

Environment, Transport & Sustainability Committee

Date: **26 November 2019**

Time: **4.00pm**

Venue **Council Chamber, Hove Town Hall**

Members: **Councillors:** Pissaridou (Chair), Wilkinson (Deputy Chair), West (Opposition Spokesperson), Wares (Group Spokesperson), Brennan, Brown, Davis, Fowler, Heley and Lloyd

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AGENDA

PROCEDURAL MATTERS

41 PROCEDURAL BUSINESS

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

In each case, you need to declare

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

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

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public. A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.

42 MINUTES

7 - 40

To consider the minutes of the meeting held on 8 October 2019.

43 CHAIRS COMMUNICATIONS

44 CALL OVER

- (a) Items 48 - 51 will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

45 PUBLIC INVOLVEMENT

41 - 42

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

- (a) **Petitions:** To receive any petitions presented by members of the public;
 - (i) Traffic Calming on Bristol Gardens
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 20 November 2019;
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 20 November 2019.

46 ITEMS REFERRED FROM COUNCIL

43 - 54

To receive the following matters referred from the meeting of Full Council held on 24 October 2019:

- (a) **Petitions**
 - (i) Pedestrianise St James' Street
- (b) **Deputations**
 - (i) Valley Gardens

47 MEMBER INVOLVEMENT

55 - 60

To consider the following matters raised by Members:

- (a) **Petitions:** To receive any petitions;
- (b) **Written Questions:** To consider any written questions;
 - (i) Bikeshare- Councillor Wares
 - (ii) Patcham Roundabout- Councillor Wares
 - (iii) Climate Emergency Communications- Councillor Heley
 - (iv) CityClean Communications- Councillor Heley
 - (v) Standing Agenda Item- Councillor Heley

(vi) Crossing on New England and Old Shoreham Road-
Councillor Heley

(c) **Letters:** To consider any letters;

(d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

(i) Safe School Walking Zones

ENVIRONMENT & SUSTAINABILITY MATTERS

48 PESTICIDE REDUCTION PLAN 61 - 78

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: Robert Walker

Tel: 01273 294349

Ward Affected: All Wards

49 FLEET PROCUREMENT OPTIONS 79 - 88

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: Ian Greene

Tel: 01273 294707

Ward Affected: All Wards

TRANSPORT & PUBLIC REALM MATTERS

50 CLEAN AIR DAY AND CAR FREE DAY 89 - 94

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: Andrew Renaut

Tel: 01273 292477

Ward Affected: All Wards

51 HANGLETON SAFER ROUTES TO SCHOOL - TRO 95 - 118

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: Jonathon Martin

Tel: 01273 293536

Ward Affected: Hangleton & Knoll

52 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 19 December 2019 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

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FURTHER INFORMATION

For further details and general enquiries about this meeting contact John Peel, (01273 291058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 8 OCTOBER 2019

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor Pissaridou (Chair) West (Opposition Spokesperson), Wares (Group Spokesperson), Brennan, Brown, Davis, Fowler, Heley, Lloyd and Moonan

PART ONE

22 PROCEDURAL BUSINESS

22(a) Declarations of substitutes

22.1 Councillor Moonan was present as substitute for Councillor Wilkinson.

22(b) Declarations of interest

22.2 There were none.

22(c) Exclusion of press and public

22.3 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).

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

23 MINUTES

23.1 Councillor Wares stated that he had not received the written response to his supplementary question as detailed at item 7.4.

23.2 The Chair apologised, stating that the response would be sent to Councillor Wares urgently after the meeting.

23.3 **RESOLVED-** That the minutes of the previous meeting be approved and signed as the correct record.

24 CHAIRS COMMUNICATIONS

24.1 The Chair provided the following communications:

“Good afternoon and welcome to this meeting of the Environment, Transport & Sustainability Committee. I’d like to inform those present that this meeting is being webcast live and will be capable of repeated viewing

I’m pleased to say that the Coast to Capital Investment Committee will be recommending their board approves funding for the next stage of the Valley Gardens, a project that has been the subject of much discussion at the meetings of this committee and beyond. I would like to personally thank Members for their input that has helped refine and improve the scheme.

Valley Gardens is a key part of our commitment to improve the city’s environment and make the city more sustainable for everyone and contributes to our collective aim to be carbon neutral by 2030.

We will continue to engage with all stakeholders and the wider public to ensure the success of Phase 3 of the project. Their views will be used to help create a safe accessible space for everyone while providing the infrastructure needed to meet the pace and scale of the city’s environmental challenges.

When complete, the Valley Gardens project will improve road safety and ease of movement through the area, as well as create an exciting and attractive destination for visitors to spend time in with new landscaping, planting and public squares”.

25 CALL OVER

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

- Item 29: Member Task and Finish Groups’ Terms of Reference
- Item 30: Parking Annual Report 2018-19
- Item 31: Off Street Car Park and Traffic Control Centre Equipment Replacement
- Item 32: Electric Vehicle Charge Point Roll Out
- Item 34: Parking Scheme Priority Timetable
- Item 36: City Environment Modernisation Update
- Item 37: Arboriculturally (Tree) Strategy Permission to Go to Public Consultation
- Item 38: Self-Management of Sports Facilities
- Item 39: Hove Cemetery Toilets

25.2 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 33: Parking Scheme Update Report
- Item 35: Elm Drive/Rowan Avenue TRO

25.3 The Chair stated that due to public interest in the item and that the meeting was being held on the Day of Atonement, an important day in the Jewish Calendar which was celebrated with a service and a fast beginning at 18.00, Item 39 would be taken as the first substantive report on the agenda.

26 PUBLIC INVOLVEMENT**(A) PETITIONS****(i) Narrowing Crescent Road**

26.1 The Committee considered a petition signed by 144 people requesting the Council to narrow and white-line Crescent Road, Round Hill where there is a dangerous junction with Prince's Crescent.

26.2 The Chair provided the following response:

“The Council receives a large number of requests to alter road layouts to address safety concerns across the City. To manage this demand within the available budget of the High-Risk Sites programme there is a need to prioritise requests so that we can ensure that those locations with the highest risk are addressed first.

We have checked the collision data for Crescent Road and there have been no collisions within the last 3 years. Based on this information we are not able to divert what is limited funding away from other projects that already have an established safety risk in order to physically build out the kerb line at this location.

However, officers have discussed some alternative options and it is possible that we could fund additional white lining in the form of give-way markings and visually narrowing at the junction using hatch markings. Officers would be happy to meet with you to discuss this further”.

26.3 Councillor West stated that as ward councillor for the area, he was aware that the petition was part of a wider project in creating community space and problems were faced to that end by the width of the road. Councillor West proposed an officer report responding to the matters raised in the petition.

26.4 Councillor Heley formally seconded the motion.

26.5 The Chair put the motion to the vote that passed.

26.6 **RESOLVED-** That the committee receive an officer report considering the matters raised in the petition.

(ii) A full road safety audit of Bear Road

26.7 The Committee considered a petition signed by 211 people requesting the Council to undertake a full road safety audit of Bear Road to improve safety.

26.8 The Chair provided the following response:

“The incident on Bear Road referred to in the petition involving a Police car and a pedestrian was serious however, the road layout was not recorded as a contributing factor.

In the past three years there have been 10 other injury causing collisions recorded by the Police along the length of Bear Road of which two were reported as being serious.

Only one of these collisions involved a pedestrian who stepped out in front of a slow-moving vehicle and received a slight injury.

The posted speed limit in the residential part of Bear Road is 20 miles per hour. Whilst no injuries are ever acceptable on the Highway, for a busy road that is approximately 1.5km long, the number of injuries is relatively small numerically.

There are relatively few crossing movements in Bear Road as on one side is a cemetery with the majority of the houses being on the northern side so the only real need to cross the road is to access a parked car. Generally, these cars tend to be parked on the footway making it unusable by pedestrians. On the northern side for most of the residential length is where cars park and this forms a buffer zone between pedestrians and traffic.

On the lower part of Bear Road, the road narrows slightly and so no parking is allowed. The footway at this point is around 1.7m wide which is average for Brighton, however, at the nursery it does widen out and guardrail has been provided to prevent children from running straight out into the road.

Since the submission of this petition, local residents have been consulted on parking in this area as part of a potential new controlled parking zone in the Coombe Road Area.

To address the safety issues associated with the footway parking, this consultation included proposals for double yellow lines along the southern side of Bear Road. The outcome of the consultation will be presented to ETS committee in due course.

For the reasons given above, and in line with our current policies and practices, it is felt that Bear Road is generally a safe road when compared to others in the city however it would benefit from the introduction of double yellow lines on the southern side to improve pedestrian access to the footway and to reduce the need for crossing movements along the length. We will need to wait for the outcome of the consultation however in the meantime we will continue to monitor the safety record of Bear Road as part of our ongoing commitment to reduce the number of injury causing collisions in the City”.

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

(iii) Speed Bumps Hardwick Road

26.10 The petitioner was not present at the meeting. Therefore, the Chair provided the following written response:

“The Council receives a large number of requests for traffic calming across the City and therefore we need to prioritise funding for those roads with the highest number of casualties over a three-year period.

We have checked the collision data for Hardwick Road and there have been no collisions in the last 3 years. Based on this information, the safety risk history at this location would not be sufficient to be prioritised over other roads in the City at the current time. However, we are in the process of procuring some mobile vehicle activated signs that can be used to alert motorists when they are exceeding the speed limit. The plan is for these to be moved around the City to address speeding concerns and to influence driver behaviour. We are still in the early stages of this project and so the assessment criteria has not as yet been finalised however Hardwick Road will be added to the list for consideration when this scheme is up and running”.

26.11 Councillor Wares stated that ward councillors were often requested by residents to install speed bumps and it would be useful to receive a briefing note on whether speed bumps were part of the road safety toolkit.

26.12 **RESOLVED-** That the committee note the petition.

(iv) Dangerous Crossing opposite Peter Gladwin School

26.13 The Committee considered a petition signed by 217 people requesting the Council to install a pedestrian crossing on Drove Road/Foredown Road opposite Peter Gladwin School to improve safety.

26.14 The Chair provided the following response:

“The Council works with schools across the City to support the development of their travel plans and run initiatives with the schools to reduce travel by car in favour of more sustainable and healthier modes of travel. This improves road safety in the vicinity of schools by reducing congestion and improves the health of the children by reducing emissions at the gates and promoting active travel. The most recent School Travel Plan for Peter Gladwin School was updated in 2016 and therefore this may need to be reviewed by the school.

There have been no collisions reported at this location in the past three years. This stretch of Foredown Road/Drove Road is also heavily traffic calmed which has resulted in an average recorded speed of 17.5mph, which anecdotally reduces further at school pick up and drop off times due to congestion from parents accessing the three schools. School keep clear road markings are also in place and the school puts out ‘No parking’ A-boards at school pick up and drop off times.

However, in light of the concerns raised, an officer visited the school on Tuesday 10th September to observe the drop off arrangements in the morning. The vast majority of children were observed arriving on foot with their parents or guardians. Drivers were generally considerate and appeared to be aware of the presence of the schools and drove accordingly. Parents crossing the road seemed relaxed and not visibly concerned by the crossing arrangements. The officer did note that visibility was obscured at the informal crossing points by vegetation to the east of the junction with Manor Road and on the north side of Drove Road near the junction with the High Street. City Parks have been asked to make the necessary arrangements to rectify this.

Parking was also observed at the junction of Manor Road and Foredown Road that could have contributed to restrictions in visibility. Whilst the parking was legal, there may be a benefit in extending the double yellow lines at this location. An officer will make contact with the school to discuss this idea further.

Based on the observations made on site and the data available at this location, it is not felt that there is justification to take any further immediate action other than the items mentioned above. This location is however on the Pedestrian Crossing Priority list and will therefore be formally assessed towards the end of this financial year along with other requests received”.

26.15 **RESOLVED-** That the committee note the petition.

(B) WRITTEN QUESTIONS**(i) Local Cycling and Walking Infrastructure Plan**

26.16 On behalf of Katy Rodda, Mark Strong put the following question:

“It’s good to hear that following a long period of discussion, the council is finally starting work on its Local Cycling & Walking Infrastructure Plan (LCWIP). However, despite the crucial role of stakeholders being emphasised in Government guidance, the terms of reference for the Task & Finish group (to be discussed later in this meeting) leaves open the possibility that there will be no stakeholders at the group’s first meeting. Can the council confirm that stakeholders will be involved from the first Task & Finish group meeting and will be involved in all six stages of the LCWIP?”

26.17 The Chair provided the following reply:

“After agreeing at our last committee meeting to set up a Member Task and Finish Group to assist in developing this plan, I am pleased that we have been able to bring these Terms of Reference back to the committee at the earliest opportunity.

The question is correct to highlight the role of stakeholders in the group’s meetings and I can assure her, and yourself and others who will be interested, that I intend to meet with the other two nominated councillors on the group to discuss this matter, once the Terms of Reference are agreed.

This discussion will take place before the first meeting, so that we can identify the themes that we will want to discuss, plan the agendas and ensure we identify and invite the most appropriate stakeholder groups to each meeting, including the first one. This will also ensure that we have an accessible and big enough room!

We will have the benefit of drawing on the groups who are regularly invited to be represented at the city’s Transport Partnership and will want to ensure that other organisations and interests are involved too. I can also confirm that all six stages associated with the development of the plan will be discussed by the group.”

26.18 Mark Strong asked the following supplementary question:

“It would be good to see this as part of a process for an active travel forum. There’s a taxi forum, there’s a bus users forum, there is no forum for active travel. Most other council’s, particularly highway authorities have active travel forums which discuss such things. We want to work with the council, so I hope you would be keen to set one up and it would be good to hear your views on that”.

26.19 The Chair provided the following reply:

“I’ll have a look at that and let you know”

(ii) Roadworks

26.20 Mark Strong put the following question:

“In recent months there have been many roadwork and development sites in the city which have had a significant negative impact on the safety and convenience of people

walking and cycling, including disabled people. They have also affected the efficient flow of buses. These works regularly fail to take into account the majority of residents in the city who do not travel by car, with problems including blocked pavements, inaccessible pedestrian and cycle crossings and inconsistent signing & road-marking putting people walking and cycling at risk. How will the council's permit and planning processes be changed to stop this happening?"

26.21 The Chair provided the following reply:

"Development in the city is one way of future-proofing it economically, environmentally and socially and therefore minimising any disruption or inconvenience that can be caused by that development is essential.

Through the Planning process, we want to ensure that completed developments which are delivering much-needed housing, employment and community facilities across the city are safe, accessible, sustainable and high quality in terms of transport and travel. We also apply the same principles to their construction, but I do recognise that successfully managing this can often be a challenge in a busy city like ours. Construction can be very complicated and include lorries, vans, skips, scaffolding, hoardings, temporary access points, roadworks and road closures. In some cases, construction can also be prolonged; the new hospital in Eastern Road was expected to last for 10 years when it was approved.

Officers and councillors will therefore do everything that they can to avoid or minimise disruption during the construction phases of developments. Various activities can all have implications for our residents and the city's pavements and roads, and therefore we often secure measures through the Planning process, such as Construction Environmental Management Plans, to identify and mitigate likely consequences. Some works are also included in legal agreements. However, sometimes we don't get it right first time or things don't go to plan for any number of reasons. We also seek to ensure that developers participate in recognised accreditation such as the Considerate Constructors Scheme; however, occasionally and regrettably, some developers wilfully will not comply with the standards expected of them.

There are application processes to ensure that various construction activities involving roadworks are designed and implemented correctly. The roadworks permitting scheme includes assessment of what Traffic Management is required and allows the council to influence what is implemented, but again there is always a finite amount of road space available and difficult decisions have to be taken. Every effort is made to keep access for all road users and any scheme implemented are monitored, but we only have a limited number of officers who can do this, and they cannot be present all the time. If something is not right or unsafe, sometimes we have to rely on casual observation and reports, which we welcome, and I would encourage people to do.

We do review our services from time to time and officers are currently working on plans to restructure teams within the City Transport Division, in order to ensure that they are sufficiently resourced and funded to be able to deal with the construction implications of the high volume of development being built in the city at the moment. One objective of this work will be to improve efficiency and help reduce the type of incidents that you have described in your question".

26.22 Mark Strong asked the following supplementary question:

“Can’t the council have a forward plan of all the works that are about to be done so that people know what is happening and they can then see and make comments in advance?”

26.23 On behalf of the Chair, the Executive Director, Economy, Environment & Culture provided the following reply:

“We can certainly look at a forward plan. One of the challenges is the dates of construction at particular sites is always subject to change. So, what I wouldn’t want to do is commit to preparing a plan which then takes a lot of resource to update. I’d rather us focus on reducing the number of incidents you have described. As the Chair has said, we are doing work within the Transport division to ensure we are appropriately resourced and part of that is about aiming to improve good practice”.

(iii) Climate Emergency

26.24 On behalf of Chris Todd, Mark Strong put the following question:

“The council declared a climate emergency at the start of this year, but since then there has been little action to make communities and businesses aware that this will make a big difference to what the council does and what the city will need to do. Without the absence of a clear message on the need to change there is a risk that people will continue to oppose projects which will help to reduce our carbon impact, such as Valley Gardens.

When will the Council set out a clear timetable for engagement with residents on this important subject?”

26.25 The Chair provided the following reply:

“We recognise that our current generation has to seriously address the issue of global climate change. To fail to confront this emergency would leave our families and children in a perilous position. Our local actions in and around the city will make a vital contribution to addressing this challenge.

That’s why the administration went into the recent election with a pledge to make Brighton & Hove carbon neutral by 2030. We are totally committed to delivering this target and to involving local people fully in planning and delivering actions to reduce our emissions.

Council officers have begun to develop a carbon reduction programme: pulling together details of the many projects that the Council is already engaged in; evaluating how far these schemes will go in reaching our carbon neutral by 2030 target; and looking at what new or revamped initiatives we will need in the coming years. This will be a high-profile programme.

This is a complex task and won’t be delivered overnight. However, we do recognise its urgency, and we’ve set up a Steering Group of elected members to oversee the work and an officer board to support actions and progress and ensure that it is done at pace. We aim to present a high-level plan to reach the 2030 carbon neutral target to Full Council in early 2020.

There are actions that the Council can take to reduce emissions and there are actions that other public bodies and businesses can take too. However, we won’t achieve our 2030 target without the active involvement of citizens. And we want to engage broadly to

gain everyone's buy – we need to reach out well beyond the people who are already committed to tackling the climate crisis.

That's why we will publish an engagement plan alongside the carbon reduction programme. This won't just be telling people what we're doing – we want to develop a deliberative process where we discuss the challenges of moving to carbon neutral with local people and communities, and where we jointly find solutions. We are committed to working with local organisations and campaigners to design plans for citizen engagement”.

(iv) Zone W Parking

26.26 Edward Gill put the following question:

“Lawrence Road residents pay for zone W parking which adjoins two zones of full-scheme R, namely Rutland Gardens and Modena Road.

We often park up to three streets away, while out-of-area workers park for free outside our homes up to 7pm.

The ETS report indicates third priority review during 2021, yet previous representations and petitions submitted by our ward councillor are not mentioned.

All the consultation work has already been done. Is the Chair prepared to make the simple switch from zone W to zone R during the next six months to provide us with an urgent remedy?”

26.27 The Chair provided the following reply:

“Thank you for your question and I do understand the concerns of residents in your area.

My understanding is that a deputation was presented by a prospective ward councillor to Full Council on 31st January 2019 which was then referred to this Committee on 19th March 2019. This deputation is referred to in the report under paragraphs 5.18 and 5.20 in the Parking Scheme priority timetable report being discussed later in the meeting. Officers did consider all the survey work undertaken and appreciate all the work the residents have undertaken. However, it is important to note the survey results were only based on 119 respondents when over 1,000 resident permits are issued in Zone W (Westbourne West).

It is important that the Council consults all the residents independently through an official consultation which would be reported back to this Committee.

During the later discussion it would be up to Committee members to determine the way forward on whether this replaces another scheme consultation on the timetable with others starting later”.

26.28 Edward Gill asked the following supplementary question:

“If that is the case, is the Chair prepared to insert an extra period of restricted hours into our existing zone W specification which could probably deliver a similar remedy for the residents as a switch to zone R?

For example, 13:00 to 15:00 hours or how about, expanding existing time periods?”

26.29 On behalf of the Chair, the Head of Parking Services provided the following reply:

“Changes like that would change the parking scheme for all residents in the zone and would need a consultation as described earlier. Any change would need to be fully consulted as part of the timetable and that is what is being discussed later on in the meeting”.

(C) DEPUTATIONS

(i) Warmdene Road Flooding

26.30 The Committee considered a deputation and Letter from Councillor Wares (agenda item 28(c)i) that requested action be taken by the council and Southern Water to address the causes of persistent flooding in the Warmdene Road area.

26.31 The Chair provided the following response:

“Thank you for letter and deputation and I am sorry to hear of your concerns. Officers from our City Transport office do meet with Southern Water to try to progress both long term improvements and to resolve short term matters such as agreed protocols following flooding and surcharging of the public sewers, cleaning of third-party land and the need to address environmental health concerns. Officers however advise me that there have been some difficulties in Southern Water progressing agreed actions following these Partnership meetings and I will ask the Assistant Director, City Transport to further liaise with his counterpart in Southern Water to reach agreement on protocols enabling the Council’s City Clean teams to recover their costs following any future surcharging of the sewers. There is no surface water or rain water sewer in Warmdene Road. Instead, the local Highway drainage system serving Warmdene Road consists of gullies connected to soakaways and the Highway drainage system is adequate to cater for rain landing on the Highway but is unable to cater with severe flooding and overspill from third party land further upstream. For the Committee’s benefit, Highway soakaways collect the surface water from the Highway and this water permeates over time into the ground. The prevailing local geology, highly permeable chalk, means that soakaways are an effective means dealing with Highway drainage though, again it must be reiterated that the Highway drainage system cannot cater for flooding and is not designed for extreme weather events, which are becoming more frequent and is attributed to climate change. The Highway soakaways do gradually fill with silt and detritus and when completely full this reduces their limited storage capacity. Silting of a typical Highway soakaway builds up very slowly and over several years, if not more. The Highway soakaways serving Warmdene Road are regularly emptied, cleaned and inspected to ensure they are fully functional. Emptying, cleansing and inspecting more frequently than necessary is of course not a good use of the very limited Highway maintenance resources however given local concerns the Highway soakaways serving the gullies in Warmdene Road are emptied, cleaned and inspected more frequently. The soakaways are currently being cleaned every two years. The soakaways were emptied in October 2017. They were again emptied in May 2019. The soakaways are again being emptied this week and this exercise will provide a set of information as to the effect of flooding on silt and detritus being washed into the soakaways after recent flooding.

Recent inspection found the soakaways to be in good condition and without any defect. The Highway soakaways serving Warmdene Road will continue to be given a high level of attention given local concerns.

It is worthwhile reiterating that the local Highway drainage system in Warmdene Road does not discharge into Southern Water sewers and that is Southern Water sewers which contain foul water or sewage that are surcharging onto the Highway in extreme rain conditions. It is Southern Waters responsibility to deal with flooding from any sewer. Brighton and Hove City Council as a Lead Local Flood Authority have developed local policies and plans to manage the risk of flooding in the City. Ultimately, the topography of the City creates a high level of flood risk and part of long-term mitigation is working in partnership with Southern Water.

Southern Water are developing their Drainage Area Plan however this is not a public document as it includes commercially sensitive information. It is therefore difficult for officers to advise on potential improvements and associated timescales on Southern Waters network without this information. This places a greater importance on a working partnership with Southern Water.

Brighton and Hove City Council, in its capacity as Lead Local Flood Authority, is in the process of installing property protection measures to vulnerable residential properties in Warmdene Road to help prevent flood water entering homes. These measures include flood barriers and changes to the buildings, which once installed will be the responsibility of the property owners. This of course does not prevent flooding but does help mitigate the risk of damage and helps prevent the ingress of contaminated flood water into residents' homes.

There are no plans to construct any flood mitigation measures that would intentionally divert contaminated water from Warmdene Road on to the playing fields at Patcham High School.

The Lead Local Flood Authority has been consulted on the development on the playing fields on Patcham High School and has sought planning conditions requiring the applicants to demonstrate the development will be able to cope with any increase in surface water run-off. Details of an appropriate surface water drainage system will need to be submitted to planning discharge the condition.

I will be asking the Assistant Director to write a letter to Southern Water to seek assurances that they will respond quickly to flooding events in Warmdene Road and to establish a working protocol that residents can engage with".

26.32 Councillor Wares stated that collective pressure might increase the chances of a response from Southern Water. Councillor Wares suggested that cleaning of drains may be more effective before expected flooding events rather than subsequent to. Councillor Wares stated that residents did not know who to contact in incidents of flooding and one contact number would help enormously.

26.33 The Chair stated that the problem was the responsibility of Southern Water and the letter she would send would be robust and ask for a contact telephone number.

26.34 **RESOLVED-** That the committee note the deputation and Letter.

27 ITEMS REFERRED FROM COUNCIL

(A) PETITIONS

(i) Closure of Temple Street to non-residential traffic

27.1 The Committee considered a petition referred from the meeting of Full Council held on 25 July 2019 and signed by 159 people requesting the council close Temple Street to non-residential traffic.

27.2 As ward councillor for the area, Councillor Druitt spoke to the petition stating that the road was very narrow and speeding traffic caused safety concerns. Furthermore, residents suffered from a high level of noise and pollution due to traffic taking rat runs to avoid the junction at Montpellier Road.

27.3 The Chair provided the following response:

“Thank you for your petition and all the detailed information sent to myself and the other committee members in the run up to this meeting. Thank you too for meeting with me yesterday, it was very useful to hear of your concerns.

Temple Street is located within the city centre that has to accommodate various demands placed on its road network and in particular, residential roads.

I do understand the real concerns that the residents have in relation to the use of side roads as routes where drivers can avoid busy junctions.

The challenge with these concerns is that while it seems a sensible approach to close certain roads, any major change such as a road closure would have to be considered very, very carefully, particularly in relation to the impact of displaced traffic to nearby streets and there would need to be full consultation across the wider area.

This is why any request such as this would require feedback and consultation from a much larger area study. However, with the limited resources available it is necessary to prioritise those resources toward areas where the highest number of crashes are occurring and so this is where scarce funds are targeted.

Regrettably for this reason a scheme for Temple Street would be a low priority at this time. However, after listening to the residents’ concerns and taking advice from officers it may be possible to reverse the flow of the road so that cars can no longer use it as a rat run up from Western Road. This would require the advertisement of a Traffic Regulation Order and I can confirm that this will be taken forward as soon as possible to tackle residents’ concerns. I have also asked officers to contact the Police asking that enforcement be undertaken”

27.4 On behalf of the Green Group, Councillor Lloyd moved the following motion:

2.1 That the Environment, Transport and Sustainability committee calls for an officer report setting out how best to support residents of Temple Street with their request, including the level of resources required for analysing and prioritising the concerns of Temple Street residents, and to analyse the resources required to ensure consideration of the impact on adjacent roads

27.5 Introducing the motion, Councillor Lloyd thanked residents and ward councillors for their work in bringing the matter to committee and suggested that any proposal that could be implemented may be an opportunity to create best practice for the city as a whole.

27.6 Councillor Heley formally seconded the motion.

- 27.7 Councillor Wares stated his support for the motion.
- 27.8 Councillor West formally seconded the motion and stated that the right solution needed to be found for residents and the proposal to reverse the current one-way system may inadvertently restrict cycle access.
- 27.9 The Chair put the motion to the vote which passed.
- 27.10 **RESOLVED-** That the Environment, Transport and Sustainability committee calls for an officer report setting out how best to support residents of Temple Street with their request, including the level of resources required for analysing and prioritising the concerns of Temple Street residents, and to analyse the resources required to ensure consideration of the impact on adjacent roads.

28 MEMBER INVOLVEMENT

(A) PETITIONS

(i) Controlled Parking Zones- Councillor Nield, Davis and Lloyd

- 28.1 The Committee considered a petition signed by 176 people requesting Brighton and Hove Council to consult residents in Withdean Road, Withdean Close, Blackthorn Close, Hazledene Meads, The Beeches, Wayland Avenue and Dyke Road Place as soon as possible on the introduction of a 'Light Touch' Controlled Parking Zone (CPZ) and extension of the existing 20mph speed limit through the length of Withdean Road.

- 28.2 The Chair provided the following response:

“Thank you for your petition and we do understand the concerns of residents in your area.

As you may be aware there is a report being presented to this Committee later in the meeting by officers on an updated parking scheme priority timetable.

During the later discussion it would be for the Committee to decide the way forward.

Whether this matter is considered when the Parking Scheme priority timetable is next updated or that an amendment to the report is proposed outlining that this consultation can be included and agreed in the proposed timetable as an additional scheme starting in early 2022 following the work listed, or that this replaces another scheme consultation on the timetable with others starting later.

In regard to speed limits, in 2013, the Council consulted residents in the Dyke Road East area on the introduction of a 20mph limit.

The outcome of the consultation showed a north-south divide in support and therefore a reduction in the speed limit to 20mph was only recommended and approved at the western end of Tongdean Lane, Wayland Avenue, and all roads south of Wayland Avenue.

The council committed a considerable amount of time and resources to conduct the city-wide consultation of speed limits and there are no current plans to revisit areas that did not support the scheme in the first instance”.

- 28.3 Councillor Davis stated his support for his ward residents noting that displacement from CPZ's was again a factor affecting residents.

28.4 **RESOLVED-** That the committee note the petition.

(B) WRITTEN QUESTIONS

(i) Food Waste Trial

28.5 Councillor Wares put the following question:

“Will the food waste trial use diesel vehicles to transport the waste to the anaerobic digester in Basingstoke to create electricity? If so, please can the Chair confirm how the treatment of food waste in Basingstoke offsets the additional carbon pollution produced by the vehicles compared to burning the waste in Newhaven?”.

28.6 The Chair provided the following reply:

“Anaerobic digestion produces 225kg less carbon per ton of food waste than incineration.

The average CO₂ footprint of a heavy goods vehicle is 1kg of carbon per mile.

The difference in distance between Newhaven and Basingstoke from Brighton is 70 miles; 25 tons of food waste is transported on each journey.

This means 70kg of CO₂ is produced per 25 tons of food waste transported.

The calculation is:

- 25 (tons per load) x 225 (carbon saving) = 5625 tons of carbon saved per load
- 5625 (tons of carbon saved per load) – 70 (carbon cost to transport to Basingstoke) = 5555 net tons of carbon saved per load
- 5555 (net tons of carbon saved per load) / 25 (tons of food waste transported in each load) = 222.2
- Therefore, the CO₂ saving per 1 ton of food waste, after transportation, is 222.2kg when compared to incineration

Another benefit is that anaerobic digestion produces a nutrient rich bio-fertiliser which is used locally to the anaerobic digestion plant for growing crops and obviates the production and use of fossil-fuel derived fertilisers, giving further carbon savings”.

(ii) Hourbike

28.7 Councillor Wares put the following question:

“Please can the Chair confirm that Hourbike’s profit share debt to the City has now been paid?”

28.8 The Chair provided the following reply:

“Officers have accepted a repayment schedule from the Bikeshare operators (Hourbike) which will ensure an outstanding surplus share debt for the year 31 January 2018– 30 January 2019 will be fully repaid within the full term of the current contract.

This Accounting period represents the second full accounting year of operation and the first in which a surplus was generated. The original business model is currently undergoing revision via a detailed auditing process undertaken by the Contract and

Supply team to ensure we have equitable and responsive business model going forward. The November 2015 ETS has previously approved a commitment by the Council to reinvest 100% of any entire surplus share back into the scheme”.

28.9 Councillor Wares asked the following supplementary question:

“Can you confirm that in the recent tariff changes was part of making the scheme financially viable under the model which it currently operates? I think it would be appropriate for a report to come back to this committee, so we can look at what’s gone on, why we’ve got there and what we need to do. If we want to make this a sustainable project, I think we’ve got to understand all this, so we can make this project work”.

28.10 The Chair provided the following reply:

“I agree, we do need a report”.

(iii) Bikeshare Scheme

28.11 Councillor Wares put the following question:

“The council recently spent hundreds of thousands of pounds on buying electric ready bikes for the bike share scheme. Please can the Chair confirm when they will be fully operational?”

28.12 The Chair provided the following reply:

“In March 2018, 120 E-bike ready bikes were purchased for £180,000 from JUMP Cycles, the U.S supplier of the original fleet of 450 bikes. The company was acquired by UBER in April 2018. Due to an administrative error on JUMP’s part, the order was not confirmed with their suppliers until September 2018. Decisions by the new parent company on the shipping and assembly of JUMP bikes created further delays and meant the bikes were not fully deployed until May 2019.

During the delay, Jump announced a decision to withdraw the option to retrofit electric motors in their ‘e-bike ready’ models. The council regrets this decision, which was not announced before the order was finally confirmed but believes the extra 120 bikes in their pedal powered form have greatly enhanced the scheme. A larger fleet of 570 bikes has allowed the operator to extend the original total of 50 hubs to 69.

Proposals for an electric bike trial as part of the BTNBikeshare scheme are being prepared. The use of JUMP E-bikes is now less likely as these are currently only made available for schemes where JUMP is the operator”.

28.13 Councillor Wares asked the following supplementary question:

“How much more have we paid that we won’t get the benefit of and are we going to do anything about recovering that extra cost if that’s the case? It does sound like we may have purchased something we can no longer use for the purpose it was purchased”.

28.14 The Chair provided the following reply:

“I made clear to your previous question that questions would be answered in the report and we can answer these questions in that same report”.

(iv) Bikeshare Scheme

28.15 Councillor Wares put the following question:

“As the bikes for the bikeshare scheme have been built in China and then transported over via Europe, can the Chair please confirm how many miles each bike must be cycled to offset the carbon footprint cost of manufacturing in China and transportation?”

28.16 The Chair provided the following reply:

“The current fleet of pedal bikes were assembled in the EU using frames and components from several countries including China and the USA. This is not an unusual supply chain model for bicycle manufacturers and is common across many industries in the UK and elsewhere. In 2018 the UK also exported £0.5 Billion worth of scrap metal to China, including steel and aluminum which can be used to build bike frames.

It has not been possible to calculate an average carbon footprint of each bikeshare bike. A 2016 Study by the European Cyclists’ Federation suggested the manufacturing and fuel carbon footprints of pedal cycles were around one tenth of those of the average car. Shipping emissions in 2015 were around 3% of the EU total CO2 emissions in 2015 while motorised road transport accounted for 17.2%.

By the end of August 2019, BTN Bikeshare had registered 98,922 subscribers, who made 763,552 trips, cycling a total distance of 1,513,469 miles. This equates to 2655 miles for each bike in the fleet of 570, though the original 450 bikes have obviously travelled further than the 120 bikes added later”.

28.17 Councillor Wares asked the following supplementary question:

“Perhaps you could explain that having declared a climate emergency and now we promote children to strike from school, why the administration buy products from the very countries people are protesting about?”

28.18 The Chair provided the following reply:

“A 2016 Study by the European Cyclists’ Federation suggested the manufacturing and fuel carbon footprints of pedal cycles were around one tenth of those of the average car. So even taking account of what you set out, it is still a better, more sustainable method of transport than the car”.

(v) Hollingdean Depot

28.19 Councillor Wares put the following question:

“No doubt the fire at the Hollingdean depot had an impact on the massive delays and missed refuse and recycling collections throughout the City. Although recent advice also blames rubbish caught up in the mechanisms of vehicles apparently designed to transport rubbish and sudden staff shortages through sickness that suggests deeper problems. We are approaching half way through the modernisation

programme. Please will the Chair give a date by when this misery of missed refuse and recycling will end and promise to meet that date no matter what?"

28.20 The Chair provided the following reply:

"The complexity of the problems at Cityclean cannot be underestimated and therefore will take some time to work through. Consequently, it is not possible to give a fixed date of when the service will be fully functional. The work being undertaken through the Modernisation Programme actively works towards this, particularly through the round changes. These round changes need to be identified and implemented to ensure fair distribution of work and ensure all work is collected on time across the city. This work has started and will take a number of months.

There have been a number of issues with collections over the last few weeks. The recent fire at Veolia's Waste Transfer Station at Hollingdean on 25 August had a huge effect on Cityclean's ability to carry out a normal collection service. It meant drivers had to drive to Newhaven to drop off loads (a three hour round journey) or at the Hove Household Waste Recycling Site, with a one and a half hour wait, both depending on traffic. The Waste Transfer Station reopened on Monday 23 September. We are working hard to catch up and we apologise for the inconvenience and disruption.

Added to this, there was also a higher than normal spate of vehicle breakdowns, plus a high number of driver shortages caused by sudden and unexpected sickness, at a time when there have been vacancies and the summer break. Measures introduced to improve service reliability include:

- Investigations into the reasons for the vehicle breakdown, which appears due to a build-up of rubbish underneath the compactor. Measures have been put in place to address this to prevent it happening in the future.
- Recruitment to the vacant Driver and Collection Operative posts
- Services of a specialist agency to help provide emergency cover when required
- Introduction of Driver de-briefs at the end of each shift to improve communication relating to missed work.
- Introduction of a rapid response team to collect missed work and help identify root cause. This started on 23 September and has had a significant impact.

28.21 Councillor Wares asked the following supplementary question:

"At the very least, we hope it would be possible that the current backlog we have, surely it is possible to say whether it will be resolved in the next few days or few weeks. Give us hope that the backlog we are suffering from will end in the near future".

28.22 On behalf of the Chair, the Assistant Director, City Environmental Management provided the following reply:

"It has been really difficult, and I know the extent to which it has impacted upon residents and councillors. We have 48 rounds going out every day and three to four hours where they would normally be collecting added on. It has been very significant. This weekend, we have really caught up and this week, we're on the last areas of trying to catch up. I would expect by next week we will be back to a normal level than we have been experiencing in recent weeks"

(vi) Environmental Enforcement

28.23 Councillor Wares put the following question:

“Since the “litter cop” service was brought in-house in March please can the Chair advise, by each month, how many enforcement officers were employed specifically excluding supervisors and managers?”

28.24 The Chair provided the following reply:

“Since the service was brought in house in March 2019, no further permanent recruitment has taken place due to existing staff that were transferred across under TUPE from 3GS.

The service has tried to recruit temporary staff through agencies but this hasn't been successful.

The service is currently going through a restructure that will enable us to recruit and increase staffing levels significantly and to ensure maximum coverage across the city.

The number of Environmental Enforcement Officers employed each month is:

March = 5

April = 4

May = 4

June = 3

July = 3

August = 3

September = 3

Please note these figures do include a working supervisor who patrols and issues FPNs. The new structure has five Environmental Enforcement Officers, a Senior Environmental Enforcement Officers and an Environmental Enforcement Manager. Three Environmental Enforcement Officers posts are now being advertised.

The Environmental Enforcement Team is covering the costs of the service through enforcement activity.

28.25 Councillor Wares asked the following supplementary question:

“Three enforcement officers for the entire city. We have a benchmark- do you think this is a good transition since we brought it in-house in March? We have now only two officers excluding supervisors patrolling the entire city. And is that not one of the reasons that in some areas of the city it is absolutely filthy”.

28.26 The Chair provided the following reply:

“Members weren't happy with the previous service, so we are glad it has been brought in-house. We hope the service improves and improves and with the recruitment we are hoping to do it should be made a lot better”.

(vii) Flyposting

28.27 Councillor Wares put the following question:

“Please could the Chair, whilst agreeing that fly posting is a blight on our city, advise what measures are being taken to deal with the culprits”

28.28 The Chair provided the following reply:

“In line with the legislation used by the Council, Environmental Enforcement Officers are only able to issue a Fixed Penalty Notice if a person is witnessed committing the offence directly in front of them”.

28.29 Councillor Wares asked the following supplementary question:

“However well intended the World Transformed Labour Party event was, will you condemn the flyposting by that group during the Labour Party conference and will you please communicate to your colleagues that in future, you would not wish to see participants in any conference flyposting across our city?”

28.30 The Chair provided the following reply:

“If I had a channel up to participants in the World Transformed, I would certainly put that to them, but I don’t. I certainly do not like flyposting whoever does it and wherever it comes from”.

(viii) Changing the name of the ET&S Committee

28.31 Councillor Heley put the following question:

“Considering that the council has declared a climate emergency, the name of this committee should reflect the work that it must undertake to address the climate emergency and to achieve a carbon neutral city by 2030. The word ‘sustainability’ suggests that we can keep things as they are therefore does not reflect the urgency of the climate crisis. Would the chair consider changing the name of this committee to reflect that, for example to “Environment, Transport and Climate Emergency?”

28.32 The Chair provided the following reply:

“The names and functions of Council Committees are agreed by full Council. This Committee does not have the legal power to changes its own name or its delegated functions.

If Members wish to propose changes to the name of a Committee, they can raise this through their representative at the Constitutional Working Group. Proposals which are supported by the Constitutional Working Group will then be reported to P&R and full Council for agreement. The next Constitutional Working Group is intended to take place before the end of October 2019”.

28.33 Councillor Heley asked the following supplementary question:

“I’m dismayed that this agenda does not include anything on the climate emergency specifically, so I’d also like to formally request that the Chair include a standing item on that subject for every agenda to come so that members of this committee and the public can receive a regular update on what is planned in relation to the climate emergency”.

28.34 The Chair provided the following reply:

“There is a meeting scheduled tomorrow with members of your group on climate emergency and how that is taken forward so this will be discussed then”.

(ix) Youth Strike for Climate

28.35 Councillor Heley put the following question:

“The Global Strike for climate on the 20th of September was the biggest climate protest history has ever seen. At home in Brighton and Hove, an incredible 10,000 people took to the streets to demand radical climate action. Would the chair agree to arrange a meeting with myself and the climate? strikers, to discuss their demands, and see how they can be involved in the Environment, Transport and Sustainability Committee going forward?”

28.36 The Chair provided the following reply:

“The recent Policy & Resources Urgency Sub-Committee of 12th September considered a report on Youth Strikes and Climate Action. The report outlined, and Members agreed a process for supporting young people, parents and Council staff engaged in Climate Strikes alongside the respective roles and responsibilities of the Council, Emergency Services and Schools”.

28.37 Councillor Heley asked the following supplementary question:

“Can I confirm that you would like to arrange a meeting in an ETS capacity and also, I understand there is a process where we can co-opt external stakeholders as representatives on this committee, and I wonder if there would be the possibility of inviting climate activists to observe and feed into the decision-making process?”

28.38 The Chair provided the following reply:

“I’ve been advised that that is a consideration for the Constitutional Working Group so please refer it to them”

(x) Car Free Day

28.39 Councillor Heley put the following question:

“As we all know, Brighton and Hove City Council did not hold a car free day this year. Events in London and Hastings, for example, prove what an amazing opportunity car free day is to demonstrate the benefits of active travel and cleaner air as a result of road closures. It was great to see Extinction Rebellion close part of the Old Steine to make their own car free day. When Leader of the council Nancy Platts was asked why Brighton and Hove council had not done anything for car free day, her answer was because the council were focussed on arrangements for the youth strike for climate a few days before, which is a different response to the one the Chair gave in the last meeting of this committee. Could the chair clarify the reasons that car free day did not

go ahead, and join me in asking officers to start making arrangements for car free day 2020?"

28.40 The Chair provided the following reply:

"The recent report to the Policy & Resources Urgency Sub-Committee of 12th September on Youth Strikes and Climate Action outlined the current situation and potential to host Car Free Days in the City next year and in future.

Car Free Days are costly and do require a dedicated resource to plan and organise safely and effectively. The recent events put on by TfL in the capital cost over £1m with dedicated officers and over a year in planning. But we do appreciate the work Sadiq Khan has done in London which was important as London is the capital city, so road closures were helpful to draw attention.

I have asked for a report to the next ETS Committee where we will consider how to programme and fund a Car Free Day Event next year and in future to coincide with European Mobility Week and other opportunities including Clean Air Day".

28.41 Councillor Heley asked the following supplementary question:

"I don't feel like you have directly answered the question so if you could directly answer my question"

28.42 The Chair provided the following reply:

"Yes, we did. I may have gone too fast, but I said I've asked for a report to the next ETS Committee so that does answer your question"

(C) Members Letters

(ii) Patcham Peace Gardens

28.43 The Committee considered a Letter from the Patcham ward councillors noting the anti-social behaviour committed in Patcham Peace Gardens and requesting that broken trees be replaced and CCTV be installed to deter vandalism and theft.

28.44 The Chair provided the following response:

"I appreciate the effort that volunteers put into the City's parks and also the generosity of residents who donate trees to our parks and how upsetting it must be to see your work/donation vandalised. Although we do not guarantee to replace vandalised trees that are donated we generally do so. Cityparks have already arranged replacement of one donation Prunus from the sunken area that was snapped off for this winter and if another donation tree has subsequently been broken off they will replace this as well. The Council receive numerous requests for CCTV. Installation of CCTV at Patcham Peace garden would require a change to our CCTV policy as well as a Data Protection Impact Assessment to ensure that privacy risks are mitigated and is not something that Cityparks could deal with in isolation".

28.45 **RESOLVED-** That the Letter be noted.

(iii) Ultra Low Emission Zone

28.46 The Committee considered a Letter from Councillors Heley, Davis, Lloyd and West requesting a report to the next committee meeting setting out options for Brighton & Hove to adopt an Ultra Low Emission Zone and or congestion charge.

28.47 The Chair provided the following response:

“The bus Low Emission Zone was introduced in January 2015 and required all buses in the zone to be Euro 5 emissions standard as a minimum by January 2020.

This target was achieved a year early and June 2018 ETS Committee agreed to introduce a new bus Ultra Low Emission Zone. This requires all buses operating in the zone to be minimum Euro 6, the highest emission standard, by October 2024. As you explain in your letter air quality in the zone is improving. Brighton and Hove Buses recently announced a further investment of almost £10m in 30 new extended range electric buses which were delivered last month. They will operate in zero emissions mode whilst in the Ultra Low Emission Zone.

Other cities, such as Birmingham and Leeds have been consulting over the past few years on plans to introduce temporary Clean Air Zones, as required by central government. These set minimum emissions standards for different types of vehicles such as taxis and private vehicles to improve air quality. This is clearly a major policy decision with resource implications and I have asked officers to report back to ETS Committee at the earliest opportunity in 2020 on the powers available to the council to extend minimum emission standards to other types of vehicles and beyond the current boundary of the Ultra Low Emission Zone”.

28.48 **RESOLVED-** That the committee receive a report on the matter at the earliest available opportunity.

(iv) Wheelie Bins

28.49 The committee considered a Letter from Councillor Ebel requesting it consider options to improve the situation of wheelie bins being positioned and left on pavements to improve access for pedestrians and those with mobility access issues.

28.50 The Chair provided the following response:

“Brighton & Hove City Council can issue Fixed Penalty Notices (FPNs) under Section 46A of the Environmental Protection Act 1990 to householders not complying with waste receptacle requirements. To do this, the Environmental Enforcement Framework will need to be updated to include this offence and presented to a future Environment, Transport & Sustainability Committee meeting for approval. Environmental Enforcement Officers can then issue FPNs as per government guidance.

It is correct that householders are written to where issues regarding bins on the pavement have been raised. We also have the option to send an Environmental Enforcement Officer to the property to have an informal conversation with the householder. We can also explore options around improving communication to residents on this issue.

Through the Recycling Wheelie Bin Project, Cityclean has visited all roads in the city to determine which type of containment is appropriate; either a wheelie bin, a box or a communal bin. A set of criteria has been used, which picks up the issues Councillor Ebel raises. For example:

- Each property in a street must have enough room to store the bin – either on their own property or on the pavement
- The pavement must be wide enough for pedestrians, wheelchairs, buggies etc. to pass when the bin is on the pavement
- The pavement cannot be sloped
- A property cannot have too many steps
- The road must be accessible for the relevant truck

Based on this piece of work (as well as other projects), today's City Environment Modernisation Update report is seeking changes to the communal bin system as it has been identified that some roads are more suited to communal bins. Implementing communal bins in areas where households do not have enough room to store a bin on their property or on the pavement will address the issues you have identified".

28.51 **RESOLVED-** That the committee note the Letter.

The meeting was adjourned at 18:35pm and reconvened at 18:45pm

29 MEMBER TASK AND FINISH GROUPS' TERMS OF REFERENCE

- 29.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the Terms of Reference (ToR) for three Member Task and Finish Groups following agreement by the committee to establish the Groups at its meeting in June 2019.
- 29.2 Councillor West asked if the stakeholders for the respective groups would be appointed ahead of their first meetings and how many representatives would attend the Stanmer Park group. Councillor West noted that the meeting frequency for the Stanmer Park Group was every three months and asked if that was regular enough.
- 29.3 The Executive Director, Economy, Environment & Culture confirmed that the CEO of the South Downs National Park Authority (SDNPA) had confirmed that they were content with the proposed number of representatives. The Executive Director, Economy, Environment & Culture stated that a balance on the frequency of meetings was required to ensure that momentum was carried but also that sufficient time was given for officers to undertake the work on the project. The Executive Director, Economy, Environment & Culture supplemented that Members could review the meeting frequency should the regularity been deemed insufficient or overly frequent.
- 29.4 Councillor Wares welcomed the report and expressed his hope that the stakeholder appointments would be appointed quickly and in a fair and balanced manner. Councillor Wares stated that he hoped a resident and or resident of Stanmer Village were invited to become a stakeholder on the relevant Task and Finish Group, not least because of the concern relating to the aborted relocation of the Cityparks Depot.

29.5 **RESOLVED-**

- 1) That the Committee agree the draft Terms of Reference for the Valley Gardens Member Task and Finish Group, as set out in Appendix 1 of this report.
- 2) That the Committee agree the draft Terms of Reference for the Local Cycling and Walking Infrastructure Plan [LCWIP] Member Task and Finish Group, as set out in Appendix 2 of this report.
- 3) That the Committee agree the draft Terms of Reference for the Stanmer Park Restoration Project Member Task and Finish Group, as set out in Appendix 3 of this report.

30 PARKING ANNUAL REPORT 2018-19

30.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested approval of the publication of the Parking Annual Report 2018-19 for submission to the Department for Transport, Traffic Penalty Tribunal and for general publication under the provisions of the Traffic Management Act 2004.

30.2 On behalf of the Green Group, Councillor West moved a motion to add a recommendation 2.3 and 2.4 as shown in bold italics below:

2.3. *That committee requests a report to committee considering the proposal to significantly increase the provision of on-street cycle parking;*

2.4. *That committee requests that the Assistant Director, City Transport considers inclusion of provision in the annual fees and charges report for the introduction of emissions related variable on-street and off-street car parking tariffs through pay-by-phone*

30.3 Introducing the motion, Councillor West stated that the level of on-street cycle parking provision in the city was insufficient and urgently needed review. Furthermore, a variable rate of parking charges relating to emissions was achievable as the pay-by-phone system identified the car type and model via the licence plate.

30.4 Councillor Davis formally seconded the motion.

30.5 In reference to paragraph 5.1, Councillor Wares asked who the local parking special interest groups were.

30.6 The Parking Strategy & Contracts Manager clarified that these were Local Action Teams and the Chamber of Commerce.

30.7 Councillor Wares stated that he supported the Green Group motion. Councillor Wares noted that parking surplus continued to grow year on year and he believed that at some point, the council should look toward reducing permit charges for some groups such as business and trader groups and teachers and carers.

- 30.8 The Parking Strategy & Contracts Manager replied that such a proposal could be examined as part of the annual Fees & Charges report.
- 30.9 Councillor West observed that the council's objective of reducing emissions and air pollution by promoting more sustainable methods of transport would represent a challenge in the near future as this would reduce parking income and solutions to that gap needed to be considered.
- 30.10 Councillor Moonan commended the report that was open and transparent about the council's approach to parking. Councillor Moonan stated that the Administration cared passionately about moving achieving carbon neutrality and part of that process would be to disincentivise travel by car. Councillor Moonan stated that consideration should be given to borrowing capital to make the step change required.
- 30.11 The Chair then put the motion to the vote that passed.

30.12 The Chair then put the recommendations as amended to the vote that were agreed.

30.13 **RESOLVED-**

- 1) That the Committee endorses the publication of the Parking Annual Report for 2018/19 under the provisions of the Traffic Management Act 2004.
- 2) That the Committee authorises the Head of Parking to produce and publish the report, which will be made available on the Council's website and to stakeholders.
- 3) That committee requests a report to committee considering the proposal to significantly increase the provision of on-street cycle parking;
- 4) That committee requests that the Assistant Director, City Transport considers inclusion of provision in the annual fees and charges report for the introduction of emissions related variable on-street and off-street car parking tariffs through pay-by-phone

31 OFF-STREET CAR PARK AND TRAFFIC CONTROL CENTRE EQUIPMENT REPLACEMENT

- 31.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for the procurement of a contract for the provision and installation of car park and Traffic Control Centre equipment and associated support systems and maintenance. This was to replace the current contract and allow for the provision and installation of new equipment in 5 council owned car parks.
- 31.2 Councillor Wares observed that the report identified parking charges as a crucial income source, yet it was recognised that levels of car ownership needed to decline to meet carbon neutrality by 2030. Councillor Wares stated it was likely these two issues would come into conflict in the near future.
- 31.3 Councillor Moonan asked why equipment was being replaced at only four car parks.

- 31.4 The Traffic Control Centre Manager clarified that the contract related to pay on foot equipment and other car parks, such as Norton Road car park used pay and display equipment.
- 31.5 **RESOLVED-** That the Environment, Transport & Sustainability Committee:
- 1) Grants delegated authority to the Executive Director, Economy, Environment & Culture to:
 - (i) Procure and award a contract for the provision and installation of car park and Traffic Control Centre equipment and associated support systems and maintenance with a term of five (5) years and the option to extend for up to a further two years;
 - (ii) Grant the optional extension to the contract referred to in 2.1(i) subject to satisfactory performance of the contractor.

32 ELECTRIC VEHICLE CHARGE POINT ROLL OUT

- 32.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on progress with expanding the electric vehicle charge point infrastructure to meet the needs of residents and visitors. This report outlines recent successful awards from the Office for Low Emissions Vehicles (OLEV) and Innovate UK as well as the progress of the projects arising from that funding.
- 32.2 Councillor West expressed his concern relating to the potential loss of pavement space and obstruction relating to the roll out of electrical vehicle charge points. Councillor West asked for confirmation that areas of the city with heritage lampposts would be unable to have charge points installed. Further, Councillor West asked if there would be dedicated parking spaces next to lampposts for electrical vehicle users and for assurance that the technology to be used has been assessed for future proofing.
- 32.3 The Parking Strategy & Contracts Manager explained that it was proposed to install 31 exclusive electric vehicle bays initially and this would be in the context of an estimated 430 electrical vehicles in the city. Use of those bays would be monitored and the number increased as levels of ownership of electric vehicles rose. There would be 170 advisory parking bays that would be monitored and converted to exclusive electric vehicle parking bays as demand increased. The Parking Strategy & Contracts Manager explained that heritage and some cast iron lampposts had been ruled out as charge points as well as lampposts a significant distance from the road to avoid obstruction. The Parking Strategy & Contracts Manager explained that it was likely that by the end of the contract newer technology would be available however, it was deemed necessary to go ahead and meet the change.
- 32.4 Councillor Wares asked for clarification that this was the lamppost locations not taxi charging points as consultation on the latter with the tax trade was a must. In relation to potential abuse of occupation of a parking bay, Councillor Wares asked if there would be a parking charge increase after a specific period to act as a deterrent. Furthermore, Councillor Wares noted that the electrical charging point was an emerging market with new businesses and asked for assurance that the concession partner would be paying for electricity use so as to minimise the financial risk to the council.

- 32.5 The Parking Strategy & Contracts Manager explained that recommendation did refer to taxi hubs however, the taxi trade had been fully consulted on the proposals and had suggested a number of alternative sites and they would be first-choice in the event a charging point needed to be moved. Options to limit turnover were being considered with a potential option being text alert service followed by a penalty charge if the vehicle was not removed after a period of time. The Parking Strategy & Contracts Manager clarified that the concession partner would be responsibility for payment of the electricity used as part of the contract.
- 32.6 Councillor West observed that the proposal was a useful step but not part of the solution to carbon neutrality and climate change. Furthermore, even with electric cars, there would still be congestion and still be road safety issues.
- 32.7 Councillor Wares stated that on the basis of the advice received, he was uncomfortable with agreeing to recommendation 2.5 as the taxi trade should be consulted on any relocation of electric vehicle charge points.
- 32.8 The Executive Director, Economy, Environment & Culture clarified that the taxi trade would certainly be consulted on any proposed relocation of an electric charge point and it was absolutely essential to the council that the trade were happy with the locations established.
- 32.9 Councillor Wares moved a motion to amend recommendation 2.5 as shown in bold italics below:
- 2.5 Delegates authority to the Executive Director Economy, Environment & Culture to change the proposed location of chargepoints should site surveys indicate that they are unsuitable, following consultation with the Chair and the relevant ward councillors ***and taxi trade.***
- 32.10 Councillor Brown formally seconded the motion.
- 32.11 Councillor Moonan welcomed the report that was part of a movement toward carbon neutrality and overall journey toward more sustainable forms and use of transport.
- 32.12 The Chair then put the motion to the vote that passed.
- 32.13 The Chair then put the recommendations, as amended, to the vote that were agreed.
- 32.14 **RESOLVED-** That the Committee:
- 1) Notes the award of the concession contract for the provision, installation and maintenance of electric vehicle charge points.
 - 2) Notes the contents of the report and the risks identified during the procurement process which are set out in this report at paragraph 7.7
 - 3) Notes the successful bid submitted in November 2018 to OLEV for £468,000 for rapid taxi charging hubs and delegates authority to the Executive Director Economy,

Environment & Culture to use this funding to require the successful bidder to install these charge points.

- 4) Notes the outcome of the taxi trade survey on potential sites for the rapid charging hubs and agrees to their installation at the 4 identified sites.
- 5) Delegates authority to the Executive Director Economy, Environment & Culture to change the proposed location of chargepoints should site surveys indicate that they are unsuitable, following consultation with the Chair and the relevant ward councillors and taxi trade.
- 6) Notes the award of £86,265 research funding from Innovate UK for a trial of the use of smart network extenders to expand the charge point infrastructure and delegates authority to the Director Economy, Environment & Culture to use this funding to procure and install chargepoints in line with the Innovate UK award conditions.

33 PARKING SCHEME UPDATE REPORT

- 33.1 **RESOLVED-** That the Committee having taken account of all duly made representations and comments, agrees to proceed to the next stage to advertise the Traffic Regulation Orders for;
- i) The top triangle area (not including Queens Park Road)
 - ii) Freshfield Street and Queens Park Rise

34 PARKING SCHEME PRIORITY TIMETABLE

- 34.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for a list of priorities for new parking schemes and reviews which would be incorporated into the updated parking scheme priority timetable.
- 34.2 Councillor Brown stated that she welcomed the introduction of Zone P in part of the Hove Park ward but noted this had cause displacement in the Goldstone Valley area and disruption to the 21 bus service and therefore, she was hopeful for the introduction of additional double yellow lines in that area. In reference to paragraph 5.17, Councillor Brown stated that she had great concern for the potential introduction of pay and display bays in the zone and that was a concern shared by residents.
- 34.3 The Head of Parking Services explained that double yellow lines would be introduced in the vicinity of Goldstone Valley and also in Hazledene Meads. In relation to any changes to the Hove Park scheme, the proposed timetable recommended a review at the end of 2020 that would give significant time to analyse the results of the introduction and residents would be consulted on any changes and those views would be reported to the committee.
- 34.4 Councillor Heley asked if Zone J could be brought forward in the timetable as there were significant parking issues in the area and residents would welcome an earlier consultation.

- 34.5 The Head of Parking Services answered that as outlined in Appendix B, Zone J was the top priority outlined. Commitments were already in place based on previous representations, particularly in the Surrenden Road area, Coombe Road and South Portslade. Should Zone J be brought forward in the timetable, this would cause other schemes to be delayed that would likely cause distress and concern to residents in those area.
- 34.6 Councillor Wares stated that no resident wished to live in a controlled parking zone however, the issue was forced upon them by constant displacement. This was a situation that would only get worse as pockets of areas without parking controls were made. Councillor Wares stated that a wholesale review of parking in the city was required and LTP5 should look at that matter as an entire subject.
- 34.7 Councillor West agreed with the proposal made by Councillor Wares adding that consideration needed to be given to a different approach than the one in place.
- 34.8 **RESOLVED-** That the committee agrees to the list of priorities for new parking schemes / reviews (Appendix B) which are incorporated into the updated parking scheme priority timetable outlined in Appendix C.

35 ELM DRIVE/ROWAN AVENUE TRO

- 35.1 **RESOLVED-** That the Committee, having taken account of all duly made representations, approves as advertised the Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2018 Amendment Order No.* 201* (TRO-4-2019)

36 CITY ENVIRONMENT MODERNISATION UPDATE

- 36.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on the City Environment Modernisation Programme and also presented the results from the consultation and sought approval for the introduction of a communal recycling scheme for Lewes Road Triangle, as well as further changes and improvements to the existing communal refuse and recycling scheme.
- 36.2 Councillor Heley asked for further information on the supplier of communal bins, based in Italy and recently put into administration. Further, Councillor Heley asked when a delivery of new bins was anticipated.
- 36.3 The Assistant Director, City Environment clarified that the communal bins collection system in the city was similar to that in Italy although almost unique in England and the council's UK supplier of bins had been put in administration. A timescale for the deliver of new bins was uncertain as there were legal issues to resolve although it was hoped a deliver would be made next month.
- 36.4 Councillor Wares stated that the report made a series of inaccurate observations and understatements and did not correctly reflect the enormous problems with refuse and recycling collection experienced in the city of late. Councillor Wares stated that the RAG system provided a picture of a modernisation process that was not meeting its progress targets and the committee needed absolute clarity on the date by which the current

issues would be resolved. Councillor Wares added that an urgent discussion was required on how the council dealt with the service in terms of contingencies, back up and bringing outside agencies in to adequately cover breakdowns in the service. Councillor Wares expressed his disappointment that once more, there was no reference to the potential industrial action, an issue that was ongoing.

- 36.5 In relation to paragraph 3.14, Councillor Davis asked for an update on the budget allocated for the end of term student recycling.
- 36.6 The Assistant Director, City Environment explained that due to ongoing issues with the refuse and recycling service, not a great deal of progress had been made with students although some work had been undertaken with students and flyers handed out at the recent freshers event. An option being considered was more active participation with students, potentially involving a student led education and awareness campaign.
- 36.7 Councillor Brown stated that she had some concern about expanding the communal bins collection area when there was so much disruption to the existing service. Councillor Brown added her concern that when bins were eventually emptied, the area around the bins was often left in a poor state with not all the rubbish collected.
- 36.8 The Assistant Director, City Environment explained that many of the problems encountered was due to being reliant on a very specific system and very specific equipment and proposals were being considered to bring in a more standardised system to alleviate that and reduce risk. The Assistant Director, City Environment explained that street crews had been sent out during the recent service disruption however, there was so much refuse that it was a significant challenge to collect it all. This issue would be one considered as part of the round restructure.
- 36.9 Councillor West stated that the problems being encountered were not new and was a political issue that needed to be resolved by the administration.
- 36.10 The Chair stated that the problems being encountered went further back than 2015 and the administration were making every effort to resolve them.
- 36.11 **RESOLVED-**
- 1) That the Committee notes the progress made through the City Environment Modernisation Programme.
 - 2) That the Committee approves the introduction of the communal recycling scheme in Lewes Road Triangle.
 - 3) That the Committee agrees, in principle, to the introduction of the new communal bin system.
 - 4) That the Committee agrees, in principle, to the expansion of the communal bin scheme.
- 37 ARBORICULTURE [TREE] STRATEGY PERMISSION TO GO TO PUBLIC CONSULTATION**

37.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought agreement to the implementation of a new inspection regime for the City's parks and open spaces trees and requested permission for the Arboriculturally Strategy to be put out for public consultation.

37.2 On behalf of the Green Group, Councillor West moved a motion to add a recommendation 2.3 as shown in bold italics below:

2.3 That committee requests that as part of the current review of the strategy, that officers be asked to:

- **provide more details within Tree Species Selection List (Appendix 4) on the climate change resilience and carbon capture potential of tree species identified;**
- **explore the potential for BHCC to contribute to appropriate forest restoration in the local area**

And that further, that this committee agrees to:

- **commission a report on the feasibility of the Council establishing a carbon reduction scheme, to enable local residents and businesses to invest in woodland planting, energy schemes and other local carbon reduction and carbon capturing projects**

37.3 Introducing the motion, Councillor West explained its intention was to ensure that the species of trees planted were disease resistant, that they could adapt to the changing conditions relating to climate change and made as big as possible contribution to reducing carbon. The second part of the motion related to a feasibility study of a carbon reduction scheme.

37.4 Councillor Lloyd formally seconded the motion.

37.5 Councillor Wares commended the standard of the report and the detail of the widespread work ongoing and proposed in the city relating to the matter. Councillor Wares proposed that smaller trees be used on streets as they would be easier to maintain. In relation to page 2322 of the agenda, Councillor Wares queried the quote of £2,000 to plant a new tree.

37.6 The Head of Operations- Cityparks explained that this was a mean figure as the price varied dramatically from location to location with street trees specifically expensive to plant.

37.7 The Chair then put the motion to the vote that passed.

37.8 The Chair then put the recommendations, as amended to the vote that was agreed.

37.9 **RESOLVED-**

1) That the Committee agrees to the implementation of a new inspection regime for the City's parks and open spaces trees as set out in the strategy section 4.2 and appendix 2

- 2) That the Committee agrees that the attached strategy is put out for public consultation for all other aspects as set out in section 5, prior to returning the strategy to this committee for final approval and adoption.
- 3) That committee requests that as part of the current review of the strategy, that officers be asked to:
 - provide more details within Tree Species Selection List (Appendix 4) on the climate change resilience and carbon capture potential of tree species identified;
 - explore the potential for BHCC to contribute to appropriate forest restoration in the local area

And that further, that this committee agrees to:

- commission a report on the feasibility of the Council establishing a carbon reduction scheme, to enable local residents and businesses to invest in woodland planting, energy schemes and other local carbon reduction and carbon capturing projects

38 SELF MANAGEMENT OF SPORTS FACILITIES

- 38.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for a grant of lease to two organisations to self-manage sports facilities at Hollingdean Park and Nevill Recreation Ground.
- 38.2 Councillor Brown stated that the Nevill Recreation Ground cricket club was one of the largest in Sussex and she hoped that the registered objection could be resolved.

38.3 RESOLVED-

- 1) That the Committee approves the grant of a lease for the football pitch at Hollingdean Park and delegates authority to the Executive Director, Economy, Environment and Culture to agree and execute lease terms.
- 2) That the Committee approves the grant of a lease for the football and cricket pitches, pavilion and facilities at Nevill Recreation Ground subject to the proposal receiving written support from the Sussex Sunday Football League and delegates authority to the Executive Director, Economy, Environment and Culture to agree and execute lease.

39 HOVE CEMETERY TOILETS

- 39.1 The Committee considered a report of the Executive Lead Officer, Strategy, Governance & Law that set out proposals for provision of a new gender neutral wheelchair accessible toilet facility in the grounds of Hove Cemetery, refurbishing an existing surplus building.
- 39.2 Councillor Brown stated her full support for the proposals adding that a wheelchair accessible facility was highly important at such a location.

- 39.3 Councillor Brennan stated her support for the proposals that reversed a closure in 2012 and would add to the council's social value.
- 39.4 Councillor West noted that the report stated that the cost of refurbishment would be £25,000 and there would be an annual maintenance cost of £4,000. Councillor West stated that there was no budget provision nor extra funding and it would be regrettable if another facility had to close because of this proposal.
- 39.5 The Executive Director, Economy, Environment & Culture replied that the recommendation was subject to the budget process and whilst there was no new funding, there was no suggestion that the proposal would necessitate closure of other facilities.
- 39.6 **RESOLVED-** That the request for a new gender neutral wheelchair accessible toilet facility on the north side of Hove cemetery be agreed subject to the funding being approved as part of the 2020-21 budget process.

40 ITEMS REFERRED FOR FULL COUNCIL

- 40.1 No items were referred to Full Council for information.

The meeting concluded at 8.40pm

Subject: Petitions
Date of Meeting: 26 November 2019
Report of: Monitoring Officer
Contact Officer: Name: John Peel Tel: 01273 291058
E-mail: john.peel@brighton-hove.gov.uk
Wards Affected: Various

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

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

2. RECOMMENDATIONS:

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

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum

3. PETITIONS

3. (i) Traffic Calming Bristol Gardens – David Trangmar

To receive the following petition signed by 70 people:

"We the undersigned would like Brighton and Hove Council to come up with traffic calming measures to prevent motorists using Bristol Gardens as a rat run between Manor Road and Whitehawk Roundabout. Since the traffic lights were installed on Arundel Road, cars and motorbikes use Bristol Gardens, which is almost entirely residential, as a speedway to bypass the lights. This has also made it very dangerous to exit from roads such as Princes Terrace, Prince Regent's Close and Bennett Road onto Bristol Gardens."

Subject: Items referred from 24 October 2019 Full Council meeting- Petitions

Date: 26 November 2019

Report of: Monitoring Officer

Contact Officer: Name: John Peel Tel: 01273 291058
E-mail: john.peel@brighton-hove.gov.uk

Wards Affected: Various

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive petitions referred from the Full Council meeting of 24 October 2019.

2. RECOMMENDATIONS:

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

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

3. PETITIONS

3. (i) Pedestrianise St James' Street– Adam Mason

To receive the following petition referred from the meeting of Full Council and signed by 416 people:

"We the undersigned petition Brighton & Hove Council to pedestrianise or part-pedestrianise St James Street to create a more welcoming public space that is traffic-free, cleaner and safer.

Over the years residents, businesses and visitors have raised concerns that St James Street has become a dirty, unsafe and unwelcoming area of Brighton with a bad reputation.

St James Street traders and MPs in the past have called on the Council to look at an option to pedestrianise the street, this has not been achieved. Making the street traffic-free would create more of a 'cafe-culture', and enhance the appearance of the street.

A traffic-free street would also facilitate the creation of permanent art installations associated with the community like the recently suggested 'Rainbow Crossing' or a Rainbow Road like the one created in Iceland.

Closure of the street would also facilitate events like the annual Pride Street Party.

Brighton City Council please consider implementing a proper consultation to see if this is a possibility”.

Subject:	Items referred from 24 October Full Council meeting		
Date of Meeting:	26 November 2019		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	St Peter's & North Laine, Queen's Park, Regency		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive the following deputation referred from the full Council meeting held on the 24 October 2019.

2. RECOMMENDATIONS:

- 2.1 That the Committee responds to the deputation either by noting it or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options and writes to the deputation spokesperson setting out the committee's decision(s).

3. CONTEXT / BACKGROUND INFORMATION

Deputation – Valley Gardens

- 3.1 To receive the following extract from the minutes of the full council meeting held on the 24 October 2019, which detail the deputation as set out below:

(1) Deputation concerning Valley Gardens

Spokesperson Serena Burt

Supported by:

John Healy

Roger Rolfe

Simon Thetford

Denise Taylor

David Sewell

Diana Palmer

Adrian Bristow

Julia Basnett

Andrew Peters

Gary Farmer

Daniel Nathan

Ward affected: All

COUNCIL

4.30pm 24 OCTOBER 2019

HOVE TOWN HALL - COUNCIL CHAMBER

MINUTES

Present: Councillors Phillips (Chair), Robins (Deputy Chair), Simson, Allcock, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Hill, Hills, Hugh-Jones, Janio, Knight, Lewry, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Shanks, C Theobald, West, Wilkinson and Williams.

PART ONE

37 DEPUTATIONS FROM MEMBERS OF THE PUBLIC

(3) VALLEY GARDENS

- 37.1 The Mayor reported that three deputations had been received from members of the public and noted that there was a Notice of Motion listed at Item 45 (3), Home to School Transport – Policy Panel on the agenda which related to the first deputation. She was also aware of an amendment to the notice of motion from the Green Group and would therefore take the motion and the amendment directly after the deputation had been made and responded to.
- 37.21 The Mayor then invited Ms. Serena Burt as the spokesperson for the third deputation to come forward and address the council. She also stated that as Item 45 (4) Notice of Motion on Valley Gardens listed on the agenda referred to the same matter, she intended to take the motion immediately after the deputation had been presented and responded to.
- 37.22 Ms. Burt thanked the Mayor and stated that, I'm here today to briefly talk you through an alternative plan for Valley Gardens phase 3. This has been drawn up by leading architects, engineers and design professionals from our city - on behalf of us all.

The plan is based on the best elements of the Council's own original design options. We don't consider it definitive and so further input is invited and welcomed. Our current version removes most of the transport disbenefits from the current council scheme, provides a much better cost benefit ratio with significantly closer alignment to Transport for the South East's stated strategy. It would achieve a more positive outcome on almost every measure than the current official one - identified as offering 'low value for money' by the Local Enterprise Partnership Coast 2 Capital.

Our core proposition achieves the following:

- The creation of city-wide routes to the centre for cyclists and pedestrians complete with better access to attractive new green spaces increasing biodiversity.

- The creation of a dedicated two-way bus and taxi lane to link North Street to a contiguous public transport corridor at Marlborough Place and retaining the city centre's natural transport hub complete with the three iconic "deco" bus shelters.
- The creation of a 'mixed use' pedestrianised seafront gateway to explore the east of the city instead of separating Kemptown from the centre with the current proposed scheme.
- The creation of a dedicated cycle hub at Pool Valley with a crossing to the seafront, safely clear of pedestrians at the front of the Pier as well as public transport and general traffic.
- Moving cycle lane away from the Steine gardens perimeter makes access better for the public realm and essential for use as event space.
- The creation of a remodelled roundabout to ensure the safest and most environmentally friendly free movement of general traffic - and removing the need to redevelop the junction at Duke's Mound.

Residents, businesses and public sector professionals across all sectors of the local economy have already offered valuable input. We genuinely believe that something close to this plan is one that the entire city can get behind.

We therefore respectfully ask Full Council to note our proposal and ask the ETS Committee to give full and proper consideration to this plan.

37.23 Councillor Pissaridou replied, thank you for bringing this deputation to Full Council this afternoon. I can see that you are representing a number of businesses and organisations today on behalf of the Valley Gardens Forum.

The deputation serves to underline that there is still a considerable amount of interest in this final phase of the Valley Gardens project, and that there is agreement that investment is urgently needed to assist in regenerating this city centre area. The benefits of doing so will also be felt in areas that are adjacent to it, such as St James's Street and The Lanes.

Although it has been in the media, what I am pleased to be able to say personally today, is that the Local Enterprise Partnership (which is known as the LEP) completed its review and consideration of our Business Case earlier this month. In doing so, it has also taken into account a number of representations that it has received from various sources. The conclusion is that the LEP has finally approved the £6 million pounds worth of external funding for the project. That is a significant milestone for the city and the council, and everyone who has been involved so far.

Once we have entered into the Funding agreement with the LEP, the next stage will be to progress the development of the preferred design that was agreed by the council's Environment, Transport & Sustainability Committee over 8 months ago in February. This will involve the appointment of a new project team and carrying out further engagement with local people and communities, including the Valley Gardens Forum. Plus, the new Councillor Task & Finish Group that we have agreed to set up for Valley Gardens will have oversight of the next stages for Phase 3 and will include stakeholders in its meetings and discussions.

As an Administration, we are committed to implementing changes that will bring the biggest overall benefits to the most people. That does mean moving away from car usage in the city centre to improve air quality and reduce congestion; it does mean creating more green space to protect the local environment; and it does mean creating

more public space to enhance the landmarks that draw people to the city, including the Royal Pavilion and the seafront.

This final phase of the Valley Gardens project will form a vital part of our move to become a carbon-neutral city by 2030 through investment in a safe, accessible, sustainable and high-quality transport network that supports walking, cycling, and public transport. It will also give public space back to the local community, allowing the city's residents and visitors the opportunity to enjoy this area of our city once more.

What I am sure you are aware of, and must emphasise again today, is that the decision made in February was arrived at following considerable debate and discussion by councillors at many council meetings. That debate, and discussion has been informed by thorough public consultation, and heavy scrutiny and challenge. Therefore, the design that has been agreed by the council will be the starting point for the next stage of design, and the final design will need to take into account the budget, time and resources that we have available to complete it.

Undoubtedly, things will change as the design is worked on, but we must remain true to the overall vision for the area and the core objectives that the council has agreed. If we are serious about addressing climate change, improving air quality and future-proofing the city for the years to come, then we must be bold in our vision and we must act now.

I have noted that the proposed option that you have put forward in the deputation includes a considerable number of changes to the agreed design, including: -

- a roundabout at the Palace Pier;
- two extra traffic signal junctions near the Royal Pavilion;
- significant changes to Pool Valley;
- a new crossing on the A259.

Whilst I acknowledge your claims within the deputation, the implications of some of these changes do not appear to have been technically assessed or fully quantified, but we will consider whether any of the ideas put forward can help further support the improvements within the agreed design, while maintaining value for money.

I do recognise that this deputation will be discussed and considered further at the Environment, Transport & Sustainability Committee next month, but thank you again for presenting it today. I hope that my response has helped to explain the point that we have now reached, and how we intend to move forward with this exciting project.

45. NOTICES OF MOTION

(4) Valley Gardens

37.24 The Mayor then invited Councillor Miller to move the Notice of Motion on behalf of the Conservative Group.

37.25 Councillor Miller stated that the need for the redevelopment of Valley Gardens was recognised however, the current scheme was flawed, and he believed would be a waste of public money. The funding from the LEP was welcome but he felt that further consultation was needed to resolve the traffic issue as well as a full environmental impact assessment (EIA). There had been a lack of consultation with the residents

affected and he believed the process should be put on hold until other options could be considered.

- 37.26 Councillor Nemeth formally seconded the motion and stated that plans had been drawn up behind closed doors and there was a need for public involvement. The Valley Gardens Forum had raised a number of valid points and they knew what they were talking about, but their concerns had not been taken into consideration. He supported the need to pause the process and take the opportunity to improve the eco credentials of the project.
- 37.27 Councillor Bell stated that the scheme had been railroaded through with concerns raised by businesses, communities and residents ignored and a lack of consultation. There was a need for a joined-up scheme that was supported collectively by all affected and hoped this could be achieved.
- 37.28 Councillor Fishleigh stated that there was a need for an environmental impact assessment and a new transport infrastructure to take account of the Town & Country Planning regulations. She believed there was a need to look beyond party politics, in order to be able to agree a viable scheme that would benefit the city. She also asked for a recorded vote on the motion and hoped this request would be supported.
- 37.29 The Mayor noted that it was Councillor Fishleigh's maiden speech and congratulated her on behalf of the council.
- 37.30 Councillor West stated that it had taken time, but the project's completion was in sight and would provide better facilities for everyone in the city. There would be an opportunity to comment on the final design stage and the Member Stakeholder Working Group was due to reconvene which would enable a broader conversation on the proposals. He reminded the council of the objective for the city to be carbon neutral by 2020 and hoped that councillors would support the scheme going forward.
- 37.31 Councillor Pissaridou stated that she understood the concerns raised in relation to the EIA but noted that the new scheme had been assessed and there was no requirement for a full EIA. However, the situation would continue to be reviewed during the development of the Scheme and design process. There would be further consultation and the configuration of traffic signals and movement of traffic taken into account as part of any engagement during Phase 3.
- 37.32 Councillor Peltzer Dunn noted the comments and queried if the actions being referred to in the motion were being taken into consideration as part of the process, why then the Notice of Motion could not be supported.
- 37.33 Councillor Robins stated that he believed the matter had been through various stages at committee and noted that a previous Opposition Spokesperson had championed the Scheme and therefore questioned the opposition to it.
- 37.34 Councillor Miller stated that the current Scheme was not right for Valley Gardens and cost benefit ratio was questionable. There was a clear need for further consultation and to take on board the views of the local community, local businesses and the residents deserved more. He hoped that the motion would be supported.
- 37.35 The Mayor thanked Ms. Burt for attending the meeting and speaking on behalf of the deputation. She explained that the points had been noted and the deputation would be referred to the Environment, Transport & Sustainability Committee for consideration.

The persons forming the deputation would be invited to attend the meeting and would be informed subsequently of any action to be taken or proposed in relation to the matter set out in the deputation.

37.36 The Mayor noted that Councillor Fishleigh had requested a recorded vote and sought the support of the Council to the request which was confirmed. She therefore asked for a recorded vote to be undertaken on the following motion:

This council requests the Environment, Transport & Sustainability Committee to:

- (1) Ensure that Valley Gardens Phase 3 is subject to a full environmental impact assessment; and
- (2) That the Duke's Mound junction proposal will be subject to a full public consultation in the context that it not only impacts Valley Gardens Phase 3 but also impacts on the A259 coastal road and the Waterfront/Blackrock development.

37.37 The Head of Democratic Services undertook a recorded vote, the results of which are detailed below:

		For	Against	Abstain			For	Against	Abstain
1	Allcock		√		28	Lewry	x		
2	Appich	Not Present			29	Littman	Not present		
3	Atkinson	Not present			30	Lloyd		√	
4	Bagaeen	x			31	MacCafferty		√	
5	Barnett	x			32	McNair	x		
6	Bell	x			33	Mears	x		
7	Brennan		√		34	Miller	x		
8	Brown	x			35	Moonan		√	
9	Childs		√		36	Nemeth	x		
10	Clare		√		37	Nield		√	
11	Davis		√		38	O'Quinn		√	
12	Deane		√		39	Osborne		√	
13	Druitt			Ab	40	Peltzer Dunn	x		
14	Gibson		√		41	Phillips			Ab
15	Grimshaw		√		42	Pissaridou		√	
16	Ebel		√		43	Powell		√	
17	Evans		√		44	Platts		√	
18	Fishleigh	x			45	Rainey		√	
19	Fowler		√		46	Robins		√	
20	Hamilton		√		47	Shanks		√	

21	Heley		√		48	Simson	x		
22	Henry	Not present			49	Theobald C	x		
23	Hill		√		50	Wares	Not present		
24	Hills		√		51	Wilkinson		√	
25	Hugh-Jones		√		52	Williams		√	
26	Janio	x			53	West		√	
27	Knight		√		54	Yates	Not present		
							14	32	2

37.38 The Mayor confirmed that the motion was lost by 14 votes to 32 with 2 abstentions.

Our headline amendments are as follows:

We propose maintaining the public transport route between Pavilion and war memorial which will be fed by a dedicated bus lane travelling south from VG Phase 2. We retain the city's only central bus hub which maintains easy transfer from one route to another. This should improve bus journey options and travel times and therefore increase adoption of shared and public transport over private vehicles.

We are concerned that, due to lack of connectivity, the proposed pedestrianised area in front of the Pavilion currently has no destination other than itself. The position of the cycle route to the north narrows the pavement here, countering the desire to walk through to VG phase 2. We believe that a much improved and stronger pedestrian crossing can be achieved through the Pavilion gardens themselves. This new path would cross from the North Gate on Church Street to a new gateway and a revived Palace Place. Such a route is optimally positioned to converge with pedestrian flow from North Street on to the corner of Castle Square, crossing into Steine Gardens.

We propose more substantial pedestrian crossings, with clearly defined diagonal crossing paths, to allow a free flow of pedestrians bridging West of Steine with East and into the gardens themselves. A new feature archway could be used as a townscape device to further celebrate the access to the East. To our mind this is a significant gesture which is aligned with strategic city-wide ambitions to connect the Kemp Town communities with enhancements to Madeira Drive, Blackrock and the Marina.

We have suggested an altered cycle path to connect VG phase 2 to the seafront. By prioritising an altered pedestrian route through the Pavilion gardens, this new cycle route will use less populated parts. The most significant pedestrian crossing of the cycle route is at the bottom of Castle Square, where pedestrians will also have clear crossing priority with the bus. Smaller crossings of the route will be necessary to access bus stops.

To accommodate the proposed cycle route we have suggested moving the current listed bus stops, rebuilding these to the east and extending the pavement in front of them to accommodate a greater number of bus passengers.

By retaining the north south bus connection in front of the Pavilion, the National Express can be relocated to the public space north of the Royal Albion hotel, to use this route. In turn, Pool Valley is revitalised as a public space with the opportunity to create the city's bike hub - with facilities for hire, maintenance, education and storage - which links to the seafront away from the roundabout and importantly avoiding head on conflict with the concentration of pedestrians around the pier frontage.

We propose a roundabout in front of the pier to ease the flow of cars out from Pavilion Parade, in the interest of improved air quality and visitor experience. The roundabout is shown in an altered location to previous iterations, so that a wider pedestrian crossing can be accommodated flowing from Steine Gardens to the pier frontage.

Accommodating the requirement for delivery access to the pier is also a key consideration here. The avoidance of cycle crossings and clear allocation of delivery bays is important to maintaining the safe flow of deliveries, as life blood to the pier operation.

Key

- Footway - resin bound gravel
- Footway- modular paving
- Bi-directional, segregated cycle track
- Proposed parking bays - block paving
- Side road entry treatment / central median - block paving
- Tarmac carriageway
- Tarmac with buff finish
- Crossing
- Soft landscaping
- Proposed tree
- Existing tree
- New Kiosk

N.T.S

Scale bar

10m 20m 30m

Valley Gardens Forum
New Phase 3 Proposal
10 October 2019



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WRITTEN QUESTIONS

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by Members.

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

The following written questions have been received from Members:

(i) Councillor Wares- Bikeshare

“At 8th October 2019 ETS Committee I asked a series of questions relating to the Bikeshare scheme to which the answer was “we’ll do a report”. Given that the information to answer most of my questions was in the officer brief dated 25th July 2019, it is a surprise that there was no report on this agenda. Would the Chair please confirm that the officer briefing dated 25th July 2019 can now be made publicly available?”

(ii) Councillor Wares-Patcham Roundabout

“At the 25th June 2019 ETS Committee the Chair recognised the importance of the gateway entrance to the city at Patcham roundabout. The Chair talked about Cityparks being on the threshold of a breakthrough and that Ward Councillors would be briefed by officers. Importantly, the Chair gave their personal assurance that something would be delivered this calendar year. For the last five months we have heard nothing. Please could the Chair now share with us the details of this great breakthrough and what will be done this calendar year that will give us the confidence that the Chair’s personal assurances are worth the paper they are written on?”

(iii) Councillor Heley- Climate Emergency Communications

“We need to improve the way that the council communicates the climate emergency to the residents of our city. In January 2019, the Green Group submitted an amendment that asked the council to publicise the council’s recognition of the climate and biodiversity emergencies, to request a report outlining low-cost measures the Communications team could organise to publicise the ‘Climate Emergency’ declaration, and the placement of an online banner on the home page of the BHCC website ‘Unanimous ambition of this Council: zero carbon by 2030.’ I’m pleased to see that recently there is now some information on the council’s website, but why did this take so long? Shouldn’t we be communicating to our residents in such a way that reflects that this is an emergency?”

(iv) Councillor Heley- Cityclean Communications

“The problems in City Clean are well known, but poor communications from City Clean have worsened the recent issues. Would it be possible to improve communications from city clean to residents? For example, if a rubbish or recycling collection on a particular road or area is missed, there can be an alert on the website, with information on when it will be collected. Otherwise, residents have to leave their rubbish out on the street all week not knowing when it will be collected. Will the Chair look into this on behalf of all residents in the city?”

(v) Councillor Heley- Standing Agenda Item

“The agendas of this committee must reflect the severity and urgency of the Climate Emergency, and so far, the agenda items of this crucial committee have not done that. Will the Chair reconsider her decision to not have a standing item on the ETS agenda that provides an update on our progress of becoming a carbon neutral city by 2030? This could be as simple as Nick Hibberd providing a verbal update at the beginning of each committee, in order to avoid overloading officers. Can the chair commit to this?”

(vi) Councillor Heley- Crossing on New England and Old Shoreham Road

“Ward councillors for Preston Park Ward are deeply concerned by the lack of progress on changing the dangerous road layout where New England Road meets Old Shoreham Road under the railway bridge. There are two major issues presented in this poorly designed road. The first is road safety- it is simply not safe to cross. When you walk downhill on Old Shoreham road, the pavement simply disappears, and you have to cross the road dodging fast moving traffic to simply be able to walk on a pavement. This is incredibly unsafe for anyone, especially those with pushchairs and in wheelchairs, as no crossing exists and there is no dropped curb. This leads us to the second major issue of accessibility. As a City Council we have a duty to ensure that our pavements are fully accessible and safe. This road is incredibly dangerous for those that use wheelchairs and other mobility aids. As it stands, the road is completely inaccessible, and it is failing these residents. For Prestonville resident who wishes to access London Road, there is no other reasonable walking route. Some might go out of their way via Dyke Road Drive, but less mobile residents, or those with buggies etc., are restricted to going under the bridge or simply not going at all. Will the Chair ensure that this is looked at as a matter of urgency and the road and pavement is made safe and accessible as soon as possible?”

Subject:	Items referred from the Council meeting held on the 24 October 2019		
Date of Meeting:	11 November 2019		
Report of:	Executive Lead Officer for Strategy, Governance & Law		
Contact Officer:	Name:	Mark Wall	Tel: 01273 291006
	E-mail:	mark.wall@brighton-hove.gov.uk	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To receive the following Notice of Motion which was debated at and referred from the full Council meeting held on the 24 October 2019.

2. RECOMMENDATIONS:

- 2.1 That the Committee responds to the motion either by noting it or where it is considered more appropriate, calls for an officer report on the matter as requested, which may give consideration to a range of options.

3. CONTEXT / BACKGROUND INFORMATION

- 3.1 To receive the following extract from the minutes of the full council meeting held on the 24 October 2019 setting out the motion and recommendation for the committee to consider as detailed below:

(6) Safe School Walking Zones

This council resolves to ask Environment, Transport and Sustainability committee to commission a report, exploring:

- How existing 10-minute walking zones around our schools can be optimised, adding the crossings and road calming measures necessary to create genuinely safe walking routes to school.
- How visual elements could be used throughout a zone to give drivers a clear message that they are near a school, walking families have priority, and drivers are guests in that zone.
- Funding options available to create these zones (such as grants, planning contributions, parking surplus, bids for funding)

And further, that such a report:

- sets out the ways in which the council will work in close consultation with schools and local communities about the creation of these zones.

- 3.2 The extract from the full Council meeting is detailed below and includes the initial discussion of a petition that was also taken at the meeting on a similar matter:

COUNCIL

**4.30pm 24 OCTOBER 2019
HOVE TOWN HALL, - COUNCIL CHAMBER**

MINUTES

Present: Councillors Phillips (Chair), Robins (Deputy Chair), Simson, Allcock, Bagaeen, Barnett, Bell, Brennan, Brown, Childs, Clare, Davis, Deane, Druitt, Ebel, Evans, Fishleigh, Fowler, Gibson, Grimshaw, Hamilton, Heley, Hill, Hills, Hugh-Jones, Janio, Knight, Lewry, Lloyd, Mac Cafferty, Mears, McNair, Miller, Moonan, Nemeth, Nield, O'Quinn, Osborne, Peltzer Dunn, Pissaridou, Platts, Powell, Rainey, Shanks, C Theobald, West, Wilkinson and Williams.

PART ONE

38 PETITIONS FOR DEBATE.

(2) GIVE KIDS THE RIGHT TO WALK SAFELY TO SCHOOL IN BRIGHTON AND HOVE

- 38.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. She had been made aware of two such petitions and noted that there was an amendment to the cover report's recommendation for the first petition from the Green Group. The Mayor also noted that there was a Notice of Motion listed as Item 45 (6) Safe School Walking Zones on the agenda and stated that she was minded to take the motion along with the second petition and to have one debate on the matter.
- 38.2 The Mayor then invited Councillor Nield to present the petition relating to the ability for children to walk safely to schools in the city. The Mayor also noted that there was a Notice of Motion listed as item No. 45 (6) on the agenda which related to the same matter and stated that she therefore intended to take that item at the same time and to have one debate on the issue.
- 38.3 Councillor Nield thanked the Mayor and stated that she also had a notice of motion on the subject and therefore simply wished to point out that the petition had secured over 1,300 signatures in only a few weeks. It highlighted the concerns that parents/carers had in regard to their children being able to walk safely to school and called for action to be taken to address their concerns.
- 38.4 Councillor Allcock thanked Councillor Nield for bringing the petition to the council and congratulated her on the campaign. He stated that the council was fully committed to enabling and encouraging children to walk to and from school safely. He noted that a significant number of initiatives and improvements were underway to assist in achieving this aim with a number of schools having already benefitted. The Safer Routes to School programme had been successful and would continue to create an environment in which children felt safe to walk to school.

45 NOTICES OF MOTION.

(6) SAFE SCHOOL WALKING ZONES

- 38.5 The Mayor then invited Councillor Nield to move the Notice of Motion listed as Item No. 45 (6) Safe School Walking Zones.
- 38.6 Councillor Nield thanked the Mayor and stated that October was the international walk to school month, which promoted the best travel option for children to get to school. She was aware that schools across the city and the country promoted walk to school week and the motion sought to extend that common aim to ensure that children could walk safely to school throughout their school life. At present parents and carers faced the daily struggle of tackling rush-hour traffic and a lack of safe crossing zones to get their children to school. It meant children were also being denied the opportunity to develop an independence and get to and from school by themselves. There was a need to listen to the concerns of parents and to find solutions to the problems faced on a daily basis and to empower them to take advantage of being able to walk safely to school.
- 38.7 The Mayor noted that it was Councillor Nield's maiden speech and congratulated her on behalf of the council.
- 38.8 Councillor Shanks formally seconded the motion and stated that there was a clear need to tackle the issue highlighted by the motion and the petition. She acknowledged that there was a need to change behaviour of parents who opted to drive their children to school as well as other drivers and to reduce traffic levels and hoped that a positive outcome could be found.
- 38.9 Councillor Moonan welcomed the petition and notice of motion and noted that Public Health England had recently published figures for the health profile of Year 6 and noted that Brighton & Hove compared well with the national figure. However, there was a need to do more and to get young people walking to school and to set habits that would benefit them in later life.
- 38.10 Councillor Brown welcomed the petition and stated that it highlighted the problem that needed to be addressed. Whilst most schools had travel plans there were still significant hazards that had to be faced and she hoped that the council would work closely with schools and parents to find solutions and then enable them to be implemented. There was a need to be proactive rather than reactive and not to rely on statistics before addressing calls for crossings to be installed. She also noted that funding had been identified at the last Budget Council to help to tackle the issue but had not been approved.
- 38.11 Councillor O'Quinn noted that 20mph zones had been established in the city and suggested that more signage and consideration of 10mph zones around schools should be considered; as well as action to improve sight lines and to prevent illegal parking around schools. She also suggested that another aspect that should be reviewed was that children were not necessarily local to their school, which meant that parents were choosing to drop them off by car. It was a complex issue and would need to be given full consideration if it was to be addressed.
- 38.12 Councillor Hill stated that there were issues with major junctions being near to or in between schools which caused difficulties for parents and children. It meant there was a need to prioritise when putting solutions into place and she questioned whether it

was possible to re-look at the use of school crossing patrol officers and to encourage people to volunteer.

- 38.13 Councillor West stated that it was an important matter that needed to be considered and different solutions found for different areas but with the aim of providing safer to school routes. He was aware of school crossing patrol officers being threatened by drivers for stopping the traffic and that had to be addressed. The use of the car to take children to school should be the exception rather than the norm and children should be given the confidence to be able to walk to school.
- 38.14 Councillor Bagaen stated that more action was needed to enforce double yellow lines and to get the bus company to improve the quality of buses being used for the school services. Having experienced travelling by bus himself, he could not allow his children to use the current vehicles that were operating as they were over-crowded, and windows could not be opened. He hoped that discussions could be held with the bus companies to improve their fleet and the number of buses operating on school routes.
- 38.15 Councillor Nield thanked everyone for their contributions to the debate and stated she was aware of existing schemes to help children to walk to school. However, they tended to concentrate on how to deal with traffic etc. rather than creating safe walking zones and initiatives such as 'School Streets' created in other cities should be considered; as well as establishing a network of zones across the city. She also questioned the reliance on accident data to determine whether a crossing could be provided and the struggle to obtain Section 106 funding and hoped that this could be reviewed.
- 38.16 The Mayor thanked Councillor Nield for presenting the petition and put the recommendation listed in the covering report to the vote which was carried unanimously.
- 38.17 **RESOLVED:** That the petition be noted and referred to the Children, Young People & Skills Committee meeting on the 11 November 2019.
- 38.18 The Mayor then put the following Notice of Motion to the vote;

"This council resolves to ask Environment, Transport and Sustainability committee to commission a report, exploring:

- How existing 10-minute walking zones around our schools can be optimised, adding the crossings and road calming measures necessary to create genuinely safe walking routes to school.
- How visual elements could be used throughout a zone to give drivers a clear message that they are near a school, walking families have priority, and drivers are guests in that zone.
- Funding options available to create these zones (such as grants, planning contributions, parking surplus, bids for funding)

And further, that such a report:

- sets out the ways in which the council will work in close consultation with schools and local communities about the creation of these zones.

- 38.19 The Mayor confirmed that the motion had been agreed unanimously and would be referred to the Environment, Transport & Sustainability Committee for consideration.

Subject:	Reducing the use of Pesticides		
Date of Meeting:	26th November 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Robert Walker	Tel: 01273 294349
	Email:	robert.walker@brighton-hove.gov.uk	
Ward(s) affected:	(All Wards);		

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

- 1.1 This report outlines the current position on efforts to reduce the use of pesticides in our city parks and open spaces and on our city's pavements and highways. .
- 1.2 Pesticides cover a range of chemicals that kill pests and include insecticides (kill insects), herbicides (kill weeds) and fungicides (kill fungus). In recent years, there has been a general decline in the quantity of many pesticides used and the range of uses they have been put to. However, the use of glyphosate has remained high.
- 1.3 This report seeks permission from the committee for City Environmental Management services (covering City Clean and City Parks) to phase out most pesticide use by 2022. It should be noted that the proposed future reductions would not cover pesticides used elsewhere in the council, such as by the pest control team where pesticides will be used to treat pests that pose a significant direct health risk, or the few pests that Cityparks treat pests which pose a significant health risk. The report also asks that pesticide use continues where we are tackling invasive plant species or to kill tree stumps. Any restrictions agreed by committee for Cityparks and Cityclean will cover contractors engaged by these sections of the council to work on the land they are responsible for

2. RECOMMENDATIONS:

- 2.1 That the Committee agrees to end the use of glyphosate by Brighton & Hove City Council's City Environmental Management services with immediate effect, other than in exceptional cases to kill invasive plant species, such as Japanese Knotweed or to kill tree stumps.
- 2.2 That the Committee agrees that City Environmental Management will not engage with contractors to use glyphosate on any land managed by these departments.
- 2.3 That Committee approves to City Environmental Management working with other departments to phase out glyphosate use across the council and to work towards phasing out other pesticide use by 2022.

- 2.4 That the Committee notes that the removal of weeds in parks and on hard surfaces will be undertaken manually as an alternative approach to using pesticides.
- 2.5 That the Committee agrees that an update report should be brought back to committee in autumn 2020 to update members on progress and the results and to review this approach to weed removal.

3. CONTEXT/ BACKGROUND INFORMATION

Glyphosate

- 3.1 In 2015, the International Agency for Research on Cancer (IARC) published a report which stated that glyphosate was “probably carcinogenic to humans”. Since then, there has been a significant debate about whether herbicides, including glyphosate, are safe to use.
- 3.2 The Association of Public Service Excellence (APSE) (appendix 1) recently provided a briefing to its members on glyphosate. Some notable points:
- There is no right or wrong answer to the question is it safe to use glyphosate products
 - National agencies across the world have declared glyphosate to be safe to use; however, some countries have now decided to ban glyphosate or severely curtail its use; the UK continues to say glyphosate based products are safe to use
 - There are over 18,400 lawsuits in US courts alleging links between Roundup pesticide and cancer
 - The use of glyphosate-based products is still legal in the UK so local authorities cannot be prosecuted for using these products
 - There are few alternatives to glyphosate and those which are seen as alternatives are often still in a pilot phase and much more expensive to use
 - Some local authorities have taken to ban glyphosate and glyphosate-based herbicide use totally, or at least in specific areas such as schools, playgrounds, parks and pavements
 - The Health and Safety Executive enforce regulations relating to the advertisement, sale, storage, supply and use of pesticides
 - There may be a need for the public to accept higher levels of weeds if the use of glyphosate is banned
- 3.3 Of particular note, APSE says “it may be prudent for all local authorities to carefully consider the scale of glyphosate use, the likely risks arising, the potential to limit the reliance on glyphosate-based products and the ability to find a suitable alternative product to prepare for the future”.
- 3.4 Ending the use of pesticides on hard surfaces will be likely to mean that there will be more visible weeds for longer periods of time. However weeds do contribute to biodiversity by provide a habitat and source of food for bees and other insects.

City Parks

- 3.5 Traditionally, City Parks has used pesticide for a range of purposes and in most cases, pesticide use has been reducing steadily as horticultural practices are being adopted that increasingly reduce or eliminate pesticide use:
- In all parks and housing estates, woodchip from our arboriculture operation is used to suppress weed growth in shrub beds and around some trees.
 - Plants are selected for their resistance to pests and diseases. For example, the Preston Park Rose Garden is not treated with fungicide or insecticide, whereas a traditional rose garden depends on a fungicide and insecticide spraying regime
 - At The Level, these techniques have been combined with a number of other environmentally sensitive management techniques to deliver a high quality, pesticide-free park that has won awards for both its general condition and specifically for environmental practices.
- 3.6 New landscaping is being designed to reduce the need to use pesticides. The new Victoria Garden (phase one and two) is being set out with dense herbaceous planting that will provide few chances for weed growth, once established.
- 3.7 Over the last three years, no insecticide has been used in City Parks. However, there will be a need to use insecticide to treat Brown Tail Moth or Oak Processionary Moth should there be an outbreak. Both present a risk to people with asthma, and the latter is a very serious health threat causing rashes and respiratory problems. The use of fungicide has reduced with more emphasis now on cultural control on fine turf and a reduction in the number of bowling greens in the city.
- 3.8 It is recommended that herbicides continue to be used to control invasive species. In Brighton & Hove, the only invasive weed we currently treat is Japanese Knotweed.

Hard Surfaces and Highways

- 3.9 Traditionally, a contractor has been used to complete weed spraying twice a year to manage weeds on the city's highways and pavements. These contractors are procured using the council's procurement process which includes ensuring appropriate risk assessments and health and safety arrangements are in place. They use glyphosate. The contract expired in 2018 and cost £0.036m. In 2019 no weed-sprays have been completed.
- 3.10 Managing weeds on pavements and highways is challenging without the use of pesticides. Failure to manage effectively can lead to damage on pavements and roads and weeds can become obstructions and/or trip hazards, leading to injuries and litigation against the council.
- 3.11 In looking to alternative methods, this year's spraying did not take place which is why residents and Members may see an increased number of weeds across the city. Instead, the budget has been diverted to non-glyphosate removal by manual weeding using hoes and by brushing and ripping weeds. Roads and pavements subject to weed spraying were reviewed and two approaches adopted:

- In low footfall areas, six additional operatives were employed for six weeks (using the existing weed spraying budget) to complete manual weeding.
 - In high footfall areas, such as the town centre, where roads and pavements are swept on a daily basis, existing operatives continue to manage and sweep weeds.
- 3.12 The cost of carrying out manual weeding for a full season has been calculated to be £0.070m which includes the cost of employing six additional seasonal staff on temporary contracts for a six month period and other associated costs such as the cost of additional vehicles and tools required to undertake the task. The council budgeted an additional £0.033m for 2019/20 for keeping the city clean and tidy. With the existing budget for weed removal this means that the additional costs of manual weed removal can be covered. The experience of a limited amount of weed removal this year has enabled City Clean to identify areas where manual weed removal will need to focus next year and where no/or very little weed removal will be required for next year. Plans are being drawn up to target resources and improve the levels of manual weed removal for 2020.
- 3.13 It should be noted that a number of community groups have also been involved in weed removal as part of tidying up their neighbourhoods.
- 3.14 Officers have been researching alternative technologies and will continue to do so. A demonstration of hot foam treatment was carried out in September 2019 but while this killed the weed, it does not appear to have effectively killed the roots and we understand to do so most weeds would require several applications making the treatment across all highways time consuming and costly. Most alternative technologies require heat and this generates an additional carbon cost and in some cases air polluting emissions. However these technologies are advancing at pace and will be reviewed as part of the update report in autumn 2020.
- 3.15 For this reason it is recommended that in 2020 a manual weeding approach is adopted and extended while officers continue to explore and test alternative technologies.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 New technologies are being introduced as an alternative to glyphosate but as stated in the APSE report, these are more expensive and sometimes not as effective. Please see Appendix 2 for an analysis and consideration of these. It may be that a combination of approaches is adopted to manage weeds in Brighton & Hove.
- 4.2 In reviewing alternatives, consideration needs to be given to not only their effectiveness, but also the carbon costs of doing so. It is reported that alternative techniques, such as hot water, burn more energy than traditional weed killers.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The council is aware of a growing concern from residents about the use of pesticides in the city which is demonstrated by a large number of enquiries via councillors, MPs and residents themselves.

- 5.2 There is a campaign running to make Brighton and Hove a pesticide free city, supported by the Pesticide Action Network.
- 5.3 As part of the review in autumn 2020 a survey will be done to seek the views of residents.

6. CONCLUSION

- 6.1 While the question as to whether glyphosate is safe to use continues to be debated, Brighton & Hove City Council has committed to become pesticide free by 2022. Services within City Environment have made good progress to meet this ambition: City Parks continues to adopt horticultural practices that reduce or eliminate pesticide use; and Cityclean is exploring a number of options. There are budget and resource implications that need to be considered when deciding the most appropriate treatment.
- 6.2 This is an area of developing technology and the council is committed to the continued monitoring of alternative solutions to pesticides.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 As acknowledged in Appendix 1, the alternatives to pesticides may 'come at a cost'. There is both additional recurring funding of £0.033m and existing budgets for pesticides can be applied to alternatives. The financial impact of the alternatives to pesticides will be kept under review as part of budget monitoring and setting and, if required, pressure funding will be requested.

Finance Officer Consulted: Jess Laing

Date: 13/11/19

Legal Implications:

- 7.2 It is noted in the report that weeds can become obstructions and trip hazards on roads and pavements. As Highway Authority, the Council has a duty to maintain publically adopted highway and this duty requires that the highway is kept in a safe condition.

Lawyer Consulted: Hilary Woodward

Date: 19/9/19

Equalities Implications:

- 7.3 There are no equalities implications arising from this report.

Sustainability Implications:

- 7.4 In addition to what is in the main body of the report, it is reported that glyphosate can have a detrimental impact on animals, birds and insects.

Public Health Implications:

7.5 Information is contained in the body of the report and appendix one

SUPPORTING DOCUMENTATION

Appendices

1. Glyphosate – where do local authorities stand by the Association of Public Service Excellence
2. Analysis and consideration of weed management alternatives

Background Documents

1. Evaluation of five organophosphate insecticides and herbicides by the International Agency for Research on Cancer available at <https://www.iarc.fr/wp-content/uploads/2018/07/MonographVolume112-1.pdf>
2. Make our city pesticide free by the Pesticide Action Network available at <https://www.pan-uk.org/brighton-and-hove/>
3. Impacts of pesticides on the environment by the Pesticide Action Network available at <https://www.iarc.fr/featured-news/media-centre-iarc-news-glyphosate/>



APSE briefing: Glyphosate- Where do local authorities stand?

This briefing is provided to all APSE member authorities but will be of particular interest to those officers responsible for grounds maintenance, parks and street cleansing services.

Key Issues:

- Following the publication of a report from the International Agency for Research on Cancer (IARC) in 2015 which found that glyphosate was “a probable human carcinogen”, there has been a great deal of debate across the world as to whether the herbicides which include glyphosate are safe to use.
- This debate has been heightened by recent court rulings in the United States which have awarded multi-million dollar damages to citizens who have claimed continued use of glyphosate has caused them to develop cancer.
- National agencies across the world have declared glyphosate to be safe to use, suggesting it poses no threat. However some countries have now decided to ban glyphosate or severely curtail its use.
- Regarding the UK, it continues to say glyphosate based products are safe to use, but local authorities now find themselves caught between legal advice and the moral question of knowing there have been successful claims that glyphosate has caused cancers.
- APSE has therefore produced this briefing note, itself taking legal advice, as to where local authorities stand in this situation.

Background

The mention of glyphosate tends to drive people into two camps: those who advocate its use as a cheap, effective and readily available herbicide, essential to grounds maintenance and agricultural practices all over the country, and a second group who see it as a potentially dangerous carcinogenic substance which should be banned from use.

Glyphosate as a product is rarely used on its own, but as part of a group of chemicals in products such as Roundup, Pathclear or Weedol, which in themselves are far more toxic than glyphosate on its own.

Local authorities across the country still use glyphosate-based products in large quantities, despite calls to reduce chemical use and move towards a more integrated weed management approach.

There are few alternatives to glyphosate and even those which are seen as alternatives are often still in a pilot phase and much more expensive to use, which considering the budget cuts many local authority parks and grounds maintenance services have suffered, do not make these products attractive.

However, recent United States court rulings against Monsanto, the supplier of one of the world's leading glyphosate-based products, Roundup, has led to the awarding of millions of dollars in damages to plaintiffs who claim to have contracted cancer as a result of the prolonged use of glyphosate-based products. Currently there are over 18,400 lawsuits alleging links between Roundup pesticide and cancer going through, or about to go through the US courts. This situation has led many users to reconsider glyphosate's safety as well as the possibility of legal actions being taken against them.

These concerns has resulted in some UK local authorities joining a growing group of organisations and countries around the world which have banned the use of glyphosate and glyphosate-based herbicides.

Therefore the question has to be asked, where does a local authority stand in relation to using a European Union licenced product which has scientific backing as being safe to use, against the possibility of legal action being taken by employees or residents who claim the use of glyphosate has given them cancer.

Safety concerns

The original safety concerns over the dangers from glyphosate came out of a report from the International Agency for Research on Cancer (IARC) in 2015 which found that glyphosate was "a probable human carcinogen".

This report has been roundly attacked by the manufacturers of glyphosate and called into question by many countries' regulatory bodies which argue that glyphosate is safe to use; it has over 40 years of use and 800 studies behind it. However, critics of glyphosate state that many of these studies can be called into question, as a large proportion were commissioned by the industry which created glyphosate and therefore cannot be trusted.

Despite assurances from national and regulatory bodies (such as the European Food Safety Authority) some UK local authorities have taken the decision to either ban glyphosate and glyphosate-based herbicide use totally, or at least in specific areas, such as schools, playgrounds, parks and pavements i.e. areas where there is a high public footfall or where high risk groups are present.

Against such a complicated and conflicting catalogue of information, where do local authorities stand in relation to the continued use of glyphosate-based products whilst at the same time being aware of the potential hazards and legal implications of using this herbicide?

Where do local authorities stand?

Claims to date have mainly been against the suppliers. For instance, in the US, a groundskeeper at a California county school was awarded \$79 million after arguing that his cancer was caused by several years of exposure to Roundup. As noted above, there are numerous other claims ongoing in the US and we are now also seeing litigation outside of the US. A recent claim has been brought in Australia against Bayer (the parent company of Monsanto) claiming that glyphosate was linked to a claimant's cancer. In addition to this claim there are also reportedly landscape gardeners, council workers and farmers seeking to bring further lawsuits.

As the use of glyphosate-based products is still legal in the UK (glyphosate is an approved active substance on the EU Pesticides Database until 15 December 2022), local authorities cannot be criminally prosecuted simply for using these products. Nevertheless, the Health and Safety Executive (**HSE**) enforce regulations relating to the advertisement, sale, storage, supply and use of pesticides as part of a work activity to ensure the health and safety of employees and persons affected by such work activity is protected. Local authorities themselves are required to enforce controls in respect of the advertisement, sale, supply, storage and use of pesticides for those areas not under the HSE's jurisdiction, including sports grounds, gardens and parks.

In particular, the Plant Protection Products (Sustainable Use) Regulations 2012 (**the Regulations**) require a person who uses or permits an individual to use a plant protection product (pesticide) to ensure that all reasonable precautions are taken to protect human health and the environment and specifically notes that the amount of pesticide used and the frequency of use must be as low as reasonably practicable when pesticides are used in areas used by the general public or by vulnerable groups. Failure to comply with the Regulations, as well as general health and safety legislation requiring an organisation to protect the health, safety and welfare of its employees and those affected by their undertaking, can result in a criminal prosecution and fine.

It is therefore imperative that local authorities using glyphosate products are aware of their legal obligations and continue to use these pesticides accordingly. Conducting thorough risk assessments to understand the impact of using these products and putting in place suitable control measures, including the provision of information, instruction, training and personal protective equipment to persons using pesticides directly is fundamental.

Local authorities should also consider the possibility that future civil claims could be made against them by persons exposed to glyphosate-based products. Much like asbestos-related claims, if it can be proven that exposure to glyphosate during the course of employment has links to cancer, there may be the possibility of a compensation claim. The robustness of the risk assessments undertaken and control measures implemented by local authorities will therefore be fundamental to ensuring any such claims can be prevented or challenged in the future.

For members of the public, such as park users, it is likely to be much more difficult (although not necessarily impossible) for them to establish that regularly using a park treated with Roundup or another glyphosate-based product would have caused or contributed to their cancer therefore limiting the ability for successful claims against local authorities. Nevertheless, local authorities should note increasing pressure from resident groups and other interested parties have been seen elsewhere, with members of the public campaigning for organic pesticides to be used or for no pesticides to be used.

In New York, legislation has been introduced to ban glyphosate-based products from public parks and other properties. Other countries, such as Italy and Portugal, have also

imposed bans on the use of glyphosate-based products in public areas. France and Germany, are seeking to phase-in prohibitions on glyphosate use.

In the UK, a number of local authorities have taken their own steps to impose restrictions on the use of glyphosate-based products and other pesticides and herbicides. For example Croydon, Lewes, Glastonbury, Wadebridge and the London Borough of Hammersmith & Fulham are all reportedly banning the use glyphosate-based products in public areas.

Whilst glyphosate currently remains an approved pesticide in the EU, in light of the successful prosecutions around the world and the growing concerns about glyphosate, it may be prudent for all local authorities to carefully consider the scale of glyphosate use, the likely risks arising, the potential to limit the reliance on glyphosate-based products and the ability to find a suitable alternative product to prepare for the future.

Financial implications

Banning glyphosate-based products will come at a cost. The Crop Protection Agency (whose members include major producers of pesticides and herbicides) stated that banning glyphosate-based products would cost councils an estimated £228 million in higher costs to use alternatives. There may also be additional costs involved in terminating contracts and re-procuring alternatives.

The anti-glyphosate lobby argue that there are organic methods to manage weeds and use manual or other mechanical methods (such as foamstream). However, these alternatives also have cost implications for local authorities and glyphosate-based products remain particularly cost-effective for invasive type weeds.

At this stage, local authorities have a choice. The continued use of glyphosate products responsibly (and in accordance with legal requirements) is permitted and allows for a cost effective solution to the need for pesticide use. Alternatively, local authorities may feel public pressure to limit the use of glyphosate products, or ban their use entirely. Either way, all local authorities need to give serious consideration to the future of using glyphosate products.

As the levels of public interest surrounding these products and the number of successful claims continues to grow, the risk of the products being banned in the EU increases as, no doubt, does the appetite of potential claimants. Local authorities should take the

opportunity whilst the use of glyphosate remains lawful to identify an appropriate, cost effective solution and potential alternative products to ensure the financial implications of using glyphosate can be appropriately managed.

As a footnote, Bayer has recently committed to spend £5.6 billion on weed killer research which will reduce its environmental impact by up to 30% through more targeted and reduced use of chemicals. In addition, Bayer has recently signed an agreement with a UK company for exclusive world-wide rights to commercialise its pollinator friendly bioinsecticide. Therefore whilst still claiming there is a place for glyphosate, Bayer are clearly looking at alternative and more nature-based products.

APSE Comment

Unfortunately there is no right or wrong answer to the question is it safe to continue to use glyphosate products.

Some will argue that 40 years evidence proves it is safe to use whilst others will argue a good deal of the research which proves this has come from the manufactures of glyphosate.

There is the issue of successful claims in court that the continued use of glyphosate has led to cancer together with thousands more cases awaiting judgement. There is also the concern that these claims are now appearing in several countries across the globe and if such a case were to be brought in the UK, whether Local Authorities would be able to cope with paying any damages awarded against them, as well as the cost of finding alternatives.

Equally now that we have seen this 'link', proven or not, then morally should we continue using a product which although highly effective and affordable, could potential pose a threat to our residents.

It appears the only realistic option at the moment, until affordable and effective alternatives can be found is to use glyphosate products as sparingly as possible and away from high public footfall areas. The adoption of more integrated weed control approaches is clearly the way to go as this reduces exposure to chemicals and can also improve levels of biodiversity. Obviously there may be a need for the public to accept higher levels of

weeds as a result, but perhaps this is a price they would be willing to accept if it means the potential threat from chemical spraying can be avoided.

Despite protestations from the manufacturers of glyphosate that they are being unfairly treated and the claims are based more on public opinion rather than hard scientific facts, they are now looking at more natural weed and pest control methodologies such as bioinsecticides, which perhaps in the long-run will be the most positive outcome of this debate.

APSE thanks Walker Morris, LLP for their guidance and advice on this briefing. This briefing does not constitute direct legal advice to local authorities and local authorities and other parties should always secure their own independent legal advice on the matters of litigation, risk and health and safety of workers and the public referred to in this briefing.

Wayne Priestley, APSE Principal Advisor

Richard Butterworth
Senior Associate, Walker Morris LLP

Claire Burrows, Senior Associate, Walker Morris LLP

Appendix 2: pesticide reduction – alternatives to glyphosate

Treatment	Description	Benefits	Risks	Estimated costs	Officer feedback
Hot foam	Combines heat with biodegradable foam made from natural plant oils and sugars. The heat is used to kill the weed while the foam acts as a thermal blanket keeping the heat applied for long enough to kill the root.	<ul style="list-style-type: none"> • Pesticide-free • Can be used in all weather • Claims to kill 95% of targeted weeds 	<ul style="list-style-type: none"> • Relatively new technology • Expensive • Additional cost of olive oil rather than palm oil • Diesel (used in vehicles) consumption and pollution • Host vehicle could impede traffic flow on many narrow city streets • Parked vehicles could prevent access to pavements • Requires several intensive treatments to remove roots 	£0.540m (two treatments per year)	<p>Officers received a demonstration of this in September 2019</p> <p>Lewes District Council carried out a six month trial of using hot foam to remove weeds around playgrounds. They are now considering extending this to areas around schools. They have found it less effective than glyphosate, but it does work on most types of weeds after a few applications. It is more expensive.</p> <p>Would probably still need operatives with wand / Knapsack, or manual weeding, to reach some areas.</p> <p>Not necessarily a cost effective solution for a city like Brighton & Hove.</p>
Flame throwing	Flamers are portable gas torches that produce intense heat that quickly boils the water in plant	<ul style="list-style-type: none"> • Pesticide-free • Throwers relatively cheap to purchase 	<ul style="list-style-type: none"> • Not very effective on perennial weeds • Brings health and safety risks (banned in the 	Did not pursue as not considered a viable option.	Concerns about insurance and health and safety.

Treatment	Description	Benefits	Risks	Estimated costs	Officer feedback
	cells, causing them to burst. This approach has been around for a while.	<ul style="list-style-type: none"> • Suitable for weeds on hard surfaces 	<ul style="list-style-type: none"> • domestic market) • Not particularly effective 		
Infra-red	The system consists of a shrouded spraying head mounted on the front of a purpose-built vehicle. Within the shrouded head are sensor units and spray nozzles. The sensor units detect the presence of weeds and triggers the appropriate spray nozzles to accurately apply the correct amount of herbicide just to those weeds and their immediate surroundings.	<ul style="list-style-type: none"> • Claim is up to 80% reduction in glyphosate • Vehicle can mount pavement • No blanket spraying • Targets weeds only 	<ul style="list-style-type: none"> • Still contains glyphosate • Diesel (used in vehicles) consumption and pollution • Host vehicle could impede traffic flow on many narrow city streets/pavements • Parked vehicles could prevent access to pavements • Hard to see benefit of using infra red over normal vision to identify locations to spray. 	£0.056m	<p>Large vehicle on pavement but impressive if can target weeds.</p> <p>Would probably still need operatives with wand / Knapsack, or manual weeding, to reach some areas.</p>
Manual weeding	Using manual techniques such as hoeing, brushing, ripping, mowing and pulling.	<ul style="list-style-type: none"> • Pesticide-free • Very effective if done well • Low set up costs (excluding labour) • Avoid risks associated with pesticide use • Increased employment opportunities 	<ul style="list-style-type: none"> • Labour intensive and time consuming • Use of manual equipment such as strimmers and rippers need to be careful managed to avoid harm from vibration to users. • Trees susceptible to damage • Requires large amount of labour • Above surface growth treated and not root system therefore short term • Higher cost than glyphosate spray 	£0.070m for 6 month programme	Additional funding has already been provided and this option is recommended for a years trial as the most cost effective method of eliminated the use of pesticides.

Treatment	Description	Benefits	Risks	Estimated costs	Officer feedback
			<ul style="list-style-type: none"> There will be likely to be more weed growth in some areas as treatment will need to be targeted 		
Pelargonic Acid Katoun Gold	Vehicle and knapsack used to spray weeds.	<ul style="list-style-type: none"> Naturally Occuring substance extracted from plants No licence required for application Could be applied by hand / Knapsack sprayer 	<ul style="list-style-type: none"> Only effective for a short period Producers recommend using in conjunction with other herbicides Above surface growth only and not root system Expensive 	Did not pursue as established as ineffective	
Vinegar	Vehicle and knapsack used to spray weeds.	<ul style="list-style-type: none"> Pesticide-free No licence required for application Could be applied by hand / Knapsack sprayer 	<ul style="list-style-type: none"> Has been trialled, but feedback from PAN UK is it has not been effective Strong smell, can give operator headache Above surface growth only and not root system Expensive 	£0.740m for two yearly sprays	
Weed spraying with conventional herbicides	Glyphosate spray to all roads and pavements using small vehicle and knapsack	<ul style="list-style-type: none"> Tried and tested effective method of weed removal Quick Cheap Cost effective Fixed number of treatments per growing season 	<ul style="list-style-type: none"> Uses synthetic chemicals Sprays whole area and not just weeds If windy can spread Risks to public, environment and operators Reduces habitats for bees and other insects High level of public concern about the use of this product 	£0.036m for two yearly sprays	Increasing number of complaints from residents on blanket spraying of glyphosate.

Subject:	Fleet Procurement Options		
Date of Meeting:	26th November 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Ian Greene	01273 294707
	Email:	Ian.Greene@brighton-hove.gov.uk	
Ward(s) affected:	(All Wards);		

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

- 1.1 The purpose of this report is to set out a proposed approach towards the future procurement of the council fleet. If agreed this will form the basis of a council wide Fleet Strategy and Replacement Programme which will be developed over the next six months.
- 1.2 The Fleet section in City Environmental Management is responsible for fleet procurement and maintenance for all services of the council.
- 1.3 The report provides a number of options for fleet procurement, including purchasing new; second hand; all electric vehicles or a mixed and flexible approach with the aim of maximising carbon reduction per pound spent.
- 1.4 It is proposed that while the full Fleet Strategy and Replacement Programme is developed, procurement using a mixed and flexible approach is commenced in order to improve service delivery and to reduce the carbon costs and emissions of our fleet contributing toward the council's aim of improving air quality and becoming carbon neutral by 2030.

2. RECOMMENDATIONS:

- 2.1 That the Committee approves Option 4 as the approach to procurement of the council fleet as set out in appendix 1.
- 2.2 That the Committee agrees that this approach should be developed as part of a council-wide Fleet Strategy which will be brought to this Committee and to Policy & Resources Committee for final approval.
- 2.3 That the Committee notes the requirement for additional borrowing to purchase a sufficient number of new vehicles within City Environmental Management, to meet service requirements, which will be based on a business case and will be considered as part of budget setting.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council operates a fleet of around 350 vehicles including: refuse/recycling vehicles, sweepers, gritting lorries, vans, large tractors, mowers and pool cars. This will increase to 465 next year when the Mears housing repairs contract is in-sourced. Additionally, the council has around 500 small plant items (grass mowers, chainsaws etc.). All of these are maintained in the workshop based at Hollingdean Depot.
- 3.2 Following a review of the current fleet, it was identified that many of the vehicles are three to four years overdue for replacement. This is as a result of funding pressures but also due to the council not having an actively managed replacement programme aligned to a fleet strategy.
- 3.3 This has resulted in the council keeping some vehicles that are frequently out of service due to requiring repairs. In City Clean where the council is reliant on a fleet of 53 refuse collection vehicles. The age of the fleet has led to significant service disruption which can lead to additional costs of having to pay overtime to catch up on missed work and reputational damage for the council.
- 3.4 Operating an ageing fleet has increased maintenance costs and affects reliability. This also has a knock on effect with increased short term hire costs.
- 3.5 Running an ageing fleet also has an effect on vehicle emissions. Many of our vehicles operate to low Euro standards, rather than Euro 6, hybrid or electric levels. Replacing our ageing fleet is therefore also essential to ensure that we reduce air polluting emissions and work towards the council's target to become carbon neutral by 2030.
- 3.6 In assessing value for money, consideration should be given to the environmental impact of future purchases per pound invested. For example, as can be seen in the table below, environmentally friendly cars have a greater environmental return on investment in terms of amount spent to save one metric tonne of CO₂, and it could therefore be more environmentally friendly and cost effective to invest in five environmentally friendly cars, rather than one environmentally friendly refuse collection vehicle.

CO2 Over 9 years life	CO2 in Metric Tonnes	
	26T refuse vehicle	Standard size car
Diesel CO2	242	33
Electric CO2	60	8
Annual reduction tonnes going Elec	181	25
Cost Difference between Diesel and Electric vehicle	£143,671	£4,000
Amount spent to saved, one metric tonne	£792.02	£160.12

The way forward

- 3.7 At present, industry experts suggest that electric refuse collection vehicles are of limited benefit and the costs are very high. There are a number of pilot projects

running in the country to help develop the technology which is rapidly advancing. At present the battery life is limited and the power is drained very quickly if the vehicle is required to go up hill. City clean has recently trialled some vehicles with electric lifting and compressing gear but found it to be too slow and unreliable to be able to provide an effective service.

- 3.8 Our future procurement processes need to consider more than just the vehicles. Whole-life costings should be used to ensure we understand the true total cost of a vehicle throughout its operational life. More analysis needs to be carried out regularly to identify the exact replacement costs and to also identify any additional savings opportunities.
- 3.9 It is important to highlight that, as and when we introduce more environmentally friendly vehicles, the unsupported borrowing in future years will be higher than in previous years. This will be reflected in proposals made at budget setting based on a business case to invest funds currently spent on repairs, maintenance and spot hire on additional borrowing to procure newer more reliable and environmentally friendly vehicles. However, some additional revenue funding to allow purchasing will be required to enable future savings which can then be reinvested in new more efficient, environmentally friendly, fleet vehicles.
- 3.10 The Head of Fleet Management will be responsible for scanning the market for new vehicle technologies to ensure that carbon reduction per pound is considered for each purchase. This will involve exploring other technologies such as hydrogen cell vehicles. The procurement will normally be carried out through a Framework but where vehicles that offer excellent carbon reduction per pound exist outside of existing frameworks, other procurement methods will be considered.
- 3.11 It should be noted that the procurement of some new specialist vehicles, such as refuse collection vehicles, can take from 9-12 months until the vehicle can be commissioned into service. Therefore in the shorter term the Head of Fleet Management will be converting spot hire vehicles to lower cost lease hire vehicles to improve service continuity and reduce costs.
- 3.12 As the council moves to procure more electric vehicles, additional electrical charging infrastructure will be required. This will engender additional costs – in particular as the electric fleet grows in a particular location, such as Hollingdean Depot. However, the council will also be looking at options for generating the electricity supply at these sites for example via the installation of solar panels or hydrogen production as appropriate.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The procurement options are detailed in Appendix 1.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The council will consider the views of the City Climate Assembly Meeting, the Biosphere Board and other partners and community activists when developing the Fleet Strategy.

6. CONCLUSION

- 6.1 To improve air quality in the city and contribute towards the reduction of our carbon footprint, the council should consider the most environmentally friendly procurement path that is possible and currently available. The council also needs to be answerable to any scrutiny around best practice, best value and the health benefits to residents. Approving the recommendations in section 2 will provide a financial and environmental balance that enables the council to benefit from future technology as it evolves.
- 6.2 Future procurement should focus on service need and consideration should be given to the whole life cost and environmental benefits for each £1 spent. The council has an analysis calculator that can provide this data to assess the implications of each decision.
- 6.3 We need to continue to work with and share experiences with other businesses and local authorities including:
- Sheffield City Council and Westminster City Council who are testing and using electric vehicles
 - Sevenoaks District Council who operate a smart purchasing system
 - A Total Whole Life cost analysis system operated by another large business partners.
- 6.4 A new council wide Fleet Strategy and a replacement programme must be adaptable to external factors including the development of new innovations and technology. Failure to do this will increase the use of short term hire vehicles and maintenance spend due to operating vehicles past their optimal disposal date.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 As stated in paragraph 2.3 (the recommendations) of this report, fleet procurement to meet service requirements will be funded from borrowing. It is expected that the cost of borrowing will be funded from within existing revenue budgets. There may also be efficiency gains from a newer fleet of vehicles. For example, lower maintenance costs. The financial implications will also be reviewed and evaluated as part of the business case required to progress fleet procurement. Investment plans emerging from the business case will be considered by as part of the budget setting process.

Finance Officer Consulted: Jess Laing

Date: 12/11/2019

Legal Implications:

- 7.2 The Environment, Transport and Sustainability Committee is the appropriate decision-making body in respect of the recommendations at paragraph 2 above.
- 7.3 The council-wide Fleet Strategy and Replacement Programme will have corporate and budgetary implications and will therefore need to go to Policy & Resources for approval. Where a matter is to be referred to Policy & Resources Committee it will normally be considered first by the Committee with

responsibility for the relevant functions or service area before being referred with recommendations to the Policy & Resources Committee for a decision. The Fleet Strategy and Replacement Programme will therefore be brought to this Committee prior to being taken to the Policy & Resources Committee.

- 7.4 Once the Strategy has been approved the council will apply it when procuring fleet vehicles.
- 7.5 Contracts valued at more than £500,000 require committee approval before the procurement commences.
- 7.6 The council is required to comply with the Public Contracts Regulations 2015 in relation to the procurement and award of contracts above the relevant financial thresholds for services, supplies and works. The council's Contract Standing Orders will also apply.

Lawyer Consulted: David Fairfield

Date: 12/11/2019

Equalities Implications:

- 7.7 Meeting the needs of staff who have disabilities and need to drive for work will be included within the Fleet Strategy.

Sustainability Implications:

- 7.8 The options detailed in Appendix 1 take into consideration the sustainability implications of the fleet replacement programme.
- 7.9 It is important to establish the principle that the service's contribution to reducing the council's carbon footprint is considered alongside other key considerations including that vehicles are able to perform the duties required of the service and that vehicles are reliable and we are able to maintain them.
- 7.10 Our preferred approach sets out the sensible approach, balancing ambition with practicality and prudence having considered the following:
- Hybrid vehicles: large refuse vehicles do not offer enough carbon saving benefit to justify the large expense of buying them. However, hybrid cars and vans do offer good value carbon savings
 - Service delivery: electric refuse vehicles must first be able to do the job as required. To prove their effectiveness, we should consider trials with demonstration vehicles. For example, the hilly topography of the outer parts of the city could be particularly challenging for the current generation of large electric vehicles.
 - Technology maturity: whilst there are currently few suppliers of electric vehicles, this is a fast changing picture. It may benefit us to wait until 2021/22 before we significant invest in a large electric fleet of refuse vehicles.
 - Environmental emission standards: all vehicle purchases (where available from manufacturers) will meet the latest Euro 6 standard for exhaust emissions, introduced in 2015, which all new mass produced vehicles sold in the EU must meet, and was designed to reduce harmful pollutant from vehicle exhausts. This includes nitrogen oxides (NOx), carbon monoxide (CO), hydrocarbons (THC and NMHC) and particulate matter (PM) which is

soot from diesel cars. The effect of reducing these pollutants can also mean improved fuel economy and lower CO2 emissions.

- Health concerns from diesel engines: we also need to be aware that the new fine particles in diesel exhausts are of special concern because, due to their respirable size, they can penetrate deep into human lungs. It is reported this increases respiratory and cardiovascular disease and worsening of symptoms in people with asthma. Where electric or hybrid vehicles are not available or fit for purpose, the council should purchase petrol vehicles that emit the less harmful fine particulates that new diesel vehicles produce.

SUPPORTING DOCUMENTATION

Appendices:

1. Purchasing options

Background Documents

1. None

Appendix 1: Purchasing options

Option	Benefits	Risks	Preferred option
Option 1: all new Replace vehicles that need replacing with new similar diesel and petrol vehicles	<ul style="list-style-type: none"> Preferred vehicles will be purchased 	<ul style="list-style-type: none"> Is an expensive option Does not contribute to carbon reduction ambitions Will require an additional estimated £1.27m (in addition to the current capital spend budget) 	No
Option 2: second hand purchase Buy a mix of ex-leased, demo or second hand vehicles	<ul style="list-style-type: none"> Selecting different ages for different tasks will meet fleet replacement needs with vehicles that are sufficiently reliable Reduce (or even eliminate) use of expensive short-term hire vehicles Best use can be made of the capacity, assets and skills within the Fleet Workshop to reduce purchasing costs 	<ul style="list-style-type: none"> This approach has recently been used to replace some of the oldest vehicles in the fleet and while significantly cheaper the vehicles purchased are not all reliable It provides a short term fix to reduce spot hire costs but the life of these vehicles is short 	No
Option 3: maximum new green replacements Electric vehicles would be selected in every vehicle category available	<ul style="list-style-type: none"> Contributes to carbon reduction ambitions 	<ul style="list-style-type: none"> Will require an additional £3.5m; electric vehicles are twice the price of Euro 6 diesel vehicles Will require charging infrastructure circa £180k investment May not be able to operate all over Brighton & Hove Cost of electric vehicle likely to decrease in next few years Many electric vehicles are not tried and tested and the support around these vehicles is still in its infancy 	No
Option 4: Mixed and Flexible approach to procurement aiming for the maximum carbon reduction per pound At present this will mean purchasing of electric cars and smaller vans where	<ul style="list-style-type: none"> Maximum carbon reduction per pound spent Ensures that the oldest most costly and environmentally friendly vehicles are replaced as soon as possible Enables a flexible approach to respond to advancing technologies Reduces spot hire and maintenance costs Will improve service continuity and delivery 	<ul style="list-style-type: none"> Will require additional revenue funding to support borrowing initially Means that we will need to continue to use diesel initially but this will be with much lower emission and fuel efficient trucks As we shift towards electric, hydrogen or other technologies sustainable energy production and charging facilities will require investment 	Yes

charging infrastructure allows and a programme of replacing the oldest most costly RCVs with new low emission Euro 6 diesel but ensuring that the programme is adapted as new and effective low emission/low carbon technologies come on the market			
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Funding

A number of different funding options have been considered including: outright purchase, contract Hire and purchase of used vehicles.

Using Total Whole Life Cost calculations, the difference between the funding and purchasing options are:

Refuse Vehicle Purchasing Options	Estimated Whole Life Cost (one Refuse Vehicle)
RCV (Diesel) Demonstrator (Second hand)	£386,563
RCV (Diesel) Outright Purchase	£410,129
RCV (Diesel) Hybrid (Diesel Engine - Electric Body)	£442,529
RCV - Full Electric	£553,800
RCV (Diesel) Hire or Contract Hire	£550,634

All figures include Depreciation, Maintenance, Fuel, Insurance, RFL and Funding. (9 year vehicle life)

As can be seen, the most cost effective option for BHCC where possible is to purchase second hand demonstrator vehicles or to purchase outright, as opposed to hiring vehicles. It should be noted that the options to purchase second hand demonstrator vehicles are very limited.

Currently, there are a number of hire vehicles operating within BHCC, the replacement of these will need to take priority over all replacements. In the interim the spot hire purchases are being converted to lower cost lease arrangements pending reprourement.

Infrastructure Funding

The Fleet Management Team have been in discussion with our Parking Project Team and the Sustainability Team about the availability of funding grants for electric vehicle power points, solar panels etc. If grants are available and successful it will reduce the infrastructure costs that have been budgeted in this document.

Subject:	Clean Air Day and Car Free Day		
Date of Meeting:	26 November 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Andrew Renaut	Tel: 01273 292477
	Email:	andrew.renaut@brighton-hove.gov.uk	
Ward(s) affected:	All Wards, particularly Rottingdean Coastal		

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

1.1 In setting out its transport strategy, the council's current Local Transport Plan [LTP4] identifies a number of ways in which the city's transport network can be managed and improved. One way of doing so is by encouraging and influencing changes in travel behaviour and informing people's travel choices. This can be achieved by:-

- awareness and publicity campaigns to promote availability and benefits of transport options, and respect and responsibility for each other when travelling;
- provide travel and passenger information for, and during, journeys; and
- promotion of travel choices for individuals and families, businesses, and for school children, parents and teachers.

1.2 Since February 2018, the council has received and considered a number of representations and requests from councillors regarding its participation in event awareness-raising days that take place globally and nationally and which are focused on transport, public health and the environment. This report outlines the background to two primary and recognised events, which are Clean Air Day and Car Free Day, and outlines possible options available to the council to undertake activities and encourage people to participate in them in 2020. This participation would support the council's priorities to promote and deliver increased use of sustainable and active travel, and improve air quality in order to help improve people's health and further reinforce the council's ambition for the city to become carbon-neutral by 2030.

2. RECOMMENDATIONS:

- 2.1 That the Committee requests that officers approach Rottingdean Parish Council to discuss opportunities to work jointly on a Clean Air Day initiative in June 2020.
- 2.2 That the Committee agrees to receive a further report to consider options for participating in European Mobility Week and Car Free Day in September 2020.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In March 2018, this committee considered a Notice of Motion about Clean Air Day, after it was originally presented at Full Council, and agreed to receive a report on the matter which would explore the potential to participate in such a day and assess the implications and resources required to do so.
- 3.2 This committee also considered a Member letter on the subject of Clean Air Day and Car Free Day at its meeting on 25 June 2019. The letter requested that some specific actions be undertaken to ensure the council is ready for Car Free Day in September and can commit to future Clean Air Days. The Chair's response requested that the council's Air Quality Management Officer Board should consider the potential opportunities that may be available to do so within existing projects and programmes that are currently funded.
- 3.3 On 25 July 2019, a Notice of Motion was agreed by Full Council regarding 'Support for Youth Strikes and Other Climate Action.' The Agreed Notice of Motion requested officers to bring forward a report which included exploring the potential for a Youth Strike day to also coincide with council efforts to deliver 'car free' days in the city, as part of the council's declaration of a climate emergency. A further report was considered by the council's Policy & Resources Urgency Sub-Committee on 12 September 2019.
- 3.4 A further question was also asked about Car Free Day at the previous meeting of this committee in October 2019, including asking officers to start making arrangements for 2020. In response it was agreed that a report outlining how the council could participate in such events during 2020 would be brought to this meeting.

Car Free Day

- 3.5 Car Free Day is a longstanding and recognised day of activity. Established in the mid-1990s as a single day's event, the campaign has developed over many years and is now a global event. In Europe it was more formally established in 2000 and was known as 'In town without my car'. It has now become part of a wider period of activity known as European Mobility Week, which runs from 16-22 September. Car Free Day takes place on 22 September and encourages those who would usually drive to use an alternative means of travel to undertake their trip.
- 3.6 Historically, the council has organised and managed Car Free Day events, coinciding with European Mobility Week, involving closing streets such as Ship Street, East Street and Bartholomews that ultimately led to the introduction of traffic reduction schemes such as The Old Town Project that now includes the closure of the northern part of Ship Street and weekend pedestrianisation of East Street.
- 3.7 The theme of European Mobility Week this year, was 'Safe Walking and Cycling'. During the week, the council highlighted twenty steps that are already being taken during and either side of the week to reduce transport emissions and improve air quality, such as Healthwalks and cycling skills, as well as electric vehicle infrastructure and the introduction of an Ultra Low Emission Zone.

Clean Air Day

- 3.8 Clean Air Day is a relatively new annual event/campaign which is co-ordinated by the environmental charity Global Action Plan. It takes place in June and will be on 18 June in 2020. Rottingdean Parish Council participated in the campaign in 2018 and 2019.

Possible opportunities

- 3.9 The council already undertakes a number of activities that include awareness and education campaigns to promote more sustainable travel behaviour and choices. These include promotion associated with particular projects, such as the BikeShare scheme, or the Safer Routes to School programme and other road safety and sustainable travel education initiatives with schools across the city.
- 3.10 The council's current 3-year Access for Sustainable Travel Programme is primarily funded with £1.485 million of Government revenue funding. The money was secured by the council following a successful bid in 2016. The programme has included projects that promote sustainable transport as the preferred way for people to access the seafront area for employment and leisure such as Employment focused Personalised Travel Planning, improved access to work and education, encouraging cycling, and road safety. The projects are aimed at residents, visitors, employees and students.
- 3.11 In March this year, the council worked in partnership with Sustrans to help facilitate timed traffic restrictions on the road outside the school gates at St Luke's in the Queen's Park area as part of a trial for School Streets Day. The programme aims to ease the congestion, poor air quality and road safety concerns that many schools experience during drop-off and pick-up times while encouraging children to become healthier through more active travel. Roads were closed outside schools and children and families were given the opportunity to enjoy the empty road space available.
- 3.12 Some possible options for activities or projects that could be considered by the council as a means of participating in, or recognising the objectives of, Clean Air and/or Car Free Days include:-
- Awareness campaign and activities related to driving style e.g eco-driving and anti- idling. Promotion could make use of various forms of communication, including social media.
 - Partnering with other organisations who wish to promote and encourage changes in behaviour that will help meet the city's and council's aims, such as Rottingdean Parish Council.
 - The Government has recently indicated that the council will receive further revenue funding, subject to final approval in December 2019 of the council's proposals for a fourth year of its Access for Sustainable Travel Programme.
 - Development of activities to support the council's aim for the city to become carbon-neutral by 2030, such as more School Streets trials in the city (which are the subject of a bid to the council's Sustainability and Carbon Reduction Investment Fund [SCRIF]) and a council Staff Travel Plan.
 - Further bids for funding to increase the uptake of active and sustainable travel and the availability of electric vehicle charging points or shift to low-emission engine technology.

- 3.13 The city includes two designated Air Quality Management Areas. One covering a significant area of the central and western built-up area, and the other in Rottingdean High Street. The council has recently implemented a traffic management scheme in the High Street to assist in reducing the impacts of vehicle emissions in the narrowest section. Therefore, working jointly with the Parish Council on a Clean Air Day initiative could help support the main aim of the scheme and encourage changes in behaviour that contribute towards air quality problems, given its previous involvement.
- 3.14 To achieve a greater effect and wider understanding of how greater use of sustainable and active travel, especially if it can be used instead of a car, van or lorry, can support health and environmental improvements, the council can also encourage other organisations who currently have or aspire to achieving greater levels of sustainable and active travel amongst local communities. This could include businesses or large organisations with Travel Plans, such as the city's two universities, which could undertake their own activities on either day, or those which would benefit from the outcomes of promotion and awareness events, such as the local Health Trusts in terms of improved personal and public health.
- 3.15 Encouraging and enabling local communities or organisations to participate in their own events and activities would also provide opportunities to raise greater awareness and to consider potential local solutions to some of the issues associated with vehicle use. These could be incorporated into, or carried out as part of, the council's planned activities or involve a bespoke event which could include a road closure or similar.
- 3.16 Information and resources are available on websites to increase knowledge and awareness of options and opportunities (among officers and local communities) and support the undertaking of events.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 An alternative option for raising awareness of the objectives that either day aims to achieve, could be to develop and undertake a year long programme of events and activities, which could include existing projects, programmes and initiatives. For those projects which include new infrastructure or equipment, additional promotional initiatives which seek to reduce or change travel patterns by raising awareness and providing greater choice could be developed alongside them.
- 4.2 Any significant investment in an event in 2020 could also include monitoring of a number of factors, which could include economic and environmental costs and effects, both short and long term, as well as measuring levels of awareness and changes in behaviour before and after the event. This would inform the consideration of any future events or activities beyond 2020.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 There has already been consultation and engagement with ward councillors, Rottingdean Parish Council and the local community about the traffic management measures in the Rottingdean Air Quality Management Area. These measures are aimed at addressing air quality problems within the narrowest

section of the High Street. Linking this with Clean Air Day will therefore serve to further emphasise the need for, and aims of, this scheme.

- 5.2 There has been no community engagement or consultation within the city regarding participation in Car Free Day, but successful events or activities would rely on significant community engagement with it.

6. CONCLUSION

- 6.1 This report outlines a number of possible options available to participate in Clean Air Day in June and Car Free Day in September 2020 and proposes two approaches. The first could take place within a local village (Rottingdean) that could complement existing participation in Clean Air Day by the Parish Council. The other could involve more significant activities within other parts of the city and would require greater levels of funding and therefore a further report to committee.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 Undertaking some joint promotional work with Rottingdean Parish Council on Clean Air Day would be expected to be relatively low cost and therefore could be funded from within allocated revenue budgets for 2020/21 and supported using existing officer time.
- 7.2 Financial implications will be considered as part of the review of options for participating in European Mobility Week and Car Free Day in September 2020 and will be included in a future report to this Committee. There is currently no specific funding allocated within existing budgets for a programme of events or activities associated to European Mobility Week or Car Free Day. The review of options would therefore need to consider identification of an appropriate budget, which would require approval as part of the budget setting or budget monitoring process in accordance with the councils Financial Regulations and Procedures.

Finance Officer Consulted: Steven Bedford

Date: 05/11/19

Legal Implications:

- 7.3 There are no direct legal implications associated with the content and recommendations of this report. However the actions proposed will contribute towards helping the Council comply with its duties under the Environment Act 1995 with regard to the improvement in local air quality of Air Quality Management Areas.

Lawyer Consulted: Stephanie Stammers

Date: 06/11/19

Equalities Implications:

- 7.4 There are no direct equalities implications associated with the recommendations within this report. Any activity that is developed or pursued for either day will be fully assessed in order to ensure that it is fully inclusive and accessible, including

and Equalities Impact Assessment if required. The purpose of the Equalities Impact Assessment will be to ensure that no group is disadvantaged in any way and to identify health and other benefits that will be inclusive across the local population.

Sustainability Implications:

- 7.5 Raising awareness can play a significant role in achieving sustainable outcomes through changes in behaviour or decision-making and will help meet the ambition of a carbon-neutral city by 2030.

Public Health Implications

- 7.6 Raising awareness of issues that can affect or improve public health would be expected to form a significant part of any activity associated with Clean Air Day or Car Free Day.

Corporate/Citywide Implications

- 7.7 Local participation in national and global awareness days can support the city's and council's wider aims and objectives, and can be further emphasised by the council's own participation in such events as an organisation/business and large employer in the city. A recent example of this is the participation of council staff in the 'Love to Ride' initiative during the successful, national Cycle September event, which was funded by the council's Access for Sustainable Travel Programme.

SUPPORTING DOCUMENTATION

Appendices:

None

Background Documents

1. Clean Air Day Notice of Motion and meeting minutes – Full Council and ETS Committee - February 2018 and March 2018.
2. Clean Air Day and Car Free Day Member letter to ETS Committee and meeting minutes – June 2019
3. Climate Strike report and meeting minutes - Policy & Resources Urgency-Sub Committee – September 2019
4. Car Free Day Member question at ETS Committee and meeting minutes – October 2019

Subject:	Hangleton Safer Routes to School - TRO		
Date of Meeting:	26th November 2019		
Report of:	Executive Director, Economy, Environment & Culture		
Contact Officer:	Name:	Jonathon Martin	Tel: 01273 293536
	Email:	jonathon.martin@brighton-hove.gov.uk	
Ward(s) affected:	Hangleton & Knoll;		

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

- 1.1 The purpose of this report is to address comments and objections relating to a draft Traffic Regulation Order (TRO). The order outlines the proposed introduction of double yellow line restrictions in, and at the junctions of, Amberley Drive, Hangleton Way, Hardwick Road, Hardwick Way, Poynings Drive and Stonecroft Close.

2. RECOMMENDATIONS:

- 2.1 That the Committee, having taken account of all duly made representations, approves as advertised the Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2018 Amendment Order No.* 201* (TRO-25-2019).

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Brighton & Hove City Council's Transport Department have recently undertaken works around West Blatchington Primary & Nursery School and King's School, Hove as part of the Safer Routes to School scheme. The Safer Routes to School Scheme is a joint initiative involving the local authority, school staff, pupils, parents and local residents and has been running in the city since 2004. It aims to reduce dependency on the car for school journeys, by improving the area around the school and making routes to school safer for children and their parents/carers to walk or cycle.
- 3.2 These include new pedestrian crossing points featuring dropped kerbs and tactile paving which aim to assist pedestrians in accordance with the Equality Act 2010 to be able to cross the road more safely. A Traffic Regulation Order (TRO) amendment has been drafted and advertised for public consultation. The key theme of this TRO is the implementation of 'No Waiting at Any Time' parking restrictions (Double Yellow Lines) which aim to prevent the aforementioned pedestrian crossing points from being rendered unusable by vehicles parking across them. The plan of the TRO proposals can be viewed in Appendix 1.

3.3 Four objections have been received to the Traffic Regulation Order amendment; these are all focused around the junction of Amberley Drive and Poynings Drive. The key themes of the objections are loss of parking, perceived lack of safety concern, perceived lack of consultation with residents regarding the changes, perceived lack of enforcement of existing restrictions, exacerbation of existing resident mobility issues and potential for more accidents.

3.4 **Objection 1 - Amberley Drive/Poynings Drive - Key Points**

Loss of parking

Perceived lack of safety concern

Lack of consultation with residents regarding highway changes

Exacerbation of existing resident mobility issues

3.5 **Objection 2 - Amberley Drive/Poynings Drive - Key Points**

Loss of Parking

Lack of enforcement of existing parking restrictions

Potential for more accidents

3.6 **Objection 3 - Amberley Drive/Poynings Drive - Key Points**

Loss of parking

Exacerbation of existing resident mobility issues

3.7 **Objection 4 - Amberley Drive/Poynings Drive - Key Points**

Loss of parking

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

4.1 The two themes that stand out in the objections listed above are that residents feel that a loss of parking is unnecessary and that residents with mobility issues will be made to travel further between their vehicle and property.

4.2 The double yellow line restrictions in question have been proposed to protect planned pedestrian crossing points that are due to be implemented this financial year and to prevent vehicles from parking dangerously on the corners of junctions in the area which could impede traffic flow and bus movements. This is believed to be a justifiable reason to implement parking restrictions at the locations proposed.

4.3 Residents who are also Blue badge holders can apply for an on-street parking bay outside or near their homes if they are the driver or the driver lives with them, and have no off-street parking such as a garage or driveway. Applications cost £11 at time of writing and, if successful, a disabled parking bay will be marked in an appropriate location on the highway for the resident to use.

4.4 An alternative design was considered by Transport Project Officers that omitted the planned pedestrian crossing points, and associated proposed parking restrictions, at the junction of Amberley Drive and Poynings Drive. This was discounted due to concerns that the existing highway layout poses a higher risk to vulnerable road users than the proposed designs.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 During the design stage of the Hangleton Safer Routes to School project residents were consulted on proposals, these proposals included many of the double yellow line restrictions featured in this Traffic Regulation Order. This public consultation was presented to members of the Environment, Transport and Sustainability Committee in November 2018 and a decision was made to move forward with the scheme.
- 5.2 The TRO amendment was advertised in the local press on 13th September 2019 and notices were posted in the locality in accordance with standard procedures. Details of the amendment have been sent to the full list of statutory consultees and relevant council officers.
- 5.3 One other objection was received from a resident on 17th September 2019 but this was not upheld after a response from council officers.

6. CONCLUSION

- 6.1 Consideration has been given to reducing the proposals however the restrictions represent the minimum needed to mitigate the safety concerns highlighted by Brighton & Hove City Council Transport Officers. The proposals protect against parking across dropped kerb pedestrian crossing points with tactile paving, junction corners and locations in which parked vehicles would impede the flow of traffic.
- 6.2 Therefore it is recommended that the Committee, having taken account of all duly made representations, approves as advertised the Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2018 Amendment Order No.* 201* (TRO-25-2019).

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The costs of implementing the actions associated to the recommendation to this report are estimated to be £500, which will be funded from Section 106 external contributions.

Finance Officer Consulted: Steven Bedford

Date: 05/11/19

Legal Implications:

- 7.2 The Council's powers and duties under the Highways Act 1980 and the Road Traffic Regulation Act 1984 must be exercised to secure the expeditious, convenient and safe movement of traffic including pedestrians. Under the Education & Inspections Act 2006 the Council has a duty to promote sustainable modes of travel to meet school travel needs. The recommendation in this report meets these statutory duties.
- 7.3 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. The procedure for advertising a proposed traffic order

requires public notice of orders to be given and allows any person to object to the making of an order. Any unresolved objections to an order must be considered by the Environment, Transport & Sustainability Committee before it can be made.

Lawyer Consulted: Stephanie Stammers

Date: 05/11/19

Equalities Implications:

- 7.4 An Equality Impact Assessment has not been carried out on the advertised TRO, however the consultation process allows for representations to be made by, or on behalf of, people or groups who are defined as having 'protected characteristics' by existing equality legislation.
- 7.5 An Equalities Impact Assessment (EIA) was carried out on the wider scheme during the design stage, this EIA is entitled 'Safer Routes to School – Hangleton 2017-19' and is attached in Appendix 2 of this report.
- 7.6 Engagement with a wide range of residents was part of the consultation process for the advertised TRO. The consultation process also allows representation to be made by, or on behalf of, people or groups who are defined as having 'protected characteristics' by existing equality legislation.
- 7.7 Concerns for people who share a protected characteristic are identified in the report and the actions that can be taken in respect of them have been noted.
- 7.8 Parking across dropped kerb pedestrian crossing points with tactile paving can cause considerable danger to partially sighted pedestrians who may rely on their path being clear between two such crossing points.

Sustainability Implications:

- 7.9 One of the key aims for the Safer Routes to School project is to provide sustainable transport options for students, parents/carers and employees travelling to and from schools. This Traffic Regulation Order hopes to help improve the sustainability of the city by providing safer pedestrian facilities on a journey that may otherwise be undertaken by car.

Any Other Significant Implications:

- 7.10 There are no other significant implications arising from this report.

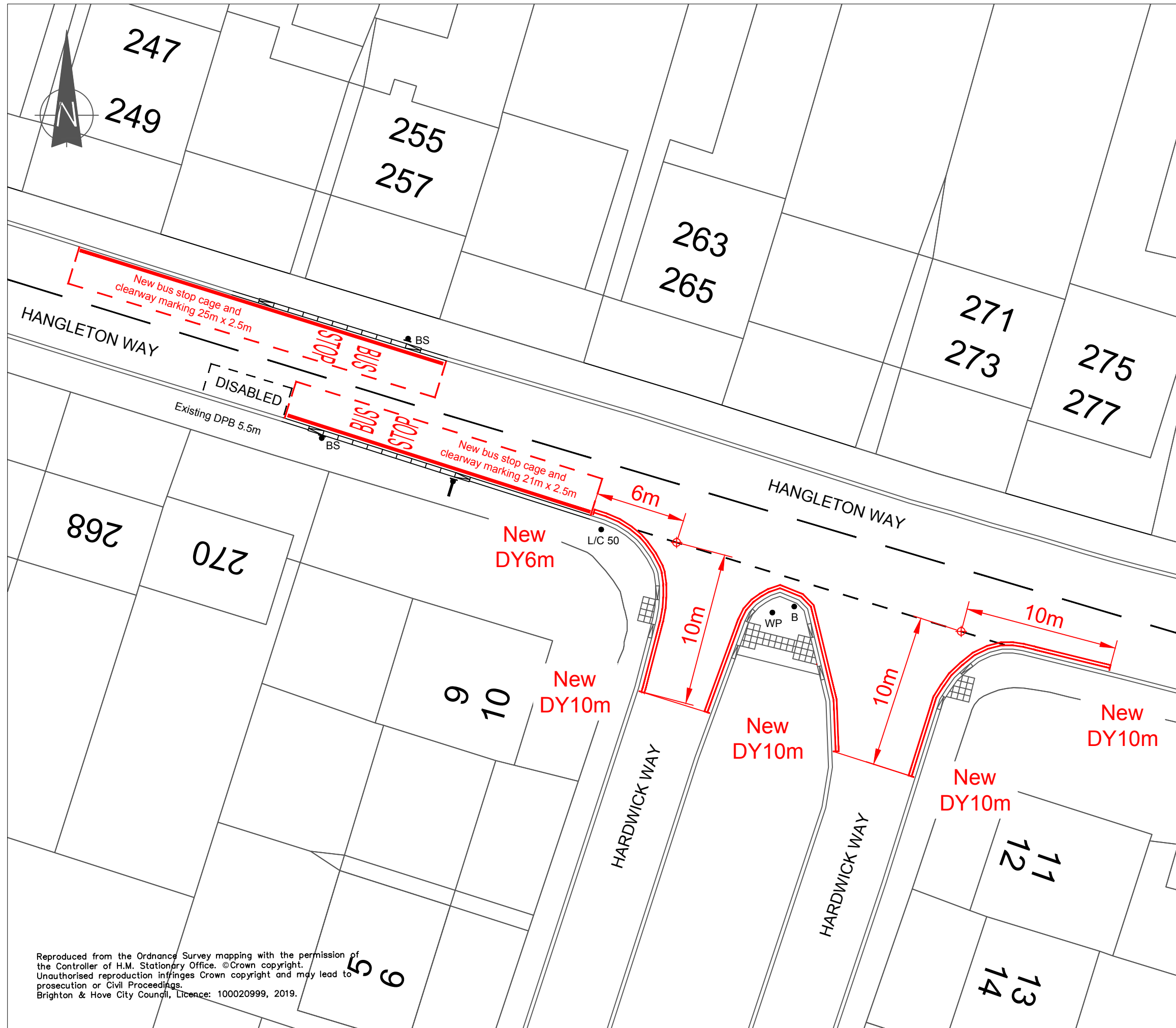
SUPPORTING DOCUMENTATION

Appendices:


- 1. TRO-25-2019 Area Overview (Drawings 1-5)
- 2. Equalities Impact Assessment - Safer Routes to School – Hangleton 2017-19

Background Documents

1. None



KEY

 Proposed double yellow line parking restrictions

NOTES

1. All dimensions are in metres unless stated otherwise.
2. All levels in metres above Ordnance Datum (Newlyn).
3. Do not scale from this drawing.

Rev	Revision details	Date
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DESIGN	<input checked="" type="checkbox"/>	TENDER <input type="checkbox"/> WORKING DRAWINGS <input type="checkbox"/>
AS-BUILT	<input type="checkbox"/>	

	Signed	Date
Drawn:	Ben Stride	August 2019
Surveyed:	Ben Stride	August 2018
Checked:		
Approved:		
File/Acad ref:		

APPROVED



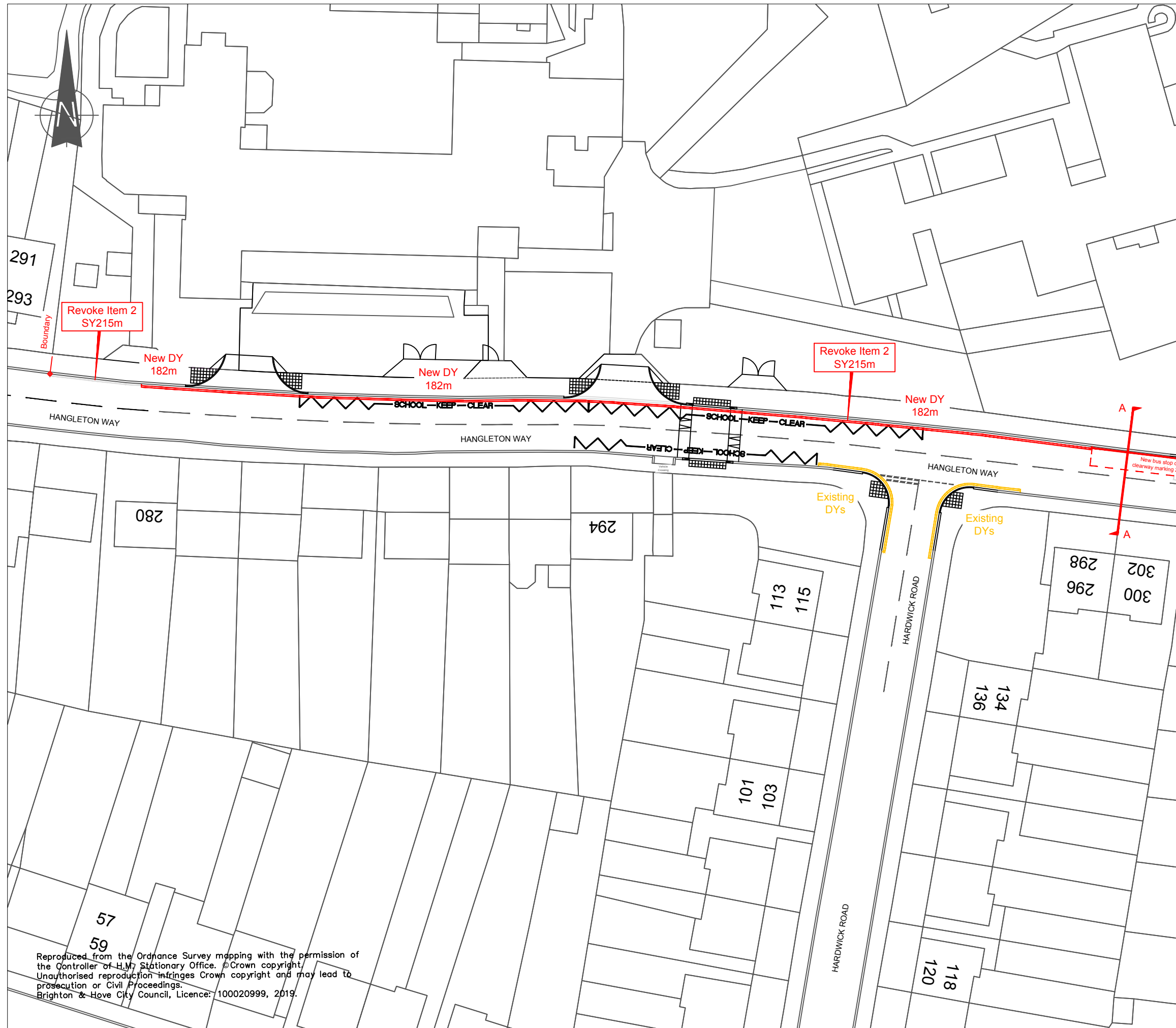
Brighton & Hove City Council

Project Name
**Hangleton Area Works
 Safer Routes to Schools Scheme**

Drawing Title
**Proposed Double Yellow Lines -
 Hardwick Way / Hangleton Way, Hove**

Drawing No HD-BHCC-HASRTS/TR02	Scale 1:250 @ A3	Rev -
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KEY

- Proposed double yellow line parking restrictions
- Existing double yellow line parking restrictions

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AS-BUILT	<input type="checkbox"/>	

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Surveyed:	Ben Stride	August 2018
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Approved:		
File/Acad ref	APPROVED	



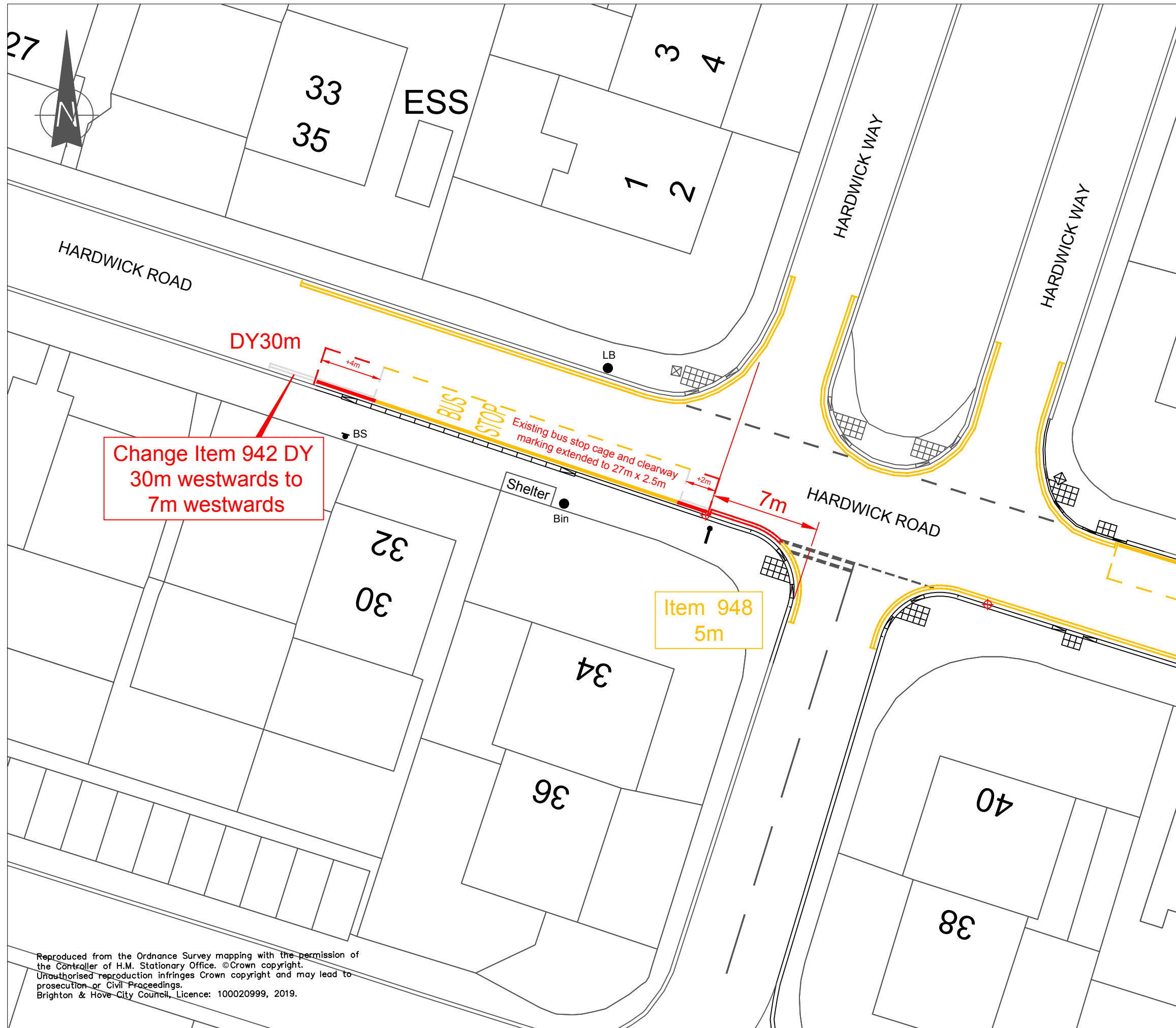
Project Name
**Hangleton Area Works
 Safer Routes to Schools Scheme**

Drawing Title
**Proposed Double Yellow Lines -
 Hangleton Way, Hove**

Drawing No HD-BHCC-HASRTS/TR04	Scale 1:500 @ A3	Rev -
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103



Change Item 942 DY
30m westwards to
7m westwards

Item 948
5m

KEY

- Proposed double yellow line parking restrictions
- Existing double yellow line parking restrictions

NOTES

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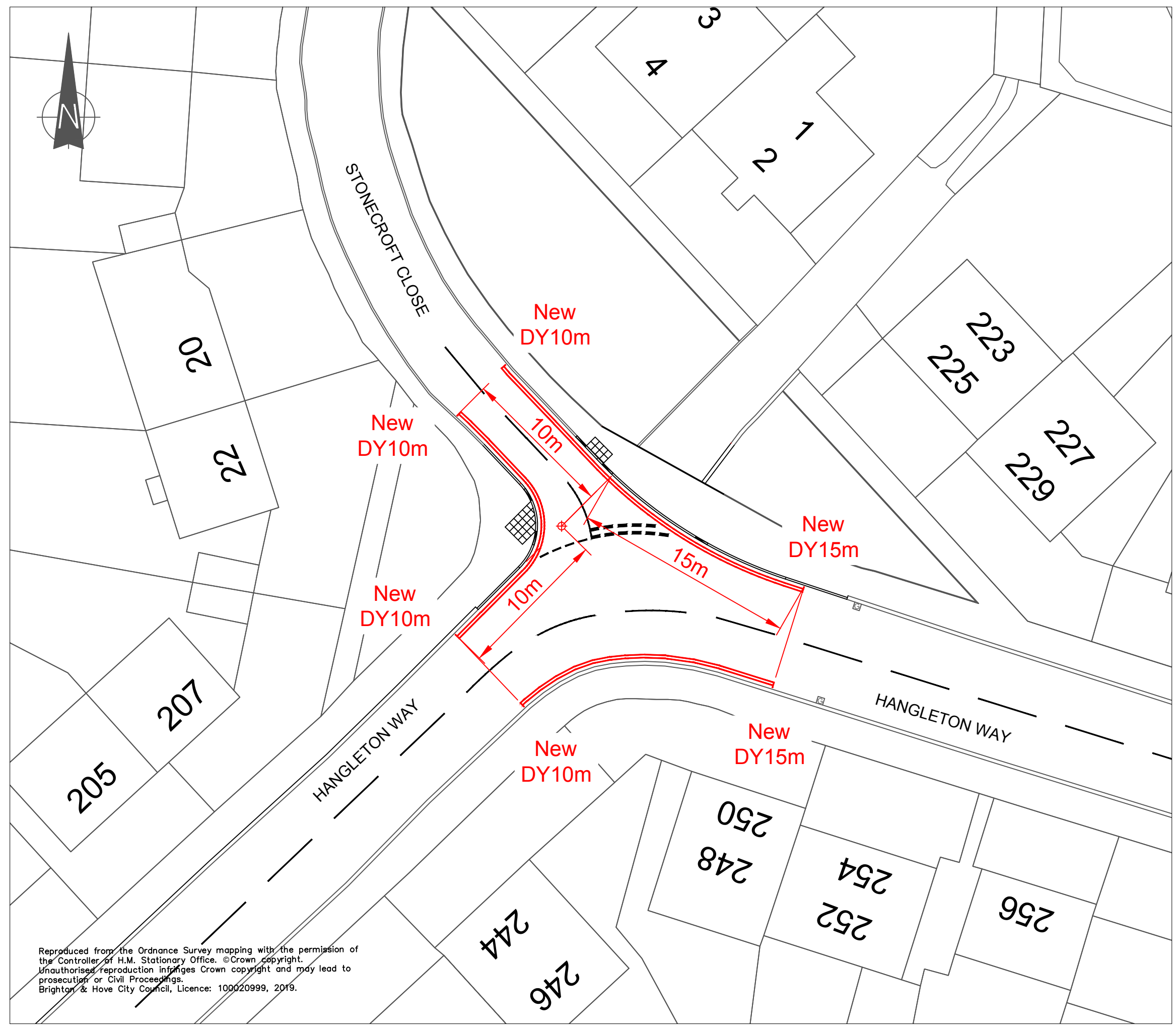
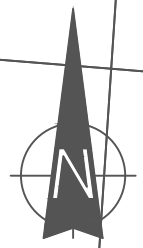
**Brighton & Hove
City Council**

Project Name
**Hangleton Area Works
Safer Routes to Schools Scheme**


Drawing Title
**Proposed Double Yellow Lines -
Hardwick Road / Hardwick Way,
Hove**

Drawing No HD-BHCC-HASRTS/TR03	Scale 1:250 @ A3	Rev -
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KEY

 Proposed double yellow line parking restrictions

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Rev	Revision details	Date
Status: (tick <input checked="" type="checkbox"/> as appropriate)		
INFORMATION	<input type="checkbox"/>	SURVEY <input type="checkbox"/> FEASIBILITY <input type="checkbox"/>
DESIGN	<input checked="" type="checkbox"/>	TENDER <input type="checkbox"/> WORKING DRAWINGS <input type="checkbox"/>
AS-BUILT	<input type="checkbox"/>	

	Signed	Date
Drawn:	Ben Stride	August 2019
Surveyed:	Ben Stride	August 2018
Checked:		
Approved:		
File/Acad ref:		

APPROVED



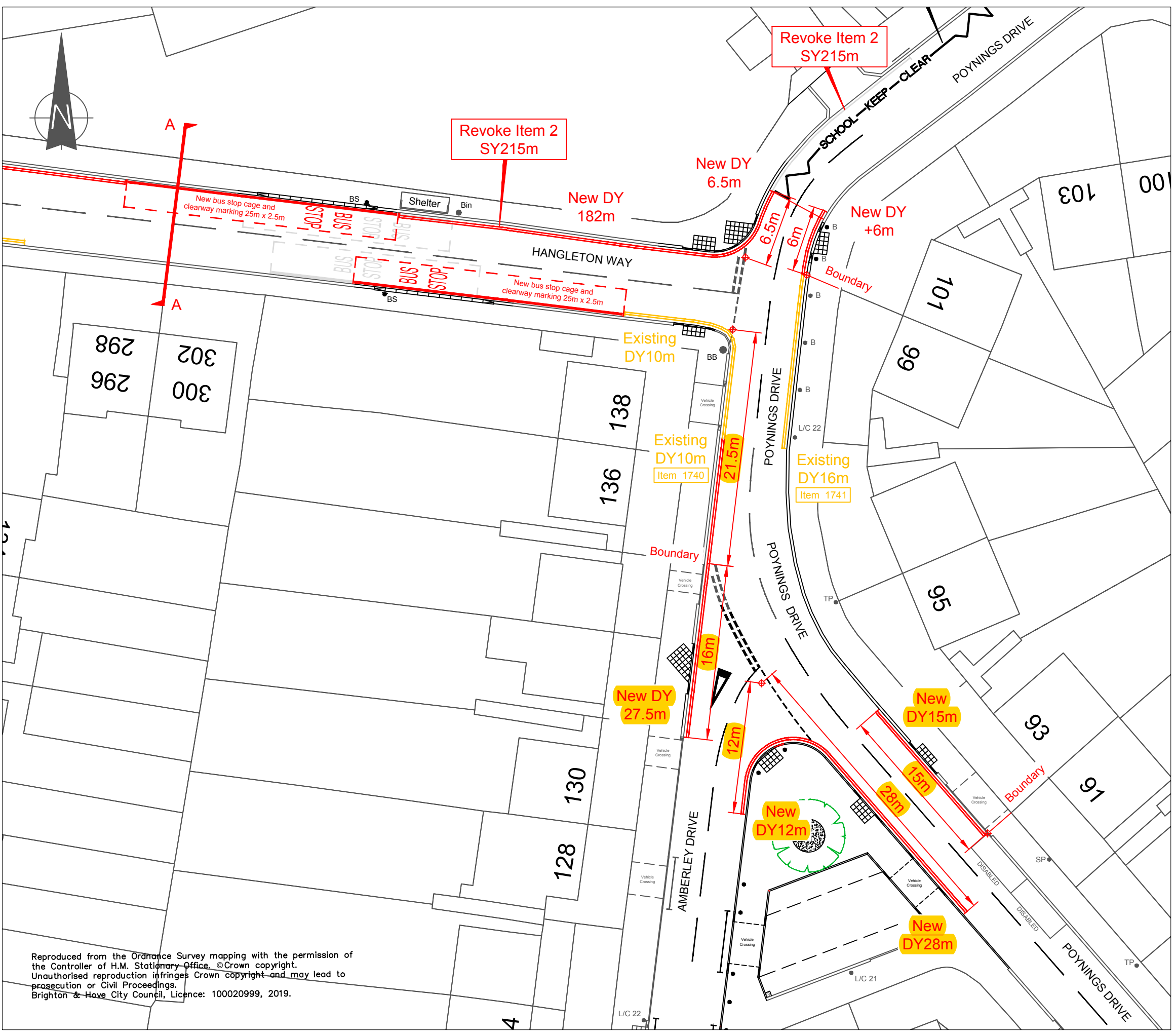
Brighton & Hove City Council

Project Name
**Hangleton Area Works
 Safer Routes to Schools Scheme**

Drawing Title
**Proposed Double Yellow Lines -
 Stonecroft Close / Hangleton Way,
 Hove**

Drawing No HD-BHCC-HASRTS/TR01	Scale 1:250 @ A3	Rev -
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KEY

	Proposed double yellow line parking restrictions
	Existing double yellow line parking restrictions

- NOTES**
1. All dimensions are in metres unless stated otherwise.
 2. All levels in metres above Ordnance Datum (Newlyn).
 3. Do not scale from this drawing.

Rev	Revision details	Date
Status: (tick ✓ as appropriate)		
INFORMATION	<input type="checkbox"/>	SURVEY <input type="checkbox"/>
DESIGN	<input checked="" type="checkbox"/>	FEASIBILITY <input type="checkbox"/>
AS-BUILT	<input type="checkbox"/>	TENDER <input type="checkbox"/>
		WORKING DRAWINGS <input type="checkbox"/>

	Signed	Date
Drawn:	Ben Stride	August 2019
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Checked:		
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APPROVED



Brighton & Hove City Council

Project Name
**Hangleton Area Works
 Safer Routes to Schools Scheme**

Drawing Title
**Proposed Double Yellow Lines -
 Hangleton Way / Poynings Drive,
 Hove**

Drawing No HD-BHCC-HASRTS/TR05	Scale 1:350 @ A3	Rev -
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Short Equality Impact and Outcome Assessment (EIA) Template - 2015

EIAs make services better for everyone and support value for money by getting services right first time.

EIAs enable us to consider all the information about a service, policy or strategy from an equalities perspective and then action plan to get the best outcomes for staff and service-users¹. They analyse how all our work as a council might impact differently on different groups². They help us make good decisions and evidence how we have reached these decisions³.

See end notes for full guidance. Either hover the mouse over the end note link (eg: ID No.⁹) or use the hyperlinks ('Ctrl' key and left click).

For further support or advice please contact the Communities, Equality and Third Sector Team on ext 2301.

1. Equality Impact and Outcomes Assessment (EIA) Template

First, consider whether you need to complete an EIA, or if there is another way to evidence assessment of impacts, or that an EIA is not needed⁴.

Title of EIA⁵	Safer Routes to School – Hangleton 2017-19	ID No.⁶	UNKNOWN
Team/Department⁷	Transport – Transport Projects & Engineering		
Focus of EIA⁸	<p>The Safer Routes to School Programme aims to identify areas in which improvements need to be made to transport infrastructure to enable an increase in students and parents/guardians using sustainable transport methods (walking/cycling/public transport) to travel to/from school whilst simultaneously making the routes they use safer.</p> <p>The Safer Routes to School – Hangleton 2018/19 project may affect anyone who travels to/from or through the Hangleton area. This includes but is not limited to: residents, local business owners/employees, commutes, teachers, students and local bus companies. These individuals may be affected by the works taking place or by the changes they bring about once completed.</p> <p>Improvements proposed for the Safer Routes to School – Hangleton 2018/19 project include improvements to informal pedestrian crossing facilities (i.e. dropped kerbs at junctions and tactile paving for the partially sighted), implementation of new cycling facilities (e.g. shared paths, cycle parking), addition of new footways for pedestrians in-line with existing desire lines, addition of Real-</p>		

	Time Information signs (RTIs) at bus stop/s as well as parking restrictions at junctions to provide safer crossing points.
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Assessment of overall impacts and any further recommendations⁹

For clarity all disproportionate impacts on specific groups are highlighted in the single section below.

Overall impacts and notes:

-

Potential issues

Mitigating actions

- Changes to the layout of the highway could be an issue for blind or partially sighted users who have developed knowledge of the current layout.
- Changes to Traffic Regulation Orders associated with the implementation of double-yellow lines could prevent certain residents or users from parking where they normally would; if a user is has a disability or is less-able to walk they may be negatively impacted due to the possibility that they may need to park further.
- *For the duration of the works there will be disruption to people’s travel patterns as lanes, roads and junctions are closed to provide protection for the contractors. This will affect users travel times and ability to park.*
- *The provision of new pedestrian crossing points and associated tactile paving will allow those with disabilities and sight impairment to more safely make their way across the road.*
- *Improvements to walking and cycling facilities aim to give options for residents to travel locally in a safe way. This will increase social cohesion by giving residents a safer route from origin to destination (e.g. home to local community centre/library/shops).*
-

- *Provision of tactile paving and hazard warning paving (corduroy) at all necessary sites.*
- *Provision of disabled parking bays via Brighton & Hove City Councils Blue Badge Team and the Parking Team.*
- *During the works good Traffic Management will be paramount – the Transport Projects & Engineering team will work closely with the contactor and community to ensure that the disruption is minimal whilst also ensuring that the safety of both the public and the contractors is maintained.*

Actions planned¹⁰

The Hangleton and Knoll Neighbourhood Action Plan identified four key themes that residents felt needed addressing in the area. These were: Strengthening Communities, Reducing crime and improving safety, Improving health, confidence and well-being, and supporting employment, learning and volunteering. The Safer Routes to School – Hangleton 2018/19 project will touch on each theme, firstly by providing safe links between areas in the community which aims to Strengthen the Community; secondly by improving road safety in the area by providing the correct infrastructure; thirdly by promoting safe sustainable transport options the project will help with public health in the area; and lastly by providing improved transport infrastructure the project will hopefully support employment and learning opportunities.

During the development process it has been ensured that all necessary tactile and hazard warning paving has been included in designs. If any areas are found to be lacking in these that would negatively impact the relevant users then the designs will be altered to mitigate the issue.

If any residents or users require a disabled parking bay allocated to them then they will be put in touch with the relevant internal teams as Brighton & Hove City Council.

Throughout the development and implementation phase the project manage will ensure that equalities issues are considered regularly. Post implementation monitoring will continue to ensure that no protected characteristics are negatively impacted by changes made.

EIA sign-off: (for the EIA to be final an email must sent from the relevant people agreeing it or this section must be signed)

Lead Equality Impact Assessment officer:

Date:

Communities, Equality Team and Third Sector officer:

Date:

Guidance end-notes

¹ The following principles, drawn from case law, explain what we must do to fulfil our duties under the Equality Act:

- **Knowledge:** everyone working for the council must be aware of our equality duties and apply them appropriately in their work.
- **Timeliness:** the duty applies at the time of considering policy options and/or before a final decision is taken – not afterwards.
- **Real Consideration:** the duty must be an integral and rigorous part of your decision-making and influence the process.
- **Sufficient Information:** you must assess what information you have and what is needed to give proper consideration.
- **No delegation:** the council is responsible for ensuring that any contracted services which provide services on our behalf can comply with the duty, are required in contracts to comply with it, and do comply in practice. It is a duty that cannot be delegated.
- **Review:** the equality duty is a continuing duty. It applies when a policy is developed/agreed, and when it is implemented/reviewed.
- **Proper Record Keeping:** to show that we have fulfilled our duties we must keep records of the process and the impacts identified.

NB: Filling out this EIA in itself does not meet the requirements of the equality duty. All the requirements above must be fulfilled or the EIA (and any decision based on it) may be open to challenge. Properly used, an EIA can be a tool to help us comply with our equality duty and as a record that to demonstrate that we have done so.

² Our duties in the Equality Act 2010

As a council, we have a legal duty (under the Equality Act 2010) to show that we have identified and considered the impact and potential impact of our activities on all people with 'protected characteristics' (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation, and marriage and civil partnership).

This applies to policies, services (including commissioned services), and our employees. The level of detail of this consideration will depend on what you are assessing, who it might affect, those groups' vulnerability, and how serious any potential impacts might be. We use this EIA template to complete this process and evidence our consideration.

The following are the duties in the Act. You must give 'due regard' (pay conscious attention) to the need to:

- **avoid, reduce or minimise negative impact** (if you identify unlawful discrimination, including victimisation and harassment, you must stop the action and take advice immediately).
- **promote equality of opportunity.** This means the need to:
 - Remove or minimise disadvantages suffered by equality groups
 - Take steps to meet the needs of equality groups
 - Encourage equality groups to participate in public life or any other activity where participation is disproportionately low
 - Consider if there is a need to treat disabled people differently, including more favourable treatment where necessary
- **foster good relations between people who share a protected characteristic and those who do not.** This means:
 - Tackle prejudice
 - Promote understanding

³ EIAs are always proportionate to:

- The size of the service or scope of the policy/strategy
- The resources involved
- The numbers of people affected
- The size of the likely impact
- The vulnerability of the people affected

The greater the potential adverse impact of the proposed policy on a protected group (e.g. disabled people), the more vulnerable the group in the context being considered, the more thorough and demanding the process required by the Act will be.

⁴ **When to complete an EIA:**

- When planning or developing a new service, policy or strategy
- When reviewing an existing service, policy or strategy
- When ending or substantially changing a service, policy or strategy
- When there is an important change in the service, policy or strategy, or in the city (eg: a change in population), or at a national level (eg: a change of legislation)

Assessment of equality impact can be evidenced as part of the process of reviewing or needs assessment or strategy development or consultation or planning. It does not have to be on this template, but must be documented. Wherever possible, build the EIA into your usual planning/review processes.

Do you need to complete an EIA? Consider:

- Is the policy, decision or service likely to be relevant to any people because of their protected characteristics?
- How many people is it likely to affect?
- How significant are its impacts?
- Does it relate to an area where there are known inequalities?
- How vulnerable are the people (potentially) affected?

If there are potential impacts on people but you decide not to complete an EIA it is usually sensible to document why.

⁵ **Title of EIA:** This should clearly explain what service / policy / strategy / change you are assessing

⁶ **ID no:** The unique reference for this EIA. If in doubt contact Clair ext: 1343

⁷ **Team/Department:** Main team responsible for the policy, practice, service or function being assessed

⁸ **Focus of EIA:** A member of the public should have a good understanding of the policy or service and any proposals after reading this section. Please use plain English and write any acronyms in full first time - eg: 'Equality Impact Assessment (EIA)'

This section should explain what you are assessing:

- What are the main aims or purpose of the policy, practice, service or function?
- Who implements, carries out or delivers the policy, practice, service or function? Please state where this is more than one person/team/body and where other organisations deliver under procurement or partnership arrangements.
- How does it fit with other services?
- Who is affected by the policy, practice, service or function, or by how it is delivered? Who are the external and internal service-users, groups, or communities?
- What outcomes do you want to achieve, why and for whom? Eg: what do you want to provide, what changes or improvements, and what should the benefits be?
- What do existing or previous inspections of the policy, practice, service or function tell you?
- What is the reason for the proposal or change (financial, service, legal etc)? The Act requires us to make these clear.

⁹ **Assessment of overall impacts and any further recommendations**

- Make a frank and realistic assessment of the overall extent to which the negative impacts can be reduced or avoided by the mitigating measures. Explain what positive impacts will result from the actions and how you can make the most of these.
- Countervailing considerations: These may include the reasons behind the formulation of the policy, the benefits it is expected to deliver, budget reductions, the need to avert a graver crisis by introducing a policy now and not later, and so on. The weight of these factors in favour of implementing the policy must then be measured against the weight of any evidence as to the potential negative equality impacts of the policy,
- Are there any further recommendations? Is further engagement needed? Is more research or monitoring needed? Does there need to be a change in the proposal itself?

¹⁰ **Action Planning:** The Equality Duty is an ongoing duty: policies must be kept under review, continuing to give 'due regard' to the duty. If an assessment of a broad proposal leads to more specific proposals, then further equality assessment and consultation are needed.

