

**Brighton & Hove City Council**

**Transport & Sustainability Committee**

**4.00pm 3 October 2023**

**Council Chamber, Hove Town Hall**

**Minutes**

**Present:** Councillor Muten (Chair) Nann (Deputy Chair), Davis (Opposition Spokesperson), Asaduzzaman, Bagaeen, Fowler, Galvin, Loughran, Pumm and Robinson

**Part One**

**20 APPOINTMENT OF DEPUTY CHAIR**

20.1 Following a nomination and voting process, the Committee approved the appointment of Councillor Nann as Deputy Chair.

**21 PROCEDURAL BUSINESS**

**21(a) Declarations of substitutes**

21.1 Councillor Fowler was present as substitute for Councillor Miller.

**21(b) Declarations of interest**

21.2 Councillor Fowler declared an interest in Item 32 as a resident of Hollingdean & Fiveways ward. Councillor Fowler stated that she had been provided dispensation to speak on the item but not to vote.

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

21.3 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(l) of the Act).

21.4 **Resolved-** That the press and public not be excluded.

**22 MINUTES**

22.1 **Resolved-** That the minutes of the previous meeting be approved as the correct record.

## 23 CHAIRS COMMUNICATIONS

### 22.1 The Chair provided the following communications:

“Last month, I had the great pleasure of attending the Transport for the South East’s “Connecting the South East” conference held in our city. This regional conference highlighted the clear value of developing transport schemes within a coherent strategy. This conference also highlighted the value of partnership and engagement with all stakeholders. This is why as an administration we are keen to develop the Transport Partnership as the pivotal place where all views are heard and input into transport projects and plans. This is why we are including more representatives with a clear focus on active and inclusive engagement by all stakeholders.

After the successful delivery of two School Streets Schemes this summer in Balfour Street and Hangleton Primary; as an administration we are bringing three more School Streets schemes to this committee for approval. Our 50 per cent increase in the number of School Streets schemes in our city within the first 5 months of our administration confirms our commitment to better safer streets for communities and the next generation.

Representatives from the Youth Council gave a compelling presentation and set of questions at the Enhanced Bus Partnership in August; whilst last month’s Kidical Mass family friendly bike ride in our city was, by all accounts, a huge success. We are listening and taking action. Our city’s young people’s engagement with public transport and active travel underlines the huge relevance of ensuring high standards in better, safer and more accessible interconnected transport schemes. A reminder that good strategic planning for the next generation is aligned with Labour’s aim to establish a low carbon transport system for the 2030s for our city.

Better safer roads within a strategic improvement plan of our Local Cycling and Walking Infrastructure Plan is central to our commitment to Active Travel in our city. Following a positive meeting with Active Travel England and Department for Transport in August, we are keen to get on in delivering more for our city. Our clear commitment to improving access, cycling and walking is shown by ensuring schemes are better and safer. We are eager to get started on delivering the A23 Phase 1A Active Travel Scheme converting the busy A23 north of Preston Circus to Argyle Street to a better safer and more friendly route for all. This will include significant improvement to a known accident hotspot on the junction of Dyke Road Drive and London Road.

Getting to Carbon Neutrality as a city needs a strategy and an implementation plan. As a new Labour administration, we are absolutely committed to the Carbon Neutral 2030 aim but are deeply concerned to find there is no clear pathway to carbon neutrality. This is why we are committed to setting out strategic decarbonisation pathways and clear climate risk and vulnerability assessments for our city. This has not been done before.

The CN2030 reporting shows an uptick in carbon emissions in 2021. There was a lack of strategic direction and political leadership over the past 3 years as we came out of lockdown both from the Green-led administration in our city seemingly taking an arbitrary, rather than evidence-based policy approach to carbon reduction; and from a national government more intent on partying whilst tens of thousands grieved. Opportunities were definitely missed. While some data on carbon emissions was collected, with no clear strategic plan, it is no wonder that we are not where we should be as a city. Lip service is not the answer. Abandonment of climate and air quality policies is not the answer. Labour is committed to working up a realistic strategy for both carbon neutrality and improving air quality through targeted, data led approach, listening to communities and working in

partnership to deliver. Labour are developing effective plans for decarbonisation pathways and targeted improved air quality for a city, reversing the observed recent decline. We know residents across Brighton and Hove from Portslade to Rottingdean deserve much better than before.

Engagement with residents, businesses and communities matter when making improvements and plans. Following a petition from traders at this committee in July, and concerns from disability action groups, as Chair of this committee alongside Cllr Leslie Pumm as Chair of the Equalities, Community Safety & Human Rights Committee; we met in person with Gardner Street traders, residents and disability action groups. Through in person listening and engagement, it very clear that there was a need for an alternative to enable access whilst ensuring the vibrancy of the street cafés, restaurants, bars and shops during the busiest trading periods. I look forward to discussing this with the committee today.

The public rejection of the Hanover and Turner Liveable Neighbourhood earlier this year is illustrative of what happens when an administration disengage and no longer listens to residents; again highlighting the value and importance of effective public engagement and consultation.

The premise by the previous administration to build this years budget assuming all light touch will go to full parking restrictions ahead of public consultation is one built on sand. We need to first find out where residents are agreeable to or even calling for more regulated parking and then build our data-driven budget on the facts. This is why we are proposing here to bring forward plans to consult with residents in light touch parking zones over the next few months upon which we will build realistic informed budget plans early next year.

Since May, we have become increasingly aware of the level of concern amongst residents and visitors about parking in the city. One of the first decisions Labour made when we took control of the council, was to reverse the Green Party's decision to quadruple hourly car parking, including around our hospital. This was an indiscriminate and aggressive attack on NHS, care workers, outpatients, small businesses, residents and visitors, which was wholly unacceptable. We are listening to those concerns and we have already commissioned a parking review which will provide a strategic and sustainable thought-through parking policy and strategy which is vital for our city's prosperity, families, communities and businesses. Completion later this autumn is planned for presented to this committee on 5th December.

Representing Brighton and Hove at my first PATROL (Parking and Traffic Regulations Outside London) Joint Committee meeting; I pressed for central government to enact change to enable local authorities to prevent and enforce pavement parking. Presently, local authorities have very limited powers to act. A nationwide ban would empower Brighton and Hove City Council to act and stop this hazardous and unacceptable practice. At the PATROL meeting, I called for the Secretary of State to increase Penalty Charge Notice fees to disincentivise illegal parking and for local or regional Penalty Charge Notice (PCN) charging to be enabled.

We are in a climate and biodiversity emergency. This is not the time for going into reverse gear nor taking the foot of the pedal when it comes to environmental policies as the Tory government are calling for; nor is it the time to continue trying to guess how to reduce carbon emissions, without a long term strategic policy or plan as absent previously.

For too long our city has not had sufficiently clear, coherent, interconnected and sustainable strategies for parking, for air quality and for reaching carbon neutrality. This administration is changing this. We have the ambition and the political will to do so. We will establish safe and connected active travel, improved air quality especially where it has

deteriorated in recent years, with balance that considers the needs of all in our communities, effective stakeholder engagement through holistic inclusive partnerships that work; strategic decarbonisation pathways and clear climate risk and vulnerability assessments for our city. After years of decline and disconnected policy, we have an administration with a plan, a vision and purpose. We will do this”.

**24 CALL OVER**

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

- Item 28: Carbon Neutral 2030 Programme- Annual Report
- Item 29: Hanover & Tarnor Liveable Neighbourhood
- Item 30: A23 Phase 1 Active Travel Scheme- TRO
- Item 31: Light to Full scheme parking programme
- Item 32: Parking Scheme Update report
- Item 33: Fees & Charges 23/24 Traffic Regulation Order
- Item 34: School Streets- Westdene Primary and Hove Junior School
- Item 36: Gardner Street TRO

24.2 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 35: 56-57 Lewes Road- Traffic Regulations Order objections

**25 PUBLIC INVOLVEMENT****(b) Public Questions****1) Road Condition**

25.1 The questioner did not attend the meeting. The Chair provided the following written response:

“All roads that have had utility works carried out on them are inspected to ensure that they are reinstated back to the condition they were before.

Utility companies are liable for reinstatements for the first two years after works take place, according to government regulations, during this time a sample of works are inspected within the first six months and then again before the two year period expires, alongside any third party reports from the public.

If defects are found they are raised with the utility company at which point defect charges are made and any unresolved issues are escalated until the reinstatement is in a satisfactory condition, at which point the guarantee period starts again”.

**2) Carbon Neutral 2030 Plan**

25.2 Steve Peake read the following question:

“Will the new administration honour the commitments in the Carbon Neutral 2030 plan?”

25.3 The Chair provided the following reply:

“Thank you for this question. The council’s commitment in our Carbon Neutral programme is to achieve carbon neutral across the whole city by 2030, reducing greenhouse gas emissions as far as possible.

Our new Corporate Plan for 2023-27 retains this intention as a Key Performance Indicator. We have committed to reducing carbon emissions and climate risk and broadening our actions to ensure that decisions made by the council take into account the climate and biodiversity crises.

We have recently commissioned a study of Decarbonisation Pathways to assess scenarios for achieving our carbon reduction target. The study will give us a rigorous evidence base to understand what we need to do over the next few years.

We know that the city will increasingly experience the impacts of climate change, such as heatwaves, increased storms and the potential for floods. We need to understand this and particularly the impact for the most vulnerable communities as well as infrastructure. So we are working on a Climate Risk and Vulnerability Assessment to give us that evidence to help us plan for the future. We are also carrying out flood prevention and management schemes across the city”.

### 3) Transport Emissions

25.4 Neil Younger read the following question:

“The Council Plan 2023-2027 says ‘the Council will ensure all decisions made by the Council will take account of the climate and biodiversity crisis.’ Will you confirm that the CO<sub>2</sub>e benefits and disbenefits of Transport interventions will be properly quantified and opened to public scrutiny before decisions are taken?”

25.5 The Chair provided the following reply:

“Yes, I can confirm that transport measures which are brought forward will have their carbon impacts quantified in a proportionate way.

As an administration, we are committed to establishing a comprehensive connected strategy to reach carbon neutrality for our city, working in partnerships with businesses and interest groups. The council has commissioned its own work on developing Decarbonisation Pathways and Climate Risk and Vulnerability Assessment.

Integral to the council’s own commissioned assessments, our approach to in the design and delivery of transport schemes will primarily be informed by the Department for Transport’s guidance and tools on how local authorities should do this. This is being developed and we will follow this best-practice guidance.

Our assessment of the carbon impacts of different strategic transport interventions is expected to be published alongside a draft of the council’s next Local Transport Plan so that they can be viewed as part of the public engagement and consultation prior to the plan being finalised”.

25.6 Neil Younger asked the following supplementary question:

“Will you be publishing details of the public consultation that accompanies the new Local Transport Plan?”

25.7 The Chair provided the following reply:

“Yes, I believe we will. Where we have public consultation comments, we’ll be able to publish those as part of the associated due process”.

#### 4) Clean Air Zone

25.8 Adrian Hill read the following question:

“The 2023 air quality report shows illegal levels of NOx pollution at least 12 locations. The 6 month preliminary report shows no improvement. All other locations violate WHO guidelines for health. Source apportionment reports show diesel cars cause 50% of all NOx on illegally polluted New England Road. Hollingbury Road, diesel cars cause 75% of all traffic related NOx. Petrol causes <1%. Labour's manifesto promised to “...bring an end to...polluting diesel vehicles”. We know Brighton’s toxic air causes illness and death. We know Clean Air Zones work. We must declare a Clean Air Zone immediately, can you agree?”

25.9 The Chair provided the following reply:

“We can certainly agree that;

- air quality in the city is an issue;
- diesel vehicles are a major cause of the problem; and
- poor air quality has a detrimental impact on people’s health.
- over the past three years, there has been some observable decline in air quality in parts of our city countering longer term improvements.

How we can address this is set out in the wide range of potential measures that are included in the council’s Air Quality Action Plan. Each of these has the opportunity to reduce tailpipe emissions, and will need to be reviewed in more detail to assess the overall priority and benefit that they will bring. Some will require careful planning and consideration of their costs and impacts, to ensure that the benefits are maximised and the project impacts are fair; in particular for the least well off in our society.

We consider it more effective to have a data informed approach to tackling air quality and believe a targeted approach for each area rather than a ‘one size fits all; approach is going to yield better improvements. We also will work with communities to establish the best way to implement change to bring about the air quality improvements that are needed.

Unlike the Green-led administration, Labour is showing leadership by having a strategy to reversing the decline in air quality seen over recent years. We are taking action on air quality. The existing Brighton & Hove Bus ULEZ will require the vast majority of buses in the city to have the cleanest Euro 6 standards by next January. More electric vehicle charging points will be installed over the course of this administration, to increase uptake and facilitate the transition away from vehicles that produce exhaust emissions. We also support investment in more and better active travel infrastructure via our ambitious Local Cycling & Walking Infrastructure Plan (LCWIP). Our administration is also considering what additional targeted action is required to improve air quality in the areas where the issue is most acute and how we can seek to achieve the World Health Organisation target of 30 micrograms per cubic metre across the city in the most equitable way.

The combination of these and other measures will help us move towards giving our residents cleaner air and healthier lives in the coming years. Labour is not just collecting data, we are developing and implementing a plan to reverse the recent trend and improve air quality in areas of the city where the data shows the improvements are most needed”.

25.10 Adrian Hill asked the following supplementary question:

“Your response didn’t respond to action on New England Way”

25.11 The Chair provided the following reply:

“As I said in reply to your first question, we need to come up with a targeted approach for each of the areas that works the best and I hear that point about the impacts it has upon some of the most vulnerable in our community. We do need to address this and do it in an equitable way and a targeted way, so we are not just collecting data, we’re going to use that data to get the best solution for that area. We certainly do consider it a priority for this Administration, and we’ll take your question away and look at it in detail”.

## 5) Parking Permits

25.12 Laura King read the following question:

“Are there any plans for Brighton and Hove City Council to review emissions-based resident parking permits?”

25.13 The Chair provided the following reply:

“There are no current plans to review the current emissions-based resident parking permits but it is something that may be considered as part of the Fees & Charges budget process for 24/25 or in future years depending on the outcome of the review of the city parking system.

We are also committed to establishing our city’s first ever strategy for reaching carbon neutrality including commissioning Decarbonisation Pathways and Climate Risk and Vulnerability Assessment. As part of this strategy, consideration of how parking contributes to our path to carbon neutrality will be considered”.

25.14 Laura King asked the following supplementary question:

“Can the Transport & Sustainability Committee state how much Brighton & Hove has averted through the introduction of emissions-based parking since it was introduced in 2018 and what scientific based, evidence-based evaluation we can look forward to following this initial five-year trial period?”

25.15 The Chair provided the following reply in writing:

“The aim of the emission-based permit charges scheme is to encourage residents to use lower emission vehicles, and the permit charges are reflective of the relative impact that the individual vehicle has on the environment. However, the council does not hold information on the emissions from vehicles which have a residents’ parking permit, as this

would require data such as how often the vehicle is used, distance travelled, and average speed. It is therefore not presently practical to calculate how much this initiative contributes to emission reduction, but future tools and research may enable the council to do so. Any change in the choices that people have made as a result of this initiative in terms of vehicle ownership and their use will be reflected in more global figures for vehicle emissions in the city.

We do know that figures published by the council in its 2022 Parking Annual Report show that registered electric vehicles [EVs] and plug-in hybrid EVs in Brighton & Hove had nearly doubled since 2020/2021, from 871 to 1,553 by the end of 2021/2022.”

## **6) Parking Review**

25.16 Reginald Woodhouse read the following question:

“When is the council planning to host the promised Autumn parking review?”

25.17 The Chair provided the following reply:

“The city parking system is being reviewed and has been subject to an initial piece of work already, with a more substantial review also underway. A report will be completed by the end of November and presented to the Transport & Sustainability Committee on 5th December 2023 with recommendations on next steps. This is the earliest opportunity to report to this Committee on the work already undertaken and the longer-term view”.

## **7) Emissions Charging**

25.18 Michael Adams read the following question:

“Can you confirm that there are no ULEZ or CO2/ NO2 emissions charging schemes, for Residents, Visitors or Traders vehicles, driving from one place to another in the City of Brighton & Hove?”

25.19 The Chair provided the following reply:

“I can confirm that there are no emission charging schemes that apply to general traffic. You may have seen signage for a Low Emission Zone on Castle Square, North Street and Western Road but this is for Brighton & Hove’s Bus ULEZ, in place since 2015 and which only affects the vast majority of bus routes in the city but not other vehicles. Charges for emission-based, residents’ parking permits have been referred to in an earlier response to a question about this”.

25.20 Michael Adams asked the following supplementary question:

“Why is the existing tiered Co2 emissions-based fee for residents and traders parking permits not considered misleading and potential unlawful when Councillor Davis has indicated this fee is intended to cover vehicles driving to and from parking locations?”

25.21 The Chair provided the following reply in writing:



“A stationary vehicle has the potential to produce CO2 emissions when it is used for travelling which is why it needs to be taxed and roadworthy. If this wasn't the case then it would be classed an abandoned vehicle and dealt with accordingly. The existing system is not misleading”.

## 8) Paypoint

25.22 Carol Wilson read the following question:

“What action has the Council taken to guarantee that residents and visitors can easily access the PayPoint facility to pay for parking in the event that the digital/phone option does not work?”

25.23 The Chair provided the following reply:

“If anyone is experiencing issues accessing the app, SMS text message or telephone line, this could be mobile signal related and not a system issue. We would advise people check their signal, move to an alternative spot and try again.

If there is PayByPhone platform outage, payment at a PayPoint outlet will not be possible. You may not be able to pay for parking until the problem is resolved.

If there is an outage issue, the parking enforcement contractors are notified immediately and enforcement for paid parking bays will be suspended. It will resume when PayByPhone is operational again. We advise drivers to wait 15 minutes and try to pay to park again”.

25.24 Carol Wilson asked the following supplementary question:

“Councillor Muten, you were quoted in The Argus when challenged about the problems people were experiencing with digital and signal access that ‘people have the opportunity to appeal a PCN’ .Is this policy approach effectively trapping people into being at the mercy of the subjective decisions of a punitive parking department? Is this fair, equitable and most of all is it acceptable?”

25.25 The Chair provided the following reply in writing:

This policy is not trapping people into receiving a PCN and has been undertaken to make it as fair and equitable for the minority who still wish to use cash. Alternatives are available such as the following;

- We offer cash payments via Paypoint location and provide clear and accessible signage to the nearest Paypoint location for those able to make the journey by walking or wheeling.
- We make it clear that a smartphone is not a requirement to make payment; customers can also phone or text to make payment or make cash payments at nearest Paypoint locations.
- We offer support to those with low digital skills by promoting initiatives to increase Digital Inclusion such as Good Things Foundation, Citizen's online and Age UK's phone based digital support.

- We gather and analyse customer satisfaction data internally and from different age groups and engage with diverse and intersectional age-related community groups to learn about their barriers and ideas for solutions/mitigations.
- During the PCN appeals process, we can further educate users on the PayByPhone and Paypoint processes and what services are available to them in the future.
- We ensure alternative parking is available in off-street car parks across the city with Pay on Foot machines.

**9) Hollingdean Parking Scheme**

25.26 Iain McGill read the following question:

“In the light of the response to the consultation carried out by Brighton and Hove Council with respect to a resident parking scheme for Hollingdean which reported 59.7 per cent of residents were not in favour of the proposed scheme; also in the light of the recommendation in the same report which is before the committee (namely not to proceed with the Hollingdean scheme) can the Chair now assure Hollingdean residents that this scheme will be put aside both now and into the future?”

25.27 The Chair provided the following reply:

“Thank you, Iain, for taking the time to come to this committee meeting to present your question. The report on this matter on our agenda today recommends that the Committee agrees not to proceed with the Hollingdean parking scheme. However, as also highlighted in the report there are concerns regarding an opposing campaign, which included misrepresented data which may have influenced the result. It is understood that the Hollingdean & Fiveways Ward Councillors would, therefore, also like the option to revisit the area again following the decision on the light to full scheme which is also due to be discussed later at this Committee. This will be taken into account when the next parking scheme priority timetable is taken forward to this Committee next year”.

**10) Elm Grove**

25.28 Alison Guile read the following question:

“Can the Chair confirm that the planned improvements, including significant greening on Elm Grove will still go ahead? Residents have seen extensive plans and been consulted on these improvements; we are aware that there remains £600,000 in the pot from the Carbon Neutral Fund. Many councillors have admitted it is a much-neglected street and now the pavement parking has been banned we are left with a badly damaged walkway which needs repair, there is opportunity to enhance both residents and school children’s lives by reducing carbon with planting – surely an excellent use, and in the spirit of the fund’s intention?”

25.29 The Chair provided the following reply:

“As you may be aware, there is a report about the Liveable Neighbourhood proposals for the Hanover & Turner area, later on the agenda of this meeting which recommends that the overall scheme is stopped, and only certain measures in Elm Grove progressed.

A range of potential various measures for Elm Grove and other roads were outlined in indicative designs that were used to assist with the public engagement sessions that took place in February. The report on the agenda does recognise what needs to be considered with possible greening proposals. The location and type of planting within an area would need to be sufficient to demonstrably make a difference and provide measurable benefits and would need to be able to be maintained within existing, limited budgets and staff resources, and/or through agreements with local community groups which can sometimes be difficult to sustain.

If the committee report’s recommendations are agreed, then officers involved in managing the overall Carbon Neutral Fund will need to review the remaining sum in the council’s budget and its possible uses for projects across the city that have already been put forward. Your suggestion has therefore been noted, but we do need to make sure that any investment that we make will maximise carbon reduction. Any final decision on funding would need to be made by the Strategy, Finance and City Regeneration Committee.

I am pleased to hear that the pavement parking ban has freed up space for people to walk safely. Smooth and level surfaces are very important and need to be maintained and we do this through a citywide inspection process and make repairs from existing budgets.”

25.30 Alison Guile asked the following supplementary question:

“Can you confirm if the planned work addresses the further environmental issues, for example whether the proposed junction redesigns will improve drainage and how effective they could be in comparison to greening and green growth?”

25.31 The Chair provided the following reply in writing:

“First and foremost, the engineering designs of the crossings and the traffic signal junction will ensure that they are safe and reduce danger. They will also include highway drainage considerations to help minimise the effects of surface water, in the absence of any new greening/planting on Elm Grove. I am sure that officers will explore the feasibility of using certain materials to deal with run-off and permeability, within the budget available.

These new measures will take account of Elm Grove being part of a strategic route within our Local Cycling & Walking Infrastructure Plan, and therefore should consider the opportunity to retain or create space for other infrastructure and/or greening that could come forward in the future.”

## 11) Elm Grove

25.32 James Taylor read the following question:

“With the cancellation of the Hanover LTN, there will be no safe cycle route for residents or for people accessing Brighton Hospital. Their route will be to cycle up Elm Grove. Due to the gradient there is a large differential in speed between cyclists and cars. This makes it hostile and dangerous for cyclists. Investigations in 2022 indicated that an uphill cycle route could be included on the area that was used for illegal pavement parking. Elm Grove

is a 'Strategic Route' in the LCWIP so can you assure us that the junction design upgrades on Elm Grove will consider safe cycling provision on Elm Grove?"

25.33 The Chair provided the following reply:

"The proposed junction improvement in this area will include safety considerations for those cycling, walking and wheeling – this is the case for any improvements on the highway - in line with national design standards such as Local Transport Note 1/20. Beyond the junction improvements, further improvements are not proposed at this stage, as has been noted in the wider report. However, Elm Grove remains a strategic route in the LCWIP as you note. Being in the LCWIP means that this route is prioritised in the strategic plans for investment in active travel infrastructure".

25.34 James Taylor asked the following supplementary question:

"Given that the area previously used for illegal parking is now free, what is to stop the provision of safe cycling on this route being implemented sooner rather than later?"

25.35 The Chair provided the following reply in writing:

"With reference to my answer to your original question, this route is part of our LCWIP priorities which will help inform those schemes could come forward in the next 10 years or so. The Elm Grove/Warren Road route is identified as a medium to low priority; but it could be brought forward sooner if funding becomes available or there is an overlap with other schemes such as road or pavement maintenance or proposals linked to development. The potential availability of space to deliver a scheme would not be a factor in this instance, but when proposals are developed, all feasible options will be looked at to create a safe design that makes the most efficient use of the land within the budget that is available."

## **12) Gardner Street**

25.36 Ian Baldry read the following question:

"I would like to ask what the purpose of the consultation regarding the TRO on Gardner Street was, if it was not to gauge public opinion on the matter. Over 400 responses have been ignored, and a final decision was made before the consultation began. The repercussion of this decision will be felt by all residents of Brighton and Hove and beyond. The needs of all residents, including the disabled, and the elderly, as well as the complex needs of the businesses in the North Laine should be considered".

25.37 The Chair provided the following reply:

"The consultation regarding this TRO was a genuine consultation undertaken by the Council to identify views regarding the proposed changes. Further changes to the proposals have been suggested in the report in direct response to the consultation responses received.

The public consultation for the proposed TRO changes in Gardner Street was carried out between 11th August 2023 and 1st September 2023 and received 147 comments via our council website, emails and advertised links. Of these comments 91 comments are in

support of the proposed changes. The council also received 402 comments via a QR code that had been setup separately.

All the comments have been considered and are highlighted to the committee in the report. The information provided to the public in relation to the QR Code comments is considered to be incorrect. The email objections generated via the QR Code state that the TRO proposes to reopen the street 11am - 5pm everyday to all vehicles which was not part of the Council's proposals.

The poster with the QR Code on it in states "Gardner Street: The council want to close the road to pedestrians, but open it to cars. Scan the Code to save your shops, cafes and communities." This advertised QR code did not provide a link to the Council's TRO consultation page or advise on the correct content of the TRO. Those responding to the comments were therefore not given all the information required to make an informed decision as the important information about the road remaining closed to vehicles every Friday, Saturday, Sunday and Bank Holidays was not included.

The Council's proposed changes would support the businesses with their busiest periods (Friday to Sunday and Bank Holidays) when the road would be closed to vehicles for longer each day than at present, enhancing and extending the vibrancy of this busy street; whilst supporting access requirements for residents during the week".

## c) Deputations

### 1) Withdean CPZ

25.38 The Committee considered a deputation that objected to a light touch parking scheme in the Withdean area.

25.39 The Chair provided the following response:

"As outlined in the report to be discussed later at this Committee as an area 65% of respondents preferred a Monday to Sunday scheme as opposed to 35% who wanted a Monday to Friday scheme. The scheme needs to be considered as an area as different days of restrictions in different parts of the scheme would lead to confusion and potential vehicle displacement issues.

As outlined in the light to full parking scheme report also being discussed later light touch parking schemes in the Hallyburton Road area, the South Portslade area and the Surrenden Road area would not be consulted at this time. This is because public consultation has been taken place within the areas in the past 18 months and residents have already outlined recently that they would like a light touch parking scheme. This includes schemes that have not been introduced and have been consulted on in the last 18 months including the Withdean area".

25.40 **Resolved-** That the Committee note the deputation.

### 2) Gardner Street TRO

25.41 The Committee considered a deputation outlining concerns in relation to the Traffic Regulation Order recently advertised on Gardner Street.

25.42 The Chair provided the following response:

“The 402 comments received via a separately set up QR code will be considered by the committee in reaching a decision, and are highlighted in the report including the wording of the objection email in full. Whilst the wording on the automatically created email taken from the TRO does state “Revokes the Prohibition of Driving Monday to Sunday 11am to 5pm on Gardner Street” it did not include the following sentence “and introduces a Prohibition of Vehicles Friday to Sunday (and bank holidays) 11am to 9pm” It appears Responders were not given the proposal in full from that QR code source, although it was available to them via the information provided by the Council . The proposals in the report aim to mitigate as many of the concerns raised in the responses as possible, whilst balancing the needs to all the roads users. We understand that Gardener Street is a unique and important part of the city and welcome the opportunity to work with all stakeholders in the street to create a space that is welcoming to visitors and supportive of local businesses and residents”.

25.43 Councillor Davis moved a motion to request an officer report.

25.44 Councillor Bagaen formally seconded the motion.

25.45 The Chair put the motion to the vote that failed.

25.46 **Resolved-** That the Committee note the deputation.

## **26 ITEMS REFERRED FROM COUNCIL**

### **a) Petitions**

#### **1) Reinstate parking meters**

26.1 The committee considered a petition referred from Full Council requesting the reinstatement of parking meters in the city.

26.2 The Chair provided the following reply:

“The decision to remove the machines was made at Budget Council on 23rd February 2023 and represents a significant financial saving of £220,000 in 2023/24 as well as ongoing yearly savings.

These savings come from not having to maintain, repair and replace machines, collect cash payments or go ahead with a planned upgrade to 4G technology. The change mirrors other local authorities.

An Equalities Impact Assessment has been completed and is available on the council's website. It outlines the accessible methods to pay for parking which include; by telephone, by mobile application, by texting to park, by using the PBP back office and in cash at one of the 150 PayPoint outlets in the city”.

26.3 **Resolved-** That the Committee note the petition.

#### **2) On street hospital parking- Zone H**

26.4 The Committee considered a petition referred from Full Council objecting to parking charge increases in the Zone H area.

26.5 The Chair provided the following response:

“A report to this Committee outlines the responses on the proposal to keep paid parking tariffs around the Hospital low tariff rather than move to high tariff. It is proposed to keep these tariffs low rather than the 23/24 budget proposals to increase to high tariff”

26.6 **Resolved-** That the Committee note the petition.

**27 MEMBER INVOLVEMENT**

**c) Member Questions**

**1) Greenways**

22.1 Councillor Fishleigh read the following question:

“Farmer Ben Carr attended the 6 July meeting of this committee to request that BHCC implement a no overnight camping ban on Greenways road in Ovingdean. This is because his crops are being damaged by people living in vehicles. The response he received is that the Council’s highways lawyers need to investigate how to introduce a new bylaw. What progress has been made?”

22.2 The Chair provided the following reply:

“Thank you Councillor Fishleigh. We are looking at how this type of issue could be captured by byelaws as there are a list of matters that can be caught – these are prescribed by government.

It is important to note that if the issue can be dealt with under different legislation, it should be, rather than using the byelaw system. Therefore, all options are being researched and once we have completed that, we will be able to advise”

**2) Paypoint**

22.3 Councillor Fishleigh read the following question:

“On 6 July I wrote to the chair of this committee and officers to inform them that Handy Hardware in Rottingdean is open to becoming a PayPoint location. Unfortunately, PayPoint has not been in touch with the shop’s owners. Why is this?”

22.4 The Chair provided the following reply:

“Councillor Fishleigh, the Parking Strategy & Contracts team have been actively following this up with PayByPhone.

PayPoint have been made aware of the store’s intention and the matter is with their field team who are reviewing the request.

PayPoint are independent to the council and our cashless parking provider. Going forwards we suggest prospective outlets contact PayPoint directly to discuss becoming agents”.

**3) Valley Gardens 3**

22.5 Councillor Fishleigh read the following question:

“What is the projected price for the implementation of the agreed plan for Valley Gardens 3 based on 2023 building costs?”

22.6 The Chair provided the following reply:

“Thank you, Councillor Fishleigh. Phase 3 of the Valley Gardens Scheme is currently under review but the latest cost estimates for the entire project including construction have been estimated using current rates applicable to the BHCC Highways Framework in which the team intend to procure the works. This has enabled the team to use current rates to determine likely costs. The total estimated costs are approximately £12.8k including risk and contingencies.

The team will continue to seek Value for Money through the procurement process for the works to minimise costs for construction wherever possible”.

22.7 Councillor Fishleigh asked the following supplementary question:

“What elements will be revised?”

22.8 The Chair provided the following reply:

“Valley Gardens 3 is an important issue to the Administration. The review is in process and as a major project, we need to understand the detail. This is an important discussion, and we have since met with Brighton & Hove Buses and continue to review aspects of the project to ensure bus flow and capacity is not impacted”.

**4) Black Rock**

22.9 Councillor Fishleigh read the following question:

“How will the new link road between Black Rock and the marina be used over the next one, five and ten years?”

22.10 The Chair provided the following reply:

“Councillor Fishleigh. information about how this link aligned with planning policies and would be used was set out in the planning application that was submitted in 2020. In the short term, it is intended that it will provide enhanced cycle and pedestrian linkages and be an important emergency access for the marina and for large events at the Black Rock site during its temporary use. It has been designed with the potential for bus and pedestrian and cycle use in the longer term. The link is not being provided for car or private vehicle access. The timeframe for implementing any public transport scheme is unknown and therefore the interim scheme is likely to be in operation for a significant period.

The preparation of a development brief for the Black Rock site is due to be completed next year and this will help guide how future transport arrangements will need to be



developed and managed by the future owner and operator of the site. This will include further consideration of how the link could be used”.

22.11 Councillor Fishleigh asked the following supplementary question:

“Will you reassure residents that this kind of road project with no measurable benefits or clear outcomes is the kind this committee will avoid under your leadership?”

22.12 The Chair provided the following reply:

“If I understand the technical side, he does not have value as a road but may have future value as a road for active travel. It’s there as part of the planning application is its for the future site owner to determine how useful it will be. The developer may want to develop it for a specific purpose”.

## **5) Drains**

22.13 Councillor Fishleigh read the following question:

“Blocked drains cause puddles which endanger all road users. What is the process for identifying which roadside drains need to be cleared?”

22.14 The Chair provided the following reply:

“Thanks Councillor Fishleigh. We have 20,000 surface water gullies and the basis for identifying Cyclical Gulley Maintenance is historical silt values which are recorded on our Surface Water Gulley Asset mapping system, Map 16, we also take in to account, previous flooding issues, is it in a Flood Risk Zone, and the road category (resilient network)

We also have 5,000 soakaways which are cleansed on an Ad-Hoc basis as and when necessary, which has recently changed from a 100 year cycle

Often the gullies are not blocked, but there are capacity issues with the Southern Water combined system that we outfall to, or as has become more prevalent, our system cannot cope with the storm frequency, especially where properties are discharging surface water on to the highway”.

22.15 Councillor Fishleigh asked the following supplementary question:

“Will you commit to keeping drains clear as your list of priorities?”

22.16 The Chair provided the following reply:

“Drainage is very important and blocked drains are a concern and we do consider them a priority. We need to look at how viable that is and I happy to request a technical report on the impact of the cutting of grass verges. We are also mindful of the impact of climate change increasing severe weather events and storm frequency”.

## **28 CARBON NEUTRAL 2030 PROGRAMME - ANNUAL REPORT**

- 22.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided a progress update on the 2030 Carbon Neutral Programme.
- 22.2 Councillor Pumm moved a motion to amend recommendation 2.1 and 2.2 as shown in strikethrough below:
- 2.1 That Committee notes ~~the progress made on~~ the 2030 Carbon Neutral Programme as set out in the Annual Report at Appendix 1
- 2.2 That Committee notes ~~the progress made on~~ the Carbon Neutral Fund as set out in paragraphs 3.4–3.8
- 22.3 Councillor Robinson formally seconded the motion.
- 22.4 Councillors Bagaeen, Robinson, Nann, Fowler, Loughran and Davis asked questions and contributed to the debate of the report.
- 22.5 The Chair then put the motion to the vote that passed.
- 22.6 The Chair then put the recommendations as amended to the vote that were approved.
- 22.7 **Resolved-**
- 1) That Committee notes the 2030 Carbon Neutral Programme as set out in the Annual Report at Appendix 1.
  - 2) That Committee notes the Carbon Neutral Fund as set out in paragraphs 3.4–3.8.
  - 3) That the Committee agrees the proposed developments to the Programme in 2023-24 as set out in paragraph 3.12.

**29 HANOVER & TARNER LIVEABLE NEIGHBOURHOOD**

- 29.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the results of the consultation and engagement processes of the Hanover & Tarnier Liveable Neighbourhood pilot scheme and proposed that work on the project ceases; identified some measures within the original study area that could be progressed; and proposes further actions in relation to the funding allocation that was made for the project.
- 29.2 Councillors Davis, Bagaeen, Nann, Fowler, Galvin and Pumm asked questions and contributed to the debate of the report.
- 29.3 **Resolved-**
- 1) That Committee agrees to note the outcomes of the consultation that has been undertaken for the preferred option for the pilot Hanover & Tarnier Liveable Neighbourhood area, which indicate that the proposals do not have the full support of local residents.

- 2) That Committee agrees to cease work on a pilot Liveable Neighbourhood project in the Hanover & Tarnar area.
- 3) That Committee requests that previously agreed priorities to improve pedestrian crossing facilities in Elm Grove at Hampden Road/de Montfort Road and Bonchurch Road are developed and delivered at the earliest opportunity, subject to the approval of recommendation 2.6.
- 4) That Committee requests that officers undertake the development and delivery of designs to upgrade the Elm Grove/Queen’s Park Road junction as part of the council’s programme for upgrading the city’s traffic signals, at the earliest opportunity, subject to the approval of recommendation 2.6.
- 5) That Committee requests that officers assess the existing crossing point at the Queen’s Park Road/Egremont Place/West Drive junction, and the possible introduction of vehicle activated speed signs in Queen’s Park Road as part of the council’s Safer, Better Streets prioritisation framework, at the earliest opportunity.
- 6) That Committee requests that officers seek the necessary approvals from the Strategy, Finance and City Regeneration Committee to reallocate £400,000 from the £1.0 million budget allocation previously made to the Hanover & Tarnar Liveable Neighbourhood pilot project from the Carbon Neutral Fund, to the Local Transport Plan capital programme to enable the work referred to in recommendations 2.3 and 2.4 of this report to be commenced.

**30 A23 PHASE 1 ACTIVE TRAVEL SCHEME - TRO**

30.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for the making of a Traffic Regulation Order (TRO) for the Active Travel Funded A23 Phase 1 Walking, Cycling and Accessibility Improvement scheme (A23 Active Travel Scheme). It outlined the results of the TRO consultation as required for alterations to the Public Highway for implementation.

30.2 Councillors Robinson, Davis, Loughran and Bagaeen asked questions and contributed to the debate of the report.

**30.3 Resolved-**

- 1) That the Committee, having taken account of all duly made representations and comments, agrees that TRO-26-2023 is approved and can proceed to implementation stage for Parking Permit Zone J changes only, with the amendments to the Parking Permit Zone Q arrangement, as detailed at Section 4.3 and Appendix 3 being pursued by officers under a future TRO.
- 2) That the committee delegates authority to officers to commence the A23 Active Travel Scheme Phase 1 (Phases 1a and 1b) to the construction phase and to procure the Works Contract under the authority of the Executive Director, subject to available funding.

**31 LIGHT TO FULL SCHEME PARKING SCHEME PROGRAMME**

22.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that made a series of proposals relating to the Budget Council decision in February 2023 to convert all light touch resident parking schemes to full schemes.

22.2 Councillor Bagaeen asked questions and contributed to the debate of the report.

**22.3 Resolved-**

- 1) That Committee approves an initial high-level consultation in the West Hove area, Hove Park area, Hanover & Elm Grove area, Coombe Road area & Wish Road area light touch parking schemes. This high-level consultation would seek resident's views on converting to full schemes or remaining as a light touch parking scheme.
- 2) That Committee agrees that as part of this high-level consultation residents will be given options on keeping to a light touch parking scheme with a potential increased price for 2024/25 or changing to a full "outer" parking scheme with the current light touch prices frozen for 2024/25.
- 3) That Committee approves a new alternative permit pricing option for a full parking scheme permit in "outer" parts of the city as part of the above consultation. This replicates all the current costs of light touch parking schemes.

**32 PARKING SCHEME UPDATE REPORT**

32.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on the progress of recent resident parking scheme consultations. findings of the recent consultation with residents in the Withdean Road and Hollingdean Areas and requested that Committee makes decisions on the associated TRO and parking schemes.

32.2 Councillors Fowler, Bagaeen, Nann and Davis asked questions and contributed to the debate of the report.

**32.3 Resolved-**

- 1) That Committee having taken account of all duly made representations and comments agree that the following Traffic Regulation Orders (TRO) are approved to enable the Withdean Road (Zone 12) to proceed to the implementation stage:

Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 202\* (TRO-16a-2023)

Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2018 Amendment Order No.\* 202\* (TRO-16b-2023)

- 2) That the Committee having taken account of all duly made representations and comments, agrees not to proceed with the Hollingdean parking scheme.

**33 FEES & CHARGES 23/24 TRAFFIC REGULATION ORDER**

**Resolved-**

- 1) That Committee approves the advertised TRO-30-2023 Event Day - Brighton & Hove (Coldean & Moulsecoomb) (Event Days) Parking Order 2013 Amendment Order No\* 202\*. This removes the event day guest permit from the Fees & Charges schedule.
- 2) That Committee approves the advertised TRO-33-2023 Tariff - Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 202\*. This changes the High Tariff to Low Tariff for all on-street parking charges within Zone C (Queens Park), Zone H (RSCH area) and Zone J (London Road Station area). In Zone N (Central Hove) the majority of the zone will be Low Tariff with the exception of Kiffsway which will be Medium Tariff.

**34 SCHOOL STREETS - WESTDENE PRIMARY AND HOVE JUNIOR SCHOOL**

22.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that outlined the consultation results for the Experimental Traffic Regulation Orders (ETROs) at Westdene Primary School (TRO-30a-2022) and Hove Junior School (TRO-35-2022), which were respectively implemented as part of the council's School Streets programme and provides recommendations for next steps.

22.2 Councillors Bagaeen and Davis asked questions and contributed to the debate of the report.

**22.3 Resolved-**

- 1) That the Committee, having taken account of all duly made comments and representations, agrees that the provisions of TRO-30a-2022 (Westdene Primary School) is to be made permanent, with the minor amendment to authorise unrestricted access for Brighton and Hove City Council vehicles.
- 2) That the Committee, having taken account of all duly made comments and representations, agrees that the provisions of TRO-35-2022 (Hove Junior School) is to be made permanent with the minor amendment to authorise unrestricted access for Brighton and Hove City Council vehicles.

**35 56-57 LEWES ROAD - TRAFFIC REGULATION ORDER OBJECTIONS**

**Resolved-**

- 1) That the Committee having taken account of all duly made representations and comments, agrees that the following Traffic Regulation Order is approved and is implemented:

Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 202\* (TRO-11-2022)

**36 GARDNER STREET TRO**

- 22.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for the making of two Traffic Regulation Orders (TRO's) the effect of which will be the closure of Gardner Street to all vehicles at set times between Fri - Sun & bank holidays, the introduction of a time limited disabled parking bay and to change the restriction on the loading bays so they can be used when the road is open to all vehicles.
- 22.2 The committee Legal Officer provided advice to Members on the consultation process and responses and how they should be treated during consideration of the report.
- 22.3 Councillors Davis, Muten, Bagaeen and Pumm asked questions and contributed to the debate of the report.
- 22.4 **Resolved-**
- 1) That Committee, having taken account of all duly made representations and comments, agrees that the TRO for Gardner Steet detailed below (and as amended by paragraph 6.1) is approved and proceeds to implementation stage.
    - Brighton & Hove (Prohibition of Vehicles) (Gardner Street) Order 202\* (TRO-35a-2023)
    - Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 202\* (TRO-35b-2023)
  - 2) It is also recommended that any requests for minor design amendments deemed appropriate by officers are added to the proposed scheme during implementation and advertised as an amendment Traffic Regulation Order on the basis that such minor design amendments do not constitute a substantial change to the orders as approved.

**37 ITEMS REFERRED FOR FULL COUNCIL**

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

The meeting concluded at 8.45pm