





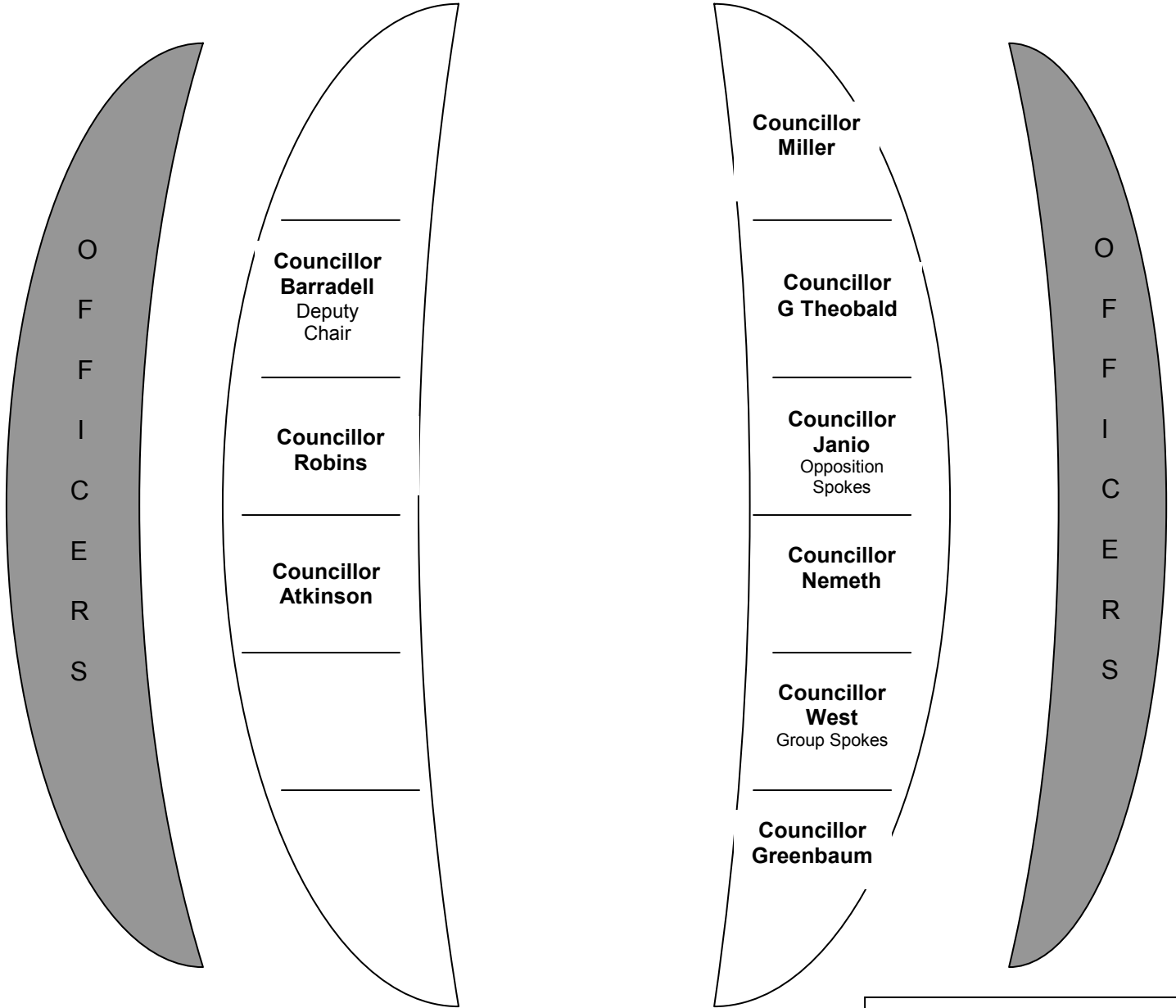
Brighton & Hove  
City Council

# Environment, Transport & Sustainability Committee

Title:	<b>Environment, Transport &amp; Sustainability Committee</b>
Date:	<b>7 July 2015</b>
Time:	<b>4.00pm</b>
Venue	<b>The Ronuk Hall, Portslade Town Hall</b>
Members:	<b>Councillors:</b> Mitchell (Chair), Barradell (Deputy Chair), Janio (Opposition Spokesperson), West (Group Spokesperson), Atkinson, Greenbaum, Miller, Nemeth, Robins and G Theobald
Contact:	<b>John Peel</b> Democratic Services Officer 01273 29-1058 john.peel@brighton-hove.gov.uk
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# Democratic Services: Environment, Transport & Sustainability Committee

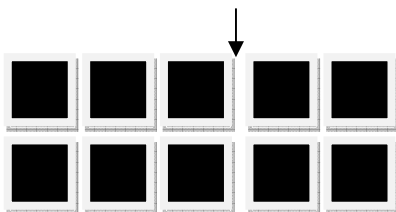
Legal Officer	Executive Director Environment, Development & Housing	<b>Councillor Mitchell</b> Chair	Democratic Services Officer
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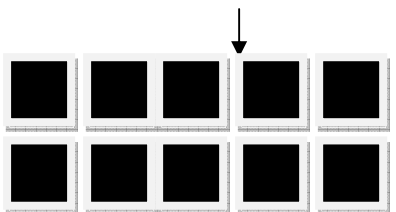
Public Speaker	Public Speaker
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Press

Public Seating



Public Seating



AGENDA

PART ONE

Page

1 PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
  - (a) Disclosable pecuniary interests;
  - (b) Any other interests required to be registered under the local code;
  - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **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 Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public.*

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.*

2 MINUTES

1 - 14

To consider the minutes of the meeting held on 17 March 2015 (copy attached).

Contact Officer: John Peel

Tel: 29-1058

3 CHAIRS COMMUNICATIONS

**4 CALL OVER**

- (a) Items (8 – 14) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

**5 PUBLIC INVOLVEMENT**

**15 - 20**

To consider the following matters raised by members of the public:

- (a) **Petitions:** To receive any petitions presented by members of the public.
  - (i) Zebra Crossing for Nevill Avenue
  - (ii) Eastb.A259/Longridge Avenue
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 30 June 2015.
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 30 June 2015.
  - (i) Hanover & Elm Grove Controlled Parking Zone

**6 ITEMS REFERRED FROM COUNCIL**

**21 - 40**

Item referred from the last meeting of Full Council of 26 March 2015:

- (a) **Petitions**
  - (i) One way system around the Windmill at the top end of Holmes Avenue
  - (ii) Pedestrian Crossing for Freshfield Road
  - (iii) Save the Mazda Fountain
  - (iv) Brighton & Hove's Live Music Venues
    - (a) Minute extract from Full Council held on 26 March 2015
    - (b) Officer report outlining establishment of a Policy Panel
    - (c) Overview & Scrutiny and Policy Panel Terms of Reference

**7 MEMBER INVOLVEMENT**

**41 - 52**

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions referred from Full Council or submitted directly to the Committee;
- (b) **Written Questions:** To consider any written questions;
  - (i) Trip-wires across cycle paths- Councillor West
  - (ii) Horsdean traveller site- Councillor Wares
- (c) **Letters:** To consider any letters;
  - (i) Lewes Road- Woodingdean traffic- Councillors Simson and Bell
  - (ii) Coach parking- Councillor G Theobald
  - (iii) Local shopping centres- Councillor Janio
  - (iv) Craven Vale Estate Controlled Parking Zone- Councillors Barradell and Morgan
  - (v) Valley Gardens scheme- Councillors West and Janio
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

**GENERAL MATTERS**

**8 CONSTITUTIONAL MATTERS**

**53 - 58**

Report of the Monitoring Officer (copy attached).

*Contact Officer: John Peel Tel: 29-1058*  
*Ward Affected: All Wards*

**ENVIRONMENT & SUSTAINABILITY MATTERS**

**9 WHEELIE BIN RECYCLING TRIAL**

**59 - 66**

Report of the Executive Director Environment, Development & Housing (copy attached).

*Contact Officer: Jan Jonker Tel: 29-4722*  
*Ward Affected: Hangleton & Knoll; North*  
*Portslade; South*  
*Portslade*

## ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

### **10 CHANGES TO TEXTILE COLLECTIONS FROM BRING SITES SECURING REVENUE FOR BRIGHTON & HOVE CITY COUNCIL AND LOCAL CHARITIES 67 - 72**

Report of the Executive Director Environment, Development & Housing (copy attached).

*Contact Officer: Jan Jonker*

*Tel: 29-4722*

*Ward Affected: All Wards*

### **TRANSPORT & PUBLIC REALM MATTERS**

### **11 PROGRESS AND PROPOSALS FOR ULTRA-LOW EMISSION VEHICLES 73 - 86**

Report of the Executive Director Environment, Development & Housing (copy attached).

*Contact Officer: Andrew Renaut*

*Tel: 01273 292477*

*Ward Affected: All Wards*

### **12 TRAFFIC REGULATION ORDER OBJECTIONS - LUSTRELL'S VALE AND SALTDEAN VALE 87 - 96**

Report of the Executive Director Environment, Development & Housing (copy attached).

*Contact Officer: Matthew Thompson*

*Tel: 29-3705*

*Ward Affected: Rottingdean Coastal*

### **13 GEORGE STREET - OPENING HOURS TO TRAFFIC 97 - 102**

Report of the Executive Director Environment, Development & Housing (copy attached).

*Contact Officer: Charles Field*

*Tel: 29-3329*

*Ward Affected: Central Hove*

### **14 MADEIRA DRIVE - CHANGES TO THE PARKING ARRANGEMENTS AND TARIFFS 103 - 110**

Report of the Executive Director Environment, Development & Housing (copy attached).

*Contact Officer: Charles Field*

*Tel: 29-3329*

*Ward Affected: East Brighton*

### **15 ITEMS REFERRED FOR FULL COUNCIL**

To consider items to be submitted to the 16 July 2015 Council meeting for information.

*In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the*

## ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

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

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

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Date of Publication - Monday, 29 June 2015





**BRIGHTON & HOVE CITY COUNCIL**  
**ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE**

**4.00pm 17 MARCH 2015**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors West (Chair), Deane (Deputy Chair), Cox (Opposition Spokesperson), Mitchell (Group Spokesperson), Robins (Group Spokesperson), Daniel, Davey, Hawtree, G Theobald and Wealls

**PART ONE**

**82 PROCEDURAL BUSINESS**

**82(a) Declarations of substitutes**

82.1 Councillor Hawtree was present as substitute for Councillor Buckley.

82.2 Councillor Wealls was present as substitute for Councillor Janio.

**82(b) Declarations of interest**

82.3 There were none.

**82(c) Exclusion of press and public**

82.4 In accordance with section 100A of the Local Government Act 1972 (“the Act”), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100(I) of the Act).

82.5 **RESOLVED-** That the press and public not be excluded

**83 MINUTES**

83.1 **RESOLVED-** That the minutes of the previous meeting held on 19 January be approved and signed as the correct record.

**84 MINUTES OF THE PREVIOUS MEETING OF THE CITY SUSTAINABILITY PARTNERSHIP (FOR INFORMATION)**

84.1 **RESOLVED-** That the minutes of the previous meeting of the City Sustainability Partnership be noted.

## 85 ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE URGENCY SUB-COMMITTEE

85.1 **RESOLVED-** That the outcome of the meeting of the Urgency Sub-Committee on 16 February 2015 be noted.

## 86 CHAIRS COMMUNICATIONS

86.1 The Chair provided the following communications:

*“Sadly this will be our last committee meeting of this Council term.*

*Over the past four years we have worked firstly through the cabinet system, then the separate Transport and Environment & Sustainability Committees, and now finally this combined committee.*

*It has been a busy time, for us all, in which we have worked hard and achieved an immense amount for the city across all aspects of the committees brief.*

*We have implemented 20mph making our roads safer and more welcoming for all road users. And we have invested and innovated in key sustainable transport corridors, winning top international awards.*

*We have rebuilt the deadly Seven Dials and Vogue Gyrotory junctions as safe places for people to be.*

*Air quality has improved, in most areas, and with our low emission zone we are working in partnership with the buses and taxis to tackle the more stubborn problems.*

*Communal recycling now complements the communal waste service, making it easier to recycle, and the service redesign paves the way for further improvement.*

*We have extended parking zones at the request of residents and implemented parking management in two major parks.*

*I'm particularly proud of our transformation of the Level, and our work now with the National Park to restore and enhance historic Stanmer Park;*

*But above all I'm proud of our wider partnership work which has led to international recognition, of our special environment, as a UN Biosphere Reserve.*

*Out of the lime light officers from all our service areas are daily making great strides, and doing so despite the financial challenges we face:*

*for example our environmental health officers who continue to support improving food safety standards in restaurants; and our sustainability team who have supported the main-streaming of One Planet Living and the implementation of the city-wide Sustainability Action Plan.*

*I would like to lead in thanking all our officers for their skill and dedication, and for delivering so many proud achievements.*

*And I would like to lead our thanks of all partner organisations, communities and individual residents, for offering us their views, support as well as challenge along the way.*

*And finally I would like to pay tribute to the contribution and support of fellow members, from all three political parties, who despite our differences at times, have most often found agreement on what to do best for the city.*

*We know some members of the committee are standing down from the Council in May, so in particular I would like to thank them for their great contribution and wish them well in the future.*

*And while not particularly wishing to single out any one member, I think it we should recognise the exceptional contribution of Councillor Ian Davey taking transport to another level in this city. Thank you Ian.*

*And to those of us who might be returning, there is of course plenty more to do for the city and I am very much looking forward to the opportunity of working together with you, and new colleagues, again after May”.*

## **87 CALL OVER**

87.1 The following items on the agenda were reserved for discussion:

- Item 89: Consideration of options for Mile Oak Recreation Ground
- Item 92: Brighton Sea Cadets volunteer permits
- Item 94: Surrenden & Fiveways resident parking scheme consultation
- Item 95: Valley Gardens

87.2 The Democratic Services Officer confirmed that the items listed above had been reserved for discussion and that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 90: Health and Safety service plan 2015-16
- Item 91: Official Feed and Food Control service plan 2015-16
- Item 93: Highway Asset Management Strategy
- Item 96: 20mph- Phase 3- Speed Limit Orders

## **88 PUBLIC INVOLVEMENT**

### **(a) Petitions**

#### **(i) Reduce Pay & Display fees in Fiveways- Clair Letton**

88.1 The Committee considered a petition signed by 1170 people requesting the council to amend the Zone J pay and display parking scheme to allow short-term free parking for customers visiting Preston Drove businesses.

88.2 The Chair provided the following response:

*“Thank you for your petition.*

*Paid parking for visitors is a well-established principle within parking policy across the city and the recent changes have increased the availability of parking for visitors to the businesses in Preston Drove*

*The Council does have concerns regarding the enforcement of limited waiting free bays and although we have introduced free parking in two specific locations in outer areas the current policy agreed at a recent ETS Committee stated that parking schemes within and just outside the central zones would not be considered for free parking due to the demand for parking.*

*The Area J parking scheme is adjacent to the central Brighton parking schemes so a change to free parking in this zone would be a change in the current agreed policy. Committee will recall we developed the clear policy on free parking periods in response to similar concerns raised in regard of Matlock Road which is in a zone not adjacent to the central Brighton zones.*

*However, due to the possibility of a new zone close by and the impending Circus Street development, I suggest flexibility in this case and I will ask officers to proceed with the request”*

88.3 **RESOLVED-** That the petition be noted.

**(ii) Include Hollingbury Park Avenue and Hollingbury Terrace in the 2015 Surrenden/Fiveways resident parking scheme consultation- Simon Conroy**

88.4 The Committee considered a petition signed by 217 people requesting the council to include Hollingbury Park Avenue and Hollingbury Terrace in the upcoming parking scheme consultation in the area nearby.

88.5 The Chair provided the following response:

*“Thank you for your petition.*

*Officers have looked into this and are happy to recommend including Hollingbury Park Avenue/ Hollingbury Terrace as it creates a natural boundary and connects to the current consultation area.*

*After reviewing the consultation proposals including looking at these specific streets I feel it would be appropriate and following ward Councillor support, to recommend incorporating Hollingbury Park Avenue and Hollingbury Terrace as it creates a natural boundary and connects to the current consultation area”.*

88.6 **RESOLVED-** That the petition be noted.

**(iii) Hollingbury Road resident parking consultation**

88.7 The Committee considered a petition signed by 142 people requesting the council to include Hollingbury Road in the proposed Fiveways/Surrenden Road resident parking scheme consultation.

88.8 The Chair provided the following response:

*Thank you for your petition.*

*Whilst I appreciate your concerns, the technical officer view is that Hollingbury Road does not connect to the current consultation area. The consultation proposed is also for a new area not an extension to the current Area J.*

*Therefore, this would need to be considered as part of another area when the future parking scheme timetable is considered later in the year.*

88.9 **RESOLVED-** That the petition be noted.

**(iv) George Street, Hove to open to traffic at 4pm- Councillor Wealls**

- 88.10 The Committee considered a petition signed by 91 people requesting that George Street open to traffic at 4pm rather than the current opening of 6pm.
- 88.11 The Chair noted that his response was based on the information supplied that 55 people had signed the petition. On the basis that the new figure represented the majority of business on the street, he requested that officers look into the issue again to examine the feasibility of a revised opening time.
- 88.12 Councillor Hawtree noted that the majority of shopkeepers had signed the petition but any investigation should also seek the views of residents and customers to provide a balanced view.
- 88.13 **RESOLVED-** That the Committee receive a report on the matter to its next meeting.

**(b) Written Questions**

**(i) Refuse collection in Regency ward- Catherine Wilson**

- 88.14 Catherine Wilson put the following question to the meeting:

*Our rubbish and recycling bins in Regency are often overflowing and surrounded by fly tipped items like mattresses and rubble. To minimise health and safety issues and avoid the need to walk around the ward trying to find a bin which is not overflowing or surrounded with rubbish, can bins have a sticker with a bin number and free phone number for residents to ring or text when they are full or when fly tipping has occurred?*

- 88.15 The Chair provided the following response:

*“Thank you for your question regarding communal rubbish and recycling bins. Communal refuse and recycling bins should not be overflowing and in instances where they do officers are looking to resolve these issues. In your area officers are in touch with representatives of the Clifton Montpelier Powis Community Alliance (CMPCA) and are organising meetings to look at any improvements that can be made to address issues with bins overflowing. Unfortunately some people do fly tip bulky items next to communal rubbish bins rather than taking them to the tip or arranging for them to be collected. Where we can follow this up and our streets crews collect the items when they see them or when they are reported to the service. In the coming year we will also start a program of refurbishment of communal bins and as part of that we will look at improving signage on bins advising residents what can and cannot be disposed of in the bins and encouraging people to recycle as much as possible. We will also include clear contact details for people to report any problems and officers are looking at an asset management system as part of this work”.*

- 88.16 Catherine Wilson asked the following supplementary question:

*“What is the expected timescale for refurbishment?”*

- 88.17 The Chair provided the following response:

*“It is a rolling programme that is to start this year. Where the first emphasis goes is down to officers judgement and discussions with communities as to where the emphasis is necessary. I’m sure officers are already in discussions with your community and you are also flagging up your particular problems and I’d imagine you would be a fairly high priority”.*

**(ii) Grit bins in Regency ward- Sarah Cooper**

88.18 Catherine Wilson put the following question:

*“I know of neighbours in Regency who have slipped and injured themselves in icy weather in Victoria Street and cars have crashed into parked cars on the corner of Clifton Place & Terrace. Can we please have more grit bins and can all of them be regularly filled during icy and snowy conditions?”*

88.19 The Chair provided the following response:

*“The total number of bins Brighton & Hove Council now maintain is over 420. Compared to other authorities, this is a high quantity within what is a relatively small geographical area. This is because we recognise that Brighton & Hove is a mainly urban area built on hills.*

*However, provision of grit bins needs to be balanced against the capability to refill them within a reasonable timescale, as well as available resources. It takes two weeks for supply trucks to visit and fill all of the bins. Due to budget constraints following the 2012 budget-setting process, grit bins will only be filled once at the start of the winter season unless there is heavy snowfall. This means that even if a grit bin is emptied immediately after being filled, there will be no further refills except during a severe weather event. This was agreed at Full Budget Council and ratified as part of the 2012-13 Highways Winter Service Plan at Transport Committee in October 2012.*

*Regency ward borders the sea and is therefore warmer than some of the outlying areas; it does not receive the same heavy snowfall as more hilly outlying areas, and what snow does fall tends to melt sooner. The area does not meet the council’s agreed criteria for the provision of grit bins which aims to supply provision for colder areas with steep hills and junctions. The surrounding roads of Montpelier Rd, Western Rd and Dyke Rd are on gritted routes, and there is a grit bin at the junction of Dyke Rd and Clifton Terrace. This is not as thorough a provision as could be wished, but unfortunately it is the best that can be offered within the constraints which we have explained above”.*

**(c) Deputations**

**(i) Make St Andrew’s Road, Portslade Safer- Patricia Sauer**

88.20 The Committee considered a Deputation presented by Patricia Sauer identifying safety issues along St Andrews Road and requested the council to work with residents to urgently improve road and pedestrian safety.

88.21 The Chair provided the following response:

*“The Committee thanks the residents group of St Andrews Road for presenting its case and particularly for its efforts to gather the views of residents throughout the street. The*

*response you have achieved from nearly half of all households is very good and I know the advice of the Council's Road Safety Team has been helpful to you in that regard. As residents will be aware, St Andrew's Road is both a residential street itself and also provides access to the residential areas to the north and south of the route, as well as forming a direct and convenient link between Boundary Road and Church Road. The route is therefore attractive to a wide range of users including those you have described in your deputation, and I have accompanied parents using this route to access nearby schools.*

*The traffic and environmental issues that the road has faced over many years and those described in your deputation, are recognised by this Committee and local councillors and many of these have been treated with the introduction of speed cushions, kerb build-outs and entry treatments, all of which have contributed to the route's good safety record – only one injury collision has been reported in the street since 2010.*

*The use of the route by heavy goods vehicles and buses is difficult to restrict without also limiting access to public transport and the convenience of deliveries, but I will ask officers to continue their supportive engagement with residents to try and find solutions to go some way alleviating the impacts of these activities”.*

88.22 **RESOLVED-** That the Deputation is noted.

## **89 CONSIDERATION OF OPTIONS FOR MILE OAK RECREATION GROUND**

- 89.1 The Committee considered a report of the Executive Director Environment, Development & Housing setting out options for improvement and refurbishment of Mile Oak recreation ground following a request by the Committee to receive a report on the matter at its meeting on 25 November 2014.
- 89.2 Referencing correspondence sent by the Chair of the Mile Oak Action Group (MORAG), Councillor Robins stated had clearer made their view that there were too many issues that were unclear in the report and that there the organisation needed assistance from the council. Councillor Robins noted his concern that the proposed wild gym was more suited to older children and there was a lack of provision for younger people and that there appear a lack of ownership of the issue.
- 89.3 The Chair stated that he found the report to be quite clear that officers were willing to assist MORAG wherever they could but this was in the context of a limited capacity to do so due to ongoing budget pressures and the associated backlog of maintenance.
- 89.4 Councillor Cox stated that he felt the council had to take a realistic approach as whatever the outcome of the local and central government elections, it was clear there would be no additional, significant funding provided. Councillor Cox stated that he had visited Portslade Aldridge Community Academy (PACA) that morning and had seen first-hand their innovative programmes particularly with sport activities. Councillor Cox stated that PACA were keen to work with MORAG to improve the park and the wider issue of community enterprises needed to be looked at.
- 89.5 Councillor Daniel stated that she understood resident's frustration at being told there was limited funding or officer capability when the council was investing £400,000 in Values Training for its senior staff.

89.6 Councillor Deane stated that she understood resident's disappointment adding that it had perhaps been a mistake to invest large sums into Playbuilder equipment that had a 10 year life expiry when simpler, sustainable equipment was often desired.

89.7 Councillor Theobald noted that the Friends of Carden Park group had been enthusiastic in its approach and had made grant applications to improve its equipment that had been successful. Councillor Theobald suggested that may be the way forward for other parks in the city.

89.8 Councillor Mitchell stated that MORAG were willing to undertake work into applying for funding but the group needed advice from council officers and she hoped this would be forthcoming.

89.9 **RESOLVED-**

- 1) That the Committee notes that the Open Spaces Strategy and supporting action plans will set out recommended priorities for the future management of play areas in the city
- 2) That the Committee notes that officers are working with MORAG to make some improvements to landscaping and the installation of a 'Wild Gym'
- 3) That the Committee agrees that officers will support the local community in exploring sources of grant funding to secure capital funding for more significant improvements.

**90 HEALTH AND SAFETY SERVICE PLAN 2015-16**

90.1 **RESOLVED-** That the Committee approves the proposed Health & Safety Service Plan 2015/2016 at Appendix 1.

**91 OFFICIAL FEED AND FOOD CONTROL SERVICE PLAN 2015/16**

91.1 **RESOLVED-** That the committee agrees the Official Feed and Food Controls Service Plan 2015/2016 set out in the appendix to this report.

**92 BRIGHTON SEA CADETS VOLUNTEER PERMITS**

92.1 The Committee considered a report of the Executive Director Environment, Development & Housing that made recommendations in relation to the request from Committee to receive a report investigating the specific parking problems experienced by volunteers working for Brighton Sea Cadets in relation to parking restrictions recently put into place.

92.2 On behalf of the Conservative Group, Councillor Theobald moved a motion to delete recommendation 2.1 to be replaced with the following:

***2.1 That the Environment, Transport and Sustainability Committee instruct officers to issue sufficient permits to Brighton Sea Cadets forthwith***

92.3 The motion was formally seconded by Councillor Wealls.



- 92.4 Introducing the amendment, Councillor Theobald stated that he had no problem with the Committee receiving a later report on a volunteer parking permit policy review but he felt strongly that this specific organisation and its volunteers urgently needed the council's assistance.
- 92.5 Councillor Mitchell stated that she agreed with the principle of the proposals of the report but had concerns that waiting until October to conduct a wider review would put into question the ongoing viability of the organisation. Councillor Mitchell asked if it was possible to issue temporary permits pending the wider review with assurance given to other organisations that might petition the council for the same that a policy review was underway with the results issued in October 2015.
- 92.6 The Chair stated that it was his view that the above suggestion could set an uncertain precedence and also noted his concern for the impact upon residents paying for permits in the zone.
- 92.7 Councillor Davey requested legal advice on how the council would go about setting a criteria for qualification in the absence of a specific policy and how it would handle requests made by other organisations should permits be granted on this occasion.
- 92.8 The Deputy Head of Law advised that issuing temporary permits may instigate applications from other organisations. As the council had no clear policy on the matter of volunteer permits, a refusal of any subsequent requests could lead to a legal challenge to the council as to whether it was acting logically, fairly and reasonably.
- 92.9 Councillor Daniel stated that she hoped the policy review would also consider the social value of volunteer organisations and asked whether the council could provide financial support to Brighton Sea Cadets pending the review.
- 92.10 On behalf of the Conservative Group, Councillor Theobald moved a revised motion to delete recommendation 2.1 to be replaced with the following:
- 2.1 That the Environment, Transport and Sustainability Committee instruct officers that five permits are to be issued to the Brighton Sea Cadets on a temporary basis until a full review in October 2015.**
- 92.11 The motion was formally seconded by Councillor Mitchell.
- 92.12 The Deputy Head of Law advised that whilst the council still had no policy on which to assess permit requests, the revised amendment recommending temporary permits on a specific and clear time-limited basis would reduce the risk to the authority in the event of challenge.
- 92.13 The Parking Infrastructure Manager advised that officers had concerns that the temporary permits would mainly be used between 6pm-8pm which was a busy period in the area as people arrived home and this may lead to related complaints from residents about parking availability.
- 92.14 The Chair called an adjournment to the meeting at 17:35. The meeting reconvened at 17.45.

92.15 The Deputy Head of Law set out a suggested revision to the motion set out above as follows:

***2.1 That the Environment, Transport & Sustainability Committee, on the basis of the specific circumstances identified at Committee, agrees to provide five temporary permits to Brighton Sea Cadets to be reviewed upon the adoption of the parking permit policy in October 2015***

92.16 The Chair then put the motion to a vote that carried.

92.17 **RESOLVED-** That the Environment, Transport & Sustainability Committee, on the basis of the specific circumstances identified at Committee, agrees to provide five temporary permits to Brighton Sea Cadets to be reviewed upon the adoption of the parking permit policy in October 2015

### **93 HIGHWAY ASSET MANAGEMENT STRATEGY**

93.1 **RESOLVED-** That Members support the ongoing development of the Council's Highway Asset Management Plan and instructs officers to explore financial models for determining investment levels that support and maintain carriageway assets at safe and appropriate levels of service.

### **94 SURRENDEN & FIVEWAYS RESIDENT PARKING SCHEME CONSULTATION**

94.1 The Committee considered a report of the Executive Director, Environment, Development & Housing that sought agreement to proceed with a resident parking scheme consultation in the Surrenden and Fiveways area.

94.2 The Chair moved a motion to add a recommendation as shown in bold italics below:

***2.3 That the Committee agrees to expand the consultation area as set out at Appendix A to include Hollingbury Park Avenue and Hollingbury Terrace***

94.3 Councillor Davey formally seconded the motion.

94.4 The Chair put the motion to the vote which carried.

94.5 **RESOLVED-**

- 1) That the Committee agrees to proceed with a Resident Parking Scheme Consultation in the Surrenden & Fiveways area in June 2015.
- 2) That the Committee agrees that the consultation gives the option of a 9am-8pm full scheme for five days (Monday to Friday) or seven days as part of a new parking scheme.
- 3) That the Committee agrees to expand the consultation area as set out at Appendix A to include Hollingbury Park Avenue and Hollingbury Terrace

**95 VALLEY GARDENS**

95.1 The Committee considered a report of the Executive Director Environment, Development & Housing that updated Members on Valley Gardens Phase 1 and 2 progress since October 2014 and sought approval to progress the project toward implementation in 2015/16.

95.2 Councillor Mitchell moved a motion to delete recommendation 2.2 to be replaced with the following:

***2.2 That all decision making relating to expenditure on the Valley Gardens transport scheme is halted until after the forthcoming elections to enable a thorough review of all three phases of this major scheme in terms of financing, design and governance to be carried out***

95.3 Councillor Robins formally seconded the motion.

95.4 Introducing the motion, Councillor Mitchell stated her concern that there was no cross-party agreement from the Committee on what was a major transport project requiring unity. Councillor Mitchell stated that the Labour & Co-operative Group had serious apprehension with the significant contribution of £4m required from the Local Transport Plan (LTP) allocation and that maintenance of the trees in the garden that would have no allocated budget and would have to be self-funding but with now clear indication how. Councillor Mitchell added that the recommendations also proposed ceding decision-making on road layout to the Project Management Board, an issue for further concern, particularly regarding governance. Councillor Mitchell explained her worry that the general public was unaware of the full scope and implications of the scheme and strongly recommended that no further action was undertaken until after the upcoming election when all parties could work towards a way forward.

95.5 Councillor Davey stated that he could not understand the Labour & Co-operative Groups continued opposition to the Valley Gardens transport scheme. Councillor Davey noted that the Leader of the Labour & Co-operative Group had been quoted in the local press as stating he would scrap the scheme which, Councillor Davey observed, would entail returning £14 million of funding secured to the Local Enterprise Partnership. Councillor Davey explained he found this particularly confusing as in the LTP document produced in 2006; Councillor Mitchell had introduced the idea of the Valley Gardens project stating that it was important part of improving air quality, accessibility, congestion, road safety and quality of life in the city. Furthermore, Councillor Davey noted that in the document, it was proposed to considerably reduce carriageway and junction space whilst improving traffic flow, much as proposed in the current design. Councillor Davey supplemented that Councillor Mitchell had personally approached him in 2007 requesting his support to redevelop and improve Valley Gardens which he had given and the administration were now following through with that pledge. Councillor Davey referred to quotes attributed to Councillor Mitchell in the local press in 2008 criticising the then administration for not implementing the Valley Gardens project and asserting doubt whether the project could ever be introduced. Councillor Davey stated he felt it was Councillor Mitchell now trying to stop the implementation of the project and he found this approach perplexing as the scheme would complement the work carried out at the Level; the work ongoing at St Peter's Church and would eventually spread to the seafront. Councillor Davey stated

that the proposals were a once in a generation opportunity for the city and he found the Labour & Co-operative Group's position to be a betrayal and neglect of the city in favour of cheap political gain.

- 95.6 Councillor Robins stated that the amendment was clear that the Labour & Co-operative Group were not proposing to scrap the scheme but to review it. Councillor Robins added that if the scheme was a viable one now, it would still be after the election.
- 95.7 Councillor Hawtree stated that he found the proposals to represent an exciting project and opposition to it appeared to be short-sighted and concerning. Councillor Hawtree added that the Committee were presented with an opportunity to revitalise a crucial part of the city.
- 95.8 Councillor Mitchell stated that she had made clear the importance of Valley Gardens over a number of years; the difference now was that urban realm funding was almost non-existent and the council's finance was in a completely different position. Councillor Mitchell noted that the most recent LTP report considered at Policy & Resources Committee set out that the council were still paying back money from the 2013/14 allocation and borrowing from the 2015/16 allocation to use for the current financial year. Councillor Mitchell stated that she was extremely concerned that there was no clear indication of how the Valley Gardens scheme would be funded and a clearer picture of how the increase in trees and plants would be maintained was very much needed.
- 95.9 Councillor Cox expressed his dissatisfaction with the position taken by the Labour & Co-operative Group and he believed there would come a time when the issue would become a source of embarrassment. Councillor Cox supplemented that it was his view that opposition to the scheme arose from political gesturing and in the statements given; there were indications that the Labour & Co-operative Group would support the scheme after the election. Councillor Cox stated that he found it bizarre that Labour Members wished to return £8m of funding and risk the city's credibility with the LEP and put in danger future funding efforts. Councillor Cox stated that he would be supporting the scheme as it was the right thing for the city.
- 95.10 Councillor Theobald stated that in its current form, Valley Gardens had an extremely complex route layout and pedestrian route. Councillor Theobald noted that he had recently walked from Brighton Station to Edward Street and had found navigation through the area very difficult. The proposals provided the opportunity to make a key area of the city work to the benefit of its residents and he supported a project to make the area what it was intended to be used for.
- 95.11 Councillor Deane noted the concerns of the Labour & Co-operative Group regarding road layout and enquired as to why these had not been raised at the Project Board.
- 95.12 Councillor Mitchell explained that the Labour & Co-operative Group had declined to take a seat on the Project Board on the basis of their great concern regarding governance arrangements and delegated powers.
- 95.13 Councillor Daniel asked for clarification on whether the road layout design would be considered by the Committee.

95.14 The Senior Project Manager clarified that the revised road layout had already been considered and agreed by the Committee in October 2014.

95.15 The Chair stated that any major changes would be reported to the Committee.

95.16 The Chair put the Labour & Co-operative motion to a vote which failed.

95.17 The Chair put the substantive recommendation to a vote which passed.

- 1) That Committee notes progress since October 2014.
- 2) That Committee agrees the next project stage (Landscape and Highways Technical Design) should commence under guidance of the Project Management Board.

## **96 20MPH - PHASE 3 - SPEED LIMIT ORDERS**

82.1 **RESOLVED-** That, having taken account of all duly made representations and objections, the Environment Transport & Sustainability Committee approves as advertised the following order:

- Brighton & Hove (Phase 3, Area 4) (20mph Speed Limit) Order 20\*\* (TRO-4c-2015)

## **97 ITEMS REFERRED FOR FULL COUNCIL**

97.1 No items were referred to Full Council for information.

The meeting concluded at 6.45pm

Signed

Chair

Dated this

day of



**Subject:** Petitions  
**Date of Meeting:** 7 July 2015  
**Report of:** Monitoring Officer  
**Contact Officer:** Name: John Peel Tel: 29-1058  
E-mail: john.peel@brighton-hove.gov.uk  
**Wards Affected:** Various

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To receive any petitions submitted directly to Democratic Services or any e-Petition submitted via the council's website.

**2. RECOMMENDATIONS:**

- 2.2 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:

- § taking the action requested in the petition
- § considering the petition at a council meeting
- § holding an inquiry into the matter
- § undertaking research into the matter
- § holding a public meeting
- § holding a consultation
- § holding a meeting with petitioners
- § referring the petition for consideration by the council's Overview and Scrutiny Committee
- § calling a referendum

**3. PETITIONS**

**3. (i) Zebra Crossing for Nevill Avenue- Kate Culligan**

To receive the following e-petition and paper petition signed by 116 people:

*"We the undersigned petition Brighton & Hove Council to Place a Zebra Crossing at the end of Nevill Avenue (Nevill Road end, near the roundabout) to help children from 5 local schools (soon to be 6) cross safely".*

**3. (ii) Eastb. A259/Longridge Ave- Peter White**

To receive the following e-petition signed by 79 people:

*“We the undersigned petition Brighton & Hove Council to establish the left eastbound lane at the junction Saltdean, A259/Longridge Avenue as left turn only (Except Buses)*



7 July 2015

Brighton & Hove City Council

**DEPUTATIONS FROM MEMBERS OF THE PUBLIC**

A period of not more than fifteen minutes shall be allowed at each ordinary meeting of the Council for the hearing of deputations from members of the public. Each deputation may be heard for a maximum of five minutes.

Deputations received:

**(i) Deputation:** Controlled Parking Zone: Hanover & Elm Grove

As the result of the transport and parking survey undertaken by residents via the Hanover & Elm Grove Local Action Team (HEGLAT), with 1101 surveys returned, we the residents, now ask Brighton & Hove City Council to undertake the development of a mutually agreed proposal. This to be followed by a consultation on a Controlled Parking Zone in the area, based on the Community Parking Plan as devised and proposed by the residents and HEGLAT. The outline of this Community Parking Plan having already been discussed with, and positively and constructively received by council officers and councillors in meetings prior to this representation

Presented for and on behalf of the Hanover & Elm Grove Local Action Team by:

Chris Taylor (lead spokesperson)  
William Johnson  
Nick Adams  
Deborah Cain  
Charlotte Aspinall  
Gerry Kassab  
Chris Margerison  
David Hearn  
Tessa Pawsey

## SUPPORTING DOCUMENTATION

### HANOVER & ELM GROVE CPZ PROPOSAL

1. Residents have shown us that on a ratio of about 2:1 they are in favour of “some kind of CPZ” but NOT the usual Heavy Touch 9am to 8pm as found in other areas of the city.
2. A Light Touch scheme as found in some areas would not necessarily solve the problems as the survey highlighted that one of the most difficult times to park is early in the evenings, and so a new kind of CPZ is getting most support.

### MEDIUM TOUCH SCHEME

3. A **Medium Touch** Scheme covering Hanover Main - the area bordered by Albion Hill, Queen's Park Rd, Elm Grove and Lewes Rd.

Whilst residents north of Elm Grove are still generally against and controlled parking as their problems are not as bad as Hanover Main, they do appreciate that any CPZ will impact on them and so they might be ready to accept a **Light Touch** scheme with restricted hours of 11am-12pm and 7pm-8pm.

Times for **MEDIUM TOUCH** restrictions 10am – 11am, 2pm – 3pm and 7pm – 8pm.

4. This would be 7 days a week if accepted by the group and after full consultation with relevant interested parties.
5. Pay and Display during each restricted hour and only during that restricted hour. No roll-over to the next one. *Available in 30 minute increments also.* As a result of Elm Grove Meeting.
6. Bays available near businesses and shops FREE for up to 30mins.
7. Extra permits for self-employed people with a van + private vehicle. Note; there are now many more self-employed tradesmen than ever before and they have a van for business and a private car for family use also. We cannot be putting people's livelihoods and family life at stake by over-restricting their vehicles.
8. More streets should be made One-Way to allow for extra parking spaces – enabling parking on both sides of the road.
9. Close look at “Passing Points” in certain streets where Two-Way traffic is maintained.
10. Close look at proper secure Bike Storage rather than just Open Racks.
11. The introduction of “Floating permits” for businesses who have a need for several vehicles to be around their premises such as garages and businesses with a fleet of vehicles. These are essential to the lifeblood of the area.
12. The Triangle ie; Carlyle St, Lynton St, Arnold St, Baxter St, Cromwell St – where there are very specific problems with capacity and rat-run issues. Work has been done on this and should be looked at. It is an area with very specific needs due

to the narrowness of the roads and because in the original Council Consultation 2010, they were going to lose so many spaces. This area cannot afford to lose this many and compromises through working with the residents are going to have to be found. **Otherwise they may well REJECT any plan outright.**

13. Pankhurst Estate and IOW Triangle (Carisbrooke, Ryde, Sandown, Totland, St Helen's Rd) need full community consultation asap.

14. North of Elm Grove being consulted now.

These areas to be offered the possibility of joining after ONE year if they stayed out to start with.

15. People on Council Tax Benefit to be able to pay half of full cost of a permit.

16. More traffic calming to slow traffic on rat-runs. Eg. Angled sleeping policemen or build-outs. This is a major problem in many streets.

17. Possibility of Chevron Parking in other streets wide enough to accommodate it.

### **ELM GROVE**

The council must look at layout and parking on Elm Grove as part of the overall plan. Consider chevron parking as a viable way of improving parking capacity on Elm Grove. It is allowed already towards the top of the road so why not towards the bottom. Many of the safety issues have disappeared now due to the introduction of the 20mph speed limit.

There is a plan and layout that has been developed by residents that was not considered by ET&S Committee.

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Above all else the community was thinking 'together' about the impact that any CPZ would have on themselves as residents, their neighbours and businesses in the area. Each road would need to be looked at individually as needs differ widely.

What might work for one street would not necessarily work for the next street on.

Some businesses would prefer to keep double yellow lines outside their premises as it would leave space for large vehicle deliveries; eg Archer's Butchers on Islingworth Rd and some of the pubs with their need for large Drays to be able to get close.

Delivery Bays are often abused by all and sundry.

The Medium Touch Scheme would leave nine hours during the day for people to have visitors for FREE.

People who run businesses from home; the elderly and disabled who need family visits (and not by professional carers who get some dispensation on being able to park for short periods.);

The survey showed that in reality, as opposed to perception, not that many people have more than one vehicle.

The community did not want to make it any more difficult for tradesmen to come and do work at their houses.

There are areas of the city where tradesmen simply will not go to because of parking restrictions and costs.

Some (albeit limited) consultation was done with people living in areas where there are already CPZs to see how their scheme worked or did not work for them.

Lastly – the residents did not want to simply introduce a scheme that would have a devastating negative impact on other areas, as has happened in the past. Every CPZ

so far has had a negative impact on neighbouring areas.

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Any CPZ in Hanover and Elm Grove will ultimately generate a lot of income for the council and the residents here feel that they should get something in return. Initial investment in road infrastructure will help to ensure that residents and businesses do not feel that they are simply being used as a cash cow.

Things could return to a negative attitude if the residents feel that their Community Consultation has been a waste of time.

**Subject:** Items referred from 26 March 2015 Full Council meeting- Petitions

**Date:** 7 July 2015

**Report of:** Monitoring Officer

**Contact Officer:** Name: John Peel Tel: 29-1058  
E-mail: john.peel@brighton-hove.gov.uk

**Wards Affected:** Various

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To receive any petitions referred from the Full Council meeting of 26 March 2015.

**2. RECOMMENDATIONS:**

- 2.2 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:

- § taking the action requested in the petition
- § considering the petition at a council meeting
- § holding an inquiry into the matter
- § undertaking research into the matter
- § holding a public meeting
- § holding a consultation
- § holding a meeting with petitioners
- § referring the petition for consideration by the council's Overview and Scrutiny Committee
- § calling a referendum

**3. PETITIONS**

**3. (i) One way system around the Windmill at the top end of Homes Avenue- Nigel Jenner**

To receive the following petition referred from the meeting of Full Council on 26 March 2015 and signed by 156 people

"We the undersigned petition Brighton & Hove Council to install a one way system around the Windmill at the top end of Holmes Avenue"

**3. (ii) Pedestrian Crossing for Freshfield Road- Faye Bridgewater**

To receive the following petition referred from the meeting of Full Council on 26 March 2015 and signed by 1369 people

*“We the undersigned petition Brighton & Hove Council to install a pedestrian crossing point on Freshfield Road BN2 2YG, between Queen’s Park Terrace BN2 9YA and Cuthbert Road, BN2 0EN. This part of Freshfield Road is used by parents and children going to and from St Luke’s School BN2 9ZF, Queen’s Park Primary School BN2 0BN and numerous pre-schools within walking distance”.*

**3. (iii) Save the Mazda Fountain- Sarah Brooker**

To receive the following petition referred from the meeting of Full Council on 26 March 2015 and signed by 1055 people

*“We the undersigned petition Brighton & Hove Council to keep the Mazda Fountain in its current position in Victoria Gardens”*

**3. (iv) Brighton & Hove’s Live Music Venues- Mark Stack**

To receive the following petition referred from the meeting of Full Council on 26 March 2015 and signed by 4698 people

*“We the undersigned petition Brighton & Hove Council to fully and transparently review its procedures and protocols in respect of noise abatement notices served on live music venues across the city”*

*(Minute extract attached as Appendix 1)*

**Subject:** Live Music Venues - Extract from the proceedings of the Council Meeting held on the 26<sup>th</sup> March 2015

**Date of Meeting:** 7 July 2015

**Report of:** Monitoring Officer

**Contact Officer:** Name: Mark Wall Tel: 29-1006

E-mail: mark.wall@brighton-hove.gov.uk

**Wards Affected:** All

**FOR GENERAL RELEASE**

***Action Required of the Environment, Transport & Sustainability Committee:***

To receive the item referred from the Council for consideration:

**Recommendation:**

That the petition be noted and referred to the Environment, Transport & Sustainability Committee for consideration along with the establishment of a Policy Panel to review the issues raised in the petition for live music and venues in the city.

**COUNCIL**

**4.30 pm 23 October 2014  
COUNCIL CHAMBER, HOVE TOWN HALL**

**DRAFT MINUTES**

**Present:** Councillors Fitch (Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cobb (Deputy Chair), Daniel, Davey, Deane, Duncan, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Meadows, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson.

**PART ONE****70. (A) LIVE MUSIC VENUES**

- 70.1. The Mayor stated that the council's petition scheme provided that where a petition secured 1,250 or more signatures it could be debated at a Council meeting. He had been notified of four such petitions which had sufficient signatures to warrant a debate and therefore would call on the lead petitioner to present their petition before opening the matter up for debate. He also noted that one of the petitions listed in the agenda had been withdrawn and therefore three remained for debate.
- 70.2. Mr. Stack presented his petition which called on the council to review its procedures and protocols in respect of noise abatement notices served on live music venues across the city. He stated that the petition had reached two signatures short of 4,700 supporters and explained that he believed a loophole existed in the law which enabled a person to move close to, next to and even into the same building as a long established music venue and then use the legal process to reduce the level of noise from the music venue. Such action had even led to the closure of venues across the city and needed to be addressed to protect the city's culture and its live music heritage. He asked that when councillors saw a musician, attended a concert or the fringe festival they should remember the petition and consider the ramifications of not taking an action to protect them.
- 70.3. Councillor Simson stated that the petition had raised an important consideration and that the need for the Environmental Protection Act to be reviewed was supported in principal by the Conservative Group.
- 70.4. Councillor Bowden thanked Mr. Stack for his petition and stated that he believed it had raised an important issue and one that should be explored further and therefore wished to move an amendment to the recommendation contained in the covering report. He proposed that a cross-party task group should be established to review the current practice and report back to the Economic Development & Culture Committee; given the wide ranging and cross-service aspects that needed to be considered.
- 70.5. Councillor Randall formally seconded the amendment.
- 70.6. Councillor Mitchell noted that the Mayor had previously given advice that the petition should be referred to the Environment, Transport & Sustainability Committee as it was responsible for the noise abatement service. She therefore sought clarification from the Monitoring Officer.
- 70.7. The Monitoring Officer informed the council that the petition was primarily concerned with the use of noise abatement orders which came under the responsibility of the Environment, Transport & Sustainability Committee. It was therefore appropriate for the petition to be referred to the committee. Should the council decide to recommend the consideration of establishing a Policy Panel to look at the matter, the committee could take this into account and establish a task and finish panel.



- 70.8. Councillor Mitchell thanked the Monitoring Officer and stated that the Labour & Co-operative Group fully supported the petition and the amendment on the basis that it would be left to the committee to decide whether or not to establish a Policy Panel, which would need to look across all areas of the council's functions relating to live music and venues.
- 70.9. Councillor Bowden noted the information and indicated that he was happy for the petition to be referred to the Environment, Transport & Sustainability Committee.
- 70.10. The Mayor noted that an amendment to the recommendation in the report had been moved and put it to the vote which was carried. He then put the recommendation as amended to the vote which was also carried.
- 70.11. **RESOLVED:** That the petition be noted and referred to the Environment, Transport & Sustainability Committee for consideration along with the establishment of a Policy Panel to review the issues raised in the petition for live music and venues in the city.



**Subject:** Brighton and Hove Live Music Venues (Petition referred from Full Council 26 March 2015)  
**Date of Meeting:** 7<sup>th</sup> July 2015  
**Report of:** Director of Public Health  
**Contact Officer:** Name: **Annie Sparks** Tel: **292436**  
E-mail: [Annie.sparks@brighton-hove.gcsx.gov.uk](mailto:Annie.sparks@brighton-hove.gcsx.gov.uk)  
**Wards Affected:** All

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 At Full Council on 26 March 2015 a petition was presented which called on the council to review its procedures and protocols in respect of noise abatement notices served on live music venues across the city. It had been signed by 4698 people. A copy of the petition is attached at Appendix One.
- 1.2 It was resolved that the petition be noted and referred to the Environment, Transport & Sustainability Committee for consideration along with the establishment of a Policy Panel to review the issues raised in the petition for live music and venues in the city.

**2. RECOMMENDATIONS:**

- 2.1 The Committee consider whether to establish a policy panel to review procedures and protocols relating to the statutory provisions of service of noise abatement notices.

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

- 3.1 The Council has statutory duties in relation to the investigation of noise complaints and enforcement of noise nuisance. This includes noise from live music venues.
- Under the provisions of the Environmental Protection Act 1990 the Council has a duty to investigate all noise complaints, and where a statutory noise nuisance is identified there is a duty to serve a noise abatement notice. There is no discretion in relation to these statutory duties. Breach of a noise abatement notice is a criminal offence, and subject to a maximum £20,000 fine for commercial premises. Statutory noise nuisance is not a defined decibel level but is assessed having regard to the character, duration and frequency of the noise and most importantly how it affects a person in their home.

- 3.2 Under the provisions of the Licensing Act 2003 the local authority and other responsible authorities can ask for premises licences to be reviewed or varied. This can be in relation to the licensing objective and the prevention of public nuisance.
- 3.3 Any enforcement action has regard to the Council's Enforcement Policy, and a separate Enforcement Policy exists for Licensing matters Brighton and Hove City Council aims to balance and achieve both necessary protection for citizens and a creative outlet/cultural benefits. Live music is encouraged by licensing policy recognising both cultural and community benefits. Residents' rights for a private and family life are protected in law and described above.
- 3.4 The City has always had entertainment venues located in close proximity to residential accommodation. Planning applications and licence applications provide opportunities to influence premises design, entertainment scheduling, and implementation of conditions to mitigate and manage noise.
- 3.5 Where noise complaints are received the investigation process requires an assessment of what is reasonable and, where possible, facilitating communication between all parties.
- 3.6 Where enforcement action is necessary this is done in accordance with the Council's enforcement policies, while at the same time practically exploring solutions and measures to abate any noise nuisance. A noise abatement notice would not require premises to close. It would require the noise nuisance to be abated. How this is done is the choice of the person on whom the notice has been served. This may include restricting sound levels and use of technology such as sound limiting devices. It may also include management measures to avoiding break out from doors and windows, and/ or door staff managing external customers. Sound insulation and a review of entertainment schedules may also be appropriate.

#### **4. PROPOSAL FOR A POLICY PANEL**

- 4.1 The Terms of Reference for Overview and Scrutiny and Policy Panels are attached at Appendix Two. In considering whether or not any matter should be agreed for a Policy Panel the Committee should have regard to the matters set out at paragraph 4.7 of the Terms of Reference.
- 4.2 It is proposed that the Membership of the Policy Panel be 1xLabour, 1xConservative and 1xGreen Councillor. The Panel will elect a Chair at its first meeting and the detailed scope and timescale for the work to be undertaken in relation to the petition will be agreed by the Panel. The Panel will report to the Environment, Transport and Sustainability Committee.

#### **5. CONSULTATION**

- 5.1 Consultation will be considered and defined as part of any proposed Policy Panel Process.

## 6. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 6.1 Any costs incurred in setting up the policy panel will be met from within existing resources.

*Finance Officer Consulted: Michael Bentley*

*Date:24/06/2015*

### Legal Implications:

- 6.2 The terms of reference and criteria for Policy Panels have been agreed by full Council and are set out at Appendix Two to the report. The proposed Policy Panel would not have the status of a sub-committee and the rules relating to political balance would not apply to it. The Panel would report its findings to the Environment, Transport and Sustainability Committee.

*Lawyer Consulted: Elizabeth Culbert*

*Date:23/06/15*

### Equalities Implications:

- 6.3 None identified

### Sustainability Implications:

- 6.4 None identified

### Crime & Disorder Implications:

- 6.5 None identified

### Risk and Opportunity Management Implications:

- 6.6 None identified

### Corporate / Citywide Implications:

- 6.7 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Terms of Reference for Policy Panels and Overview and Scrutiny



## **PART 5 BRIGHTON & HOVE CITY COUNCIL**

### **OVERVIEW & SCRUTINY COMMITTEE**

#### **TERMS OF REFERENCE AND PROCEDURE RULES**

##### **1. Arrangements for Scrutiny**

- 1.1 The Council will appoint an Overview & Scrutiny Committee to perform the statutory Overview & Scrutiny functions in relation to health, crime and disorder and flood risk. The Committee will also:-
- have the power to undertake wider Overview & Scrutiny work;
  - oversee and co-ordinate the work of policy panels commissioned by policy committees;
  - monitor the implementation of outstanding scrutiny recommendations; and
  - administer the call-in procedure for the Council through an urgency sub-committee.

##### **2. Terms of Reference of the Overview & Scrutiny Committee**

- 2.1 To exercise powers with regard to the scrutiny of health services pursuant to the National Health Service Act 2006 and in particular:-
- To scrutinise matters relating to the planning, provision and operation of the health service in the Authority's area and contribute to the development of policy and services to improve health and reduce health inequalities;
  - To comment on proposals for a substantial development or variation in the provision of the health service in the Authority's area in accordance with the requirements of the National Health Service Act 2006 and associated Regulations;
  - To review and scrutinise the impact of the Authority's own services and of key partnerships on the health of its population;
  - To encourage the Council as a whole to take into account the implications of their policies and activities on health and health inequalities;
  - To make reports and recommendations to the National Health Service, the Council, the committees and sub-committees, and to other relevant bodies and individuals;
  - To monitor and review the outcomes of its recommendations.

In all of the above, to liaise with other bodies that represent patients' views in order to seek and take account of the views of the local populations.

- 2.2 To undertake the scrutiny of flood and coastal erosion plans as required by the Localism Act 2011;
- 2.3 To be the designated Crime and Disorder Committee as required under the Police and Justice Act 2006;
- 2.4 To review and scrutinise matters, decisions and service provision relating to Council functions and services not covered by paragraphs 2.1-2.3 above;
- 2.5 To monitor the outcome of Overview & Scrutiny recommendations;
- 2.6 To have the power to establish an urgency sub-committee to administer the call in of policy committee decisions in accordance with these Overview & Scrutiny Committee Terms of Reference and Procedure Rules.

### **3. Functions of the Overview & Scrutiny Committee**

- 3.1 The Overview & Scrutiny Committee will:
  - a) Approve a scrutiny and review work programme, to ensure that there is efficient use of resources and that the potential for duplication of effort is minimised;
  - b) Receive consultations for comment from an NHS body or relevant NHS service provider pursuant to the NHS Act 2006 and associated Regulations;
  - c) Receive requests from Councillors and partner organisations, and suggestions from officers of the council, for particular topics to be scrutinised and determine the appropriate action;
  - d) Have the power to call-in and review policy committee decisions, or key decisions made by an officer with delegated authority, as set out in the these Rules;
  - e) Oversee the work and monitor the recommendations of Policy Panels commissioned by policy committees to undertake time limited policy reviews;
  - f) Co-ordinate training and development arrangements for Overview & Scrutiny Committee members and co-optees;
  - g) Monitor and review the outcomes of Overview & Scrutiny recommendations.



- h) Ensure that the communities of Brighton & Hove and specific users of services are able to be involved in and inform the work of the committee.
- i) Appoint an Urgency Sub-Committee as necessary to exercise its powers. The Membership of such Urgency Sub-Committee shall consist of the Chair of the Committee and two other Members nominated by Leaders, to meet the requirements for the allocation of seats between political groups. Such Urgency Sub-Committee may exercise its powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of the Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.

#### **4. Policy Panels**

- 4.1 Any Policy Committee may appoint Policy Panels to carry out short, sharply focused pieces of policy review and development work. They may go on site visits, conduct public surveys, hold public meetings, commission research and do all other things that they reasonably consider necessary to inform their deliberations. They may ask witnesses to attend to address them on any matter under consideration.
- 4.2 All proposals to establish Policy Panels will be discussed at an Informal Chairs' Meeting to assist in managing the available resources and to identify cross-cutting issues. Where cross-cutting issues are identified, these will be referred to the Overview & Scrutiny Committee, or Overview & Scrutiny Urgency Sub-Committee, to agree the best approach with a view to avoiding duplication and ensuring an effective use of Policy Panel resources.
- 4.3 Policy Panels will not have Sub-Committee status and the political balance rules in section 15 of the Local Government and Housing Act 1989 will not apply, but they will normally be established on a cross-party basis. The Policy Panel will report to the Policy Committee that commissioned its work and will also provide a copy of their report to the Overview & Scrutiny Committee. The Overview & Scrutiny Committee will monitor the implementation of recommendations of Policy Panels.
- 4.4 Membership of the Policy Panels will be sought from the political groups, taking into account the expertise and experience of available Members. Co-optees may be appointed to the Policy Panels as set out at paragraph 7 below.
- 4.5 There should not normally be provision for substitute Members to attend meetings of Policy Panels.

- 4.6 The relevant Policy Committee shall ensure that the number of Policy Panels commissioned does not exceed the capacity of the Member and Officer resources available to support their work.
- 4.7 In considering whether or not any matter should be agreed for a Policy Panel, the relevant Policy Committee will have regard to:
- The importance of the matter raised and the extent to which it relates to the achievement of the Council's strategic priorities, the implementation of its policies or other key issues affecting the well being of the City or its communities;
  - The potential benefits of a review especially in terms of possible improvements to future policies and procedures and/or the quality of Council services;
  - The proposed Overview & Scrutiny approach (a brief synopsis) and resources required,
  - The resources available to support the work as set out at paragraph 4.5 above.

## **6. Membership of the Overview & Scrutiny Committee**

- 6.1.1 Membership of the Overview & Scrutiny Committee will reflect the political composition of the Council and be subject to section 15 of the Local Government and Housing Act 1989. No member of the Council's Health and Wellbeing Board may be a member of the Overview & Scrutiny Committee. No Councillor may be involved in scrutinising a decision in which s/he has been directly involved.

## **7. Co-optees**

- 7.1 The Overview & Scrutiny Committee will include non voting co-opted members from the Older People's Council, the Youth Council and LINK/Healthwatch.
- 7.2 The relevant Policy Committee may agree the appointment of non voting co-optees for each Policy Panel. In appointing co-opted Members to Policy Panels, regard will be given to both the expertise of the individual and the representative nature of the position.

## **8. Meetings of the Overview & Scrutiny Committee**

- 8.1 The Overview & Scrutiny Committee will meet six times per annum. In addition, an extraordinary meeting may be called by the Chair or the Chief Executive at any time if they consider it necessary or desirable.
- 8.2 Policy Panels shall meet as many times as necessary to successfully carry out their investigations, they shall however be time limited in nature.

## **9. Quorum**

- 9.1 The quorum for Overview & Scrutiny Committee meetings shall be as set out for committees and sub-committees in the Council Procedure Rules in Part 3 of this Constitution.

## **10. Chair of Overview & Scrutiny Committee and Policy Panels**

- 10.1 The Council will appoint the Chair of the Overview & Scrutiny Committee.
- 10.2 The relevant Policy Committee will appoint the Chair of any Policy Panels it establishes.
- 10.3 If the relevant Policy Committee fails to appoint a Chair, the Policy Panel will make the appointment at its first meeting.

## **11. Work programme**

- 11.1 The Overview & Scrutiny Committee will be responsible for setting its own work programme.

## **12. Agenda items**

- 12.1 Agenda items shall be set by the Overview & Scrutiny Committee identifying issues which they wish to consider.
- 12.2 Any Member of the Council may notify Democratic Services that s/he wishes an item relevant to the functions of the Overview & Scrutiny Committee to be included on the agenda for the next available meeting of the Committee.

## **13. Submission of reports from Overview & Scrutiny Committee**

- 13.1 Once it has formed recommendations on any matter, the Overview & Scrutiny Committee will prepare a formal report and submit it to the Chief Executive of the Council or relevant organisation for consideration at the relevant decision-making body.
- 13.2 If the Overview & Scrutiny Committee cannot agree on one single final report then up to one minority report may be prepared and submitted for consideration by the relevant Policy Committee meeting with the majority report.
- 13.3 The relevant Policy Committee shall consider the report within eight weeks of it being submitted to the Chief Executive or at its next scheduled meeting, whichever is the later, and shall prepare a response to the recommendations detailing whether each recommendation is agreed or not agreed.

13.4 The Chair of the Overview & Scrutiny Committee shall be invited to the Committee meeting at which the report is considered. .

#### **14. Councillor Call for Action**

14.1 The “Councillor Call for Action” (CCfA) as set out in Section 119 of the Local Government and Public Involvement in Health Act 2007 and amended by the Localism Act 2011 enables any member of the council to refer to an Overview & Scrutiny committee any local issue which directly affects their ward.

14.2 A CCfA should only be raised where other means of resolving the matter have been exhausted. Any Member of the Council may raise a CCfA, which should be sent to the Democratic Services. In seeking to raise a CCfA a Councillor needs to:

- State why they consider the issue should be looked at by the Overview & Scrutiny Committee;
- Give a brief synopsis of what the main areas of concern are;
- Supply evidence in support of the CCfA;
- Indicate areas or groups affected by the CCfA;
- Summarise mediation and attempts at resolution undertaken;
- Indicate deadlines associated with the CCfA of which the Health Scrutiny Committee needs to be aware.

14.3 Upon receipt of a CCfA, the Overview & Scrutiny Committee, or Overview & Scrutiny Urgency Sub-Committee if the matter is urgent, will use the following criteria to decide whether or not to take the matter further:

- Is the committee satisfied that all reasonable attempts have been made to resolve the issue by the ward councillor? Do the responses received by the referring councillor demonstrate that the matter is not being progressed?
- Has the committee considered a similar issue recently – if yes, have the circumstances or evidence changed?
- Is there a similar or related issue which is the subject of a review on the current work programme? It may be more appropriate to link the new issue to an existing review, rather than hold a separate CCfA hearing.
- Relevant time pressures on resolving the CCfA should be taken into account.
- Have all relevant service areas or partner organisations been informed and been given enough time to resolve the issue? What response has the councillor received?
- Does the matter referred have the potential for recommendations which could realistically be implemented and lead to improvements for anyone living or working in the referring member’s ward?

- Is the matter an excluded matter, as set out in paragraph 14.9 of these Rules.
- 14.4 In considering the CCfA, the Overview & Scrutiny Committee will invite the relevant Members and officers to discuss the issue and answer any questions, if the committee considers this relevant.
- 14.5 If the committee decides not to accept the CCfA referral it must inform the Councillor and provide reasons. If the committee decides to accept the CCfA referral, it must decide how it intends to take the matter forward and include the CCfA in its work programme.
- 14.6 The Overview & Scrutiny Committee, in considering a CCfA, may undertake any of the activities as outlined in the Overview & Scrutiny Committee Terms of Reference and Procedure Rules.
- 14.7 The power to refer a matter is available only where the matter is of direct concern to the ward which the Councillor represents. A Councillor can refer a matter even if no citizen has asked him/her to consider it.
- 14.9 The following matters are excluded from referral as a CCfA:
- Individual complaints concerning personal grievances or commercial issues.
  - Any matter relating to an individual or entity where there is already a statutory right to a review or appeal (other than the right to complain to the Local Government Ombudsman), for example:
    - § Planning and licensing applications and appeals;
    - § Council Tax/Housing Benefits complaints and queries;
    - § Issues currently under dispute in a court of law.
  - Any matter which is vexatious, discriminatory or not reasonable to be included on the agenda for, or to be discussed at, a meeting of the Overview & Scrutiny Committee.

## **15. Call-in**

- 15.1 Call-in is a process by which the Overview & Scrutiny Committee can recommend that a decision made by a Policy Committee but not yet implemented be reconsidered by the body which made the decision, or recommend that the full Council consider whether that body should reconsider the decision.
- 15.2 Call-in does not provide for the Overview & Scrutiny Committee or the full Council to substitute its own decision, but merely to refer the matter back to the decision-maker. A decision maker can only be asked to reconsider any particular decision once.

- 15.3 Call-in should only be used in very exceptional circumstances – for example where Members have evidence that a decision was not taken in accordance with Article 11 of the constitution. Day to day management and operational decisions taken by officers may not be called-in.
- 15.4 Any decision made by a Policy Committee, or a key decision made by an officer under delegated powers, shall be published by means of a notice at the main offices of the Council (Kings House – room 131, Brighton Town Hall - reception, Hove Town Hall - reception) and where possible by electronic means, normally within 2 working days of being made. All Members will be sent, if possible by electronic means, copies of all such decision notices at the time of publication.
- 15.5 Any decision made by the Policy Committee, or a key decision made by an officer under delegated powers, may be called in up to five working days from the date of the meeting at which the decision was taken.
- 15.6 During this period, any five Members of the Council, from a minimum of two political groups, may request that a decision be called-in for Scrutiny.
- 15.7 Such a request shall be made in writing to the Chief Executive and shall include the reason(s) for the request and any alternative decision proposed. The Chief Executive may refuse to accept a request which in his/her opinion is frivolous, vexatious or defamatory, or where no reason is given.
- 15.8 If the Chief Executive accepts the request he/she shall call-in the decision. This shall have the effect of suspending the decision coming in force and the Chief Executive shall inform the decision maker e.g. Committee Members, or officer and the relevant Director of the call-in. The Chief Executive shall then call a meeting of the Overview & Scrutiny Urgency Sub-Committee to scrutinise the decision, where possible after consultation with the relevant Chair, and in any case within 7 working days of accepting the call-in request.
- 15.9 In deciding whether or not to refer a decision back, the Overview & Scrutiny Urgency Sub-Committee shall have regard to:
- any further information which may have become available since the decision was made
  - the implications of any delay; and
  - whether reconsideration is likely to result in a different decision.
  - The importance of the matter raised and the extent to which it relates to the achievement of the Council's strategic priorities,
  - Whether there is evidence that the decision-making rules in the constitution have been breached;
  - that the agreed consultation processes have not been followed;

- or that a decision or action proposed or taken is not in accordance with a policy agreed by the Council;
  - What other avenues may be available to deal with the issue and the extent to which the Councillor or body submitting the request has already tried to resolve the issue through these channels (e.g. a letter to the relevant Member, the complaints procedure, enquiry to the Chief Executive or Director, Council question etc.)
- 15.10 If, having scrutinised the decision, the Overview & Scrutiny Urgency Sub-Committee is still concerned about it, then it may refer it back to the decision making body for reconsideration, setting out in writing the nature of its concerns. If it considers the decision is contrary to the policy framework or budget agreed by the Council, the matter may be referred to the full Council to determine whether or not it should be referred back to the decision making body.
- 15.11 If the Overview & Scrutiny Urgency Sub-Committee does not meet within 7 working days of the Chief Executive accepting a call-in request, or does meet but does not refer the matter back to the decision making body or to the Council, the decision shall take effect on the date of the Overview & Scrutiny Urgency Sub-Committee meeting, or the expiry of the period of 7 working days from the call-in request being accepted, whichever is the earlier.
- 15.12 If the decision is referred back to the decision making body, that body shall then reconsider, either at its next programmed meeting or at a special meeting called for the purpose, whether to amend the decision or not before reaching a final decision and implementing it.
- 15.13 If the Overview & Scrutiny Urgency Sub-Committee refers the matter to full Council and the Council does not object to a decision which has been made, then no further action is necessary and the decision will be effective in accordance with the provision below. However, if the Council does object, the Council will refer any decision to which it objects back to the decision making body, together with the Council's views on the decision. In this case the decision making body shall consider, either at its next programmed meeting or at a special meeting convened for the purpose, whether to amend the decision or not before reaching a final decision and implementing it.
- 15.14 If the Council does not meet within two weeks of the matter being referred to it, or if it does meet but does not refer the decision back to the decision making body or person, the decision will become effective on the date of the Council meeting or expiry of that two week period, whichever is the earlier.

## **16. Call-in and urgency**



- 16.1 The call-in procedure set out above shall not apply where the decision being taken is urgent. A decision will be urgent if any delay likely to be caused by the call-in process would seriously prejudice the Council's or the public's interests. The record of the decision, and notice by which it is made public, shall state if in the opinion of the decision making body the decision is an urgent one and subject to the agreement of the Chief Executive, or in his/her absence the officer acting for him, such a decision shall not be subject to call-in.
- 16.2 The Chief Executive or the Officer acting on his/her behalf shall consult the leaders of the Political Groups before agreeing to the exemption. Any decision to which the call-in process does not apply for reasons of urgency must be reported to the next available meeting of the Council, together with the reasons for urgency.
- 16.3 The operation of the provisions relating to call-in and urgency shall be monitored annually, and a report submitted to the Overview & Scrutiny Committee with proposals for review if necessary.

## **17. Call In and Joint Committees**

- 17.1 The principle of call in applies to decisions made by Joint Committees on which the Council is represented. The detailed arrangements relating to call in of Joint Committee decisions shall be agreed between the constituent authorities and included in the Constitution of the Joint Committee.

## **18. Matters excluded from review by the Overview & Scrutiny Committee**

- 18.1 The Overview & Scrutiny Committee should not review individual decisions made in respect of development control, licensing, registration, consents and other permissions. The Overview & Scrutiny process is not an alternative to normal appeals procedures.
- 18.2 The Overview & Scrutiny process is not appropriate for issues involving individual complaints or cases, or for which a separate process already exists e.g. personnel/disciplinary matters, ethical matters or allegations of fraud.



**WRITTEN QUESTIONS****(i) Trip-wires across cycle paths- Councillor West**

*I note with increasing concern a number of local reports of dangerous trip wires being strung across cycle paths. Recently cyclist Darren Gibson was dragged from his bike by a near invisible trip wire while cycling in woodland near East Brighton Golf Course, breaking his collar bone. I understand Police are also investigating at least two other local instances where riders have been injured by trip wires in Coldean Woods. This is not however just an isolated local problem but part of an alarming national picture: neck high wires have also been found strung across cycle paths in Suffolk and spikes have been found deliberately scattered on a hairpin bend in Wales. In 2008 a 17 year old was killed by a trip wire strung across a path in Merseyside.*

*What urgent action is being taken by Council officers and Police to identify the culprits of the trip-wires in the City? What security measures are being employed to deter other anti-cyclists from creating similar hazards? And, what education will be offered to help combat anti-cycling sentiment that leads to some extremists taking life threatening action?*

**(ii) Horsdean traveller site- Councillor Wares**

*We are aware of serious environment and sustainable issues relating to the proposed project to extend Horsdean to provide 12 permanent pitches, namely but not limited to:-*

- 1. The site is now acknowledged as prone to flooding evidence by the Council's plans to mitigate this.*
- 2. Surface water from the proposed 21 transit pitches and 12 permanent pitches is discharged to ground via a drainage system with treatment components and soakaway. This risks contaminants entering the ground and eventually to the drinking water supply. The site is directly above a man-made adit that collects the City's drinking water that is pumped through Waterhall.*
- 3. The risks of contaminants causing pollution are considered high by the Environment Agency evidenced by their letter dated 17<sup>th</sup> June 2015 that it lists prohibited chemicals and liquids banned for use and storage on site as for example oils, fuels, bleaches, white spirits, paints. All commonly associated with the travelling community.*
- 4. The Council's management plan is to evict if such pollutants are stored or used. That prevents a repeat but not an initial accidental or deliberate spillage causing contamination.*
- 5. If access to the site means not bringing pollutants on then a significant number of travelling families could not enter the site rendering it useless.*

6. *The 21 transit pitches will be served by four toilets. 21 transit pitches could accommodate 100-150 people. This is a wholly inadequate standard to provide a reasonable amenity for any community.*

*Will the Administration therefore agree to suspend the project to enable a fuller environmental study and to revisit the designs and amenity for the transit pitches?*

Penny Thompson – Chief Executive  
Brighton & Hove City Council  
Grand Avenue  
Hove

5<sup>th</sup> June 2015

Dear Penny

**Increased road traffic through Woodingdean**

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 7<sup>th</sup> July 2015.

In July 2014, our former ward colleague Cllr. Geoff Wells presented a petition to Full Council on behalf of local residents asking for urgent traffic monitoring to be undertaken in Woodingdean. This was as a result of what we and local residents believed to be a large increase in traffic using Woodingdean as a rat run following the implementation of the Lewes Road sustainable transport corridor scheme.

When the petition was referred to the Environment, Transport & Sustainability Committee meeting in October 2014 we were told by Cllr. West, the then Chairman, that surveys would take place when the works at the Vogue Gyratory were complete, because these road works would be likely to skew the results of any monitoring.

Given that the Vogue Gyratory improvements were completed in December 2014 we are requesting that the results of any traffic monitoring through Woodingdean that has taken place since then be made public. If no monitoring has taken place since December 2014 then we would ask the members of the Environment, Transport & Sustainability Committee to agree today that this now happens as a matter of urgency.

The traffic situation in Woodingdean is becoming intolerable for local residents and we are demanding, on their behalf, that some action is taken to address this.

Yours sincerely,

Cllr. Dee Simson and Cllr. Steve Bell



Penny Thompson – Chief Executive  
Brighton & Hove City Council  
Grand Avenue  
Hove

18<sup>th</sup> June 2015

Dear Penny

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 7<sup>th</sup> July 2015.

Lack of decent coach parking facilities in the city is a significant problem and remains unresolved to this day. The previous Conservative Administration brought forward plans for a temporary coach park at Black Rock in March 2011 and Landlord's consent was granted by the then Cabinet Member. Unfortunately, these plans were shelved by the Green Administration following the local elections in May 2011.

The recent restrictions introduced to prevent coach parking in Roedean have been warmly welcomed by residents and local ward councillors but the need for a modern coach park with associated facilities remains.

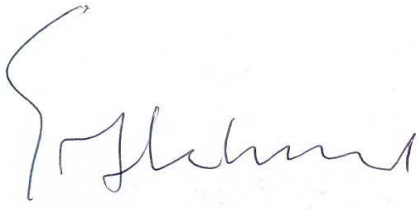
As traffic levels and visitor numbers to the city continue to increase it is becoming increasingly vital that this form of sustainable public transport is encouraged as much as possible. This will be brought to a head with the opening of the i360 observation tower in the Summer of 2016.

At the recent Economic Partnership meeting there was strong support amongst the local business community for the provision of proper coach parking facilities to help support and sustain the city's rapidly increasing visitor numbers.

The recently agreed Local Transport Plan 4 includes a commitment to: "Develop a strategy for managing and improving coach movements in the city, including coach parking and the use and quality of Pool Valley coach station." The date in the Local Transport Plan for this to be completed is between 2015/16 and 2018/19.

I am requesting that the new Labour Administration treats this matter as an urgent priority and that it is not left to the very last minute in 2018/19. I would like a clear timetable to be set out in a report to this Committee in October, preferably with a view to establishing a new coach park, either temporary or preferably permanent, during the Summer of 2016.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Geoffrey Theobald'. The signature is written in a cursive style with a large initial 'G'.

Cllr. Geoffrey Theobald

Mark Wall – Head of Democratic Services  
Brighton & Hove City Council  
Grand Avenue  
Hove

22<sup>nd</sup> June 2015

Dear Mark

**Local shopping centres**

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 7<sup>th</sup> July 2015.

The recently agreed Local Transport Plan 4 highlights how important it is that Brighton & Hove has a balanced network of local shopping centres to facilitate access to food, products and key services for residents. The Plan states that this network of centres helps deliver the city's aims to maximise its sustainability, while maintaining cohesive communities and continuing its role as the economic driver within the City Region.

In order for these centres to function properly it is vital that they are fully accessible by all modes of transport – by car, bus, and bicycle or on foot.

In December 2013 I presented a petition to Full Council from residents concerned about the chaotic parking situation in the Grenadier area of Hangleton, as the dangers presented to shoppers were forcing them to use other, distant and less sustainable, shopping areas. This is clearly against the aims of the current Local Transport Plan.

At the subsequent Environment, Transport & Sustainability Committee meeting to which the petition was referred, I was pleased that the then Chairman, Cllr. West, agreed to carry out various minor changes to the area that aimed to improve the parking situation around the Grenadier, including repainting signage and stronger enforcement of parking contraventions.

However, these measures have sadly failed to greatly improve the situation, and significant problems still remain. This part of Brighton & Hove is often overlooked, in favour of the 'big ticket' items, and investment in LTP4 designated local shopping areas is crucial. I am, therefore, requesting that the new Labour Administration brings a paper to this Committee containing proposals for significant design changes to the Grenadier Shopping area that will

**AGENDA ITEM 7(c)iii**

ensure it can once again become the safe destination of choice for the majority of residents in the area.

Yours sincerely

Cllr. Tony Janio



Penny Thompson – Chief Executive  
Brighton & Hove City Council  
Grand Avenue  
Hove

25<sup>th</sup> June 2015

Dear Penny,

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 7<sup>th</sup> July 2015.

Last Spring, 2014, the City Council asked every household in Baker's Bottom and the Craven Vale Area whether they wanted the Council to extend the Area U Car Parking Zone (CPZ) which already existed in Dawson Terrace, Cuthbert Road and the top part of Sutherland Road

Following this consultation, the Council agreed to extend the CPZ to include Baker's Bottom (Hendon Street, Bute Street, Livingstone Street and Rochester Street) where the majority had voted in favour. However, the vote in the Craven Vale Estate was – at that time – against having a Car Parking Zone, and it was not introduced there. There was a low turnout to the consultation in 2014, and the decision was based on just 65 responses.

Since the CPZ was introduced last autumn in Baker's Bottom, there has been a notable increase in pressure on car parking spaces throughout the Craven Vale Estate, mainly due to non-residents no longer being able to park in Baker's Bottom, and parking in Craven Vale instead.

At an open meeting of the Craven Vale Community Association held in March, the over-riding view of those present was that the parking situation had worsened significantly this year, and that another consultation was needed. At the subsequent committee meeting in April, various options were considered as to how to take this forward, and the conclusion was reached that the Association should send a very short questionnaire to every household in Craven Vale and ask whether or not they wished to have another full consultation organised by the Council. This was agreed at the open meeting held on May 13<sup>th</sup>.

The Craven Vale Community Association circulated questionnaires on 3<sup>rd</sup> June with a closing date of 30<sup>th</sup> June. As of the 24<sup>th</sup> June, 84% of residents agreed with the need for a new Council consultation and 79% stated they were likely to vote in favour of a CPZ at a response rate of 27%.

We, as ward councillors for East Brighton, wish to support the Craven Vale Community Association in their request that a new CPZ consultation be undertaken in their area and ask that a report be submitted to a future committee meeting with proposals on a way forward for consideration by Members.

Yours sincerely

Cllrs Barradell and Morgan

Penny Thompson – Chief Executive  
Brighton & Hove City Council  
Grand Avenue  
Hove

25<sup>th</sup> June 2015

Dear Penny,

### **Valley Gardens Scheme**

We are jointly submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 7th July 2015.

At the Environment, Transport & Sustainability (ETS) Committee meeting 17 March 2015, members considered a report on the Valley Gardens Scheme and agreed the following recommendations:

2.1 That Committee notes progress since October 2014.

2.2 That Committee agrees the next project stage (Landscape and Highways Technical Design) should commence under guidance of the Project Management Board.

Appended to that report was a decision making summary (see below), which states that a decision will be sought from the next ETS Committee meeting on 7 July 2015 to agree to start construction, and with the additional expectation construction will commence in September 2015. Members will also note that a decision was expected to be sought from Policy & Resources (P&R) Committee at its June 2015 meeting. Despite these clear expectations, no report has been forthcoming on Valley Gardens to either June P&R nor July ETS.

The ETS Committee has already democratically agreed the (concept) scheme, and agreed that officers work on the final technical design, leaving the only decision remaining required of the ETS Committee to agree to commence construction. Despite this advanced position we understand the new Labour administration have requested officers review major aspects of the scheme; matters already agreed and beyond the scope of the technical design phase, i.e. road capacity and agreed removal of the Mazda fountain. We accept that the new administration need to be reassured that the scheme will not cause any major disruptions to the flow of traffic, but we feel that these are final design issues and should not hold up the final decision.

We are concerned that this unscheduled delay has no mandate and that the withholding of the scheduled reports to ETS and P&R will simply delay progressing

the scheme. Moreover, we have no official indication from the administration about the final timeline that will see project commencement.

Members will appreciate that a great deal of member and public engagement has already taken place and that substantial funding for the scheme has been generously promised by Coast to Capital Local Enterprise Partnership. This is government funding which needs to be spent by the LEP within tight timescales. We are therefore concerned that the current delay by the administration is causing significant risk to the scheme funding, and in turn risk to delivery of this once in a generation opportunity to improve this vitally important city central site. Moreover, we are concerned that any failure to progress this scheme will impact the confidence of funders for both current and future schemes that will be vital to the on-going success, well-being and prosperity of our city.

**So that the project may remain on the timeline agreed at March ETS committee, we call upon members of ETS committee to agree to call on officers to put reports to July full Council covering the matters that were scheduled to be considered at June P&R and July ETS.**

Yours sincerely,



Cllrs Pete West & Tony Janio

<b>Subject:</b>	<b>Constitutional Matters</b>		
<b>Date of Meeting:</b>	<b>7 July 2015</b>		
<b>Report of:</b>	<b>Monitoring Officer</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>John Peel</b>	<b>Tel: 29-1058</b>
	<b>Email:</b>	<b>John.peel@brighton-hove.gov</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To provide information on the committee's terms of reference and related matters including the appointment of its Urgency Sub-Committee.

**2. RECOMMENDATIONS:**

- 2.1 That the committee's terms of reference, as set out in Appendix A to this report, be noted; and
- 2.2 That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Article 6 of the constitution, incorporates a schedule of all the Committees/Sub-committees established in the new constitution together with a summary of their respective functions.

**The Environment, Transport & Sustainability Committee – Terms of Reference**

- 3.2 A copy of the terms of reference for the committee is attached in Appendix A. These should be read in the context of the 'Introduction and General Delegations' included in the Scheme of Delegations to Committees and Sub-Committees at part 4 of the constitution.

**Membership**

- 3.3 The membership of the committee is set at 10 Members of the council.

- 3.4 The arrangements for substitute Members to attend meetings of Committees/Sub-Committees, as set out in the Council Procedure Rules 18 to 24.

### **Programme Meetings**

- 3.5 Ordinary meetings of the Environment, Transport & Sustainability Committee are scheduled to take place on the following dates during 2015/16:

Tuesday 7 July 2015

Tuesday 13 October 2015

Tuesday 24 November 2015

Tuesday 19 January 2016

Tuesday 15 March 2016

- 3.8 Meetings of the Committee will normally be held at Hove Town Hall and will start at 4.00 p.m. For the 2015/16 municipal year, meetings will be held in Portslade Town Hall at 4.00pm due to renovation work at Hove Town Hall.

### **Urgency Sub-Committee**

- 3.9 The Constitution states that each Committee of the Council except the Audit & Standards Committee may appoint an Urgency Sub-Committee to exercise its powers. The membership of such Urgency Sub-Committee shall consist of the Chair of the Committee, and two other Members nominated by the Group Leader or Leaders as appropriate to meet the requirements for the allocation of seats between political groups. Under current allocations this would mean an urgency sub-committee will consist of one Member from each of the three political groups on the Council.
- 3.10 Such Urgency Sub-Committees may exercise their powers in relation to matters of urgency on which it is necessary to make a decision before the next ordinary meeting of the Committee. Every decision of each Urgency Sub-Committee shall be reported for information to the next ordinary meeting of the Committee as appropriate.'

## **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The council's constitution provides for the appointment of the sub-committees and urgency sub-committees and it is for the Committee to determine this action and it could decide not to make such appointments. However, this would be contrary to the wishes of the council and is not therefore regarded as a viable alternative option.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 All Members considered and approved the constitution and the changes therein on the 26 March 2015.

## **6. CONCLUSION**

6.1 The recommendations are being put forward in line with the requirements of the constitution.

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

### Financial Implications:

7.1 The costs of establishing and running the Urgency Sub-Committees are expected to be met within existing levels of resources. The cost of holding the committee meetings at the Friends Centre have been included in the overall Workstyles Programme for the move to Hove Town Hall and will be reported to the Policy & Resources Committee at a later date.

*Finance Officer Consulted: Peter Francis*

*Date: 08/05/15*

### Legal Implications:

7.2 The Council's constitution complies with the legal framework set out in the Localism Act 2011, the Local Government Act 2000 and other relevant legislation.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 11/05/15*

### Equalities Implications:

7.2 There are no equalities implications arising from the report

### Sustainability Implications:

7.3 There are no sustainability implications arising from the report.

### Any Other Significant Implications:

7.4 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Environment, Transport & Sustainability Committee Terms of Reference

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

1. None

### **Background Documents**

1. The Constitution





## ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

### Explanatory Note

This Committee is responsible for the council's functions relating to parks and green spaces, Gypsies, Roma and Travellers, waste, coast protection, the seafront, highways management, traffic management and transport, parking and sustainability.

### Delegated Functions

#### 1. Parks and Green Spaces

To exercise the Council's functions in relation to Parks and Open Spaces to the following extent:-

- a) Provision, management and control of parks and open spaces (except those held for housing purposes)
- b) Making countryside management arrangements in liaison with the South Downs National Park Authority and other environmental bodies;
- c) Provision, management and control of allotments and smallholdings;
- d) As commons registration authority.

#### 2. Environmental Health

To exercise the Council's functions in relation to environmental health, air pollution control, health and safety at work (except in so far as it relates to the Council as an employer), public conveniences, food safety, control of nuisances, including noise control and control of dogs.

To approve the Council's Official Feed and Food Controls Service Plan and the Health and Safety Annual Service Plan.

#### 3. Trading Standards

To exercise the Council's functions regarding trading standards, including but not limited to consumer protection, product safety, fair trading, metrology, food standards and animal health.

#### 4. Gypsies, Roma and Travellers

To exercise the Council's functions in relation to Gypsies, Roma and Travellers including the management of authorised sites.

#### 5. Waste

To exercise the Council's functions in relation to waste and as waste collection authority, waste disposal authority and litter authority, including dealing with litter, street cleansing, abandoned vehicles and dog fouling.

**6. Coast Protection and Flood Defence**

To exercise the Council's functions as a coast protection authority and a lead local flood authority.

**7. Seafront**

To exercise the Council's functions regarding the esplanade, beach and foreshore.

**8. Bereavement and Coroner's services;**

To exercise the Council's functions in relation to bereavement services and the Coroner's service.

**9. Sustainability**

To co-ordinate the Council's role and response to cross-cutting sustainability issues such as reducing carbon emissions, projections of a changing climate locally, improving resource efficiency and developing sustainable energy.

**10. Highways Management**

To exercise the Council's functions in relation to all highways matters and as highway authority, street authority, bridge authority, including but not limited to highways, bridges, private streets and rights of way.

**11. Traffic Management and Transport**

- a) To manage the provision of transport services for service departments including home-school transport and transport for social services;
- b) To exercise the Council's functions in relation to traffic management and transport and as traffic authority, including but not limited to public passenger transport and the co-ordination of transport for service users;
- c) To consider and make decisions on proposed traffic orders and rights of way issues where objections have been received and not withdrawn or otherwise resolved;
- d) To exercise the Council's powers regarding travel concessions.

**12. Parking**

To exercise the Council's functions in relation to parking, including on and off street parking and civil parking enforcement.

**13. Public Space**

To exercise the council's functions regarding spaces to which the public have rights of access and consisting of the highway, street furniture on the highway and open spaces or parts of open spaces immediately adjacent to the highway to which the public have access.

<b>Subject:</b>	<b>Wheelie Bin Recycling Trial</b>		
<b>Date of Meeting:</b>	<b>7 July 2015</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>Jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Hangleton, South Portslade and North Portslade</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Currently residents who have access to a kerbside recycling collection service are provided with black boxes to contain and store their recycling. The opening of the councils materials recycling facility and the recent replacement of recycling collection vehicles means that kerbside recycling can now be collected using wheelie bins. Only glass needs to be collected separately to maintain the quality of the recycling.
- 1.2 Wheelie bins offer a number of advantages over black boxes. They are easier to use for residents, reduce manual handling and their roll out is expected to improve the efficiency of the collection service.
- 1.3 This report seeks approval to trial wheelie bins for recycling for 4,500 households.

**2. RECOMMENDATIONS:**

- 2.1 That the committee approve a trial to introduce wheelie bins for the storage and collection of paper, card, cans and plastic bottles for recycling.
- 2.2 That the committee approve funding for the trial, of up to £135,000 from corporate reserves in the 2015-16 financial year with repayments made over the two following financial years. The repayment will first be funded from any savings generated from increased recycling as a result of the trail, with any remaining repayment funded from identified underspends in the service area such as income generated from new textile recycling and commercial waste schemes.
- 2.3 The trial will assess the impact of the container change on recycling rates, collection efficiency and resident satisfaction with the service to inform any decisions on wider roll out of wheelie bins.

### 3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Kerbside recycling is collected using plastic boxes with 50 litre capacity. Collections using boxes were introduced before the materials recovery facility (MRF) was constructed at Hollingdean and the main materials (paper, card, cans, plastic bottles & glass) had to be sorted into compartments on the collection vehicle. Residents were asked to keep these materials separate, either by having a box for each material or by or by compartmentalising material within their boxes. This was the only way high quality recycling could be collected in the absence of sorting infrastructure.
- 3.2 The MRF opened in 2007 which enabled paper, card, cans and plastic bottles to be comingled and sorted at the facility. This made the service easier to use for residents and it made collections more efficient eliminating the need to sort materials at the collection point. Glass has been kept separate as broken glass can have a detrimental impact on the value and ability to recycle paper in particular. Shards of glass also have a detrimental impact on the wear and tear of the sorting equipment in the MRF.
- 3.3 Kerbside sort collections required compartmentalised vehicles. The disadvantage of these vehicles was that if one compartment was full, the crew had to return to tip the materials and the overall capacity of the vehicles was limited. The old vehicles have now come to the end of their life and most have been replaced with 'twin pack' vehicles. The new vehicles look like normal refuse trucks, but have two compartments, one larger compartment for mixed paper, cans, card and plastic bottles which is tipped in the MRF and a smaller compartment for glass which is tipped separately. These new vehicles have standard bin lifting equipment, so currently crews empty recycling boxes in to wheelie bins, which are then emptied in to the vehicles.
- 3.4 This report seeks approval for a trial to issue residents with wheelie bins for comingled recycling (paper, card, cans and plastic bottles) while retaining a box for glass. Wheelie bins are expected to increase the amount of recycling collected and realise a number of advantages for residents including:
- Wheelie bins are be easier to handle for residents who will need fewer containers
  - Wheelie bins will generally provide residents with more capacity to store recycling. A 240l bin (which is proposed standard issue, and is larger than the 140l standard issue wheelie bin for refuse collection) will have a similar capacity to five boxes.
  - Wheelie bins will keep paper and cardboard dry during wet weather. Saturated paper and cardboard is generally not recycled and better containment will improve the quality of recycling.
  - Wheelie bins are more robust and will require less frequent replacement. They are also less susceptible to being blown away or used for other purposes reducing replacement costs.

- In windy weather recycling does get blown out of recycling boxes increasing litter. This would be eliminated with the use of wheelie bins.
  - Issuing wheelie bins will reduce manual handling for Cityclean staff and may improve operational efficiency
- 3.5 Residents frequently request wheelie bins for recycling and the change has also been suggested by staff.
- 3.6 There is a potential risk that issuing wheelie bins could result in the quality of recycling going down as collection crews will not be able to spot any contamination as readily. To minimise this risk the trial would be supported by clear communications including information printed on the bins as to what materials should put in the bins and the requirement to keep glass in a separate box. The quality of recycling is regularly monitored at the MRF and any decrease in recyclate quality will be identified and help target communications with residents. The recycling wheelie bins will
- 3.7 The trial would be rolled out to an existing recycling round enabling robust monitoring of the impact on recycling rates and any adverse impact on levels of contamination. All residents would be surveyed within six months of the start of the trial to assess whether they prefer the new method of collection.
- 3.8 One of the measureable objectives of the trial will be to assess the impact on recycling rates to inform any future decisions on further roll out. Not all parts of the city are suitable
- 3.9 It is proposed to run the trial in Hangleton as shown in Appendix 1. The round consists of 4300 households.
- 3.10 This area is being proposed as properties in this area generally have sufficient outside space to store an additional wheelie bin on their property. Any properties which are unable to store a wheelie bin on their property would continue to have their recycling collected in boxes.
- 3.11 Not all properties that currently receive a kerbside collection will be suitable for wheelie bins due for recycling due to limited storage space and areas would be audited prior to any further recommendations on rolling the scheme out.
- 3.12 If approval is granted the trial could start in November 2015.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Collections could carry on as they are using black boxes for all materials. Wheelie bins are expected to realise benefits as outlined above which is why a trial is proposed.
- 4.2 After six months the trial will be evaluated and inform a detailed business case to roll the scheme out to all suitable kerbside properties. An assessment will be made as to whether the roll out of wheelie bins results in a net saving to the council as a result of increased recycling, improved collection efficiency and

reduced costs associated with replacement recycling boxes. The feedback from the trial and the consultation (set out below) will be reported back to this committee for evaluation and to inform any decisions on future roll out.

- 4.3 If the trial is successful, the extent to which wheelie bin can be introduced will need to be audited. Properties in many areas of the city have room for an additional wheelie bin, but in some kerbside collection areas space is limited. These considerations will also be brought to a future meeting as part of the evaluation of the trial.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The service receives regular requests from residents for wheelie bins for recycling through the contact centre. Collection crews have also fed back that they think collections using bins will improve the service.
- 5.2 Feedback from a recent resident focus group suggests that residents in suburban areas would prefer a wheelie bin for mixed recycling compared to the current boxes.
- 5.3 As part of the trial it is proposed to seek feedback from residents through a survey to assess whether they prefer wheelie bins to the current box collections.

## **6. CONCLUSION**

- 6.1 The council now has the fleet and infrastructure in place to collect kerbside recycling (excluding glass) in wheelie bins. Wheelie bins are expected to result in increased recycling rates and in significant advantages for residents and for the collection service. This trial will enable thorough evaluation of this new collection methodology to inform decisions about wide scale roll out to all suitable properties in future.

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

### Financial Implications:

- 7.1 The cost of 240l wheelie bins is £24 per bin including delivery. The cost of communication materials including bin stickers and surveying residents is £5.75 per household. The total cost of the trial for 4,500 households will therefore be approximately £135,000.

It is anticipated that the trial will require short term funding from capital reserves in the 2015-16 financial year with repayments made over the two following financial years. The repayment will first be funded from any savings generated from increased recycling as a result of the trial, with any remaining repayment funded from identified underspends in the service area such as income generated from new textile recycling and commercial waste schemes (which are subject to separate Committee approval). The recurring financial impact of the proposed scheme and repayments to reserves will be incorporated in future years budget as part of the budget setting and service planning process.

- 7.2 The trial will enable an assessment to be made as to whether the introduction of wheelie bins increases recycling and enables more efficiencies to be realised from the collection service and any savings as a result of a reduction in the number of requests for replacement boxes.

*Finance Officer Consulted: Steven Bedford*

*Date: 10/06/15*

Legal Implications:

- 7.5 There are no legal implications arising from this report. The Council has powers to specify and to provide the types of receptacles to be used for depositing waste for collection and may also require particular locations to be used. The results and analysis of the consultation will need to be taken into account in coming to decisions following the trial.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 13/05/15*

Equalities Implications:

- 7.3 Wheelie bins are generally easier to handle than recycling boxes as they do not require manual handling. Any resident not able to access the service will be offered an assisted collection.

Sustainability Implications:

- 7.4 The introduction of wheelie bins is expected to result in increased recycling rates as it will make it easier for people to recycle. The roll out will be supported by effective communication in order to minimise any increase in non-recyclable material thrown in the bin

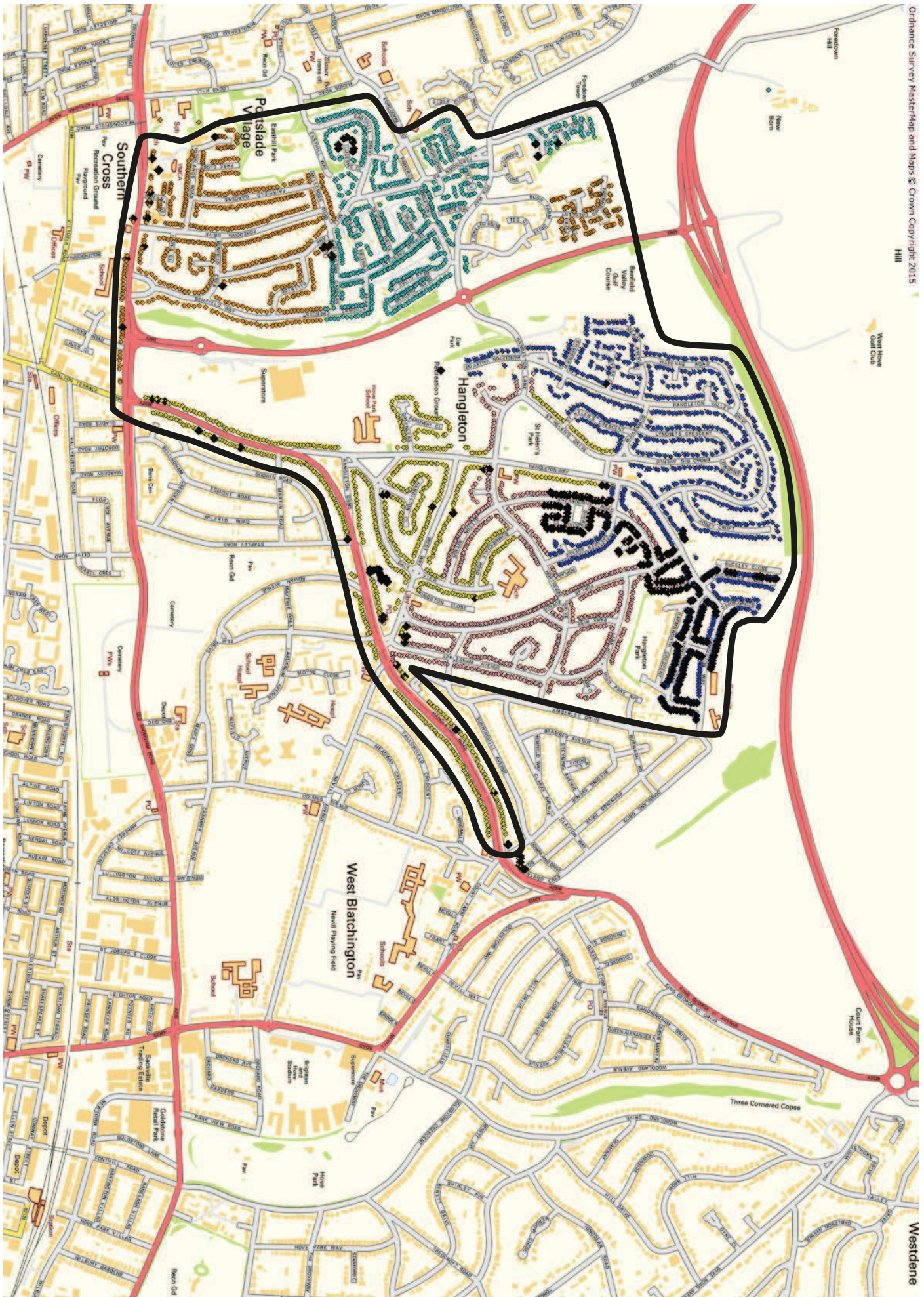
## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Map outlining proposed trial area for wheelie bin collections (coloured dots represent properties in the proposed trial area)











<b>Subject:</b>	<b>Changes to Textile Collections from Bring Sites Securing Revenue for Brighton &amp; Hove City Council and Local Charities</b>		
<b>Date of Meeting:</b>	<b>7 July 2015</b>		
<b>Report of:</b>	<b>Executive Director of Environment Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report seeks approval to procure a contract for the installation, maintenance and servicing of textile banks with Brighton & Hove to enable textiles to be recycled with the rising revenue ring fenced to local charities and groups and to service improvements.

**2. RECOMMENDATIONS:**

- 2.1 That the Environment Transport and Sustainability Committee:
- 2.1.1 authorises the procurement of the contract for the installation, maintenance and servicing of textile banks in Brighton & Hove, following the timeline and evaluation criteria set out in the report with a contract term of 3 years from November 2015 with the option of a two year extension;
  - 2.1.2 authorises the re-investment of 90% of the net income from the contract in service improvements such as maintenance of on-street recycling bins and investment in wheelie bins for recycling;
  - 2.1.3 authorises the ring-fencing of 10% of the net income from the contract to the incentive fund formally agreed by the Committee in March 2014;
  - 2.1.4 agrees to the review of the scheme after six months to assess income generated and its allocation within the service and to the incentive fund; and
  - 2.1.5 authorises all necessary measures to remove the unregulated textile banks from council-owned land so that they can be replaced by those authorised under the contract;
- 2.2 Grants delegated authority to the Executive Director Environment, Development & Housing:

- 2.2.1 to award the contract for 3 years following the recommendations of the evaluation panel and the results of the tendering process; and
- 2.2.2 to extend the contract for 2 years subject to satisfactory performance of the provider in respect of the initial 3 year period.
- 2.3 Notes that the contract will be awarded as soon as practicable allowing for the procurement process.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 There are 74 'bring sites' in Brighton and Hove (excluding communal recycling bins introduced last year). Most of these sites have recycling bins for paper, card, cans, plastic bottles, glass and a range of other materials including, at some sites, drinks cartons, textiles and electronic equipment. Of the 74 sites 64 are located on council land, the remainder are located on private land such as supermarket car parks.
- 3.2 64 of the 74 sites include 'textile banks' where residents can take unwanted textiles, and in some cases shoes, to be re-used or recycled. The majority of these banks have been installed on council-owned land by national charities, companies acting on behalf of charities or companies who donate a proportion of their income to charities, with no formal approval or agreement from the council. The charities operate the recycling service independently from the council and currently any revenue achieved from recycling is retained by the national charities.
- 3.3 Textiles have a relatively high value but currently none of the revenue benefits local charities or groups nor does the council see any return. The proposals in this report seek to secure some of the funds raised from textiles for local charities and groups. The tonnages collected are reported to the council and included in recycling statistics.
- 3.4 The 64 textile banks are broken down as follows in terms of number of sites and tonnage:
- The Salvation Army (23 sites, 233 tonnes in 2013/14)
  - TRAIID (21 sites, 93 tonnes in 2013/14)
  - Oxfam (23 tonnes in 2013/14)
  - European Recycling Company (29 sites, 23 tonnes in 2013/14)
  - BCR (3 tonnes in 2013/14)
- 3.5 All the charities currently operating textile banks are national or international, although some do also operate locally, for example the Salvation Army and TRAIID have retail outlets in the city.
- 3.6 Most of these textile banks have been in place for many years and were put in place without knowledge of the council and without any formal agreement in place. This situation is not unusual to Brighton & Hove, and many local authorities being in a similar position, have taken, or are taking, similar steps to those proposed in this report.

- 3.7 Collected textiles are taken to facilities where they are sorted in to different grades. Wearable items are sold on either in the UK or abroad. The remainder of the textiles are sold to the 'flocking industry' for shredding and re-spinning. The charities benefit by receiving a proportion of the income generated, or to a lesser degree, by generating income through sale of clothes through their own retail outlets. The current situation benefits a small number of national charities but does not benefit any charities which only operate locally. The council does not receive any income through the current scheme but the tonnage collected does contribute to the city's recycling figures. In 2013/14 375 tonnes of textiles were collected in Brighton & Hove.
- 3.8 It should be noted that the value of textiles has increased significantly over recent years. The average price in 2014/15 was between £240 and £310 per tonne. On this basis the value of textiles collected in Brighton & Hove ranges between £90,000 and £116,000. The values of materials do fluctuate and there is no guarantee what future income levels will be.

### **The proposed contract and tender process**

- 3.9 This report seeks approval to procure and award a concession contract for the installation, maintenance and servicing of textile banks in the city for a duration of 3 years with the option to extend by a further 2 years, to replace the current ad hoc, unregulated system.
- 3.10 The Council will undertake its own robust two-stage tender process in relation this contract, scoring each tender return on a combination of price and quality.

### **Advantages of the proposed scheme**

- 3.11 The contract would generate a net income for the council. Research suggests the scheme could generate in excess of £90,000 per year based on tonnages collected in 2013/14 and based on current textile values. To incentivise people to use the scheme, a proportion of the income (10%) would be ring-fenced to a recycling reward fund that local charities and organisations could apply to for grants. The reward scheme would be integrated to the scheme which was agreed by this committee in March 2014. The incentive scheme will advertised on the recycling banks.
- 3.12 Recycling is cheaper than disposal of waste through energy recover or landfill and the approved incentive scheme ring fences £15 to a community fund for every tonne of additional material recycled over and above the 2012/13 baseline. A 1% increase in recycling will on this basis generate approximately £16,000 for the fund.
- 3.13 Local charities and groups will be eligible to apply to the fund provided their application will be of benefit to the city and its residents. The fund will be administered by the council.
- 3.14 Ring fencing 10% of the net income from textiles will help boost the scheme with guaranteed income estimated at £9,000 per year based on current textile prices in addition to any funds raised through other recycling increases.

- 3.15 The proposed roll-out of wheelie bins for recycling, to be considered by this committee, is also expected to result in an increase in the tonnage of material collected for recycling which will provide further contributions to the incentive fund.
- 3.16 Under a formal contract, the council could install more textile banks in addition to replacing existing ones. Schools for example could be asked by the council if they would want a bank to be used by their pupils.
- 3.17 It is proposed to review the scheme after six months to assess the amount of income generated and its allocation within the service and the community fund.

#### **Removal of the unregulated textile banks**

- 3.18 The owners of the existing, unregulated banks would be given appropriate notice to remove them, so that textile banks procured under the contract could be placed on the council's land instead.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The current arrangements for the collection of textiles could be left in place. This would mean that the existing charities would retain their income. However this would also mean that the council would not receive any revenue from the scheme that could be invested in frontline recycling operations as well as local charities not having the opportunity to bid for any funds.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 No formal consultation has taken place on these proposals. Local charities have contacted the Cityclean in the past seeking opportunities to benefit from textile recycling. The proposed scheme would be transparent and provide all local charities with the opportunity to bid for funds from the incentive scheme.
- 5.2 No formal discussions have been held with the current providers of textile banks about the proposed changes. Subject to the decision of this committee they will be given three months' notice to remove their banks from council owned sites.

#### **6. CONCLUSION**

- 6.1 Currently arrangements for collection of textiles from bring banks in the city are ad hoc and unregulated. The council has no control over the current arrangements and receives no income for the materials collected. Local charities do not benefit from the current arrangements, with most of the income generated by national charities. There are no formal agreements in place for the current textile banks.
- 6.2 The proposed contract to be procured by the council would formalise collections of textiles from council-owned sites, with the net income reinvested in the service. In addition, ten per cent of the income will be allocated to the previously agreed incentive scheme to encourage residents to use the service.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

The proposed procurement process is subject to compliance with the council's Contract Standing Orders and Financial Regulations.

It is anticipated that expenditure related to the proposed procurement of installations, maintenance and servicing of textile banks will be funded by the income generated from the sales of materials collected. It has been forecasted that the scheme could generate in excess of £90,000 per annum based on current available data. It is proposed that ten per cent net of income generated would be ring-fenced to a recycling reward fund that local charities and organisations could apply to for grants.

The potential net revenue is not assumed within the council's approved budget at present, but could be incorporated when information on the costs and income becomes more robust and can be accurately forecast.

*Finance Officer Consulted: Steven Bedford*

*Date: 04/06/15*

### Legal Implications:

- 7.1 The proposals in this report fall within the Council's powers as a Waste Collection Authority pursuant to the Environmental Protection Act 1990 to reduce waste and to increase recycling.
- 7.2 The Council will need to ensure that an appropriate process is followed in order to terminate existing arrangements. The approach taken will ensure that reasonable notice is given and that, where, applicable, licences or other agreements are formally terminated in accordance with any contractual provisions.
- 7.3 The service must be procured via a competitive, fair and transparent tender process which complies with the council's Contract Standing Orders. As it is a concession arrangement, the payment provisions and details of the way in which income may be generated will need to be clearly set out in the contract. Contract terms may grant exclusivity to a textile trader to locate only their 'bring bank' containers on land as directed by the Council.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 03/06/15*

### Equalities Implications:

- 7.4 There are no equalities implications.

### Sustainability Implications:

- 7.5 The promotion of the scheme, potential roll out to more sites, including schools and community centres and introduction of incentives is expected to encourage more people to recycle textiles.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

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

1. None

### **Background Documents**

1. None



<b>Subject:</b>	<b>Progress and proposals for Ultra-Low Emission Vehicles</b>		
<b>Date of Meeting:</b>	<b>7 July 2015</b>		
<b>Report of:</b>	<b>Executive Director - Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Andrew Renaut</b>	<b>Tel: 29-2477</b>
	<b>Email:</b>	<b>andrew.renaut@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report outlines a number of future proposals that are required to maintain, update and expand the infrastructure required to support and facilitate the greater uptake and use of Ultra-Low Emission Vehicles [ULEVs] in the city, especially electric vehicles. This is explained in the context of the progress that has been made in recent years following the introduction of the first, publicly-available electric vehicle charging points in the city in 2009.
- 1.2 Reducing carbon emissions from transport contributes towards tackling the environmental effects of climate change, and addressing air quality problems (especially those within the city's two Air Quality Management Areas [AQMAs] where European Union [EU] thresholds for Nitrogen Dioxide [NO<sub>2</sub>] are exceeded), by reducing emissions from road traffic in the city are two of the council's main objectives within its Local Transport Plan [LTP] and City Plan. These actions also support the wider objectives of the council and city.
- 1.3 The LTP states that the council aims to provide information and choices for people to enable them to travel more sustainably on a regular basis; promote and enable greater use of zero- and low-emission forms of transport; and use new technology to maximise reduction of carbon emissions.
- 1.4 Greater use of ULEVs, especially electric vehicles, is one way in which the city's local transport objectives will be fulfilled. It will contribute towards local and national targets to reduce carbon emissions by 3.5% per year to 2020 and by 80% by 2050 (based on a 2005 baseline), and reduce air quality levels closer to, or below, the threshold of 40 micrograms/cubic metre for NO<sub>2</sub>.
- 1.5 The government's Office of Low Emission Vehicles [OLEV] was established in 2009 with the objective of positioning the UK at the global forefront of ULEV development, manufacture and use so as to contribute to economic growth and to help reduce greenhouse gas emission and air pollution on the UK's roads. OLEV has set itself the target that by 2040 every new car will be a ULEV.

## **2. RECOMMENDATIONS:**

- 2.1 That the Committee welcomes the progress that has been made in the city to increase the use of ultra-low emission vehicles, especially electric vehicles.
- 2.2 That the Committee agrees to the continued investment in Ultra-Low Emission Vehicle [ULEV] technology and infrastructure to upgrade and increase the availability of on-street charging for public use, including:-
  - i) an initial upgrade of up to four of the existing eight on-street electric vehicle charging points;
  - ii) a second phase of upgrades to the remaining, existing on-street electric vehicle charging points; and
  - iii) the installation of new on- and off-street electric vehicle charging points across the city between 2015/16 and 2018/19.
- 2.3 That the Committee approves the dissolution of the existing Brighton & Hove City Council Electric Vehicle Charing Point Registration Scheme and the transfer of the administration and use of all current and future charge points to an established national charging network.
- 2.4 That the Committee authorises officers to continue to work together with partners and stakeholders to identify and pursue opportunities to install equipment and bid for external funding to support the upgrade and expansion of Ultra-Low Emission Vehicle [ULEV] technology and infrastructure within the city.

## **3. CONTEXT/ BACKGROUND INFORMATION**

### Progress

- 3.1 There are a number of factors that can influence the growth in ownership and use of ULEVs. These can include the rate at which technology is developed within commercial, private sector markets; the cost to a consumer of purchasing a vehicle; and the ability to charge the vehicle conveniently. The council cannot increase ULEV use in the city by itself, but it can play an important role in doing so. Recognising the need to accommodate expected growth in the need for, and use of, ULEVs within the city, the council has already introduced electric vehicle charging points [EVCPs], and is aware the demand for more infrastructure in local neighbourhoods.
- 3.2 Since 2009, the council has installed a number of public EVCPs at locations across the city. These are summarised in Appendix 1. Points were also installed in the Trafalgar Street and Regency Square public car parks when they were refurbished in 2013. The on-street locations were installed and part-funded (50%) by the council as part of the European-funded CIVITAS Archimedes project. The location of these points was limited by the study boundary of the CIVITAS project which included the city centre and the A23 and A270 corridors.

- 3.3 Information on the uptake and ownership of EVs in the city is not readily available from the government, but recent data from OLEV show that there have been over 9,000 new ULEV registrations in the UK from January to March 2015, which is an increase of 366% from the same period in 2014. The council's Electric Vehicle Registration Scheme currently has 109 members, and has increased by almost 70% between November 2014 and June 2015. Annual usage of the on-street EV charging sites varies across the city. The greatest use occurs at the site by The Level in Ditchling Road and the Madeira Drive site is used the least. Analysis of usage has concluded that their introduction would have achieved a 55% reduction in CO<sub>2</sub> emissions, if the electric vehicles using the parking bays had replaced a petrol- or diesel-fuelled vehicle using the same parking bay. Research has also shown that a shortage of charging points was a factor that registered users of the council's scheme liked least about using electric vehicles.
- 3.4 The existing on-street charge points are 'first generation' 13 amp 'slow' charge points. Advancements in EV technology and infrastructure during the last two years means that the 13 amp charge point has now been superseded by a more powerful model, called a 32 amp 'Type Two' 'fast' charger. The 32 amp charger can halve the time it takes to typically charge an EV to approximately 3-4 hours, and is currently regarded as industry standard, and new EVs are supplied with a 'Type Two' charging cable.
- 3.5 To further encourage the use of ULEVs, the council offers a 50% discount on the price of a resident's parking permit. This applies to vehicles that have been registered after 2001 and which have CO<sub>2</sub> emissions of no more than 120g/km.

#### Securing additional funding

- 3.6 The council has continued to maintain the CIVITAS-funded charging points that have been installed from within existing, available budgets, and has also sought to secure additional, external funding when it has become available. The council is participating in the EV South East 'energise' Network, led by Lewes District Council, which is described more fully in Appendix 2 of this report. The 'energise' network has successfully secured £2.4million from the government to invest in between 30-40 strategically located, off-street, 'rapid' EVCPs across the south-east of England. Withdean Stadium will be the first location in the city to offer this facility for EV drivers.
- 3.7 Funding bids have been submitted to a number of sources to secure investment in ULEV technology and infrastructure. These include the successful bids which secured nearly £1million from the government's Clean Bus and Clean Vehicle Technology Funds (approximately £750,000 for investment in buses, and £195,000 for taxi minibuses respectively). The council also applied for funding from the government's Go Ultra-Low City Scheme in early 2015, following the submission of an initial expression of interest in December 2014. The second phase bid was submitted to OLEV for part of a £35 million fund to increase the uptake of ULEVs, but was unfortunately not successful. The bid is attached as Appendix 3 of this report, and outline possible future opportunities in the city.

### Upgrading infrastructure

- 3.8 Upgrading (up to) four of the existing eight sockets on on-street EVCPs will enable users to benefit from faster recharging times and also increase turnover, therefore enabling greater use to be made of the points by different drivers. The 'Type two' charge point is also regarded as a 'future proof' (5 years +) option because it has capacity for an additional 32 amp reserve should a 64 amp output be required in the future for even faster recharging times. The upgraded parts can be installed and operational in approximately four weeks.

### Improving administrative procedures

- 3.9 The council's existing EVCP Registration Scheme was developed as a bespoke arrangement for the CIVITAS project in 2009. Since then, new national provisions to manage such schemes have been developed and adopted in the surrounding areas. It is therefore proposed to dissolve the existing Brighton & Hove registration arrangements and transfer all Brighton & Hove City Council charge points to the CYC ('Charge Your Car') national network. This will create a consistent and linked EVCP network across Sussex and beyond, and provide mutual access to all charging points. This means that any electric vehicle owner (registered to the same national network) will be able to use the council's public charge points, no matter where they live in the country.
- 3.10 It is also proposed that the council's existing 'no cost to charge' policy for EVCPs will remain as this approach is in line with both East and West Sussex County Councils. It is also expected that EVCP bays will continue to have a maximum electric vehicle charge time of three hours, and further consideration will need to be given to if, or how, the use of the bay when charging would be paid for.
- 3.11 The introduction of a parking legislation contravention code means the council will no longer be required to issue electric vehicle permits to those registering to use the charge points once the charge points have been transferred to a national network. Registration to the national network is a quick and easy online process; making EVCP access virtually instant.

### Increasing access to charging facilities

- 3.12 The council recognises that the increased availability and distribution of EVCP options is key to increasing the uptake and use of electric vehicles, and will help address the growing interest and requests for residential on-street charging points. Government initiatives, such as the OLEV scheme to provide grants to local authorities to respond to individual requests for residential on-street and paid EVCPs, have not proved to be popular outside London. The council has not signed up to it as the additional commitments required, in terms of funding and resources, are not considered to provide value for money currently.
- 3.13 However, it is proposed to increase the overall availability of EVCPs in the city for use by wider communities and it is proposed to install further charge points in the city over the next four years. Decisions on locations will involve a consistent process of evaluation and consultation, in order to maximise the benefits to expected and potential users within the wider neighbourhoods they could serve.

- 3.14 EV owners in the city that have access to a driveway or off-street parking facilities can take advantage of a 75% discount (capped at £700) off the total capital cost of a charge point and its associated installation costs through the Government's Electric Vehicle Homecharge Scheme. Owners that do not have a driveway or access to off-street parking where they live are reliant on using the public on-street EVCPs in the city to recharge their vehicle. Officers have therefore also been considering ways in local owners could legally and safely access their domestic power supply, without obstructing the highway with the cable, or causing a trip hazard.
- 3.15 In line with the council's approved City Plan Sustainable Transport policy (CP9), the council has recently prepared and consulted on revised, draft guidance for Parking Standards for New Development (known as Supplementary Planning Document 13 [SPD13]). Within the draft SPD13, proposals to secure electric vehicle charging points as part of planning applications for certain land-uses, such as residential and employment, have been included for the first time.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The only feasible alternative options would be to either continue with the council's existing EVCP registration scheme and not upgrade or install further EVCPs in the city, or remove the infrastructure. The former point would mean that the use of the city's EVCPs would be inconsistent with that of the rest of Sussex and parts of the south-east of England, which could be confusing or discouraging to EV drivers. The latter point would mean that, over time, the current charging infrastructure would become obsolete, and therefore discourage residents from purchasing, or people visiting the city in, an electric vehicle. Given the Government and motor industry's clear commitments to increasing the uptake and use of ULEVs, removal of the city's existing EVCPs is not considered appropriate. It is therefore recommended that the city's registration scheme is made more compatible with that used within the region, and that investment in upgrading and increasing the availability of EVCP infrastructure is supported.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 No community engagement or consultation has been carried out so far. Members of the current registration scheme will be notified of the proposed changes for the scheme and upgrades to existing charging points, and decisions on locations of new charging points will involve a consistent process of evaluation, prioritisation and consultation, particularly for any Traffic Regulation Orders, prior to the in order to maximise the benefits to both expected and potential users within the wider communities that they could serve.

#### **6. CONCLUSION**

- 6.1 The proposed improvements to the administration of the use of EVCPs in the city and a gradual upgrade and increase in the numbers of points over a wider area through continued and additional investment, alongside policy development, will contribute to an increase in choice and uptake associated with ULEVs in the city,

therefore contributing to a range of wider objectives that exist within the city that benefit local residents, neighbourhoods, businesses and visitors alike.

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

### Financial Implications:

- 7.1 Although the costs vary dependent on site, the approximate cost of upgrading an EVCP point is £9,000, and the approximate cost of introducing a new EVCP is £11,000. The capital costs of upgrading and increasing availability of EVCPs will be funded from the Local Transport Plan [LTP] capital programme. The 2015/16 LTP capital programme has allocated £55,000 towards EVCPs as approved at Policy & Resources Committee in March this year. Future years' capital allocations are subject to future Policy & Resources Committee approval.
- 7.2 The annual cost associated with the maintenance and administration of the existing EVCPs is approximately £10,000, and has been met from within existing budgets. These costs are expected to remain the same if the registration process is changed to the national arrangement. Current electricity costs are approximately £1,000/year. The impact of reduced parking availability and discounted permits on parking revenue income is not considered to be significant.
- 7.3 Officers will continue to identify opportunities to maximise external funding sources. External funding is potentially an important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the council.

*Finance Officer Consulted: Steven Bedford*

*Date: 22/06/15*

### Legal Implications:

- 7.4 The existing EVCP Registration Scheme in Brighton & Hove allows the Council to alter or terminate the scheme and therefore there are no legal implications arising from the report.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 23/06/15*

### Equalities Implications:

- 7.5 Continued investment in EVCPs to increase the uptake of ULEVs will increase the opportunity for local people to consider using, or benefit from the use of, such a vehicle, and is not expected to materially disadvantage other road users.

### Sustainability Implications:

- 7.6 Investment in additional and more powerful EVCPs will encourage wider ownership and usage of electric vehicles, which will result in local air quality improvements if such vehicles replace more polluting ones. The charging points are powered solely by electricity from sustainable sources and therefore will continue to help with a reduction in carbon emissions.

### Any Other Significant Implications:

- 7.7 Greater uptake and use of ULEVs as a result of increased investment in infrastructure will help improve air quality, especially if they replace petrol- or diesel-fuelled cars which are driven on a regular basis. Reductions in exhaust-pipe emissions will therefore also be beneficial to public health. Engine technology also means that noise from electric vehicles is far less than that generated by other vehicles using a normal combustion engine.
- 7.8 Continued investment in ULEV infrastructure is consistent with the aim within the Environmental Sustainability section of the council's Corporate Plan to 'increase the choice and safety of sustainable, low-emission transport options through the Local Transport Plan and EU funding'.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Location of publicly available charging points in Brighton & Hove
2. EVSE Network/Partnership
3. Funding Application submitted in February 2015 for Department for Transport "Go Ultra Low City" (GUL) Scheme

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

1. None.

### **Background Documents:**

1. Brighton & Hove City Council's Local Transport Plan 2015

## **7.7.15 ET&S Committee Report – Agenda item 11**

### **Appendix 1**

#### **Location of publicly available charging points in Brighton & Hove**

The council has installed 10 publicly available electric vehicle charging points in the city. These are in 6 locations:

1. Withdean Stadium A (Eldred Avenue)
2. Withdean Stadium B (Eldred Avenue)
3. The Level A (Ditchling Road)
4. The Level B (Ditchling Road)
5. Bartholomews A
6. Bartholomews B
7. Madeira Drive A
8. Madeira Drive B
9. Trafalgar Street Car Park
10. Regency Square Car Park

The charge points provide electricity at no cost to members of the Brighton & Hove City Council EV registration scheme.

Parking at the on-street charge points (1 to 8 above) is free whilst charging during the maximum 3 hour, enforced charging limit time period.

Users of the off-street charge points in Trafalgar Street and Regency Square public car parks are required to pay the standard car park charge.



## **7.7.15 : ET&S Committee Report – Agenda item 11**

### **Appendix 2**

#### **EVSE Network/Partnership**

In 2014, the council participated in a joint bid by the EV South East [EVSE] Network Partnership for grant funding from the Government's Office for Low Emission Vehicles [OLEV] to install Rapid and Fast Charging Points in the south-east of England.

The bid was successful and the EV South East Network Partnership (now branded as 'energise') was awarded £2.4 million to develop a network of linked up rapid chargers, capable of recharging an electric vehicle in 20 minutes, at key strategic locations/destinations across the region.

The project has secured funding for 30 - 40 rapid chargers locations across the south-east, one of which is Withdean Stadium car park in Brighton. The rapid charge points are expected to be installed and operational by July 2015.

The rapid charger locations have:

- Good access to major routes
- 24/7 public access (i.e. no barriers/ restrictions).
- Safe and well lit access.
- Access to 3 phase power.
- Access to amenities (refreshments etc.)
- Provision for 1 or 2 parking spaces.

The rapid chargers charge at the rate of 43kW or 50kW per hour, compared to a traditional charging point which usually delivers 3kW per hour. The rapid chargers can recharge an electric vehicle to 80% from flat in approximately 20 minutes.

The grant funding is for the supply and installation of 75% of the cost, and the remaining 25% funding will be provided by Elektromotive/Charge Your Car, who are the commercial partners in the bid. Therefore, there is no cost for the supply/installation of the charging points to the local authorities involved in the bid.

The energise website address is :-

<http://www.energisenetwork.co.uk>

Funding Application submitted in February 2015 for Department for Transport “Go Ultra Low City” (GUL) Scheme

## Annex C - Screening Phase Pro-forma

### Who is involved in your bid?

The following businesses and organisations have been formally approached and show an interest in compiling a bid and being project partners:

- Charge Your Car Network (CYC)
- City Car Club
- Elektromotive
- EV South East (Energise) Network
- Ricardo Engineering
- Southern Rail
- The Sussex Air Quality Partnership (Sussex-air)
- University of Brighton

Local electric car dealerships / manufactures would also form part of the project team.

### What are the key elements you plan to deliver?

Brighton & Hove City Council and its project partners will bring about step change and transform the future of electric mobility by introducing a combination of different elements to the city.

#### ULEV Uptake

**Public Electric Car Hire:** Explore a) introducing public electric car hire and its linkages with Park & Ride locations within the city, b) introducing additional car club bays for electric vehicles, c) setting up a grant top-up for car club operators to upgrade new vehicles to ULEV's; and d) purchasing car club ULEV fleet vehicles for Brighton & Hove City Council pool car use. *N.B: City Car Club in Brighton and Hove has 100 hire cars and over 3000 members.*

**Publically Accessible Charge Points / Electric Vehicle Hubs:** Increasing a) publically accessible charge points in shopping centres, public car parks and residential developments; and b) publically accessible charge points in residential areas through residential / community electric vehicle charging point hubs, to provide car charging facilities within a 5 / 10 minute walking distance from home. The electric hubs would be accessible to private and business users. The ability to reserve an electric vehicle bay or car using real time functionality, including community hub registration login / personalisation would be made possible by the introduction of electric vehicle charging and parking by smartphone.

**Open Access:** Maximise access to charge points in the city by having an open network (e.g. accepts a variety of charge cards).

**Incentives:** Continue incentives to encourage more people to drive electric cars e.g. continue the availability of free electricity and parking at charge points, 50% reduction off the cost of a residents parking permit (to include greater promotion to local residents); and explore reduced parking fees and designated parking bays for electric vehicles.

**ULEV Taxis:** Explore a) setting up a grant top-up for PHV / Taxi owners to upgrade new vehicles to ULEV's; and b) the opportunity to introduce EVCP Hubs at Brighton and Hove train stations. The infrastructure would support uptake of ULEVs (taxis) in and around the city. (Linked to the BHCC Taxi bid)

**1) Expected Impact**

A minimum 55% overall reduction in CO2 emissions (compared to the same usage with non-electric vehicles); and an increase in the number of electric vehicle users.

**2) Supporting Evidence**

Eight electric vehicle charging points were installed and part-funded through the Brighton & Hove City Council Civitas project in 2009 which concluded a 55% reduction in CO2 emissions (compared to the same usage with non-electric vehicles) and that the shortage of charging points was the factor that registered users liked least about electric transport.

## Exemplar Status

Brighton & Hove is at the forefront of creative and innovative transport schemes. We have a reputation as a market leader in transport policy and putting it into practice. E.g. the council led the way in electric vehicle charging infrastructure by becoming the first city outside of London to install public on-street charging points, through the European CIVITAS Initiative in 2009; and in 2014 the council was awarded CIVITAS City of the Year 2014 status for successfully implementing ambitious sustainable transport policies. The city is also the world's first designated One Planet City and has achieved international Biosphere status. Brighton & Hove City Council will build on its existing reputation by:

- Linking into the South East 'Energise' Network to explore/maximise wider connectivity between this and Surrey County Council's bid. Using the 'Energise' brand and drawing on its established regional / South East partnerships to deliver a joined up / cohesive regional wide scheme.

The Energise Network will work with both public and private sector partners to a) promote business use of ULEV's, b) enable private and public sector fleet uptake by promoting the available infrastructure and benefits of ULEV's; and c) highlight the economic benefit to business, tourism and private users of ULEV's.

- Delivering 'Energise' Network events to share learning with other local authorities / transport professionals.
- Disseminating project information to a world-wide audience (through new and existing international networks) via audience specific offline and online communication channels e.g. workshop, webinars, and online content / newsletters. This includes maximising on the opportunity to gather data and communicate / disseminate findings world-wide to increase the understanding of electric vehicle user behaviour.

## Air Quality

The existing Local Air Quality Management Strategy for Brighton & Hove is linked with the Local Transport Plan and is associated with the Sussex Air Quality Partnership.

The City has two Air Quality Management Areas (AQMAs) for none compliance with Nitrogen Dioxide. Both were declared in 2013. The two AQMA are a quarter the size of the previous one (2008) and include all exceedance of Nitrogen Dioxide at relevant receptors.

The council is developing a renewed 2015 air quality action plan targeting the 2013 declared AQMA; and it is recommended that it will promote alternatives to diesel in the new air quality management area (for example methane, low emission petrol, hybrid and electric vehicle use).

Proposals:

- Changing local planning. - All new offices and major residential developments to have 10% of spaces with charging provision and 10% passive charging provision.
- Running a city-wide association dedicated to promoting, educating, supporting and accelerating the adoption of plug-in electric vehicles in Brighton & Hove.
- Opportunity to explore a) the implications of Low Emission Zone (LEZ) bus lane access for ULEVs; and b) extending the vehicle type of the current Low Emission Zone (LEZ) to include taxis.

Encouraging the uptake of ULEV's in Brighton and Hove will also benefit the wider region of Sussex and the South East by reducing emissions of vehicles that travel across the whole region. As a result other Air Quality Management Areas across Sussex will benefit.

## Innovation

**Research & Development:** Explore a) solar power electric vehicle charging, b) electric vehicle batteries e.g. battery swapping and portable electric car batteries for easy in-door charging, c) demonstrating strategic thought on grid impact by carrying out a managed electric vehicle charging trial using Power Electronics Devices (PEDs) to distribute/share power between neighbouring substations/charging points; and d) the introduction of ULEV parking bay sensors for real-time information.

## Linking with Other Schemes

Linking with the:

- EU-funded CIVITAS project (2015 – 2020) (pending bid outcome)
- Energise Network\*
- BHCC Vehicle Technology Fund to retrofit taxis with emission-reduction equipment.
- Clean Bus Transport Fund, the Clean Vehicle Transport fund; and the Green bus fund for electric hybrid buses.
- The 2015 B&H Bus Low Emission Zone (LEZ)
- Ultra-Low Emission Vehicle Taxi Scheme (Dec 2014) (pending bid outcome)
- Low Emission Bus Scheme (Dec 2014) (pending bid outcome)

\*The Energise Network was developed from the OLEV funded eV South East Network Project (2013-15). It is a public sector led partnership including Kent, Surrey and Sussex authorities and Southern Rail. The network has established a joined up network of rapid electric vehicle charge points across the region; and is working with partners to promote and raise awareness of eV charging and benefits of going "electric". For more information go to:

[www.energisenetwork.co.uk](http://www.energisenetwork.co.uk)

## Monitoring

The following areas will be monitored to analyse the impact of the scheme and the increased uptake of electric vehicles. External factors and their potential impacts will also be analysed.

- **Electric Vehicle Usage:** Comparing baseline electric vehicle usage in Brighton & Hove before and after the introduction of the scheme.
- **Health:** Brighton and Hove Public Health includes the (Public Health England) public health indicator for particulates (PM2.5) in its' [Joint Strategic Needs Assessment \(JSNA\)](#). This has a [local health burden which impacts on 5.4% of BHCC population](#). This equates to 115 deaths in the city per year. The bid will assess health improvements through population health impacts assessment.
- **Air Quality / Emissions Levels:** Use of air quality monitoring data and historical data on emissions levels. Plus, carbon Dioxide emission calculations and comparisons based on actual charge point usage figures using National Energy Foundation Co2 Calculator.
- **Social Acceptance / Awareness Levels:** Conducting awareness and acceptance surveys to explore people's attitudes before, during and after the scheme to monitor how opinions and behaviour change over the course of the project.
- **Energy / Fuel Consumption:** Compare a) fuel efficiency of electric vehicles with non-electric vehicles; and b) fuel costs to battery charge costs.

## How are you going to deliver those key elements?

We'd maximise opportunities:

- Through partnership, business and community engagement.
- Through joint, packaged and linked bids.
- Through successful joint project working.
- By applying learning & innovation.
- With political sign up.
- Through promotion to raise awareness and encourage behaviour change.
- By having 2 – 3 dedicated project officers.



<b>Subject:</b>	<b>Traffic Regulations Order objections- Lustrell's Vale and Saltdean Vale</b>		
<b>Date of Meeting:</b>	<b>7 July 2015</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Matthew Thompson</b>	<b>Tel: 29-0235</b>
	<b>Email:</b>	<b>matthew.thompson@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Rottingdean Coastal</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to consider two objections received in relation to the Traffic Regulation Order (TRO) advertised to introduce waiting restrictions in Lustrell's Vale, north of School Lane (Saltdean) and to extend the existing double yellow lines on Saltdean Vale near the junction of Arundel Drive East.
- 1.2 The measures outlined in the TRO form part of the wider Saltdean Primary expansion measures as part of the of the 2015-16 Safer Routes to School Scheme, which also includes the new Bilingual school near Hove Park and the expansion of St Andrew's Church of England Primary in Central Hove.
- 1.3 The Road Traffic Act 1988 places a statutory duty on local highway authorities to promote road safety. This duty involves studying the occurrence and causes of collisions and taking appropriate preventative action in the form of physical (engineering) and educational measures to reduce the risk of casualties on local roads. Unitary local authorities in England also have a Public Health duty to take such steps as they consider appropriate for improving the health of the people in their areas.

**2. RECOMMENDATIONS:**

- 2.1 That having taken account of all duly made representations and objections, the Environment, Transport & Sustainability Committee approves the amendment of the Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 Amendment Order No.\*\* 20\*\* (TRO-11-2015) to enable the introduction of one hour maximum waiting restrictions on Lustrell's Vale north of School Lane outside numbers 59-87 either side of the bus stop and to extend the existing double yellow lines on Saltdean Vale to a point north of the Arundel Drive East junction.
- 2.2 That the Committee also approves the extension of existing waiting restrictions to a point outside numbers 114-132 Lustrell's Vale, either side of the existing bus stop to prevent long stay parking at these locations blocking deliveries and preventing a regular turnover of customer parking.

- 2.3 That the Committee authorises officers to consult with residents and businesses over the introduction of a 'Pay by Phone' four hour maximum waiting restriction to the off-street car park on the corner of Lustrell's Vale and Saltdean Drive, in order to prevent long stay parking for the same reasons given at 2.2 above and to finance enforcement and upkeep.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Safer Routes to School is an initiative that aims to improve routes to school making it safer for children and their parents and carers to walk, cycle or use public transport, thus providing increased travel choice for the journey to and from school. The initiative forms a key component of Brighton & Hove City Council's Local Transport Plan 2015/16 – 2018/19 and the Safer Roads Road Safety Strategy 2014-2020. .
- 3.2 Saltdean Primary School is expanding from two forms entry (420 pupils) to three form entry (630 pupils). This will require an additional 16 staff bringing the total number of employees on site to 80.
- 3.3 Saltdean residents did not support an area wide 20mph speed limit for the area in the phase 3 public consultation carried out in autumn 2014, but were in favour of 20mph limits around the school. The introduction of lower limits in this area will be supported by these measures.
- 3.4 Approval for the expansion was granted by the Planning Committee on 11 March 2015 with the following transport mitigation measures:
- One hour parking restrictions outside the Co-op on Lustrell's Vale.
  - Improved signage on the corner of School lane and Lustrell's Vale.
  - Dropped kerbs and tactile paving on: Chichester Drive West junction with Saltdean Vale; Glyndebourne Ave junction & Chichester Drive West; Glyndebourne Ave junction with Lustrell's Vale; Saltdean Vale junction with Lustrell's Vale; Saltdean Vale nr junction with Arundel Drive East.
  - A central pedestrian refuge on Saltdean Vale near Arundel Drive East (necessitating an extension of double yellow lines to protect pedestrian sightlines).
  - A central pedestrian refuge on Saltdean Park Rd between car park and Lido/ Library.
  - A raised table across the junction of Chiltington Way and Saltdean Vale.
  - A raised table across the junction of Chiltington Way and Lustrell's Vale.
  - Extending the footways to narrow the junction of Saltdean Park Rd and Arundel Drive West and adding a central pedestrian refuge on Arundel Drive West.

### **4. COMMUNITY ENGAGEMENT & CONSULTATION**

The TRO was advertised for public comment between 11 May and 5 June 2015.

- 4.1 The three ward Councillors for Rottingdean & Coastal were contacted prior to the restrictions during the run up to the Local and General elections, with one requesting a site visit with Council officers. This took place on the 24 March 2015



and covered the wider scheme including the proposed TRO amendments. Since the election, the newly elected ward councillors have been offered a second site visit on 12 June and all have been shown the detailed plans.

- 4.2 TRO notices were posted on 11 May 2015. Letters were delivered to all businesses on Lustrell's Vale and officers spoke to business owners/managers where possible.

#### Objections to the Traffic Regulation Order amendment

- 4.3 Saltdean Vale  
No objections have been received to the proposed changes to double yellow lines on Saltdean Vale.

- 4.4 Lustrell's Vale: Objection 1.  
This objection was received by email. The objector noted that restrictions will be in place from Monday to Saturday, although school hours are Monday to Friday. The objector did not believe there was a need to restrict the parking on a Saturday, when the schools will not be open but people will be looking to use the local shops.

The objector also noted that the proposed restrictions will be 8 AM to 8 PM and wondered how this would assist traffic around the school drop-off and collection times, suggesting it would be more appropriate to impose these restrictions from 8 AM to 10 AM and then again from 3 pm to 5pm.

The objector pointed out that one of the attractions of small businesses in Lustrell's Vale is the ability to find easy parking and felt that Brighton and Hove Council did not appear to be concerned regarding this.

As a longstanding business owner on this parade the objector is concerned that this restriction in parking would have an impact on his business and suggested the Council should also be considering ensuring that traffic wardens patrol this area during school drop-off and collection times as the parking by parents is more of a major concern than whether cars are parking for longer than two hours in a designated parking space.

- 4.5 Officer's response:  
The statement of reasons for the Traffic Regulation Order (see Appendix 1) gives two reasons for the changes; to prevent long term parking by parents, and to give local shops a turnover of customers.

As customers need to access these businesses throughout the day we have applied the 8am to 8pm restriction. Other retailers spoken to by officers were in favour of such a restriction in order to encourage greater customer turnover.

In addition, the proposed timing will ensure that school staff do not use these parking spaces. Parking on the school site will be very limited following the expansion and these restrictions will avoid parking being displaced onto Lustrell's Vale.

While there are other shorter 'light touch' parking restrictions in force in other parts of the city, these are currently only applied in conjunction with a controlled parking scheme. Officers do not believe this would be supported by Saltdean residents and it does not form part of this scheme.

While school lessons do not run on Saturdays, the school premises will be used from time to time on a Saturday by community and other groups and for this reason Saturdays are included in the proposal.

Civil enforcement officers will make regular patrols to the area and extra enforcement can be requested by the school when necessary to ensure that restrictions are enforced.

#### 4.6 Lustrell's Vale: Objection 2

A retailer on Lustrell's Vale emailed and subsequently phoned the project manager to make it clear that he does not want any change to current parking arrangements. When previously visited by officers he expressed concerns about delivery lorries stopping for longer than an hour at the very end of the day outside the adjacent store on Tuesday and Friday evenings blocking his frontage from view, which he believes impacts negatively on his business. In the email he repeats his opposition but adds that if the changes went ahead, he would like to see a loading ban on Lustrell's Vale after 4pm.

#### 4.7 Officer's Response

The restriction as proposed would not prevent deliveries but would prevent lorries remaining parked, blocking the shops adjacent.

An officer spoke to the manager of the store where the deliveries take place, who accepted that lorries often stay longer than they should for logistical reasons. She did not, however, object to the one hour restriction and agreed that this was long enough to accommodate deliveries. A waiting and loading ban would prevent all parking outside the shops in question, including both deliveries and customers, and would clearly not satisfy the retailer who has objected.

Officers are confident the changes will be an improvement on the current situation. The objection cannot be responded to by engineering solutions and is therefore not resolved.

#### Alternative proposals

- 4.8 The TRO proposed waiting restrictions outside 59-87 Lustrell's Vale only. Retailers on the opposite side of the road (114-132) told officers that they were concerned that waiting restrictions at 59-87 and increased traffic associated with the school would also increase long stay parking to their side of the road, obstructing deliveries and preventing customer turnover. Officers agree that this is likely, and are therefore proposing this TRO be amended to include this area either side of the bus stop.

#### 4.9 Public Car Park on Lustrell's Vale

The Saltdean Residents' Association and other retailers have suggested that the car park on the corner of Lustrell's Vale and Saltdean Ave (currently free to use with no restrictions) is frequently used for all day parking by residents who live up the hill, leaving cars near the bus stop in order to catch the bus into town. They believe this parking may be preventing some customers accessing Lustrell's Vale businesses and have therefore requested that waiting restrictions be added to the car park. The land is owned by the council but is not part of the public highway, but would have to be the subject of a separate TRO.

#### 4.10 Paid parking

Officers were asked to investigate the possibility of introducing pay and display parking to help pay for car park maintenance costs and as a way of making regular extra enforcement in the area cost neutral. The concern was that this outlying area may not have frequent enforcement visits. Officers involved in parking have informed the Road Safety Team that the Council spent £9,100 on resurfacing the car park in 2011 but does not have a maintenance budget for this car park.

#### 4.11 Parking Enforcement team response

Setting up 'pay & display' facilities is the most costly option, at over £3,500 per machine plus ongoing cash collection costs whereas 'Pay by Phone' parking would be much cheaper to set up. Drivers could still opt to pay in cash at the nearby Co-operative store. This would be much easier to enforce as Civil Enforcement Officers (CEO's) would be able to consult an online live database to identify whether a driver has paid, rather than having to return in one hour to see if the vehicle has overstayed the time limit. However, officers note that parking on surrounding streets will remain unrestricted and suggest that imposing a cost on the car park could displace some parking to residential streets, which could be unpopular with some residents.

#### 4.12 Staff Costs

The new parking restrictions would pay for regular enforcement in the area by CEO's as well as upkeep costs for the site, which are currently unbudgeted for.

### **CONCLUSION**

5.1 The majority of local retailers support the proposed restrictions on Lustrell's Vale and believe they will assist with customer turnover as intended. Retailers on the other side of the road want the same restrictions to be applied outside their premises for the same reasons stated in the TRO.

5.2 Officers believe that the car park on the corner of Lustrell's Vale and Saltdean Avenue would benefit from a 4 hours maximum stay restriction. Pay by phone charges would have the added benefit of financing regular enforcement visits to the area and general upkeep of the car park, which currently does not have an allocated budget. However, aside from the Residents' Association, other Saltdean residents have not had a chance to comment on this aspect, and officers would recommend that this is undertaken before a final decision is made.

5.3 There are no objections to the Saltdean Vale double yellow line extension proposal and this can now proceed.

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

#### 6.1 Financial Implications:

The costs associated to implementing the recommended amendments and extension of existing waiting restrictions are expected to be approximately £72,795. This is due to be funded from developer contributions from the Saltdean Primary School extension. Additional costs of consultation, design costs and

officer time have been met from the approved Local Transport Plan capital budget and the road Safety revenue budget.

The costs associated to the proposed consultation of introducing pay by phone parking will be funded from existing Parking Infrastructure revenue budgets, and the financial implications of the will be considered before potential implementation.

*Finance Officer Consulted: Steven Bedford*

*Date: 11/06/15*

6.2 Legal Implications:

6.3 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. Procedural regulations require public notice of orders to be given and any person may object to the making of an order. Any unresolved objections to an order must be considered by the Transport Committee before it can be made.

6.4 The Traffic Order has been advertised in accordance with the Road Traffic Regulation Act 1984 and the relevant procedure regulations.

6.5 As there are unresolved objections and representations they are now referred to this meeting for resolution.

6.6 There are no human rights implications to draw to Members' attention

*Lawyer Consulted: Katie Matthews*

*Date: 10/06/2015*

Equalities Implications:

6.7 No Equalities Impact assessment has been carried out, but the amendments to the parking restrictions will not prevent blue badge holders from parking.

Sustainability Implications:

6.8 The expanded school will continue to have a relatively contained catchment area. The proposed measures will encourage walking and cycling to school, and the School travel team are working with the School to update the School travel plan to encourage safe and sustainable travel to and from school.

Public Health Implications:

6.9 The measures will encourage active travel to school, supporting physical activity targets and contributing to tackling child obesity.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. TRO statement of reasons

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

1. Copies of the objections received

### **Background Documents**

1. Local Transport Plan 2015/16 to 2019/2020
2. The Road Safety Strategy



**BRIGHTON & HOVE CITY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984**

**Brighton & Hove Various Controlled Parking Zones Consolidation Order  
2008 Amendment Order No.\*\* 20\*\* (TRO-11-2015)**

**Statement of Reasons**

The Council are proposing to introduce double yellow lines in Saltdean Vale at the junction with Arundel Drive East to increase visibility of pedestrians using a new pedestrian refuge and to introduce limited waiting in Lustrells Vale north of School Lane to prevent long term parking by parents of children attending a nearby school and to give local shops a turnover of customers.

Executive Director Environment, Development & Housing  
Brighton & Hove City Council  
C/o Parking Infrastructure  
2<sup>nd</sup> Floor, Kings House  
Grand Avenue  
Hove  
BN3 2LS





<b>Subject:</b>	<b>George Street – Opening hours to traffic</b>		
<b>Date of Meeting:</b>	<b>7<sup>th</sup> July 2015</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Charles Field</b>	<b>Tel: 29-3329</b>
	<b>Email:</b>	<b>Charles.field@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Central Hove</b>		

## **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report outlines the way forward for George Street following a petition presented to the Environment, Transport & Sustainability Committee on 17<sup>th</sup> March 2015.

## **2. RECOMMENDATIONS:**

- 2.1 That the Environment, Transport & Sustainability Committee approves a consultation to businesses in George Street on whether their road should be open to traffic at 4pm all year rather than the current opening of 6pm between 1<sup>st</sup> April and 31<sup>st</sup> October. This will include a consultation letter to any interested groups.
- 2.2 That the Environment, Transport & Sustainability Committee agrees that the results of the consultation be presented to a future Committee meeting to agree the way forward.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 George Street Hove was pedestrianised in 1999 which was undertaken through an experimental order that was made permanent following numerous objections and a Traffic Regulation Order. A Public Inquiry was required because of the introduction of a loading ban in the street that extended beyond peak hours.
- 3.2 In 2003 a Traffic Regulation Order was advertised to extend the street closure to 6pm all year round. Following objections a compromise was agreed and the hours were extended to 6pm in the summer only (1st Apr. to 31<sup>st</sup> Oct.). This was approved by the Environment Committee on 29 January 2004.
- 3.3 A petition was presented by Cllr Jan Young to the Environment Committee on 31<sup>st</sup> March 2011 on behalf of the George Street Hove Association of traders requesting a change in street opening hours to 4pm daily effective 1<sup>st</sup> April 2011 and continuing thereafter. The petition had 53 separate signatures.
- 3.4 Following this a letter was sent out to all the businesses and interested groups in June 2011 asking for their views on whether the council should carry out a more

detailed consultation. It was outlined that a second stage of consultation would only happen later in the year if there was substantial support for change.

- 3.5 101 letters were sent out and 17 were returned giving a response rate of 17%. 7 responses (41%) were not in favour of further consultation while 10 (59%) responses were in favour of further consultation. Concerns were also outlined by the Council's Road Safety Manager that it could increase pedestrian/vehicle conflict and therefore the number of collisions and injuries.
- 3.6 Only 5 Interested groups responded, 3 of which included the B&H Bus Company, Friends of the Earth & Living Streets who all opposed an increase in street opening hours to traffic.
- The Bus Company responded that they would be in favour of the extended summer hours continuing as it creates a great atmosphere and is welcomed by hundreds of bus passengers who shop in the street and enjoy the car free arrangements on late summer afternoons.
  - The Hove Business Association responded, whilst not stating a preference that they would strongly recommend that further consultation takes place and that in the interest of democracy, the results are published.
  - The Brighton & Hove Friends of the Earth did not see the value in having a further consultation on this scheme and that to reduce the pedestrian only hours in summer would be a retrograde step in any case.
  - Living Streets were opposed in principle to reducing the hours of pedestrianised streets, unless some very good reason could be adduced.
  - Sussex Police had no comment to make from a traffic management perspective. They felt that should the decision be made to proceed to wider consultation a further response would be considered.
- 3.7 Given the low turnout and the unclear result it was felt that things should be left as they are until there was a further strengthened argument that the majority of businesses wanted a change to the opening hours for traffic. An officer statement to the Environment Committee Meeting on 4<sup>th</sup> October 2011 was made concerning the consultation, appending the report and recommending no further action.
- 3.8 On 17<sup>th</sup> March 2015 the Environment, Transport & Sustainability Committee considered a petition presented by Cllr Andrew Wealls and signed by 91 people requesting that George Street open to traffic at 4pm all year around rather than the current opening of 6pm between March and October.
- 3.9 The Chair at the meeting noted that his response was based on the information supplied that 55 people had signed the petition. On the basis that the new figure represented the majority of business on the street, it was requested that officers look into the issue again to examine the feasibility of a revised opening time.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The main alternative option is doing nothing which would mean the consultation would not be taken forward.
- 4.2 However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 It is proposed that a consultation letter is sent to businesses on George Street on whether their road should be open to traffic at 4pm all year round rather than the current opening of 6pm between March and October.
- 5.2 The following will be made clear in the Consultation letter;
- Licences for tables and chairs stipulate that they are for pedestrianisation hours only. Therefore if these hours were to be reduced then those licence holders would be unable to display tables and chairs outside of those hours. A practical example of the effect of the trader's proposals would be that a business who currently have about 6 tables and 24 chairs would have to remove these at 4pm in the summer or be in breach of their licence.
  - If the "pedestrian only" hours are reduced to 4pm all year round then vehicles will be able to enter to park and load/unload in the road. Café & bar owners who currently display tables and chairs on the road after 4pm will no longer be able to do so
  - If the "pedestrian only" hours are left unchanged then vehicles will not be allowed to enter the road until 6pm in the summer and café/bar owners will be unaffected.
  - Any A-boards placed in the bays would need to be relocated to the footways.
- 5.3 For information the following businesses have items in loading/parking bays (Other businesses may have items such as A-boards not necessarily in loading bays e.g Costa Coffee).
- Cliftonville Inn (Weatherspoons)
  - Just Eat
  - Gossip
  - Wrap Deli (from June 2015 when opening)
  - Chunky Chops (just applied for tables & chairs in bays)
- 5.4 Interested groups that are identified will also be sent a consultation letter and included in the results so that the Council can ensure all views are taken into consideration.
- 5.5 It is important to note that the Council does receive correspondence about the dangers pedestrians face in George Street from the volume and speed of through traffic. It is acknowledged that the layout, surface and cross-section

aims to reduce speeds, but the need to preserve use by large vehicles has compromised the effectiveness of these and some conflicts do arise.

5.6 The following road safety issues will also need to be considered during the consultation;

- **Custom & Practice** - The current conditions have established a 'pedestrianised' environment for the length of the business day which has led to a custom and practice of pedestrian freedom over that period. Whilst it would be clear to motorists through traffic signs and traders through consultation that these hours were shortened to 4pm, it could take some time before pedestrians became aware and we would anticipate conflicts.
- **Established Need** - Other than providing the ability for traders to enter earlier for loading purposes, there does not appear to be a social or traffic management need for vehicles to use George Street earlier in the day and access between Blatchington Road and Church Road can be easily achieved by other routes.
- **Road Safety** - Increased right-turning traffic into George Street would further impact on the safety of the pedestrian crossing in Blatchington Road and increase conflicts at the north end of George Street, where we already have a collision history.

5.7 The results of the consultation will be presented to a further Environment, Transport & Sustainability Committee to agree the way forward.

## 6. CONCLUSION

6.1 It is recommended that the Environment, Transport & Sustainability Committee approves a consultation to businesses on George Street on whether their road should be open to traffic at 4pm all year around rather than the current opening of 6pm between March and October.

6.2 The results of the consultation will be presented to a further Environment, Transport & Sustainability Committee to agree the way forward.

6.3 If the responses to this consultation indicate there is support for the proposal and it is agreed to take this forward by a further Environment, Transport & Sustainability Committee then a Traffic Regulation Order (TRO) will be advertised as soon as possible. If objections and representations are received and not withdrawn then they have to be considered by a further Environment, Transport & Sustainability Committee meeting.

6.4 It is appreciated that given the level of support for the recent petition, it is felt that these procedures maybe unnecessary but they are requirements under the Road Traffic Regulation Act 1984 and the council's actions may be challenged if it fails to consult adequately.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The costs associated to the recommended consultation will be funded from the existing Parking Services revenue budget within the Transport service.
- 7.2 There are expected to be costs associated to new signage if a change to opening hours to traffic is approved. It is anticipated that this would also be funded from existing revenue budgets
- 7.3 It is expected that a change to opening hours to traffic would not impact of fee income from parking and highways licencing.

*Finance Officer Consulted: Steven Bedford*

*Date: 01/06/15*

### Legal Implications:

- 7.4 The Council's powers and duties under the Road Traffic Regulation Act 1984 ("the Act") must be exercised to secure the expeditious, convenient and safe movement of all types of traffic. As far as is practicable, the Council should have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles; securing the safety and convenience of users; any other matters that appear relevant to the Council.
- 7.5 The Council has to follow the rules on consultation set out by the government and the courts. The Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time must be given to allow intelligent consideration and responses and that results are properly taken into account in finalising the proposals.
- 7.6 After the proposals are advertised, the Council can, in the light of objections / representations received, decide to re-consult either widely or specifically when it believes that it would be appropriate before deciding the final composition of any associated orders. Where there are unresolved objections to the traffic orders, then the matter is required to return to Environment, Transport & Sustainability Committee for a decision.
- 7.7 There are no human rights implications to bring to members' attention.

*Lawyer Consulted: Katie Matthews*

*Date: 01/06/2015*

### Equalities Implications:

- 7.8 No Equalities implications identified.

Sustainability Implications:

7.9 No Sustainability implications identified.

Any Other Significant Implications:

7.10 The change may provide increased parking opportunities for the holders of blue badges wanting to use the local facilities.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

**Documents in Members' Rooms**

1. None

**Background Documents**

1. None

<b>Subject:</b>	<b>Madeira Drive - Alterations to the parking arrangements and tariffs.</b>		
<b>Date of Meeting:</b>	<b>7<sup>th</sup> July 2015</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Charles Field</b>	<b>Tel: 29-33299</b>
	<b>Email:</b>	<b>Charles.field@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>East Brighton</b>		

## **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The report outlines a number of proposed changes to the parking arrangements and tariff costs following the safety requirement for a 4 metre perimeter fence to allow works on the Terraces on Madeira Drive.

## **2. RECOMMENDATIONS:**

- 2.1 That Committee agrees to remove the perpendicular parking on the north side of Madeira Drive east of the Concorde and replace this with parallel parking on both sides of the road. The parking on the north side will be further complemented with a 1.2 metre wide footway strip to provide safe means of access to and from vehicles. The parking on the southern side will also give some protection to the cycle lane and it will be further supported by extending the barriers further towards the Dukes Mound.
- 2.2 That Committee agrees to the installation of a section of white centre line markings at the eastern end of the road where road widths are narrower. Once finalised a Road Safety Audit would be undertaken.
- 2.3 That Committee approves that a Traffic Regulation Order (TRO) is advertised so 20 parking spaces west of the Concorde are changed from high tariff to low tariff bays with the associated annual revenue loss of approximately £80,000 plus the TRO costs for the Parking & Network Operations service.
- 2.4 That Committee approves advertising a separate retrospective Traffic Regulation Order to incorporate any of the minor changes to bays again under the revenue budget for the Parking & Network Operations service.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 In April 2015 a number of discussions took place regarding the need for a 4 metre perimeter fence to support ongoing protection and maintenance operations for the arches along Madeira Drive.
- 3.2 After a number of site visits and discussions it was agreed to move the perpendicular parking on the North side 4 metres into the road. To meet the road

width requirements about 40 spaces on the South side of the road adjacent to the cycle lane also needed to be removed which meant a revenue loss of £130,000 to the Council.

- 3.3 The lining work was undertaken in early May at a cost of approximately £10,000, the expense was increased by the need for a hydro-blast process to remove the existing lining and prevent damage to the highway. There was subsequent work to allow for the required lining for the planters to improve traffic management and to allow placement after events.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The main alternative option is doing nothing which would mean the changes would not be taken forward.
- 4.2 However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Following the changes on the ground a number of complaints have been received by the Council which are based on the impact of removing spaces and road safety concerns.
- 5.2 In terms of the removal of the 40 bays there are concerns that this has had an impact on businesses in the area such as Yellowwave. The removal of approximately 40 spaces coupled with half of those removed being low tariff bays has also led to affordability concerns for visitors. The remaining 30 low tariff bays are very well used which means many visitors usually only have the option of parking in high tariff bays during the summer period (May to October). Appendix A outlines the costs of the tariffs for reference.
- 5.3 In regard to the road safety issues there are concerns from users that the revised layout increases risk of incursion by passing traffic, since the parking bays next to it have been removed. It has also been suggested that the speed of traffic has increased between the base of Dukes Mound and the barriers which increases collision risk for people using the parking bays on the north side of Madeira Drive, including children crossing the road from the north side. It was also reported that coaches are parking in the bays and the disabled bay at the west end of the road restricts road width in its current position.
- 5.4 In response to these concerns officers met with representatives of Yellowwave and it was agreed to investigate the concerns.

#### **6. CONCLUSION**

- 6.1 After investigating the options officers have agreed on the following recommendations to improve parking operations, maintain road safety and respond to visitor concerns.
- 6.2 The Council proposes to remove the perpendicular parking (30 spaces) on the north side of Madeira Drive and will replace this with parking parallel to the



kerblines on both sides of the road which should amount to no overall loss in parking capacity. The parallel parking on the north side will be further complemented by a 1.2 metres wide footway strip to provide safe means of pedestrian access to and from vehicles whilst the parallel parking on the southern side will also give some protection to the cycle lane and this will be further supported by extending the temporary barriers towards the Dukes Mound. As part of this work officers will look to see if any additional parking bays can be created to increase availability and also investigate regarding the location of the disabled bay concern.

- 6.3 Even with parking on both sides and narrow footway on the northern side there will be little change in the overall road width and with parallel parking the manoeuvring of vehicles will create less conflict and so maintain road safety.
- 6.4 Officers have also investigated the possibility of installing a section of white centre line marking at the eastern end where road widths are narrower to encourage lower traffic speeds and better lane discipline. Once the design is finalised a Road Safety Audit of parking and traffic management will be undertaken.
- 6.5 The overall costs for providing road safety measures comprising planters, barriers and associated road markings will be about £5,000 over the course of this year and roughly £1500 annually to maintain thereafter. It is expected that there will be a requirement to frequently maintain the temporary blocks / planters and there is likely to be a need for the replacement of some blocks, the longer they are in place.
- 6.6 The majority of these amendments are covered by the existing Traffic Regulation Order (TRO) and can be undertaken quite quickly. However, a retrospective TRO will be advertised to cover some of the minor changes not currently contained within the existing order. All the additional lining work and TRO costs will be met from the Parking & Networks Operations revenue budget.
- 6.7 It is appreciated that it isn't cost effective to make continual changes to the lining, however, we are responding to a new situation and driver behaviour that wasn't anticipated following the re-location of the spaces in spite of the best endeavours of officers to re-design the road and parking layout in response to the urgent situation arising from the Madeira Terraces.
- 6.8 It is also proposed that to respond to visitor concerns a separate Traffic Regulation Order (TRO) is advertised for a 21 day period so that 20 spaces west of the Concorde are changed from high tariff to low tariff bays with the associated revenue loss and TRO costs for the Parking & Network Operations section.

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

### Financial Implications:

- 7.1 The costs and revenue loss associated to the recommendations will be reflected within the existing Parking Services revenue budget within the Transport service. It is anticipated that the costs of implementing the proposed changes to parking

arrangements, including associated Traffic Regulation Orders will be funded from existing revenue budgets.

- 7.2 The forecast revenue loss associated to the changes will result in an annual revenue loss of approximately £80,000 in addition to the initial £130,000 loss from the removal of 40 bays. This further projected loss in revenue has been incorporated into the councils budget monitoring forecasted reported to Policy and Resources Committee. The revenue impact will be monitored throughout the financial year as part of the budget monitoring process and mitigating underspends will sought to offset the revenue loss. The ongoing impact of these changes will be factored into budget setting for 2016/17.

*Finance Officer Consulted: Steven Bedford*

*Date: 26/06/15*

Legal Implications:

- 7.3 The Council's powers and duties under the Road Traffic Regulation Act 1984 ("the Act") must be exercised to secure the expeditious, convenient and safe movement of all types of traffic. As far as is practicable, the Council should have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles; securing the safety and convenience of users; any other matters that appear relevant to the Council.
- 7.4 The Council has to follow the rules on consultation set out by the government and the courts. The Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time must be given to allow intelligent consideration and responses and that results are properly taken into account in finalising the proposals.
- 7.5 After the proposals are advertised, the Council can, in the light of objections / representations received, decide to re-consult either widely or specifically when it believes that it would be appropriate before deciding the final composition of any associated orders. Where there are unresolved objections to the traffic orders, then the matter is required to return to Environment, Transport & Sustainability Committee for a decision.
- 7.6 There are no human rights implications to bring to members' attention.

*Lawyer Consulted: Katie Matthews*

*Date: 26 June 2015*

Equalities Implications:

- 7.7 No Equalities implications identified.

Sustainability Implications:

- 7.8 No Sustainability implications identified.

Any Other Significant Implications:

7.9 None

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Appendix A – Seafront Tariffs

**Documents in Members' Rooms**

1. Plans of the proposals

**Background Documents**

1. None



## **Appendix A – Seafront tariffs**

### **May to October**

#### **High tariff costs**

1 hour - £3.20

2 hours - £5.20

4 hours - £10.40

11 hours - £15.5

#### **Low Tariff costs**

1 hour - £1.00

2 hours - £2.00

4 hours - £4.20

11 hours - £7.20

### **November to April (High and low tariff costs)**

#### **Low Tariff costs**

1 hour - £1.00

2 hours - £2.00

4 hours - £4.20

11 hours - £7.20

