



**Brighton & Hove  
City Council**

# Overview & Scrutiny

Title:	<b>Environment &amp; Community Safety Overview &amp; Scrutiny Committee</b>
Date:	<b>15 September 2008</b>
Time:	<b>4.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillors:</b> Morgan (Chairman)  Janio, Davey, Davis, Drake, Rufus, Smart and Wells
Contact:	<b>Mary van Beinum</b> Scrutiny Support Officer 01273 - 29 - 1062 mary.vanbeinum@brighton-hove.gov.uk

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## AGENDA

**17. PROCEDURAL BUSINESS**

## Declaration of Substitutes

Where a Member of the Commission is unable to attend a meeting for whatever reason, a substitute Member (who is not a Cabinet Member) may attend and speak and vote in their place for that meeting. Substitutes are not allowed on Scrutiny Select Committees or Scrutiny Panels.

The substitute Member shall be a Member of the Council drawn from the same political group as the Member who is unable to attend the meeting, and must not already be a Member of the Commission. The substitute Member must declare themselves as a substitute, and be minuted as such, at the beginning of the meeting or as soon as they arrive.

## Declarations of Interest

(1) To seek declarations of any personal or personal & prejudicial interests under Part 2 of the Code of Conduct for Members in relation to matters on the Agenda. Members who do declare such interests are required to clearly describe the nature of the interest.

(2) A Member of the Overview and Scrutiny Commission, an Overview and Scrutiny Committee or a Select Committee has a prejudicial interest in any business at meeting of that Committee where –

(a) that business relates to a decision made (whether implemented or not) or action taken by the Executive or another of the Council's committees, sub-committees, joint committees or joint sub-committees; and

(b) at the time the decision was made or action was taken the Member was

(i) a Member of the Executive or that committee, sub-committee, joint committee or joint sub-committee and

(ii) was present when the decision was made or action taken.

(3) If the interest is a prejudicial interest, the Code requires the Member concerned:-

to leave the room or chamber where the meeting takes place while the item in respect of which the declaration is made is under consideration. [There are three exceptions to this rule which are set out at paragraph (4) below].

not to exercise executive functions in relation to that business and  
not to seek improperly to influence a decision about that business.

(4) The circumstances in which a Member who has declared a

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

prejudicial interest is permitted to remain while the item in respect of which the interest has been declared is under consideration are:-

for the purpose of making representations, answering questions or giving evidence relating to the item, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise, BUT the Member must leave immediately after he/she has made the representations, answered the questions, or given the evidence,

if the Member has obtained a dispensation from the Standards Committee, or

if the Member is the Leader or a Cabinet Member and has been required to attend before an Overview and Scrutiny Committee or Sub-Committee to answer questions.

### **Declaration of Party Whip**

To seek declarations of the existence and nature of any party whip in relation to any matter on the Agenda as set out at paragraph 8 of the Overview and Scrutiny Ways of Working.

### **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 the category under which the information disclosed in the report is confidential and therefore not available to the public.*

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

## **18. MINUTES OF THE PREVIOUS MEETINGS**

**1 - 8**

## **19. CHAIRMAN'S COMMUNICATIONS**

## **20. PUBLIC QUESTIONS**

No public questions have been received.

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

### **21. LETTERS FROM COUNCILLORS**

No letters have been received.

### **22. NOTICES OF MOTION REFERRED FROM COUNCIL**

No Notices of Motion have been received.

### **23. DISCUSSION WITH CABINET MEMBER**

### **24. STREET TREES - ACTION FOLLOWING THE SCRUTINY REVIEW 9 - 52**

Report of the Director of Environment.

*Contact Officer: Christina Liassides Tel: 01273 - 29 - 2036*

*Ward Affected: All Wards*

### **25. AIR QUALITY CHALLENGES FOR THE CITY 53 - 70**

Report of the Director of Environment

*Contact Officer: Mark Prior Tel: 01273 292095*

*Ward Affected: All Wards*

### **26. NORTH STREET MIXED PRIORITY ROUTE SAFETY SCHEME 71 - 78**

Report of the Director of Environment

*Contact Officer: Mark Prior Tel: 01273 292095*

*Ward Affected: All Wards*

### **27. ECSOSC WORK PROGRAMME 79 - 88**

Report of the Director of Strategy and Governance

*Contact Officer: Mary van Beinum Tel: 01273 291062*

*Ward Affected: All Wards*

### **28. ITEMS TO GO FORWARD TO THE CABINET OR CABINET MEMBER**

## ENVIRONMENT & COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

To consider items to be submitted to the next available Cabinet or Cabinet Member.

### 29. ITEMS TO GO FORWARD TO COUNCIL

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

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For further details and general enquiries about this meeting contact Mary van Beinum, (01273 - 29 - 1062, email [mary.vanbeinum@brighton-hove.gov.uk](mailto:mary.vanbeinum@brighton-hove.gov.uk)) or email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk)

Date of Publication - Monday, 8 September 2008

**BRIGHTON & HOVE CITY COUNCIL**  
**ENVIRONMENT AND COMMUNITY SAFETY**  
**OVERVIEW AND SCRUTINY COMMITTEE**

4pm, 16 JUNE 2008

HOVE TOWN HALL

**DRAFT MINUTES**

**Present:** Councillor Warren Morgan (Chairman), Councillor Tony Janio (Deputy Chairman), Councillors Ian Davey, Melanie Davis, Pat Drake, Georgia Wrighton, David Smart and Geoffrey Wells.

**PART ONE**

**1 PROCEDURAL BUSINESS**

**1a Declarations of Substitutes**

Councillor Wrighton was substituting for Councillor Rufus.

**1b Declarations of Interests**

There were none.

**1c Exclusion of Press and Public**

The Committee 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 Schedule 12A, Part 5A, Section 100A(4) or 100 1 of the Local Government Act 1972 (as amended).

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

**2 MINUTES**

This was the first meeting of the Committee.

**3 CHAIRMAN'S COMMUNICATIONS**

- 3.1 The Chairman welcomed everyone to this the first meeting of the Environment and Community Safety Overview and Scrutiny Committee and introduced the Interim Head of Scrutiny, Ian Glossop, who said he would be working closely with Members and officers to develop a robust work plan. He was pleased to be helping raise the profile of Overview and Scrutiny at Brighton & Hove.

3.2 The Chairman said he had been co-opted on to the Overview and Scrutiny Commission as a non-voting member; this would ensure a continuing link between this committee and the Commission.

3.3 It was also important to establish working relations with the Cabinet Member, who would be invited to the next meeting.

#### **4 PUBLIC QUESTIONS**

4.1 There were none

#### **5 LETTERS FROM COUNCILLORS**

5.1 There were none

#### **6 NOTICES OF MOTION REFERRED FROM COUNCIL**

6.1 There were none

#### **7 ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE TERMS OF REFERENCE**

7.1 The Interim Head of Scrutiny introduced the report of the Director of Strategy and Governance, on the Committee's Terms of Reference.

7.2 He reminded Councillors and officers of the role of the Committee, the processes for call-in and scrutiny reviews and said a robust work plan was needed to focus Overview and Scrutiny work on the key issues.

7.3 **RESOLVED** – That the report be noted.

#### **8 LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY – REVISED PREFERRED OPTIONS**

8.1 The Committee considered the report of the Director of Environment on the Local Development Framework Core Strategy – revised Preferred Options which had been presented to the Cabinet meeting on 12 June.

8.2 Members noted that the Council was probably one of the leading Local Authorities in the South-East and possibly nationally in developing the Core Strategy.

8.3 The Chairman commented that ideally this document would go to overview and scrutiny before Cabinet. The Committee asked to be sent copies of the Local Development Scheme which was scheduled to go to Cabinet on 10 July and the Transport Assessment report.

8.4 The Committee discussed development areas in Hove, car-free development, affordable housing, open space, and allotments.

8.5 The Chairman thanked the officers and asked for a further report to Committee in about a year.

8.6 **RESOLVED** – That a further report be requested for mid-2009.

## **9. LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY – BACKGROUND STUDIES**

9.1 The Committee considered the report of the Director of Environment on the Local Development Framework Core Strategy – Background Studies which had been presented to the Cabinet meeting on 12 June.

9.2 **RESOLVED** – that the report be noted.

## **10 OVERVIEW AND SCRUTINY AND THE COUNCIL'S FORWARD PLAN**

10.1 The Interim Head of Scrutiny presented the report of the Director of Strategy and Governance on the working of the Council's Forward Plan and how Overview and Scrutiny might wish to use it.

10.2 He said consideration of the Forward Plan would form part of the discussion at Overview and Scrutiny pre-meetings.

10.3 The Chairman said the Committee may wish to consider decisions to be made that had not been included on the Forward Plan. He aimed to Chair the Committee in a similar way to Parliamentary Select Committees which could look at overall strategy as well as focussing on detail where needed. He was keen to build good working relationships with the Executive and develop a work programme that was well focussed on strategic issues.

10.4 **RESOLVED** – that the report be noted.

## **11 TOWARDS A SCRUTINY WORK PROGRAMME**

11.1 The Interim Head of Scrutiny presented the report of the Director of Strategy and Governance. He stressed the importance of developing an agreed Committee work plan.

11.2 The Chairman, Deputy Chairman and Councillor Ian Davey agreed to form a work planning group with scrutiny and technical officers to bring a final draft work plan for approval to the next meeting, 15 September.

11.3 Possible matters for inclusion on the work plan were suggested (in no particular order):

1. Air quality action plan
2. Cumulative Impact Assessment, public safety and the night-time economy
3. Air quality and Noise
4. Neighbourhood Policing and the Community Safety Forum
5. Street lighting
6. Opportunities presented by the 2012 Olympics
7. Integrated Transport
8. Cycle demonstration town
9. Parking and night-time economy

10. Parking enforcement

- 11.4 **RESOLVED** – that a work group meet and report back as minuted above at 11.2.

**12. LOCAL AUTHORITY CRIME AND DISORDER COMMITTEES**

- 12.1 The Committee considered a report of the Director of Strategy and Governance on local authority crime and disorder committees.
- 12.2 Members heard that Police Reform Green paper (report paragraph 3.7 refers) was not now due until July 2008 and in view of the importance of the community safety aspect of the committees' overview and scrutiny role and the work of the Community Safety Forum, asked to be kept updated.
- 12.3 **RESOLVED** – that a further report be presented to a future meeting of ECSOSC.

**13 ITEMS TO GO FORWARD TO CABINET OR THE RELEVANT CABINET MEMBER MEETING**

- 13.1 Comments on the Corporate plan would be taken forward to 12 June Cabinet.

**14 ITEMS TO GO FORWARD TO COUNCIL.**

- 14.1 There were none.

The meeting concluded at 5.15pm.

Signed

Chairman

Dated this

day of

2008

**BRIGHTON & HOVE CITY COUNCIL**  
**ENVIRONMENT AND COMMUNITY SAFETY**  
**OVERVIEW & SCRUTINY COMMITTEE CALL-IN MEETING**

**5PM, 13<sup>TH</sup> August 2008**

**HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillor Tony Janio (Deputy Chairman), Councillors Ian Davey, Pat Drake, Jeane Lepper, Gill Mitchell, Averil Older, Sven Rufus and David Smart,

**Also present:**

Councillor Geoffrey Theobald OBE, Cabinet Member for Environment and Councillor Craig Turton.

**PART ONE**

**15 PROCEDURAL BUSINESS**

The Deputy Chairman explained that he would be Chairing the meeting as the Chairman was away. He welcomed the members of the public and officers to the call-in meeting which had been convened to determine whether to ask the Cabinet to reconsider its decision on accommodation needs of gypsies and travellers following a call-in request from Councillor Craig Turton. He emphasised that this committee could not change the decision but it could make recommendations.

**15a Declarations of Substitutes**

15.1 Councillor Gill Mitchell was substituting for Councillor Warren Morgan; Councillor Jeane Lepper for Councillor Melanie Davis; and Councillor Averil Older for Councillor Geoff Wells.

**15b Declarations of Interests**

15.2 Councillor Geoffrey Theobald declared a prejudicial interest in item 16, as Cabinet Member for the Environment.

**15c Exclusion of Press and Public**

The Committee 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 Schedule 12A, Part 5A, Section 100A(4) or 100 1 of the Local Government Act 1972 (as amended).

- 15.3 **RESOLVED** - That the press and public be not excluded from the meeting.
- 16 REQUEST FOR CALL-IN OF THE 31<sup>ST</sup> JULY 2008 CABINET DECISION ON A PARTIAL REVIEW OF THE SOUTH EAST PLAN; MEETING THE NEEDS OF GYPSIES AND TRAVELLERS.**
- 16.1 The Interim Head of Scrutiny introduced the report of the Director of Strategy and Governance concerning a request for call-in of the 31 July 2008 Cabinet decision on a Partial Review of the South East Plan; Meeting the Accommodation Needs of Gypsies and Travellers (for copy see minute book).
- 16.2 He explained the purpose of the call-in process and referred the meeting to the substantive recommendation at paragraph 2.2.
- 16.3 At the invitation of the Chairman, Councillor Turton spoke about his letter requesting call-in. He described his main concerns which focussed on the lack of prior consultation and insufficient information and said he felt that the decision-making process on the matter had been mishandled.
- 16.4 He stated that, having checked the Cabinet procedure rules, he could not find any reference to “special meetings” or the suspension of public rights to speak . Therefore any decision it made could be invalid.
- 16.5 Councillor Turton questioned what evidence had been available to the Special Cabinet meeting, including; the merits of other sites, decontamination information, site map, site visit, evaluation of community cohesion and consultation with Ward Councillors, residents and travellers. He also queried the timing of the Special Cabinet meeting.
- 16.6 Cllr Turton asked for his call-in request to be accepted. He asked that Cabinet reconsider the decision more openly, look at alternative sites, and allow for consultation with local residents and travellers to be taken into account.
- 16.7 The Head of Law confirmed that there is no express provision in the Cabinet procedure rules which refers to Special Meetings of the Cabinet. However the Constitution is always applied such that it is supplemented by custom and practice. Special meetings for single items have been used as accepted practice in the past as well as since the introduction of the new constitution.
- 16.8 He confirmed that the Chairmen of Cabinet or Committee meetings have a discretion to allow deputations, petitions and questions from the public, but the normal practice would be not to have them. In the case of the 31 July Special Cabinet meeting, the Chairman did allow a Member to present a petition and Members who asked to speak were allowed to speak.

- 16.9 The Head of Law was satisfied that the decision taken at the Special Cabinet meeting was consistent with the Council's Constitution and custom and practice.
- 16.10 The Chairman invited Councillor Theobald to address the meeting.
- 16.11 Councillor Theobald detailed the legal and historical background to the issue, including the Travellers Strategy, refurbishment of the Horsdean site and the need for a permanent site.
- 16.12 At the invitation of the Chairman Councillor Gill Mitchell asked Councillor Theobald questions on
- Public engagement and consultation prior to the decision
  - The Decision-making Process and Planning aspects of the decision
  - Post-decision-making activities
- 16.13 In her view, there had been the barest of Information available for ward councillors with the shortest of deadlines.
- 16.14 She asked how the decision related to the Local Development Framework, especially significantly contaminated sites, why there had been no public report/synopsis on contamination at the site, why had no site plan been reported and asked if a site visit had taken place.
- 16.15 Councillor Mitchell asked Councillor Theobald if he was aware that after the decision, residents received consultation letters with only 2 questions and only 1 day to reply. She said the letter included no map and no information on the proposals.
- 16.16 Other Members of the Committee queried aspects such as the site search, contingency sites, national policy and best practice, approach taken by neighbouring local authorities, government funding and deadlines.
- 16.17 Officers provided information on planning and contamination considerations and the effect of the call-in request on the local consultations.
- 16.18 As he had a prejudicial interest as Cabinet Member Councillor Theobald left the Council Chamber while the call-in request was being determined.
- 16.19 Councillor Lepper said the Cabinet had to listen to local people in making difficult decisions and she wished to refer this decision back for reconsideration.
- 16.20 Councillor Drake said some decisions were very difficult to make. She was satisfied that the proper process took place and that the Cabinet had all the necessary information to take the decision.
- 16.21 After further discussion and a vote, it was agreed not to refer the matter back to Cabinet for re-consideration. However, the Committee wished to make recommendations, based on the information noted at this meeting.
- 16.22 **RESOLVED** – (a) That the decision taken by the Cabinet on July 31 2008 in relation to the Partial Review of the South East Plan: Meeting the Accommodation Needs of

Gypsies and Travellers be noted.

(b) that the subsequent call-in request be noted.

(c) that the additional information supplied by the Director of Environment be noted.

(d) that the decision be not referred back to Cabinet for re-consideration

(e) that recommendations be made to the Executive as follows:

A. That the rest of the process regarding the proposed permanent travellers site is progressed having regard to the need to keep Ward Councillors and residents informed and properly consulted.

B. That issues of custom and practice relating to Special Meetings be reviewed and clarified with regard to the Constitution.

The meeting concluded at 6:50pm

Signed

Chair

Dated this

day of

2008

# ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW AND SCRUTINY COMMITTEE

## Agenda Item 24

Brighton & Hove City Council

**Subject:** Street Trees – follow up report  
**Date of Meeting:** 15 September 2008  
**Report of:** Jenny Rowlands, Director of Environment  
**Contact Officer:** Name: Christina Liassides Tel: 292036  
Rob Greenland 292929  
E-mail: [Christina.Liassides@brighton-hove.gov.uk](mailto:Christina.Liassides@brighton-hove.gov.uk)  
[Rob.Greenland@brighton-hove.gov.uk](mailto:Rob.Greenland@brighton-hove.gov.uk)  
**Wards Affected:** All

## FOR GENERAL RELEASE

### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report summarises the progress made on recommendations arising out of the Scrutiny Review on Street Trees held in 2007.
- 1.2 The report also presents Brighton & Hove City Council's Tree & Woodland Strategy, a major piece of work that was revised and completed following the Street Tree Scrutiny Review.

### 2. RECOMMENDATIONS:

- 2.1 To note the ongoing progress made against each recommendation from the 2007 Scrutiny Review, as detailed in Appendix 1.
- 2.2 To comment on the Tree & Woodland Strategy and the policies contained within this (Appendix 2), which will take forward a coherent action plan for the city's tree stock.
- 2.3 To agree that no further monitoring is needed on the actions of the scrutiny review.

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

- 3.1 Former Councillor Joyce Edmond-Smith requested a Scrutiny Review in December 2006. The request was considered at the 15 January 2007 meeting of the Overview & Scrutiny Committee, where it was resolved to establish a Scrutiny Panel.
- 3.2 The Scrutiny Panel's brief was to consider the maintenance, management and future survival of street trees in Brighton & Hove, and to make recommendations for the future management of street trees.
- 3.3 The Panel held scoping meetings, three public meetings and undertook site visits. In addition, the Panel considered written evidence from various expert sources as well as submissions elicited from members of the public with a particular interest or expertise in the subject of Street Trees.
- 3.4 The Panel examined a range of factors relating to Brighton & Hove's tree stock, with particular reference to trees on the public highway. Because of the wide-ranging and complex issues regarding trees, the Panel chose to focus on specific subjects, which formed the basis of individual recommendations.
- 3.5 Officers have been progressing the recommendations made by the Scrutiny Panel, including the completion of the city's Tree & Woodland Strategy, over the past year.
- 3.6 Officer actions on these recommendations are summarised briefly below, with more detailed information and progress reports contained in Appendix 1.

#### **▪ Budget**

The Arboricultural Service has instigated various ways of maximising budget in order to provide an efficient maintenance and planting regime. This has included a change to the method of pruning in Hove and setting up a new Tree Trust for public donations. In addition, the Arboricultural service has worked on planting schemes with residents in particular streets in 2007/08 and currently in 2008/09.

The Arboricultural Service continues to explore ways of promoting timber sales, and commercially sells timber where possible.

Further value for money has been achieved by collaborating with Highways to use chipped, mulched timber to temporarily fill tree pits awaiting new planting, or to provide a good base for verge re-seeding, rather than purchasing supplies via the Highways contractor.

- **Strategic**

The Tree & Woodland Strategy has now been completed and is in the process of final consultation with relevant council sections. See Appendix 2.

Joint work with other sections has been moving forward over the past year in line with various recommendations from the Scrutiny Panel.

Highways have met regularly with the Arboricultural Service, resulting in revised highway policies on street trees, agreement to jointly fund an in-house stump grinder and strategies regarding removal, replacement and new planting of street trees. The “Public Life, Public Spaces” strategy group, led by Sustainable Transport oversees all major projects and schemes throughout the city and aims to ensure consistent high quality public realm, including enhancement of the street tree stock. Officers will ensure that joint work/consultation is expanded to include other small-scale initiatives relating to the city’s public highway.

Meetings are also taking place with Senior Housing Managers to inform and promote good tree management and encourage residents to become involved in “Tree Warden” schemes.

The Planning service has initiated new methods to gain additional street trees in areas near to where developments are taking place, with the Arboricultural service making appropriate recommendations.

The Arboricultural Service has produced various educational media, and has been involved in television and festival work that promotes the importance of trees, and specifically our heritage elm collection.

- **Operational**

Wherever possible, street trees will be nurtured on the public highway. This may mean that tarmac rather than slabs needs to be used around the tree root system, in order to ensure safe pedestrian access. However, Highways will not permit this up to the base of the tree except where absolutely necessary. Regular reminders are sent to contractors and inspectors regarding this, and action will be taken to re-instate properly if in-house works around trees have been carried out incorrectly.

Utility companies have recently brought out new guidance for dealing with street trees and any specific issues for the city can be raised at the request of the Arboricultural service at the regular council/utility co-ordination meetings.

There will be a presumption against the removal of trees which are healthy but subject to complaint, unless the basis of the complaint has an overriding justification, no alternative management or engineering practice can be implemented or that statutory (including health and safety) requirements are unable to be met.

## 4. CONSULTATION

- 4.1 During the Scrutiny Panel of 2007, evidence was taken from a variety of sources, including public questions, written submissions and information from council officers. The resulting document has informed many of the developments summarised above.
- 4.2 The recommendations attached at Appendix 1 and the Tree & Woodland Strategy attached at Appendix 2 have been subject to extensive consultation between relevant council sections.
- 4.3 The revised Highway Policies relating to tree management were consulted upon internally and underwent an equalities impact assessment before being presented to Environment Committee in January 2008 for approval and adoption.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

There are no direct financial implications arising from the recommendations. As set out in the report and Appendix 1 the budget allocated to Street Trees has been reviewed and some operational changes have been implemented to ensure the budget offers value for money.

*Finance Officer Consulted: Patrick Rice*

*Date: 20 August 2008*

### Legal Implications:

The 'Operational' section in Part 3 of the report correctly points out that certain statutory obligations will occasionally leave the Council with no option but to remove trees.

There are no human rights issues arising from the report

*Lawyer Consulted: Oliver Dixon*

*Date: 20 August 2008*

### Equalities Implications:

The hazards posed by street trees, especially low branches and surface roots breaking the surface, are particularly hazardous to less mobile members of the public and to people with sight problems.

### Sustainability Implications:

Trees are important in providing shade, sound barriers, pollutant absorbers and carbon balancers. They provide wildlife havens and contribute to the visual amenity.

Crime & Disorder Implications:

None

Risk and Opportunity Management Implications:

Poorly maintained trees will result in injury to the public and/or damage to property. Raised or uneven tree roots can constitute a trip hazard to members of the public.

Corporate / Citywide Implications:

One of our principal street tree species is elm; the city holds an internationally important collection of elms. Properly maintained, trees have a positive impact on the majority of the city's residents and visitors.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Report on progress against recommendations made by the Scrutiny Panel 2007
2. Tree & Woodland Strategy

### **Documents In Members' Rooms**

1. None
- 2.

### **Background Documents**

1. OSOC Street Trees Scrutiny 2007



## APPENDIX 1 Recommendations and Executive Response

### STREET TREES SCRUTINY PANEL – EXECUTIVE RESPONSE

Recommendation	Executive response	Lead Officer Responsible
<p><b>R1</b> That the budget for Street Trees (and more generally the arboriculture budget) needs to be re-examined to ensure that it is sufficient to maintain an adequate regime of monitoring, inspection and works on the city's Street Tree stock.</p>	<p>By changing the method of pruning in Hove from tip pruning to composite pruning (this involves thinning the crown in addition to reducing the diameter of the tree's canopy), we have been able to re-schedule the frequency of pruning on the majority of Hove's trees and work within the existing budget. Under the new working arrangement, the west area Street Tree Rota (Hove) for 2007/2008 has been completed on time, the first time for a number of years and has attracted several positive comments. The previous high number of complaints has dropped dramatically. The new pruning regime has also incorporated work operations designed to eventually reduce the amount of epicormic growth growing low on the trunks. Currently one third of Hove's street trees have been reviewed and pruned under the new regime, with a further third to be surveyed by October and pruned during the autumn/winter period 2008/09.</p>	<p>Rob Greenland Arboriculture Manager</p>

<b>R2</b>	That all alternative sources of income be explored in order to supplement the current Arboriculture budget.	The current Tree Donation Scheme has previously proved very successful in parks while Street tree locations attract few donors. A new Tree Trust has now been set up to incorporate the existing Tree Donation Scheme and allow a secondary element where smaller sums can be donated to a general planting fund, thus increasing the potential for tree planting across the City. The leaflet artwork is currently being finalised and a report on this will be presented to the Environmental Cabinet Member Meeting at an appropriate time. The Arboricultural Service has also been active in working with the public on Community planting in residential streets sharing funding with local residents to plant trees in areas that have not enjoyed tree cover previously. Warleigh Road was a noticeable success for the 2007/08 season and discussions with Residents of Stanley Road are well advanced for a similar scheme to take place in 2008/09.	Rob Greenland Arboriculture Manager
<b>R3</b>	That whenever possible, the disposal of felled Street Trees should be on a commercial basis. When the sale of felled Street Trees is impractical, their disposal should be environmentally sustainable.	Despite the poor quality of street trees the sale of Elm Timber generally has attracted reasonable interest while other species have attracted none at all. However, the Arboricultural Service will continue to consider ways to promote more generalised timber sales. Where timber cannot	Rob Greenland Arboriculture Manager

be sold as much as possible will be mechanically chipped and used as Mulch and as a soil improver.

<b>R4</b>	<p>That the Panel welcomes the Tree and Woodland Strategy, currently in draft form, and looks forward to seeing the completed document. The Panel hopes that its recommendations will inform this Strategy, and trusts that OSOC will request regular updates on the progress of the Strategy, and receive the proposed final strategy prior to its adoption.</p>	<p>The drafts of the Tree Strategy have been reviewed and edited. Recommendation of scrutiny will inform the strategy, subject to Environmental Cabinet Member Meeting approval.</p>	<p>Rob Greenland Arboricultur e Manager</p>
<b>R5</b>	<p>That the inspection and maintenance of all Council owned trees should be co-ordinated by the Council's Arboriculture division. Where other bodies are responsible for the maintenance of certain trees, and responsibility cannot be transferred to Arboriculture, they should be encouraged to refer to the Arboriculture Department for guidance on how to maintain their tree stock.</p> <p>Environment Committee should receive an annual stock report on street trees, to ensure regular inspections of trees are undertaken, to raise and maintain a Council profile with respect to street trees, and to monitor the overall numbers of street trees in the City. This report should</p>	<p>If the Council's arboriculture officers were to be responsible for the inspection and maintenance of other departments' trees, additional funding will need to be identified from those departments concerned. The Scrutiny Panel Report will be forwarded to departments with large land holdings to enable them to consider this issue.</p> <p>A summary of Street tree removal and planting will be made available to Members annually. A key street tree is elm and a report on the preservation of these will go to the Environmental Cabinet Member Meeting following the end of the Elm Disease infection period</p>	<p>Rob Greenland Arboricultur e Manager</p> <p>Rob Greenland Arboricultur e Manager</p>

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contain sufficient information and analysis for the Committee to be able to make informed judgements about significant changes and areas for concern.

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<b>R6</b>	<p>That the Panel notes the value of integrated working between: a) various Council departments with responsibility for Street Trees, and, b) Council departments and Statutory Undertakers. The Panel recommends that arrangements for integrated working are formalised wherever possible and regular meetings between all agencies are arranged to discuss specific projects and general ways of working.</p>	<p>The Arboriculture Manager and the Highway Operations Manager have revised the Highways' policies in relation to trees and made progress towards ensuring that officers understand the full range of issues affecting trees. There is still need to improve liaison with statutory undertakers but discussion has taken place and will continue at the quarterly street works co-ordination meetings.</p> <p>Basic Maintenance: policies have been presented and agreed by Environment Committee in March 2008, and circulated to all Highway Basic Maintenance staff. (HBM) HBM team meetings have included discussion and plans regarding management of street trees, especially where tree roots are causing trip hazards. Assistant Engineer has been nominated as liaison officer to work with the Arboricultural team, acting as central point of contact to co-ordinate works. Major improvements have been made in liaison between Departments to co-ordinate stump grinding operations and reinstatement of footpaths. The purchase of an</p>	<p>Rob Greenland Arboriculture Manager</p> <p>Christina Liassides Highway Operations Manager</p>
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A representative of the Council's arboriculture department should be invited to all meetings where discussions about works in proximity to trees takes place.

'in-house' specialist grinding machine is currently being investigated and such provision is seen as a means to further improve the joint service delivery both physically and financially.  
: Utilities are fully aware of their responsibility under the latest NJUG (National Joint Utilities Guidance), which is a recent revision and includes how to work in proximity with trees and their roots. Any issues that the Arboricultural team reports to Highways will be forwarded on to the Utilities via the quarterly council-utility co-ordination meetings.

Essential highway & transport provision and projects can enhance our street tree environment providing care is taken not to contribute to the pressure on street trees and their associated maintenance.

Sustainable Transport

Meetings are already in place for specific BM tree works.  
The "Legibility" Steering Group, led by Sustainable Transport, oversees all major projects and schemes throughout the city and includes representatives from City Services, to ensure that there is a good focus on trees and other planting initiatives in the public realm. Sustainable Transport will inform the Arboricultural Service of

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		small-scale schemes via circulation of proposed forthcoming project lists, with specific locations being identified by the Arboricultural service for further discussion as required.	
<b>R7</b>	That every opportunity be taken to develop and publicise educational materials relating to the city's Street Trees.	The Arboricultural Section provides informative pages on the Council's website in the form of 'Arboricultural Information Notes' covering diverse but related subjects and are looking into adding pages for younger residents. A number of leaflets covering diseases which affect the public directly, e.g. Elm Disease and Brown Tail Moth are also available on line and on demand. These are also available from a number of libraries and other public outlets. Recently, they have become involved in 'Springwatch' and 'Autumnwatch' in conjunction with the BBC, and have assisted in promoting the Elm population in the BBC television programme 'The trees that Made Britain' with officers from Kew Gardens. The Arboricultural Service will continue to promote 'Trees' at all opportunities.	Rob Greenland Arboriculture Manager
<b>R8</b>	Recommendation – That the Panel is concerned about the lack of provision of trees on housing land and recommends that the Assistant Director of Housing Management should meet with Arboriculture officers to suggest ways in which this	The Scrutiny Committee Report will be forwarded to Housing and the arboriculture officers are available to offer guidance on tree planting. Senior Housing Managers and the Arboriculture Manager have commenced meetings with a	Rob Greenland Arboriculture Manager (to pass on

situation might be remedied.	view to update the areas of concern and the way that tree works are managed in Tenancies. The Officers are also exploring ways to encourage residents in flats complexes to take on a 'Tree Warden' role. The Arboriculturists' will undertake to provide a basic level of training to assist in the identification of tree related problems and to provide an ' Information support ' pack. The Arboriculturists' will investigate all areas of grant-aided assistance that might be available for tree planting in these areas.	information)
[Note: The Overview and Scrutiny Organisation Committee approved this recommendation but agreed it should not be interpreted as a proposal that the Housing budget should automatically be used to pursue more planting on Housing owned land, bearing in mind all the competing budget pressures faced by Housing. It would be for Housing to consider whether it might be able to commit any Housing budget. The Committee considered that the Assistant Director, Housing Management and Arboriculture officers should initially concentrate on exploring alternative ways of remedying the lack of trees on housing land, other than through redirecting the Housing budget.]		
<b>R9</b> That current good practice in encouraging Street Tree planting in major new developments across the city be continued.	The arboriculture officers will continue to recommend this when consulted on planning issues. The Planning Dept has also initiated new methods to gain additional street trees in areas near to where development is taking place, utilising Section 106 finances or goodwill.	Rob Greenland Arboriculture Manager
<b>R10</b> That the issue of unnecessary application of asphalt up to tree bases be examined by the	The Highways' Contractor Standard Instructions will not allow tarmacking up to the trees.	Christina Liassides

	<p>departments responsible and appropriate steps be taken to ensure that contractors are discouraged from doing engaging in this practice and are monitored accordingly.</p>	<p>Highway Inspectors will instruct the contractor to re-do new repairs if tarmac is put in unnecessarily at the base. However, because of safety reasons, it may be necessary on occasion to tarmac around the base; in these cases, the officers in the Highway Department will specifically agree it.</p> <p>Highways BM will continue to carry this out as described above, with formal annual reminders to contractors and more informal discussion and reminders via team meetings/site meetings.</p>	<p>Highway Operations Manager</p>
<p><b>R11</b></p>	<p>That the Panel does not encourage unnecessary removal of healthy trees, but recognises that there may be instances when a Street Tree poses such a severe hazard that its removal may be the best solution. In such cases the Panel recommends near-simultaneous re-planting of the same species where this is practical.</p>	<p>Problem trees are generally removed soon after the problem becomes apparent and this may be outside of the normal planting season so they cannot be replaced until the appropriate period. Officers would not recommend planting outside the season, October to March. Members need to be aware that trees which are damaging property are also removed, where root or branch pruning is not practical and no engineering solution exists.</p>	<p>Rob Greenland Arboriculture Manager</p>





**BRIGHTON & HOVE CITY COUNCIL**  
**TREE AND WOODLAND STRATEGY**

**DRAFT (4)**

Project Team

Rob Greenland – Arboriculturist

Janet Young - Technical Support Officer (Arbor)

## **INTRODUCTION**

### **Sustainability**

In May 2002 Brighton & Hove City Council published its sustainability strategy for the City. This document remains an important part of our commitment to formulating a local 'Agenda 21' plan which our Government committed itself to at the Earth Summit in Rio de Janeiro.

Article 4 of the Rio declaration states "In order to achieve sustainable development, environmental protection shall constitute an integral part of the development process and cannot be considered in isolation from it". This means that national and local policy makers need to re-appraise their policies and practices to ensure that they are sustainable. This has now reached the local level in the form of local biodiversity action plans.

### **Background**

Brighton and Hove is comprised of some 8,380 hectares with a large resident population squeezed between the South Downs and the English Channel. The conurbation is dominated by the substantial chalk downland situated to the north and the exposed coastline to the south. These factors, particularly the coastal exposure, have a considerable effect on species selection for the planning and management of the local treescape.

This document's origins lie in the recognition that long term commitment and consistency of policy are required if the Council's ambitions and the public's expectations for environmental enhancement and protection of the treescape are to be realised. The strategy seeks to establish a point of reference for the public, councillors, officers, professionally interested bodies and individuals enabling informed discussion and the establishment of a clear, structured approach to the arboricultural issues of the City.

### **Why a Strategy?**

A definition of this strategy is "A plan for the overall management of all trees and woodland in Brighton and Hove, both now and in the future".

The City Council is committed to a Tree and Woodland Strategy that will initiate and then continue to review action to ensure that the City's trees and woodlands are adequately protected and cared for. The adoption of a strategy will ensure that species selection and numbers, quality, biological diversity and contribution to the character and appearance of the City can be sustained and enriched for the benefit of the residents and visitors to Brighton and Hove.

The strategy is intended to guide positive change over an extended period of time as an alternative to ad hoc decisions and activities made in isolation. It is also intended to ensure trees gain the recognition and protection they deserve for providing, individually and collectively, one of the most visually apparent contributions to the environment. The successful management of a tree population is, by its very nature, a long-term process and this strategy reflects this, emphasising the need for a review at five-year periods.

### **The Overall Aim**

The aim for amenity tree management (Arboriculture) is “sustainable amenity” for the benefit of the residents of Brighton and Hove and its visitors. This can be achieved by the development of a tree population that has a wide diversity of species and a wide range of tree ages. These two points are fundamental in avoiding devastation by threats such as Elm Disease and climatic extremes as in the tree losses caused during the hurricane force winds of both October 1987 and January and February 1990 or the slow decline of the population due simply, to old age.

The Arboricultural Service receives several thousands of enquiries per year concerning trees and related subjects, most asking if a particular problem can be resolved or requesting advice. The intention is to be able to fully inform enquirers what action is planned and when work is due to be carried out. At times a compromise will need to be sought where the tree in question causes inconvenience, whilst remaining of high value to the surrounding area. Each individual case will be assessed on its merits.

### **The Importance of Trees**

Rarely will anyone be found who will argue against the principle of planting or maintenance of trees in general as they add, immeasurably, to our 'Quality of Life'. However, it is worthwhile revisiting some of the reasons why we have an almost 'primal' need for trees in our environment and some of the benefits that they bring.

For many years residents and visitors alike to Brighton and Hove have enjoyed the investment that our forefathers made in the area. Principally, our Victorian and Edwardian forebears were great tree planters but would not have lived to see the full fruits of their investment. We have had this privilege and as guardians of the treescape are duty bound to pass on this resource to future generations in at least as good a condition as we inherited it and, if possible, better.

- ◆ **Noise:** Trees (and other plants to a lesser extent) help to create noise barriers. Individually the leaves act as barriers to sound waves, absorbing some noise and reflecting some of the rest back. Branches and twigs can also alter the nature of the noise so that it becomes less troublesome, if not strictly speaking quieter, by scattering the sound waves within the canopy.
- ◆ **Visual Amenity:** Trees improve the appearance of our environment with their rich variety of scale, form, colour and shape with the added benefit of seasonal change. Too often in the modern office environment, with air conditioning and sealed windows, seasonal change can pass by almost unnoticed and the changing picture of urban trees can help to keep our senses in touch with the seasons. The screening that trees provide when planted near to large buildings or less attractive structures is also well documented and appreciated.
- ◆ **Education and Scientific:** The educational and scientific value of trees cannot be underestimated. In particular there is the priceless gene pool that Brighton & Hove maintains with its internationally renowned collection of Elm (*Ulmus*) species, varieties and cultivars forming the 'National Collection of *Ulmus*'. Trees can also be a valuable educational resource in terms of ecology and the wider environment. Their very presence often nurturing a sense of community and place for those outside the formal educational process.

Existing urban and woodland tree cover and new individual and woodland type plantings can contribute directly to the balancing of carbon emissions while also providing visual amenity and potential wildlife habitat.

- ◆ **Wildlife:** While the wildlife benefits that woodland trees provide are well known, more such benefits are now recognised and documented for the urban environment and these are becoming acknowledged by the general public. Often in the harshest urban environment, trees will provide the sole source of food and shelter for a number of invertebrates. These in turn attract birds which also rely on trees for nest sites, nesting materials and on the seeds produced for food. Trees will often provide important roosting sites for a range of Bat species. The local Elms, so important to the City provide host plants for the White-letter Hairstreak Butterfly and for specific types of Lichen which are reliant solely on, now rare, Elm species.
- ◆ **Recreation:** Trees help to relieve everyday stress by the presence of colour, scale and assumed longevity in areas of passive and active recreation. This presence is growing in importance in fast paced modern lifestyles within the urban environment. There have been proven links between plants and illness recovery rates and the presence of greenery has been found to help counter the frustration that leads to vandalism in urban environments (Hodges 1988).

- ◆ **Carbon:** Trees are extremely carbon efficient. Their presence in the urban environment reduces the consumption of fossil fuels for heating in the winter and for air conditioning in the summer, thus assisting in the reduction of greenhouse gasses.
- ◆ **Timber:** Deforestation accounts for about 30% of the total global carbon emissions (Houghton 1989). Britain remains one of the primary importers of tropical hardwoods with timber in general being the fourth largest import into the U.K. Currently we produce only some 10% of our own timber requirements.
- ◆ It is estimated that, at best, this country could raise this up by 25% without significant changes in land use. While the City enjoys some 504 hectares of woodland, the collective urban tree resource has to date produced little in the way of timber requirements. However, small markets are beginning to open up alongside the existing firewood markets. Urban woodland plantings to offset Carbon balancing have taken place at Stanmer (Millennium Wood) and at East Brighton Park and sites for new woodland are being identified locally.

Local timber where viable, is sold to achieve best value while non-saleable material is mechanically 'chipped' and the material stored and redistributed as mulch to aid water retention around tree bases and on shrub/flower borders. Well-rotted chippings are used as a soil improver for planting projects. Local Elm material has also been used to reconstruct elements of the Tudor war ship, 'Mary Rose', carved marine themed 'bollards' at Brighton seafront, paddles for waterwheel restoration at Cobham Mill, wheel hubs for re-construction of old farm wagons and in strengthening local sea defences thus avoiding the purchase of some tropical hardwood.

- ◆ **Oxygen:** During daylight hours trees produce a high volume of oxygen, In addition, the leaf itself has a considerable ameliorating effect on atmospheric pollutants, especially those particulates, from vehicle exhaust emissions, which have been linked with asthma and other respiratory problems.
- ◆ **Economy:** Trees help to make the City more attractive for living and working. They positively affect property values and help to attract investment.
- ◆ **Temperature:** Reduction of temperature extremes is a benefit that is of increasing importance in these times of global warming. Temperature rises in the global climate are relatively small and slowly accumulative and trees take time to mature to the stage where their benefits can be obtained. It is therefore imperative that decisions on planting are taking in

time for us to realise these benefits. The most significant impact on summer cooling, without further detriment to the environment, is likely to come from large 'shade' trees evenly distributed throughout the urban area. (Heisler 1986). The tall canopies of mature trees serve to block the sun, while the evaporation of water through the leaves cools the surroundings. The shade produced gives protection from solar radiation with its associated heating and skin cancer concerns.

## **Tree related problems**

### General

Trees have not evolved to live within the harsh urban environment we choose to live in and living in such close proximity to trees under these artificial circumstances invites problems. To overcome these difficulties a wide variety of skills are required, not always arboricultural, often diplomatic and in many ways similar to methods in dealing with inter-neighbour disputes. It is acknowledged that trees can cause inconvenience to residents, particularly when they grow near to dwellings and that they do pose a potential threat which, following the Great Storm of October 1987, many people are all too well aware of. All tree owners, including local authority Arboriculturists, are required to make informed decisions concerning the amenity value and the structural soundness of their trees. Poorly-made decisions could result in trees being either unnecessarily felled or pruned which is both expensive and detrimental to the amenity they produce. In the worst scenario, an uninformed decision may result in death, injury or damage to property should a tree collapse.

### Trees and People

In any population of trees there are a number of common sources of complaint and concern. These include overhanging branches, shade, leaf fall, fruit, etc. Many of these problems are seasonal and short term in their nuisance value. Others can be dealt with by careful pruning without detriment to the tree's value. Often the problem is a result of inappropriate species selection made in the past or, more recently, poorly placed apparatus eg Aerial Dishes masked by tree growth and may be complicated or impossible to resolve without some form of compromise.

## **Trees and Property**

A common concern for property owners is the potential for structural damage by tree root action. This type of problem is relatively uncommon in the east of the city as most of the soils found are not readily affected by moisture deficit. To the west, in Hove the soil structures are more diverse and

more major problems such as subsidence and heave are experienced more often. Most frequently, though, lighter structures such as boundary walls and footpaths become displaced due to physical root action directly under inadequate foundations. Such incidents will also directly involve the Council's Insurers and have a financial implication. The Highways Department also have a high involvement as root action can also damage or displace the infrastructure of the highway, lifting footways and displacing kerbs.

## **TREES ON COUNCIL LAND**

### **Council-owned trees and their current management**

This part of the strategy sets out the City Council's approach to the management of trees for which it is directly responsible.

Tree management encompasses the co-ordination of all maintenance operations to existing trees as well as new tree planting. The existing tree population is a valuable resource which requires more than just maintenance if it is to continue to provide the range of benefits that we expect. Management must include a long-term view of the tree resource, providing for the future as well as for today.

There are four major elements of the City Council's tree population:-

- ◆ Street trees – these are the trees planted in pavements, the highway or roadside verges along the City's streets. They help to filter traffic pollution, provide shade for car parking and improve the visual amenity of the street scene.
- ◆ Woodlands – Brighton & Hove City Council owns some 504 hectares of urban woodland open to public access. These are situated almost in their entirety to the east of the City. The size and species range of all woodlands are considerable and includes the large Stanmer Estate, areas of Ancient Semi-Natural Woodland to small spinneys and copses. Many of the woodland tracts are contained within Local Nature Reserves.
- ◆ Trees in parks and open spaces – these are commonly the most significant trees in the City and have a profound effect on the appearance, visual amenity and the wider leisure experience of users of these open spaces.
- ◆ Housing areas – Trees growing in and around housing estates, flats complexes, individual tenancies and some associated woodland. These were originally planted in City owned residential areas to enhance the local environment and landscape. In common with other areas there has been a serious diminution of the tree stock by ad-hoc felling with little or

no replacement planting carried out. These areas have endured the lowest tree populations in the City and have had low Arboricultural Service involvement in previous years. They potentially represent some of the most suitable areas for tree planting in the City with the potential for making a significant increase in tree cover while benefiting the visual amenity for the local populace. Currently the Arboricultural Service has a limited management role on behalf of the Housing Department, inspecting trees and carrying out works where Health and Safety issues are identified.

- ◆ Education sites – Not currently in Arboricultural remit of maintenance or financial responsibility. (See later entry)
- ◆ Cemeteries- Not currently in Arboricultural remit of maintenance or financial responsibility. (See later entry)

Management of the tree population in these areas is not carried out directly by the Arboricultural Service and most are not under any structured Arboricultural management, this situation has led to a serious decline in the health and numbers of trees on sites within these categories. It is suggested that ultimately all aspects of tree management and financial responsibility for this should be moved within the Arboricultural Service with appropriate physical and financial resources identified to met the increased monitoring and maintenance requirements of these areas.

Trees in the streets of Brighton and Hove have been surveyed and are in place in a Tree Management database (Arbortrack). It is intended that the recent purchase of a new 'grounds position system' (GPS) for Arboricultural mapping will continue to be used to record information and be used for the effective management of the tree stock. The surveying of all trees in parks and open spaces has commenced and will continue until recording of all stock is accomplished.

Present highway tree pruning management is based on a rotational system with each area receiving regular pruning on a set frequency (Currently 2, 3 or 4yrs). Trees in parklands and open spaces are subject to frequent arboricultural inspections that dictate the levels of maintenance and its frequency. This enables resources to be effectively managed and concentrated to best effect, ensuring that all trees receive the appropriate maintenance while allowing consultation and survey work to be undertaken well in advance of the work programme.

Frequent tree inspections and effective record keeping should be carried out on trees whose condition gives cause for concern. High frequency inspections should be carried out on all Council-owned trees to ensure public safety. Following recent court rulings this has become more important; an incident in a Birmingham school resulted in a £160,000 fine for the local

authority that failed in this duty with officers facing the threat of civil action. This has resource implications for the Arboricultural Service, as there will be a significant commitment of time and technical support to achieve this.

### Policies for general tree management

Policy 1 The Council will ensure that the tree population continues to be protected, developed and expanded where appropriate.

Policy 2 The Council will aim to provide a sustainable, high quality tree population. Where and when appropriate, native tree species will be planted to maximise habitats for wildlife. When possible these trees should be derived from local indigenous tree stock.

In assessing this, balance will need to be maintained to ensure that the essential mixed species planting, historically accepted in Parks is maintained to prevent local monoculture and extend colour, form and interest.

Policy 3 The Council will aim to encourage and enable better understanding of the management of trees in order to promote greater community ownership and awareness.

Policy 4 The Council will aim to maintain the highest possible standards of tree care and management in order to act as an example of best practice for others to follow.

Policy 5 The Council will endeavour to fulfil their obligation to ensure the safety of people and property.

Policy 6 The removal of trees should be resisted unless there is sound Arboricultural reason or silvicultural practice to indicate otherwise, i.e. disease, safety reasons, structural damage or planned thinning operations and no alternative management practice can be implemented.

Policy 7 The Council will support the process of natural regeneration on appropriate sites.

### Actions for general tree management

Action No	Proposed Action	Implementation	Completed
	Introduce a tree management computer system to enable accurate analysis of the tree population,	'Arbortrack' In place 2004	On-going

	<p>with facilities for contract management, resource management and access to past work schedules for insurance claims.</p> <p>Draft plans for the long-term management and development of the tree population as an essential component of the landscape.</p>	2006	On-going
	<p>Seek to expand the urban woodland, particularly where structure planting will help to improve appearance, value for people, benefits for wildlife and assist the Council's Carbon balancing intentions</p> <p>Continue with tree planting plans that provide additional methods of enhancing the local tree population, with particular emphasis on the long-term replacement of mature and over-mature trees and the restoration of continuity in the highway environment. Eg Local Businesses and Community Involvement both physical and financial.</p> <p>Seek to supplement the Council's own spending on new trees by investigating additional funding, including sponsorship, grant aid and through the 'Tree Trust' to allow greater investment in the tree population.</p>	<p>2000 <b>Millennium Wood (3000+ trees &amp; 2005 East Brighton Park (900 trees)</b></p> <p>2004</p> <p>2000 2006</p>	<p>2000 2005</p> <p>On-going</p> <p>Current</p>
	<p>Ensure that maintenance works utilise best use of resources by efficient work planning and the recycling of by-produce material wherever possible.</p> <p>Seek to develop and implement an effective tree management programme for trees, woodlands and hedgerows located on Education sites, Housing land and in Cemeteries.</p>	<p>2004</p> <p>2009</p>	On-going
	Endorse the need for a fully resourced 'One stop shop' to meet Arboricultural requirements in all of the City's concerns		
	Survey all trees with the aim of incorporating risk management.	2000	

### Street trees

The City has approximately 13,000 highway trees. The roadside is a harsh environment for trees to survive and there is often intense pressure for space from underground cables and pipes, traffic, buildings, street lights, road signs, etc. In addition, this limited space has poor soil and is often contaminated by car emissions, road salts, oil and other pollutants that challenge the tree's survival. Despite all of this and with the right species selection, trees can and do survive to compliment the local environment, albeit with a shortened life expectancy.

The character of the street tree population varies considerably in different parts of the area, from the older Victorian planting in roads like The Drive, through the inter-war developments with little tree cover such as the Roedale area to the newer, suburban areas featuring 'ornamental' plantings in Patcham, Woodingdean and Mile Oak.

Many of the original plantings were large trees selected from a limited range of forest-sized species known to withstand pollution and for their tolerance to the local poor soil and climatic extremes. Today we have access to a wider range of smaller ornamental trees and larger trees with more suitable characteristics for roadside and other restricted sites.

Many of our most notable tree-lined streets have tree populations that are over-mature. Such trees are vulnerable to climatic variations (such as drought), disease and damage. An over-mature population of street trees tends to erode gradually over a number of years as individual trees decline and have to be removed. This generally affects the older areas of the City. In these areas new trees should be introduced, where practicable, between the mature trees to ensure that there will be continuous tree cover in future years as removals occur. Similarly tree lined streets that have experienced tree losses and resultant loss of continuity of planting should be re-planted to restore the visual impact originally intended.

In planning for replacement of older forest-type trees the temptation to consider using only small short-lived ornamental species should be avoided if specific site conditions do not dictate otherwise. Although such action may appear to reduce initial maintenance, such trees do not have the same scale and habit and therefore impact provided by larger trees. Therefore, the significant contribution that large trees make to the character of each area must be safeguarded to maximise available space.

#### Policies for street trees

- Policy 8      There will be a presumption against the removal of trees which are healthy but subject to complaint, unless the basis of the complaint has an overriding justification, no alternative management or engineering practice can be implemented or

that Statutory and Health and safety requirements are unable to be met

- Policy 9 The Council will place a priority on the replacement of ageing street tree populations, particularly where these adjoin major traffic routes, planting large growing trees where appropriate.
- Policy 10 The Council will seek to plant new street trees in appropriate sites with priority given to sites where street trees are currently or have in the past been located.
- Policy 11 The Council will endeavour to protect street trees and the growing environment from threats such as loss of and damage to verges, the activities of statutory undertakers and others excavating near trees.
- Policy 12 The Council will consult with all interested parties on proposed major tree work programmes where appropriate.

Actions for street tree management

Action No	Proposed Action	Implementation	Completed
	The Arboricultural Service will develop open discussion with the Highway officers to develop new techniques for planting trees in streets and protecting those existing.	2007	On-going
	Advise ward councillors of potentially controversial work to be undertaken, outlining clearly what work is to be undertaken and where this is to take place.	2007	On-going
	Work with the Highway Engineers' to monitor statutory undertakers/utility companies to ensure that damage to trees during their work is kept to a minimum.	2007	On-going
	Consider individual areas and streets to reflect their landscape character and improve the management regime.	2007/8	On-going

**Woodlands**

Historical development

There are a number of semi-natural woodlands within Brighton and Hove together with secondary woodland having been planted at various times after the first edition of the Ordnance Survey maps of 1876. All these woodlands have a high landscape value and provide habitats for wildlife and passive recreational facilities for visitors. While the Council's prime management objectives are landscape, nature conservation and recreation opportunities, other objectives such as timber production are considered secondary.

The main woodlands at Stanmer represent the historical development and extension of semi-natural Beech, Ash and Yew originally restricted to the deeper more fertile soils found at the head of combes or the base of slopes of the South Downs. Little remains of these original woodlands although subsequent plantation woodlands have acquired many of their characteristics.

The single most important landscape changes locally again involved Stanmer Park when, between 1760 and 1820, the building of Stanmer House was complemented by the laying out of Stanmer woods. It is probable that the existing woodland was cleared and replanted at that time although parts of the woodlands have taken on the character of the semi-natural woodland they replaced. Following the hurricane force winds of 1987 these woodlands were severely damaged and extensive clearance and replanting were carried out in the following few years.

Many of the woods in the Brighton and Hove area are now managed with nature conservation objectives as a priority and are designated Local Nature Reserves (LNR). While commercial coppicing is not viable locally, there has been a resurgence in products gained from the practice. Those areas 'managed' by Conservation groups including the City's Countryside Service have re-introduced coppicing both as a form of tree management and wildlife habitat restoration. The future management of woodlands must address the problems of past and present neglect with under-funding that has affected much woodland nationally over the past 75 years or more. It must also take into account the multi-purpose objectives which woodlands today, are required to fulfil.

Some traditional management is carried out by conservation volunteers on a number of sites in order, primarily to retain the conservation value of the wood. This work helps to keep the basic skills in use and also acts as an example to other woodland owners interested in bringing their woods back into management which benefits wildlife.

Woods give the City Council opportunities to display best practice of management in pursuit of a number of objectives. The Council's management objectives are landscape, nature conservation and access.

Other objectives such as timber production are limited and are usually only pursued when the other criteria are met.

### Policies for woodlands

- Policy 13 The Council will ensure its woodlands are open, as safe as is practicable and available to the general public as a major City amenity.
- Policy 14 The Council will ensure that its woodlands are managed with nature conservation and biodiversity as part of the main objectives. Intervention will only happen when there is a valid conservation reason for it.
- Policy 15 Natural regeneration will be supported on appropriate sites.
- Policy 16 Where appropriate, the Council will ensure dead and fallen wood is left on site unless there is sound conservation, management constraint or safety reasons for its removal and will provide log piles from pruning and coppicing to encourage the natural biodiversity of the site.
- Policy 17 The Council will encourage community involvement within its woodland management through supervised community projects.
- Policy 18 The Council will realise any economic potential of woodlands through the marketing of timber and other woodland products where this does not conflict with Policy 14.
- Policy 19 The Council will encourage expansion of multi-purpose urban woodland in appropriate locations ensuring layout and selection of species reflects the local character.
- Policy 20 The Council will manage woodland to fulfil its obligation as owners to ensure safety of people and property whilst accepting that woodlands are natural places and the level of acceptable risk must reflect this.
- Policy 21 The Council will not normally grant planning permission for any development which would result in the loss of, or would be detrimental to, any areas of ancient or semi-natural woodland or other established semi-natural woodland, copses, spinneys or other areas of tree cover considered of landscape or wildlife value.

Policy 22 The Council will promote the planting of trees and hedges to link existing woodland to provide wildlife corridors. This will assist with the protection of biodiversity in the area.

Actions for woodland management

Action No	Proposed Action	Implementation	Completed
	<p>Survey and map all of the City's urban woodland</p> <p>Review the plan for Stanmer woods and other secondary woods and produce individual woodland management plans.</p> <p>Adopt a 'Minimal Chemical' policy for woodland maintenance.</p> <p>Investigate additional sources of funding for managing woodland open to the public, e.g. Forestry Commission and other Woodland Grants.</p>	<p>Available on Cadcorp</p> <p>2007</p>	<p>On-going</p>
	<p>Explore ways of bringing Arboricultural/Sylvicultural interests closer to the public to promote understanding. e.g. Arboricultural Open days.</p>		
	<p>Expand the plantings in the Arboretum situated in the Woodland Garden to restore area of 'windthrow' damage</p>		
	<p>Re-survey the Arboretum situated in the Woodland Garden to give current working data to allow vital maintenance and promotion of this 'hidden' asset to the public.</p>		
	<p>Seek alternative sites and funding for the expansion of woodlands, copses and spinneys.</p>		
	<p>Survey Council-owned woodland edges and woodland paths annually for health and safety purposes.</p>		
	<p>Determine the most effective measures for the prevention of 'Fly-tipping'</p>		

**Parks and Open Spaces**

Trees are fundamental to the structure of parks and green spaces. The trees in parks and open spaces are not only important to regular visitors but are highly important contributors to the overall environment of the area. They are a high value resource that requires active management if they are to prosper and bestow the benefits expected.

The nature of tree populations of different parks and green spaces is as variable as the character of the sites themselves. At one extreme there are the older parks, such as Preston Park, with a declining mature population of trees including a number of rare and interesting specimens but which has been subject to high numbers of newly planted trees. At the other extreme are the newer parks, such as William Clarke Park with its lack of structure due to its immaturity. For this reason, the management of park trees must be planned on a site-by-site basis, seeking a balanced tree population and a specific Arboricultural character.

Some parts of Brighton and Hove contain large open spaces with frequently cut grass and little else. This 'manicured' form of maintenance often has some isolated structure tree planting and little else to compliment it and such areas are ripe for enhancement. Creating small wooded areas and group plantings can create opportunities for wildlife whilst improving the visual landscape appeal and create a place of real value for local residents.

Policies for parks and open spaces trees

- Policy 23     The Council will take the opportunity to establish new areas of urban woodland which offer multiple benefits to residents, wildlife and the landscape as sites become available.
  
- Policy 24     The Council will create a varied and sustainable tree population in Council parks.
  
- Policy 25     The Council will develop long-term tree management plans for parks and open spaces to prevent decline.

Actions for parks and open space tree management

Action No	Proposed Action	Implementation	Completed
	GPS Survey all parks and open spaces to prioritise general maintenance and replacement planting of declining tree populations and to identify areas for additional or new planting. Replace trees with a variety of tree species to ensure diversity, sustainability and interest.	Street tree locations completed 2009	

	Tree management in major parks and green spaces to be integrated into overall parks management plans.	2009	
	Establish a regime for high frequency safety inspections and record keeping.		Current

### **TREES ON HOUSING SITES**

A large proportion of the public housing sector in Brighton and Hove were built by the then Brighton Corporation. Original tree planting on these sites was very limited and has been significantly eroded by ad hoc felling. In areas such as Whitehawk the majority of highway trees were lost to the Council's own redevelopment of the area and in Moulsecoomb, those trees planted as part of the original 'model' estate have been lost to insufficient management and funding. Housing areas now have the lowest density of tree stock in the City with many sites appearing bleak and uninviting. Recent helpful discussions with the Arboriculturists and Housing Managers have resulted in a simplification of the process in dealing with Health and Safety problems on tenanted housing sites but there are still many issues that require resolution in order to bring tree management in line with the main tree population.

#### Policies for trees on housing

- Policy 26      The Council will endeavour to consult residents on regular proactive tree management where appropriate with appropriate funding identified.
- Policy 27      Where possible any tree that is removed will be replaced as appropriate, on a ratio of 1 to 1 with appropriate funding identified.
- Policy 28      The Council will introduce a single management system for all trees on housing sites with appropriate funding identified.

#### Actions for tree management on housing sites

Action No	Proposed Action	Implementation	Completed
	Clearly set out health and safety		

	requirements for trees on housing sites.		
	Introduce a fully resourced maintenance programme for tree management in line with the main tree stock of the City.		
	Include Housing tree stock in a 'One Stop Shop') for all tree problems with cemeteries and Education sites.		
	Work to encourage tenants of flats complexes etc to become a 'Tree Warden' for their area increasing local liaison and ensuring frequency of inspection		
	Produce a 'Teaching Programme' and Information Pack for Housing tree wardens		

### **TREES ON EDUCATION SITES**

Most of the schools in Brighton and Hove were built by the County education authority and were managed by East Sussex County Council until Local Government Reorganisation in 1997. Following the establishment of Brighton and Hove City Council the responsibility for grounds maintenance of school properties moved to Brighton and Hove. The council prepares and tenders a contract for grounds maintenance including parks and other open areas; this contract is monitored and supervised by a Facilities Support Manager. All maintained and Voluntary Aided schools within the city are given the opportunity to buy in to this contract if they wish to do so and the vast majority take up this opportunity. The exception to this are the schools covered by the grouped schools PFI contract where it is the PFI provider who is responsible for maintaining the grounds and trees.

The selling of school playing fields is closely controlled by legislation and very difficult to achieve. Both the Department for Children Schools and Families and the councils own Children's Trust Board are reluctant to change the pattern of school playing fields as they contribute enormously to the health and well being of children and young people and provide an excellent resource for schools. Where development of school sites is necessary to provide additional school accommodation every effort is made to limit the number of trees that are lost. If trees have to be removed as part of the development replacement trees are planted. In cases where development is proposed in-house that includes an element of tree loss, advice is sought from external consultants regarding mitigation measures.

Present day management (and consequently budgets) of schools and their grounds has been devolved to Head Teachers. Head Teachers have to prioritise funding where it is most needed in terms of educational needs,

health and safety needs etc. This can lead to grounds maintenance issues being dealt with on a reactive rather than proactive basis, dealing mostly with issues arising out of complaints from adjacent residents or the site users. Trees in open areas that die from natural causes or other reasons are sometimes not replaced which has led to a slight reduction in the tree population on these sites. However this situation is improving with many schools now taking advantage of initiatives such as 'breathing spaces' being promoted by the BBC and planting young trees on their sites to enhance the curriculum and encourage biodiversity. The Arboricultural Service has no specific remit in this area but is willing to work with schools and the local authority to ensure continuing good management of trees on these sites.

## **TREES ON PRIVATE LAND**

### **Tree Protection**

This part of the strategy sets out the City Council's approach to the protection of privately owned trees in the area. As the Local Planning Authority, the Council has a statutory duty to take steps to protect trees which it believes make an important contribution to the amenity of the area.

The greatest proportion of both the urban and rural tree population is privately owned. The quality of private tree care is very variable and ranges from owners who are completely indifferent, through motivated but poorly advised owners, to those who take great pride in their trees and are anxious to seek the best advice and engage quality contractors to carry out required work.

Under the Town and Country Planning Act 1990 the Council has powers to make and enforce Tree Preservation Orders (TPO) and designate Conservation Areas (CAs) within which all established trees are protected. It is usually only in cases of potential threat that a local authority will seek to legally protect trees by use of a TPO. Resources rarely allow the pro-active use of orders and desirable updating and re-surveying. The implementation of such statutory restrictions on the rights of a landowner is often a potential source of conflict and difficulty. However, it is undoubtedly true that many of our finest trees and woodlands would not be part of our landscape today if such protection did not exist.

Protection has not only been achieved through the statutory process. A substantial number of trees have been saved from inappropriate pruning or premature felling by the offer of expert advice from the Council's Arboricultural Officers. Advice is offered to the owners of protected trees and all other tree owners; this advice is offered free and is seen as a valuable part of tree protection.

So, tree protection can be thought of as having two elements:

1. Protection by the use of statutory tools such as Tree Preservation Orders
2. Protection by the provision of unbiased Arboricultural advice

### **Statutory protection**

The Town and Country Planning Act 1990 makes it a duty of the Local Planning Authority:

- (a) "To ensure whenever it is appropriate that, in granting planning permission for any development, adequate provision is made by the imposition of conditions for the preservation or planting of trees."
- (b) "To make such orders (Tree Preservation Orders) under Section 198 as appear to the authority to be necessary in connection with the grant of such permission, whether for giving effect to such conditions or otherwise."

In support of Brighton & Hove City Council's duty as set out in the 1990 Act, it will incorporate improved policies relating to trees and woodlands within its Local Plan through the review process. Current Local Plan policies are as follows:-

- QD16 The City Council will not normally grant planning permission for any development which would result in the loss of, or would be detrimental to, any areas on ancient or semi-natural woodlands or other established woodland areas or areas of tree cover of landscape or wildlife value.
- QD16 The City Council will continue to make Tree Preservation Orders on individual trees and groups of trees which it considers contribute to the landscape or local amenity and are at risk.
- QD16 The City Council will not normally grant consent for the cutting down, topping, lopping or uprooting of any tree protected by a Tree Preservation Order except where Health and Safety is or may be imminently compromised.

The Local Plan will be enhanced by the provision of a tree Supplementary Planning Guidance (SPG). It is also intended that this supplementary guidance be the subject of:

- (a) public consultation
- (b) a Council resolution confirming the status of the SPG

The importance of trees and woodlands within the City is further emphasised in the City's wildlife strategy: 'Wildlife for People' 1998 (ref sections 5.4, 5.4.2 and 7.1.1).

Brighton & Hove City Council will also be guided as appropriate by Department of the Environment Circular 36/78 "Trees and Forestry" and Department of the Environment "Good Practice Guide for Tree Preservation Orders 1994" (and as amended).

While the most common form of statutory tree protection is the Tree Preservation Order (TPO), equally important are Conservation Areas (CA) within which all established trees are protected. The City Council currently has over 400 TPOs covering thousands of trees and some woodland and 33 CAs. New TPOs are being made all the time in line with the City's statutory duties. The Arboricultural Service receives and processes approximately 135 applications each year from people who wish to carry out work to protected trees and 225 Section 211 notifications from people who wish to notify their intention to carry out work to trees within Conservation Areas.

The title "Tree Preservation Order" suggests to the layman that the tree or trees are "preserved" for all times. When in reality this is not the case and is, of course, impossible. Trees have a finite life and will require maintenance at some time in their lives, especially in urban areas or near properties. The TPO ensures that the local authority, as an independent party, has a measure of control over the fate of the tree to ensure that only appropriate works are carried out and that, where appropriate, the tree is replaced at the end of its life.

### **Trees on development sites**

One of the most common threats against trees (and therefore a common reason for making a TPO) is the proposed development of land upon which trees are growing. It is common for development plans to be submitted showing trees for retention which are totally unsuitable for the proposal or are in such poor condition that their retention is not viable. The TPO ensures that schemes are frequently amended to ensure that significant trees are properly retained, often through a process of working with the applicant to reach mutually acceptable solutions to the conflicts that can arise.

Developers are often quick to assume that all trees on a site will have to be retained and consequently often view trees as a problem rather than an asset. It is common for planning applicants to fail to provide sufficient information to enable proper consideration of trees on a proposed development site. This often results in a waste of officer time spent making detailed assessments of trees and other factors, at the public's expense. The Council gives pre-application advice and guidance for developers, builders,

architects, etc. The Supplementary Planning Guide (1) 'Trees in Relation to Construction' has been produced by the Arboriculturists to support this role.

It is common for tree protection constraints on development sites to be ignored or underestimated. In order to ensure a tree will be successfully retained, it is vital that the tree's root system is properly protected from direct and indirect damage such as ground compaction and storage. The minimum size of the protected zone will usually be large enough to ensure that no disturbance occurs within the crown spread of the tree although these distances can vary according to local ground conditions, tree species and health. The protection of trees in such situations should be enforced by adherence to the minimum criteria of "BS: 5837 Recommendations for Trees on Development sites " or as otherwise directed.

### **Protection through advice**

As previously indicated, advice is given free by the City Council and is seen as an important area of work contributing to the general protection of the tree population.

There are, unfortunately, many people willing to offer tree advice which is inaccurate and may have serious consequences for the tree and its owner. Arboriculture is an established technical discipline where qualifications at various levels are available; research is carried out to constantly further the knowledge of trees and their care. Good advice is available and should be sought from reliable sources. Tree owners should be aware that research has updated and substantially changed tree management in the last twenty years. Consequently, any person offering advice should keep up-to-date with current issues affecting the profession, usually through membership of an appropriate professional body such as the Arboricultural Association and/or by subscription to the Tree Advisory Trust's research notes and reading list.

Also of concern is the number of people carrying out tree surgery work whose technical abilities are poor. This potentially leads to low standards of tree care which are not in the interests of the tree or its owner. Reputable companies, capable of working to recognised standards of work (such as "British Standard 3998, 1989, Recommendations for Treework"), are few in the City area. This factor alone causes many trees to be unnecessarily damaged by unsuitable and unsympathetic "pruning".

The Arboricultural Association produces a list of contractors and consultants who have been examined and found to reach recognised standards. However, whilst the list continues to grow, the numbers are at present still limited and not well spread geographically. More local assessment and advice is required.

## Policies for tree protection

- Policy 29                      The Council will:-
- i)        promote tree planting where it is considered that this will lead to significant amenity benefit
  - ii)       seek to protect trees of measurable amenity value; and
  - iii)      promote good standards of tree care and woodland management.
- Policy 30                      The Council will give consent for works to a tree or woodland protected by a Tree Preservation Order provided it is satisfied that:-
- i)        the long-term health and appearance of the tree will not be impaired; and
  - ii)       the works will not unjustifiably inhibit or prevent the full and natural development of the tree; or
  - iii)      the work is necessary for its continued retention and consistent with good arboricultural practice; and
  - iv)      in the case of a woodland, the proposed work is consistent with the principles of sound woodland management.
- Policy 31                      The Council will not give consent to fell a tree or woodland protected by a TPO unless it is satisfied that this is necessary and justified. Generally, any such consent will be conditional upon appropriate replacement of the trees.
- Policy 32                      The Council will resist development which it considers makes inadequate provision for the retention of trees or natural features, particularly wildlife habitats such as woodlands and hedgerows.
- Policy 33                      The Council will continue to protect significant trees by the use of Tree Preservation Orders.
- Policy 34                      Applicants for the development of land which include trees will normally seek the provision of a 'Tree Impact Study' to include all dimensions, condition and suitability for retention of trees on the site. This must comply, as a minimum, with B.S.5837 (Trees in relation to Construction) and to guidance given in Statutory Planning Guide no1.
- Policy 35                      The Council will usually expect new site development to contribute to the overall tree population either through on-site planting or through 'Section 106' agreements, these funds to be

retained by the City Council for the planting of trees in the locality.

Policy 36 The Council will encourage all major tree-owning organisations to adopt best practice in the care of their trees, especially where those trees contribute to the character of the City.

Actions for tree protection

Action No	Proposed Action	Implementation	Completed
	Continue the re-appraisal of older TPOs and where necessary revoke out-of-date orders, area orders and serve new ones.		
	Establish a list of validated tree work contractors for distribution to the public.		
	The Council will adopt a standard procedure for evaluation and evaluation and making of TPOs.		

**SITES OF ARCHAEOLOGICAL INTEREST**

The City's woodlands and the adjacent countryside contain a number of sensitive archaeological sites at risk from colonising woody vegetation and potentially ill-conceived maintenance operations. A number of tumuli in Pudding Bag and Seven Dials on the Stanmer estate indicate Bronze or Iron Age activity and the numerous dewponds testify to the medieval development of extensive sheep grazing in many areas. Currently, varying maintenance regimes are carried out on these sites of interest but a strategic plan is required to ensure that damage is kept to a minimum.

Policy for sites of archaeological interest

Policy 37 The Council will seek to maintain and protect its local archaeological heritage by appropriate operational maintenance.

Actions for sites of Archaeological Interest

Action No	Proposed Action	Implementation	Completed
	Develop a maintenance strategy with The Countryside Service to co-ordinate works to avoid damage by tree colonisation and root disturbance of archaeological remains, by		

	clearance of all woody and dense vegetation		
	Incorporate the guidelines set out in the Forestry Commission's leaflet 'Forests and Archaeology Guidelines'		
	Ensure liaison when appropriate with other custodians of sensitive sites e.g. Countryside Service, ESCC Archaeologist and local archaeological groups		

## **VETERAN AND ANCIENT TREES**

Britain is a stronghold of ancient trees often of extraordinary age. Many are hundreds or even thousands of years in age and are scattered through the countryside in ancient wood pastures, woodlands, churchyards and parks. They have witnessed countless historical events, weathered storms, countered diseases, survived natural disasters and human threats. In addition small areas of ancient semi-natural woodland still exist which are one of the most important and valuable parts of our living environment. Apart from occasional islands of exceptionally old trees (such as Fontainebleau), the situation in the UK differs drastically from the rest of Europe. Awareness of the value in ancient and veteran (a veteran being a tree that has been accelerated through the ageing process by stress and physical damage) trees in this country has been slow and these important symbols of our cultural and natural history still do not have strong protection under law. With the growth of the 'blame culture' these trees are often removed through ignorance, purely and simply because they are old, with little or no other consideration

Brighton and Hove has few veteran trees in its parks and open spaces following removal as part of the Dutch Elm Disease campaign, the storms of '87' and other safety issues. However, significant trees still exist in certain locations in our older established woodlands under varying levels of arboricultural management. Notable examples of veteran elms exist in The Royal Pavilion Gardens and the Coronation Garden at Preston Park. As such these are virtually unique in the British Isles. Ancient beech trees grace the ride sides in parts of the Stanmer estate woodland, while a venerable old yew tree, guards the churchyard in Stanmer Village.

Ancient trees are known to support highly diverse communities of invertebrates and lichens together with nesting birds and bats colonising the frequent cavities contained within the trees' systems. The most important trees are over 200 years old with some around 500 years and many Yews have ages far in excess of these periods, in some cases up to one or more thousand years.

It is likely that the population of these trees has further declined through neglect, inappropriate management or removal. Old trees are prone to damage through changes in land use, particularly conversion of surrounding grassland to arable and premature felling as a result of unsympathetic and ill-informed tree health surveys. In addition, their wildlife value is dramatically reduced by the removal of dead wood from within the crown and removal of fallen branches (although in some cases the removal of dead wood may be necessary following a risk assessment).

Information on old trees in the City is limited and needs to be increased. A survey to establish the location of such trees and individual assessment to determine their condition is vital to the establishment of a successful management regime and should ensure the survival of these trees for the maximum term of their life.

#### Policy for Veteran and Ancient Trees

Policy 38 The Council will introduce a management regime to retain trees in the above category for historical/visual interest and as habitat for the diverse wildlife that is dependant on such trees. It aims to extend the useful life of each individual tree while protecting users of the land on which the tree stands.

#### Actions for Veteran and Ancient Trees and Woodlands

Action No	Proposed Action	Implementation	Completed
	Map locations of individual Veteran/ Ancient trees.		
	Carry out a risk assessment on each tree linked to future maintenance		
	Carry out survey to determine wildlife/plant dependency/association		
	Agree a short-term maintenance regime to bring individual trees to an agreed standard		
	Carry out long term maintenance to ensure this standard is maintained		

### **THE NATIONAL COLLECTION OF ULMUS (ELM)**

#### **History**

Brighton & Hove has traditionally enjoyed a high population of Elm trees. These were originally planted in large numbers by the Victorians and

Edwardians due to their suitability to maritime conditions, their resistance to salt winds and tolerance of the thin chalk soil typical of much of this area.

In the 1950s Mr Ray Evison, the then Director of Parks & Gardens and an internationally renowned plantsman, collaborated with many of his counterparts throughout Europe to introduce a diverse selection of Elms which were planted in parks and open spaces throughout the area. This initiative provided a major green amenity which, together with the successful containment of the non-virulent form of elm disease, prevalent at that time, helped shape the local treescape enjoyed today.

In the early 1970s, a programme for the control of the, newly introduced, virulent form of elm disease was adopted by the then Brighton and Hove Borough Councils. The two councils worked closely together to fight the disease and the result is the retention of some 15,000 prime Elms in the City - including 103 cultivars and varieties which together form the bastion of the species in Southern England.

These Elms were granted full 'National Collection' status in 1998 by the National Council for the Conservation of Parks & Gardens.

### **The Elm Disease connection**

The Arboricultural Service continues to contain elm disease in the City while also seeking to extend the range of cultivars and varieties as they become available. To this end, seeds from a number of locally unknown cultivars have been obtained from The Moreton Arboretum in America. These have been successfully propagated at the Council's Stanmer Nursery facility. Similarly a number of new varieties and cultivars have been obtained from liaison with Butterfly Conservation

### **Expanding the National Collection**

A number of cultivars bred in North America for their resistance to elm disease have been recently purchased and planted in the City so that their suitability can be monitored. Negotiations are currently taking place between the Council and a major nursery to grow English Elm with other varieties and cultivars on our behalf, so that this endangered species can be replanted in the City.

The Arboricultural Service remains committed to containing elm disease and extending the range of plant material to expand the National Collection.

### **Policies for The National Collection of Ulmus (Elm)**

Policy 39      The Council will continue to give the highest priority to its internationally renowned commitment to control and eradicate

Elm Disease in the City while supporting, where possible, other local Elm Disease control Programmes.

Policy 40 The Council will promote the National Collection of Ulmus as a City asset.

Policy 41 The Council will endeavour to use every opportunity to increase the content and environmental value of the National Collection.

Actions for The National Collection Of Ulmus (Elm)

Action No	Proposed Action	Implementation	Completed
	Endorse the continuation of the highly successful Elm Control Programme		
	Promote the National Collection, educating local residents and visitors through information via tourist information, libraries, etc		
	Design a 'City Elm Walk' leaflet		
	Design a local 'Champion Trees' leaflet		
	Establish a significant English Elm population within the City		

# ENVIRONMENT AND COMMUNITY SAFETY OVERVIEW & SCRUTINY COMMITTEE

## Agenda Item 25

Brighton & Hove City Council

<b>Subject:</b>	<b>Air quality challenges for the city – the role of the Local Transport Plan and Local Development Framework</b>		
<b>Date of Meeting:</b>	<b>15 September 2008</b>		
<b>Report of:</b>	<b>Director of Environment</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Andrew Renaut</b>	<b>Tel: 29-2477</b>
	<b>E-mail:</b>	<b>andrew.renaut@brighton-hove.gov.uk</b>	
<b>Wards Affected:</b>	<b>All</b>		

### FOR GENERAL RELEASE.

#### 1. SUMMARY AND POLICY CONTEXT:

1.1 The management of air quality in the city is essential in terms of minimising the risks that poor air quality can pose to people's health and therefore contribute to improving people's quality of life. Transport is the major source of the emissions in the city that contribute towards poor air quality, and the importance of this issue has warranted a request that it be considered and discussed by this committee.

1.2 The Environment Act 1995 ['the Act'] requires local authorities to review and assess air quality on a regular basis. The review involves monitoring levels of specific pollutants and estimating likely future levels and the assessment involves consideration of whether estimated future levels are likely to exceed specified thresholds. There are 8 main air pollutants - particulates, Nitrogen Dioxide, Ozone, Sulphur Dioxide, Volatile Organic Compounds (e.g Benzene), Carbon Monoxide, and Toxic Organic Micro-Pollutants.

1.3 At present, over 220 local authorities in the UK have declared Air Quality Management Areas [AQMA's], including Adur, Lewes, Hastings, Bournemouth, Bristol and Reading, and predominantly for Nitrogen Dioxide [NO<sub>2</sub>]. The principal source of Nitrogen Oxides emissions is road transport, which accounted for about 50% of total UK emissions in 2000. Therefore there are other sources of this particular pollutant such as industry that can contribute towards exceedances.

1.4 'Improving air quality' is one of 4 shared transport priorities agreed between the Department for Transport and the Local Government Association [LGA], and therefore forms the basis for plans developed and delivered at a local level.

1.5 Having initially declared an AQMA in the city in 2004 following a review and assessment of air quality that identified exceedances of NO<sub>2</sub>, the council now has a

legal duty under the Act to introduce a range of measures to improve air quality, through the development and delivery of an Air Quality Action Plan [AQAP]. Particulates also remain an area of concern and further monitoring is required to understand this matter more fully. The current extent of the newly established 2008 AQMA is illustrated in Appendix A of this report. It is important to emphasise that exceedances that have been identified do not affect the whole area, and are confined to more specific locations linked to monitoring points.

1.6 The overall challenge faced by the city in addressing air quality is also recognised in the Sustainable Community Strategy under the priority of 'promoting sustainable transport'. Working in partnership is key to addressing air quality issues and reducing the health impacts. The Sussex Air Quality Partnership, Environment Agency, transport operators and health service providers are important stakeholders.

## **2. RECOMMENDATIONS:**

2.1 That the Committee welcomes the report and associated presentation outlining the issues faced by the city in improving air quality and supports the principles of the transport and land-use strategies and investment programmes in place to address them.

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

3.1 There are two principal ways in which to tackle emissions from vehicles and therefore assist in improving air quality. These are :-

- changing travel patterns in terms of how, when and if people need to travel by providing choice and alternatives (transport policy/decisions); and
- influencing where people travel to and from (land-use policy/decisions).

3.2 The two key documents that identify how the above changes can be delivered are the Local Transport Plan [LTP] and Local Development Framework [LDF] respectively.

### Local Transport Plan

3.3 The LTP is a statutory document that includes a 5-year delivery programme of transport schemes aimed at delivering the council's strategic, corporate and transport objectives, in addition to those set nationally and regionally. It has also been the subject of a Strategic Environmental Assessment, which includes air quality issues. In broad terms, the LTP investment programme includes measures to promote and provide for the continued increase use of more sustainable forms of transport for some journeys. When combined alongside other measures, many of these measures can fulfil a number of high-level objectives such as improving air quality, increasing accessibility and tackling congestion.

3.4 The LTP also summarises the AQAP, which is aimed at specifically reducing levels of NO<sub>2</sub> in the city, especially in the AQMA. Understandably, it therefore reflects the content of the LTP. The measures included in the AQAP are listed in Appendix B of this report.

3.5 The council's 2008 LTP Delivery Report, to be approved by the Cabinet Member for Environment and submitted to the GOSE by the end of this year, is required to incorporate the 2008 AQAP Progress Report given the direct relationship with transport.

#### Local Development Framework

3.6 The LDF sets out the spatial strategy for land use in the city up to 2026. In terms of its effect on air quality, any change is unlikely to be discernible in the short term. However, there are two key principles that underpin the LDF that will assist in improving air quality in terms of increased levels of movement associated with planned growth.

3.7 The first is that the preferred locations for specific Development Areas (locations where it is possible to make full use of public transport/interchanges; where capacity exists to accommodate future development; which contain opportunities for change; or are in need of regeneration) are close to, or on, Sustainable Transport Corridors (routes that carry significant levels of movement and where there is likely to be potential to achieve a substantial shift of journeys from the car to more sustainable forms of transport). Therefore, they will have good accessibility to existing or improved sustainable transport, providing people with choice in terms of using different forms of transport. Secondly, the LDF aims to redress the current pattern of a net movement out of the city for employment, by increasing the number of employment opportunities within the city, thereby reducing the need to travel greater distances for work.

#### Monitoring results

3.8 Progress to date indicates that overall levels of Nitrogen Dioxide have been decreasing from a peak in 2003/04, although some remain above the current exceedance threshold. Alongside this, overall levels of sustainable transport use have increased. This suggests that the overall approach being taken within the city is contributing positively to reducing the potential effects of this pollutant.

### **4. CONSULTATION**

4.1 There has been no consultation undertaken on this report. The LTP was the subject of consultation prior to its approval in 2006, and the AQAP was consulted on in early 2007. A Statement of Community Involvement and ongoing consultation supports the LDF process. Informal consultation on the core strategy revised preferred options has just been completed.

### **5. FINANCIAL & OTHER IMPLICATIONS:**

#### Financial Implications:

5.1 There are no direct financial implications associated with this report. The Cabinet Member for the Environment approves the allocation of funds to particular schemes within the Local Transport Plan capital programme annually.

*Finance Officer Consulted: Karen Brookshaw*

*Date: 20/8/08*

#### Legal Implications:

5.2 There are no direct legal implications associated with this report, other than those referred to Part 1 of this report. The council is fulfilling its obligations in accordance with

the Environment Act 1995 for air quality; the Transport Act 2000 for the LTP and the Planning and Compulsory Purchase Act 2004 for the LDF.

*Lawyer Consulted: Oliver Dixon*

*Date:20/8/08*

Equalities Implications:

5.3 There are no direct equalities implications associated with this report. Addressing air quality levels will assist those who suffer from any associated health conditions which may affect their ability to lead a full life.

Sustainability Implications:

5.4 There are no direct sustainability implications associated with this report. Measures to reduce the impacts of transport and land use on air quality through the reduction in the need/demand to travel and transport emissions will contribute towards the wider sustainability objectives of the city council and other partners/stakeholders.

Crime & Disorder Implications:

5.5 There are no crime and disorder implications associated with this report.

Risk and Opportunity Management Implications:

5.6 There are no direct risk and opportunity management implications associated with this report.

Corporate / Citywide Implications:

5.7 Improvements in air quality within the city will have potentially wide benefits and will contribute towards the city council's corporate priority of "protecting the environment while growing the economy" and the LSP's two key objectives in the Sustainable Community Strategy of 'improving Health and Well-Being' and 'promoting sustainable transport'.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

Appendix A – Brighton & Hove 2008 Air Quality Management Area  
Appendix B - Summary of Air Quality Action Plan measures

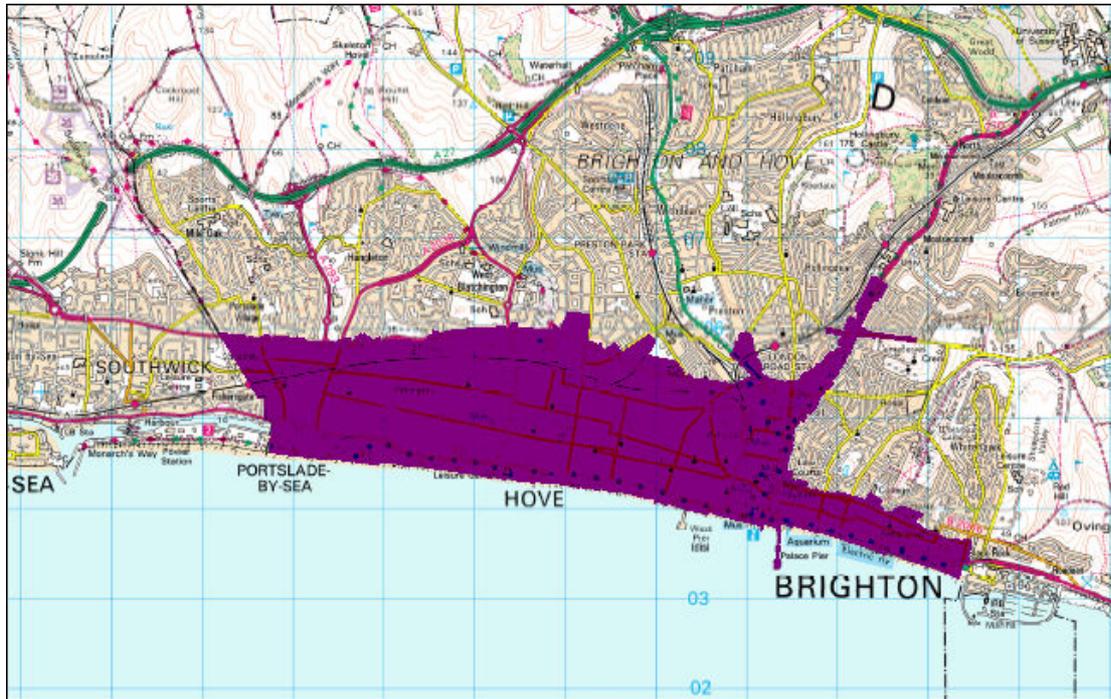
### **Documents In Members' Rooms**

None

### **Background Documents**

1. Local Transport Plan : 2006/07 – 2010/11 (March 2006)
2. Local Development Framework – Core Strategy - Revised Preferred Options (June 2008)
3. Air Quality Action Plan (March 2007)
4. Air Quality Progress Report (2008)
5. Powerpoint presentation to complement report.

Brighton & Hove 2008 Air Quality Management Area



 Brighton & Hove City Council  
Scale 1:50,000

## SUMMARY OF AIR QUALITY ACTION PLAN MEASURES

### Major transport measures

- Rapid Transport System [RTS]
- Urban realm improvements
- Sustainable Transport Corridors

### Congestion management

- Freight/goods management
- Parking schemes and enforcement
- Intelligent Transport Systems [ITS]
- Variable Message Signing
- Highway/Network management

### Sustainable Transport measures

- Walking and cycling
- Travel Planning
- Quality Bus Partnership
- Accessible bus stops
- Access to rail stations
- Car clubs
- Road safety engineering

### Education and public information

- Education and training programmes
- Publicity campaigns
- Air alert
- Driver behaviour
- Journeyon website

### Emissions reduction

- Roadside emission testing
- Roadside signs
- Vehicle/engine technology

### Other measures

- Planning/development control
- Local Area Prevention and Control
- Domestic smoke control
- Bonfires

# **Air quality challenges for Brighton & Hove**

Environment and Community  
Safety Overview & Scrutiny  
Committee

15 September 2008

Andrew Renault

Head of Transport Strategy & Projects

Sam Rouse

Senior Technical Officer – Air Quality

Liz Hobden

Local Development Team Manager

# Pollutants and their principal sources

- **Fine Particulates** - diesel traffic, combustion processes, demolition, fires
- **Nitrogen Dioxide** - burning of fuel (traffic)  $(\text{NO} + \text{O}_2) = \text{NO}_2$
- **Ozone** – VOCs +  $\text{NO}_2$  + sunlight = low altitude  $\text{O}_3$
- **Sulphur Dioxide** – coal and oil combustion
- **Volatile Organic Compounds e.g benzene** – petrol vehicles, and industry
- **Carbon Monoxide** – incomplete combustion of carbon fuels
- **Lead** - traffic/incineration/metal processing
- **Toxic Organic Micro-Pollutants e.g benzo(a)pyrene** – incomplete fuel combustion, fires, domestic combustion
- **1,3 Butadiene** - synthetic rubber production, petrochemical plants, vehicles

# National Air Quality Objectives

HUMAN HEALTH OBJECTIVES							
	Period	Limit/target	Allowance	Applies where	By when?	Changed?	
Nitrogen dioxide	1hr mean	200µg/m <sup>3</sup>	18 / year	UK	31 Dec 2005	no change	
	Annual mean	40µg/m <sup>3</sup>	–	UK	31 Dec 2005	no change	
Sulphur dioxide	15 min mean	266µg/m <sup>3</sup>	35 / year	UK	31 Dec 2005	no change	
	1hr mean	350µg/m <sup>3</sup>	24 / year	UK	31 Dec 2004	no change	
	24hr mean	125µg/m <sup>3</sup>	3 / year	UK	31 Dec 2004	no change	
Ozone	8hr mean	100µg/m <sup>3</sup>	10 / year	UK	31 Dec 2005	no change	
Particles PM <sub>10</sub>	24hr mean	50µg/m <sup>3</sup>	35 / year 7 / year 7 / year 10 / year	UK Scotland England London	31 Dec 2004 31 Dec 2010 31 Dec 2010 31 Dec 2010	no change no change dropped dropped	
	Annual mean	40µg/m <sup>3</sup>	–	UK	31 Dec 2004	no change	
		20µg/m <sup>3</sup>	–	England	31 Dec 2010	dropped	
		23µg/m <sup>3</sup>	–	London	31 Dec 2010	dropped	
18µg/m <sup>3</sup>		–	Scotland	31 Dec 2010	no change		
PM <sub>2.5</sub>	Annual mean	25µg/m <sup>3</sup> (target) 12µg/m <sup>3</sup> (limit) 15% cut (target)	– – –	Rest of UK Scotland UK	2020 2020 2010-2020	new new new	
	PAH	Annual average	0.25ng/m <sup>3</sup>	–	UK	31 Dec 2010	no change
	Benzene	Running ann. mean	16.25µg/m <sup>3</sup>	–	UK	31 Dec 2003	no change
Annual average		5µg/m <sup>3</sup>	–	Eng & Wales	31 Dec 2010	no change	
Running ann. mean		3.25µg/m <sup>3</sup>	–	Scot. & NI	31 Dec 2010	no change	
1,3 butadiene	Running ann. mean	2.25µg/m <sup>3</sup>	–	UK	31 Dec 2003	no change	
Carbon monoxide	Running 8hr mean	10mg/m <sup>3</sup>	–	UK	31 Dec 2003	no change	
Lead	Annual mean	0.5µg/m <sup>3</sup>	–	UK	31 Dec 2004	no change	
		0.25µg/m <sup>3</sup>	–	UK	31 Dec 2008	no change	
VEGETATION AND ECOSYSTEM OBJECTIVES							
NO <sub>x</sub>	Annual mean	30µg/m <sup>3</sup>	not sens. sites	UK	31 Dec 2000	no change	
		30µg/m <sup>3</sup>	sensitive sites	UK	2010	plans dropped	
Sulphur dioxide	Annual mean	20µg/m <sup>3</sup>	not sens. sites	UK	31 Dec 2000	no change	
	Winter average	20µg/m <sup>3</sup>		UK	31 Dec 2000	no change	
	Annual mean	20µg/m <sup>3</sup>	sensitive sites	UK	'long term'	plans dropped	
Ozone	5yr average of summer 1hr values AOT 40	18mg/m <sup>3</sup>		UK	1 Jan 2010	new	

# What is an AQMA?

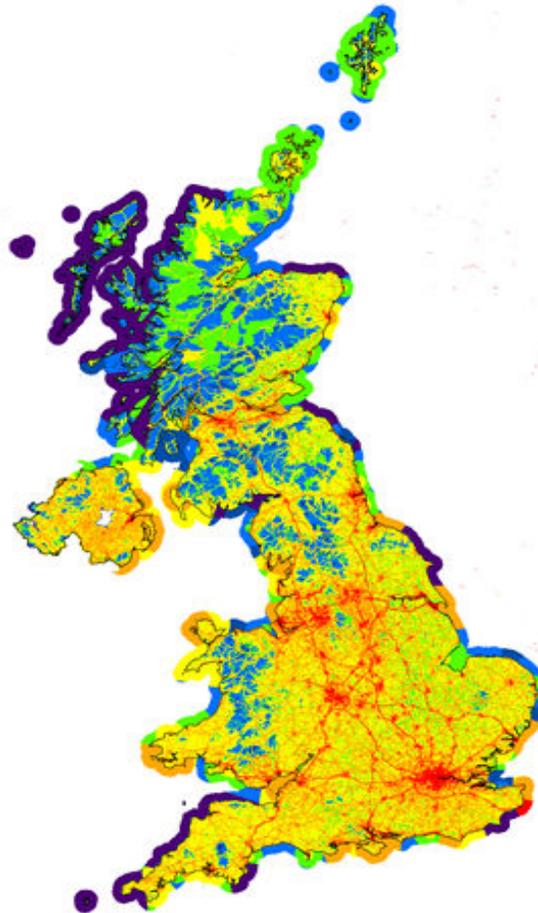
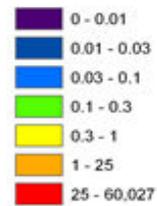
- Review and assessment of AQ required-1997
- Calculate existing/future AQ levels
- Assess against national objectives
- Declare AQMA if exceedances likely
  - Streets or areas
- B&H – Sept. 2004 and Nov. 2007
- Produce AQAP

# GB AQMAs

- 223 authorities declared AQMAs
  - 198 Nitrogen Dioxide
  - 72 Particulates (PM<sub>10</sub>)
  - 11 Sulphur Dioxide
- Adur/Chichester/Lewes/Hastings
- Bournemouth/Blackpool/Bristol/Exeter
- Norwich/Reading/York/New Forest
- !Fenland DC/Rotherham MBC!

# GB Oxides of Nitrogen (NO<sub>x</sub>)

UK Emissions Map of  
NO<sub>x</sub> 2006 t/1x1km



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# 2004 B&H AQMA



# NO<sub>2</sub> improvements

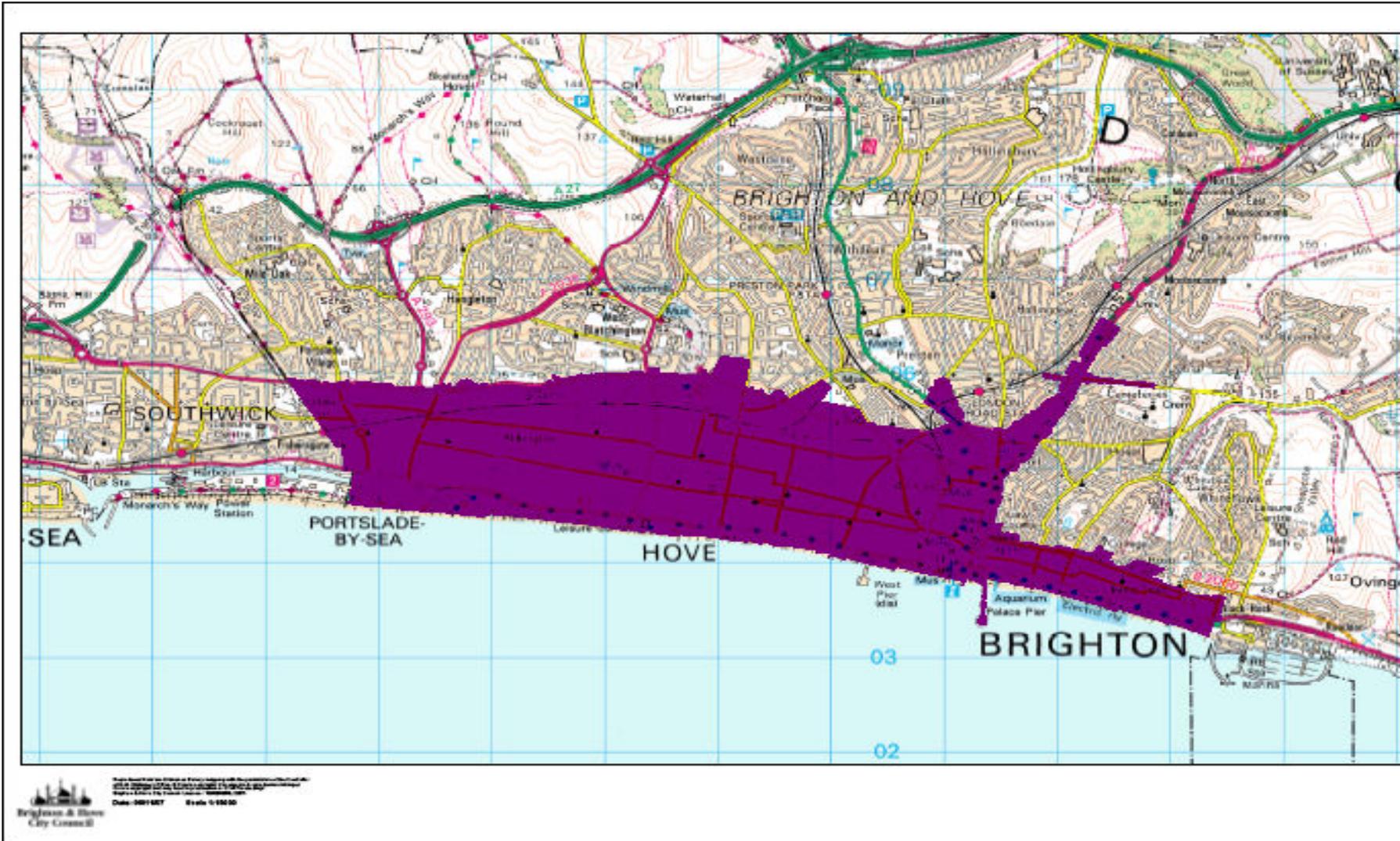
- Marlborough Place/Gloucester Place/York Place
- London Road
- Lewes Road
- Ditchling Road

# NO<sub>2</sub> hotspots

- London Road-Preston Circus and Oxford Place to York Place
- North Street, and Western Road
- Lewes Road-Gladstone Terrace to Hollingdean Road
- Terminus Road, Queens Road-Clock Tower and West Street
- Marlborough Place, Gloucester Place and Grand Parade
- New England Road, Prestonville Terrace and Chatham Place
- Seven Dials, Buckingham Place and Dyke Road (nr to junction)
- Ditchling Road, Viaduct Road, Beaconsfield Road, Preston Rd
- St James's Street and Old Steine
- Sackville Road (localised)
- Eastern Road (localised)
- Church Road, Portslade and Wellington Road, Portslade (localised)

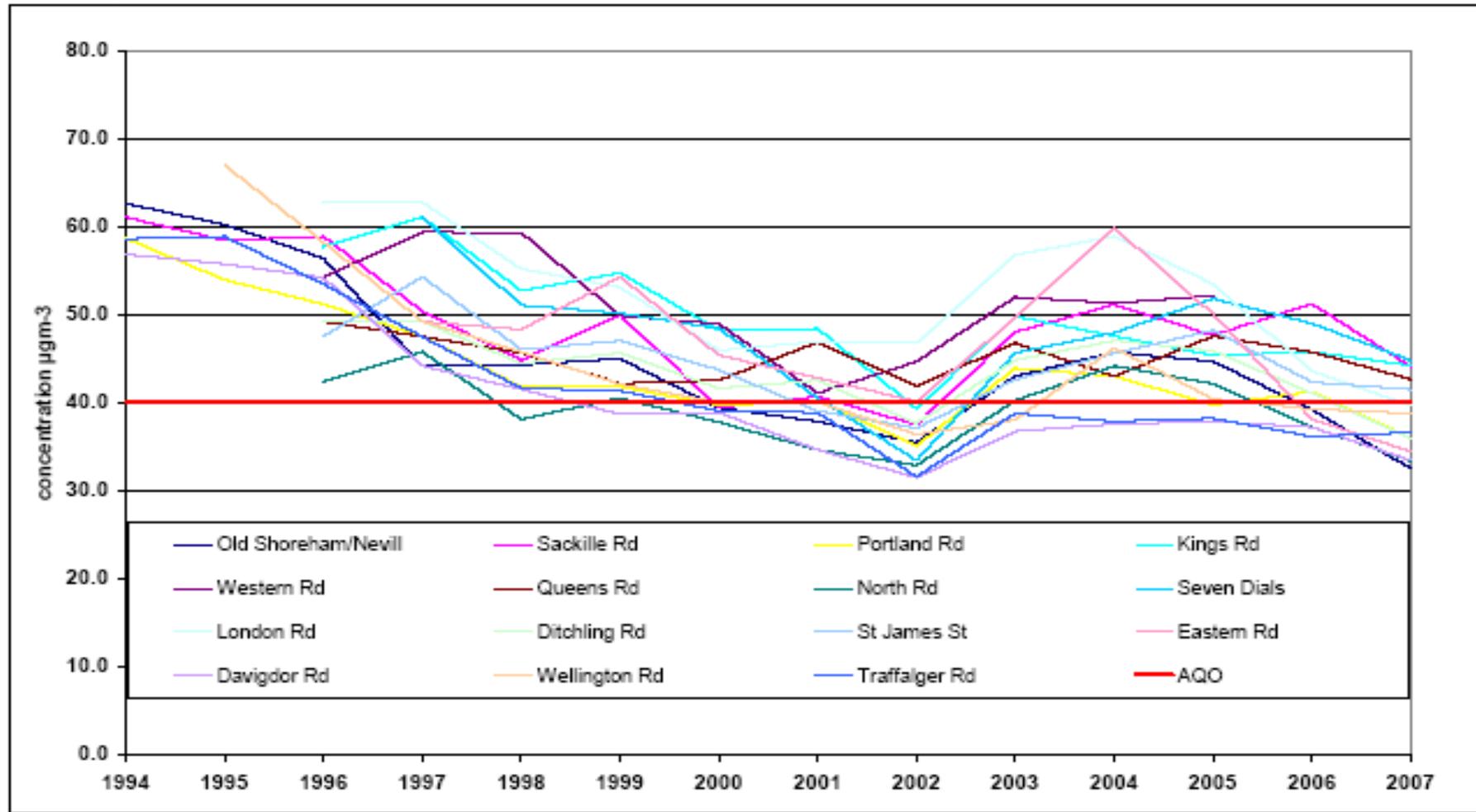
# 2008 B&H AQMA

69



# NO<sub>2</sub> Monitoring Results

III (a) - Diffusion tube results 1994 -2007



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

## **Agenda Item 26**

Brighton & Hove City Council

<b>Subject:</b>	<b>North Street Mixed Priority Route Road Safety Scheme</b>
<b>Date of Meeting:</b>	<b>15 September 2008</b>
<b>Report of:</b>	<b>Director of Environment</b>
<b>Contact Officer:</b> Name:	<b>Owen McElroy, Project Manager</b>
	<b>Tel: 29-0368</b>
	E-mail: owen.mcelroy@brighton-hove.gov.uk
<b>Wards Affected:</b>	Regency, St Peters and North Laine

**FOR GENERAL RELEASE.**

### **1. SUMMARY AND POLICY CONTEXT:**

1.1 The North Street Project consists of a comprehensive package of engineering and supporting promotional measures to increase road safety and improve road safety awareness to reduce and prevent future casualties. It has been developed in 2 stages.

1.2 The focus of this report is the Ship Street/North Street junction within Stage 2 of the scheme. The issues for scrutiny are that:-

- 1) a recommendation agreed at the Environment Cabinet Member Meeting [CMM] on 4<sup>th</sup> July 2008 was not one of the options consulted upon; and
- 2) the option chosen may not achieve the maximum casualty reduction that is possible.

1.3 The resolution of Environment Cabinet Member Meeting is reproduced as one of the background documents.

### **2. RECOMMENDATIONS:**

2.1 That the committee note the contents of the report

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

#### **Agreed Recommendation**

##### **Background Information**

3.1 Based on police records from 2003-2005, 13 collisions resulting in 16 casualties have occurred at the Ship Street junction. The site has been identified as one of 26 high priority casualty reduction sites in the city to be treated by 2010. In order to assist in addressing the casualty problem at this junction, a number of options were developed.

##### **Consultation options**

3.2 Three options were put forward for consultation for the Ship Street junction.

Option 1 - a road closure at the junction with North Street

Option 2 - one-way northbound between North Street and Duke Street

Option 3 - Pedestrianisation of part of Ship Street to link Union Street and Dukes Lane.

3.3 Diagrams of the three options showing associated traffic flows are attached to the end of the report as Appendix A

3.4 The response to the consultation indicated that the most popular option was Option 1 with 45% of responses and most stakeholders in support. However, during the consultation concerns were expressed by taxi drivers, traders and residents, about the effects on servicing of and access to the Old Town and by Middle Street School on increased traffic in Middle Street that might result from all of the options, but Option 1 in particular.

##### **Casualty data**

3.5 The baseline casualty data for the study into the scheme covered the period 2003 – 2005. A further analysis of more up-to-date data shows that there has been a reduction in the number of collisions from 13 to 10 and casualties (from 16 to 11) at the junction.

##### **Report recommendation**

3.6 The recommendations included in the report were drafted in the light of the above information and following discussions with Cabinet Members. The latter raised concerns about the local effects the current Southern Water and Southern Gas Networks mains renewal programme, alongside other high priority LTP schemes are having on the city centre and key routes in the road network, such as Queens Road and North Street, causing some congestion and re-routing of traffic.

3.7 In the light of this, it was proposed that the recommendation for Ship Street should be for one-way southbound between North Street and Duke Street, on the basis that, like Option 2, a one-way street will reduce and simplify some of the movements occurring at the junction and therefore also enable widening of the footways for pedestrians.

### **Future opportunities**

3.8 The one-way southbound measure does not preclude the opportunity to undertake works such as a full or timed closure of the junction at some point in the future, as part of any further works that may be required to improve the safety or operation of the junction, or wider proposals, such as urban realm improvements in the Old Town area and at such a time when the substantive city centre road works programme is at an end.

### **Casualty Reduction**

3.9 The overall casualty reduction targets for the scheme include a 30% reduction in bus/pedestrian casualties along the whole corridor. Generally, most collisions occur at junctions and are often associated with turning movements because of conflicts between pedestrians and vehicles, and between vehicles. The casualty data for the Ship Street junction reflects this.

3.10 On that basis, closing a side road and not allowing turning movements, enabling a more continuous movement of pedestrians, would maximise the likelihood of achieving casualty reduction. As previously stated above, there has been a reduction in the number of collisions and casualties at the junction.

3.11 The Ship Street junction will be monitored as part of the whole corridor, and alongside the other high priority casualty reduction location sites, in terms of collisions and casualties, to determine if targets for the corridor are being met, and further changes will be made if required

### **Chronology**

- Environment Committee 9<sup>th</sup> November 2006 - Approval of road safety programme (including sites being treated as part of the North Street Mixed Priority Route scheme).
- Policy & Resources Committee 7<sup>th</sup> February 2008 – Approval of Local Transport Plan capital programme including road safety allocation.
- Environment Committee 20<sup>th</sup> March 2008 – Approval of North Street MPR Stage 1 and reference to Stage 2 proposals and consultation.
- Environment CMM Report 4<sup>th</sup> July 2008 – Consideration of consultation responses and approval of Stage 2 of the MPR scheme and authority to advertise traffic orders.

## 4. CONSULTATION

4.1 The opportunities for consultation were undertaken as follows

- October 2007 to January 2008 - Consultation with internal and external stakeholders on Stage 1 (Old Steine) proposals
- February/March 2008 – Stage 2 public exhibition. 2000 questionnaires sent to residents and traders, on-line survey and electronic voting kiosk.
- July 2008 Statutory advertisement of Ship Street one-way traffic orders.

## 5. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

5.1 There are no direct implications in the consideration of the items submitted for scrutiny.

Finance Officer Consulted: Karen Brookshaw

Date: 12/08/08

### Legal Implications:

5.2 The Environment and Community Overview and scrutiny Committee performs the overview and scrutiny function in relation to (amongst other matters) Executive decisions concerning traffic management and transport; this includes road safety schemes.

5.3 The committee has the right to review a cabinet decision taken on a matter (such as that taken on item 32 at the Environment Cabinet member meeting on 4<sup>th</sup> July 2008) but not to substitute that decision with one of its own.

Lawyer Consulted: Oliver Dixon

Date: 12/08/08

### Equalities Implications:

5.4 There are no direct implications in the consideration of items submitted for scrutiny.

### Sustainability implications

5.5 There are no direct implications in the consideration of items submitted for scrutiny

### Crime & Disorder Implications:

5.6 There are no direct implications in the consideration of items submitted for scrutiny.

### Risk and Opportunity Management Implications:

5.7 There are no direct implications in the consideration of items submitted for scrutiny.

Corporate / Citywide Implications:

5.8 There are no direct implications in the consideration of items submitted for scrutiny.

**SUPPORTING DOCUMENTATION**

**Appendices:**

Appendix A Traffic flow diagrams of consultation options

**Documents in Members' Rooms**

None

**Background Documents**

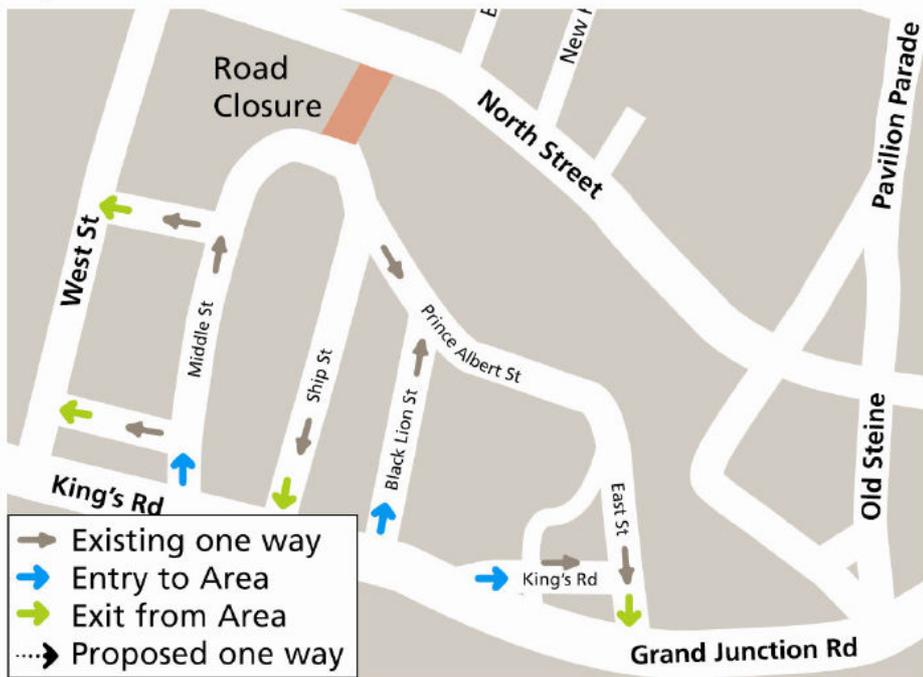
1. Environment Committee 20<sup>th</sup> March 2008 Approval of North Street MPR stage 1
2. Environment CMM report and minutes 4<sup>th</sup> July Approval of outline design for North Street Stage 2 and authority to advertise traffic orders

## APPENDIX A

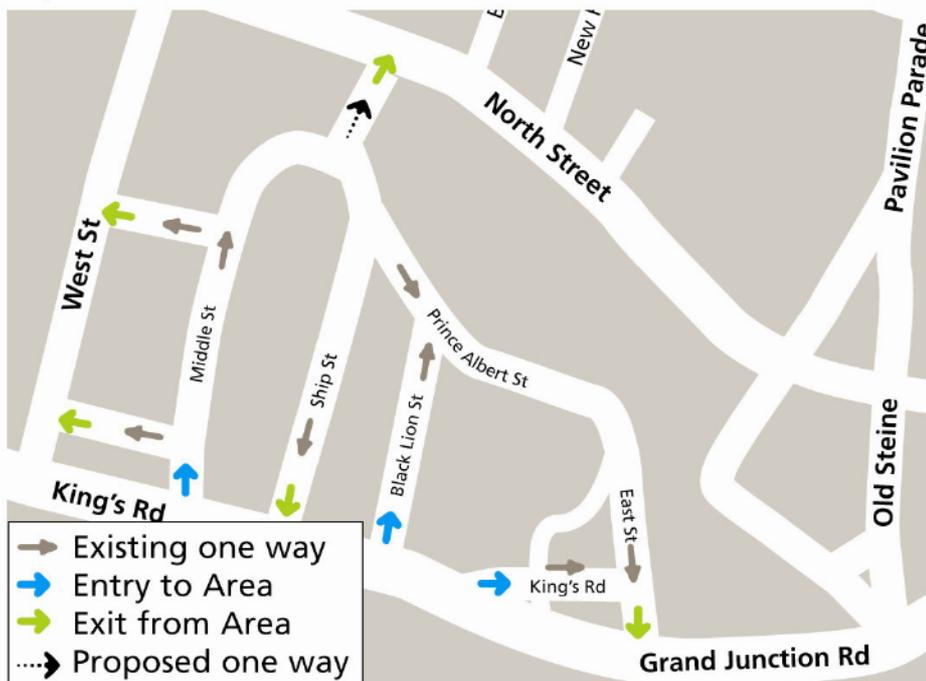
### Traffic Flow Diagrams of the Consultation options

- Three options were put forward for consultation for the Ship Street junction.

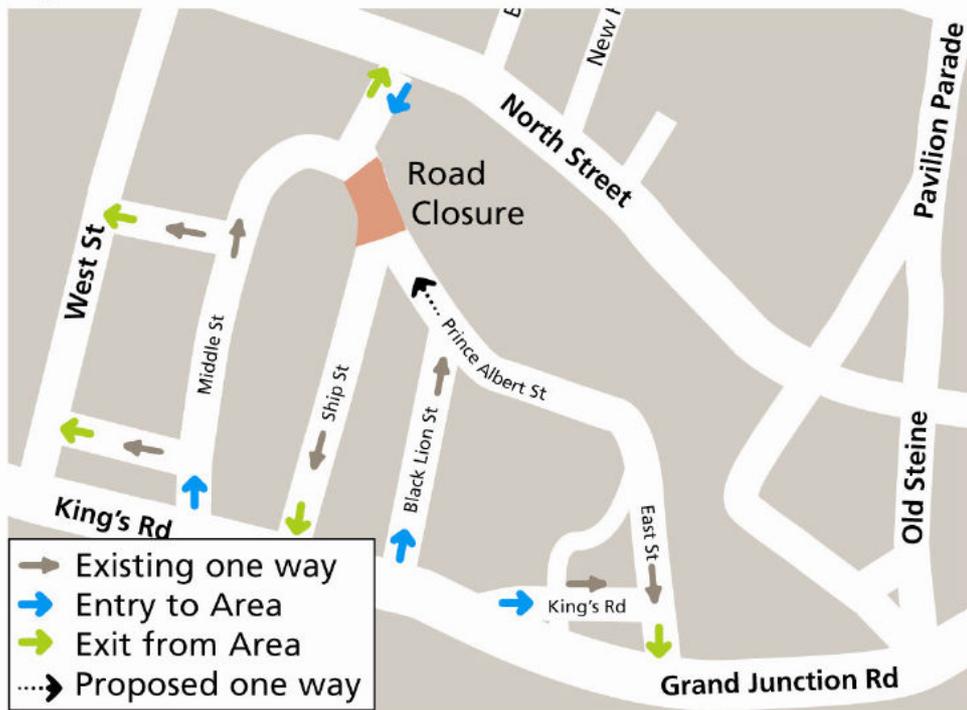
#### Option 1



#### Option 2



### Option 3





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

## **Agenda Item 27**

Brighton & Hove City Council

Subject:	Environment and Community Safety Overview & Scrutiny Committee - Work Plan 2008 - 2009		
Date of Meeting:	15 September 2008		
Report of:	Director of Strategy and Governance		
Contact Officer:	Name: Mary van Beinum	Tel: 29-1062	
	E-mail: mary.vanbeinum@brighton-hove.gov.uk		
Wards Affected:	All		

### **FOR GENERAL RELEASE**

#### **1. SUMMARY AND POLICY CONTEXT:**

- 1.1 A cross-party working group established by this committee on 16<sup>th</sup> June has considered the issues for inclusion in the ECSOSC work plan for 2008 – 2009. This report sets out the proposed draft work plan at Appendix 1.

#### **2. RECOMMENDATIONS:**

- (1) That the draft work plan be agreed, allowing for flexibility for example where additional matters are referred and taking into account available resources.
- (2) That progress against the work plan be monitored regularly.

#### **3. BACKGROUND INFORMATION**

- 3.1 Councillors Warren Morgan (Chairman), Tony Janio (Deputy Chairman) and Ian Davey met with officers on 22 July to develop the work plan.

#### **4. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 4.1 None directly in relation to this report.

Legal Implications:

4.2 None directly in relation to this report.

Equalities Implications:

4.3 None directly in relation to this report.

Sustainability Implications:

4.4 None directly in relation to this report.

Crime & Disorder Implications:

4.5 None directly in relation to this report.

Risk and Opportunity Management Implications:

4.6 None directly in relation to this report.

Corporate / Citywide Implications:

4.7 None directly in relation to this report.

**SUPPORTING DOCUMENTATION**

Appendices:

1. Draft OSC work plan 2008 - 2009

Issue	Date	Overview & Scrutiny Activity	Progress And Date	Outcome And Monitoring /Dates
<b>Developing Environment and Community Safety Overview &amp; Scrutiny</b>				
Establishing working relationships between Cabinet and Overview and Scrutiny	From 15 May 2008, new Leader and Cabinet Constitution	Joint discussions, agreed priorities, shared information, invitations to relevant meetings	Cllr G Theobald invited to Sept 15 ECSOSC	
ECSOSC Work Plan with built-in flexibility.	Every meeting	To check progress against Outline Work Plan		
<b>Performance Monitoring</b>				
Performance Monitoring		Receiving relevant extracts from performance reports		
<i>Other internal/external inspections assessments and reviews</i>				

Issue	Date	Overview & Scrutiny Activity	Progress And Date	Outcome And Monitoring /Dates
<b>Holding to Account: Overview and Scrutiny Of Other Functions Of Environment</b>				
Impact of LTP and LDF on addressing the City's air quality challenges including traffic	15 September 2008	Update on air quality monitoring and improvement		
Integrated transport	10 November 2008	Short presentation then further details to subsequent meetings		
Community Safety and Crime and Disorder Reduction	26 January 2009	Update		
Controlled Parking and Parking Enforcement	23 March 2009	Monitoring strategic performance.		
<b>Internal/External Scrutiny</b>				
Street Lighting	10 November	Investigating performance		

Issue	Date	Overview & Scrutiny Activity	Progress And Date	Outcome And Monitoring /Dates
	2008	and making recommendations		
Night-time economy - steps being taken by the Council and its Partners to manage the night-time economy.	26 January 2009	Overview with external agencies		
<b>Scrutiny Reviews/Requests</b>				
Mixed Priority Route North Street	15 September 2008	Investigating part of a decision made at July CMM		
Street Trees	15 September 2008	Receiving feedback following recommendations of former scrutiny review.		
<b>Matters referred from Community Safety Forum, Cabinet, Council</b>				

Issue	Date	Overview & Scrutiny Activity	Progress And Date	Outcome And Monitoring /Dates
<b>Policy Development and Review - Overview and Scrutiny of Budget and Policy Framework (Plans and Strategies)</b>				
Development Plan Documents 20 – year Framework	early 2009	Commenting on Core Strategy		
Food Law Enforcement Plan Annual Plan approved before 1 April each year	early 2009	Commenting on Food Law Enforcement		
Health and Safety Annual Service Plan Annual Plan approved before 1 April each year	early 2009	Commenting on Health and Safety		

Issue	Date	Overview & Scrutiny Activity	Progress And Date	Outcome And Monitoring /Dates
<b>Other strategic items</b>				

Existing Plans and Strategies:

Local Transport Plan

Next 5 year plan due in 2011.

Statement of Licensing Policy

3-year plan runs from 2008 – 2011

Statement of Gambling Policy

3-year plan runs from 2007 – 2010

Crime and Disorder Reduction Strategy

3 year plan from 1 April 2008 – 31 March 2011





