



LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

DECISIONS to be made by the Lead Member for Transport and Environment,
Councillor Claire Dowling

TUESDAY, 23 JULY 2019 AT 10.00 AM

COUNCIL CHAMBER - COUNTY HALL, LEWES

AGENDA

- 1 Decisions made by the Lead Cabinet Member on 17 June 2019 (*Pages 3 - 6*)
- 2 Disclosure of Interests
Disclosure by all Members present of 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.
- 3 Urgent items
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
- 4 Tipping Away Payments (Waste) (*Pages 7 - 8*)
Report by the Director of Communities, Economy and Transport
- 5 Any urgent items previously notified under agenda item 3

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15 July 2019

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LEAD MEMBER FOR TRANSPORT AND ENVIRONMENT

DECISIONS made by the Lead Member for Resources, Councillor Nick Bennett, on behalf of the Lead Member for Transport and Environment, on 17 June 2019 at County Hall, Lewes

Councillor Godfrey Daniel spoke on items 4 and 6 (see minute 7 and 9)

Councillor Pat Rodohan spoke on items 6 and 7 (see minute 9 and 10)

Councillor Stephen Shing spoke on items 4, 6 and 7 (see minute 7, 9 and 10)

Councillor Alan Shuttleworth spoke on items 5, 6 and 7 (see minute 8, 9 and 10)

Councillor John Ungar spoke on items 6 and 7 (see minute 9 and 10)

4 DECISIONS MADE BY THE LEAD CABINET MEMBER ON 20 MAY 2019

4.1 The Lead Member approved as a correct record the minutes of the meeting held on 20 May 2019.

5 DISCLOSURE OF INTERESTS

5.1 Councillor Alan Shuttleworth declared a personal interest in Item 6, as the holder of a parking permit, but he did not consider this to be prejudicial.

6 REPORTS

6.1 Reports referred to in the minutes below are contained in the minute book.

7 TRAFFIC MANAGEMENT IN ALFRISTON

7.1 The Lead Member considered a report by the Director of Communities, Economy and Transport, together with correspondence submitted after publication of the agenda.

7.2 The following people spoke on behalf of the following interested parties:

- Cllr Stephen Rabagliati – Alfriston Parish Council
- Mr Neil Parkinson – Conserve Alfriston
- Dr June Goodfield – Safe Alfriston for Everybody (SAFE)

DECISIONS

7.3 The Lead Member RESOLVED to: (1) consider the outcomes of the traffic signals and 20mph speed limit trial schemes;

(2) agree the recommendation not to take forward a permanent traffic signal scheme; and

(3) agree the recommendation to consult on a package of village-wide traffic calming measures.

Reasons

7.4 Whilst the results of the traffic signal trial indicate there was a reduction in vehicles overrunning the footway in the High Street between Star Lane and Weavers Lane junction, this was

to the detriment of other parts of the village where footway incursions and queueing traffic was observed. The findings of the proposed consultation will be reported back to Lead Member for Transport and Environment for further consideration as part of the decision making process.

8 PEDESTRIAN CROSSING, FRIDAY STREET, EASTBOURNE

8.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

8.2 The Lead Member RESOLVED to: (1) note the comments of the local consultation; and
(2) approve the proposal for the pedestrian crossing in Friday Street as set out in this report to be taken forward to construction as part of the 2019/20 Capital Programme for Local Transport Improvements.

Reasons

8.3 There are currently limited pedestrian crossing facilities on Friday Street. The County Council has previously received requests for a controlled pedestrian crossing to be introduced and these have been considered through the County Council's scheme prioritisation process for assessing requests for local transport schemes. The requests scored sufficiently for a scheme to be included in the Capital Programme for local transport improvements. Subsequent survey and design work have identified the most appropriate location for a controlled pedestrian crossing to be introduced on Friday Street was between the junctions of Oak Tree Lane and Shinewater Lane. A local consultation exercise undertaken in February 2019 identified significant support for the scheme albeit with a number of objections

8.4 In light of the significant support for the scheme, it is therefore considered that these objections are outweighed by the road safety and accessibility improvements that the proposed crossing will bring to the local community.

9 ON-STREET CAR PARKING CHARGES AND TARIFF REVIEW

9.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

9.2 The Lead Member RESOLVED to: 1) note the proposals on increasing parking pay & display charges and the proposed changes to permit charges; and

2) approve that a six week consultation should be undertaken on the proposals outlined in this report.

Reasons

9.3 Each of the three Controlled Parking Areas were set up some years apart and with varying types of parking provision to satisfy the particular needs of the local community. There are similarities between the three areas, however, there are different levels of charging in each area and the difference is particularly noticeable in the different charges for permits.

9.4 The effective control of parking is a crucial element of wider transport strategies as set out in the Local Transport Plan (LTP). It supports the local economy by assisting with the management of congestion and the availability and demand for parking spaces as well as encouraging greater use of more sustainable forms of transport.

9.5 The consultation will seek to understand people's views on the Council's proposed approach to the management of parking demand across the county through the increase in on-street pay & display parking tariffs and parking permit charges. The consultation will also look to better understand whether these proposed changes will encourage drivers to use sustainable forms of transport and/or to use vehicles that emit lower levels of pollutants.

10 FUTURE MANAGEMENT OF COUNTRYSIDE SITES

10.1 The Lead Member considered a report by the Director of Communities, Economy and Transport, together with exempt information contained in a later agenda item, and correspondence received following publication of the Agenda. The Lead Member also took into account the comments of the Countryside Access Review Board of the Place Scrutiny Committee.

DECISIONS

10.2 The Lead Member RESOLVED 1) To approve the publication of Notices in relation to the following transfers:

- (a) Ditchling Common Country Park to be leased to the Sussex Wildlife Trust for a peppercorn rent through a long lease with the S106 funds for the Ditchling Common Management Contribution (c £400k) also transferred;
- (b) The freehold of Ouse Estuary Nature Reserve to be transferred to Newhaven Town Council subject to the final terms being agreed for this and Riverside Park;
- (c) Riverside Park to be leased to Newhaven Town Council for a peppercorn rent and for the lease to be subject to appropriate restrictions in relation to the history of the site as a former landfill site.

2) To award South Downs National Park Authority (SDNPA) preferred bidder status with a view to transferring the freehold of Seven Sisters Country Park subject to the completion of an agreement regarding the terms of the transfer. To delegate authority to the Director of Communities, Economy and Transport (CET) to agree the terms of any transfer and to publish notices in relation to the transfer. These terms will include (a) reference to the preliminary negotiation and offer from SDNPA submitted in December 2018 and (b) negotiation of a clawback clause such that the County Council would benefit from the proceeds from any future sale, transfer or development.

3) To delegate authority to the Director of CET to agree the terms of any transfer of East Sussex County Council land at Broomhill and Camber to Rother District Council and to publish notices in relation to the transfer.

4) To delegate authority to the Director of CET to agree the transfer, and the terms of any transfer, of management responsibility for:

- (a) Chailey Common Local Nature Reserve to another party considered appropriate by the Director of CET;
- (b) Weir Wood Local Nature Reserve to another party considered appropriate by the Director of CET, and;

(c) Any changes to the terms of the Local Nature Reserve agreements (other than the names of the parties) be reserved to the Lead Member for Transport and Environment for decision.

5) Delegate authority to the Director of Communities, Economy and Transport in consultation with the Assistant Chief Executive to take any action he considers appropriate to give effect to or in consequence of, the above recommendations including determining the terms of, and entering into, any further agreements necessary.

Reasons

10.3 The Countryside Access Strategy approved by Cabinet in June 2017 contained the recommendation that the County Council explore the transfer of its countryside sites to suitable external organisations that may be able to manage these in the future.

10.4 It is clear that doing nothing is not an option – if this were to happen, the County Council's countryside management service would continue to incur a £50k cost per year and the countryside sites would not benefit from much needed investment. The evaluation, options analysis and preliminary negotiations have demonstrated that the proposed transfers can deliver all of the benefits of a transfer in line with the Countryside Access Strategy.

10.5 The transfer of interests of at least four and potentially up to seven of the eight countryside sites has been identified as feasible and is considered the best means of the achieving the objectives of the Countryside Access Strategy.

11 EXCLUSION OF PUBLIC AND PRESS

11.1 RESOLVED to exclude the public and press for the remaining agenda items on the grounds that if the public and press were present there would be disclosure to them of exempt information as specified in paragraph 3 of Part 1 of the Local Government Act 1972 (as amended), namely information relating to the financial or business affairs of any particular person (including the authority holding that information).

12 FUTURE MANAGEMENT OF COUNTRYSIDE SITES - EXEMPT INFORMATION

12.1 The Lead Member considered a report by the Director of Communities, Economy and Transport.

DECISIONS

12.2 The Lead Member RESOLVED to note the report.

Reasons

12.3 The information supports an earlier agenda item

Report to: Lead Member for Transport and Environment

Date of meeting: 23 July 2019

By: Director of Communities, Economy and Transport

Title: Tipping Away Payments (Waste)

Purpose: To seek permission to enter into financial agreements with District and Borough Councils for the tipping of waste outside of their local authority areas.

RECOMMENDATIONS: The Lead Member is recommended to:

- (1) Approve the County Council entering into arrangements with Eastbourne Borough Council relating to the tipping of waste outside of the borough, as detailed in this report; and**
 - (2) Delegate authority to the Director of Communities, Economy and Transport (CET) to agree the terms of the proposed tipping away agreement with Eastbourne Borough Council as well as any other District and Borough Council within East Sussex where there is a statutory basis for doing so, and to take all other actions necessary in relation to such agreements and arrangements including variations or termination thereof.**
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1 Background Information

1.1 Tipping away payments apply when the County Council, acting as the Waste Disposal Authority (WDA) is unable to provide the District and Borough Councils (Waste Collection Authorities, or WCAs) with a suitable location to tip waste within a reasonable distance of the boundary of their area, widely accepted to be within five miles. In accordance with s52(10) of the Environmental Protection Act 1990, the WDA is expected to make a financial contribution to the WCA to assist with the additional haulage costs.

1.2 Eastbourne Borough Council is currently the only WCA eligible for tipping away payments in East Sussex. Eastbourne Waste Transfer Station cannot accept domestic refuse due to the close proximity to housing and the need to protect the amenity of local residents. Domestic refuse is instead tipped outside the borough at Newhaven Energy Recovery Facility (ERF).

1.3 Whilst tipping away payments are not new, the level of payment has been renegotiated in recent years and it is the intention of officers to formalise this through a binding agreement. Lead Member approval is sought in order to enter into a new agreement with Eastbourne Borough Council as well as delegated authority for the Director of Communities, Economy and Transport to approve any other similar arrangements that may arise in the future.

2 Supporting Information

2.1 The County Council has made tipping away payments since at least the 1990s to WCAs to assist with haulage costs to waste disposal facilities such as landfill sites and composting facilities. Over the years, tipping away payments have fallen away as PFI contract facilities became available. However, Eastbourne Borough Council is the exception due to the difficulty of providing a modern transfer station within or close to Eastbourne. It was highlighted to Cabinet in the PFI contract award report dated 12 March 2003 that it was always anticipated that tipping away payments to Eastbourne Borough Council would continue for the lifetime of the PFI contract.

2.2 The level of tipping away payment is not enshrined in legislation or national guidance. Instead, it is negotiated based on local circumstances such as distance to the tipping facility, frequency of tipping and operational costs. It is necessary from time to time to review payments to ensure that they remain up to date.

2.3 The payment to Eastbourne Borough Council was last reviewed in 2016 when it was agreed that County Council would contribute £55,000 (indexed) per annum starting from 2014/15 towards the additional haulage costs incurred by Eastbourne Borough Council. This figure is based on an independent review by consultants WYG with input from Kier, who provided their fuel consumption figures. The tipping away payment rate currently stands at £61,206.23 for 2019/20 and is currently budgeted for in the waste disposal budget.

2.4 Tipping away payments have historically been agreed directly between officers at the respective local authorities via an exchange of letters. Whilst this approach has worked well in the past, it is considered best practice to use formal agreements so that there is a robust contractual framework underpinning these payments. Due to the long history of these payments, it has not been possible to identify the original policy decision behind these arrangements.

2.5 A formal agreement for tipping away payments with Eastbourne Borough Council has been drafted.

3 Conclusion and Reasons for Recommendations

3.1 The Lead Member is recommended to approve the County Council entering into a tipping away agreement with Eastbourne Borough Council, and to grant delegated authority to the Director of Communities, Economy and Transport to negotiate and enter into tipping away agreements with District and Borough Councils as required in the future. This will ensure that the County Council continues to fulfil its statutory obligations under s52(10) of the Environmental Protection Act 1990.

3.2 Whilst it is not envisaged that the County Council will enter into other tipping away agreements in the near future, it is recommended that the delegated authority covers agreements with all WCAs in East Sussex, including any revised terms or the termination of such agreements. This will ensure that that tipping away payments can be revised to cover future eventualities, such as unavailability of facilities or changes to collection services and contractors.

RUPERT CLUBB

Director of Communities, Economy and Transport

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LOCAL MEMBERS

None

BACKGROUND DOCUMENTS

None