

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 27 NOVEMBER 2018

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Mitchell (Chair) Horan (Deputy Chair), Wares (Opposition Spokesperson), Littman (Group Spokesperson), Atkinson, Brown, Greenbaum, Miller, Peltzer Dunn and Robins

PART ONE

34 PROCEDURAL BUSINESS

34(a) Declarations of substitutes

34.1 Councillor Greenbaum was present as substitute for Councillor West.

34(b) Declarations of interest

34.2 There were none.

34(c) Exclusion of press and public

34.3 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).

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

35 MINUTES

35.1 **RESOLVED-** That the minutes of the previous meeting held on 9 October 2018 be approved and signed as the correct record.

36 CHAIRS COMMUNICATIONS

36.1 The Chair provided the following communications:

“On Air Quality and Health, Public Health England has published a report called ‘Health matters: air pollution’. And included within it is a case study about our involvement in helping to reduce bus emissions and improved air quality in the city based on the work to seek and secure government grants to roll out cleaner less polluting vehicle fleets. This highlights that, on some routes, reductions in harmful pollutants such as Nitrogen Dioxide and Particulate Matter have been achieved.

The city is also beginning to benefit from an increased level of engagement with Network Rail on a number of issues. For example, there have been presentations and discussions with a range of stakeholders about the proposed ‘blockades’ to enable essential rail maintenance work to be carried out, and about future investment plans and the works to the Brighton Mainline, which include unlocking the Croydon bottleneck and elsewhere in the wider Greater Brighton City Region area.

Officers have also attended a South East Route Stakeholder Partnership Forum meeting recently and we very much hope that this continues and that the dialogue leads to some positive action and outcomes that keeps the city’s residents, workers and visitors fully informed of its plans and implications for travelling by train.

And finally, officers have been liaising with key Transport for London officers about improving accessibility and site safety on major construction and development sites in London and the city. The current and planned traffic management arrangements for Valley Gardens Phases 1 and 2 has provided a useful focus to review site safety and access provision for pedestrians, cyclists and vulnerable highway users.

We will keep Members of this committee and the Transport Partnership informed as things progress”.

37 CALL OVER

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

- Item 42: Valley Gardens Phase 3 – (Royal Pavilion to Seafront) Approval of Business Case
- Item 44: Hove Park Resident Parking Scheme Consultation
- Item 46: Improve Brighton & Hove’s Recycling Scheme Petition
- Item 47: Environmental Enforcement Policy
- Item 48: Graffiti Strategy
- Item 49: Rights of Way Improvement Plan

37.2 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 43: Parking Scheme Update Report
- Item 45: Hangelton Safer Routes to School Scheme

38 PUBLIC INVOLVEMENT

(B) WRITTEN QUESTIONS

(i) Valley Gardens Scheme

38.1 David Spafford put the following question:

“Following the implementation of the ‘Old Steine to Palace Pier Proposals’ how many bus movement per day will go through the junction where the bottom of St James Street meets Grand Parade, and how will this effect traffic flows?”

38.2 The Chair provided the following reply:

“The technical work which has been undertaken so far on this project has used a computer-based traffic model which has been built using data for all traffic movements, including bus movements. The model conforms to Government guidance in terms of the traffic data being used, and the time periods which are the most important. The data are based on traffic surveys and the time periods are the morning and evening peak hours which are 8am to 9am, and 5pm to 6pm respectively.

The model has helped inform the work undertaken to assess a number of possible design options by comparing them with a situation with no changes in the area around the Old Steine. The subsequent conclusions and decisions made by this committee to consult on a single, recommended option – referred to as Option 1 – have included consideration of this data. The modelling has provided information about predicted journey times and therefore helped to establish the principles within the preferred layout for the area.

The modelling results indicate that the total number of bus movements which are expected to pass through the St James’s Street/Old Steine junction for the morning peak hour will be 174 bus movements and for the evening peak hour will be 182 bus movements. In overall terms, the modelling shows that the estimated changes to journey times across the whole of the project area for bus passengers and drivers in other vehicles are likely to increase with all of the options that were tested, but Option 1 was the best performing in terms of the overall effects on traffic. This information has then been considered as part of the much wider assessment undertaken against all of the projects agreed design objectives that don’t just relate to volume and speed of traffic.

The next stage of the design for this scheme is currently expected to be considered by this committee in January next year, when this committee will take account of the public consultation results. If approved, the design will be subject to further optimisation and refinement and consultation as the process progresses”.

38.3 David Spafford asked the following supplementary question:

“How will the proposals affect the plans for moving Ardingly Court surgery to the corner of Old Steine and Palace Pier regarding the parking available for parking for Doctor’s, surgery staff and patients?”

38.4 The Chair provided the following reply:

“The detail for parking, for doctor’s parking, for loading bays, taxi bays and so on will all be contained within the detailed design work that will be undertaken following approval by the January ET&S Committee. This is a two-stage process; firstly, the initial consultation results on Option 1 will come back and I’m sure there will be some revisions to the original proposal. Those revisions will be considered and then Councillors will hopefully give permission for those proposals to be consulted upon and work will then start on the more detailed aspects of the scheme that you’ve outlined”

(ii) Valley Gardens Scheme

38.5 On behalf of Anne Ackord, David Rochford put the following question:

“How does this scheme accommodate the need for the pier to accept deliveries that need to be unloaded directly onto our reinforced forecourt, deliveries can number up to thirty per day and include many tons of steel used in our maintenance programme and without which the pier would not be viable. These deliveries cannot be unloaded at a remote location and must come like they do now, straight from the road onto the forecourt”

38.6 The Chair provided the following reply:

“I understand that officers have met with Anne, your colleagues and other stakeholders recently in order to understand, and explain, how specific concerns can be accommodated and further considered within the emerging design detail for the project. Some of that detail will need to be considered following the analysis of all of the responses that we receive to the consultation which has just finished.

I can therefore assure you that your current requirements for servicing and deliveries will be taken into account in the future, detailed design of the area adjacent to the Pier, to ensure that they can be accommodated and managed safely within the new junction design. In doing so, officers will liaise directly with you about this at the appropriate time in that process.

The specific needs that you have for regular maintenance of the Pier which does require heavy load deliveries were also discussed at that meeting and, as a result, by working with you we will also ensure that these can continue to take place in a way that protects the public highway and its underlying structure from any damage and that the safety of everybody in that area is maintained at all times”.

38.7 David Rochford asked the following supplementary question:

“Safety is very important from our point of view as far as moving vehicles across what will now be a very wide area of pavement and we can't control the public whilst we still need to bring deliveries up to the front of the Pier. Can the Council confirm that they will make it as easy as possible for the Palace Pier and with no additional costs from our suppliers because we have become a difficult place to deliver to?”

38.8 The Chair provided the following reply:

“I can give that assurance and that is why we need to continue the dialogue with you so we can understand things from your perspective. It's obviously to everyone's benefit to enable those deliveries to take place as quickly and as smoothly as possible with minimum impact to pedestrians and other road users so the Pier can be properly serviced. As said, we will continue contact with you to keep these discussions going”

(iii) Valley Gardens Phase 3

38.9 Angi Mariani put the following question:

“One of the key objectives of the plan, even if not stated in the original list of objectives, must be to create ease of access for all people travelling to the city, whether resident or tourist, and by whatever mode of transport. The council planners have indicated that the new scheme will increase journey times for private vehicles. Removing the west side road outside the Royal Pavilion, and diverting buses to the dual carriageway, loses a lot of road space and bus lay-bys and potentially increases the journey times further. Could this west road remain and be used solely by buses, taxis and the cycle lane. It would have the added benefit of moving the cycle lane away from the dual carriageway?”

38.10 The Chair provided the following reply:

“The overall aims and objectives for the scheme include seeking to redress the imbalance of travel experience by all modes of transport and to create a much needed and improved urban environment.

The existing preliminary design option presents the simplification of the road layout with fewer junctions which does present the best overall journey times for public and general transport movements combined, it also provides a safer and more attractive route for pedestrians and cyclists, that will appeal to residents and tourists.

Journey times are only impacted in the evening peak times on the A259 seafront as a consequence of replacing the currently uncontrolled roundabout to provide better facilities for pedestrians and cyclists and to improve safety”

38.11 Angi Mariani asked the following supplementary question:

“It must be a difficult situation for the Council to resolve when you have the Green and cycle lobby requesting more cycle lanes, the historical and heritage shouting for nicer pedestrian routes and now the business and tourist organisations saying the increased congestion may ruin our economy. Do you think the Council should listen more to business and tourist organisations in the city as ultimately they will help to pay for any scheme provided?”

38.12 The Chair provided the following reply:

“We are actually listening to everybody and everybody’s suggestions, some of which are quite significant and really helpful are all going to be reviewed and technically appraised. I think as you’ve alluded to, this is an area with interdependent, different modes of traffic. At the moment, there is a slight imbalance. There is for example no northbound cycle lane, pedestrians have to fight their way through the area, there is no linear routes for them and this was fed back to us in the survey work we undertook last summer. People don’t find the area easy to travel through by most modes of transport at the moment. Things are never easy but we are seeking to achieve a better balance of modes through this design process and we will keep in touch with you as part of that process”

(iv) Valley Gardens Scheme

38.13 On behalf of Tam Duy Dao, Gary Farmer put the following question:

“With the funnelling of all traffic to the east side of the Old Steine for Phase 3, which is contradictory to the overall division of public and private transport seen in Phase 1 and 2, why does this scheme differ in its environmental and civic responsibilities by creating

pinch points, additional bus stops, bi-directional bus lanes, narrow traffic lanes, congestion and associated emissions by channelling all traffic on the east side for the inclusion of limited public space by the closure of the west side to buses in front of the Pavilion”

38.14 The Chair provided the following reply:

“The Phase 3 design to date together with further enhancements by way of consultation process, once complete, will deliver a sustainable transport corridor with access to new environmentally improved public spaces. These new spaces provide an improved setting for the heritage buildings to support conservation. These more attractive spaces can support the city’s civic quality and better support sustainable events and tourism in a central city location.

Sustainable transport is aimed to support increased levels of cycling and walking as well as public transport - to support a multi-dimensional approach - to will help improve air quality.

A new air quality monitor has been located on the east side of the Steine which will support the project monitoring before, during and for years after the scheme is delivered. Reclaimed road space is used in the option to help to meet all of the design objectives supported by the initial public survey. Public transport features on the west of Phase 3. Moving traffic to the west of the Steine as achieved for Phases 1 & 2 opposite the Royal Pavilion would require additional controlled junctions and will introduce delay and queuing into the network. The preferred option presents the most efficient layout to develop, subject to ongoing consultation process”.

38.15 Gary Farmer asked the following supplementary question:

“Why hasn’t the modelling been carried out at peak times such as the Marathon, bike race and Pride?”

38.16 The Chair provided the following reply:

“The modelling has been carried out to Department for Transport requirements and guidelines and reflected in our business case and that is what the Local Enterprise Partnership will be looking for, that is the standard basis for modelling”

(v) Valley Gardens Scheme

38.17 Simon Thetford put the following question:

“What consultation and impact studies have been undertaken with businesses in the Old Steine in respect of the proposed loss of car parking and vehicular access?”

38.18 The Chair provided the following reply:

“The consultation has taken very many forms, we have distributed 1,400 leaflets and postcards in the Old Steine area when we published the Option 1 proposals and officers have been working and in the area working one to one with people and as I have said, we will be holding specific workshops with specific people who have certain needs from this scheme.

An initial parking study was conducted in Stage 1 of the project. Disabled and doctor parking bay re-provision is a priority along with loading and unloading. Consultation meetings are still being held with interest groups. A thorough assessment of all representations regarding key design issues will be considered before updating and making any revisions to the preliminary design. At this stage the updated plan will be considered by this committee in January in readiness to commence detailed design, when further specific consultation will be conducted.

Right now, we cannot give details on the number of pay and display or resident parking bays that will remain as that will be subject to the next stage of the design for this scheme and that is currently expected to be considered by this committee in January next year”.

38.19 Simon Thetford asked the following supplementary question:

“With regards to one to one consultation, Graves & Pilcher would like to have one and also the other businesses in our area of the Old Steine so when could we meet somebody?”

38.20 The Chair provided the following reply:

“I hope I can arrange for someone to meet with you as soon as possible and perhaps you could give some thought as to which other business representatives in your area that you might want to include and I will ask one of the officers to be in touch with you after this meeting”

(vi) Valley Gardens Scheme

38.21 John Healy put the following question:

“At the ETSC October 9th, a report from the office of the Executive Director, EEC presented an appraisal study, recommending a single option for public consultation - the only one of four that did not conform to the core proposal in the Capital 2 Coast commissioned Independent Business case report that “Buses, taxis and local access will be moved onto a consistent route that will run along the western side of Valley Gardens, and private vehicles will be kept on the eastern side of Valley Gardens”. How was that position arrived at and has that been sanctioned by the LEP?”

38.22 The Chair provided the following reply:

“The principle of public transport on the west of the valley was technically deliverable for Phases 1 & 2 as stated in the business case.

In the case of Phase 3 traffic merges at Pavilion Parade due to existing physical site constraints. Switching the traffic back again would require the introduction of more signalised junctions which would cause delay in traffic movements and vehicle queuing. The preferred option includes a public transport loop to the west of the Steine. This preferred option is consistent to all eight core design objectives approved by this committee at its meeting in June which were used at the options appraisal stage. The objectives are consistent with council policy and the Local Enterprise Partnership’s current and draft Strategic Economic Plan”

38.23 John Healy asked the following supplementary question:

“I have been listening to some of the answers that you have given and it seems that a box has been ticked in relation to traffic surveys. You referred to computerised models being considered, Brighton is not, I would suggest an average city with average problems. It has different issues that need to be addressed and would not a further survey be sensible given the diverse requirements of the city?”

38.24 The Chair provided the following reply:

“We are modelling and undertaking traffic counts in accordance with the requirements of the Local Enterprise Partnership with the Department for Transport Guidelines. This is a highways scheme and therefore the modelling and traffic counts have to be undertaken in accordance with those guidelines and it is upon those that the Local Enterprise Partnership will carry out its review. To issue the data in any other way might prejudice us in being able to receive the funding and the LEP are requiring us to gather and set out the data in that format”

(vii) Valley Gardens Scheme

38.25 David Bailey put the following question:

“As a business Healys occupy 2 buildings on the East Side of Old Steine which we have done for 25 years. We employ 35 lawyers and support staff and there are numerous callers to the office each day. Often our clients are elderly or disabled and they require, and have enjoyed, easy access to our buildings by using the open area in front to park, or be dropped off. The scheme proposed eliminates that open space and provides no workable alternatives. Please explain how will our clients and others be able enjoy equivalent access to our offices if the proposed scheme is adopted?”

38.26 The Chair provided the following response:

“We will be integrating disabled parking bays and loading and unloading in this area, all of which will be expressed in the next revision of the preliminary design, and subject to further consultation, during the detailed design next year. Landscaping improvements such as a pedestrian island will support safer and more comfortable access to the adjacent businesses”

38.27 David Bailey asked the following supplementary question:

“Can you explain why you have opted for one of the options before this consultation process because from the answers that you have given, it seems the best anyone here can hope for is a revision to Option 1 rather than a change to any of the other options”

38.28 The Chair provided the following reply:

“We considered the options and arrived at Option 1 because we felt it offered the best balance of benefits that we want to see in this area based on the initial survey work undertaken in the summer which asked people their experiences of using the area and what improvements they would like to see and what were their current barriers in being

able to enjoy it to its full. This work will now be looked at, all of the consultation responses will be reviewed, they will be technically appraised and revisions I'm certain will be made and they will be reported back to committee next year. Meanwhile, conversations will continue with interested groups and we very much want this to be a two-way process"

(viii) Valley Gardens Scheme

38.29 Nic Roe put the following question:

"The area outside 1-15 Old Steine is essential for Brighton Language College's day to day operational needs (tour group arrivals and departures, home stay provider meet and greets, deliveries, maintenance and suppliers). The historical substantial access on which our business and all local businesses rely upon and cannot operate without or the impact of any restrictive loading or parking bays installed leads one to ask how this scheme meets our continuous operational needs and at the same time fulfil our 2014 Section 106 Sustainable Transport Contribution relating to the land at 6-7 Old Steine for a "footway island"?"

38.30 The Chair provided the following reply:

"We will be integrating Disabled parking bays, doctor parking bays, and loading and unloading in this area as well as the Section 106 requirements to deliver a pedestrian island that you refer to. Such further detail will be integrated into the preferred option to be shown in the next revision of the preliminary design, with further consultation during the detailed design stage that will be coming to committee next year. As I have said to others, we want to continue the dialogue with you so we can arrive at the best possible solution for your needs"

(C) DEPUTATIONS

(i) Parking Restrictions Hove Park Parking Consultation- Christopher Duncan

38.31 The Committee considered a Deputation requesting the Committee continue and expand the single yellow line parking scheme in Hove Park ward be continued and the proposal for a full double yellow parking scheme not be approved.

38.32 The Chair provided the following response:

"As you are aware a further consultation took place in October 2018 where it was outlined that if the proposed residents parking scheme is approved the council would not be in a position to continue with the single yellow line restriction alongside a resident parking scheme where residents, services & businesses pay for permits contributing towards enforcement of the parking scheme.

Legally we cannot provide resident permits to allow residents to park on single yellow lines as these must be issued to allow parking within designated residents bays.

If residents did not wish to be part of the proposed parking scheme, the single yellow line restriction would be removed and the area would be unrestricted. If a parking scheme is approved, this could lead to vehicle displacement.

It was therefore important that residents had the opportunity to reconsider the parking proposals and whether they wanted to be part of a light touch parking scheme if approved.

Residents had until the 26th October 2018 to respond and 89% of respondents indicated that they would like to join a residents parking scheme”.

38.33 **RESOLVED-** That the Committee note the Deputation.

(ii) Hove Park Parking Consultation- Karan Martin

38.34 The Committee considered a Deputation register Legal & General’s opposition to the proposed parking restrictions in the Hove Park area.

38.35 The Chair provided the following response:

“Thank you for your Deputation and I do appreciate the concerns of Legal & General who we consider an important employer within Brighton & Hove and I we have met personally to discuss the matter.

Officers in City Transport have been liaising with Legal & General as part of the Access Sustainable travel project since April 2017. Officers have held two sustainable travel events for Legal & General staff in October 2017 and March 2018 with Hourbike (the Brighton Bikeshare providers), Love to Ride (to promote the cycle challenges), and Electric Bikes Sussex also attended.

Transport Officers would be happy to engage further with you to review your staff travel plan as we appreciate that employee numbers on site are increasing.

As you are aware, two meetings have been undertaken with representatives of Legal & General who have outlined the parking difficulties their staff would experience if a parking scheme was introduced. It was agreed that an officer from our Economic Development Team would facilitate introductions with land owners. Unfortunately, we couldn’t find any land owners that were felt to be a viable option in terms of usability for parking. Other sites have been discussed with planning colleagues, but none were found to be suitable for temporary car parking. It was recommended that Legal & General contact commercial agents that operate in the City through our commercial property database to further their search.

As outlined in the report later at this meeting there has been a large majority of residents in favour of a light touch resident parking scheme and before that, there were very many requests coming from that area for scheme. If a scheme is taken forward then the parking scheme would be monitored over the first six months and if underutilised then exclusive pay & display could be investigated for inclusion within that the area”.

38.36 **RESOLVED-** That the Committee note the Deputation.

(iii) Seeking a solution to the dangerous and disruptive traffic flows between The Old Shoreham Road and Highdown and Lyndhurst Roads in the Goldsmid ward of Hove- Steve Moses

38.37 The Committee considered a Deputation requesting that Wolstonbury and Silverdale Roads be considered for permanent closure from access from the Old Shoreham Road due to dangerous and disruptive traffic.

38.38 The Chair provided the following response:

“In January I met with Councillor O’Quinn who has done a lot of work with officers on this particular, rather intractable issue and we met with the Council’s Head of Traffic Management to look at the background to the problems you describe and to get a good understanding of them. We discussed the problems of Heavy Goods Vehicles and other traffic taking circuitous routes through the area so as to double-back for deliveries to stores in Dyke Road and the issue of college staff parking and speeding traffic. Following the meeting I asked Officers: to review the operation of the nearby traffic signals to ensure their operation is optimised, to review the allocation of permit to schools and colleges as part of the parking permit review, to make contact with the local stores in relation to the route that their delivery drivers are taking and to look into the reported problems in Highdown Road in particular; I then asked Officers to advise residents of the outcome of the above investigations through the ward councillors.

The operation of the traffic signals at the junction of Dyke Road and Old Shoreham Road were investigated to understand how efficiently they operate. The signals currently operate within a fixed time Urban Traffic Control plan so while the timings have been assessed the signals do not adapt when conditions change. In light of the concerns related to rat running raised by Councillor O’Quinn, funding is being sought to introduce more intelligent traffic signals in the coming year.

The problem of the sixth form parking permits has been looked at and it was clear that the provision of parking permits is a city wide issue and as a result school permits across the city will be reviewed.

The review will consider changes to the scheme including looking at working with the college to link these permits with specific vehicles, for example only car share vehicles and not liveried mini buses. The review may of course actually limit their use further. The review has now started and is being reported to the Parking Systems 2020 Modernisation Board.

Local supermarkets have been contacted to encourage the use of Dyke Road by delivery vehicles rather than unsuitable residential roads.

Highdown Road is in the original zone of the 20mph scheme and a recent review has concluded that speeds are lower than were measured across the zone then was present prior to the scheme. At this stage there are no plans to introduce further measures in this area.

In relation to students being dropped off in local roads, this is a really difficult issue to deal with as most people decide where they stop and make a choice on how close to the college they drop off. Further engagement with the college will be started to try to influence this behaviour.

Closure of Wolstonbury Road is not to be considered appropriate as it has a good safety record and closing the road or Silverdale Road would simply move traffic onto other roads.

When this closure was proposed a few months ago, as Chair of this Committee I was inundated from residents living in the surrounding area to those roads who were horrified at the thought of additional traffic being funnelled through their streets and so if anything were to be done in this area, it would have to be done on a larger area than looking at one or two streets in isolation. There would have to be traffic calming measures that would have to be installed and this would in effect, be a very large scheme that would require specific funding”.

38.39 **RESOLVED-** That the Committee note the Deputation.

(iv) Valley Gardens Phase 3 Option 1- Andy Peters

38.40 The Committee considered a Deputation requesting the council to fully re-examine Option 1 of the Phase 3 with regards to the economic impact to the taxi trade as well as identifying expected traffic problems associated with adoption of Option 1.

38.41 The Chair provided the following response:

“Before I respond to your deputation I would like to point out that this is not the final stage in the process for determining the detailed scheme layout that forms most of the points raised in your deputation as we are later this evening expecting to make a decision regarding the Business Case that could secure £6m of funding from the Coast To Capital Local Enterprise Partnership.

We welcome and thank you and your colleagues for attending the workshop session to look at and discuss the recommended option as part of the consultation process. I think it’s only by doing that kind of thing in such detail that we can each understand where each other are coming from and get some good information to inform changes in the designs. I can assure you that the thorough submission which you have produced, and which forms the basis of your deputation, will be recorded as a response to the consultation period which has just ended.

It will therefore be fully considered as part of the next phase of work by officers and it will be reviewed and technically appraised along with all of the other views that we have received.

Once this analysis is completed, any proposed revisions and I’m sure there will be quite a few, to the preliminary design will then be included in the next officer report to this committee in January.

The design that has been published for consultation is at an early, preliminary stage and provides an indication of how the area may look and operate in the future. Further details of road layouts and parking and loading and ranking and the location of street furniture and street trees and bus stops will be subject to change and conversation as the scheme’s design develops.

This process will include further decisions and activities involving stakeholders such as yourself, similar to those which members of your Trade participated in with the first two phases of the Valley Gardens project that I think all sides found helpful”.

38.42 **RESOLVED-** That the Committee note the Deputation.

(v) Valley Gardens Scheme- Option 1- Gary Farmer

38.43 The Committee considered a Deputation expressing the concern of Old Steine based organisations, businesses and residents concerning the loss of the open area currently used as an essential facility for us all in relation to the proposed Valley Gardens Scheme Phase 3 Option 1.

38.44 The Chair provided the following response:

“Officers have sought to ensure that occupants of properties in the area within and around this southern section of Valley Gardens have been notified of, and involved in,

the consultation on the preliminary design by the extensive delivery of postcards and use of posters and 1,400 were delivered in the area at the start of the publication of the preliminary design. However, where we have been advised that this has not been the case, we are investigating to find out why this may have occurred in order to ensure that similar issues do not arise in the future and Transport Officers have been calling on those premises to discuss the proposals on a one to one basis.

I can assure you that the content of your deputation will be recorded as a response to the consultation, although I appreciate and expect that you and those that you represent will have also made these representations within responses to that consultation.

It will therefore be fully considered as part of the next phase of work by officers. This will include a review and technical assessment of the potential implications of all the suggestions and views expressed by everyone. Officers may also seek further views from stakeholders to help further inform this review process and so this conversation will continue.

Once this analysis is completed, any proposed revisions to the preliminary design will be included in the next officer report to this committee, which we expect to be able to consider in January next year and there will then be consultation upon that.

The design that has been published is at an early, preliminary stage and provides an indication of how the area may look and operate in the future. Further details of road layouts and parking and loading, and the location of street furniture and doctors parking bays will be subject to change as the scheme's design develops.

This process will include further decisions and activities involving stakeholders, similar to those which were carried out for the first two phases of the Valley Gardens project, which are now under construction".

38.45 **RESOLVED-** That the Committee note the Deputation.

(vi) Valley Gardens preferred Option 1- David Rochford

38.46 The Committee considered a Deputation that outlined objection to the adoption of the preferred Valley Gardens Phase 3 Option 1 on account of the effect it would have on the Palace Pier businesses.

38.47 The Chair provided the following response:

"Thank you for your deputation. You have made a very compelling case for how important tourism is to this city's economy and, in particular, the numerous attractions and hotels that it supports and which also enables it to thrive.

The design option that has been published for consultation is at an early, preliminary stage and provides an indication of how the area may look and operate in the future. It has been put forward for consultation following a thorough technical assessment of a number of options which indicated that it performed best overall in terms of general traffic management, road safety, and journey times, when compared to those other options. I also firmly believe that it will significantly enhance this area of the city centre for residents and visitors to use and enjoy and add to our attraction as a primary destination.

I can assure you that the content of your deputation will be recorded as a response to the consultation period, although I appreciate and expect that you and those that you represent will have also made these representations within responses to that consultation. This is the key time to be raising concerns and questions and it will

therefore be fully considered as part of the next phase of work by officers. This will include a review and technical assessment of the potential implications of all the suggestions and views expressed by everyone. Officers may also seek further views from certain stakeholders to help further inform this review process.

The Coast to Capital Local Enterprise Partnership's independent review that you have referred to in your deputation relates to the Business Case for the first two phases of the project to the north, which are now under construction.

However, the draft Business Case for Phase 3, which this committee will be considering later this afternoon, is another key stage in the progress of this part of the wider project. It has been prepared to fully comply with the guidance issued by the Coast to Capital Local Enterprise Partnership to enable it to make an informed decision about releasing the £6m of funding that has been provisionally allocated to Phase 3 of this project. Its content is therefore determined by what the LEP needs to know and understand about what is primarily a transport project.

Finally, I have read and listened very carefully to the points that you and others have made, or will make, during this part of the committee's agenda. These have led me to decide that, later in the agenda, I will be seeking to request that officers incorporate additional, appropriate references within the Strategic Case section of the draft Business Case to highlight to the LEP, and others, that there are also linkages with the objectives of the council's Visitor and the Economic Strategies and that the project will be able to contribute to them".

38.48 **RESOLVED-** That the Committee note the Deputation.

39 ITEMS REFERRED FROM COUNCIL

(A) PETITIONS

(i) Parking on Saxon Road

39.1 The Committee considered a petition referred from the meeting of Full Council held on 18 October 2018 and signed by 42 people requesting the council to move Saxon Road, Hove into parking area L.

39.2 The Chair provided the following response:

"Members of this Committee agreed a Parking Scheme timetable up to 2020/21 in October last year which includes reviews. The timetable is based on a number of factors including the need to plan the work to ensure we undergo extensive consultation in the areas agreed which puts a lot of pressure on officers both at a project management and senior level.

However, officers will be reviewing this timetable in light of recent requests and an update report will be presented to the ET&S Committee early next year which will include a review of the whole of Area W including Saxon Road".

39.3 **RESOLVED-** That the Committee note the petition.

(ii) Speeding on Falmer Road

39.4 The Committee considered a petition referred from the meeting of Full Council held on 18 October 2018 and signed by 119 people requesting the council to take action to address persistent and dangerous speeding along the stretch of Falmer Road between Longhill School and Wilkinson Close.

39.5 The Chair provided the following response:

“Thank you for your petition and I am sorry to hear of your concerns.

Vehicle speeds on Falmer Road have been monitored over the past three years and a monitoring site is located near to the junction with The Rotyngs, a short distance south of the section of Falmer Road.

The most recent speed monitoring was carried out in June 2018. This showed that northbound speeds have reduced by approximately 4 mph over the past three years and the mean northbound speed is 26.8 mph and southbound speeds have reduced by approximately 4.7 mph over the same period and the mean speed is 25.6 mph.

Given the character and layout of Falmer Road, these recorded vehicle speeds shows general compliance with the speed limit.

Officers have also reviewed the recent Road Safety history of the stretch of the Falmer Road between Longhill School and Wilkinson Close.

In the past three years there have been a total of three road traffic injury accidents, with two of these at the junction of Court Ord Road and the third occurring a short distance further north of that junction.

Whilst any level of accident is a concern Officers advise that for the type of road this is relatively good when compared to other roads and streets throughout the City where we know levels are higher.

Given the relatively low level of accident, the broad compliance with the posted speed limit and the reduction of vehicle speeds over the past three years and the Road Safety record, this does not warrant diverting funding for engineering interventions from other locations where we know collision rates are higher. However, I will ask officers to contact you with a view to further discussions if you feel this will be helpful”.

39.6 **RESOLVED-** That the Committee note the petition.

(iii) Improve Brighton & Hove’s recycling scheme

39.7 The Committee considered a petition referred from the meeting of Full Council held on 18 October 2018 and signed by 2652 people requesting the council to implement weekly kerbside recycling collection and start recycling a variety of plastic and food waste.

39.8 The Chair provided the following response:

“As you may have noticed, the committee will consider a report on the matter later in this meeting and I hope you are able to stay to hear our consideration of that report”

39.9 **RESOLVED-** That the Committee note the petition.

40 MEMBER INVOLVEMENT**(B) WRITTEN QUESTIONS****(i) Parking Surplus- Councillor Wares**

40.1 Councillor Wares put the following question:

“At the 9th October 2019 ETS Committee I raised questions regarding the windfall surplus of £2.3m that was identified to be spent on certain highway elements. Officers advised that the answers were complex and a written response would be provided (see para 31.11 of the draft minutes). No such response has been provided. Whilst still requiring a response to the questions raised, I would be grateful if Cllr Mitchell could advise why the allocation of funds, the decision making process, how the monies are reflected in budgets and the expenditure generally are being shrouded in mystery.”

40.2 The Chair provided the following reply:

“Officers have now provided a briefing to Members of this Committee responding to the questions asked at the previous meeting on 9th October.

This includes confirmation that, any parking surplus must be spent on eligible transport related expenditure, including; concessionary fares, supported bus services, capital investment borrowing costs, providing additional off street parking, highway or road improvements and environmental improvements.

The increased surplus means that more of the council’s existing transport-related expenditure may now be funded from the parking income surplus. Decisions on how this money is allocated form part of the council’s annual budget setting process culminating in approval of the budget by full Council. The budget setting protocol enables all political groups to put forward alternative budget proposals including alternative uses of savings from additional income. However, using additional income to fund additional spending, foregoes a potential budget saving which must therefore be matched by alternative savings proposals to avoid increasing the council’s overall budget gap.

If the budget related parking surplus contribution was not allocated to eligible transport-related expenditure and allocated instead to additional, unplanned transport-related expenditure, this would have the same effect of increasing the General Fund ‘budget requirement’ requiring identification of either additional funding or savings to achieve a balanced budget”.

40.3 Councillor Wares commented that confusion had been created by inaccurate information provided in the Parking Annual Report and that should be reflected correctly in future reports.

(ii) Road and Pavement repairs- Councillor Wares

40.4 Councillor Wares put the following question:

“With the news that the Government has now given the Council £1.163m on top of the previous £0.189m and when added to the £2.3m windfall banked from parking charges and fines, the Council now has at least £3.652m to spend this year on repairs to pavements and roads; without taking account of monies already allocated in the budget.

As a three Cllr Ward, please could Cllr. Mitchell confirm that Patcham and Hollingbury will receive at the very least £203,000 to fixing potholes and repairing pavements?"

40.5 The Chair provided the following reply:

"The Council welcomes this additional funding given the current constraints on public finances. In terms of where the money will be spent as you will understand there is unfortunately a back log of repairs and the priority locations are decided by road condition survey data and inspections undertaken as part of the Councils Highways Asset Management Plan. Often this means undertaking repairs on key routes in and around the city that experience high levels of traffic. Therefore, the money is not allocated on a ward basis but rather by need.

I can inform you that a total of £239,500 has been spent so far this year in the northern and eastern areas of the city which includes the following wards: Patcham, Hollingdean and Stanmer, East Brighton, Hanover & Elm Grove, Moulsecoomb and Bevendean, Rottingdean Coastal, and Woodingdean. This sum is likely to total £500,000 by the end of the financial year".

(C) LETTERS

(i) RSPCA Brighton, Braypool Lane- Councillors Wares, G Theobald and C Theobald

40.6 The Committee considered a Letter from the Patcham ward councillors that requested reaching a mutually beneficial arrangement with the RSPCA located on Braypool Lane regarding the supply of waste bins.

40.7 The Chair provided the following response:

"The RSPCA is a charity that provides an excellent service nationally and we are very glad that they have a base in our city providing services to residents and animals in need within Brighton and Hove.

The RSPCA on Braypool Lane occasionally takes stray dogs that the council's animal wardens find, if they have space and if the dogs are breeds that the charity believe they can rehome. The councils animal warden service also take dogs from the RSPCA to put in our contracted kennel service where they have been dropped at the RSPCA by members of the public, the owners have not come forward and they do not think they can rehome them.

Most Local Authorities charge charities for waste collection services at the same rates that they would charge a commercial organisation. However, Brighton and Hove Council are on of a very small number of Local Authorities in the country which will provide charities with a certain amount of free refuse and recycling collections. These free collections of refuse and recycling must be similar to those that are provided from ordinary households, which is currently one 240 litre bin for refuse and one 240 litre bin for recycling. For larger organisations we will occasionally agree a free collection from 360 litre bin in recognition that larger or certain types of charities my produce more waste.

However, in recognition that the RSPCA is likely to produce even more waste, Brighton & Hove City Council decided some years ago that this is an exceptional cases and agreed to provide a 1100 litre bin for free collection. A bin of this size would normally serve 5 - 7 households per week.

However, over several years more and more bins were requested by the RSPCA and these were agreed. Finally, that number reached 12 bins, which as is significantly higher than the normal policy of allowing one 240 litre bin free for a charity and 360 litres in exceptional cases. Twelve 1100 litre bins were collected each week free of charge at the expense to council tax payers of around £300 per week for waste disposal costs only. This does not include the cost of the crews or vehicles to collect the waste.

The situation became difficult and unsustainable for the service in terms of the volume and scale of the free collections. As such, a visit was made by an Operations Manager earlier this year who after careful consideration decided that the charitable collection should not consist of 12 free bins. However, it was felt that we could offer an exception of providing two 1100 litre bins in recognition of the excellent work that the charity provides.

The RSPCA was given notice of the removal of the additional 10 bins and they were offered the option of entering a commercial waste agreement with the Council – or another company - should they consider that they could not avoid producing waste to fill more than the two bins offered. It is the RSPCA's legal responsibility to make arrangements to deal with their waste and to have a trade waste agreement with either the city council or another company, to demonstrate that they are disposing of their waste responsibly.

The council would acknowledge that we should have managed this situation in a better way from the start and, while acting with the best intentions, the council caused expectations at the RSPCA to become unrealistic.

We should not have allowed this situation to arise incrementally over many years and we do apologise for this. However the council has to balance its responsibilities to taxpayers against charitable organisations and the wishes of the RSPCA. To illustrate this, the RSPCA has received free collections worth almost £46,800 over the past three years at the expense of tax payers whereas in other Local Authority Areas they would have had to pay this amount or more for a commercial waste collection.

We consider that by continuing to provide two 1100 litre bins we are using our discretion to collect an exceptionally high level of free waste for the RSPCA in recognition of the excellent services that they provide and in light of the historical situation where we have raised their expectations.

We are more than happy to provide more waste management information to RSPCA to help them more effectively deal with their waste issue or to provide a chargeable trade waste collection if they prefer but I am afraid that we cannot justify providing additional bins which would be provided at the cost to the tax payer”.

40.8 **RESOLVED-** That the Committee note the Letter.

(ii) Stanmer Heights Refuse & Recycling Arrangements- Councillors Wares, G Theobald and C Theobald

40.9 The Committee considered a Letter from the Patcham ward councillors requesting officers from Cityclean and Housing find a permanent solution to refuse and recycling problems experienced by residents at Stanmer Heights.

40.10 The Chair provided the following response:

“I think you were looking for a bin with a fixed lid but then those bins are larger and that means you have a large vehicle that can't access the site of the bins.

We are working with Housing to find a solution in this location and we're exploring a couple of ideas.

Housing are getting quotes for new bin stores and we are exploring the potential for a new type of bin system and we will update ward councillors and residents when we have more information on those ideas.

Your letter also mentions fly-tipping and this is an area where we need to work with residents and ward councillors around reducing that.

We do appreciate that the situation has not been satisfactory and we hope this combined effort will improve things for residents and for ward councillors”.

40.11 **RESOLVED-** That the Committee note the Letter.

(D) NOTICES OF MOTION

(i) Grasscrete

40.12 The Committee considered a Notice of Motion referred from the meeting of Full Council held on 18 October 2018 requesting a report be brought to a meeting of the Committee considering measures to reduce damage done by vehicles in roadside verges across the city where off road parking is limited.

40.13 The Chair stated that the issue was not as straightforward as appeared as the verge had to be excavated and a special type of grass bed with the grasscrete installed on top and then seeded. Unfortunately, that meant when vehicles parked on and tilted the verge, mud rose through the grasscrete that did not look any better and sometimes had to be taken away as it became a hazard. The Chair stated that methods to improve the situation continued to be considered and officers had lobbied the Department for Transport and written to government ministers requesting the council be given powers to enforce pavement and verge parking similar to the powers given to London boroughs. Officers had also lobbied via the British Parking Association and Caroline Shepherd MP the Chair of the Parliamentary Transport Select Committee who would be taking the matter up on behalf of Local Authorities outside London.

40.14 Councillor Littman noted that the Notice of Motion set out other methods of verge protection and requested the Committee receive a report on the matter.

40.15 The Chair stated that the committee could receive a report on the matter but she was not sure when that could be. The Chair added that she would discuss the issue with officers and confirm when that was known.

40.16 **RESOLVED-** That the Committee note the Motion.

(ii) Licence and Insurance Regulations for Delivery Drivers

40.17 The Committee considered a Notice of Motion referred from the meeting of Full Council held on 18 October 2018 requesting a report be received by the Committee detailing the current regulations governing the use of L-plated motorised scooters for commercial activities, where the police not the council is the enforcing authority and whether there was any further action possible to ensure commercial businesses are acting within the law and with corporate responsibility.

- 40.18 The Chair stated that an information note could be prepared however; the council was not directly responsible for governing the use of L-plated motorised vehicles for commercial activities.
- 40.19 Councillor Wares stated an informative note would be of use for Members to refer to as the regulations were currently unclear.
- 40.20 **RESOLVED-** That the Notices of Motion be noted.
- 41 VALLEY GARDENS PHASE 3 - (ROYAL PAVILION TO SEAFRONT) APPROVAL OF BUSINESS CASE**
- 41.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested approval of the draft Business Case for Valley Gardens Phase 3 and permission to submit the Business Case to the Coast to Capital Local Enterprise Board (C2C LEP) and to negotiate and sign the Business Case Funding Agreement subject to the C2C LEP's decision to approve the release the Local Growth Fund (LGF) allocation.
- 41.2 Referring to page 50, Councillor Peltzer Dunn noted the uplift in land value of £4.295m and asked what land this referred to and what professional advice had been sought and when.
- 41.3 A consultant from Mott MacDonald explained that the land value uplift was set in accordance with methodology from the Department for Housing, Communities & Local Government (DHCLG) and for this phase of the scheme, that had been set in a study area. This was a standardised assessment of what result changes in connectivity would have for land prices and in this instance that had been found to be an 8% value within the area of influence of this phase of the scheme.
- 41.4 Councillor Peltzer Dunn asked what research had been conducted into the land value uplift of privately owned land.
- 41.5 A consultant from Mott MacDonald clarified that the methodology was applied to all properties within the study area.
- 41.6 Councillor Peltzer Dunn noted that the committee had heard from a tourist attraction operator that the scheme would have a detrimental impact upon their business and tourism across the city and asked if an assumption had been made upon the possible reduction in tourism across the city.
- 41.7 A consultant from Mott MacDonald explained that a criteria had been applied to guidance required and mandated by national funding bodies and very detailed analysis of possible impact upon the local tourism economy was not something expected or applicable.
- 41.8 Referring to paragraph 3.18, Councillor Peltzer Dunn noted that the Benefit Cost Ratio (BCR) of the scheme rated the project as low value for money.

- 41.9 The Assistant Director- City Transport explained that this applied to the economic case that was one of five overall cases in total in the Business Case. The Assistant Director- City Transport stated that it was very hard to quantify the non-economic positives of the scheme such as improvements to the pedestrian and public realm, cycling facilities, public transport and overall public health.
- 41.10 Councillor Peltzer Dunn noted that the committee had made a decision to agree a preferred option without any information detailed in the report on the impact on Madeira Drive in relation to possible impacts on tourism and public safety. Councillor Peltzer Dunn added that the committee had been informed at its previous meeting that there was an agreed action plan for marshalling and stewarding special events on Madeira Drive for 30 days a year and that no traffic modelling had been undertaken on the proposed changes. Councillor Peltzer Dunn asked if that remained the case.
- 41.11 The Head of Transport Strategy & Projects confirmed that the statements made at the previous meeting were correct. The Head of Transport Strategy & Projects stated that subject to approval of the report before committee, all of comments and representations made in the consultation and at the meeting would be considered and any issues identified corrected as part of the detailed design phase with that in turn submitted to a future committee meeting for consideration.
- 41.12 Councillor Littman enquired as to how time constrained the committee decision was in terms of the decision timetable set by the C2C LEP.
- 41.13 The Executive Director, Economy, Environment & Culture explained that the C2C LEP primary concern was that any project used its allocated funding in the period that they were required to spend their Local Growth Funding (LGF) within. The Executive Director, Economy, Environment & Culture stated the report set out the timetable for this specific project.
- 41.14 Councillor Littman asked that given the time pressures of the scheme and the representations made to the committee by various interest groups and organisations, what protocols were in place to ensure the project achieves the priorities it was focussed upon.
- 41.15 The Head of Transport Strategy & Projects explained that the priorities would be reflected in the detailed design to be reported to the committee following assessment of the consultation responses and representations made to the committee. The Head of Transport Strategy & Projects stated that any changes would be measured and tested against those priorities.
- 41.16 Councillor Wares stated that a consistency in the answers provided to the representations that had been made to the committee was the scheme was at a preliminary stage and all of the consultation responses and representations would be assessed. Councillor Wares asked to what extent the project was capable of being altered or amended and whether that could include minor issues or whether that could be fundamental shifts such as the proposed route of public transport or reinstatement of the Aquarium Roundabout in the design.

- 41.17 The Head of Transport Strategy & Projects clarified that the responses to the consultation and various representations still had to be collated and assessed and therefore, the level of potential change could not yet be pre-empted.
- 41.18 The Chair stated that the committee had reached a decision to agree a preferred option and undertake public consultation on that option and all the information received would be analysed.
- 41.19 Councillor Wares stated that he did not feel he had received an answer to his question and asked for clarification on whether the scheme could be fundamentally changed or not. Councillor Wares noted that the proposed Business Case made a multitude of references to Option 1 and with the BCR already very narrow, he felt there was minimal scope for change and the potential for the whole Business Case to fail if the BCR fell below the acceptable level.
- 41.20 The Chair stated that any the impact of any revisions was very difficult to pre-judge and could lead to positive or negative result for the BCR.
- 41.21 The Executive Director, Economy, Environment & Culture stated that agreement of the Business Case would not prevent further design change. The Executive Director, Economy, Environment & Culture added that the should any significant changes be required to the scheme following consideration of the consultation responses, that would be reported to the C2C LEP in an open way and was a situation that had occurred in the past on previous projects.
- 41.22 The Assistant Director- City Transport added that the creation of the detailed design would look at fundamental aspects of the scheme such as locations of bus stops and length of priority lanes not just minor tweaks. The Assistant Director- City Transport stated that changes could have an impact upon the BCR however, the BCR, was one element of five elements in the Business Case.
- 41.23 Councillor Miller queried the accuracy of the predictions of the BCR and how the conclusions had been reached. Specifically, Councillor Miller queried how the prediction of a casualty reduction rate of 44% had been reached. Furthermore, Councillor Miller noted that the only disbenefit identified as detailed on page 50 of the agenda was journey time and queried why the potential drop in visitor number and tourism had not been included. In addition, an appendix A to the Business Case submission was detailed on page 90 of the agenda but did not appear to have been provided.
- 41.24 The Head of Transport Strategy & Projects explained that there had been an oversight in providing appendix A of the Business Case which was a technical note produced by Mott MacDonald to explain the journey time calculations and this would be circulated subsequent to the meeting.
- 41.25 In relation to the questions raised by Councillor Miller, a consultant from Mott MacDonald replied that the project assessment and submission was to the standardised and accepted government methodology for providing funding through the LEP. A proportional approach had been undertaken for the project that didn't necessarily capture every benefit and disbenefit as some would be difficult to quantify however, as much information had been included as possible. Accident and casualty rates had been

undertaken using a software program that used a modelled analysis to predict what impact changes would have and was an established and robust analysis for the type of scheme. The analysis of disbenefits had been arrived at using a software package that had been refined over a sixty year period that simulated vehicle movements. The prescribed guidance did not request or require analysis of issues that were uncertain or unknown and therefore, speculation upon the potential impact upon tourism and business had not been included.

- 41.26 Councillor Peltzer Dunn commented that the previous meeting of the committee had agreed to receive a report to its January meeting detailing the outcome of the consultation however; this report stated that the committee would be requested to receive the consultation results, updated design and agree a finalised design to that meeting which was not what Members had agreed.
- 41.27 The Chair stated that the report that would be received to the January committee would be robust and detail and reflect all of the main themes of the consultation and list the suggestions and concerns raised through that process. The Chair stated that Members would expect to see in that report changes to the scheme where that was possible, feasible and logical to do so. The Chair explained that she did not see any difference in what was proposed in the report with what had been agreed at previous meeting and reminded the committee that the report requested approval of the Business Case and was not approval of the final, detailed design.
- 41.28 Councillor Wares observed that every report previously received by the committee had set the value of the project at £7.25m yet page 94 of this report set out an increase to that cost of £7.84m that appeared to indicate an overspend before Phase 3 had been agreed. Councillor Wares stated that he been informed that the project had a budget variance of plus or minus 20% that could bring the cost down to below £7.25m or increase it to £9.4m. In addition, Councillor Wares noted that page 95 of the report stated that the council had committed £1.48m however; he was unaware of any decision made to that end. Councillor Wares expressed his concern for the discrepancies in the figures provided and the potential assurances being given to C2C LEP regarding its financial commitments and asked for clarification.
- 41.29 The Head of Transport Strategy & Projects confirmed that the figure provided on page 95 of the agenda was incorrect and the Business Case would be amended ahead of submission to reflect the accurate budget figure of £7.25m based upon £6m of LGF funding and £1.25m contribution from or through the council.
- 41.30 Referring to page 91 of the agenda and the businesses positively impacted, Councillor Wares queried why the Palace Pier had been included in that list when they had made representation earlier in the meeting to speak against elements of the scheme.
- 41.31 The Chair stated that the observation was based upon modelling of the scheme that indicated that the introduction of a signalised junction would aid pedestrian access to the Palace Pier.
- 41.32 Councillor Wares asked if page 91 and paragraph 3.8 of the Business Case would need to be amended in light of the fact the Palace Pier did not support the scheme as it was currently proposed.

- 41.33 A consultant from Mott MacDonald replied that the wording was based upon their professional experience as one of the largest national providers of such schemes and set out in the guidance provided by the Department for Transport (DfT). Their professional experience and the evidence available indicated that in the large majority of instances, schemes that promoted active frontages and increased footfall tended to lead to benefits to local businesses.
- 41.34 Referring to page 65 and the list of benefits and disbenefits, Councillor Wares whether the land value uplift figure reflected the comments made by businesses located in the Old Steine area.
- 41.35 The Chair stated the scheme was based upon a technical assessment and modelling and not perceptions of a scheme that was not yet finalised.
- 41.36 Councillor Wares replied that he fully understood however; the committee had to balance that technical assessment against the representations made that largely went against the findings of that assessment.
- 41.37 The Chair replied that the issue was precisely why central government was reviewing its technical requirements for regeneration schemes such as this as it did not capture qualitative impacts. The Chair stated that until that review was completed, there was no other choice than to model the project as a highways scheme.
- 41.38 The Executive Director, Economy, Environment & Culture clarified that the report the committee were considering was the draft Business Case based upon the outline design agreed as was required by the C2C LEP. On that basis, a distinction should be made between that proposal and the representations made to the committee earlier in the meeting that would form part of the preliminary design consultation process with the detailed design submitted to a future meeting for discussion.
- 41.39 Councillor Wares noted his concern with conducting a consultation and preparing a Business Case simultaneously. Councillor Wares noted several omissions to the report including: the benefits or disbenefits to the tourism sector in relation to the Knowledge Intensive Business Services (KIBS) and the impact on local businesses of increased journey times, specifically the taxi trade. Councillor Wares stated his view that the project Business Case was very sensitive on the BCR and it was important to get right.
- 41.40 A consultant from Mott MacDonald clarified that the modelling for KIBS was consistent with the first two phases of the scheme that was accepted by C2C LEP for investment. It was explained that successful transport schemes were one the key factors leading to increased investment in a local economy and whilst there were limitations in applying this on a scheme by scheme basis; it was a common approach in similar schemes nationally. In relation to visitor economy impacts, a consultant from Mott MacDonald explained that whilst the importance of tourism to Brighton was very well understood, nationally, it had been found very difficult to disaggregate visitor economy impacts from the wider economic benefits. Furthermore, it had been found that separation of visitor economy impacts had led to 'double counting' of the economic impact of schemes. In relation to the question raised in relation to journey times, a consultant from Mott MacDonald explained that the modelling system used only had certain parameters and did not allow very specific testing such as that.

- 41.41 Councillor Wares noted that there had been extensive discussion at the previous meeting on the impact upon traffic at Dukes Mound the scheme and the proposed Waterfront development would have. Councillor Wares noted that whilst there were several references in the report to both, they were not currently in the scope of the project. Councillor Wares stated that given there were approximately 50 coaches parked on Madeira Drive during the winter months and 150 coaches parked during the summer months, whether it would have been reasonable to include this area in the scheme.
- 41.42 The Head of Transport Strategy & Projects explained that Dukes Mound and Madeira Drive had not been included in the original scope of the project. Subsequent to an options appraisal and further work, it had become clear that to maximise the benefits of the scheme, peripheral changes would be considered and taken into account and transport officers were in direct liaison with colleagues to ensure any future impacts were captured and that would be reported to the committee as part as the request to approve the detailed design.
- 41.43 Councillor Wares stated that he made several requests for a breakdown of the accident reduction benefit, specifically relating to pedestrian accidents at the Aquarium Roundabout compared to the rest of Phase 3 as well as journey time data but had not received a response.
- 41.44 The Chair stated that the information could be provided to Councillor Wares however; it should be noted that the scheme was seeking to reduce accidents and injury to all users including cyclists, drivers as well as pedestrians.
- 41.45 Councillor Miller noted that there had been several corrections made to the financial figures on page 94 of the agenda and asked what impact that would have upon the BCR as that was now based on incorrect figures.
- 41.46 The Head of Transport Strategy & Projects explained that a budget figure of £7.25m was provisionally available to deliver the project. Based on further work undertaken since the committee met in October, scheme delivery as expected to be £7.84m. That figure was likely to fluctuate as the scheme progressed to its final design. A consultant from Mott MacDonald clarified that the Business Case had been developed to a construction cost of £7.84m.
- 41.47 On behalf of the Conservative Group, Councillor Wares moved the following motion to amend recommendations 2.1 and 2.2 and add 2.3 as shown below in ***bold italics*** and where struck through:
- 2.1 That the Committee ~~**notes**~~ approves the draft Business Case for Valley Gardens Phase 3, as attached at Appendix 2.
- 2.2 That the Committee ***requests officers to review a new option (option 3a) based on option 3 as detailed in Item 29 on the ETS Committee agenda dated 9th October 2018 taking account of public, trade and business representations and other than minor alterations and improvements to the aquarium roundabout and surrounding public realm, retains the aquarium roundabout as existing that would also remove the changes to Maderia Drive.*** ~~grants delegated authority to the Executive Director for~~

Economy, Environment & Culture to:-

- a) ~~finalise and submit the Business Case for Valley Gardens Phase 3 to the Coast to Capital Local Enterprise Partnership Board; and~~
- b) ~~negotiate and sign the Business Case Funding Agreement, subject to the Local Enterprise Partnership Board's decision to approve the release of the Local Growth Fund allocation.~~

2.3 That officers develop the new option 3a and brings to a future ETS Committee the revised option 3a as requested in 2.2 and taking account of representations and further public consultation together with an amended Business Case to reflect the new option 3a for consideration.

41.48 Introducing the motion, Councillor Wares stated that he believed that the preferred Option 1 would be found not to be viable as more and more stakeholders and residents expressed their view that the Option would not work for them. Councillor Wares stated that he had no confidence that there would be seismic change to the proposal and therefore, was unlikely to be agreed. On that basis, Councillor Wares believed that Phase 3 should be halted and a revision to the original Option 3 be started. Councillor Wares explained that would include running public transport down the west side of the Pavilion with general traffic on the eastern side of Valley Gardens, abandoning the removal of the Aquarium Roundabout save for minor tweaks, abandoning the conversion of Madeira Drive to a one way street with the process on developing and consulting on that Option begun immediately and run in parallel to the preparation of a new Business Case.

41.49 Councillor Miller formally seconded the motion.

41.50 Councillor Peltzer Dunn expressed his support for the motion highlighting that 180,000 vehicles per year used Madeira Drive and the proposal for a one way system would likely have a catastrophic impact. Councillor Peltzer Dunn added that he believed that a new proposal that was more specific to the city's needs was required.

41.51 Councillor Miller stated that he fully supported the motion on the basis that he was sceptical of the replacement of the Aquarium Roundabout with a T-Junction and because of his doubts regarding the traffic modelling. Councillor Miller added that there appeared to be some doubt and confusion in relation to the budget figures used, that the benefits and disbenefits of the scheme were insufficient and a seven minute increase in journey time was unacceptable.

41.52 The Chair then put the motion to the vote. At the request of Councillor Wares, the Chair agreed to a recorded vote with the following outcome:

Councillor Atkinson: Against
Councillor Brown: For
Councillor Greenbaum: Against
Councillor Horan: Against
Councillor Littman: Against
Councillor Miller: For

Councillor Mitchell: Against
Councillor Peltzer Dunn: For
Councillor Robins: Against
Councillor Wares: For

Total:
For: 4
Against: 6
Abstentions: 0

41.53 Therefore, the motion failed.

41.54 The Chair then put the recommendations to the vote. At the request of Councillor Wares, the Chair agreed to a recorded vote with the following outcome:

Councillor Atkinson: For
Councillor Brown: Against
Councillor Greenbaum: For
Councillor Horan: For
Councillor Littman: For
Councillor Miller: Against
Councillor Mitchell: For
Councillor Peltzer Dunn: Against
Councillor Robins: For
Councillor Wares: Against

Total:
For: 6
Against: 4
Abstentions: 0

41.55 Therefore, the report recommendations were agreed.

41.56 **RESOLVED-**

- 1) That the Committee approves the draft Business Case for Valley Gardens Phase 3, as attached at Appendix 2.
- 2) That the Committee grants delegated authority to the Executive Director for Economy, Environment & Culture to:-
 - a) finalise and submit the Business Case for Valley Gardens Phase 3 to the Coast to Capital Local Enterprise Partnership Board; and
 - b) negotiate and sign the Business Case Funding Agreement, subject to the Local Enterprise Partnership Board's decision to approve the release of the Local Growth Fund allocation.

The meeting was adjourned at 7.15pm and reconvened at 7.25pm

42 PARKING SCHEME UPDATE REPORT**42.1 RESOLVED-**

- 1) That the Committee agrees to advertise a Traffic Regulation Order to propose that Zone U (St Luke's area) becomes integrated in the Zone C (Queens park area) resident parking scheme.
- 2) That the Committee approves the initial consultation areas as shown in Appendix B (Surrenden area) and Appendix C (South Portslade area).
- 3) That the Committee agrees to review the parking scheme priority timetable in light of all recent requests and to bring an update report to this Committee in 2019.

43 HOVE PARK RESIDENT PARKING SCHEME CONSULTATION

43.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the results of the recent parking scheme consultation in the Hove Park area and requested approval to progress to the final design stage with a Traffic Order advertised to allow for further comment.

43.2 Referring to the deputation received by the committee earlier in the meeting, Councillor Brown stated that whilst she was very supportive of local businesses, the need for parking restrictions had arisen because of the City Park development. Councillor Brown noted that many of the roads in Hove Park ward were narrow and with cars often parked on both sides of the road, there was regularly insufficient space for emergency vehicles on the road and for wheelchairs and pushchairs on the pavement. Referring to paragraph 5.8, Councillor Brown expressed concern regarding the assertion that exclusive pay and display parking could be investigated if the scheme was underutilised as many of the Hove Park residents would oppose such a proposal. Councillor Brown noted that residents of Dyke Close had realised that they were the only close adjoining Dyke Road Avenue not to be included in the scheme and whilst they had initially rejected inclusion in a scheme, every resident had subsequently requested they be included. Councillor Brown asked if the requested could be given consideration as the Dyke Close was very small and the Traffic Order had not yet been advertised.

43.3 The Head of Parking Services explained that as the request was very recent, it was uncertain whether it would be possible to fit parking bays into Dyke Close or whether an alternative option would be needed. The Head of Parking Services stated that due to the uncertainty, officers could meet with ward councillors and residents to discuss how to move the matter forward.

43.4 RESOLVED-

- 1) That the Committee approves that a new resident parking scheme (Light Touch Monday – Friday 9-10am & 1-2 pm) be considered within the Hove Park area (Appendix A) and that this proposal be progressed to the final design with the Traffic Order advertised to allow for further comment. All comments will be reported back to a further Environment, Transport & Sustainability Committee meeting.

44 HANGLETON SAFER ROUTES TO SCHOOL SCHEME**44.1 RESOLVED-**

- 1) That the Committee notes the outcome of the recent public consultation in Hangleton and Mile Oak regarding proposals to improve and encourage walking and cycling to school sites on Hangleton Way;
- 2) That the Committee agrees to the implementation of the measures amended as a result of the consultation feedback and detailed costings to be funded by the Local Transport Plan (LTP) budgets;
- 3) That the Committee notes the requirements of the Section 106 Agreement for the West Blatchington Primary School site and approves the implementation of the Highway measures within that Agreement within allocated sums;
- 4) That the Committee agrees to the preparation and publication of notices for the new and amended Traffic Regulation Orders associated with the implementation of both the Local Transport Plan funded measures and the Section 106 funded measures, noting that any objections will be reported to this Committee.

45 IMPROVE BRIGHTON & HOVE'S RECYCLING SCHEME PETITION

- 45.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture as requested by Full Council at its meeting on 18 October 2018 in response to a petition received for debate.
- 45.2 Councillor Littman noted that Councillor Deane had the previous year put a question to Full Council requesting that notices be placed on communal bins directing people to organisations such as Magpie that took a greater variety of plastics and other recyclables than the council and asked if there were any plans to implement such a scheme. Councillor Littman noted that efforts to reduce use of single-use plastics in council buildings had so far had limited success. Furthermore, Councillor Littman noted that a Motion had been passed at the Full Council meeting of 19 April 2018 that requested a report be presented to the Tourism, Development & Culture Committee to consider asking event organisers to avoid use of single-use plastics and asked whether this was possible or if a condition could be placed on the licence requiring events to be single-use plastic free. Councillor Littman commented that weekly recycling collections had led to an upturn in recycling rates across the country and he hoped that could be pursued.
- 45.3 The Assistant Director, City Environmental Management replied that notices on communal bins was something that could be looked at as part of the recycling education campaign with weekly recycling and fortnightly refuse collections an matter that would be kept under consideration. The Executive Director, Economy, Environment & Culture added that Policy, Resources & Growth Committee had received two reports on single-use plastics with the most recent agreeing a policy for the council. Furthermore, an Events Strategy that would include an events checklist would be consulted upon and considered by the Tourism, Development & Culture Committee at a future meeting.

- 45.4 Councillor Atkinson stated that given the lack of market demand for recycling plastics, a suitable approach would be for councils to lobby manufacturers and supermarkets for a reduction in plastic packaging. Councillor Atkinson asked if the recycling project was ongoing or time-limited and whether committee would receive regular updates.
- 45.5 The Assistant Director, City Environmental Management answered that the recycling project would be ongoing as the area was one of constant change and development.
- 45.6 Councillor Miller noted that there was potential in improving recycling rates to create capacity at Newhaven Incinerator as well as income generation for using the Incinerator to process food waste that in turn, could potentially boost the proposed Business Case.
- 45.7 The Assistant Director, City Environmental Management replied that revenue opportunities would be a matter given consideration particularly as many other authorities currently exported waste and the potential for changes to the export market in the near future under the Brexit process.
- 45.8 Councillor Wares commended officers for the level of detail provided in the report given the short deadline they were given to do so. Councillor Wares stated that the Cityclean service clearly needed to be modernised and stabilise its core functions. On that basis, Councillor Wares hoped that the Green Group motion was intended to request high level figures rather than a detailed costed report.
- 45.9 On behalf of the Green Group, Councillor Littman moved a motion to add a recommendation 2.7 as shown in bold italics below:
- 2.7 That the Committee agrees that preliminary costing for increasing the range of plastics the Council collects, and a preliminary costing for the setting up of a food waste collection trial, will be provided at the meeting of Environment, Transport, and Sustainability Committee to be held on January 22nd 2019.***
- 45.10 Introducing the amendment, Councillor Littman stated that it had been explained in the previous reports and the one before committee that officers were working hard to improve the waste and recycling service and it would be counterproductive to add to that workload. Councillor Littman stated that the motion was intended to provide ball park figures ahead of the Budget Council process and he also hoped that it would push Veolia to provide the figures it had already given to one of the city's three MP's.
- 45.11 Councillor Greenbaum formally seconded the motion.
- 45.12 The Chair then put the motion to the vote that passed.
- 45.13 The Chair then put the recommendations as amended to the vote that passed.
- 45.14 **RESOLVED-**

That the Environment, Transport & Sustainability Committee notes that:

- 1) Work on an Increasing Recycling Project and education campaign is included in officers' current work programmes and will be launched early in 2019.
- 2) The work already underway to reduce food waste and an initial exploration of a food waste collection service is under discussion with Veolia with details to be worked on within the City Environment Modernisation (CEM) Programme as part of the Increasing Recycling Project.
- 3) There is currently no, or very limited, markets for the recycling of pots, tubs and trays (PTTs) and therefore it is unlikely that a business case can be made for the investment required in collection and sorting services. However, the situation will be closely monitored for market changes.
- 4) A 'service guarantee' will be introduced at the end of the Increasing Recycling Project when the full extent and means by which materials can be recycled have been explored taking into account the government's forthcoming waste strategy proposals.
- 5) The council's events team has a sustainable events policy and works with event organisers to reduce single-use plastics (SUPs) at events. The progress made is illustrated by a case study of the plastics reduction at the Brighton Marathon, which has already been presented to the Tourism, Development & Culture Committee as part of a report on the events programme and further updates are planned.
- 6) An action plan setting out how the council aims to achieve the waste directive of increasing recycling rates to 50% will be presented to the committee in January 2019 as part of the CEM update report.
- 7) That the Committee agrees that preliminary costing for increasing the range of plastics the Council collects, and a preliminary costing for the setting up of a food waste collection trial, will be provided at the meeting of Environment, Transport, and Sustainability Committee to be held on January 22nd 2019.

46 ENVIRONMENTAL ENFORCEMENT POLICY

- 46.1 The Committee consider a report of the Executive Director, Economy, Environment & Culture that sought approval for an Environmental Enforcement Framework designed to address anti-social and illegal behaviour to improve the environment and minimise waste clean-up and disposal costs within Brighton & Hove.
- 46.2 Councillor Atkinson stated his support to bring the service in-house as it would allow for much closer control and foster a joined up approach. Councillor Atkinson added that the framework would provide much better guidance than the existing agreement and discretionary powers would also be beneficial. Councillor Atkinson noted that there was regular fly-tipping in Chalky Road and he hoped the matter could be dealt with.
- 46.3 Councillor Wares stated that it would be helpful to know which environmental projects would be lost due to the drop in surplus income currently received under the existing contract. Furthermore, Councillor Wares enquired as to the risk that the undesirable elements of the current contract would need to be continued if the service was brought in-house in order to maintain income.

- 46.4 The Assistant Director, City Environmental Management replied that there were additional options for issuing fines included within the Framework that had not before such as overflowing commercial bins. The Assistant Director, City Environmental Management added that there would also be the creation of a deterrent effect that was expected to realise further service savings in the long-term. The Assistant Director, City Environmental Management supplemented that that income would be ring-fenced for environmental initiatives and whilst some of that would be required to set up the enforcement service, it was expected that some of the current surplus could be carried over to the next financial year to continue some of the existing projects. The Assistant Director, City Environmental Management stated that some initiatives could be continued using alternative income generating services to fund them such as the textiles recycling service.
- 46.5 Councillor Wares replied that the criticism of the current outsourced contract was that it was overly revenue driven and it appeared that the in-house service would continue the same style of operation to maintain income levels.
- 46.6 The Assistant Director, City Environmental Management stated that an in-house service would income based however, it would enable an opportunity to work in a different way to secure that income.
- 46.7 Councillor Littman stated that he welcomed the report and decision to bring the service in-house as the current contract was not fit for purpose and as a corporate body, the council would be better and more ethical.
- 46.8 Councillor Miller queried whether the level of fines for some offences such as for fly-tipping was high enough. Referring to page 210 of the agenda, Councillor Miller observed that there appeared to be a contradiction in that and the statement made at paragraph 3.24 in relation to income generation. Councillor Miller also asked how the council would ensure that it received its percentage of fines issued from the contractor up to the end of the contract.
- 46.9 The Assistant Director, City Environmental Management explained that the contractor was legally obliged by the terms of the contract to pay the council its share of any income received from the issuing of fines. In relation to the level of fines issued, the Assistant Director, City Environmental Management explained that it was felt that these were set at an appropriate level however, they could be kept under review as part of the annual budget process. In relation to the financial figures provided and the apparent contraction, the two figures were different in that one did not include the cost of operating the service.
- 46.10 Councillor Peltzer Dunn stated that the fine level for fly-posting was perhaps too low and disproportionate to the offence and he hoped it could be reviewed in the future.
- 46.11 On behalf of the Conservative Group, Councillor Wares moved a motion to amend recommendations 2.1, 2.4, 2.5 and delete recommendations 2.2 and 2.3 as shown below in bold italics and where struck through below:
- 2.1 That the Committee agrees ***to invite expressions of interest from potential service providers based on the Environmental Enforcement Framework and***

reports back to a future ETS Committee the results providing recommendations on the best way to deliver the Environmental Enforcement Framework including the option for that the environmental enforcement service *to* will be delivered in house. ~~from the end of the current contract period.~~

- 2.2 ~~That the Committee notes that the full and final cost of bringing the service in house cannot be determined until due diligence has been completed under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE') and notes that if the costs significantly exceeds the projections outlined in this report, a further report will be brought back to committee.~~
- 2.3 ~~That the Committee notes that the council's current environmental enforcement contract may need to be extended for a period of up to six months to allow time for the TUPE process and for new ICT systems to be put in place~~
- 2.4 That the Committee grants delegated authority to the Executive Director Economy, Environment & Culture to extend the existing contract if required, **and** negotiate the terms of that extension. ~~and determine the date of the service transfer to the council provided that this date shall not be any later than the 1 September 2019.~~
- 2.5 That the Committee approves the Environmental Enforcement Framework **in principle subject to paragraphs 2.1.** ~~which sets out how the service will be delivered from the commencement of the new in house service.~~

46.12 Introducing the motion, Councillor Wares stated that the proposal to bring the service in-house was a hasty reaction to the existing contract failing. Councillor Wares stated that the option to bring the service in-house was presented as the only viable option however, that position was unknown without inviting expressions of interest from the private sector on the proposed framework. Councillor Wares stated that he had conducted his own research and found a number of companies that conducted waste enforcement and the council had a duty to explore that option before bringing the service in-house.

46.13 Councillor Peltzer Dunn formally seconded the motion.

46.14 Councillor Littman noted that the council had received a multitude of complaints on the operational conduct of the existing contractor. Councillor Littman added that there was consensus amongst the committee that the framework was very good and he saw no reason why that should be shared with private companies. An in-house operation would ensure that the council would retain any income to re-invest into its services rather than make profit as a contractor would seek to do.

46.15 Councillor Peltzer Dunn stated that whilst he had no preference as to how the service was operated, he believed the council had a duty for due diligence and should invite expressions of interest.

46.16 The Chair then put the motion to the vote which failed.

46.17 The Chair then put the recommendations to the vote which passed.

46.18 **RESOLVED-**

- 1) That the Committee agrees that the environmental enforcement service will be delivered in house from the end of the current contract period.
- 2) That the Committee notes that the full and final cost of bringing the service in house cannot be determined until due diligence has been completed under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE') and notes that if the costs significantly exceeds the projections outlined in this report, a further report will be brought back to committee.
- 3) That the Committee notes that the council's current environmental enforcement contract may need to be extended for a period of up to six months to allow time for the TUPE process and for new ICT systems to be put in place.
- 4) That the Committee grants delegated authority to the Executive Director Economy, Environment & Culture to extend the existing contract if required, negotiate the terms of that extension and determine the date of the service transfer to the council provided that this date shall not be any later than the 1 September 2019.
- 5) That the Committee approves the Environmental Enforcement Framework which sets out how the service will be delivered from the commencement of the new in house service.
- 6) That the Committee notes that future changes to the Environmental Enforcement Framework will be brought back to Committee for approval.

47 GRAFFITI STRATEGY

- 47.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that proposed a Graffiti Reduction Strategy that set out how the council and partner agencies could work together to reduce criminal damage caused by graffiti.
- 47.2 Councillor Peltzer Dunn stated that it may be unfair to fine property owners as they were the victims of graffiti rather than the offenders and may not have the financial means to do so. Furthermore, Councillor Peltzer Dunn noted that graffiti east of Hove Lagoon had been reported three times over 68 days and therefore, the council was not adhering to its own policy on removal.
- 47.3 The Head of Operations- Cityclean explained the council only had duty for removal of graffiti from its own buildings.
- 47.4 Councillor Miller stated that he believed that interpretation and enforcement of what was graffiti and what was graffiti art may be difficult given the numerous examples of the latter in the city. Councillor Miller added the strategy needed some tweaking in relation to costs and that he wholly disagreed with punishing the victims of graffiti with the cost of removal.

- 47.5 The Chair clarified that the proposals were intended to give the council greater powers to take action against large businesses that refused to remove graffiti from their buildings rather than increase enforcement action against individual property owners.
- 47.6 The Assistant Director, City Environmental Management explained that enforcement would be proportionate to circumstance and the Strategy was intended as an outline to guide the consultation and the detail of the action plan and that would be presented to a future meeting of the committee.
- 47.7 Councillor Wares stated that the Strategy was more of a discussion paper and the consultation had not yet started and therefore, proposed that recommendation 2.1 be changed to read: "that the committee notes the draft Graffiti Reduction Strategy attached at Appendix 1". Councillor Wares added that he had concern that the council could take enforcement action against people who themselves were the victims of crime.
- 47.8 The Chair stated that she was not prepared to accept the proposal as the Strategy was a good one in its current form. The Chair added that it was important to send a strong message that the council intended to crack down on graffiti and clear up the city. The Chair noted that London Boroughs already had graffiti enforcement powers that had were not provided to authorities outside London and therefore, it was necessary to take an alternative route. The Chair stated that sensitive work would be undertaken to support and develop existing community work alongside giving the council greater powers to enforce graffiti removal from commercial premises. The Chair reminded Members that the fuller action plan would be presented to the committee for approval.
- 47.9 **RESOLVED-**
- 1) That the committee approve the Graffiti Reduction Strategy attached at Appendix 1.
 - 2) That the Environment, Transport and Sustainability (ETS) committee agree to the initiation of a consultation with businesses, statutory undertakers and private property owners in relation to a new enforcement process requiring property owners to remove graffiti within an agreed timeframe and that a process for enforcement of graffiti removal is brought back to committee for approval.
 - 3) That the committee agree to officers exploring the feasibility of City Environment providing a chargeable graffiti removal service to owners of private and commercial buildings that will be brought back to committee for approval.

48 RIGHTS OF WAY IMPROVEMENT PLAN

- 48.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested approval of the Rights of Way Improvement Plan (ROWIP) following public consultation.
- 48.2 Councillor Littman welcomed the report and the significant increase in public Rights of Way adding that opening spaces were important for residents and visitors. Councillor Littman noted that the new plan had support from across the city and he hoped efforts could be made to ensure appropriate levels of funding were available.

48.3 **RESOLVED-** That the Committee note the results of the public consultation and adopt the Rights of Way Improvement Plan.

49 ITEMS REFERRED FOR FULL COUNCIL

49.1 No items were referred to Full Council for information.

The meeting concluded at 9.15pm

Signed

Chair

Dated this

day of