the new standard. However, he noted his concern that this could increase bureaucracy thereby excluding small businesses who could might not be compliant because of the expense in doing so.
- 37.5 The Sustainability Consultant stated that it was relatively inexpensive to acquire the qualification. In addition, the council had put on several workshops to assist small businesses.

- 37.6 Councillor Sykes stated that he hoped the standard could be expanded across the council's operations.
- 37.7 Councillor Deane stated her support for the initiative which had realised superb savings. She hoped that Brighton and Hove would be synonymous with the rising eco-technology sector.
- 37.8 **RESOLVED-** That the Environment & Sustainability Committee agrees to amend the Environmental Management System to achieve compliance with the ISO 20121 sustainable events standard by end of 2012, to coincide with the withdrawal BS 8901.

38. ITEMS REFERRED FOR COUNCIL

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

The meeting concluded at 5.50pm

Signed

Chair

Dated this

day of