

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT, TRANSPORT & SUSTAINABILITY CABINET MEMBERS MEETING

2.00pm 29 NOVEMBER 2011

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Davey (Cabinet Member) and West (Cabinet Member)

Also in attendance: Councillor G Theobald (Opposition Spokesperson) and Mitchell (Opposition Spokesperson)

Other Members present: Councillors Hawtree, A Norman, K Norman

PART ONE

44. PROCEDURAL BUSINESS

44(a) Declarations of Interests

44.1 There were none.

44(b) Exclusion of Press and Public

44.2 In accordance with section 100A of the Local Government Act 1972 (“the Act”), the Cabinet Member 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 the 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 100I(1) of the Act).

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

45. MINUTES OF THE PREVIOUS MEETING

45.1 **RESOLVED** – That the minutes of the meeting held on 4 October 2011 be approved as a correct record.

46. MINUTES OF THE SPECIAL MEETING, 9 NOVEMBER 2011

- 46.1 **RESOLVED-** That the minutes of the special meeting held on 9 November 2011 be approved as a correct record.

47. CABINET MEMBERS' COMMUNICATIONS

- 47.1 Councillor Davey informed the meeting that, due to unforeseen circumstances there would be a change to the Running Order and Item 60- Valley Gardens would be taken earlier in the agenda at Item 57.
- 47.2 Councillor Davey noted the late publication and distribution of a revised report for the Safer Routes to Schools item. This revision was due to a late objection to the Traffic Regulation Order (TRO) advertising the 20mph limit on Trafalgar and Church Roads. This objection meant the speed limit change for these two roads had been removed from the current Safer Routes to school scheme proposals. The proposed speed limit changes and the objection in relation to Trafalgar and Church Roads will be considered at the January CMM.

48. ITEMS RESERVED FOR DISCUSSION

- 48.1 **RESOLVED** – That all items be reserved for discussion.

49. PETITIONS

49(i) Sackville Road pedestrian crossing at Clarendon Road

- 49i.1 Valerie Paynter presented a petition signed by 14 people calling for the relocation of the current pedestrian crossing on Sackville Road.

- 49i.2 Councillor Davey provided the following response:

‘Thank you for your petition. At my May CMM I agreed a new methodology for prioritising requests for pedestrian crossings.

This methodology now enables the Council to develop a robust priority list for implementation that also considers those requests that deliver wider benefits as well as important road safety considerations. Of course, all such requests can only be taken forward subject to funding.

A request for a new crossing of Sackville Road, in the vicinity of Livingstone Road / Montgomery Street, was made last year and has been included on the list for assessment. This request is directly adjacent to Clarendon Road and would cater for pedestrians wishing to cross in that location.

The assessments are now being carried out by officers and the priority list for this financial year will be taken to my 24th January CMM. These will be looked at to determine which of the individual requests can be taken forward this year and next financial year dependent upon available funding’.

- 49i.3 **RESOLVED-** That the petition be noted

49(ii) Dropped curbs for the disabled

49ii.1 The petitioner did not attend the meeting therefore a response was provided in writing and is set out below.

49ii.2 Councillor Davey provided the following response:

‘I fully appreciate that a lack of dropped kerbs can make it difficult for mobility impaired people to move around the city.

The Council has been providing safe new dropped kerb crossings and other similar facilities for a number of years in accordance with national safety standards following extensive site visits and design processes. The Council also has a robust maintenance programme to ensure that existing crossing points are kept in a safe condition.

However, there are some situations where local site conditions such as steep slopes or non-uniform surfaces make even the safest crossings harder to use for mobility vehicles or parents with buggies and prams.

I am aware that you have met Council officers and elected members on site but I would also like to come and have a look myself and discuss some of these issues with you further to see how we can help’.

49ii.3 **RESOLVED-** That the petition be noted.

49(iii) Clean up Hanover’s streets

49.iii.1 The petitioner did not attend the meeting therefore a response was provided in writing and is set out below.

49.iii.2 Councillor West provided the following response:

‘Following consultation with local residents and elected members, over six months ago 1100 litre bins were placed out in Argyll Road and Campbell Road and after a few weeks all binvelopes left out on the pavement were removed. Residents now place their waste into the larger bins which are emptied twice a week.

This collection method was then introduced into Gladstone Place and Newmarket Road, Colman Street and Washington Street in Hanover and Elm Grove ward.

These new bins have been introduced after consultation with the residents and with the Hanover & Elm Grove Local Action Team (LAT). There are a high number of student households and HMOs in these streets and the new bins have had a positive affect on the condition of the streets by reducing the number of bags of rubbish left obstructing the pavements and being ripped open by seagulls.

I'm glad to learn that the Hanover & Elm Grove LAT are keen to communicate with households about their taking better responsibility for ensuring their waste is put out on the right day and doesn't become a nuisance to others. We will continue to do what we can to be supportive of such initiatives’.

49.iii.3 **RESOLVED-** That the petition be noted.

49(iv) Save our roses- Dyke Park Road

49iv.1 The petitioner did not attend the meeting therefore a response was provided in writing and is set out below.

49iv.2 Councillor West provided the following response:

'Many of the rose bushes in Dyke Road Park rose garden were in a very poor condition and needed replacement. The cost of replanting the roses would have been prohibitive and maintenance is also costly. Instead, we have replanted the beds with herbaceous plants such as Geranium, Echinacea, Sedum, Verbascum, Iris and various ornamental grasses, which will be very attractive and we are sure will enhance the park enormously. This is the type of planting we have used across other areas of the city such as North Victoria Gardens, the area around the bowling greens to the north of Preston Park and St Ann's Well Gardens where residents and visitors have appreciated the planting. What is more, these beds are easier and cheaper to maintain which has to be a consideration for the council'.

49iv.3 **RESOLVED-** That the petition be noted.

49(v) Visitor Parking, Lorna Road

49v.1 The petitioner did not attend the meeting therefore a response was provided in writing and is set out below.

49v.2 Councillor Davey provided the following response:

'I have asked officers to investigate restricting parking to two hours on the relevant parts of Lorna Road. However, this could not be included on Sundays as the Area O resident parking scheme is currently a Monday to Saturday scheme. Restrictions on Sunday would need to be included throughout the resident parking scheme so will be considered as part of the Citywide Parking Review'.

49v.3 **RESOLVED-** That the petition be noted.

49vi Open up B&H bus lanes

49vi.1 The petitioner did not attend the meeting therefore a response was provided in writing and is set out below.

49vi.2 Councillor Davey referred the accompanying Deputation on the agenda from Mr Simon Frampton and noted the following response would be provided for both:

'It demonstrates how importantly MAG view this issue, given that it is following quick on the heels of the deputation that was made by Mr Frampton to full Council last month and included on the agenda today. My response then was to welcome the opportunity that MAG have taken to participate more formally in discussion of citywide transport issues by joining the Transport Partnership and representing the views of their members.'

I can also re-confirm that officers have been requested to undertake a study of the principal issues that this proposal raises for the city – primarily congestion, air quality and road safety.

Following that work, which I would expect to be completed in the next 6 months, I will be more informed of the overall provision made for Powered Two Wheeler riders in the city, and be able to give much fuller consideration to the contribution that MAG have indicated this particular proposal would make to the overall transport strategy for the city’.

49vi.3 **RESOLVED-** That the petition be noted.

49(vii) Save our buses

49vii.1 The petitioner did not attend the meeting therefore a response was provided in writing and is set out below.

49vii.2 Councillor Davey presented the following response:

‘The city council is aware of the importance of all supported bus routes to the city’s residents.

No decisions will be made on the future of any supported bus service until the council budget for the next financial year has been decided and competitive tenders for all the services have been received. At this moment in time no routes have been identified as more likely to be discontinued than others’.

49vii.3 **RESOLVED-** That the petition be noted.

49(viii) Duke Street, lorry access

49viii.1 Councillor Kitcat presented a petition signed by 23 people requesting a restriction of lorries to Duke Street during trading hours due to the fact these lorries posed a danger to this pedestrianised street and were a constant source of disturbance and nuisances to business and the general public.

49viii.2 Councillor Davey provided the following response:

‘Delivery times in Duke Street can be controlled through the issuing of permits.

An investigation is required to identify the best time for deliveries as Duke Street is heavily used by school children outside of trading hours. Therefore, limiting deliveries to outside of trading hours may resolve one issue but create other issues. This could also lead to the displacement of vehicles to other unsuitable roads nearby.

I will pass this matter on to relevant officers to investigate and I hope we can find an option that works’.

49viii.3 **RESOLVED-** That the petition be noted.

49(ix) Proposed traffic order- Newlands Road

49ix.1 Ocean Reach Residents Limited presented a petition signed by 12 people requesting double yellow lines at the entrance to their car park to improve resident access.

49ix.2 Councillor Davey presented the following response:

‘Due to the cost, time and legal implications involved in providing double yellow lines the Council is reluctant to implement double yellow lines across driveways/accesses outside residents’ parking schemes. The Council’s general approach is to provide a white line across driveways and monitor the situation.

Although not enforceable, white lines in general assist in defining the limits of the access, and are quite well respected.

I will ask Officers to provide information on the area and we will examine options on what can be done’.

49ix.3 **RESOLVED-** That the petition be noted.

50. PETITIONS DEBATED AT COUNCIL

50A Blakers Park Road Safety

50a.1 Councillor Davey considered a petition that had been presented by Noelle O’Riordan Booth and that was referred following a Full Council debate on 20 October 2011 requesting the improvement of safety measures for pedestrians in the Blakers Park area.

50a.2 Councillor Davey provided the following response:

‘There are several items to refer to in this petition but overall, I am satisfied that the road safety history for this area is good and there are no significant speeding issues. However, the Council is currently working on the feasibility of a city wide 20mph speed limit programme and the area mentioned within this petition will eventually be included in any investigation work. The progress of this work will be reported to a future Cabinet Member Meeting.

As I have already mentioned in this meeting the new pedestrian crossings request criteria will allow us to consider all requests and ensure that we can look closely at each potential location and introduce crossings in those areas in the city that require them most.

The requests made for crossing facilities within the petition have been added to the list of sites that are currently being assessed for the priority list due to be presented at my January Cabinet Member Meeting.

It is not practical to provide a pavement in Cleveland Rd as its length makes such work prohibitively expensive, given that there are paths within the park.

Pedestrians do have existing options to either cross the road more safely away from the junctions and use the pavement on the opposite side, or walk through the park.

So in conclusion, the facilities and safety for Pedestrians in the Blakers Park Area are reasonably good but we could consider this area for a possible 20mph scheme’.

50a.3 **RESOLVED-** That the petition be noted.

50B Stop the ban on pavement parking in Elm Grove

- 50b.1 Councillor Davey considered a petition that had been presented by Ms Tanya Richardson and that was referred following a Full Council debate on 20 October 2011 requesting the council to postpone the ban on pavement parking in Elm Grove to allow consultation with the local community and provide a long lasting solution to parking issues in the area.
- 50b.2 Councillor Davey provided the following response:
- ‘The council has listened to residents regarding their wish to enter into dialogue about parking on Elm Grove, and the neighbourhood working group has now met twice. For clarification, the council did not propose to ban all parking on the pavement on Elm Grove.
- The council intends only to be consistent in enforcing against parking where there are double yellow lines in place, as these indicate areas where parking is illegal and can be dangerous. In Elm Grove for example, this includes pavement parking around junctions and pedestrian crossings, or near to the school.
- A moratorium on enforcement action has been agreed whilst the council works with the community on Elm Grove parking issues. The working group has been very productive and has been a good arena in which to discuss and examine these issues’.
- 50b.3 Councillor Mitchell enquired as to the progress of the working group to this point.
- 50b.4 Councillor Davey responded that work was ongoing with community groups and ward councillors and the findings would be reported back to this meeting as soon as this was complete.
- 50b.5 **RESOLVED-** That the petition be noted and that the proposals from the working group be considered in due course.

51. PUBLIC QUESTIONS

- 51.1 There were none.

52. DEPUTATIONS

- 52.1 The Cabinet Member considered a deputation from Mr Simon Frampton concerning access for motorcyclists to bus lanes (for response see Item 49vi.2).
- 52.2 **RESOLVED** – That the deputation be noted.

53. LETTERS FROM COUNCILLORS

- 53.1 A letter had been received from Councillor Mitchell concerning the implementation of a bike box storage scheme in Brighton and Hove.
- 53.2 Councillor Davey provided the following response:
- ‘Thank you for your letter regarding ‘bike box’ storage systems.

Having somewhere secure to store a bike can be problematic and it is with serious interest for providing decent cycle parking solutions in Brighton & Hove that I will ask officers to review how the bike box arrangements in Lambeth pan out over the coming months.

This should include an understanding of how Lambeth managed the implementation, and how they are managing the administration and maintenance of the bike boxes. There is already a rolling programme of providing PedalCycle Parking Places, where carriageway space is allocated to public cycle parking, which was introduced after Brighton & Hove became a Cycling Demonstration Town. These spaces have been very well received and are helping to declutter footways and provide attractive cycle parking for the city in constrained areas.

Once we are aware of how the bike box facilities are managed and implemented, and the costs associated with this, officers will then be in a position to recommend if and where such a cycle parking solution could be considered for implementation in our city'.

53.3 **RESOLVED** – That the letter be noted.

53.4 A letter had been received from Councillor Geoffrey Theobald concerning information on the work of the South Downs National Park Authority (SDNPA).

53.5 Councillor West provided the following response:

'After a year setting up, the national park came into power in April of this year. As Brighton & Hove's new representative following on from Cllr Theobald, I took office in June along with 26 other authority members who either represent constituent local authorities, parish councils or are national appointees.

The park has two statutory purposes: to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public. There is also a duty to foster the economic and social well being of local communities.

The national park authority is embarked on a long process to define the special qualities of the park, its objectives, and to develop a management plan and local development framework for the park area.

The process is deliberately lengthy as it is not just aimed at creating good definition but to build trust and support and a partnership working approach.

This summer the process took a big leap forward with the launch of the South Downs Forum in Stanmer Park. This was a very well attended day long event, which developed a dialogue between the 182 delegates drawn from all sectors of interest.

The online Forum now has a membership that has surpassed 600.

This autumn the dialogue went out across the park area in a series of 9 well attended workshops held in 3 rounds in each of the 3 counties of the park. Technical working groups have also been established to give expert views.

Altogether these different strands have been informing the debate around the issues and opportunities facing the park and what should be its objectives. However, defining the Special Qualities of the park is the key focus. 7 special qualities have been identified, which encompass an appreciation of the landscape, wildlife habitat, tranquillity and sense of space, farming and business, recreation and learning, history and cultural heritage and towns, villages and communities.

Unlike the other national parks, there are not only over a hundred thousand people living within the park, but over a million more living right on its door step. Recognizing this close urban proximity I believe is of vital importance. For many in our city the park is an integral a part of their lives, they are not visitors, it is very much their park too.

so I have been keen to ensure that the interests of our citizens and communities are well understood and reflected within the park's Special Qualities.

While the park is defining itself it is also keen to get down to work. A sustainable communities fund of £400,000 for 2011/12 has been grant aiding schemes in the park (max 75% grants).

The park is also making a joint bid with New Forest to Local Sustainable Transport Fund, and I will be keen to see how this may help support improving access into the park. And a South Downs Land Management Group has started which brings together land owners and tenants, and as a major public land owner in the park BHCC has taken up membership. A South Downs brand is being developed which will support businesses in the park sell their wares as premium products and I am keen to see this help support local business opportunities here

In the city we are working on a number of fronts: The chair, deputy chair and chief executive of the park authority recently visited to meet with the Leader of the Council and myself to discuss the contribution our downland estate and vision has to offer the park and how the park can support our initiatives.

I have been individually visiting our tenant farmers to help build a new closer relationship with the council as we approach in-housing of the estate management I have also met with the SDNPA and City officers to form a partnership on the development of the Stanmer farm buildings with positive discussions about the potential for a higher quality regional base for the National Park, and the options of submitting joint bids for funding the project;

We have also begun joint working on the Biosphere project with the SDNPA actively involved as key partners

And we are also joint working on a Nature Improvement Area (NIA) application, now through to second stage (with a closing date of Dec 2011)

I hope this gives a good flavour of what is going on and I would especially urge all councillors and members of the public to take part in the on-going debates that are shaping our park through the South Downs Forum and events.

Returning to Cllr Theobalds's request, I agree that regular updates from outside bodies would be of benefit to all Members and the public. Therefore, I will gladly provide a concise six-monthly update on the activities of the SDNPA to this meeting with the next being to the meeting on 27 March 2012.

- 53.6 **RESOLVED-** That the letter and update be noted and that a six-monthly update on the activities of the SDNPA be provided to the meeting.

54. WRITTEN QUESTIONS FROM COUNCILLORS

- 54.1 There were none.

55. NOTICES OF MOTIONS

55.1 There were none.

56. VALLEY GARDENS

56.1 The Councillor Davey considered a report of the Strategic Director, Place that outlined proposals for the re-design of Valley Gardens.

56.2 Councillor Davey welcomed the proposals. Due to its size and location in the heart of the city, Valley Gardens offered huge potential as an amenity for all residents and reintroducing it as a city priority offered an opportunity to provide improvements to complement a range of important objectives including The Level enhancement scheme and City Biosphere aspirations.

56.3 Councillor Mitchell praised the report noting that in the current financial circumstances, it was absolutely the right time to be investing in infrastructure projects. She asked what impact the use of consultants would have on the Traffic Model and, due to the size of the project, if it would be phased.

56.4 Councillor Theobald also welcomed the report and the improvement in appearance to a key part of the city. He asked if the Cabinet Members agreed that the appearance of this area was somewhat hampered by the current presence of Occupy protestors.

56.5 Councillor West noted his disappointment that Councillor Theobald would refer to this issue in consideration of a positive report and underlined the right to protest as a democratic value. Having visited the site, he had found the protestors to be very co-operative and well-behaved.

56.6 In response to the questions from Councillor Mitchell, the lead Commissioner- City Regulation and Infrastructure clarified that whilst the Traffic Model would be able to undertake this type of project in the future, it was under long-term transition and work was required on the finer detail in the short-term. The Senior Project Manager added that the use of consultants working alongside council officers would assist with a particular specialist skills gap within the project. With regard to phasing the project, the Senior Project Manager stressed the importance of a consistent vision to the work however consideration would be given to transport needs.

56.7 That the Cabinet Member for Transport & Public Realm authorises officers to progress the development of initial design proposals and a delivery strategy for the Valley Gardens Enhancement Scheme, incorporating stakeholder engagement and consultation.

57. TRANSPORT STRATEGY - PARKING TARIFFS REVIEW

57.1 Councillor Davey considered a report of the Strategic Director, Place that outlined proposals for changes to city council parking tariffs.

- 57.2 Councillor Davey explained that parking tariffs were a key part of the city's transport infrastructure that enabled the council to safely and efficiently manage the city's traffic and roads in a way that benefited as many people as possible. This review was one of a series of measures seeking to help ease congestion, delays, pollution, to assist local businesses and improve the health and well-being of residents of the city whilst encouraging and providing for greater use of the alternatives that are available – walking, cycling, the bus, the train, the coach, the taxi or the motorcycle.
- 57.3 Councillor Theobald commented that he fundamentally disagreed with the proposals of the review. He suggested the increase in charges were effectively a congestion charge by stealth and the administration risked businesses closing and deterring visitors from the city. He believed this counter-productive in the current financial climate. Councillor Theobald relayed his concern for vulnerable people and carers who would be affected by the increase in visitor parking permits and blue badge permits.
- 57.4 Councillor Mitchell noted her strong opposition to the proposals which were unfair and being implemented at the wrong time. She feared the increase placed upon business would force them out of business or the cost would be passed on to residents. Councillor Mitchell relayed her disagreement with the huge increase in visitor parking charges which would have most impact upon the vulnerable and those who did not have a car. In addition, Councillor Mitchell was concerned that the end to short-term parking may lead to increased traffic problems particularly outside schools. Councillor Mitchell re-iterated Councillor Theobald view that the proposals were a congestion charge by stealth and would drive people away from the city. She advised the Cabinet Member that his administration would not achieve their environmental agenda via hard measures and urged him to reconsider the proposals.
- 57.5 Councillor Davey cautioned that the proposals reflected the beginning of the consultation period and asked residents and Members to contribute to this process. He observed that the proposals were not a blanket increase with some prices increasing, some decreasing and some remaining the same. There were significant congestion problems in the city that required solution to the benefit of all residents and these proposals were the beginning of doing so. In response to statements made on the impact of an increase upon carers, Councillor Davey clarified that non-professional carers were entitled to free visitor permits via confirmation from their GP.
- 57.6 **RESOLVED-** That the Cabinet Member for Transport & Public Realm agrees the proposed parking tariffs for 2012/13 set out in the report as the basis for the advertisement of the necessary traffic orders.

58. POSTAL PENALTY CHARGE NOTICES

- 58.1 Councillor Davey considered a report of the Strategic Director, Place requesting approval for the use of CCTV to retrospectively prosecute drivers who park in contravention but drive away before the Penalty Charge Notice (PCN) can be issued.
- 58.2 Councillor Davey explained that the proposal to adopt powers to issue Penalty Charge Notices by post for the most serious parking contraventions would help deter the small number of drivers from causing delay or endangering other road users. The report highlighted the difficulties caused by short term parking on pedestrian crossings, on

school clearways, in bus stops and at junctions where loading was not permitted along the busiest transport routes.

58.3 RESOLVED-

- 1) That the Cabinet Member for Transport & Public Realm approves the use of the powers in the Traffic Management Act 2004 and regulations made under it for the enforcement by the City Council of Regulation 10 Vehicle Drive Away PCNs, and PCNs issued on the basis of CCTV evidence from 1 March 2012.
- 2) That the Cabinet Member for Transport & Public Realm approves the proposed approach to enforcement outlined in this report and appendices and the programme of actions for the adoption of these powers.

59. SAFER ROUTES TO SCHOOL SCHEME - SOUTH PORTSLADE

59.1 Councillor Davey considered a report of the Strategic Director, Place that sought permission to proceed with the proposed Safer Routes to School Scheme measures which focused on improving road safety for children, parents and carers travelling to and from nursery or school.

59.2 Councillor Davey explained that the scheme aimed to improve safety for families and children at five schools in the area, which between them cater for 1,151 children; St Mary's RC Primary School, St Peter's Community Infant and Nursery School, Portslade Infant School, Benfield School and St Nicolas C of E Junior School. These improvements would also benefit the wider community of South Portslade. The locations had been chosen due to the number of collisions in the area during school journey times over three years from January 2007 to December 2009.

59.3 The Chair of Governors of Benfield School; Mr Peter Martin was invited to speak and informed the meeting that from his conversations with parents and residents, there was broad approval for the proposals.

59.4 RESOLVED-

- 1) That the Cabinet Member for Transport & the Public Realm notes the consultation results in favour of the preferred scheme outlined in Appendix 2.
- 2) That the Cabinet Member for Transport & the Public Realm authorises officers to begin implementation of the preferred scheme.

The meeting concluded at 3.40pm

Signed

Cabinet Member

Dated this

day of