

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT CABINET MEMBER MEETING

4.00PM 17 DECEMBER 2009

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillors Mitchell (Opposition Spokesperson, Labour) and Davey (Opposition Spokesperson, Green)

Other Members present: Councillor Kitcat

PART ONE

64. PROCEDURAL BUSINESS

64a Declarations of Interests

64a.1 Councillor Mitchell declared a personal, but non-prejudicial, interest in Item 76, a report from the Director of Environment seeking approval to take the draft conservation area appraisal and boundary review for Stanmer Conservation Area to public consultation, because she was Chair of the Brighton & Hove Estates Conservation Trust.

64b Exclusion of Press and Public

64b.1 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Environment 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 nature of the business to be transacted or the nature of the proceedings, that if members of the press or 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).

64b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

65. MINUTES OF THE PREVIOUS MEETING

65.1 **RESOLVED** – The minutes of the meeting held on 5 November 2009 were approved and signed by the Cabinet Member as a correct record.

66. CABINET MEMBER'S COMMUNICATIONS

66.1 There were none.

67. ITEMS RESERVED FOR DISCUSSION

67.1 **RESOLVED** – That with the exception of the items reserved (and marked with an asterisk), the recommendations and resolutions contained therein be approved and adopted without debate.

68. PETITIONS**68(i) and (ii) Petitions – Parking issues, Tivoli Crescent and Tivoli Crescent North**

68.1 Councillor Drake had submitted two petitions, one signed by 105 people and one signed by 40 people, concerning parking issues in Tivoli Crescent and Tivoli Crescent North respectively.

68.2 Councillor Drake was unable to attend the meeting.

68.3 The Cabinet Member advised that he had already responded to the issues raised in the petitions at Full Council on 10 December when a deputation was presented.

68.4 **RESOLVED** – That the petitions be noted and a written response be provided.

68(iii) Petition – review of controlled parking zone, Preston Park Station Area

68.4 Councillor Mitchell presented a petition signed by 1056 people who agreed with a number of options in relation to reviewing the introduction of a controlled parking zone in the Preston Park Station Area.

68.5 The Cabinet Member explained that representations had been received from people on both sides of the arguments at Full Council and that he responded to the issues raised at that meeting.

68.6 **RESOLVED** – That the petition be noted.

69. PUBLIC QUESTIONS

69.1 The Cabinet Member reported that two public questions had been received.

69.2 Ms Paynter asked the following question:

"A dense line of mature trees and plantings, which mitigate in an acknowledged area of air quality concern, borders the 40 year old Clarendon & Ellen Estate along the entire length of Clarendon Road.

An FOI request for the age, expected lifespan and variety of the trees therein resulted in details of a number of saplings planted in surrounding areas from 2004 on. I was told this 'represents the only records the Arboricultural Team hold for this area.

Why are no records held by Arboriculture for the mature plantings?"

69.3 The Cabinet Member gave the following response:

"The council's Arboriculture team operate a tree management system which is designed to log information about trees on council streets. This includes their location, condition and history. This system is also used to record information on trees in the city's parks and, in part, on council housing land.

There are limited resources available to carry this work out so, in the case of trees on housing land, trees are added to the database when arboricultural work is ordered. In effect, this means that the trees on housing land that are logged, are those that are the ones that have been identified as needing attention, e.g. cutting back, treatments, etc.

Rob Greenland, Arboriculture Manager, has advised that his team will record the details of the trees surrounding the Clarendon and Ellen estate in Spring 2010. In addition, training will also be provided in 2010 for Community Wardens on how to carry out basic visual inspections of trees, and how information from their inspections can feed into the tree management system."

69.4 Ms Paynter asked the following supplementary question:

"I only resorted to FOI when, after some four months and 25 emails, provision was still avoided by everyone from Parks & Gardens to Arboriculture to Housing. I was asking in my capacity as Chair of a Residents Association representing the 357 addresses paying this council to look after those plantings.

FOI sent the question to Parks & Gardens who sent the question to Arboriculture. Nobody wants responsibility for these plantings or is even willing to admit this entire street length of trees exists. Parks & Gardens had and used an on-site gardener's lockup area and dedicated lavatory for very many years.

Every tree planted in this city has a number! Will the Cabinet Member undertake to find and provide me with the formal records of the numerous very mature trees along the length of Clarendon Road in Hove, from the corner of Sackville Road all the way down its whole length, some of which are now dead or dying?"

69.5 The Cabinet Member gave the following response:

"I am not able to produce records that do not exist. There are limited resources available to do this work, but the recording system will be improved for the future."

69.6 Ms Baumgardt asked the following question:

"I'm sure I share the view of many other residents in Brighton and Hove who were horrified to hear of the Council's recent gassing of wild rabbits on Waterhall golf course. Could the Cabinet Member for Environment confirm whether Council officers looked at other alternatives including the advice of Humane Wildlife Deterrent experts, as recommended on the Health & Safety Executive website, before going ahead with this

slaughter of wild rabbits, which could also have harmed other wildlife including badgers, foxes, weasels and stoats - which may have been a criminal offence in the case of badgers - and that, furthermore, chemicals used could have harmed the local ecosystem?"

69.7 The Cabinet Member gave the following response:

"Over the years officers had expected a natural reduction in the rabbit population (through myxomatosis or cold winters) but this has not happened and officers have been left with a huge problem which they have had to tackle. They have considered the pros and cons of various methods of reducing the rabbit population and consulted with our own pest control experts.

I can say that the method being used should not affect other animals as it is targeted at rabbit burrows."

69.8 Ms Baumgardt asked the following supplementary question:

"Could the Cabinet Member confirm that he will request Council officers to develop a Humane Wildlife Deterrent strategy, in consultation with experts, which should be the first priority consideration when dealing with problems of this kind on Council land in the future?"

69.9 The Cabinet Member gave the following response:

69.10 "I found out about the measures taken after the event, however, I have been advised that this was the best method and that the action was necessary. Officers are always willing to hear from experts and do take expert advice on board."

70. DEPUTATIONS

70.1 The Cabinet Member reported that four deputations had been referred from Council on 10 December (for copy see minute book). He explained that since only a short time had passed since he had given full responses at Council, there was nothing further to add and referred those in attendance to the responses previously given. He thanked those who had taken the time to attend both the Full Council meeting and the Cabinet Member Meeting.

70.2 **RESOLVED** – That the deputations be noted.

71. LETTERS FROM COUNCILLORS

71.1 There were none.

72. WRITTEN QUESTIONS FROM COUNCILLORS

72.1 The Cabinet Member reported that one written question had been received from a councillor.

72.2 Councillor Kitcat asked the following question:

"Is Cllr Theobald aware of the government's plans for a 'Zero Waste Places Standard' and the financial support being planned for 'Zero Waste Places', and will he be ensuring that the council is adopting a Zero Waste strategy and applying for any additional government financial support where possible?"

72.3 The Cabinet Member had circulated the following response:

"As you may know, the Conservative Party believes in incentivising residents to recycle and working towards zero waste. For this reason, the council has been formulating a waste strategy which sets out proposed policies and actions. Consultation on this strategy has been completed and it will be presented to Cabinet in March next year for adoption.

I am aware of the Zero Waste Places initiative. The council did not put forward a bid in this round whilst the waste strategy has not been finalised. However, in future years, we will be using the strategy to secure additional funds to meet the adopted policies whilst ensuring that any one off funding initiatives prove to offer value for money to the tax payer and, as the funding is one off, that the council is able to afford continued financial costs."

72.4 Councillor Kitcat asked the following supplementary question:

"Can you expand on the consultation proposed and taking place with Members in relation to the waste strategy?"

72.5 The Cabinet Member gave the following response:

"Significant consultation has been undertaken on the draft waste management strategy and I am sure that you have submitted your views."

73. NOTICES OF MOTION

73.1 There were none.

74. SUPPLEMENTARY PLANNING DOCUMENT: ARCHITECTURAL FEATURES

74.1 The Cabinet Member considered a report of the Director of Environment seeking approval of the Supplementary Planning Document (SPD) on Architectural Features, following public consultation (for copy see minute book).

74.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

- (1) That the draft Supplementary Planning Document on Architectural Features be adopted as part of the Local Development Framework, subject to any minor grammatical and non-material text and illustration alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment.

75. LONDON ROAD CENTRAL MASTERPLAN SUPPLEMENTARY PLANNING DOCUMENT (SPD)*

- 75.1 The Cabinet Member considered a report of the Director of Environment concerning the results of the London Road Central Masterplan consultation held in June 2009 and seeking permission to formally adopt the masterplan (for copy see minute book).
- 75.2 The Cabinet Member explained that the consultation had resulted in sixty five groups, organisations or individuals sending comments to the council. A three day exhibition held at the former Co-op in London Road was attended by over a thousand individuals and resulted in hundreds of comments, which have informed further changes to the masterplan. Over the last few weeks the Cabinet Member had received postcards from around two hundred individuals on behalf of the "Another London Road" group summarising the main points made by the group during the consultation period. The Cabinet Member thanked the individuals and for the Another London Road group for their particular interest and obvious passion in the area. He reported that officers had invited members of the Another London Road group to a briefing to go through the document and explain the changes that had been made to the masterplan.
- 75.3 The Cabinet Member advised that the revised masterplan included an implementation plan that could be updated when needed and which would provide a means to guide and monitor improvements. Overall, the masterplan would provide a flexible framework to strengthen the role of London Road as one of the city's town centres and would provide an essential means for guiding future development in the area.
- 75.4 The Cabinet Member invited Ms Christina Summers, from the Another London Road campaign to address the meeting.
- 75.5 Ms Summers thanked the Planning Projects Manager and Senior Planning Officer working on the project for keeping the Another London Road group informed and answering any questions. She was encouraged to see the inclusion of more incremental work alongside the larger projects and was pleased that buildings of architectural interest had been recognised. She explained that concerns remained over the possibility of a superstore moving into the area despite the need for developers to meet certain conditions; she acknowledged that the retail impact assessment would be key. She advised that the group felt that the area should be designated a 'district centre' rather than a 'town centre' and that traffic issues were still a major concern.
- 75.6 Councillor Mitchell welcomed the revised masterplan and praised the consultation process for resulting in a strengthened and improved document. She echoed the concerns around traffic flow and stated that she would be looking to the Local Transport Plan to address the issue. She added that there was a clear desire to see positive change and she hoped that short and medium terms projects would soon be forthcoming.
- 75.7 Councillor Davey echoed the concerns raised in relation to traffic and the potential for a superstore to move into the area. He thanked officers for the improvements made to the masterplan and emphasised the importance of de-cluttering and the difference that it would make to the area.

75.8 The Planning Projects Manager explained that short term measures had been identified against projects where funding was available or those that were achievable in the next one to two years. The implementation plan would be monitored and added to over time. He advised that the London Road area had been designated a 'town centre' because other areas in the city had the same designation and it was felt that London Road warranted the same approach. He thanked all the interested parties for contributing to the consultation process.

75.9 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

- (1) That the results of the public consultation exercise be noted and the changes made to the draft London Road Central Masterplan SPD be endorsed.
- (2) That the draft London Road Central Masterplan SPD be adopted as part of the Local Development Framework, subject to any minor grammatical and non-material text and illustration alterations agreed by the Director of Environment in consultation with the Cabinet Member for Environment.

76. STANMER CONSERVATION AREA REVIEW

76.1 The Cabinet Member considered a report of the Director of Environment seeking approval to take the draft conservation area appraisal and boundary review for Stanmer Conservation Area to public consultation (for copy see minute book).

76.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

- (1) That the proposed draft Stanmer Conservation Area Appraisal and Boundary Review be approved for public consultation.

77. A23 LONDON ROAD PEDESTRIAN AND CYCLE SCHEME*

77.1 The Cabinet Member considered a report of the Director of Environment concerning the results of the public consultation carried out on the A23 Pedestrian and Cycle scheme and requesting permission to advertise the Traffic Regulation Order, finalise the detailed design and implement the scheme (for copy see minute book).

77.2 The Cabinet Member reported that the results demonstrated majority support for the scheme proposals and advised that the scheme would improve safety for pedestrians and cyclists, and enhance accessibility into the city for commuters, residents and visitors, as well as improving links to nearby schools for parents and children.

77.3 Councillors Mitchell and Davey welcomed the proposals and queried when consideration of the consultation results in relation proposals for the Old Shoreham Road Cycle Route could be expected.

77.4 Councillor Theobald advised that he expected to consider the consultation results in February 2010.

77.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the consultation results, which indicate an overall support for the scheme as consulted, be noted.
- (2) That Officers be instructed to begin implementation of the scheme, to include advertising the associated Traffic Regulation Order and Notice under the Road Traffic Act 1984.

78. APPROVAL TO AWARD HIGHWAY STREET LIGHTING MAINTENANCE CONTRACT

78.1 The Cabinet Member considered a report of the Director of Environment seeking approval to award the Street Lighting Term Maintenance Contract the period 2010–2012 (for copy see minute book).

78.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the award of the Street Lighting Term Maintenance Contract, which has been procured in partnership with East Sussex County Council, be approved.
- (2) That Colas Ltd, having submitted the best value tender, be awarded the new joint contract for street lighting maintenance across East Sussex and Brighton and Hove.

79. CYCLE COUNTER DISPLAY*

79.1 The Cabinet Member considered a report of the Director of Environment concerning proposals to install three cycle counter displays at key points on the cycle route network (for copy see minute book).

79.2 Councillor Davey welcomed the initiative and looked forward to seeing the high numbers recorded.

79.3 In response to a query from Councillor Davey officers explained that the routes chosen had to be within the designated Civitas area and that they had chosen what they considered to be the three best routes within the area.

79.4 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

- (1) That three Cycle Display Counters be installed in Brighton and Hove.

80. WOODINGDEAN CROSSROADS - PREFERRED SCHEME

80.1 The Cabinet Member considered a report of the Director of Environment concerning the results of the public consultation carried out on the Woodingdean Crossroads

Improvements scheme and requesting permission to finalise the detailed design and advertise the Traffic Regulation Order (for copy see minute book).

80.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the consultation results be noted and agreement be given for the final scheme to include the preferred options for (a) the pedestrian crossing in Falmer Road (north) and (b) the arrangements for loading/parking in Warren Way (south side).
- (2) That the Director of Environment be authorised to finalise the detailed design of the preferred scheme, including the further assessment of possible pedestrian crossing improvements in Warren Road and Falmer Road (south), and to include advertising the associated Pedestrian Crossing and Traffic Regulation Order and Notice under the Road Traffic Regulation Act 1984.

The meeting concluded at 4.40pm

Signed

Cabinet Member

Dated this

day of