

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT CABINET MEMBER MEETING

4.00PM 11 DECEMBER 2008

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillor Mitchell (Opposition Spokesperson)

Other Members present: Councillors Davey, Kennedy, Lepper, K Norman and Oxley

PART ONE

70. PROCEDURAL BUSINESS

70a Declarations of Interests

70.1 Councillor Davey declared a personal, but non-prejudicial interest in Item 83, as he worked for a cycle training organisation.

70b Exclusion of Press and Public

70.2 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).

70.3 **RESOLVED** – (1) That Item 85 listed in Part 2 of the agenda be brought into open session.

(2) That the press and public be not excluded from the meeting.

71. MINUTES OF THE PREVIOUS MEETING

71.1 **RESOLVED** – The minutes of the meeting held on 6 November 2008 were approved and signed by the Cabinet Member as a correct record.

72. CABINET MEMBER'S COMMUNICATIONS

72.1 There were none.

73. ITEMS RESERVED FOR DISCUSSION

73.1 **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.

74. PETITIONS**74(i) Petition – Brighton Pier to Marina Cycle Route**

74.1 Councillor Steedman had submitted a petition signed by 108 people concerning the cycle route between Brighton Pier and the Marina.

74.2 Councillor Davey presented the petition on behalf of Councillor Steedman who was unable to attend the meeting.

74.3 The Cabinet Member stated that the cycle route proposals to provide a strategic and continuous cycle link along the seafront between Brighton Pier and the Marina were still currently being progressed. He gave assurance that officers would put a scheme into place as soon as possible, subject to the outcome of the forthcoming public consultations with key stakeholders and residents.

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

74(ii) Petition – Parking in Stanford Ward

74.5 Councillor Bennett had submitted a petition signed by 425 people concerning parking issues in Stanford Ward.

74.6 Councillor Bennett was unable to attend the meeting and had requested that the petition be deferred until the next Cabinet Member Meeting.

74.7 **RESOLVED** – That the petition be deferred.

74(iii) Petition – Parking in Shirley Drive

74.8 Councillor Bennett had submitted a petition signed by 72 people concerning parking issues in Shirley Drive.

74.9 Councillor Bennett was unable to attend the meeting and had requested that the petition be deferred until the next Cabinet Member Meeting.

74.10 **RESOLVED** – That the petition be deferred.

74(iv) Petition – Traffic calming in Stanmer Villas

74.11 Councillor Lepper presented a petition signed by 88 people concerning requests for traffic calming in Stanmer Villas.

74.12 The Cabinet Member stated that whilst the current accident and safety criteria hadn't been met by the relatively good record in Stanmer Villas, the council did take such matters seriously. In response to the petition, officers had contacted the Sussex Police Roads Department and requested that they undertake additional speed monitoring and enforcement in the road.

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

74(v) Petition – Parking in the Dyke Road/Millers Road/The Drove area

74.14 Councillor Norman presented a petition signed by 285 people concerning the proposed parking scheme in the Dyke Road/Millers Road/The Drove area.

74.15 The Cabinet Member confirmed that a report would be presented to Cabinet on 12 February 2009 and would include all the consultation results and recommendations for the way forward. He added that members of the public had until 12 December 2008 to put their comments to the council and all petitions received would be included in the Cabinet report.

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

74(vi) Petition – Mobile phone mast on Brangwyn Way

74.17 Councillor Mrs Theobald had submitted a petition signed by 307 people concerning the removal of a mobile phone mast on Brangwyn Way.

74.18 Councillor Mrs Theobald was unable to attend the meeting.

74.19 **RESOLVED** – That the petition be noted a written response be provided.

75. PUBLIC QUESTIONS

75.1 There were none.

76. DEPUTATIONS

76.1 The Cabinet Member reported that one deputation had been referred from Council on 4 December 2008. It concerned heritage in the Kemp Town area (for copy see minute book).

76.2 The Cabinet Member referred to the response he had provided at Council.

76.3 **RESOLVED** – That the deputation be noted.

77. LETTERS FROM COUNCILLORS**77(i) Letter – Charges for Parking Permits**

77.1 A letter was received from Councillor Oxley regarding the condition of pavements in Portland Road, Hove (for copy see minute book).

77.2 The Cabinet Member stated that he understood that Councillor Oxley had been contacted by residents who felt the area would benefit from Portland Road being resurfaced, and that Councillor Oxley had already discussed the potential for improvements with officers. The Cabinet Member confirmed that he had asked officers to consider Portland Road for inclusion in a future Highway Maintenance Programme if funding could be identified for the works. He added that officers had been asked to contact Councillor Oxley in order to address the detailed sites and areas that were currently of concern.

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

78. WRITTEN QUESTIONS FROM COUNCILLORS**78(i) Question – 20 mph speed limit at Southern Cross**

78.1 Councillor Hamilton had submitted a question asking:

“At a meeting of the Environment Committee last year I submitted a letter seeking a 20 mph zone at Southern Cross, from the traffic lights up to the entrance to Loxdale. In this section there are two primary schools attended by over 500 children. I was told that there were several similar applications and they were being prioritised.

I have now been approached by the police expressing concern about traffic speed in this area. Please could urgent consideration be given to nominating this section of highway as a school safety zone with a 20 mph limit?”

78.2 The Cabinet Member circulated the following written reply:

“Thank you for your request for the introduction of a 20mph speed limit in the Southern Cross area, from the traffic lights up to the entrance to Loxdale.

There are two primary schools along this stretch of road and you are aware of similar requests from residents. I have asked that officers consult with Sussex Police about the concerns that have been expressed to you regarding the speed of traffic in this area. I have also asked officers to investigate what measures might be taken to encourage speed reduction, and consider any measures that the Police may recommend.”

79. NOTICES OF MOTION**79(i) Notice of Motion – Green Spaces and Health Inequality**

79.1 The Cabinet Member considered the following Notice of Motion proposed by Councillor Duncan and referred from the Council Meeting on 4 December 2008 under procedural rule 8.2:

“This Council notes:

- a. The 2008 report of The Director of Public Health for Brighton and Hove, which reported that health inequality persists in the city, and that this manifests itself in wide variations in life expectancy, with an average resident of Moulsecomb, Bevendean or Queen’s Park being likely to live a significantly shorter life than an average resident of Rottingdean, Withdean or Patcham.
- b. The recently-published findings of researchers at Glasgow University and the University of St Andrews that green spaces near homes can reduce such variations in life expectancy, and the November 2008 comments in *The Lancet* journal of Dr Terry Hartig of *The Institute for Housing and Urban Research* at Uppsala University in Sweden that: *‘Green space does more than ‘pretty up’ the neighbourhood – it appears to have real effects on health inequality, or a kind that politicians and health authorities should take seriously’.*

And therefore resolves

To take into account this impact on life expectancy and health generally whenever it considers removing, developing, or granting landlord’s consent for development on any green spaces under its control in the city, however small.”

- 79.2 The Cabinet Member invited Councillor Duncan to speak to the motion.
- 79.3 Councillor Kennedy addressed the Cabinet Member Meeting on the substantive points of the motion on behalf of Councillor Duncan who was unable to attend the meeting.
- 79.4 The Cabinet Member stated that the Administration acknowledged the health benefits of green open space and the importance of facilitating active lifestyles. He asked the Assistant Director for City Planning to clarify the procedures already inherent in the planning system for assessing the development of green spaces.
- 79.5 The Assistant Director for City Planning clarified that the most appropriate planning ‘tool’ was the use of Health Impact Assessments (HIAs). He confirmed that following the pilot work undertaken as part of the Healthy Living programme, it was the intention to undertake more HIA’s on major proposals. Including all minor schemes would however, be impractical. He maintained that there could be an opportunity within the Core Strategy for ensuring that the benefits of open spaces would be fully recognised.
- 79.6 The Opposition Spokesperson spoke in support of the Notice of Motion and commented on the importance of preserving all green spaces.

79.7 The Cabinet Member affirmed that while the Administration was committed to preserving green spaces, he could not support the Notice of Motion for the reasons given by the Assistant Director for City Planning.

79.8 **RESOLVED** – That the motion be dismissed.

80. 2 ST GEORGE'S PLACE - URGENT WORKS IN DEFAULT

80.1 The Cabinet Member considered a report of the Director of Environment concerning urgent works required to secure the preservation of an unoccupied listed building (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 carrying out of urgent preservation works to number 2 St George's Place, Brighton under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 be agreed.
- (2) That action be taken to recover the costs of carrying out urgent preservation works from the owner of number 2 St George's Place, Brighton under Section 55 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

81. TRAFFIC REGULATION ORDERS ASSOCIATED WITH CAR FREE DEVELOPMENTS

81.1 The Cabinet Member considered a report of the Director of Environment concerning access to parking for disabled people living in car-free developments (for copy see minute book).

81.2 The Cabinet Member explained that the report had been prepared in response to a request from the Planning Committee to address concerns expressed by the city's Federation of Disabled People.

81.3 The Opposition Spokesperson welcomed the alteration to the policy and paid tribute to Roy Pennington and the Federation of Disabled People.

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

- (1) That it be agreed that, when planning permission is granted for a car free housing development inside a residents' parking zone, residents in that development who are blue badge holders will be able to apply for a resident's parking permit.
- (2) That such amendments as are necessary to existing Traffic Regulation Orders so as to allow resident disabled drivers living in a car free development to apply for a residents parking permit be authorised.

82. SECOND LOCAL TRANSPORT PLAN PROGRESS REPORT 2008

- 82.1 The Cabinet Member considered a report of the Director of Environment concerning the council's progress on the objectives and targets for transport within the Local Transport Plan (for copy see minute book).
- 82.2 The Cabinet Member reported that the council is making good progress against the majority of the targets at present, but recognised that it clearly needed to continue working hard to reduce the number of fatal and serious casualties that were occurring.
- 82.3 In response to questions from the Opposition Spokesperson, the Assistant Director for Sustainable Transport made the following points:
- The business case for the Rapid Transport System had been revised recently, but it was possible that any failed development plans could have an impact; officers would therefore be looking again at this.
 - While roadworks in the city were partly responsible for the decline in bus patronage, officers had been working in partnership with Southern Water to ensure minimal disruption. It was likely that Overview & Scrutiny would be looking at issues around public transport, but if this did not materialise, officers would report back to the Cabinet Member Meeting on the implications of the Public Transport Act.
 - Officers would be considering new locations for the Safer Routes to School scheme.
 - Officers are already incorporated revised health and safety and minimum requirements when undertaking maintenance on the seafront railings as standards have moved on since they were installed in the Victorian era.
 - To combat above threshold NO₂ emissions at locations in the city a comprehensive overarching strategy was needed rather than a location-specific approach. The Air Quality Action Plan could be found in an appendix to the progress report.
 - There was no mention of progress on the Valley Gardens scheme in the report as we are only documenting activity on the first half of the current LTP. The valley Garden scheme is programmed to commence from 2009/10 in the second half of the LTP.
- 82.4 In response to comments from Councillor Davey the Assistant Director for Sustainable Transport agreed that while the council was making good progress on most targets, the issue of road safety needed further attention and officers had been involved in discussions with the Government Office for the South East (GOSE) about this. He added that speed was only one of the factors in tackling road safety, but that officers would be engaging in a statutory review of speeds on all A and B roads, to be completed by 2010; after this they would be able to consider other possibilities.
- 82.5 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the positive progress that the council has made in delivering sustainable transport and maintenance through the capital funding provided by the Local Transport Plan during 2006/07 and 2007/08 be endorsed.
- (2) That the responses made on the Progress Report by the Environment & Community Safety Overview & Scrutiny Committee on 10 November 2008 be noted.
- (3) That the Director of Environment be authorised to finalise the completion of the Progress Report document and submit it to the Government Office of the South East before the end of December 2008.

83. NATIONAL CYCLE NETWORK ROUTE 2 CYCLE LINK

- 83.1 The Cabinet Member considered a report of the Director of Environment the proposed consultation on the National Cycle Network Route 2 (NCN2) capital programme works (for copy see minute book).
- 83.2 The Cabinet Member explained that the scheme would provide a route for cyclists where a gap in formal provision for NCN2 currently existed along the Brighton seafront and that it would enhance east/west movements made by cyclists and improve accessibility into the city for commuters, residents, shoppers and visitors.
- 83.3 The Opposition Spokesperson welcomed the consultation and hoped that cycle groups would be included early on in the process.
- 83.4 Councillor Davey welcomed the report and was interested to know whether the route would be located along Madeira Drive (lower route), as a natural continuation of the route, or along Marine Parade (upper route), to avoid disruption for cyclists when events were held on Madeira Drive. He was also concerned that the route be safeguarded in the event of future transport schemes in the area.
- 83.5 The Cabinet Member confirmed that the proposed route was located along Madeira Drive and that the necessary modifications would be made to ensure that it was the best option for cyclists. He stated that as events only took place on a small number of days each year, the disruption to cyclists would be minimal, and such events meant that any future transport systems were unlikely to threaten the preservation of this route.
- 83.6 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That approval be given for Officers to conduct public consultation with key stakeholders and residents on the NCN2 Cycle Link proposal detailed in this report. Members will be informed of the outcome of consultation and permission to proceed with the scheme will be sought at a future Environment Cabinet Member Meeting following public consultation.

84. PEDESTRIAN NETWORK PHASE 2

- 84.1 The Cabinet Member considered a report of the Director of Environment the proposed consultation on the second phase of the Pedestrian Network capital programme works (for copy see minute book).
- 84.2 The Cabinet Member explained that the proposals were designed to improve access to the seafront and enhance the appearance of an area with undeveloped potential which had become tired and worn; the second phase of the pedestrian network scheme sought to create a legible pedestrian route along East Street, connecting The Lanes and the seafront. He added that city centre retail, restaurant, beachfront and cultural establishments were key to Brighton and Hove's economy, and that the proposed works would contribute to the economic vitality of the city by improving access and movement for visitors, workers and shoppers.
- 84.3 Councillor Rufus welcomed the proposed improvements and sought assurance that the proposal to change traffic access from Kings Road on to East Street would not mean that access for cyclists would also be lost.
- 84.4 The Assistant Director for Sustainable Transport confirmed that the proposal preserved the cycle route, but that all proposals would be subject to safety audits.
- 84.5 The Cabinet Member added that it was important to await the results of the consultation before making decisions on the best options for both cyclists and pedestrians.
- 84.6 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That approval be given for officers to conduct public consultation with key stakeholders and residents on Phase 2 of the Pedestrian Network proposals detailed in this report. Members will be informed of the outcome of consultation and permission to proceed with the scheme will be sought at a future Environment Cabinet Member Meeting following public consultation.

85. AWARD OF MINOR HIGHWAYS WORKS CONTRACT NO 790

- 85.1 The Cabinet Member considered a report of the Director of Environment concerning the award of the Minor Highways Works framework Contract for the period 2009 – 2012 (for copy see minute book).
- 85.2 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That the award of the Minor Highway Works Framework Contract No 790 be approved.

The meeting concluded at 5.05pm

Signed

Chair

Dated this

day of