

# **Sabinet Members Meeting**

Title:	Special Environment, Transport & Sustainability Cabinet Members Meeting
Date:	9 November 2011
Time:	2.00pm
Venue	Committee Room 3, Hove Town Hall
Members:	Councillors: Davey
Contact:	John Peel Democratic Services Officer 01273 29-1058 john.peel@brighton-hove.gov.uk

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# **Democratic Services: Meeting Layout** Cabinet Democratic Lawyer Lead Officer Member Services Officer Opposition Spokes-person (Labour & Co-operative) Opposition Spokes-Speaker person (Conservative) **Public Seating** Press

### **AGENDA**

Part One Page

### 41. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

### 42. CABINET MEMBERS' COMMUNICATIONS

### TRANSPORT & PUBLIC REALM MATTERS

### 43. City Wide Parking Review

1 - 28

Report of the Strategic Director, Place (copy attached).

Contact Officer: Owen McElroy Tel: 29-0368

Ward Affected: All Wards

# 44. Old Shoreham Road (OSR) Cycle & Pedestrian Facilities - TRO Objections

Report of the Strategic Director, Place (copy to follow).

Contact Officer: Abby Hone Tel: 29-3813

Ward Affected: Goldsmid: Hove Park

### **ENVIRONMENT, TRANSPORT & SUSTAINABILITY CABINET MEMBERS MEETING**

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For further details and general enquiries about this meeting contact John Peel, (01273 29-1058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Tuesday, 1 November 2011

# ENVIRONMENT, TRANSPORT & SUSTAINABILITY CABINET MEMBERS MEETING

### Agenda Item 43

**Brighton & Hove City Council** 

Subject: City Wide Parking Review

Date of Meeting: 9 November 2011

Report of: Strategic Director, Place

Contact Officer: Name: Owen McElroy Tel: 290417

Email: owen.mcelroy@brighton-hove.gov.uk

**Key Decision:** No

Ward(s) affected: All

### FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report relates to the call-in meeting of the 14 October Environment & Community Safety Overview and Scrutiny Committee (ECSOSC), convened to consider the call-in request in relation to Citywide Parking Review.
- 1.2 ECSOSC resolved to call-in the Cabinet Member decision. This report sets out for the Cabinet Member all background information relating to the decision, recommendations and minutes from the ECSOSC meeting, and extra information provided by the Strategic Director, Place since the call-in meeting.
- 1.3 The following information is contained in the appendices to this report:
  - (a) **Appendix 1** contains the report from the Strategic Director, Place which was agreed at the 4 October Environment Cabinet Member meeting;
  - (b) **Appendix 2** contains the official record of Cabinet's Member's Decision in relation to this report;
  - (c) **Appendix 3** contains an extract from the draft minutes of the Environment Cabinet Member's Meeting (ECMM);
  - (d) **Appendix 4** contains the call-In request from Cllr Anne Pissaridou:
  - (e) **Appendix 5** contains the call-in request from Cllr Garry Peltzer Dunn;
  - (f) **Appendix 6** contains further information on this issue supplied by the Strategic Director, Place for the call-in meeting;
  - (g) **Appendix 7** contains the draft minutes of the 14 October ECSOSC meeting and recommendations to the Cabinet Member

### 2. **RECOMMENDATIONS**:

- 2.1 That the Cabinet Member for Transport & Public Realm, in accordance with Part 6, paragraph 16.10 of the Council's constitution, and having considered the resolution of ECSOSC on 14 October and the additional information provided to ECSOSC and in this paper:
  - (a) Confirms the Cabinet Members decision 2.1 a, b, c & d of 4 October 2011 in relation to the Citywide Parking Review.

(b) Clarifies and confirms that in recommendation 2.1e the proposed start date for external consultation in respect of the strategic citywide parking review is immediately following a decision at this meeting and to take approximately 12 months with a report on progress to be made to the Cabinet Member for Transport & Public Realm within 6 months.

# 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- On 4 October 2011 the Cabinet agreed a report on the Citywide Parking Review (This report is reprinted in **Appendix 1**).
- 3.2 On 4 October, Councillor Anne Pissaridou wrote to the Chief Executive, requesting that the Cabinet decision be called in. (The Call-In request is reprinted as **Appendix 4** to this report.)
- 3.3 On 5 October Councillor Garry Peltzer Dunn also wrote to the Chief Executive, requesting that the Cabinet decision be called in. (The Call-In request is reprinted as **Appendix 5** to this report.)
- 3.4 The Chief Executive accepted the call-in request on 7 October and asked for the issue to be considered at ECSOSC.
- 3.5 ECSOSC met on the 14 October to consider the issues raised. The Strategic Director, Place provided additional information for the call-in meeting contained in **Appendix 6**. The draft minutes of this meeting are attached as **Appendix 7** and the following is the extract of the resolution:
  - 23.25 **RESOLVED (i)** that the decision be called in.
    - (ii) that the ECMM meeting consider separately the decisions on the Citywide Parking Review and the programme of other reviews/consultations
    - (iii) that the ECMM meeting consider consultation with relevant Ward Members and residents, and whether or not to undertake an urgent Wish review

Additionally ECSOSC members made the following suggestions:

- 1. That the timetable for the strategic review be clarified and that it be accelerated and the urgent timetable of parking reviews then follow
- 2. That the resourcing of both reviews be clarified
- 3.6 Having taken evidence from the Cabinet Member for Transport & the Public Realm and relevant officers, and following debate ECSOSC agreed to refer the decision back to the Cabinet Member for reconsideration.

# 4. ADDITIONAL INFORMATION USED TO INFORM THE CABINET MEMBER'S FINAL DECISION

- 4.1 The report to ECMM on 4 October set out to show how the council could resolve some urgent parking problems with the limited resources currently available by proposing extensions of existing schemes whilst launching a strategic city-wide parking review (strategic review) that could improve parking management and gauge residents' views across the city.
- 4.2 The extensions to existing schemes and the strategic review were combined in one report because of their inherent connection and for economy of presentation. It is not believed that there is any substantive benefit in splitting the reports and this could cause delays in bringing work forward
- 4.3 Designs already exist for the proposed parking scheme extensions which were all recently consulted and had a clear boundary at the time of consultation. They are considered to be a high priority based on an analysis of road safety concerns, previous consultation and levels of community and member support.
- 4.4 In the previous 2008 parking scheme timetable Wish Park formed part of the greater West Hove & Portslade area bounded by the West Sussex border, the Old Shoreham Road to the north and existing parking schemes to the East. The 2008 timetable was rescinded by the previous administration due to financial constraints imposed by central government
- 4.5 The West Hove & Portslade area was not advanced to design stage due to the financial constraints set out above which remain in place. This means that considerable officer time and resources would be required to make progress. Such resources are not currently available to add this area to the work programme.
- 4.6 It is felt that it is important to consult members, residents and stakeholders within West Hove & Portslade as part of the strategic review to consider a geographical area of consultation and form of parking controls in order to avoid rejection of any future proposed scheme at consultation stage
- 4.7 The process of the strategic review could begin as soon as authorised by the Cabinet Member and is expected to complete in 12 months time with a progress report to the Cabinet Member in approximately 6 months time
- 4.8 The strategic review cannot be accelerated ahead of the proposed extensions to existing schemes because of the urgency of those extensions and the time it will take to undergo the strategic review. If work on the proposed extensions is halted until the strategic review is complete all residents in the city will have to wait up to three years before they see any improvements which would be a waste of officer resources where there is prior design material in identified areas.
- 4.9 The strategic review will include a sample postal questionnaire to better reflect the views of residents and businesses. The funding for this was not available until financial year 2012/13 and is expected to take place in spring/summer 2012

4.10 Both the proposed parking scheme extensions and the strategic review are fully resourced as set out in the financial section of this report and reported in the minutes of the ECSOSC meeting of 14 October

### 5. COMMUNITY ENGAGEMENT AND CONSULTATION

5.1 No formal consultation has been undertaken in regard to this report

### 6. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 6.1 Any revenue costs associated with the longer term city wide review recommendations will need to be met from City regulation and Infrastructure budgets. Although the exact scope of the consultation element of the review is yet to be determined, it is not expected to exceed £25K. The financial impact of income from any extension to parking schemes will be included within the proposed budget for 2012/13 which will be submitted to Budget Council in February 2012.
- 6.2 New parking schemes are capital projects, funded by unsupported borrowings, and repaid out of revenue using the income generated.

Finance Officer Consulted: Karen Brookshaw Date: 24/10/11

### **Legal Implications:**

- 6.3 The Road Traffic Regulation Act 1984 gives the council broad powers to regulate traffic and parking through legally enforceable traffic orders. These powers must be exercised to secure the expeditious, convenient and safe movement of vehicles and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway having regard so far as is practicable to (a) the desirability of securing and maintaining reasonable access to premises; (b) the effect on the amenities of any locality affected including the importance of controlling the use of the roads by heavy commercial vehicles; (c) national air quality strategy; (d) facilitating the passage of public service vehicles and the safety/convenience of persons wishing to use; and (e) any other matters appearing relevant.
- In 2001 the council took up the powers of decriminalised parking enforcement (DPE) under The Road Traffic Act 1991, renamed Civil Parking Enforcement (CPE) under the Traffic Management Act 2004. Under CPE, parking enforcement is carried out by civil enforcement officers (CEOs) and is the sole responsibility of the local authority.
- 6.5 The use of any surplus income from CPE is governed by section 55 of the Road Traffic Regulation Act 1984 as amended. This allows any surplus to be used for transport and highways related projects and expenditure such as supported bus services, concessionary fares and Local transport Plan projects.
- When carrying out consultation the Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage,

that sufficient reasons and adequate time are given to allow intelligent consideration and responses and that results are taken into account in finalising the proposals.

Lawyer Consulted: Elizabeth Culbert Date: 21/10/11

### **Equalities Implications:**

- 6.7 The implications remain unchanged from the ECMM report of 4 October Sustainability Implications:
- 6.8 The implications remain unchanged from the ECMM report of 4 October

  <u>Crime & Disorder Implications:</u>
- 6.9 There are none specific to this report

  Risk and Opportunity Management Implications:
- 6.10 The implications remain unchanged from the ECMM report of 4 October

  Public Health Implications:
- 6.11 There are none specific to this report

Corporate / Citywide Implications:

6.12 The implications are unchanged from the ECMM report of 4 October

### 7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

7.1 The Overview and Scrutiny Commission evaluated whether or not to send the original decision back to Cabinet for reconsideration.

### 8. REASONS FOR REPORT RECOMMENDATIONS

8.1 To seek approval of a revised timetable of parking reviews which will take into account consideration of duly made representations and objections and instruct officers to prepare a city wide review of parking management for the reasons outlined within the report of ECMM 4 October as modified by the recommendations within this report.

### **SUPPORTING DOCUMENTATION**

### Appendices:

- City Wide Parking Review Report of the 4 October 2011 Environment, Transport
   & Sustainability Cabinet Members Meeting;
- 2. Official record of Cabinet Member's Decision in relation to this report;
- 3. Extract from the minutes of the Cabinet Member's Meeting;
- 4. Call-In request from Cllr Anne Pissaridou
- 5. Call-in request from Cllr Garry Peltzer Dunn;
- 6. Further information supplied by the Strategic Director Place
- 7. Minutes of the 14 October ECSOSC meeting and recommendations to the Cabinet Member

### **Documents in Members' Rooms**

None

### **Background Documents**

- 1. Sustainable Community Strategy
- 2. Parking Annual report 2010
- 3. Environment Committee minutes 24 January 2008 with specific reference to item 118
- 4. The Council's Constitution

# ENVIRONMENT, TRANSPORT & SUSTAINABILITY CABINET MEMBERS MEETING

Agenda Item 36

**Brighton & Hove City Council** 

Subject: Citywide Parking Review

Date of Meeting: 4 October 2011

Report of: Strategic Director, Place

Contact Officer: Name: Owen Mcelroy Tel: 290417

Email: owen.mcelroy@brighton-hove.gov.uk

Key Decision: Yes Forward Plan No: ETSCMM23593

Ward(s) affected: All

### FOR GENERAL RELEASE.

1.1 Brighton & Hove's Sustainable Community Strategy identifies "reduced traffic congestion", "reduced traffic fumes" and "improving the safety, security and attractiveness of streets" as key priorities for sustainable transport.

- 1.2 The council manages parking in order to reduce congestion, keep traffic moving, provide access safely to those who need it most and deliver excellent customer service (Parking Annual Report 2010). The effective management of parking contributes to the well being & quality of life of residents, to an enhanced visitor experience and to the local economy generally.
- 1.3 It is proposed to review the way the council manages parking through consulting residents, businesses and other stakeholders and learning from the best practice of other local authorities. The purpose of this review is to seek continuous improvement in the council's parking management whilst balancing the needs of users overall.
- 1.4 It is also necessary to take more immediate action to address the most urgent areas of parking demand in the city as identified by residents, ward members and other stakeholders Although these areas are to be addressed urgently there is a timetable for the work to be undertaken which is dictated by the officer resources available and is expected to complete by early 2015.

### 2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member for Transport & Public Realm:
  - (a) Approves the urgent programme of reviews and/or consultation on extensions to parking schemes as described in Appendix A, timetabled in Appendix B and set out in the plan drawing, Appendix C;
  - (b) Agrees that the programme of reviews set out in Appendices A, B and C of the report will replace the former timetable of parking reviews agreed on 24<sup>th</sup> January 2008;
  - (c) Notes the summary of requests for parking consultations and parking issues raised by residents & other stakeholders set out in appendix D.

(d) Instructs officers to undertake a city wide review of parking management and to report back within six months of commencement.

# 3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 A timetable for parking reviews was agreed at 24 January 2008 Environment Committee.
- 3.2 Due to recent consultations where the level of support was either overwhelmingly against the introduction of controlled parking or in favour of controlled parking in substantially reduced areas, in October 2010 the Cabinet Member for Environment suspended the timetable against the background of local authority financial restraint.
- 3.3 Since that decision there has been growing pressure for immediate consultation in areas of high parking demand and conflict evidenced by ward member and public support and an expectation of a thorough and detailed review of the council's parking management policies city-wide.
- 3.4 The four areas identified in Appendix A, namely Richmond Heights (Area C extension), Canning Street (Area H extension), London Road (Area J extension, north of the railway line & Round hill area) and Preston Park (Area A northern extension) are considered to be the highest priority for consultation on the grounds of parking demand, conflict, road safety and are the most supported by ward members and residents. In each case consideration will be given to the provision of on street cycle parking and additional car club spaces and the possible improvements to local bus services and accessibility. Hanover & Elm Grove is not considered to be supported by residents since there was a 75% "No" vote in the May 2010 consultation. In the combined West Hove & Portslade area it is still difficult to identify a larger geographically viable boundary supported by residents and ward members, which if sub-divided would not cause immediate displacement. It is therefore felt that considering this area within the longer term city wide review consultation is more appropriate.
- 3.5 In addition there have been localised requests for resident parking schemes and a number of suggestions for policy changes have been raised by residents and other stakeholders.
- 3.6 Other local authorities such as Westminster and Eastbourne have recently conducted parking reviews which include postal questionnaires, community parking forums, street interviews and vehicle counts. These reviews have led to various recommendations such as changing the hours of operation of parking controls, reviews and extensions to schemes, the introduction of new technologies such as pay by phone parking and modifications to the Local Transport Plans.
- 3.7 The terms of reference for the longer term review will cover both public on and off street parking and include questions about individuals and businesses and their parking needs/habits and their perceptions of parking operation, enforcement and the amount and availability of different kinds of parking places. It will

include issues related to sustainable transport such as the provision of additional on street cycle parking and car club spaces. The consultation will consist of a postal consultation of about 6000 random addresses across the city with the additional facility of being able to contribute via the council's website. Relevant stakeholders will be contacted directly for their views and where possible community focus groups or panels will be engaged.

3.8 The exact detail of the longer term review and the range of questions will be determined by officers but this will be in consultation with ECSOSC, the Cabinet Member and key internal and external stakeholders. ECSOSC will act as a "critical friend" and meetings and workshops will be held between now and March 2012 to help develop the content of the review. ECSOSC findings will be reported back to ECMM in spring 2012 and will be taken account of the preparation of the longer term city wide review consultation.

### 4. CONSULTATION

- 4.1 The details of prior consultation in respect of the proposed urgent timetable for resident parking reviews are set out in Appendix A. The longer term city wide review consultation will involve residents, businesses and a wide range of stakeholders. Internal officers have already been consulted.
- 4.2 There has been prior engagement with Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) and lead officers have briefed ECSOSC on how they will influence the review process.

### 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 5.1 Any revenue costs associated with the longer term city wide review recommendations will need to be met from City Regulation and Infrastructure budgets. Although the exact scope of the consultation element of the review is yet to be determined, it is not expected to exceed £25K. The financial impact of revenue from any extension to parking schemes will be included within the proposed budget for 2012/13 which will be submitted to Budget Council in February 2012.
- 5.2 New parking schemes are capital projects, funded by unsupported borrowings, and repaid out of revenue using the income generated.

Finance Officer Consulted: Karen Brookshaw Date: 22/09/11

### Legal Implications:

- 5.3 The Road Traffic Regulation Act 1984 gives the council broad powers to regulate traffic and parking through legally enforceable traffic orders. These powers must be exercised to secure the expeditious, convenient and safe movement of vehicles and other traffic (including pedestrians) and the provision of suitable and adequate parking facilities on and off the highway having regard so far as is practicable to
  - (a) the desirability of securing and maintaining reasonable access to premises;

- (b) the effect on the amenities of any locality affected including the importance of controlling the use of the roads by heavy commercial vehicles;
- (c) national air quality strategy;
- (d) facilitating the passage of public service vehicles and the safety/convenience of persons wishing to use; and
- (e) any other matters appearing relevant.
- In 2001 the council took up the powers of decriminalised parking enforcement (DPE) under The Road Traffic Act 1991, renamed Civil Parking Enforcement (CPE) under the Traffic Management Act 2004. Under CPE, parking enforcement is carried out by civil enforcement officers (CEOs) and is the sole responsibility of the local authority.
- 5.5 The use of any surplus income from CPE is governed by section 55 of the Road Traffic Regulation Act 1984 as amended. This allows any surplus to be used for transport and highways related projects and expenditure such as supported bus services, concessionary fares and Local transport Plan projects.
- 5.6 When carrying out consultation the Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time are given to allow intelligent consideration and responses and that results are taken into account in finalising the proposals.

Lawyer Consulted: Carl Hearsum Date: 01/09/11

### Equalities Implications:

5.7 An EIA has been carried out on the impact of resident parking schemes. In addition full consultation will be carried out in line with the council's Community Engagement Framework.

### **Sustainability Implications:**

5.8 Effective parking management contributes to reducing congestion and improving safe access contributing to the promotion of sustainable transport and tackling climate change through reduction in carbon emissions.

### Crime & Disorder Implications:

5.9 The proposed City wide parking review is not expected to have implications on the prevention of crime and disorder

### Risk and Opportunity Management Implications:

5.10 Any risks will be identified and monitored as part of the overall project management. Parking is a corporate critical budget; however no major risks have yet been identified.

### Corporate / Citywide Implications:

5.11 The parking review will contribute mainly to the Sustainable Community Strategy Outcomes of "strengthening communities and involving people" and "promoting sustainable transport"

### 6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The alternative options for the proposed parking reviews have been considered in the report and set out in the appendices
- 6.2 The alternative to carrying out a longer term City wide parking review consultation is to do nothing. However, the review is an emerging Corporate Priority, therefore it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

### 7. REASONS FOR REPORT RECOMMENDATIONS

7.1 To seek approval of a revised timetable of parking reviews which will take into account consideration of duly made representations and objections and instruct officers to prepare a city wide review of parking management for the reasons outlined in the report.

### **SUPPORTING DOCUMENTATION**

### **Appendices:**

Appendix A Table showing requests for urgent parking reviews and officer comments

Appendix B Timetable of proposed parking reviews

Appendix C Plan drawing showing areas proposed for urgent parking reviews

Appendix D Table of additional requests by residents & other stakeholders for parking reviews or policy changes received in the last 12 months

### **Documents in Members' Rooms**

None

### **Background Documents**

- 1. Sustainable Community Strategy
- 2. Parking Annual Report 2010
- 3. Environment Committee minutes 24 January 2008

Decision No: CMM011 - 04/10/11

Forward Plan No: ETSCMM23593

This record relates to Agenda Item 36 on the agenda for the

**Decision-Making** 

### RECORD OF CABINET MEMBER DECISION

**DECISION-MAKER:** COUNCILLOR IAN DAVEY

PORTFOLIO AREA: TRANSPORT & PUBLIC REALM

SUBJECT: CITYWIDE PARKING REVIEW

**AUTHOR:** OWEN MCELROY

### THE DECISION

2.1 That the Cabinet Member for Transport & Public Realm:

- (a) Approves the urgent programme of reviews and/or consultation on extensions to parking schemes as described in Appendix A, timetabled in Appendix B and set out in the plan drawing, Appendix C;
- (b) Instructs officers to review the timetable in Appendix B and the resources required to implement it and, if possible, to accelerate this timetable.
- (c) Agrees that the programme of reviews set out in Appendices A, B and C of the report will replace the former timetable of parking reviews agreed on 24<sup>th</sup> January 2008;
- (d) Notes the summary of requests for parking consultations and parking issues raised by residents & other stakeholders set out in appendix D.
- (e) Instructs officers to undertake a city wide review of parking management and to report back **on progress** within six months of commencement.

### **REASON FOR THE DECISION**

To seek approval of a revised timetable of parking reviews which will take into account consideration of duly made representations and objections and instruct officers to prepare a city wide review of parking management for the reasons outlined in the report.

### **DETAILS OF ANY ALTERNATIVE OPTIONS**

The alternative options for the proposed parking reviews have been considered in the report and set out in the appendices

The alternative to carrying out a longer term City wide parking review consultation is to do nothing. However, the review is an emerging Corporate Priority, therefore it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

### OTHER RELEVANT MATTERS CONCERNING THE DECISION

A new recommendation was inserted at the request of the Cabinet Member to enable the timetable for priority areas for review to be accelerated if possible.

Recommendation (e) was amended to reflect the fact that a progress report would be brought back six months after commencement of the citywide review.

### **CONFLICTS OF INTEREST**

None.

### **CONFIRMED AS A TRUE RECORD:**

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision

Date: Decision Maker:

04 October 2011 Councillor Ian Davey

Cabinet Member for Transport & Public

Realm Signed:

**Proper Officer:** 

04 October 2011 Mark Wall, Head of Democratic Services

Signed:

### **SCRUTINY**

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny 'Call-In' provisions.

**Call-In Period** 

5-11 October 2011

Date of Call-in (if applicable) (this suspends implementation)

**Call-in Procedure completed** (if applicable)

Call-in heard by (if applicable)

Results of Call-in (if applicable)

### **BRIGHTON & HOVE CITY COUNCIL**

### ENVIRONMENT, TRANSPORT & SUSTAINABILITY CABINET MEMBERS MEETING

### 2.00PM 4 OCTOBER 2011

### **COUNCIL CHAMBER, HOVE TOWN HALL**

### **MINUTES**

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

**Also in attendance**: Councillors Morgan (Opposition Spokesperson) and Peltzer Dunn (Opposition Spokesperson)

**Other Members present**: Councillors Bennett, Deane, Kennedy, Marsh and Pissaridou (The Labour Party)

### **PART ONE**

### 36. CITYWIDE PARKING REVIEW

- 36.1 Councillor Davey considered a report of the Strategic Director, Place concerning proposals to review the way the council manages parking and proposals to take immediate action to address the most urgent areas of parking demand in the city as identified by residents, ward members and other stakeholders.
- 36.2 Councillor Davey explained that he would hear from the petitioners and Councillor Pissaridou before opening up the debate to opposition spokespeople.
- Mr Robert Rosenthal presented a petition signed by 424 people concerning parking problems in the area north of London Road Station and calling for the council to implement an urgent review and re-consult residents in relation to joining a controlled parking scheme (CPZ) to prevent the ongoing problems caused by displacement.
- 36.4 Councillor Deane presented a petition signed by 276 people concerning parking problems in the Round Hill area and calling for the council to re-consult residents on membership of the Area J Extension CPZ to tackle the problem of displacement.
- Councillor Pissaridou, ward councillor for Wish ward, stated that the report did not propose a broad strategic review, but instead concentrated on urgent parking reviews in specific areas. She advised that it was unfair not to include areas of Wish ward for priority review and described the specific problems experienced by residents in the Wish Park area, which was a popular place for visitors to the seafront and lagoon to park and suffered from displacement from the adjoining CPZ; the level of parking resulted in significant safety issues for residents, including the elderly, disabled and children. She highlighted concerns raised by the Ombudsman in relation to a previous

# ENVIRONMENT, TRANSPORT & SUSTAINABILITY CABINET MEMBERS MEETING

consultation on parking in the area and stated that residents were not properly supported by the council during the process, which she felt was flawed. She called on the council to listen to residents and include the Wish Park area as a priority for reconsultation.

- Mr Don Odair, resident of the Wish Park area, stated that the problems experienced by residents needed to be considered more urgently than the proposed citywide review would allow. He explained that there was significant pressure on the roads in the area from residents, visitors to the seafront and park and from vehicles left there for long periods of time. He urged the council to include the area in the priority group.
- 36.7 Councillor Davey noted the petitions and acknowledged that parking was an emotive issue in the city that required the council to balance the needs of residents. He explained the report proposed a strategic and long-term approach to parking management, as well tackling some more urgent areas. He noted that all political Groups were supportive of a review and that the timetable agreed in 2008 had been abandoned in 2010 despite consultation having already been undertaken in some areas. He recognised the problems in the Wish Park area, but advised that there was no clear solution; he felt that extending the neighbouring light touch scheme would not solve all the problems and he did not have evidence of support for a scheme up to Boundary Road. He called for ward councillors and residents to work together with officers, possibly in a working group, to enable the best solution to be identified for the whole ward; if a consensus was achieved, consultation could proceed after the initial priority areas were completed. With regard to the citywide review, he advised that officers would engage with stakeholders across the city, along with Overview & Scrutiny involvement, and that the proposals represented the responsible way forward.
- 36.8 Councillor Morgan stated that the report dealt with changes to the existing timetable for parking reviews and was vague in relation to the citywide review. He welcomed the opportunity for Overview & Scrutiny involvement in the review and advised that the Environment & Community Safety Overview & Scrutiny Committee would contribute, but did not have the resources to undertake the whole review. He reported that ward councillors for Wish and South Portslade had not been approached in relation to determining a boundary for a CPZ in the problematic area described by Councillor Pissaridou causing the area to drop off the priority list. He stated that the report raised too many questions and urged the Cabinet Member to withdraw it and bring back two separate reports; a report on the priority areas with clear reasons for proceeding with some areas and not others, and a more detailed report on proposals for the citywide parking reviews.
- 36.9 Councillor Peltzer Dunn stated that he had hoped there would be a review of all CPZs in the current year, but that the report lacked clarity as it did not state when the citywide review would begin. He questioned the length of the timetable for the review of the priority areas and noted that any action would take place under a new Administration. As ward councillor for Wish ward, he reported that the views of residents living between Saxon Road and Boundary Road were not known as they had never been consulted and that residents living Saxon Road and Boundary Road were misled would have voted differently in the previous consultation if they had known that the adjoining scheme was going to be implemented. He questioned why the Wish Park area was the only area adjacent to the seafront that did not have a CPZ, forcing

residents to put up with congestion and road safety issues, when they could be included in a light touch scheme at little cost. He urged the Cabinet Member to undertake a full citywide review before proceeding with the identified priority areas.

- 36.10 Councillor Davey stated that the budget set by the previous Administration did not provide for a full review to take place in 2011/12 and that no terms of reference for the review were set. He advised that the proposals presented a way forward, allowing people to contribute to the review and also addressed problems in specific areas.
- 36.11 In response to a question from Councillor Peltzer Dunn regarding the timetable for the citywide review, the Lead Commissioner, City Regulation & Infrastructure explained that the process for the review was being determined; it would start within the current year and be completed within one year.
- 36.12 Councillor Davey advised that he would add an additional recommendation instructing officers to review the timetable for the priority areas and accelerate it if possible within resources (see 36.13 (b)), and that the report back on the citywide review after six months would be an update on progress (see 36.13 (e)).
- 36.13 RESOLVED - That the Cabinet Member for Transport & Public Realm noted the petitions and, having considered the information and the reasons set out in the report, accepted the following recommendations:
  - Approves the urgent programme of reviews and/or consultation on extensions to parking schemes as described in Appendix A, timetabled in Appendix B and set out in the plan drawing, Appendix C;
  - Instructs officers to review the timetable in Appendix B and the resources required to implement it and, if possible, to accelerate this timetable.
  - (c) Agrees that the programme of reviews set out in Appendices A, B and C of the report will replace the former timetable of parking reviews agreed on 24<sup>th</sup> January 2008;
  - Notes the summary of requests for parking consultations and parking issues
  - nt and to

	raised by residents & other stakeholders set out in appendix D.			
(e)	(e) Instructs officers to undertake a city wide review of parking m report back <b>on progress</b> within six months of commencement			
The me	eeting concluded at 4.15pm			
Signe	ed		Cabinet Member	
Dated	d this	day of		



Labour & Co-operative Group Brighton & Hove City Council Room 122, King's House Grand Avenue, Hove BN3 2LS

John Barradell Chief Executive Brighton & Hove City Council OHIEF EXCOUTIVE'S OFFIGE October 2011
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Dear John,

### Re: Call-in Request: Citywide Parking Review

I am writing to request a call-in of the decision taken by the Environment, Transport and Sustainability Cabinet Members meeting on 4<sup>th</sup> October regarding Item 36, the Citywide Parking Review.

I believe that the decision taken by the Cabinet member for Environment, Transport and Sustainability, was not taken in accordance with Article 13 of the Constitution ('Decision Making').

For instance, the decision has been taken without proper consultation with local residents or the current Wish and South Portslade councillors who represent areas affected by the review.

Secondly, the report was based on the existing timetable of the planning scheme consultation and not a broad review of strategy, so it is misleading and unclear.

Furthermore, there is not sufficient evidence in the report to support the changes to the timetable, which exclude Wish and South Portslade.

Finally, the previous timetable, which the proposed new Citywide Parking review seeks to change, was not appended to the report. This adds to the lack openness and clarity in the decision made.

In summary, this decision has been made without a full and proper consultation and the reasons why certain wards have been deferred lack sufficient explanation.

I suggest to the Overview & Scrutiny Commission that this decision be referred back to the Environment, Transport and Sustainability Cabinet Member Meeting, once a full evaluation of the options has been undertaken.

Yours sincerely

Councillor Anne Pissaridou

Labour & Co-operative, Wish Ward

**Brighton & Hove City Council** 

Telephone/Fax: (01273) 291219

Mr John Barradell
Chief Executive
Brighton & Hove City Council

5th October 2011

Dear John



I am writing under Overview and Scrutiny Procedure Rule 16.5 to request a call-in of the decision taken by Cllr. Ian Davey at the Cabinet Member Meeting on 4<sup>th</sup> October – Citywide Parking Review.

I believe that the decision made by the Cabinet Member, in respect of the citywide parking review, was not taken in accordance with Article 13 of the Constitution ('Decision Making'). In particular, I believe that it breached the principles d) a presumption in favour of openness and e) clarity of aims and desired outcomes.

The first problem was around the distinct lack of clarity on the timetable for the proposed citywide review. Recommendation d) stated that officers be instructed to undertake this review and to report back within 6 months of commencement. However, at no point in the report was it stated when this was to start or, indeed, just as importantly, when it was to finish. When I pressed this point with the Cabinet Member, he sought clarification from officers who said that it may be possible to start it by the end of this year and finish it by the end of 2012. However, this was not made explicit and was not added to the recommendations. Furthermore, new recommendation e) now states that after a non-disclosed commencement date, only a **progress report** is required within 6 months.

Secondly, I believe that one of the statements in the report (and the main reason given for not going ahead with a consultation in the West Hove/Portslade area) was factually inaccurate. It states in paragraph 3.4 that "it is still difficult to identify a larger geographically viable boundary supported by residents and ward members, which if sub-divided, would not cause immediate displacement." I have never been consulted on areas which might or might not be acceptable and so to suggest that this is the case was completely wrong. It was also factually inaccurate to suggest in Appendix A, that there are no significant road safety concerns in relation to the parking situation in West Hove/Portslade. As a resident confirmed at the meeting, there are serious road safety issues around Wish Park, which have particular significance given the number of children and young people who use both the park and seafront.

Thirdly, and perhaps most importantly in respect of upholding the integrity and transparency of the decision-making process, many residents told me that they left the meeting completely confused and unsure as to what had actually been agreed by the Cabinet Member — a clear breach of the presumption in favour of openness. The confusion stemmed from the insertion of an additional recommendation by the Cabinet Member which, I accept was intended to be helpful, but which merely added to the uncertainties. The extra recommendation reads: (b) Instructs officers to review the timetable in Appendix B and the resources required to implement it and,

if possible, to accelerate this timetable. However, this extra recommendation now directly contradicts new recommendation c) which agreed the timetable set out in Appendix B and where no review in Wish Ward was to take place before 2015. Which of these two recommendations takes precedence?

Whilst the Cabinet Member stated that the works to be agreed within Appendix B could be undertaken by the end of 2012, the new recommendation b) fails totally to reflect this view. Furthermore, the recommendation suggests that the resources required to meet the unrevised timetable need to be reviewed. This would suggest that resources are not yet even in place for the original timetabled works to be carried out, let alone an accelerated programme.

In addition, during the meeting, the Cabinet Member talked about setting up a separate working group for a Wish Ward parking scheme which would report in 18 months time. However, this wasn't added to the recommendations and so residents are none the wiser as to whether this will be going ahead.

Finally, with regard to the proposed extension to zone A – Preston Park Station area – no consultation has been carried out in roads that will fall just outside the proposed new zone, such as to the south of Dyke Road/Dyke Road Avenue in Hove Park Ward. These areas will inevitably suffer from displacement parking from the proposed zone A extension and so the Cabinet Member did not have the full picture before coming to his decision. The same could equally be said of roads adjacent to the other 3 schemes that have been put forward in the report.

In summary, I believe that the whole basis for the report was fundamentally flawed. Two very separate decisions were being made – one on the proposed citywide review and one on the extensions to the specific areas outlined in the report. This immediately made it unclear as to what was actually being recommended to the Cabinet Member for agreement. The misinformation and additional ad hoc recommendations outlined above then only served to confuse the public, with the confusion being exacerbated by the contradictory decisions subsequently published. With so many members of the public present at the meeting it was even more important that there was transparency and clarity in the decision-making process. Sadly this wasn't the case and many people unfortunately left disillusioned. Therefore, I strongly recommend to the Overview & Scrutiny Commission that this decision should be referred back to the Cabinet Member for reconsideration with the full facts and accurate recommendations before him.

Yours sincerely,

Councillor Garry Peltzer Dunn

Deputy Leader of the Conservative Group

Further information supplied by Strategic Director, Place

**Environment & Community Safety Overview and Scrutiny Committee** 14/10/11

Response to Call in of City Wide Parking Review Response from Strategic Director, Place

### Cllr Pissaridou's letter

Lack of consultation with local residents or current councillors – The citywide review itself was established by a CMM decision and the principle was supported by all parties prior to the election. Based on the outcome of previous consultations, Officers are aware of the views

of ward members and residents and sought to reflect this in the report.

The report was based on the existing timetable and not a broad review of strategy –

The report combines adjustments to existing schemes alongside the recommendation to commence the citywide review itself. The sufficient evidence of support for taking forward these adjustments is based on the last formal and informal consultations that had a high degree of support and safety concerns such as pertaining to Canning Street.

The old parking timetable was not appended –

The previous parking review timetable is referred to in the report and the minutes of Environment Committee 24 January 2008 are a background paper (Item 118). The old timetable is already in the public domain and still on the Council's website.

### **CIIr Peltzer Dunn's letter**

Lack of clarity around the timetable -

The proposed timetable for adjustments and extensions to schemes is set out in Appendix B of the ECMM report. It is intended to start preparatory work on the longer term city wide review next month, subject to CMM agreement. Officers have undertaken some preliminary research and consultation with officers and this was reflected in the report to ECMM and in Appendix D summary of issues. Consultation with external stakeholders should begin this year and continue until September/October 2012. Officer experience is that postal consultation is best undertaken following a period of pre publicity and the best time of year is between the Easter and Spring half term holidays, it is therefore proposed to undertake that in Spring 2012. The results will be analysed in summer 2012 and reported back to the Cabinet Member in October 2012.

Paragraph 3.4 it is still difficult to identify a larger geographically viable boundary supported by residents and ward members which, if sub divided, would not cause immediate displacement" is factually inaccurate –

The longer term city wide review is intended to provide information that would enable officers to produce proposals and advice to Members that improve parking management over the whole city as well as gauge residents' views on appropriate solutions for their areas.

The statement about Road Safety concerns in West Hove & Portslade is not accurate –

The Council's professional team have a strong knowledge of road safety across the city and their advice is that whilst there are road safety issues in parts of West Hove & Portslade, the situation is more severe in other areas, particularly the proposed area C & J extensions in terms of double parking, congestion, traffic circulation and visibility at junctions.

Uncertainty as to what has been recommended in terms of resources – The timetable is set out in the report and, at this stage, teams are anticipated to be sufficiently resourced to implement it. Officers are considering options to accelerate the timetable and will confirm capacity to do this post agreement on the Council's budget.

No consultation has been carried out in roads falling outside of Zone A extension i.e. roads south of Dyke Road/Dyke Road Avenue in Hove – There has been consultation and residents previously rejected a parking scheme proposal. This issue is addressed in the report, appendix D

Working group to look at Wish Ward – This is an offer made by the Cabinet Member to local residents and ward members and officers are able to respond to an agreed process.

### Attachments -

- ECMM report 4<sup>th</sup> October 2011
- Environment Committee Report 24 January 2008 (includes previous timetable)

Owen McElroy LLB, DMPR.cert, MIHE Project Manager

### **BRIGHTON & HOVE CITY COUNCIL**

### **ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE**

### 10.00AM 14 OCTOBER 2011

### **COUNCIL CHAMBER, HOVE TOWN HALL**

### **MINUTES**

**Present**: Councillors Morgan (Chair); Sykes (Deputy Chair), Cobb, Hawtree, Janio, Jones, Lepper and Rufus

Also present: Councillors Ian Davey, Anne Pissaridou and Garry Peltzer Dunn

### PART ONE

### 22. PROCEDURAL BUSINESS

### 22a Declarations of Substitutes

Councillor Lepper was substituting for Councillor Gilbey and Councillor Rufus for Councillor Littman

### 22b Declarations of Interests

There were none.

### 22c Declaration of Party Whip

There were none.

### 22d Exclusion of Press and Public

In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

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

### 23. PARKING REVIEW CALL-IN REQUEST

- 23.1 Councillor Warren Morgan, Chair of ESCOSC welcomed everyone to the call-in meeting including Councillor Ian Davey, Cabinet Member for Transport and Public Realm and 14 Members of the public present. Councillor Hawtree was welcomed as a new Member of the Committee.
- 23.2 Councillor Morgan noted the many challenges of parking that affected all wards in the City. However this meeting was not convened to consider individual details of parking arrangements. Instead, the Committee would consider requests from Councillor Pissaridou and Councillor Peltzer Dunn for call-in of the decision on the Citywide Parking Review. Then,

# ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

9 NOVEMBER 2011

hearing from Councillor Ian Davey the Cabinet Member for Transport and the Public Realm and from officers, determine whether or not to refer back the 4 October Environment Transport and Sustainability Cabinet Member Meeting Decision, for reconsideration. The Senior Scrutiny Officer described the call-in process

- 23.3 Introducing her request Councillor Pissaridou said she felt the decision was flawed as the timetable was misleading and unclear. Councillor Pissaridou argued there was insufficient consultation undertaken in relation to the decision. There had been major concerns for more than four years and residents were angry that consultations had been postponed. Changes to the programme of reviews had not been properly explained or consulted upon, she said.
- 23.4 Councillor Peltzer Dunn said the draft minutes of the CMM meeting neither recorded his comment on a petition relating to Kestrel Close, nor referred to inconsistencies in the report that he had raised at the CMM meeting. Residents living between Saxon Road and Wish Road felt they had been misled and may have voted differently, had they known the consultation only extended up to Wish Road, he stated.
- 23.5 Councillor Peltzer Dunn spoke about his call-in request and the response at Appendix 5. He questioned the wording of the CMM report recommendations about timescales. For example Appendix B was not a list of extensions to parking schemes but merely a timetable of parking reviews and the meaning of 'Based on one project manager' was not clear. He queried the practical implications of resolution (b) in the Record of the Cabinet Member Decision that 'Officers are instructed to review the timetable in Appendix B' and said that the resolution (e) did not state when the parking review would commence.
- 23.6 The January 2008 Environment Committee had acknowledged the sustained representation made since 2007in particular areas (Wish Park), and had agreed a timetable that showed work on West Hove/Portslade would start in 2010 (paras 6.10 and 6.14 at Appendix 5, attachment).
- 23.7 Regarding reaching a consensus view on a suitable area; CMM report was misleading in that paragraph 3.4 implied that action had already been taken in West Hove/Portslade; however he had not been consulted nor had there had consultation with former Councillor Kemble or former or current South Portslade Councillors, he told the meeting. Other Ward Councillors later commented they had not been consulted.
- 23.8 It was not clear that resources were in place to work to an accelerated timetable and the decision appeared to be inconsistent. It would be contradictory to carry out works in some parts of the City before the Citywide Review in his opinion. Therefore Councillor Peltzer Dunn said the decision was flawed and should be reconsidered in two separate programmes.
- 23.9 The Wish Park Residents' Association Chair made a submission on behalf of the Association and residents living close to Wish Park and Aldrington recreation ground, detailing reasons that the decision was 'grossly unfair,' in their view, and requesting that Wish Park (not Wish ward as a whole) be treated as a priority for consultation. The submission circulated for inspection by the Committee.
- 23.10 Councillor Ian Davey Cabinet Member for Transport and the Public Realm acknowledged the long history of issues around parking including the Wish area. The timetable agreed in 2008 covered four areas that were intentionally relatively large to minimise overspill

# ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

9 NOVEMBER 2011

to neighbouring areas. All work on further schemes was halted due to cuts in national funding. Three of the four schemes had been designed, consulted on and were partially implemented. No work was done on West Hove and Portslade. (It was later noted that West Hove/Portslade Station, priority 4 area at the time, was rescinded at July 2010 CMM.)

- 23.11 Councillor Davey told the Committee that, rather than awaiting the outcome of the Citywide Parking Review, taking around 18 months, his preferred option was to take action now in high priority areas identified from an analysis of road safety concerns, previous council consultation and levels of community and Ward Member support, as summarised at report Appendix A.
- 23.12 Councillor Davey was familiar with the parking problems in West Hove and Portslade however residents in only a small area had been consulted. Residents around Wish Park wanted a scheme and Ward Members were in support of a scheme covering a wider area, which required more resources. Officers were therefore asked to accelerate the timetable if possible as part of the budget considerations and a working group for the Wish ward had been suggested.
- 23.13 The Citywide parking review had full support of all political groups however the previous budget had not allocated funding for work during 2011-2012. It was hoped to identify resources in next year's budget. A similar review elsewhere had cost £200,000 and taken 2 years to complete; experience in other local authorities would be drawn upon but this level of funding was unlikely to be available here, he commented.
- 23.14 This was therefore a reasonable decision that would as least resolve some pressing problems though could not possibly solve all at once.
- 23.15 Councillor Davey answered questions on: the reason for combining two separate elements into one decision; why CMM did not reconsider, when it was clear that Ward Councillors had not felt properly consulted; the time taken for implementing schemes; and implications of self-financing schemes, especially regarding light touch.
- 23.16 He detailed why Wish area and West Hove and Portslade were different from the schemes that would proceed urgently, and told Members that he wanted to minimise any time wasted on schemes that are designed but then rejected at consultation stage, as happened in the two latest consultations. Work on the new schemes was not incompatible with the citywide review; one would inform the other, he stated.
- 23.17 Replying to questions the Project Manager Owen McElroy said some terminology might have been misunderstood. For example 'proposed extensions and adjustments' are reviews. Consultation responses are generally accepted up until Cabinet Member meetings. Road safety concerns could have been ranked; Appendix A was a summary table and recommendations were based on a range of technical grounds. Resources were available for the timetable in Appendix B and work was done as quickly as possible but extra resources depended on the budget process. The Citywide Review involving all stakeholders would start as soon as authorised.
- 23.18 The Senior Scrutiny Officer set out the decision-making rules in Article 13 of the Constitution.

# ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

9 NOVEMBER 2011

- 23.19 Councillor Davey then left the room. Members considered the call-in requests and discussed the details of the timetabling of the reviews and the principles of consultation; the extent of linkage between the elements of the decision; the potential benefits of a reconsideration, whether referral would be proportionate, the plight of Wish area residents; and possible implications of calling in the decision.
- 23.20 The Deputy Chair Councillor Ollie Sykes said ideally operations would follow strategic and tactical reviews but on balance there was justification for going ahead with urgent reviews before the Citywide review. A call-in would not necessarily benefit Wish area residents in his opinion.
- 23.21 The Lead Commissioner City Regulation and Infrastructure explained that funding from revenue streams, of the Citywide Parking Review was independent of the capital budget to be used for urgent reviews/adjustments.
- 23.22 Councillor Cobb suggested that the Citywide Parking Review be accelerated, and individual reviews then follow.
- 23.23 Summarising, the Chair reiterated the difficulties of balancing competing views and financial pressures when dealing with parking issues. Councillor Morgan proposed that due to concerns including lack of consultation, the combination of both the strategy review and alterations to the timetable for parking scheme implementation, and unclear timetables and resources, the decision be referred back for reconsideration. He proposed that the Citywide Parking Review be considered separately from the programme of other parking reviews. Whether or not to include a Wish review, and consultation with Ward Members residents should also be considered by CMM.
- 23.24 The proposal was agreed following a vote.
- **23.25 RESOLVED** (i) that the decision be called in.
- (ii) that the CMM meeting consider separately the decisions on the Citywide Parking Review and the programme of other reviews/consultations
- (iii) that the CMM meeting consider consultation with relevant Ward Members and residents, and whether or not to undertake an urgent Wish review.

The meeting concluded at 11.45am				
Signed	Chair			