Brighton & Hove City Council

Environment, Transport & Sustainability Committee

Title:	**Environment, Transport & Sustainability Committee**
Date:	**29 November 2016**
Time:	**4.00pm**
Venue	**Council Chamber, Hove Town Hall, Norton Road, Hove, BN3 3BQ**
Members:	**Councillors:** Mitchell (Chair), Janio (Opposition Spokesperson), Horan (Deputy Chair), Atkinson, Greenbaum, Deane, Miller, Robins, Wares and G Theobald
Contact:	**John Peel** Democratic Services Officer 01273 29-1058 john.peel@brighton-hove.gov.uk

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Democratic Services: Environment, Transport & Sustainability Committee

Lawyer	Executive Director	Councillor Mitchell *Chair*	Democratic Services Officer

OFFICERS

Councillor Horan *Deputy Chair*
Councillor Robins
Councillor Atkinson

Councillor Miller
Councillor G Theobald
Councillor Wares
Councillor Janio *Opposition Spokesperson*
Councillor Greenbaum *Group Spokesperson*
Councillor Deane

OFFICERS

Public Speaker	Public Speaker

Press

Public Seating

Public Seating

AGENDA

PART ONE **Page**

39 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.

40 MINUTES **1 - 26**

To consider the minutes of the meeting held on 11 October 2016 (copy attached).

Contact Officer: John Peel *Tel: 01273 291058*

41 CHAIRS COMMUNICATIONS

42 CALL OVER

(a) Items (46 – 54) 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.

43 PUBLIC INVOLVEMENT 27 - 34

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

(a) **Petitions:** To receive any petitions presented by members of the public;

(i) Hangelton Link Road pedestrian crossing

(ii) Shared Parking Scheme Steyning Road

(b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 22 November 2016;

(i) Taxi Ranks, West Street

(ii) Communal Bins, Adelaide and Palmeira Squares

(iii) Open Green Spaces

(c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 22 November 2016.

(i) Allotments

(ii) Communal Bin refuse

44 ITEMS REFERRED FROM COUNCIL 35 - 36

Items referred from the last meeting of Full Council held on 20 October 2016 (copy attached).

(a) Petitions

(i) Double Yellow Lines Surrenden Road- Councillor Taylor

(ii) Speeding on Reigate Road- Councillor Taylor

(iii) Traffic Speed- Councillor Cobb

45 MEMBER INVOLVEMENT **37 - 40**

To consider the following matters raised by Members:

(a) **Petitions:** To receive any petitions submitted;

(b) **Written Questions:** To consider any written questions;

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

(i) Preventing Disease- Councillor Janio

(ii) Bins Old Shoreham Road/Hangelton Road- Councillor Janio

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

ENVIRONMENT & SUSTAINABILITY MATTERS

46 COMMUNAL BINS, HERITAGE SQUARES, PERMISSION TO IMPLEMENT **41 - 102**

Report of the Executive Director, Economy, Environment & Culture (copy attached).

Contact Officer: *Richard Bradley* *Tel: 01273 294701*
Ward Affected: *Brunswick & Adelaide; East Brighton; Preston Park; St Peter's & North Laine; Westbourne*

47 REPORT OF THE LIVE MUSIC POLICY PANEL **103 - 168**

Report of the Executive Director, Finance & Resources (copy attached).

Contact Officer: *Annie Sparks* *Tel: 01273 292436*
Ward Affected: *All Wards*

48 CHARGING SCHEME FOR FOOD SAFETY RESCORE INSPECTIONS UNDER THE NATIONAL FOOD HYGIENE RATING SCHEME **169 - 172**

Report of the Executive Director, Finance & Resources (copy attached).

Contact Officer: *Nick Wilmot* *Tel: 01273 292157*
Ward Affected: *All Wards*

TRANSPORT & PUBLIC REALM MATTERS

49 VALLEY GARDENS PROPOSED DESIGN **173 - 202**

Report of the Executive Director, Economy, Environment & Culture (copy attached).

Contact Officer: *Tracy Beverley* *Tel: 01273 292813*
Ward Affected: *All Wards*

50 PARKING ANNUAL REPORT 2015-16 **203 - 208**

Report of the Executive Director, Economy, Environment & Culture (copy attached).

Contact Officer: *Paul Nicholls* *Tel: 01273 293287*
Ward Affected: *All Wards*

51 SUB NATIONAL TRANSPORT BODY **209 - 216**

Report of the Executive Director, Economy, Environment & Culture (copy attached).

Contact Officer: *Mark Prior* *Tel: 01273 292095*
Ward Affected: *All Wards*

52 WHITEHAWK & KEMPTOWN SAFER ROUTES TO SCHOOL SCHEME **217 - 236**

Report of the Executive Director, Economy, Environment & Culture (copy attached).

Contact Officer: *Matthew Thompson* *Tel: 01273 293705*
Ward Affected: *East Brighton*

53 HIGHWAY ASSET MANAGEMENT POLICY AND STRATEGY **237 - 290**

Report of the Executive Director, Economy, Environment & Culture (copy attached).

Contact Officer: *Christina Liassides* *Tel: 01273 292036*
Ward Affected: *All Wards*

54 EASTERN ROAD/ARUNDEL ROAD JUNCTION – OBJECTIONS TO TRAFFIC REGULATION ORDER [TRO] **291 - 304**

Report of the Executive Director, Economy, Environment & Culture (copy attached).

Contact Officer: *Andrew Renaut* *Tel: 01273 292477*
Ward Affected: *East Brighton; Rottingdean Coastal*

55 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 15 December 2016 Full 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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For further details and general enquiries about this meeting contact John Peel, (01273 29-1058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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Date of Publication - Monday, 21 November 2016

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 11 OCTOBER 2016

COUNCIL CHAMBER, HOVE TOWN HALL, NORTON ROAD, HOVE, BN3 3BQ

MINUTES

Present: Councillor Mitchell (Chair) Horan (Deputy Chair), Janio (Opposition Spokesperson), Greenbaum (Group Spokesperson), Atkinson, Deane, Miller, Robins, G Theobald and Wares

Other Members present: Councillors Brown and Mears

PART ONE

20 PROCEDURAL BUSINESS

20(a) Declarations of substitutes

20.1 There were none.

20(b) Declarations of interest

20.2 There were none.

1(c) Exclusion of press and public

20.3 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).

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

21 MINUTES

21.1 **RESOLVED-** That the minutes of the previous meeting held on 28 June 2016 be approved and signed as the correct record.

22 CHAIRS COMMUNICATIONS

22.1 The Chair provided the following communication:

"Since the last Environment, Transport & Sustainability Committee meeting, the food safety service has been invited by the Food Standards Agency to take part in a national pilot to charge businesses for re-score revisits requested under the Food Hygiene Rating Scheme. As the project is due to take place between 15th August and 7th November this year it was necessary to decide on this before this meeting. In consultation with the Interim Director for Neighbourhoods, Communities and Housing, I felt it appropriate to proceed as part of the pilot.
Such requested rescores are not a statutory function of this authority so are chargeable under the Localism Act 2011. Visits undertaken by officers to protect public health and ensure compliance with relevant legislation are unaffected and are outside the scope of the pilot. In line with guidance from the Food Standards Agency on a cost recovery basis rescore visits will be charged at £90-00 per visit".

23 CALL OVER

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

- Item 27: Rottingdean High Street- Traffic and Air Quality
- Item 30: Pedestrian Crossing Priority List
- Item 31: East Street Pedestrianisation Order
- Item 33: Gloucester Rd/East St/Avenue TRO Objection
- Item 35: Stanmer Park Traffic Regulation Order Consultation Permission
- Item 36: Wheeled Bin Recycling
- Item 37: Enforcement Contract Update

23.2 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 28: Brighton & Hove Bike Share- Contracts
- Item 29: Highways Winter Service Plan 2016-17
- Item 32: Cromwell Road Pedestrian Crossing TRO Objection
- Item 34: Various Traffic Regulation Orders

24 PUBLIC INVOLVEMENT

(a) Petitions

(i) Speed Bumps on Ovingdean Road- Anna Taylor

24.1 The Committee considered a petition signed by 220 people requesting the installation of speed bumps to enforce the 20mph limit on Ovingdean Road.

24.2 The Chair provided the following response:

"I attended a Residents Association meeting on 22nd September along with your ward councillors and listened with interest to concerns and suggestions to deal with issues in Ovingdean Road

Brighton & Hove City Council receive many requests for traffic calming or other measures to mitigate against the effects of traffic in the streets or neighbourhoods where they live and so we have had to adopt a policy where we address those areas where we know people are suffering injuries as a priority.
The collision record for Ovingdean has been checked and I am pleased to say that there have been no injury causing collisions in the past three years. We are also aware from previous checks that the average speed through the village is around 24mph so with no injuries and low speeds I am afraid that we are not in a position to directly prioritise this request just now.
However, should there be any possible developments around the village that may give us potential income in the form of development agreements then we will revisit this decision. And in addition, as promised at the meeting, we will look at low-cost measures such as improved signage to highlight the fact that sections of Ovingdean Road are a shared space may be possible"

24.3 **RESOVLED-** That the petition be noted.

(ii) Public review of Elm Grove/Lewes Road junction- Dani Ahrens

24.4 The Committee considered a petition signed by 781 people requesting an urgent review of the junction of Elm Grove and Lewes Road involving public engagement on a wide range of options for making the junction safer for people on bikes and on foot.

24.5 The Chair provided the following response:

"An upgrade of the Elm Grove/Lewes Road junction is currently on the Local Transport Plan Programme that was agreed last Autumn and is due for completion in 2016/17.
The project is in its early stages but it is anticipated that the project will include an upgrade of the traffic signals to improve the efficiency of the junction as well as the introduction of cycle advance signals. As part of the process we will also conduct a safety review to ensure that safety is maximised for all users.
Due to timescale and budget constraints it will not be possible to conduct a full, wide-ranging public engagement on multiple options however we will liaise with all of the important stakeholders and immediate frontagers such as the ones you have suggested as appropriate. And if anyone would like to put forward suggestions then they are very welcome to do so by emailing Travel.Planning@brighton-hove.gov.uk.

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

(iii) Parking Zone U- Charles Baines

24.7 The Committee considered a petition signed by 51 people requesting the council to change parking in Zone U to a 9am-8pm pay and display zone.

24.8 The Chair provided the following response:

"Residents in Area U were consulted on changing the hours of restriction a few years ago and a large majority wanted to keep things as they are.

However, the parking situation has changed since then with an extension of the scheme so in response to this petition the Council will consult residents in Area U on whether they would like to be considered for a 9am-8pm parking scheme.
It is proposed that this leaflet drop will happen in December alongside the parking scheme consultation in the Hanover, Elm Grove and Craven Vale areas with the results presented back to this Committee next spring".

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

(iv) Event Parking in East & North Moulsecoomb- Spencer Carvill

24.10 The Committee considered a petition signed by 230 people requesting changes to parking Zone D to prevent unauthorised parking on event days in East and North Moulsecoomb.

24.11 The Chair provided the following response:

"I am aware that officers have met up with residents and representatives of the football club recently and are looking into a few short term measures that can be introduced.
This will include a Traffic Order funded by the Football Club to propose parking restrictions such as yellow lines to reduce vehicle obstruction in the Match-day parking areas.
Officers will also review the operation of the schemes including how the permits are issued and how they are enforced.
Fundamental changes to the scheme operation including boundaries would require much more detailed discussion and funding from the football club as it is distinctly different from the way other parking schemes are managed and introduced. There is currently no plan or resources to include or undertake a further consultation within the existing parking scheme programme but I hope that officers will be able to progress the other measures that I've just outlined as quickly as possible"

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

(v) Zone G parking- Laura Gunns

24.13 The Committee considered a petition signed by 98 people requesting Ditchling Gardens to be reinstated as Zone J due to a negative impact on local residents being able to park in Ditchling Road and the surrounding streets subsequent to the areas recent transfer to Zone G.

24.14 The Chair provided the following response:

"As reported in a response to a question from Councillor Hill to the Environment, Transport & Sustainability Committee in June 2016, the Council has undertaken an extensive and detailed two stage consultation process for this parking scheme which received full support.
We also need to consider the previous issues within Ditchling Gardens when a number of residents outlined difficulties for their visitors finding a parking space.
Therefore, as part of the overall process we intend to undertake a period of monitoring and these comments that have come today will be included in the monitoring period. If

there are continued difficulties for residents in Ditchling Road and the surrounding areas with their Area J permit and a number of spaces remain in Ditchling Gardens then proposals could be considered to a future Committee meeting as part of the six monthly traffic orders advertised".

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

(b) Written Questions

(i) Powered Two Wheelers in bus lanes- Mark Greening

24.16 Mark Greening put the following question:

"In 2014 there was unanimous agreement at Committee regarding use of Powered Two Wheelers in three bus lanes. Access in two lanes continues but three years on, Lewes Road still sees PTWs excluded. Motorcyclists have been patient but now want to hold the Council to account.
Without access to bus lanes the available width of space for riders, adversely affects our safety. In addition to better protecting bikers as a vulnerable road user group other benefits include: road space in a crowded city and environmental benefits
Could an explanation for the delay be given and a clear timescale provided?"

24.17 The Chair provided the following response:

"The Lewes Road has gone through some fundamental design changes and the Council is still currently in a monitoring period following the extended work which incorporated changes to the Vogue Gyratory.
In order to understand the impacts of the changes and monitor behaviors, it has been decided not to introduce any major changes which may impact on the data and observations that have already been taken. The three year monitoring period finishes in December 2016.
In the meantime, work on additional coloured surfacing designs at five key junctions to support the trial and the safety of other vehicles using the bus lanes has begun. This work is a minor modification for the purposes of the Lewes Road scheme but will benefit existing bus lane users. It will also support a trial to allow Motorcycles to use the bus lanes if the decision is made to proceed with this in due course.
These works have been delayed due to staff capacity within the Transport department, but were scheduled to take place at the start of October.
A precise timetable for these works cannot be given because they are weather dependent, requiring dry weather in order to ensure a longer life for the surfacing. All works are scheduled to take place at night in order to minimise disruption".

24.18 Mark Greening put the following supplementary question:

"Some councils have motorcycle liaison officers- is that something that could be considered by the council in the future?"

24.19 The Chair provided the following response:

"At a time of dwindling council resources, it is not possible to provide a dedicated post. If you want to know more details about the works to the junctions then Matthew Thompson is the key contact"

(ii) Traffic in Woodingdean- John Paul Amos

24.20 John Paul Amos put the following question:

"Can the administration please bring a report to a future meeting of this committee outlining positive and practical measures that can be implemented to better manage the increasing traffic flows coming through Woodingdean as a result of the 3Ts hospital redevelopment and the Lewes road scheme? The congestion that this extra traffic is causing is making life intolerable for residents of the village."

24.21 The Chair provided the following response:

"Thank you for your question, Mr Amos. It echoes the concerns that were also outlined by Mr Roke when he presented a Deputation on behalf of Woodingdean residents to a meeting of the Full Council in July, and is now on the agenda for this meeting. The Deputation was raised after the public meeting that was arranged and held at the end of June, which I hope you were able to attend. I provided a full response to the Deputation in July and we can provide you with a copy of that response, as I believe that it answers your question.

One of the points I made within my response, and would repeat today, is that I would encourage yourself and any other residents that are interested and concerned about the situation to attend and participate in regular liaison meetings that are held with Hospital representatives and their contractors about day-to-day issues in relation to the redevelopment of the Hospital.

This could include any concerns you or others have about Hospital-related traffic in Woodingdean. You would be most welcome to attend the next meeting which will be in the evening on Wednesday 23 November in the Audrey Emerton Building beginning at 7pm.

I can inform you that since the public meeting in Woodingdean took place with Officers and representatives from the Hospital development, Road Safety Officers have examined the road safety data which indicates that the junction is operating safely. Officers have agreed to monitor the junction on a regular basis and take necessary action should safety problems become evident as the construction traffic begin to use the route.

In addition as agreed at the public meeting, Officers are currently analysing recent speed survey data for the village and will be feeding back the results to myself and local ward members within the next month".

24.22 John Paul Amos asked the following supplementary question:

"Please can Councillor Mitchell outline who made the decision, and when it was made, to change the route site traffic would use for the 3T's development previously agreed within the original planning application and what consideration was given to the additional impact it would have on Woodingdean roads?"

24.23 The Chair provided the following response:

"There was no previously agreed route that was decided at the same time as the planning permission. It was always the case that the developers, in conjunction with the Hospital Trust would come forward with a proposal for their consolidation and construction centre. At the time that the planning application was decided, that site was not known. In April this year, the council was informed that site would be at the Kemptown Gas Works at the bottom of Wilson Avenue, very near to the Hospital site. And therefore it was not possible before that time to consider the route once we had that necessary information."

(c) Deputations

(i) St Margaret's Place, Loading Only zone removal- John Clinton

24.24 The Committee considered a Deputation requesting the removal of a loading bay located on St Margaret's Place.

24.25 The Chair provided the following response:

"At the start of the meeting, we undertook what is known as a callover at which we decide which items to discuss. Any items we choose not to discuss, which includes the Traffic Regulation Order position for St Margaret's Place, are automatically agreed and so the decision has already been taken as part of that process.
This, therefore, has what has been agreed:

There have been 2 objections, 2 items of support and a petition of support with 4 signatures to the proposed removal of the loading bay. This was requested by a resident outlining that the loading bay was being misused by a nearby business and vehicles were parking in the bay overnight. This is a difficult issue and we have also recently received a letter from the caretaker of Sussex Heights on behalf of residents requesting that the loading bay remain. It is proposed, therefore, that we put a hold on this proposal and consult residents in the area through a leaflet drop including Sussex Heights to get their views on this proposal".

24.26 **RESOLVED-** That the Deputation be noted.

(ii) Old Town Transport Scheme (permanent East Street weekend closure to traffic- Olivia Reid

24.27 The Committee considered a Deputation in favour of the proposal to permanently close East Street to traffic between the hours of 11am and 7pm Saturday and Sunday.

24.28 The Chair provided the following response:

"Thank you for taking the time to come along and present your Deputation. Proposals for the future of the weekend pedestrianisation of East Street will be considered at this meeting at Agenda Item 31"

24.29 **RESOLVED-** That the Deputation be noted.

(iii) Deputation to support the offer of funding for a children's playground in Stanmer Park- Jamie Hooper

24.30 The Committee considered a Deputation requesting a report be brought to the next committee meeting formally asking permission to proceed on the proposed site for a play area in Stanmer Park to enable to completion of the Deed of Dedication for the area with Fields in Trust.

24.31 The Chair provided the following response:

"Thank you Mr Hooper for your deputation that you have submitted along with other interested individuals with regard to the proposed play area for Stanmer Park. Your personal generosity in relation to this project is much appreciated.
However, as indicated previously the provision of the new play area needs to be considered within the wider context of the Stanmer Estate, Parks for People grant application and the forthcoming Open Spaces Strategy. We are also working on that in conjunction with Heritage England, the National Park, the Heritage Lottery Fund and with other residents so there are a wide range of stakeholders that need to be carried with us and also consulted.
The future provision of parks and open spaces set within the context of severe budget reductions for the council will be considered at a later date by this Committee. While we await the outcome of the Stage 2 bid to the former, and work is progressing on the latter it would not be appropriate for Members to consider a request at this stage regarding a new play area. In particular, we would need to know if the grant application is successful and the outcome of the assessment of play equipment across the city.
In order that Members can make an informed decision it is really important that any new playground equipment that is decided to be implemented can be maintained because the council would have to take on the revenue resource for maintaining the equipment and that decision would have be taken in conjunction with a decision regarding he equipment at the other 54 playgrounds across Brighton & Hove so that we make the best use of our maintenance resources.
I appreciate your desire to move forward on a play area, however, due to the scale of the responses to the Open Spaces Strategy, well over 2,000 now it is unlikely the strategy will be considered by Members until the New Year, therefore, consideration of the request on the play area is therefore likely to undertake a similar timescale.
I know you have previously linked with the Parks Projects Team who will keep you updated".

24.32 **RESOLVED-** That the Deputation be noted.

25 ITEMS REFERRED FROM COUNCIL

(a) Petitions

(i) Marine Gate Safety- David Woodcock

25.1 The Committee considered a petition referred from the Full Council meeting of 21 July 2016 and signed by 142 people requesting the Council to address road safety and antisocial behaviour at Marine Gate and in the Marina car park area. An additional 558 signatures to the petition were presented at the meeting.

25.2 The Chair provided the following response:

"Marine Drive was a location assessed for a crossing in 2012.
At the time it was considered that the existing pedestrian refuge was adequate.
At the 27th November 2012 E&TS Committee, it was agreed to remove the crossing from the list but that the area would continue to be monitored.
That monitoring has resulted in justification to consider this location for pedestrian improvements.
As a result, this location has been included in the Pedestrian Priority List on today's agenda with a recommendation to further investigate improvement solutions including a formal pedestrian crossing.
Unfortunately we are not in a position to carry out traffic calming measures on the A259, this busy main arterial road linking several major towns along the south coast, however, the Sussex Safer Roads Partnership currently operate a mobile camera enforcement site in the lay-by above the Marina that covers the section of road up to, and including, Marine Gate flats. This will undoubtedly have an effect on vehicle speeds especially where people are currently crossing the road to and from the Marina.
In relation to your concerns about noise from the Marina, any noise complaints can be reported to the Council's Environmental Protection Team and they will take up any issues the organisations running the Marina but in addition, the Marina already has a security company that operates 24/7 and can be contacted on 01273 693696"

25.3 Councillor Miller asked if the Committee could take the recourse of receiving a report on the matter, addressing the issues raised in the petition.

25.4 The Chair stated that she was reluctant to receive a report on the matter as the matter was addressed in agenda item 30 and it would be appropriate to discuss the issue amongst the other locations that had undergone a rigorous road safety assessment.

25.5 Councillor Janio suggested that officers meet with ward councillors to provide a briefing on what was a complex issue and if that did not provide resolution; they could bring an item to the next meeting.

25.6 David Woodcock noted that the speed camera in place was not sufficient and what was required was a camera monitoring eastbound traffic as that was where problems arose.

25.7 The Chair stated that she would ask officers to discuss this matter with the Sussex Safer Roads Partnership as they were the responsible organisation for speed cameras.

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

(ii) Rottingdean Traffic & Air Pollution- Lynne Moss

25.9 The Committee considered a petition referred from the Full Council meeting of 21 July 2016 and signed by 1309 people requesting the Council to address and provide solutions at the earliest available opportunity to poor air quality in Rottingdean High Street.

25.10 The Chair provided the following response:

"This issue will be considered by the Committee when it discusses the officer report at agenda item 27".

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

(iii) Reintroduce scratch card voucher parking- Councillor Brown

25.12 The Committee considered a petition referred from the Full Council meeting of 21 July 2016 and signed by 1714 people that requested the reintroduction of scratch card voucher parking alongside the new pay-by-phone system to give residents and visitors to the city a choice on how they pay to park.

25.13 The Chair provided the following response:

"A voucher system used to be available as an alternative to paying for parking by cash in a small area of the city but was withdrawn following committee agreement almost 10 years ago.
They were withdrawn following feedback from the Traffic Penalty Tribunal about the signage and use of the vouchers which some drivers found confusing. Drivers had to scratch off their arrival time and date and display the correct amount of vouchers for their stay, whereas other payment systems work this out automatically.
Since the withdrawal of the vouchers the number of PCNs issued has fallen by around 30,000 per year partly as a result of fewer mistakes being made by drivers using the voucher system. The voucher system was also very expensive to administer with costs including the invoicing of up to 200 outlets, a member of staff and van required to restock them, voucher printing costs and signage costs which would be considerable if the scheme were to be re-introduced citywide
Very few councils still now sell parking vouchers as a result.
Drivers wishing to pay for parking in cash at an outlet rather that at a machine or by phone can do so at one of 150 PayPoint outlets in the city. And the substantial cost which would be involved in reinstating a scheme which could even outweigh income received from their sale. And of course recently, the Policy, Resources & Growth Committee did agree to the introduction of pay by card parking system and we hope and we feel that will be a very easy and convenient method for motorists to use".

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

(c) Deputations

(i) Deputations concerning Woodingdean Traffic Management- Stephen Roke

25.15 The Committee considered a Deputation referred from the Full Council meeting of 21 July 2016 requesting the Council to review traffic management arrangements for the next ten years in Woodingdean due to current levels of traffic volume and dangerous driving in the area.

25.16 The Chair provided the following response:

"Thank you for your deputation.

In regard to your query on traffic volumes I will ask officers to contact you directly to clarify with you exactly what changes are evident and that you have the latest traffic volume data.

I can inform you that since the public meeting in Woodingdean took place with Officers and representatives from the Hospital development, Road Safety Officers have examined the road safety data which indicates that the junction is operating safely. Officers have agreed to continue monitor the junction on a regular basis and take necessary action should safety problems become evident. In addition, as agreed at the public meeting, Officers are currently analysing recent speed survey data for the village and will be feeding back the results to myself and local ward members within the next month.

The issue of construction traffic movements over the next 10 years are being picked up specifically by the developers of the 3T's hospital at regular residents liaison meetings. I would encourage yourself and other residents to attend and participate in these meetings that are held with Hospital representatives and their contractors about day-to-day issues, and those associated with the 3Ts development. This could include any concerns you or others have about Hospital-related traffic in Woodingdean. You would be most welcome to attend the next meeting which will be in the evening on Wednesday 23 November".

25.17 Councillor Janio stated that Members needed to take heed of the number of representations being made from the east area of the city as it would indicate there were extensive issues in the area and that action needed to be taken to address those issues.

25.18 The Chair stated that she could assure Councillor Janio that the issues raised were being taken seriously but were also intrinsically linked so any proposals coming forward from one particular area of the Deans would have an impact on another area. Therefore, a joined up solution was required.

25.19 Councillor Miller agreed that a linked solution was required but did not believe the council were allocating adequate resources or effort into finding a solution.

25.20 The Chair stated that she could provide assurance that officer time was being given to find a short and long-term solution to the issues.

25.21 **RESOLVED-** That the Deputation be noted.

(d) Notice of Motion

(i) Finding a solution to the air pollution problems on Rottingdean High Street

25.22 The Committee considered a Notice of Motion referred from the Full Council meeting of 21 July 2016 that noted the severity of traffic-related air pollution problems in Rottingdean High Street and requested a report be brought before the next committee meeting outlining options for improving traffic flow through the village and any other measures that would reduce air pollution levels in Rottingdean.

25.23 The Chair provided the following response:

"The Notice of Motion has requested an officer report and this matter and as Members will be aware, that is at agenda item 27. I propose discussing the matter when we reach that item later in the meeting".

25.24 **RESOLVED-** That the Notice of Motion be noted.

26 MEMBER INVOLVEMENT

(b) Written Questions

(i) Victoria Road Parking Scheme- Councillor Wares

26.1 The question was withdrawn.

(ii) Bus Shelter- Councillor Wares

26.2 Councillor Wares put the following question:

"Please could the Chair confirm that the Council ensures that companies who supply and own bus shelters in the City have them fully insured such that if they are damaged beyond economic repair, such as a hit and run driver, they will be replaced quickly by the company and that in the event the company fail to replace the shelter, the Council will utilise funds from the self-insured fund so as not to affect residents who need and rely on bus shelters".

26.3 The Chair provided the following response:

"The company that currently supplies and owns a majority of the bus shelters in the City is Clear Channel. They have confirmed that, amongst other insurance policies, they have public liability insurance in the sum of £10m. In relation to damage to their bus shelters they have stated that they self-insure and pursue claims against third parties where details are known. Corporate Finance and Resources do not intend to use Council Insurance fund resources for the replacement of bus shelters that are the property of Clear Channel. Officers are engaged with the current supplier and pressing them to fulfil their obligations and ensure the swift replacement of any bus shelters that are damaged beyond economic repair".

26.4 Councillor Wares put the following supplementary question:

"Could I have the support of the Chair for the shelter on Mackie Avenue to be replaced as quickly as possible?"

26.5 The Chair provided the following response:

"You have my assurance and I will speak to Officers after the meeting to bring pressure to bear on Clear Channel to replace the shelter"

(c) Letters

(i) Marine Gate- Councillor Mears

26.6 The Committee considered a Letter from Councillor Mears that requested that a report be brought before the next committee meeting outlining options for addressing road safety, traffic and noise related issues at Marine Gate.

26.7 The Chair provided the following response:

"Marine Drive was a location assessed for a crossing in 2012. At the time it was considered that the existing pedestrian refuge was adequate. In the 27th November 2012 ETS Committee meeting, it was agreed that we would remove the crossing from the list but that we would continue to monitor the area. And the monitoring that has been undertaken has now shown there is justification to consider this location for pedestrian improvements.

As a result this location has been included in the Pedestrian Priority List report with a recommendation to further investigate improvement solutions in that complex area including a formal pedestrian crossing.

Between Marine Gate flats and Roedean Road there have been 11 slight collisions and 2 serious collisions in the past three years, however, these are spread out along its length and are not particularly concentrated at any particular spot except for the collisions that will be addressed by a report into pedestrian priority that is to be considered by this committee later.

Sussex Police are responsible for enforcing speed limits in Brighton & Hove and are currently, as most local services are, experiencing severe cuts to their funding and this is having a direct effect on their ability to actively police speeds limits. For this reason they would not support a reduction in the speed limit in Marine Drive and the low collision history in the area also supports this view with no speed related collisions recorded in this section.

The Sussex Safer Roads Partnership operate speed cameras on behalf of the Police and have to meet strict Home Office criteria when considering their deployment. I am pleased to say that, aside from the pedestrian collisions near Rifle Butt Road that could be addressed by the installation of a light controlled crossing, there have only been two collisions in the section of Marine Drive where you are requesting a camera. This would not meet the criteria for a fixed camera site, however, the Sussex Safer Roads Partnership do operate a mobile camera site in a lay by above the Marina and this enforces in both directions up to, and including, the pedestrian refuge at Rifle Butt Road.

Any noise complaints can be reported to the Council's Environmental Protection Team. They can be contacted on ehl.environmetalprotection@brighton-hove.gov.uk or 01273 294266. If the noise is occurring Friday and Saturday nights 10pm to 3am residents can call the Council's out of hours Noise Patrol Service on 01273 293541. In addition the Marina have a security company that operate 24/7 and they can be called on 01273 693636".

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

27 ROTTINGDEAN HIGH STREET - TRAFFIC AND AIR QUALITY

27.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out options and considerations regarding possible measures or schemes that could improve traffic flow and reduce air pollution in Rottingdean,

specifically High Street. The report had been requested by Full Council following public and Member representations at its meeting on 21 July 2016.

27.2 The Chair moved a motion on behalf of the Labour & Co-operative Group to amend recommendation 2.1 and add recommendations 2.2 and 2.3 as shown in bold italics as follows:

2.1 The committee recommends that the options and considerations outlined within this report regarding possible measures or schemes that could improve traffic flow and reduce air pollution in Rottingdean village, and especially the High Street, ***are best taken forward by the RPC liaison group. [This will avoid duplication of officer resources and ensure that more time can be spent on exploring the options for implementation referred to at 2.3 below]. This group should be appropriately resourced, including with the attendance of a senior officer, to be decided by the Executive Director following consultation with the Chair of the Committee and Lead Opposition Spokespersons and should meet on a quarterly basis.***

2.2 The Committee agrees that a report be brought back to E,T&S Committee on an annual basis updating on progress.

2.3 The Committee notes the potential sources of funding outlined in paragraph 7.2 and agrees that sufficient resources are explored from the 2017/18 LTP Capital Programme and the Transport division's revenue budget and beyond, to look to implement the Task & Finish Group's work and recommendations based on traffic modelling.

27.3 Introducing the amendment, the Chair explained that the purpose of the motion was to strike a balance between being able to maintain sufficient resources to pursue the agreed Local Transport Plan (LTP) programme and at the same time, continue the liaison with the Rottingdean Parish Council (RPC) and the village community in pursuing option to improve traffic flow and air quality in Rottingdean High Street. The Rottingdean Parish Council liaison group would be the body this work would be taken forward with.

27.4 Councillor Horan seconded the motion.

27.5 Councillor Miller moved a motion on behalf of the Conservative Group to amend recommendation 2.1 and add recommendations 2.2 and 2.3 as shown in bold italics as follows:

2.1 The committee recommends that the options and considerations outlined within this report regarding possible measures or schemes that could improve traffic flow and reduce air pollution in Rottingdean village, and especially the High Street, ***are best taken forward by a continuation of the established task and finish group. This group should be appropriately resourced, including with the attendance of a senior officer, to be decided by the Executive Director following consultation with the Chair of the Committee and Lead Opposition Spokespersons and should meet on a quarterly basis.***

2.2 The Committee agrees that a report be brought back to E,T&S Committee on an annual basis updating on progress.

2.3 The Committee notes the potential sources of funding outlined in paragraph 7.2 and agrees that sufficient resources are explored from the 2017/18 LTP Capital Programme and the Transport division's revenue budget and beyond, to look to implement the Task & Finish Group's work and recommendations based on traffic modelling.

27.6 Introducing the amendment, Councillor Miller stated that recommendation 2.3 of the Labour & Co-operative Group amendment would need to be adjusted as the Task & Finish Group recommendations would be taken forward by the RPC liaison group and the Task & Finish Group would come to an end. In terms of the Conservative Group amendment, Councillor Miller stated that its intention was to give purpose to the original report recommendations with evidence based solutions. Councillor Miller stated that Rottingdean High Street was an Air Quality Management area and the motion requested resources be found from later in the LTP programme to address not only air quality issues but the recent reduction in businesses operating from the High Street.

27.7 Councillor Janio formally seconded the motion.

27.8 Councillor Janio stated that the Committee had heard several representations from residents based in the east of the city that made clear there were issues to resolve. Councillor Janio stated that it was fair that resources, including that of a senior officer attending meetings, were provided in finding a suitable resolution and that the Task & Finish Group were the appropriate body to take the matter forwards.

27.9 The Chair asked for clarification that the Conservative motion proposed the issue be discussed at the RPC, Task & Finish Group and RPC liaison group.

27.10 Councillor Janio confirmed that to be the case however, the amendment only requested that a senior council only have to focus on the Task & Finish Group.

27.11 Councillor Greenbaum enquired as to the composition of the Task & Finish Group.

27.12 The Assistant Director- City Transport clarified that the Task & Finish Group comprised a sub-section of the RPC and council officers and more recently had included ward councillor representation.

27.13 The Chair then put the Labour & Co-operative motion to the vote which was tied. The Chair used her casting vote and the motion was carried.

27.14 The Chair then put the Conservative Group motion to the vote which was tied and not carried.

27.15 The Chair then put the recommendations, as amended, to the vote which were agreed.

27.16 **RESOLVED-**

1) The Committee recommends that the options and considerations outlined within this report regarding possible measures or schemes that could improve traffic flow and reduce air pollution in Rottingdean village, and especially the High Street, are best taken forward by the RPC liaison group. [This will avoid duplication of officer resources and ensure that more time can be spent on exploring the options for implementation referred to at 2.3 below.} This group should be appropriately resourced, including with the attendance of a senior officer, to be decided by the Executive Director following consultation with the Chair of the Committee and Lead Opposition Spokespersons and should meet on a quarterly basis.

2) The Committee agrees that a report be brought back to ET&S Committee on an annual basis updating on progress.

3) The Committee notes the potential sources of funding outlined in paragraph 7.2 and agrees that sufficient resources are explored from the 2017/18 LTP Capital Programme and the Transport division's revenue budget and beyond, to look to implement the Task & Finish Group's and RPC liaison group's work and recommendations based on traffic modelling.

28 BRIGHTON & HOVE BIKE SHARE - CONTRACTS

28.1 **RESOLVED-** That the Environment, Transport and Sustainability Committee approves the extension of a concession agreement for a Bike Share scheme for an initial contract term of three years including the mobilisation period which is anticipated from December 2016 to June 2017.

29 HIGHWAYS WINTER SERVICE PLAN 2016-17

29.1 **RESOVLED-** That the Environment, Transport and Sustainability Committee approves the Brighton & Hove City Council Highways Winter Service Plan 2016-17 as attached at Appendix 1 to the report.

30 PEDESTRIAN CROSSINGS PRIORITY LIST

30.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that presented the findings of the pedestrian crossing assessments of locations requested up to January 2016 and identified priority crossing points to be delivered over the next 12 months subject to availability of funds.

30.2 Councillor Wares noted the pedestrian priority list detailed on page 103 of the agenda and asked when an assessment of each location was carried out.

30.3 The Transport Planning Officer clarified that assessments were carried out in January and February 2016.

30.4 Councillor Wares noted that there were discrepancies between table on page 98 of the report that listed the top ten priority crossings and the top ten crossing locations listed on the longer list at page 103. Councillor Wares asked if that meant Marine Drive/Rifle Butt

Road would be taken as one of the ten locations to be assessed for a crossing thereby replacing Millers Road/Highcroft Villas in that top ten.

30.5 The Transport Planning Officer clarified that Marine Drive/Rifle Butt Road would be a further location taken forward in addition to the ten sites listed on page 98 having been identified by the Road Safety Team and would potentially be a joint funded scheme.

30.6 Councillor Wares noted that assessments were made in January and February 2016 and risks for varying locations could change over six months. Councillor Wares noted that on the table listed on page 103, Winfield Avenue near Carden Avenue scored 12 and of the ten priority sites to be taken forward, the lowest score was 12.5. Councillor Wares noted that regretfully, there had been an accident at Winfield Avenue in the past two weeks. On that basis, its assessment score of 12 would likely be higher and it should therefore be brought into the top ten crossing sites to be taken forward, replacing Millers Road/Highcroft Villas.

30.7 The Chair noted that the Pedestrian Crossing Priority List was an annual report so the incident referred to would be analysed and included in the next report in 2017.

30.8 The Transport Planning Officer confirmed that the assessments were carried out annually and ranked over a three year period and it would be very difficult to be reactive as it would make all locations difficult to compare and prioritise. The current methodology, agreed by the council allowed officers to deliver road safety improvements in a co-ordinated and fair manner to set criteria.

30.9 The Assistant Director, City Transport confirmed that accidents and other factors were examined over a three year period rather than in isolation. Each location was assessed with scientific and technical rigour. Furthermore, it was unlikely that a single accident would be so significant to bring the location in question into the top ten priority listings. The Assistant Director, City Transport added that a comprehensive briefing on the pedestrian crossing assessment process could be provided.

30.10 Councillor Wares stated his disagreement with that analysis and it was clear from the scoring on page 102 that the recent incident at Winfield Avenue would bring the location into the top ten based on the scoring system and current score.

30.11 The Chair stated that Winfield Avenue may well be considered for a pedestrian crossing in 2017 but she was very concerned that a fair, robust, scientific and technical process not be unpicked by committee.

30.12 Councillor Miller noted that some information regarding funding detailed on page 105 was blank and asked how the locations would be funded.

30.13 The Assistant Director, City Transport confirmed that this was because data was missing but all locations had obtained funding or funding was being pursued.

30.14 Councillor Greenbaum noted in the assessment scoring, certain speed limits added a plus mark in terms of safety and asked whether 20mph limits could feasibly determine a minus score as it made roads safer. Councillor Greenbaum noted her support for the comments made by the Chair that it would be inappropriate to review a technical and

scientific process on an ad-hoc basis and that it was very important to have a consistent system.

30.15 The Transport Planning Officer clarified that the methodology had been agreed prior to the introduction of 20mph speed limits in the city.

30.16 On behalf of the Conservative Group, Councillor Wares moved a motion to include Winfield Avenue in the top ten priority crossing locations for 2016/17, replacing Millers Road/Highcroft Villas.

30.17 The Chair stated that it would be very difficult to move to a vote on the matter as the resource implications were not before the committee and it was likely that every site on the priority list would have to be re-assessed and a revised report returned to committee.

30.18 The Principal Transport Planner noted that the pedestrian crossing priority list was not the only budget that road safety measures could be introduced and the committee had previously provided remit to officers to examine Winfield Avenue for the introduction of 20mph and other road safety measures. Once online data for the area for Winfield Avenue had been collected, discussions with stakeholders and ward councillors about possible solutions would commence.

30.19 The Road Safety Projects Officer added that the Safer Routes to Schools also had its own budget and could provide funding for any improvements on Winfield Avenue should that be deemed required. Furthermore, the Road Safety Projects Officer noted that the police report into the recent incident on Winfield Avenue had not yet been received and the final conclusion of their investigation was awaited.

30.20 Councillor Wares stated that he would be withdrawing his motion on the information provided and would welcome a briefing on the matter.

30.21 **RESOLVED-**

1) That the Environment Transport & Sustainability Committee approves the priority crossing list and grants permission for Officers to begin implementing the prioritised pedestrian crossing locations where funding has been identified. Where crossing points require higher funding levels these should be acknowledged and identified as part of future work plans

2) That the Environment Transport & Sustainability Committee authorises officers to construct the prioritised pedestrian crossings for which funding has been identified within the financial year 2016/17, subject to Traffic Regulation Orders (TROs) being advertised prior to implementation of crossing points.

31 EAST STREET PEDESTRIANISATION - EXPERIMENTAL TRAFFIC REGULATION ORDER

31.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out objections received in relation to the East Street Experimental Traffic Regulation Order which allows for the closing of a portion of East Street to traffic

between11am and 7pm on Saturdays and Sundays and the removal of driving prohibitions in Little East Street to allow motor vehicles to exit the area during these times.

31.2 Councillor Deane welcomed the report noting her disappointment that that the closure to traffic would only be at weekends rather than seven days a week as originally proposed and that traders, residents and visitors were unable to benefit sooner.

31.3 **RESOLVED-** That, having taken account of all duly made objections and representations to the Experimental Traffic Order, the Committee approves action being taken to make this order permanent.

32 CROMWELL ROAD PEDESTRIAN CROSSING TRO OBJECTION

32.1 **RESOLVED-** That the committee supports the advertised Amendment Order No.* 201* (ref: TRO-3-2016).

33 GLOUCESTER RD/ EAST ST/ AVENUE TRO OBJECTION

33.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out objections received in relation to a Traffic Regulation Order for Gloucester Road, East Street and Avenue.

33.2 On behalf of Bricycles, Councillor Greenbaum expressed their disappointment with the tone of the report that insinuated they had been obstructive which was not the case and that they were happy to proceed with the proposals.

33.3 **RESOLVED-**

1) That the committee agrees to adopt the amendments to TRO-8a-2016 and TRO-8b-2016 as proposed.

2) That the committee instructs officers to advertise a new TRO amendment to The Brighton (North Laine Traffic Management) Order 1986 allowing cycling on Gloucester Road between Kensington Place and Queens Gardens to ensure all local stakeholders have an opportunity to respond to the proposed change.

34 VARIOUS TRAFFIC REGULATION ORDERS

34.1 **RESOLVED-**

1) That the Committee agree (having taken into account of all the duly made representations and objections) the following:

a) Approve the Various Controlled Parking Zones Consolidation Order 2015 Amendment Order No.* 201* with the following amendments:

- The proposed removal of the permit parking bay in Medina Place, is to be amended on this Traffic Order due to the reasons outlined in section 3.7.

- The proposed removal of the shared parking bays in Regency Square is not to be taken forward on this Traffic Order due to the reasons outlined in section 3.8.
- The proposed removal of the loading bay in St Margaret's Place, is not to be taken forward on this Traffic Order and put on hold due to the reasons outlined in section 3.10.

2) That the Committee agree (having taken into account of all the duly made representations and objections) the following:

a) Approve the Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2013 Amendment No. * 201* with the following amendments:

- The proposed double yellow lines on the east side of Lyminster Avenue, is to be amended on this Traffic Order due to reasons outlined in section 3.11

3) That the Committee agree (having taken into account of all the duly made representations and objections) the following:

- Approve the Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2013 Amendment Order No.* 201*.

35 STANMER PARK TRAFFIC REGULATION ORDER CONSULTATION PERMISSION

35.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that summarised the current parking problems in Stanmer Park, the findings of the previous consultation and recommended that consultation be undertaken to introduce charges and controlled parking.

35.2 Councillor Janio stated that whilst he was supportive of the project and wanted it to be a success, he had concerns that would not be the case. As a representative on the Stanmer Project Board, he had raised a number of issues regarding the sustainable transport model and traffic management. Councillor Janio stated that he had further concerns in relation to the possibility of circular traffic associated with the pricing of potential parking and loss of spaces across the park. Councillor Janio asked if the approval of the TRO was strictly related to a successful Heritage Lottery Funding bid and would not go ahead if that bid was unsuccessful.

35.3 The Assistant Director, City Environmental Management confirmed that the TRO would only be implemented if the funding bid to the HLF was successful.

35.4 Councillor Miller asked a number of questions in relation to the TRO and wider project. These included whether double yellow lines would be installed to prevent illegal parking up to the park, whether there would be permanent parking in front of the house, whether Chalk Hill would be resurfaced and potentially utilised more, whether the Church car park could be used at weekends when the South Downs National Park Authority would not be using the site, if there would be resident parking, whether students of Sussex University might take advantage of lower season ticket pricing in Stanmer Park in comparison to the University's own site (particularly in the Lower Lodges) and where the Patchway overflow would be located.

35.5 The Assistant Director, City Environmental Management clarified that enforcement options were set out in paragraph 3.3 and any proposals brought forward would be based on the established enforcement process, the owners of the house were supportive of the bid and discussions regarding events and parking would continue, a precise location of the Patchway overflow site could be provided after the meeting and options for the Church car park and Chalk Hill would be examined through the consultation process. The Assistant Director, City Transport added that to avoid potential annual season ticket misuse, a scheme could be adopted whereby a vehicle would need to be registered within a certain location in order to qualify to apply for a permit.

35.6 Councillor Wares moved a motion on behalf of the Conservative Group to amend recommendation 2.2 in bold italics as follows:

2.2 That the Committee approves the proposals to control parking in Stanmer Park as set out in this report, subject to the statutory consultation process for Traffic Regulation Orders ***and receiving HLF funding.***

35.7 Councillor Theobald seconded the motion.

35.8 The motion was carried.

35.9 Councillor Theobald stated that he had been asked many times whether 300 trees would be removed from the park and asked for clarification on the matter.

35.10 The Assistant Director, City Environmental Management there was a tree management plan being developed for the park following advice from Heritage England. There were trees that may be unsuitable for the park and any decision would be relayed to Members following detailed design work.

35.11 Councillor Greenbaum enquired whether the committee were agreeing to the charges set out at paragraph 3.11 of the report as she had concerns that the pricing structure would fail to be sufficient deterrent not to park in the central areas of the park.

35.12 The Chair clarified that the committee were being asked to consult on the measures set out in the report and as part of that consultation, adjusting the tariff could be considered.

35.13 Councillor Greenbaum noted her concerns regarding recent signage put up along the road to the house counting down the number of minutes it would take to arrive at the house by car that she felt contradicted the council's sustainable transport ambitions.

35.14 The Chair then put the recommendations, as amended, to the vote which were agreed.

35.15 **RESOLVED-**

1) That the Committee notes the outcome of the past consultations.

2) That the Committee approves the proposals to control parking in Stanmer Park as set out in this report, subject to the statutory consultation process for Traffic Regulation Orders and receiving HLF funding.

3) That the Committee approves the advertising of the associated Traffic Regulation Orders by Officers.

36 WHEELED BIN RECYCLING

36.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided the consultation results of the wheeled bin recycling trial and sought approval in principle to expand the trial area of 4000 wheelie bins for recycling to all households across the city where there is room for storage estimated at a further 60,000 properties. A full financial business case and audit would be submitted to the Policy, Resources & Growth Committee (PG&R) on 8 December 2016.

36.2 Councillor Wares noted that he had received anecdotal feedback that the bins were light and could be blown around in high winds leading to the lids to crack.

36.3 Councillor Janio stated that he had received 100% positive feedback from residents about the trial. More residents wanted the bins and he hoped a further roll-out could be underway as quickly as possible. In relation to improvements to recycling rates, Councillor Janio expected there to be a period of adaptation but he believed rates would substantially increase once the scheme was settled.

36.4 Councillor Atkinson expressed his thanks to Cityclean staff for their work and from the correspondence he had received, the trial had proven to be very popular. Furthermore, Councillor Atkinson noted that he had received multiple enquires from residents about when they would receive the bins such had been the positive impact.

36.5 Councillor Deane asked if the bins would be provided to households that had front gardens or suitable storage but were located in a communal refuse area.

36.6 The Assistant Director, City Environmental Management stated that this would not be something taken forward as it would have a detrimental impact on the functioning and efficiency of the service.

36.7 Councillor Miller welcomed the results of the trial and asked if there could be a communication focus on items that could and could not be recycled in order to dispel common myths and increase recycling rates. Councillor Miller asked if a maintenance and replacement budget had been identified, if residents would be permitted more than one bin where appropriate and if it would be possible to locate the bins in communal blocks.

36.8 The Assistant Director, City Environmental Management clarified that, subject to the approval of the financial and business case at PG&R Committee, there would be a robust communications and advertising strategy which was not in place for the trial. There was a budget in place for replacement and maintenance of bins that would be supplemented by a shifting in allocation for black box bins as these would no longer be required in the longer-term. The Assistant Director, City Environment Management added that families would be entitled to two bins if required and there would also be the option of lower capacity bins for smaller households. Communal blocks were always a challenge for the service in terms of number and locations and newer developments

offered the opportunity to adopt new technologies, including underground storage. Furthermore, discussions were in progress on the wider communal bin replacement programme.

36.9 Councillor Robins welcomed the report that had been very well received by residents in his area.

36.10 Councillor Greenbaum welcomed the report and asked how storage room for the bins would be assessed, whether this would be self-assessment or if there was existing data.

36.11 The Assistant Director, City Environment Management stated that this would be undertaken with a street by street assessment.

36.12 **RESOLVED-** That the Environment, Transport & Sustainability Committee notes the update on the wheeled bin recycling trial and recommends to Policy, Resources & Growth Committee that it approves the introduction of wheeled bin recycling in principle subject to detailed financial implications of the scheme being presented for consideration at the Policy, Resources & Growth meeting on 8 December 2016.

37 ENFORCEMENT CONTRACT UPDATE

37.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided and update on the procurement and implementation of the council's waste and litter enforcement service.

37.2 The Assistant Director, City Environment Management added a further update detailing information and data for the period subsequent to that included in the committee report. In the past eight weeks, 27 Fixed Penalty Notices (FPN's) had been issued for fly-tipping compared to 8 in the first eight weeks of operation, 65 FPN's issued in relation to commercial waste in the past eight weeks compared to 36 issued in the first eight weeks of operation. This increase was a demonstration of the council's work with the provider in relation to the concerns of residents and also the result of the natural settling in period of any new service.

37.3 Councillor Janio stated that whilst he was supportive of the successes of the enforcement service, it did appear from the statistics that action taken against cigarette butt littering was disproportionate than against other forms of unauthorised waste activity, particularly fly-tipping. Councillor Janio stated that he did not think that the contract was in accordance with the council's priorities for the service or that it would begin behavioural change and enforcement appeared overly weighted towards the city centre.

37.4 Councillor Mitchell stated that in contrast, residents in East Brighton had welcomed enforcement on cigarette butt littering that had been a severe issue outside the hospital for a number of years.

37.5 The Assistant Director, City Environment Management answered that the service was a very new one for the council and that a period of bedding in was a reasonable expectation. In comparison to the first eight weeks of operation, the past eight weeks had seen FPN's issued for fly-tipping exceed those issued for cigarette butt littering

although the latter was a serious issue in the city. In addition, recruitment and training had taken time and more staff had been taken on by the provider that would allow more opportunity to move around the city.

37.6 Councillor Wares stated that it would be helpful for ward councillors to receive information on the geographical spread of enforcement. Councillor Wares asked what action was taken on unpaid fines and enquired as to the usefulness of proposed CCTV measures if these were in fixed locations as protagonists were likely to simply move to a different, unmonitored location. Furthermore, Councillor Wares asked what the criteria was for specifying 'hot spot' areas and enquired whether the waiving of FPN's where the offender has no permanent UK address precluded enforcement of offences committed by tourists and traveller encampments.

37.7 The Assistant Director, City Environment Management clarified that the recommendations detailed that a Members Seminar would be held where detailed information could be provided. In relation to unpaid fines, there would be an element that would be pursued through the regular legal route by 3GS. Any enforcement undertaken by use of CCTV would be mobile and the Members Seminar would provide opportunity to hear from ward councillors of any specific locations that should be identified. In relation to the question raised on offenders not having a permanent UK address, the Assistant Director, City Environment Management clarified that this was a matter of legislative condition of issuing FPN's.

37.8 Councillor Deane stated that whilst the re-assurance provided for activity over the past eight weeks was helpful, expectations for the service were higher than had yet been met. Councillor Deane stated that there did not appear sufficient focus on the issue of dog fouling which was not only a problem in some areas of the city but also presented a health risk.

37.9 The Assistant Director, City Environment Management stated that there had been a lot of work with 3GS and the council in terms of priorities for the service and whilst the current primary focus was litter and fly-tipping as it was deemed high priority, this would eventually envelope other initiatives and dog fouling would certainly be one of those.

37.10 Councillor Atkinson noted that there had 2,219% increase in performance and whilst the balance of the contract was not yet right, there was a positive outcome of the new service.

37.11 Councillor Greenbaum stated that whilst she had been re-assured by the update on recent enforcement activity, it was important for the council to keep pushing 3GS to ensure that the service it delivered matched the council's ambitions and priorities.

37.12 **RESOLVED-** That the Environment, Transport & Sustainability Committee

1) Notes the progress made with regard the enforcement of fly-tipping, waste & litter offences.

2) Agrees with the approach outlined below with regard the enforcement of waste and littering offences.

3) Agrees with and delegates authority to the Executive Director of Economy, Environment & Culture to trial the introduction of CCTV cameras and the operational activities associated with this type of enforcement activity, to be funded through the proceeds of Fixed Penalty Notices.

4) Grants delegated authority to the Executive Director of Economy, Environment & Culture to develop a pro-active education and communications plan around the use of Fixed Penalty Notices and CCTV, funded through the proceeds of the Fixed Penalty Notices.

5) Grants delegated authority to the Executive Director of Economy, Environment & Culture to arrange a Member Seminar to enable officers and 3GS provide detailed briefings on procedures, policies and legislation around the use of FPN's.

38 ITEMS REFERRED FOR FULL COUNCIL

38.1 No items were referred to Full Council for information.

The meeting concluded at 7.25pm

Signed Chair

Dated this day of

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 43(a) Brighton & Hove City Council

Subject:		**Petitions**		
Date of Meeting:		**29 November 2016**		
Report of:		**Monitoring Officer**		
Contact Officer:	**Name:**	**John Peel**	**Tel:**	**29-1058**
	E-mail:	**john.peel@brighton-hove.gov.uk**		
Wards Affected:	**Various**			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

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

2. RECOMMENDATIONS:

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

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

3. PETITIONS

3. (i) Hangelton Link Road pedestrian crossing- Robert Laing

To receive the following petition signed by 3 people

"We the undersigned petition Brighton & Hove Council to carry out a crossing assessment to Hangleton link road crossing; the crossing is located at the entrance /exit of the roundabout with no traffic signs or amber light warnings to drivers that they are approaching a crossing; the crossing is approached from a fifty mph road speed one way and a national speed limit 60mph the other way, the approach from the Hangleton Lane when turning left it is almost blind. This crossing and

traffic can be at its busiest when children and parents are going to and from school."

3. (ii) Shared Parking Scheme Steyning Road- Catherine Taylor

To receive the following petition signed by 12 people

"We the undersigned petition Brighton & Hove Council to instate a shared residents parking scheme within the existing limited waiting parking bays in Steyning Road, Rottingdean for households in Steyning Road with no off-road parking facilities.
The houses in Steyning Road above The Twitten all have off road parking with drives and some with garages. However, the following dwellings; 1 & 1A, Southdown, Brookside, Mulberry House, Braemer, St Ives, Corner House on Steyning Road and Chyngton in The Twitten do not have drives or garages attached to them.
There are limited waiting parking bays on Steyning Road from the bottom near the High Street just below Newlands Road.
Residents of the above mentioned address are currently subject to waiting time restrictions meaning we are compelled to park elsewhere, potentially causing parking congestion in Newlands Road, Chailey Avenue, The Green and Dean Court Road or face repeated Penalty Notice Charges.
We understand ample parking is required for visitors and shoppers and are not requesting that parking bays be allocated for residents' exclusive use. Nor are we requesting the introduction of Pay & Display bas on Steyning Road since this would disadvantage traders, shoppers and residents alike. We are petitioning for a shared scheme. The likely redevelopment of the St Aubyns School site will result in further demand for parking spaces in the road and the needs of existing residents should be addressed".

WRITTEN QUESTIONS

(i) Taxi Ranks, West Street- John Boath

Would it be possible for the Council to re-consider the use of the taxi ranks outside the Walkabout and Pryzm venues at the bottom of West Street so that they may be a shared or split space for Loading and Taxi use during daytime hours as it is rarely used in the daytime and currently there is no legal stopping place for anyone to load/unload anywhere in West Street and this situation is hindering my ability to carry out my professional duties?

(ii) Communal bins, Palmeira and Adelaide Squares- Susan Hunter

"Re refuse bins in Palmeira & Adelaide I want to raise the issue of the obligation of residents to maintain this heritage area re conservation requirements, and if not can be prosecuted.
The plan from the Council seems to go against existing rules, has the Council has followed these for this area?
It was suggested the benefit will be cleaner streets, but we know these bins attract rubbish around them. They are a health problem, an extremely unpleasant one. Should the plan fail to make a cleaner area, will the Council be prepared to review and remove any bins?"

(iii) Open Green Spaces- Alison Dean

"Over recent years there has been much research into the benefits of maintaining accessible open green spaces. These benefits range widely across individual and collective health and welfare, education and play, social cohesion , environmental and wildlife and so on. Given the range and importance of these benefits, has the council undertaken a cost and benefit analysis to inform any change to the budgets planned for 2017-18 for our green and open spaces? If this has not yet been done will the council carry out such an analysis in time to inform budget setting for 2017-18?"

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

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

Deputations received:

(i) Deputation: Allotments- Jim Mayor

For context, Rob Walker asked for help in identifying ways to make the allotment service cost neutral. The operating deficit of the allotment service in 2015/16 was £37K. This deputation summarises BHAF's response to that request, made on behalf of our members - allotment holders across the city. Our full response has been circulated to Committee members & can be viewed on our website.

We recognise the council's budget pressures, and generally support the view that allotments should be as self-sufficient as possible. However, we have practical reservations about whether allotments should or could be made self-funding by raising rents. For example, historically demand for allotments has seen peaks and troughs. If demand reduced by 50% next year, would rents for remaining allotment holders be doubled until demand rose again?

We need to protect access to allotments for all residents now & into the future. Our rents are already amongst the most expensive in the country. We note Cllr Theobald's recent Independent article which observed that the saving achievable through a suggested 32% rent rise to cover the operating deficit is a false economy when such a rise could price residents out of accessing the physical, mental, health and environmental benefits allotments bring.

We do not feel continued salami slicing of small budgets such as ours provides significant impact on the council's current, or sustainable solutions to the council's long term, funding challenges.

Finally, our members have complained that presentation of costs allocated against allotments is unclear, making it difficult to be confident that the service currently achieves best value for money. This is clearly an issue if they are being asked to pay substantially more to cover those costs.

For all these reasons, we cannot support a rent rise above inflation. However, we have already supported the introduction of a charge to join the waiting list and will support bringing retirement concessions in line with retirement age. These measures are forecast to reduce the operating deficit by £7K. We also feel eligible plot-holders should be able to opt into concessions rather than receiving them directly. Some (not all) of our members in receipt of age related concessions, for example, have stated that they don't need them.

We do feel more could & should be done to make the service more efficient. Our biggest expense – over £30K last year - is water. Allotment sites have meters, so it should be easy for the council to identify & remedy the leaks we all know contribute to this cost. At the same time we will work with our members to reduce wastage. We feel there are ample opportunities for allotments to generate more income if the allotment service is proactive and imaginative in seeking them. If Committee genuinely commit the council to pursuing such opportunities, we will commit our help.

And we urge the council to introduce efficient administration systems, designed in full collaboration with the site representatives who could then use them to manage sites more efficiently.
On a related note, we remind Committee that the current allotment service is only able to operate within existing budgets because of the efforts of an army of volunteers, most notably site representatives. For some time we have had serious concerns about the professionalism with which the council sometimes treats these volunteers. We ask Committee to commit to working with us to improve this partnership over coming months. Doing so will increase the likelihood of the council being able to continue to rely on this goodwill funded resource into the future.
Our final request is that from next year, a new, income related concession is offered to ensure the low wage workers that allotments were originally meant to cater for are not priced out of allotments in future. This supports the council's commitment to tackle in work poverty, which we welcome.
To close, it would be remiss not to record our appreciation for Rob's efforts over the past year. And whilst BHAF is strictly apolitical, and press articles aside, we have also appreciated Cllr Theobald's support over the years. We hope to be able to work with Rob and members of all parties in future to secure the strongest future for our city, our open spaces and our allotments.

Jim Mayor (Lead Spokesperson)
Allan Brown
Giuesppina Salamone
Maureen Winder
Richard Howard
Jane Griffin
Alan Langridge
Hannes Froehlich
Mark Carroll

(ii) Deputation: Communal Bin refuse- Ian Chaplin

We would like to raise the issue of the Council's treatment of residents and the Friends of Brunswick Square & Terrace (FBST) before, during and after the August consultation. The council has been at best opaque, and at worst Machiavellian in its methods.

We would like to make the following points:

1. In March, this Committee decided to go to consultation without seeing the basement collections risk assessment (the apparent basis for the withdrawal), nor did they compare it with the risk assessment for communal bins.

2. The Council agreed to share the consultation document with FBST (and this Committee) prior to publication. This did not happen.

3. The consultation paper was delivered in August with a short response period, when a large proportion of residents were on holiday. The response time was extended after concerns were aired but the notification of this to residents was delayed. The consultation document was biased, influencing the outcome.

4. FBST made many requests to try and understand the style and type of build out proposed by the council if bins are placed by the railings, where there is no pavement. Although a picture was afforded eventually to the FBST, this was not fully explained and the detail was vague. Indeed the style was described as the closest the council had, as there are no similar build outs in the city.

5. The council failed to respond in a timely fashion to the FBST's FOI requests and in particular has been unable or unwilling to provide basic useable accident information to inform decisions.

6. We feel that the Council and Cityclean consider residents an irritation, whereas residents are the reason that the Council exists.

Further to the above:

1. We ask that the Committee read the risk assessments on which the decision to consult was founded and explain why communal bins are safer than basement collections for CityClean staff and residents.

2. If, despite our concerns, the committee continues with a change in the way rubbish is collected in BST, we ask that Cityclean be required to consult with and inform FBST in respect of:

    1. If black bag collections:
        1. type of bag, particularly whether seagull-proof bags can be arranged or at least trialed
        2. pavement cleaning details, as rubbish would be strewn across the pavements.
    2. If communal bins:
        1. placement, in particular with regard to the conservation panorama from Western Road to the seafront
        2. car parking and a review of any options for further parking in the Square, Terrace and Seafront;

3. camouflage painting, if feasible;
4. details for collection and road cleaning, given the likelihood of fly tipping and overflow.

Ian Chaplin (Lead Spokesperson)
Sue Cartwright
Lynne Frances Moore
Peter Sofroniou
Fiona Bower

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 44(a) Brighton & Hove City Council

Subject:		**Items referred from 20 October 2016 Full Council meeting- Petitions**		
Date:		**29 November 2016**		
Report of:		**Monitoring Officer**		
Contact Officer:	**Name:**	**John Peel**	**Tel:**	**29-1058**
	E-mail:	**john.peel@brighton-hove.gov.uk**		
Wards Affected:	**Various**			

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive any petitions referred from the Full Council meeting of 20 October 2016.

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) Double yellow lines on Surrenden Holt Estate- Councillor Taylor

To receive the following petition referred from the meeting of Full Council on 20 October and signed by 43 people

"We, the undersigned residents of Surrenden Holt Estate wish to present this petition to Brighton & Hove City Council to ask them to provide double yellow lines on the corners of the road at the junction of Surrenden Holt and Surrenden Road. We have been asking the Council to provide these double yellow lines for over three years without success

and during that time, the parking of high sided vehicles in Surrenden Road has become considerably worse. The residents are concerned that failure to provide double yellow lines will eventually lead to a serious accident. Many large vehicles park at this junction obstructing the view of the road and oncoming traffic and also at times park and obstruct the 5B bus stop which is 15 feet to the left of the junction.

Young mothers with children and elderly people alight from this bus stop to cross the road and are unable to see the oncoming traffic unless they stand in the road. Vehicles exiting Surrenden Holt also have their view obstructed.

We ask you please once again to consider this matter and give this petition serious thought in view of the real possibility of an accident occurring one day in the future which possibly could be fatal"

3. (ii) Speeding in Reigate Road- Councillor Taylor

To receive a petition referred from the meeting of Full Council on 20 October and signed by 73 people expressing concern about speeding and traffic on Reigate Road

3. (iii) Speeding on Westbourne Gardens – Councillor Cobb

To receive the following petition referred from the meeting of Full Council on 20 October and signed by 54 people

"We the undersigned ask Brighton & Hove City Council, to address the alarming and even terrifying speed at which many drivers go along Westbourne Gardens. This is not just being slightly faster than the stipulated 20mph. Some drivers, weirdly, regard a wide road as a licence to go faster than they would along narrower streets. Indeed, one driver was recently seen overtaking at some 50mph- and that was while speaking on a cell phone, just as somebody was about to cross the road. Lives are at risk from this surreal craving by drivers to reach one junction from another a few seconds quicker. Please save Hove residents from this full-throttle madness before there is more work for the undertaker".

Geoff Raw – Chief Executive

Brighton & Hove City Council

Hove Town Hall

14th November 2016

Dear Geoff

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 29th November 2016.

Public health is often described as the science and art of preventing disease, prolonging life, and promoting health through the organised efforts of society. Accordingly, Environmental Health Departments in Local Authorities play an important role in preserving, promoting, and protecting the public's health.

It is acknowledged that wild rats, often found in considerable numbers within sewer systems, may carry and propagate many threats to human health (e.g. leptospirosis Salmonellosis, Listeriosis, Toxoplasmosis, Hantavirus).

The main statutory duties placed on Local Authorities to control rats are detailed in the Prevention of Damage by Pests Act 1949 (PDPA). These require Local Authorities to take such steps as may be necessary to secure, so far as practical, that its area is kept free from rats. Local Authorities are also required to ensure the owners and occupiers of land deal with rats and mice, under the statutory provisions.

R. norvegicus is the only urban species in Britain that inhabits sewer systems and, whilst it is generally agreed that rats in sewers are not a problem by themselves, damaged sewers and drainage systems allow them to escape from the sewers into above ground locations.

Across Hangleton and Knoll, and presumably other areas across the city, there has been a reported increase in the sightings of rats, which is leading to increased contamination, and a potential risk to public health.

While there is no statutory requirement for Local Authorities to provide in-house pest control services, the control of rats should be a part of their public health function. We would be grateful if, given the increase in rat sightings, a report could be produced for the next committee detailing the work of the Council, in cooperation with the Water Authorities, that is currently underway to identify the impact of defective drains and sewers, and thus control the above ground rat explosion.

Yours sincerely

Cllr. Tony Janio, Cllr. Dawn Barnett & Cllr. Nick Lewry

Geoff Raw – Chief Executive

Brighton & Hove City Council

Hove Town Hall.

14th November 2016

Dear Geoff

I am submitting the following letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 29th November 2016.

Walking back to Hangleton from Boundary Road, whether from Portslade station or after a pleasant shopping trip, pedestrians are often forced to wait at the Pelican crossing in order to navigate the busy Old Shoreham Road.

Often they will have purchased food and beverages, and their enforced pause gives them a casual opportunity to discharge their waste.

Most, of course, will wait until an appropriate bin becomes available, but some will simply allow it to fall to the ground or, more surreptitiously, gently place it over one of the adjacent walls.

As a consequence, the area around the junction often resembles a refuse tip, and the gardens of nearby residents pile up with litter.

I am therefore requesting that a suitable waste bin, perhaps of the 'big belly' variety, be placed on the Eastern side of the junction of Old Shoreham Road and Hangleton Road.

Yours sincerely

Cllr. Tony Janio

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 46 Brighton & Hove City Council

Subject:		**Communal Bins, Permission to Implement**
Date of Meeting:		**29 November 2016**
Report of:		**Executive Director Economy, Environment & Culture**
Contact Officer:	**Name:**	**Richard Bradley** **Tel: 29-4701**
	Email:	**richard.bradley@brighton-hove.gov.uk**
Ward(s) affected:		**Brunswick & Adelaide, Rottingdean Coastal, Westbourne, St Peters & North Laine, Preston Park**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 Three Regency Squares along the sea front still have their refuse collected on a weekly basis from basement storage areas. Whilst this practice has been ongoing for many years and the associated risks have been managed, the council as an employer has a duty to minimise risks to employees as far as practicable.

1.2 This report seeks in agreement to the introduction of communal refuse collection in these areas, subject to further consultation and options to minimise visual impacts where required with regards to specific locations.

2. RECOMMENDATIONS:

2.1 That the committee notes the outcome of the communal refuse & recycling consultation

2.2 That the committee approves the roll out of communal refuse & recycling across the areas in response to the results of the consultation as shown at Appendix 1

2.3 That the Committee notes that the communal refuse and recycling bins will be located in accordance with operational requirements, subject to recommendation 2.4 below;

2.4 That the Committee delegates authority to the Executive Director Economy, Environment & Culture to conduct further consultation with residents on exact locations of communal refuse and recycling bins in the Rottingdean Coastal Ward (Area 3) where feedback from the consultation was significantly against the proposed locations. The results of the further consultation will be presented back to a future ETS Committee for decision.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The roll out in 2009 of communal containers to three main squares along the seafront (Palmeira, Brunswick and Sussex) and some adjacent streets and terraces, was deferred, with any future decision subject to further consultation. The reason for the deferral was to allow opportunities to minimise visual impact of the containers to be assessed. This report seeks agreement to implement the results of the consultation as per the recommendations in the areas concerned:

- Lewes Crescent, Sussex Square, Chichester Terrace, Arundel Terrace
- Brunswick Square and Terrace
- Palmeira Square and Adelaide Crescent
- Viaduct Road
- Beaconsfield Road
- Westbourne Street (Southern end)

3.2 ***Sea Front Squares***
All of the squares and some of the adjoining streets and terraces still receive a weekly black sack collection. Most of the properties in the squares have been converted to flats and refuse is stored in the basement areas (generally old coal stores). Crews manually collect the sacks from these areas carrying the rubbish up the stairs. The key hazards associated with this practice relate to Manual Handling, Personal Safety and Slips, Trips and Falls. This practice has been of concern for a number of reasons which were explained in detail at the Environment, Transport and Sustainability Committee held on the 15 March 2016.

3.3 The alternatives to basement collections were consulted upon. In the period between 8 August 2016 and 18 September 2016 the consultation survey was sent out to 2524 households in five areas.

3.4 Four drop-in sessions were held during the consultation period advertised on the initial survey, a further letter explaining the extension of the consultation and through social media and a press release advertising the extension on 8 August 2016 and re-released on 7 September 2016.

3.5 Currently recycling is collected on the kerbside using black boxes as it is in more suburban areas. Whilst this does not present any significant concerns in terms of collection, visual assessment of the amount of recycling placed out for collection indicates that participation rates are low. The introduction of communal recycling was also therefore consulted upon.

CONSULTATION

3.6 Households in five areas of the city were asked to take part in the consultation regarding communal refuse and recycling in their specific area.

A postal consultation survey was sent out on the 2 August 2016 to the areas as shown in the consultation survey results to a total of 2524 households within the five areas.

Area 1.

- Brunswick Square
- Brunswick Terrace

Area 2

- Palmeira Square
- Adelaide Crescent

Area 3

- Arundel Terrace
- Chichester Terrace
- Lewes Crescent
- Sussex Square

Area 4

- Westbourne

Area 5

- Beaconsfield Villas
- Viaduct Road

On the postal survey residents were invited initially to two drop-in sessions to discuss the proposals with officers:

- Thursday 11 August St Marys Church Hall, 61 St James Street, Kemptown, Brighton 4pm-8pm
- Monday 15 August Loft Room, Cornerstone Community Centre, Church Road, Hove 4pm – 8pm

The consultation period was initially for one month. In response to concerns raised about this being within the holiday period the consultation was extended to the 18th September 2016. The total consultation period was for 42 days

In response to concerns raised regarding the short notice for the meetings a further two meetings were arranged. All households were written to by post notifying the extension of the consultation and notifying them of the further drop-in sessions. There were four drop in sessions in total which were advertised using social media, postal survey and subsequent extension letter:

Thursday 11 August	St Marys Church Hall, 61 St James Street, Kemptown, Brighton 4pm-8pm - Attendance 42
Monday 15 August	Loft Room, Cornerstone Community Centre, Church Road, Hove 4pm – 8pm – Attendance 36

Tuesday 6 September	St Marys Church Hall, 61 St James Street, Kemptown, Brighton 4pm-8pm – Attendance 18
Monday 12 September	All Saints Church, Wilbury Road, Hove. 4pm – 7.45pm – Attendance 10

PROCUREMENT

3.7 The procurement of the communal bins will ensure that the Council is obtaining best value for money. This will be achieved by evaluating options based on a combination of price and quality. Due to the very limited market for this type of communal bin, the Council will use whichever procurement route offers the best value within the required timescales. The Council will adhere to all EU and UK procurement legislation where required as well as the Council's contract standing orders.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 During the consultation there were two methods of collection that were requested as possible options

- Underground Bins
- Seagull Proof Bags

4.2 Underground bins are prohibitively expensive and are not reasonably practicable. In addition the city has multiple utilities underground which would be both prohibitively expensive and include significant disruption to the areas concerned including parking facilities.

4.3 Seagull proof bags. Discussions at the drop-in sessions referred to seagull proof bags or similar. There was mixed opinion as to whether these were wanted as some still thought would be unsightly. A similar type of collection system has been trialled elsewhere in the city using Binvelopes. This method of collection was stopped as unsuccessful due to the following:

- Containers were left out after collection causing street clutter and trip hazards
- Approximately 90% of householders did not take the containers back in
- Containers were often left open which meant they attracted seagulls and other vermin resulting in spilt refuse
- Households were reluctant to take containers inside due to dog fouling and additional litter caused by others

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 There has been extensive community engagement as and consultation as specified in the background information and shown in the consultation results at Appendix 1. This will continue through the implementation process and specifically in relation to location reviews.

5.2 Following feedback from residents of Palmeira & Adelaide ward (Area 2) who are 50% in favour and 50% not in favour of the proposed locations and helpful dialogue with Ward Members, it is proposed to site the bins in this location in accordance with operational requirements. In the Rottingdean Coastal Ward (Area 3) the level of concern regarding the location of the bins was much higher with 59% not in favour of the proposed locations. Therefore it is proposed that further consultation is carried out with residents in this area and the result brought back to a future ETC Committee meeting.

6. CONCLUSION

6.1 Communal refuse and recycling collections have been successfully introduced in many central parts of the city having a beneficial impact on street cleanliness and making the service easier to use.

6.2 Existing refuse collections from the basements of these properties is an ongoing health and safety concern which the council has a duty to address which is the main reason for the proposed

6.3 It is proposed to implement the methods of collection as per the recommendations and results of the consultation.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 It is estimated that the costs associated to the roll out of communal refuse & recycling as recommended in this report, including bin purchase, delivery and groundworks, will be approximately £0.070m in the 2016/17 financial year . All costs will be funded from exiting revenue budgets within the City Environmental Management service.

7.2 It is anticipated that there may be some efficiencies to the cost of collection and reduced manual handling, however these have not been assumed in existing budgets until the detailed implications are known.

Finance Officer Consulted: Steven Bedford *Date: 03/11/16*

Legal Implications

7.3 The Council has powers to specify and provide the type of receptacles to be used for depositing waste for collection and may also require particular locations, including the highway, to be used. In carrying out consultation the Council is under a general duty to ensure that any consultation is fair. This means that it must be carried out when proposals are being formulated, that adequate time and information about the proposals must be given to consultees to ensure that they can provide a proper response, and that any consultation responses must be properly considered in reaching the decision

Lawyer Consulted: Elizabeth Culbert *Date: 02.11.16*

7.3 Equalities Implications:

Any residents that are unable to easily access refuse or recycling collection services can apply for assisted collections.

SUPPORTING DOCUMENTATION

Appendices:

1. Consultation Results
2. Consultation Comments

Documents in Members' Rooms

1. None

Background Documents

1. Consultation document, Brunswick, Sussex, Palmeira & Adelaide
2. Consultation document, Viaduct & Beaconsfield Road
3. Questionnaire Brunswick, Sussex, Palmeira & Adelaide
4. Questionnaire Brunswick, Viaduct & Beaconsfield Road

CONSULTATION SURVEY RESULTS
The consultation document was sent to households in five areas of the city:

Area 1.
- Brunswick Square
- Brunswick Terrace

Area 2
- Palmeira Square
- Adelaide Crescent

Area 3
- Arundel Terrace
- Chichester Crescent
- Lewes Crescent
- Sussex Square

Area 4
- Westbourne

Area 5
- Beaconsfield Villas
- Viaduct Road

Note:
Areas 1, 2 and 3 were asked separate questions about refuse and recycling.
Areas 4 and 5 were asked about the refuse and recycling service combined.

Area 1. Brunswick Square, Brunswick Terrace

2 streets and 802 households were consulted.

In total 223 questionnaires were returned – a 28% response rate.

Q1. Full name and address

Q2. 'For refuse, which method of collection do you prefer?'

Refuse Collection

- 147 (66%) preferred communal refuse as the method of collection
- 52 (23%) preferred to change to a kerbside collection where refuse is placed at the kerbside in sacks
- 9 (4%) had no strong view either way
- 15 (7%) did not answer this question

Recycling Collection

Q3. 'For recycling, which method of collection do you prefer?'

- 111 (50%) preferred communal recycling as the method of collection
- 99 (44%) preferred to keep the existing kerbside recycling box collection
- 12 (6%) had no strong view either way

Location of bins

Q4a 'Do you agree with the proposed location for refuse and recycling bins?

- 116 (52%) agreed with the proposed locations
- 106 (48%) disagreed with the proposed locations
- 1 did not answer this question

Q4b 'If no this is because:

Of the 108 responses that disagreed with the locations 68 responded with the reasons below (Note: more than one option can be chosen):

- 43 I do not want the bins outside my house
- 3 The bins are too far from my house
- 51 I am concerned about loss of parking spaces
- 70 Other (please state)

The full responses to this question are shown at Appendix 2 Comments from consultation

Q5 'The posts for recycling bins will be grey in colour and all bins will be black. There is a choice of lid design. Which communal bin lid design would you prefer?

Of the 223 total responses, 191 responses were made:

- 91 Brushed hatch
- 34 Open hatch
- 66 Foot pedal (only available on refuse bins)

Q6 'Please provide any additional comments or suggestion you may have

A full list of comments received is shown in Appendix 2.

Area 2. Palmeira Square, Adelaide Crescent

2 streets and 485 households were consulted.
In total 163 questionnaires were returned – a 34% response rate.

Q1. Full name and address

Q2. ' For refuse, which method of collection do you prefer?'

Refuse Collection

- 123 (75%) preferred communal refuse as the method of collection
- 30 (18.5%) preferred to change to a kerbside collection where refuse is placed at the kerbside in sacks
- 7 (4.5%) had no strong view either way
- 3 (2%) did not answer this question

Recycling Collection

Q3. 'For recycling, which method of collection do you prefer?'

- 91 (56%) preferred communal recycling as the method of collection
- 63 (39%) preferred to keep the existing kerbside recycling box collection
- 8 (5%) had no strong view either way
- 1 (0%) did not answer this question

Location of bins

Q4a 'Do you agree with the proposed location for refuse and recycling bins?

- 81 (50%) agreed with the proposed locations
- 82 (50%) disagreed with the proposed locations

Q4b 'If no this is because:

Of the 82 responses that disagreed with the locations 68 responses were received with the reasons below (Note: more than one option can be chosen):

- 16 I do not want the bins outside my house
- 1 The bins are too far from my house
- 21 I am concerned about loss of parking spaces
- 32 Other (please state)

The full responses to this question are shown at Appendix 2 Comments from consultation

Q5 'The posts for recycling bins will be grey in colour and all bins will be black. There is a choice of lid design. Which communal bin lid design would you prefer?

Of the 193 total questionnaires returned, 95 responses were made:

- 63 Brushed hatch
- 30 Open hatch
- 5 Foot pedal (only available on refuse bins)

Q6 'Please provide any additional comments or suggestion you may have

A full list of comments received is shown in Appendix 2.

Area 3. Arundel Terrace, Chichester Terrace, Lewes Crescent, Sussex Square

4 streets and 725 households were consulted.

In total 221 questionnaires were returned – a 30.4% response rate.

Q1. Full name and address

Q2. ' For refuse, which method of collection do you prefer?'

Refuse Collection

- 140 (63%) preferred communal refuse as the method of collection
- 66 (30%) preferred to change to a kerbside collection where refuse is placed at the kerbside in sacks
- 8 (4%) had no strong view either way
- 7 (3%) did not answer this question

Recycling Collection

Q3. 'For recycling, which method of collection do you prefer?'

- 105 (47.5%) preferred communal recycling as the method of collection
- 108 (49%) preferred to keep the existing kerbside recycling box collection
- 4 (1.75%) had no strong view either way
- 4 (1.75%) did not answer this question

Location of bins

Q4a 'Do you agree with the proposed location for refuse and recycling bins?

- 87 (39%) agreed with the proposed locations
- 130 (59%) disagreed with the proposed locations
- 1 (1%) did not answer this question

Q4b 'If no this is because:

Of the 130 responses that disagreed with the locations 125 responses were received with the reasons below (Note: more than one option can be chosen):

- 45 I do not want the bins outside my house
- 9 The bins are too far from my house
- 36 I am concerned about loss of parking spaces
- 98 Other (please state)

The full responses to this question are shown at Appendix 2 Comments from consultation

Q5 'The posts for recycling bins will be grey in colour and all bins will be black. There is a choice of lid design. Which communal bin lid design would you prefer?

Of the 221 total questionnaires returned, 128 responses were made:

- 70 Brushed hatch
- 25 Open hatch
- 33 Foot pedal (only available on refuse bins)

Q6 'Please provide any additional comments or suggestion you may have

A full list of comments received is shown in Appendix 2.

Area 4. Westbourne

1 street and 237 households were consulted.

In total 84 questionnaires were returned – a 35.4% response rate.

Q1a. Your Full Name

Q1b. Your Full Address

Q2. 'Which method of collection do you prefer?'

- 47 (56%) preferred communal refuse as the method of collection
- 32 (38%) preferred to change to a kerbside collection where refuse is placed at the kerbside in sacks
- 4 (5%) had no strong view either way
- 1 (1%) did not answer this question

Location of bins

Q3a 'Do you agree with the proposed location for refuse and recycling bins?

- 45 (54%) agreed with the proposed locations
- 39 (46%) disagreed with the proposed locations

Q3b 'If no this is because:

Of the 39 responses that disagreed with the locations 39 responses were received with the reasons below (Note: more than one option can be chosen):

- 14 I do not want the bins outside my house
- 5 The bins are too far from my house
- 18 I am concerned about loss of parking spaces
- 12 It is not in keeping of the surroundings of my street
- 23 Other (please state)

The full responses to this question are shown at Appendix 2 Comments from consultation

Q4 'The posts for recycling bins will be grey in colour and all bins will be black. There is a choice of lid design. Which communal bin lid design would you prefer?

Of the 84 total questionnaires returned, 24 responses were made:

- 10 Brushed hatch
- 2 Open hatch
- 12 Foot pedal (only available on refuse bins)

Q5 ‘Please provide any additional comments or suggestion you may have

A full list of comments received is shown in Appendix 2.

Area 5. Beaconsfield Villas and Viaduct Road

2 streets and 275 households were consulted.

In total 46 questionnaires were returned – a 17% response rate.

Q1a. Your Full Name

Q1b. Your Full Address

Q2. ‘ Which method of collection do you prefer?’

- 26 (57%) preferred communal refuse as the method of collection
- 16 (35%) preferred to change to a kerbside collection where refuse is placed at the kerbside in sacks
- 2 (4%) had no strong view either way
- 2 (4%) did not answer this question

Location of bins

Q3a ‘Do you agree with the proposed location for refuse and recycling bins?

- 28 (61%) agreed with the proposed locations
- 16 (35%) disagreed with the proposed locations
- 2 (4%) did not answer this question

Q3b ‘If no this is because:

Of the 46 responses that disagreed with the locations 8 responses were received with the reasons below (Note: more than one option can be chosen)::

- 8 I do not want the bins outside my house
- 3 The bins are too far from my house
- 4 I am concerned about loss of parking spaces
- 1 It is not in keeping of the surroundings of my street
- 7 Other (please state)

The full responses to this question are shown at Appendix 2 Comments from consultation

Q4 ‘The posts for recycling bins will be grey in colour and all bins will be black. There is a choice of lid design. Which communal bin lid design would you prefer?

Of the 46 total questionnaires returned, 31 responses were made:

- 18 Brushed hatch
- 3 Open hatch
- 10 Foot pedal (only available on refuse bins)

Q5 ‘Please provide any additional comments or suggestion you may have

A full list of comments received is shown in Appendix 2.

Area 1 - Brunswick Square Q6 'Please provide any additional comments or suggestion you may have
I had previously stated on a previous survey sometime ago that communal collections were required, constant problems with other residents not properly bagging rubbish and dumping non-collectable items in the basement rubbish cupboards resulting in toxic and rat ridden conditions. Never mind the flies that hover around the basement areas, try living in the basement with that mess out front. How it's taken this long to reconsider the problem I fail to understand. Rubbish bags in the streets will be almost as bad (possibly worse), as any bag that is left is shredded by seagulls, and you will inevitably have vast amounts of refuse in the streets and falling back down into basement areas. Also on days where the day of collection is changed due to bank holidays etc, some people will still put it out and then will be left to the mercy of the weather and seagulls for an extended period of time. The only viable solution is for communal bins for all recycling and refuse, as although I manage to accommodate my recycling in doors, it frequently gets left to build up until I remember to put it outside, by which time there is a large amount for me to put out and for the collectors to pick up. On top of this on windy days it gets blown everywhere, and wet days alot of other stuff comes loose, particularly cardboard boxes turn wet slop that that becomes horrid to move or deal with. Additionally living in a front basement flat I heavily dislike all the boxes and bags left outside peoples doors and along the fences, for one it looks messy and I don't want my limited view clogged up in such a manner, it also reduces the light into the property, and sometimes people put out large boxes and alike that can cause a big decrease in light and generally looks grim.
Brushed hatch for the recycling bins
Please introduce communal bins in Brunswick Square as soon as possible, as they are long overdue.
I am concerned by the loss of parking spaces but in general prefer communal refuse and recycling bins.
I don't want any bins but it is better when throwing away wardrobes etc not to be able just dump the next to the bins and be able to put them in.
No communal bins at all. All designs are completely inappropriate in an area that is a tourist attraction and enjoys listed status.
The scheme has been rolled out since 2013 and the bins in the whole of Brighton and Hove are in an extremely poor state. Most are missing their lids, the pedals are broken, the brushes are missing. They are dented, covered in graffiti and the areas around them are filthy, with grime. The bins are not maintained. The bag collection in Brunswick Square means each individual house is responsible for keeping their store/steps/pavement area clean. In our house, we liaise with the managing agents if there are issues. The Brunswick community group is good at flagging up problem houses and ensuring they are clean and safe. If we have food left on our steps from a split bag, I clean it up (I'm in the basement) and then remind the rest of the residents not to over fill their bags. We also have a high percentage of older residents in the square and these people cannot lift their bags into the large bins. This means their only option is to leave them by the side, to be attacked by the gulls etc. As residents we would of course offer to help, but many do not want to impose on others. Does the Health and Safety issue only cover the collectors and NOT the residents? Lifting a bag to that height puts stress on the back, shoulders and elbows. Our beautiful square was saved from destruction in the 1980's and is now Grade I Listed. Our gardens are the the only dog-free ones locally, and are gated offering real safety to children and their parents. These bins will be a smelly, unsightly, health hazard to the residents and visitors and all in the name of PROFIT. It's a tragedy.
Parking in the square is already premium. Despite having a residents permit quite often after getting home from work I have to park on Kingsway - not convenient especially if I also have been food shopping. Please don't take away any parking spaces.
Bins are going to cover entrance/exit point to the park in Brunswick Square. Appropriate street signage, but horizontal and vertical, should be put in place to protect pedestrian crossing. I see a lot of near misses from my window already, as well as a number of cars colliding as one was not really keeping on the left at the turn
Suggested bins are very unsightly and would take up valuable parking spaces. From observing the bins on Brunswick Place, the base of the bins become a place for dumped items and a dog toilet! Health and safety risk seems exaggerated. People who live in the basements go up and down the steps everyday! I would much prefer to keep to the current arrangements.

NOT INTERESTED IN HAVING COMMUNAL REFUSE AND RECYCLING BINS! I think 'The problem' stated as a reason for the change to communal collections is pathetic. Residents live in basement flats and manage to negotiate steps that can be uneven and slippery! How will communal bins make this safer! Refuse collectors should be trained properly in the job with proper risk assessment (postmen and delivery drivers seem to cope well enough without resorting to communal delivery bins!) - I would suggest that if any property was unsafe or badly lit then the council have a responsibility to ensure the owners improve the situation. Of course, rubbish sacks will not be split as residents cart them around the square to try and find a vacant space in a secure bin! With Brighton & Hove being the drug capital of the UK there is always going to be a risk of discarded needles! Perhaps the risk is less likely in an area such as Brunswick Square as opposed to the normal street, park and beach hangouts of the drug addicts. As for discarded rats, I don't think I have seen any!!!! I must have missed the last time it was reported in the press about a resident being assaulted or bitten by a rat! Parking is at a premium in this town and any loss of parking spaces would be to the detriment of car owning residents and visitors. While the loss of resident-paid-for-parking spaces will not inhibit the Council's penchant for charging removal companies and many others to park through parking restrictions for 24 hours at a time (effectively charging twice for the same parking space!) people who actually live in the area will be made to suffer. (Redesigning the parking layout in the Square to allow parking at an angle to the kerb would allow for parking bays by better utilization of the space and would make it easier for residents to park.) If the Council is serious about it's obligation to a duty of care then perhaps more effort should be made towards pedestrian safety within the town - I would hazard a guess that less people have been injured by navigating basement steps or timid rats than by pedestrians injured by vehicles due to methods of traffic management that confuse drivers and pedestrians, by cyclists on pavements or by cyclists using the seafront cycle lane as a racetrack with total lack of consideration to pedestrians who are forced to cross this and other cycle lanes. Please don't try to pass on cost cutting methods as being anything other than that. The proposed changes were not welcome at the previous attempt and probably even less so now!
I am very concerned that these bins will ruin our beautiful square. When I see how the bins in Waterloo Street and Landsdowne Place are used by people to dump household items/furniture around I am VERY concerned about their introduction. I would also ask why we are being consulted again - it feels like we are being asked again so that the council can get the answer they would like.
The parking around Brunswick Square is terrible and is getting worse. A lot of this however is down to poor / inconsiderate parking by residents and/ or visitors. If we are losing parking spaces we need to address this. This could include: 1. removing the option for pay as you go - free-ing up spaces for residents 2. adding in parking dividers around the square - indicating where people need to park in order to get the maximum number of cars in. This would stop people taking up two or more spaces due to poor parking positioning.
These bins are all hideous and attract fly tipping. If you are collecting more than five times a week I just don't see the need for them.
I don't want communal bins. The last two questions seem to presume we're going to have them. I don't want them.
Can the bins be screened or hidden to minimise the impact on the squares and limit the visual impact? Many similar bins are unsightly
I DO NOT WANT NOISY GLASS RECYCLING BINS OUTSIDE MY WINDOW!
I'm concerned at the undemocratic way this proposal is being pushed through and the consultation is happening. Spurious claims of health and safety issues - without proper health and safety investigations into the proposal to site communal bins. The disregard for the earlier democratic decision not to place bins in historic areas of the city. The disregard for the look of the city's historic areas and the contribution and views of the residents of Brunswick Square & Terrace, who contribute so much to the up keep of one of the city's most historic and valuable areas.
I prefer brushed hatch for recycling bins, if we get them, and foot pedal for refuse bins.

I have looked at the state of the bins you provide around this area of Brighton and consider them to be both ugly, badly maintained and a magnet for fly tipping..... I think they are a complete eyesore - and totally inappropriate for a Grade 1 listed conservation area therefore none of the above. If you were able to make the bins visually interesting- even dare I say beautiful - and they were kept that way by the council - then there may be some argument for a new system - as it stands what you are offering is not acceptable.....
The opening to the bin needs to be such that it prevents people depositing large items (eg small furniture!) inside them.
I don't want any communal bins but if they are going to be installed they should be appropriate to a Grade 1 Listed/Conservation Area. They would need to be maintained to a better standard than those already situated in other parts of the City. Residents of Brunswick Square & Terrace pay high prices to have their houses re-painted every five years as per the 1976 Act of Parliament, enforced by the Council. It is unreasonable to enforce compliance by residents on the re-paint but then fail to maintain a Conservation Area by installing what will inevitably become dirty communal bins surrounded by fly tipping.
The current method of refuse collection from the coal holes should be maintained. The square is grade1 listed and should not have unsightly bins around the square.
The meeting with City clean suggested bins could be cream and that recycling bins would not be put in the square. Has this now changed? I am concerned with the amount of fly tipping in nearby Brunswick Place and this would happen in our beautiful Square. The black bins with brushes are often attacked by seagulls offering little protection, the foot pedal I find difficult to open. None of the above options are preferable for me.
I am happy to do my recycling at the recycling bins, if provided, but refuse bins could get messy and will become a dumping ground for anyone, whether they live in the square or not. i am happy to put my rubbish bags out on the day of collection providing we know exact time of collection so the bags do not sit for too long out on the kerb for seagulls to attack. however, i am concerned not everybody living in the square will be bothered in putting rubbish in the right place at the right time
I disagree with the proposal. its a cost saving excersise, nothing else. its simply idiotic to suddenly come up with health and safety issues about a system that worked for decades!!! suggest to check (and improve) the safety of all the stairs, if that should be required.
The bins would need to be emptied at weekends as the square is very busy for picnics ect. the worry is that bins will overflow on busy weekends/bank holidays.
If the communal bins looked more aesthetically pleasing then i might be more inclined to have them, at least the same colour as the buildings or inside the gardens.
We have already had a consultation about this issue where residents made their feelings clear, we do not want these bins. it feels that you are just re-consulting until you get the answer you want! these bins will ruin the sea views from the top of Brunswick Square, a real tourist attraction.
fire brigade and emergency rick assessment due to sharp bends and narrow area.
If there are to be communal bins please put them all* at the south end of the square on Brunswick Terrace where they are not an eyesore to flat residents. concentrate the bins in this one place to minimise adverse environmental impact. *as many as reasonably possible if all not possible for space reasons, otherwise all of them please
Too many bins will be an eyesore to this elegant space.
This has not been a fair consaultation process. i do not want refuse/recycle bins in this historic conservation area. you seem to have forgotten your obligations to protect conservation areas. nobody is convinced that flytips will be removed promptly.
The bins would look better in white or cream. i am afraid i dont think it will work well. the square will get full of dropped litter and general mess. there is no better way than keeping the rubbish out of sight. if there is it would be great if someone could invent one. it will work if someone is personally monitoring it.

This is not a consultation, the first consultation should have been to do away with our use of adequate bin stores which we all have. safety concerns are nonsense. you just want city clean to force its will on us when you spend millions repainting our houses to keep this grade 1 listed square pleasant for all residents and visitors, only to have it ruined with bin eyesores and flytipping and seagull carnage. i'd be minded to suggest the council were misguided incompetents.
Each house has a perfectly good bin store that has been used as such for decades. it is a disgrace the way the council has pushed this through and amended the council vote wording at the last minute. (i saw the video on line). this has been voted on before and people said NO and now you are gicing people a choice, offering kerbside collection when you know the seagulls will rip it to shreds. health and safety grounds are a farce and the council knows it. APPALLING!
Where on earth do you suggest we store rubbish if not in the basements? it is impossible to keep rotting rubbish inside building, a health hazard. what happens if rubbish is not collected, it will get dumped into road and cause a mess and rats
It is outrageous for BHCC to put communal bins outside anyones residence. they become disgusting dumping grounds and an eyesore. they are making me not want to live in brighton. they are abused by the selfish, dumping stuff that should go to the tip. this is a grade 1 listed square and an advert for brighton. dont spoil it!
If we have to have these communal bins then we should have cream coloured bins (which i have seen elsewhere in the city) that would blend better with brunswick conservation area.
Please provide details of HSE incidents which have occoured in the history of basemant rubbish collections in the square. you have not justified the HSE risk. if communal bin are going to be used they should be housed in properly designed and aesthetically pleasing structures. residents of the square spend a fortune complying with the squares grade 1 listing. it is just not acceptable for the council to propose the placement of deeply ugly black bins around the square. please use some more imagination.
Resident has ticked brushed hatch and foot pedal.
Re question 5 - why are you asking us? Whatever works best. It will be a huge relief to finally have a solution to the rubbish. I don't care about losing car parking spaces, I quite often have to park on the seafront anyway when returning in the evening. Idea: reduce pay spaces, increase the number of permit spaces on the square.
Could refuse bins be at top and bottom of the square only to stop the look of the square being spoilt and avoiding putting outside anyone's house directly.
Re question 5, resident has ticked open hatch and foot pedal In order to reduce impact, I have suggested "indents" into the park railings to create space for the bins. I offered to subsidise these works but then heard nothing.
I AM CONCERNED, HOWEVER, ABOUT THE LOSS OF PARKING SPACES.
Please can the glass recycling be collected not too early in the morning! Thank you!
The proposal to place bins (particularly glass bottles) outside 15 Brunswick Square, will add to the already considerable noise that we have with parties and picnics taking place into the late evening in the only designated picnic area, under the trees, in Brunswick Square. I would suggest that bins be placed further down the square towards the seafront, by the other gate, please! Any bin with a lid that lifts up is subject to overfilling making it open to seagulls and wind.
I have these bins outside my work on Guildford Road and they attract fly tipping constantly. As this is a conservation area, I would expect an increase in street cleaning to maintain the tidiness of the square should the refuse bins be installed.
City Clean has been a disaster as an outsourced company for rubbish collection. Brunswick Square has never been so filthy. The rationale to stop collection from the basement is unfounded and pathetic. City Clean do not have the ability to respond to tax payers needs.
We live in a basement flat and the rubbish/recycling is a nightmare at the moment. This idea is very good, however, the bin areas at the moment will turn into a dumping ground???
I do not want the bins outside my house/door. Recycling boxes attract rats.
Tried filling out the online form but would not submit. In Brunswick Square bins could be placed inside the gardens and hidden from sight by bushes/hedges.

Resident has ticked both open hatch and foot pedal. I fully support the introduction of communal refuse and recycling bins.
Do the bins need to be at the top of the square if there are four other spots. The area can be congested with traffic and congestion of people especially in the summer months.
The bins at the top of Brunswick Square infringe on a protected vista. Could consideration be given to adding additional residents parking on Kingsway in lieu of spaces lost?
Concerns over placing communal bin opposite 30/29 - but certainly very critical if recycling bins are included. Paper/cardboard extra can be very untidy and encourage dumping. Glass is very noisy for the neighbours opposite and concerned it is not being emptied on a daily basis. Only one bin, also view from top of square will be impeded by a large bin?
I have included a visual of my suggested positions for the bins. If the current proposals go ahead as proposed, is it possible to request that people not deposit glass between, say, 10pm and 8am, to reduce noise pollution.
Bins need to be collected every day. Bins are not equally spaced. Move one bin on top and bottom of the square to the sides (nearer to the entrances). Bins should be printed in the same colour as the properties.
"No change" should be an option - this survey is rigged by the Council and it is a disgrace and a pretence at consultation. The bins have been emptied for 100 years without problems, this is pathetic. In an area of high council tax contributions and a national heritage site, the vista will be ruined.
I think the bins on brunswick terrace are unnecessary in this area, could be sited in the gardens if needed, being on the main road will be a target for all sorts of fly tippers, also noisy.
This is a difficult issue. The smell and noise from these bins is unpleasant for residents and passers by. The bins themselves are higher than a standard car so they are visually unappealing and intrusive. Changing those things would make them a much better prospect. Also, it would help if people knew how much/frequency of noise is created from glass recycling - perhaps that could be dealt with differently.
But I am concerned about the loss of parking spaces.
I would prefer the current situation to be maintained. Brunswick Square is currently very clean because no communal bins are used, other roads nearby which use communal bins frequently have litter on the ground surrounding the bins. The risk from using current bins is very low.
I agree with the proposed communal refuse bin as I live in a lower ground floor flat. The lounge window to my flat is six feet away from the bin area which has waste from seven flats. The smell and flies in the summer months can be very bad by the time it is collected. Its a risk hazard, both for us and your crews to collect from this dirty dark area.
I am happy to have a communal refuse collection as long as the bins do not take up cycle parking that has been recently created.
Brushed hatch and Foot Pedal are both ticked. Do not want the bins outside my house. Provided the bins are where you stated (by the railings).
Do not agree with bins in black bags on the street and recycling boxes.
Collection five days a week is insufficient - there are 7 flats per building in the square. Collection should be almost always every day, possibly early in the morning. Brunswick Square must be one of the most thickly populated areas in the city providing the Council with a HUGE income from council tax!!!
However, I am concerned about the loss of parking spaces.
Would be great to have communal bins (as long as they are emptied often). Every week rubbish is dragged out by the seagulls or put out too early by some properties and it is horrid!
The irony that this is a regency/conservation area and yet it is one big, unsightly, unhygienic rubbish bin. I get A LOT of flies in my flat which I know are coming from the one bin which is underneath my window and is always overflowing. My neighbours are also lazy and do not put their boxes on the street, meaning I have to do it to get them emptied. I SHOULD NOT have to be responsible for having my entire building's rubbish collected each week. PLEASE give us communal bins!
I prefer not to have communal glass recycling because of noise from the bottle deposits.
Design bins in natural materials and to blend in with the environment.

Foot pedal for refuse and Brushed hatch for recycling and bottles I fully endorse and support these proposals for communal bins or collection and their proposed siting in the square.
I note that glass recycle bins can be noisy when they are used...1. Why are the same number as general refuse bins required? Surely lesser quantity would do? 2. Why not site glass bins at the centre or top and bottom of the square - maximum distance from homes? Also note that collections 5 times a week - why so frequent? Collection noise is a concern!
Please implement this as soon as possible as we have been held to ransom by the friends of Brunswick Square for too long. The streets are covered with rubbish because of their attachment to the past! and cars!! PS I was a founder member.
I can not reply. The whole voting issue is a warped, contrived, mind bending issue, unworthy of a council dealing with a Grade one Conservation Area and chosen at a time when a particularly messy "repaint" is in progress. I have followed the antics of the black bag refuse collection and its consequences and the shock of the recyclable collection on Friday August 12th, I could write reams.
A bi weekly collection would prevent overspill and therefore less mess and vermin. This should be possible as its much quicker to collect collective bins. Screening bins with some form of protection from gulls looks better and it is less intrusive. Currently collections of at least five times a week does not happen on Western Road.
The bins are in totally inappropriate places either for health and safety or taking up other spaces already used i.e. motorcycle bay and bike racks (one is on a blind corner on double yellow lines!). The consultation by the council is so riddled with holes that it resembles a Swiss cheese, I have lived in Brunswick Square for 46 years and there has never been a problem with rubbish collection except where a strike occurred. When we first discussed the introduction of communal rubbish bins in December of last year with Jan Jonker from City Clean we were told we would have the option of communal rubbish bins or the status quo of weekly bin collections from basements. Later this was reversed by the council and the only choice was black communal bins or kerbside black sack collection which the Council knows is not viable as the sacks would be pulled apart by seagulls! We were told by Jan Jonker that communal refuse bins could not go next to the railings in the Square because of health and safety and yet their stance has now been completely reversed by the council who say the bins can go next to the railings as money has suddenly been miraculously found to pay for concrete build outs which I presume are to comply with health and safety. So more cost will be incurred to allow people to take rubbish across the road to the railings which was first deemed to be against health and safety! So more cost will be incurred to allow people to take rubbish across the road to the railings which was first deemed to be against health and safety! Health and Safety is the reason that the Council is giving for discontinuing once a week basement collections, although there have never been any accidents to speak of and the council has so far refused to supply information regarding accidents at basement collections and black bin collections. I do know that people have actually been killed by crawling into black communal bins and been crushed! This doesn't happen with basements. Although I asked Tracy Phipps at the first drop in meeting on 15th August at the Cornerstone to send me an image of a build out so I could see what it looked like and how much it projected into the road to the date of sending this I have received nothing despite sending several emails to her. Today, this afternoon I have finally received an email from Peter McNeil just as I am about to put this in the post and Tracy has finally sent me a photo of the build out. How could it take so long? From the picture the build out will add clutter to the Square in an already compact and close area. There are many reasons why this flawed sham consultation of the council to impose communal black bins into Brunswick Square and Terrace should not go ahead. Here are some as I will probably not remember all, there are so many.

Cont.. 1. The sites indicated on the map sent with the form are completely untenable. Apart from that there are no sites that would be acceptable as the Square is compact and there is nowhere that the black bins would not be visible as in Palmeira and Adelaide. 2. Siting bins in other spaces which are re usable would result in loss of car parking spaces for the residents. Would the council then permit resident parking spaces on the seafront. There are not enough spaces to go around at present. 3. The appearance of the Grade 1 listed historic Square and Terrace would be compromised by the introduction of ugly large black bins and concrete build outs. 4. The large communal black bins would attract fly tipping. "Black communal rubbish bins are a magnet for fly tipping" quote from a resident of Regency Square. 5. Large noisy bin lorries would be driving round the Square and along the Terrace at least five times a week and can be collected daily when necessary". This would add to congestion, pollution and wear and tear in our cul de sac Square. 6. People would have to carry smaller sacks several times a week to the communal bins adding to the use of more plastic, hardly ecological. 7. We were lied to by the Council when they said there would be a choice. There is no choice. Why have once a week seagull proof sack kerbside collections not been mentioned or explored by the Council. 8. An example of the failure of bins has been the disastrous green bin fiasco introduced by Cityclean during the repainting year 2015. These bins were often overflowing (some still are!) never collected when scaffolding came down and whether dumped by the railing by exasperated householders or left outside houses for months and not even collected when rung up and asked, they attracted masses of fly tipping which is what will happen if we have communal black eyesore bins and our beautiful Square will be ruined. I never even had my green bins delivered to my house whilst scaffolding was up, only after it came down. LOL. 9. As a volunteer gardener in the square and litter picker upper I do not see why I should donate my time to helping to improve this public Square when this Council are determined to ruin the Square and Terrace with the introduction of black communal bins. I only have to look at the streets surrounding the Square to see what the Square and Terrace will look like a few months after these bins are introduced or maybe sooner. 10. Please do not ruin the "jewel in the crown".

We live in an historic square that is maintained to a high standard. The council insists that the houses are painted every five years, that all the home owners have to pay for themselves. Why would we want communal bins and recycling. We pay council taxes like everyone else but they don't have to paint their house fronts. Its all about cost cutting! From all the other bins around in Brighton and Hove to me, they are overflowing with litter all over the pavements and large pieces of furniture (fly tipping) left at most times, I have SEEN THEM!

Excellent idea about the refuse and recycling bins. As it is clear to see that currently bags and boxes are a mess, with litter scattered everywhere.

The council should give greater weight to protection of the amenity of these grade one heritage assets for the public good and consider other ways of mitigating risk, such as footwear. The Council is placing excessive weight on minor health and safety risks.

1. BHCC have provided no evidence that cellar collection is more dangerous than street level collection 2. There is no analysis/recognition of this unsightly mess that will affect the area seven days a week 3. No serious alternative proposals have been talked over regards bags versus communal bins.

As far as question 5, none of the above. All are ugly, poorly maintained and inappropriate to the setting of a grade one listed building and a visually sensitive conservation area. 1. Retain basement collections 2. "Decision in principle" for communal bins wrongly reached and in breach of BHCC's statutory duties. 3. Communal bins are an eyesore and a magnet for graffiti, fly tipping and spillages. 4. Consultation is skewed and starts from a wrong premise.

Communal bins are inappropriate to the setting of grade one listed buildings and in a visually sensitive conservation area. There is no appropriate location on Brunswick Square or Terrace to locate the refuse and recycling bins. (note this comment was particularly asked to be repeated for four responses)

All options in question 5 are unsatisfactory for different reasons. The health and safety issue is a "red herring" and if carried to its logical conclusion no one should be living tin the basements, let alone children and elderly. The GMB Union has no objection to going into these. I think the City Council should think again about one of the "gems" of their area. The collections don't always happen, I have seen examples where it has not.

1. There are at present insufficient parking spaces in the Brunswick Area. Are you intending to allow residents to have spaces on the seafront? 2. Many of us are older or disabled and unable to carry bags across the road. 3. Very noisy for people sleeping at the front of their houses. 4. Totally inappropriate for a grade one listed area - Hove's "jewel" in the crown 5. Huge amounts of Council Tax from this densely populated area should provide an excellent and appropriate service.
Could the Council consult with SUEZ/WRAP (David Pelham-Jones) for some good ideas about rubbish collection? As a basement owner, I have had constant trouble re. bins being emptied. And both communal general rubbish and recycling bins are often overflowing.
I have lived in Brighton for 12 years and lived at 3 different addresses, Brunswick Square is by far the cleanest place I have lived and I believe this is due to NOT having communal bins and people having to make the extra effort to keep their bins clean (I know I do). I do believe less materials will be recycled too - people are lazy or too busy to keep making trips to bins (sad but true). Re question 5, brushed hatch will ensure less people recycle and Open hatch is pointless and dangerous to sea birds.
At present, we can hear the bins on Western Road being emptied. With three in front of our door step the sound will be deafening and will negatively impact our quality of life and property value.
I am concerned about the loss of parking spaces also and hope they can be sited in areas where there are fewer spaces lost i.e. nearer to the gates to Brunswick Square, keeping the spaces already there. A sign asking drivers to park considerately might not come amiss. But MOST OF ALL, rubbish must not be left on pavements where food and seepage from bags make the pavements quite disgusting.

Area 1 - Brunswick Terrace Q6 'Please provide any additional comments or suggestion you may have
The foot pedal bins are good when they work - but when they don't the lids are REALLY heavy to lift.
I am happy with the proposed plans based on the current proposed locations. If these were to change whereby they were located outside of my building then I would have an issue.
Why do the bins have to be grey & black? Why can't they be a less obtrusive & more attractive colour?
I do not trust that recycling is properly dealt with in Brighton & Hove. Why do we not separate things out properly? Surely getting us to do it is the "free" end of sorting. Everything being chucked in together (apart from glass) plus no info about what kinds of plastics you can take, what you can't makes me think that everything is likely to just be burnt rather than recycled. This view is widely held among residents and you should do something about it.
My main concern is the loss of parking spaces. We have a public house nearby (the Brunswick Pub) and already had difficulty parking on busy nights. Two recycle bins have been placed along from our entrance (at the bottom of Holland Road) so we have already lost valuable parking spaces.
1. Many of us have children and elderly people living with us which creates diversity in the area - loss of parking spaces has a huge impact on their safety and well being as we have to circle in the evenings to find spaces - loss of parking spaces means intensifying concerns around safety and well being - we can't leave children and elderly people on the front steps while we park so we do our best to manage this - losing parking spaces diminishes the health and safety of those we have to look after. 2. Glass recycling is noisy; the recycling boxes right now work well.
I don't think communal bins are appropriate for a conservation area, especially as they tend to attract people dumping rubbish around them, not just in them. There is also too little parking on Brunswick Terrace as it is and the additional of communal bins would make this situation worse. The existing systems are working absolutely fine for me and I do not understand why they should be changed.

1. There is a new housing development about to begin in Lansdowne Place which when completed will bring a significant increase in cars in the 'm' parking zone, which is already highly overstretched, losing more parking spaces for the rubbish bins will just cause increased parking problems in the area. If parking on Kingsway could be available for residents alongside the metered parking that might help a bit. 2. The bins interrupt the conservation vista of Brunswick Terrace with its historic status as the rubbish is put around the bins and not just inside them 3. Glass recycling is noisy and at night impacts the quality of sleep 4. Kerbside sacks could be do-able if they are seagull proof which is what Blackpool Council has and are provided by that council 5. Existing recycling boxes system works fine - don't need recycling communal bins - just adds to the mess, noise and loses more parking spaces.
It's clear that the current system doesn't really work, I often find myself walking around the corner to use the communal bins anyway. I really don't like the piecemeal rubbish being left around (at mercy of the wind and seagulls) and the presence of the small black bins everywhere. Despite the noise, parking space losses and cluttering up the place, I do think the communal bins are a necessary evil. A bit of a whimsical request, but how about painting them in Brunswick Cream?!
I'm really concerned about the lack of refuse and recycling on brunswick terrace and brunswick square. It is so hard for us to deal with our rubbish! so many days it is far to windy, and now you seem to be proposing that we have to walk for 10 minutes with heavy bags to deal with this. what on earth????
Re Q5 I would be happy with either "Brushed hatch" or "Foot pedal". I am very happy with the current locations of the Refuse and Recycling bins in Waterloo Street.
My previous experience is the foot pedal bins break very quickly so the lid has to be hand opened, and the lids bang open/shut in the wind. the brushed hatches work if they are the reasonable sized ones as on some of the local refuse bins. Ours is one of the few communal refuse bins at street level as the basement flat is laid out as a garden and so inaccessible . As a result many passers by use it for their rubbish and recycling of coffee cups/beer bottles and worst dog poop - all these things also get strewn in our recycling boxes and thus never get taken. There are no lids to our recycle boxes, the bin men are careless strewing them down the street and they blow further down in the seafront winds. Within half an hour of collection our boxes have dog poop in them, none of us have pets! After the Brunswick festival and Hove lawns festivals recently all our boxes and bins were overflowing with passers by waste - why are there no communal rubbish/recycle bins for use by the general public in this very busy area except right down on the seafront? This current system is failing. I understand residents don't like the look of communal bins but last week there were just 4 recycling boxes put out on Brunswick Terrace which really is shamefully low and inconsiderate to the environment as a whole. I am also aware that many residents just use the neighbouring streets communal recycling or rubbish facilities - which is hardly a very neighbourly thing to do! The bin men have extraordinarily bad attitudes and refused to take our box of bottles (left by attendees of the festival) because it was 'contaminated' with a flyer and a paper cup! Put there by well-meaning passers by rather than littering the ground as there is nowhere else for them to use. As for the people who regularly deposit semi-bagged dog poop in our recycling boxes I despair! Almost none of the recycling bags or boxes in the square were removed at all last week and have blown far and wide, meaning someone somewhere else will have to clean it up.
please do a year trial using seagull proof bags.
1, why maintain the beauty of brunswick square and terrace for the benefir of the community and visitors and then ruin the amenity with the siting of large ugly modern bins? 2, views fron basements and ground floor flats will also be ruined,
i am appalled at the prospect of communal bins along brunswick terrace. the 'alternative options' notes in the notes makes no reference to the visual impact of the bins, this shows an extraordinary insensitivity to the conservation issue.
bins directly outside my flat are unsightly. in the summer when the windows need to be open, it will create an awful smell in the flat. could the bins not be put round the corner right on the end of waterloo street?

1, the bins look unsightly in this grade 1 listed area 2, other communal bins are a haven for fly tipping 3, the bins you are suggesting to be located at the ends of the square and terrace will make crossing the road more dangerous for children and the elderly 4, in the summer they will be used more by day trippers than residents.
I object to the bins outside brunswick terrace particulary. i am concerned they will damage the look of our beautiful square. i appreciate that the black sack collection causes lots of rubbish on the street because of seagulls but are there other options?
none of the above. see spanish recycling bins, build under ground only small bin/opening on surface
keep things as they are. five lorry visits a week, fly tipping, more collections, more noise and hazards for residents. the grundons (24 in total)will take up parking spaces and block pedestrians view of the road when crossing.
the current system is effective, bins are unattractive and unsightly and ruin the beauty of the square. also parking is already a problem, we need more soaces not less.
New bins outside no. 7 will spoil the look of Grade 1 listed terrace. They will attract rubbish dumping from passers by, and from beach goers. Also we have a collection point around the corner in Waterloo St outside no. 7 entrance. We don't need another collection point that close.
Look forward to this as I now have to use bins for both services in Waterloo Street or Bedford Square.
Would it not be possible to locate the bins at the east and west ends of Brunswick Terrace on the edge of the Terrace closest to the sea so that they are not directly outside people's houses?
Brushed hatch and foot pedal are both ticked. 1. Open hatch does prevent large items being dumped next to the bins 2. Foot Pedal is fine IF regularly maintained (Most are soon broken) 3. Closed lid that is lift able allows quieter deposits of glass.
Open hatch for recycling. Can you position the bins on the raised cobbled areas at the end of each Terrace/the Square? This is spare "land", not used for parking and gives the bins a fixed position in each street? Alternatively, position them on the existing double yellow lines?
1. The existing system is a mess - I have to clean and dispose of rubbish/dumped items regularly from the cellar refuse store. 2. Recycling boxes are regularly left outside so the appearance around our lovely houses will be improved Re the proposed locations - two sets are not required on the South Square.
I think it would be better to have the bins on the side roads than on the seafront. This is because: 1. They detract from the street scene of this grade one listed structure. 2. We have issues with beach users filling the bins so regular DAILY emptying will be required.
Loss of parking is a huge no. Its already difficult enough to park here. If we get home passed 8pm it is a free for all and we have no hope. These bins need to be stored somewhere that will not affect parking. Suggestions would be on the larger kerb where people park everyday without getting a ticket, or in the square itself. No loss of parking please!
Communal bins help to keep streets clean.
It would be great if the collectors could return the empty recycling box upside down to avoid people throwing in rubbish. Currently, we find our recycling box full of rubbish when returning home at the end of the day.
Brushed Hatch preferred for recycling.
Resident should be responsible for ensuring their black bags/rubbish are stored in the existing communal bins to avoid foxes or seagulls from tampering with the food. Parking near my flat is already very limited and the proposal reduces these spaces. Parking is also expensive, with long waiting lists, therefore these spaces should not be taken.
I understand the problem and think communal bins are the best way forward but I would be very upset to have them directly on my door step (as proposed). The smell/noise/seagulls/view etc. Can more thought be put into placement of these bins? Thank you.
Existing communal refuse is adequate for our end of the terrace. Adding recycling bins on the seafront road or promenade would be better than right outside the building as they could also be used by beach users and pedestrians and collection/emptying wouldn't disturb anyone.

Parking is at a premium at this end of Brunswick Terrace because it is very close to the boundary if zone M - I frequently have to park at Palmeira Square. Glass recycling bins should be as far away from the residential property as possible, ie, restricted in the proposals to the bottom end of Brunswick Square.
Thank you for proposing to provide more bins.
The concept is fine but the application is terrible, the areas around the bin are not kept clean they should screened or deigned in some way so they are more appealing to the eye.
Our house at Brunswick Terrace is not shown on the map?

Area 1 - Comments received throughout the consultation
Suggestions that the council should look into Underground bins
Resident suggested that some residents of Brunswick Square may be willing to look into funding underground bins
Suggestion for trials of seagull proof sacks
Suggestion to trial communal bins in the top centre of the square to see what happens
Resident complained that they needed picture of the proposed build-outs before they could comment on the consultation
Complaints received re lack of notice re consultation
Complaints received re length of consulation
Request received to include National Heritage
There should be a compensatory number of parking permits for Zone M for residents only, not for dual use. Parking Zone M, can this be restricted to the Square and Terrace only
Please confirm if any motorcycle or cycle bays are lost
Sound reverberates across the lawns - especially in relation to glass
Zone M is 9 months waiting list
Can we trial seagull bags for a year?
Parts of Brunswick Terrace are missing from the map
Concerns raised that bins are being proposed near the gates in Brunswick Square and this could cause a serious health and safety hazard and especially to children
Brunswick Terrace - Centre, bins cannot go in this proposed location as it is a black spot
The Parking team should have been involved. Even one lost space is unacceptable with a 13 month waiting list. Residents are scared they will lose their parking space if they drive away. This is especially difficult for women at night. There is a large flat development in Lansdowne Place where a former hotel is being converted to flats. This will further impact parking – there are 30-40 flats which will mean more bins.
Recycling will go down if we introduce communal bins – people won't bother to recycle. Most people will only recycle if it is taken from outside their property. Why are we introducing 6 bins at the top of the square when there are others further up which are not far to walk. It is easier to walk to the recycling bins on Western Road. Resident would like to see the statistics for accidents in Brunswick Square. They would also like to know why we can't put the onus on Landlords and property owners to ensure their basement bin stores are kept in a condition which complies with Health and Safety. If unsafe then the crew will be instructed not to go down. Can we not put these measures in place instead of the proposals? What about using a private contractor instead for this area? Can we cost this out?

The residents in the Square are sick of being told what they should have. They do not trust that this is a consultation; rather they are being told what will happen. No one is saying crews should have to work in dangerous conditions; they should be able to refuse to go down to dangerous basements. It's not fair to expect them to do anything inhumane. What about imposing something like a 'default notice' to the owners of properties that fail to look after their basement bin areas properly? Other suggestions: punch locks on bin stores. Can we look into the costs of this and strengthening the doorways? Can we pass these costs on to owners and managing agents? Can we impose minimum guidelines for bin bag thickness to stop them being ripped apart?
Tourists take photographs of the square and it's upsetting that this will be ruined by giant bins with fly tips left next to them. Resident is unhappy that she did not receive notification at her address. There are four flats at the address and no one received the notification. Underground bins: she would like us to investigate underground bins – something the Germans use. She would like us to find out the costs involved. The houses which might have the bins located outside of them should be given the opportunity to pay for the bins to be moved underground. They might be motivated to find the money when they consider the lost in value to their property. They may also be able to get money from other sources to pay for the underground bins – English Heritage, National Lottery etc. What about introducing a pay and display parking bay to help fund it? Resident committees might have a war chest to pay for something like this. We should explore other avenues. We should contact the Brunswick Square Residents' Committee and offer to come along to explore these and other options. What companies would construct the underground bins? Can we contact them for a costing? Just because some residents are happy for these bins or have not expressed an opinion does not mean that the actual property owners and long term dwellers feel the same way. Renters are often transient and are less invested in the aesthetics of the surroundings. Tenants are not likely to put up money to help maintain the look of the area and are therefore less relevant in this consultation.
would prefer to keep the recycling boxes and have a communal bin for refuse only. Number of Lorries and glass noise is a concern.
thinks the communal bins are unattractive but can't think of an alternative.
in favour of the communal bins, has had serious rat infestation in basement. Wants sticker labels put on bins - new occupants.
don't like kerbside recycling as litter is spread & recycling not washed. They to do a litter pick up
leave the middle bins as don't spoil the character of the square
Central bins are OK but not proximity of others, near their living room and other main rooms. Sleep concerns.
– Ok with existing – uses communal bins around the corner. Architecture will be influenced. Bins could be set back within cobbled area.
seagull proof bags are being used in Blackpool effectively. Feels the consortium isn't a fair system, they haven't been given all the facts.
concerned about communal bin proposition & fly tipping potential. Recycling rates have gone down since communal bins came in.
likes communal bin system, has cleared basements with rubbish. Landlord for two properties and doesn't like black boxes.
comm bins emptied but never disinfected. Fire and ambulance viewpoint, to put the bins in the corners of Brunswick to cause a hazard. Fly tipping. Lots of broken bins. Holland Rd & Palmeira Square need programme in place

wants existing scheme to remain. Worried about fly tipping. Disputing the numbers of people that have been injured. Lack of parking spaces
against glass recycling because of noise, communal spot they can take this to. Proposed spot will distort the view from the flat, potential fly tipping. Building's character. Middle section, can't there be a screen or fence instead?
Worried over loss of parking spaces, feels proposed plan will be terrible for the presentation of the square.
Resident is questioning the way we are going to measure the volume of waste
Approves of comm bins for refuse but placement not be outside residents' houses. Wants period building and values of homes not to be affected. Doesn't want bin collections at entrance to park with children playing or outside gates.
Resident is concerned about - Rat infestation, unhygienic and attracts vermin / Location – not outside flats , Concern over seagulls currently / Place messy at moment / Collection frequency daily / Old system has produced injuries.
Resident Concerns over the placement / Locate at the edge of the terrace closest to the sea / Risk to resident and crew with LGF flat / Increase in street cleaning is needed / Concerned about loss of places to lock bikes/less parking / Daily collections needed – possibly early in the morning / Collection noise
Resident commented on and suggested - More frequent collections / Likes it as recycling will increase as a result / improvement in presentation of the bins / Wants weekly recycling for glass / More education over recycling, not enough controls by us.

Area 2 - Palmeira Square - Q6 'Please provide any additional comments or suggestion you may have
If there is a move away from bin store collections then the collections will have to be far more frequent to take account of the refusal to permit use of bin stores. I would suggest 3 times a week as a minimum. Any use of bins in the Square will detract from the beauty of the area and will reduce property values and visitor numbers. Presently tourists take taxi tours including the square. This is unlikely to continue if the place is full of overflowing bins. It appears there has been no consultation on any improvement to the use of bin stores. The bins at the top and middle will suffer from the same problem as the ones already by the Church, i.e. they will not be emptied often enough and their presence will be an eyesore in an area which is one of the most attractive for visitors and residences. It will become disgusting when there is industrial action. It is difficult enough now for the refuse collection of the bins in the Square, especially when there are increased visitor numbers.
I think this is a great idea and would be happier if there were more.
We already have communal bins and recycling close to the north-west corner of Palmeira Square, on Western Road, which we already use for refuse and recycling. These are far away enough from residential areas (facing commercial shopfronts) as to not cause a disturbance - both visually or audibly - to local residents. I don't feel having new communal refuse and recycling a few metres away from the current site is necessary. I feel the aesthetic of Palmeira Square and Adelaide Crescent would be ruined by having communal refuse and recycling bins here. I would be happy to have communal recycling and refuse bins at the south end of Palmeira Sqaure / North end of Adelaide Crescent. As this would be out of fair distance of most properties, and would mean Adelaide Crescent residents would not have to walk all the way to the top of Palmeira Square to do their recycling/ refuse.
I think that this is both handy and safe.
There seem to be a lot of bins proposed for the Square and Crescent, particularly at the top of the Square where there are already bins in Western Road. Are all these really necessary? PLEASE once again, no glass recycling bins in the Square and Crescent - too noisy.
Bottles and glass should be recycled by individuals into communal glass bins i.e. as those situated near the church at the top of John Street
Need to be in a colour to match the surroundings

I can not comprehend that you are considering putting these bins directly in front of a grade 2 listed building for the following reasons: With the communal bins at the top of Palmeria Square on the west side there is constantly large items of rubbish left at the sides of the bins like bed matress, broken furnature etc. 2) The noise from reclycling glass will be heard in my living room everytime someone puts a bottle in it. As we are not permitted to get double glazing because we are a grade 2 listed building, this noise will just be unbearable. 3)We pay a premium to own a property in Palmeria Square. The cost of council tax, and the maintenence cost of keeping such a building is very expensive. 4) I purchased my ground floor flat because of the area and being ground floor it has lovely big windows which look directy onto the square and down to the sea. If you were to put these bins in the proposed area, not only would I be constantly disturbed by the noise of breaking glass, but my lovely view would now include unsightly bins with fly tipping of all sorts. This will not only be intolerable for me - I work as a nurse and do shift work so sleep at different times including daytime, but also have a negative impact on the value of the property, but it would be very unlikey someone would buy. If you have to introduce these into the square, then I think you either need to put them at the top of the Square on the East side in front of the shops or construct proper huts that the bins could go into somewhere in the centre of the gardens. But the glass recycling should be in a seperate area all together and people can take their own recycling to the nearest depot. I will be attending the drop in sessions to discuss this further. I will be seeking legal advice and meeting with the local councillor.
Seagulls are an issue in the Square
The bins will need to be emptied very regularly so that rubbish does not get dumped alongside the bin when it is full as this will encourage many seagulls.
One Communal refuse bin at either seafront end of the crescent on the road outside the walls - not outside any residents homes in full view Four Communal refuse and recycling bins in the middle section between the square and crescent - not 18 bins as in the plans Two existing Communal refuse bins kept at the top of the square on Western Road, but properly maintained and emptied more regularly Alternative of cream bins to be considered if agreed as more sympathetic to the character of the area No glass recycling as noisy and extremely dangerous around gardens and residential areas where children and dogs play Great accountability for the collection, maintenance, repair and enforcement Review with residents of the new collection system over regular periods eg. 3 months
The bins will need emptying VERY regularly to prevent rubbish being left on the pavement or road near the bin.
The bins need to be collected at least once a day to prevent overflow and spillage.
I think communal recycling is a good idea as our recycling bin was stolen and the council won't give us a new one!
1 The bins should be green to better blend in with the surroundings. 2 Your record on emptying communal bins, when full, in Brighton and Hove is poor. Many bins have rubbish piled round them on a regular basis which is unsightly and a health hazard. If you put bins in Palmeira Square can you guarantee this won't be the case? 3 The litter bins in the square are also often overflowing. It would be better to have bigger bins, more bins or empty them more regularly to avoid this problem. 4 Your assessment of the perceived problems is flawed. Health and safety has not been a problem for over 100 years and to my knowledge no dustman has been injured on steps or by rats or needles. You should come clean and admit it is a cost saving exercise. I am sure there are many other ways the Council could reduce expenditure.
N/A - I oppose any bins outside my house.
As previously stated these bins are already shabby around the city are not properly cleaned or maintained, For instance the bin on Holland Road towards the sea near the junction of western road has been missing it's lid for months! Often throughout the city they are constantly too full & rubbish is left beside them.
The black recycling box collection makes the area a complete mess on collection days - communal collection is better. However, very close management and frequent collections are crucial. Siting of the bins just outside the crescent and square, in front of businesses as current at north west end on western road and also on north east on western road is preferred. If bins are positioned in the area Definitely NO glass recycling within the crescent and square please and seriously consider screens around bins please.

Alternative options for bin locations shown in supporting document - I feel first option is the only one which is acceptable
Consideration should be given to colour. Why can they not be green to blend in with vegetation, or magnolia to blend in with architecture? Reports on installation of new 'compacting' bins looks encouraging.
recycling individual boxes are occasionally not collected, just left full.
This is FANTASITC NEWS! The quicker we can have communal refuse bins the better! Hopefully no more rats outside my basement!
We live in a basement flat with a communal bin store which is dirty and often left in an unsanitary state after the bin men have collected the bin. We are delighted to have roadside communal bins. Thank you
I am opposed to the glass recycling in any of the projected sites. There is already glass recycling at the top of the already noisy square - buses etc. Glass recycling is too noisy.
Current system works poorly. Any black bag refuse box collection creates rubbish on the pavement and road due to windy weather and bags breaking. Your proposed arrangement seems sensible and is likely I would imagine to increase the recycling rate which I perceive as being quite poor under the current arrangement.
There must be regular collections. I have concerns regarding fly-tipping. Loss of parking spaces should be minimised
I contest that all this expense and disruption is justified "even if there is only one case of health and safety risk". Both in the home and out of the doors we all face risk of all kinds everyday of our lives. You cannot eliminate risk.
As the area is a conservation area the bins should be aesthetically pleasing - as they are in Spain and France where they are sunk into the ground. These bins are easily damaged and unsightly and out of keeping with a conservation area.
The current system is quite satisfactory for me and my partner.
Home waste bins within Palmeira Square itself + must be emptied everyday
I support having communal bins and recycling but it deeply upsets me to have them outside my flat. My partner and I do not use the bin collection service, we take our refuse to a communal bin and are happy with the distance we carry it. Please don't put them outside our flat.
Please no bins outside our houses a lot of noise and broken glass - Most of us sleep in the front overlooking Palmeira Sq. Hot days there will also be a smell and seagulls. We already put up with drunks. Even we 75 year olds can walk to the bins.
These bins are unnecessary as existing communal bins are in easy walking distance . Unless you are proposing an underground system, above ground bins will harm the character and appearance of the conservation area. Given there are bins in the area already, the conservation values to be give priority.
I think communal recycling bins are a good idea as not enough of us are recycling our rubbish, therefore this makes it so mush easier for us. I think it would be a good idea to allow us to keep our black boxes in case we want to take it all at once.
Make sure they are evenly spaced and kept clear.
My bedroom is on the Palmeira Square side of the flat. A glass recycling bin on the street outside would be too noisy. I know they have to go somewhere, but I would much prefer the recycling to be collected every week as it is now. Thanks so much.
Bottle/glass bins would be highly noisy and must be located away from homes. Emptying of these bins must not take place early in the morning, particularly at the weekends, as they are noisy. Provisions needed for elderly and disabled who cannot carry refuse to the new bins.
The parking for fee paying residents would be affected - loss of spaces means difficulties in parking reasonably near own location. Bins are unhygienic, as demonstrated in all of Palmeira Square - with rubbish strewn all over the Square - left beside bins because of limited bin capacity for flat residents and a limited capacity.
Elderly people are not used to recycling. There aren't enough controls by City Clean crews. Suggest there are teachers to "educate" us to recycle and to respect the environment.
Not enough bins.

As per FOPA advice, bins are to be beige and not placed outside houses. Only refuse bins in the Square or Crescent outside houses. Recycling in spot 5 (middle of the curve of Adelaide between gardens). Bins should be collected daily.
Many elderly/disabled persons would NOT be able to operate foot pedal bins. Kerbside black sack collection is NOT viable in this area as ripping open by seagulls is inevitable, resulting in almost permanent waste being blown around the streets. And the black sacks themselves, would constitute litter, especially as some persons would deposit them at their own convenience.
Q 5 - None of the options above The square will be dirtier. Bins will not be emptied, and maintained regularly. More refuse will collect outside the bins due to over spilling. Bottle banks are too noisy. Loss of precious parking space - there is already no space available in the evenings.
I am very disappointed that Brighton does not collect composting as many other councils do. If the council really wants to encourage a culture of recycling, the collection points need to be outside each house.
These bins are unsightly. We have lost a lot in Brighton. We need to keep some style in the town. This is a grade two listed square, and you think you can put out plastic bins.
NOT OPEN HATCH NO GLASS AT ALL This is all unsuitable for this heritage area. The constant mess, both in, and around the bins already in this city demonstrates that. Absolutely the only ones we would possibly accept are two refuse and two recycling bins at the point at the lower end of Palmeira Gardens and the two on the seafront road below Adelaide Crescent. None of this will result in cleaner streets, it will be exactly the opposite.

Area 2 - Adelaide Crescent - Q6 'Please provide any additional comments or suggestion you may have
I would prefer to retain the existing process.
I do not believe communal bins will necessarily 'result in cleaner streets' I am are not prepared to have communal bins outside ANY residents' homes I do believe unsightly and unpleasant smells - similar to other communal bin areas around the city will prevail. I do not believe that the council has listened to previous suggestions from residents rather than a considered consultation and working with communities to tackle any future issues that may occur.
I have no objections to the bins to be sited on the Kingsway. I am vehemently against any glass street boxes in the Crescent due to noise and expected spillage of broken glass. Communal rubbish bins above the electric station on the crescent would be acceptable. I would request that these bins be in cream as used in other areas of the city. Increased frequency of emptying would reduce the need for so many bins in Adelaide & Palmeira.
One Communal refuse bin at either seafront end of the crescent on the road outside the walls - not outside any residents homes in full view. Four Communal refuse and recycling bins in the middle section between the square and crescent - not 18 bins as in the plans. Two existing Communal refuse bins kept at the top of the square on Western Road, but properly maintained and emptied more regularly. Alternative of cream bins to be considered if agreed as more sympathetic to the character of the area. No glass recycling as noisy and extremely dangerous around gardens and residential areas where children and dogs play. Great accountability for the collection, maintenance, repair and enforcement. Review with residents of the new collection system over regular periods eg. 3 months

* I firmly agree with the FOPA recommendations - I'd like to see: - One Communal refuse bin at either seafront end of the crescent on the road outside the walls - not outside any residents homes in full view * Four Communal refuse and recycling bins in the middle section between the square and crescent - not 18 bins as in the plans * Two existing Communal refuse bins kept at the top of the square on Western Road, but properly maintained and emptied more regularly * Alternative of cream bins to be considered if agreed as more sympathetic to the character of the area * No glass recycling as noisy and extremely dangerous around gardens and residential areas where children and dogs play * Great accountability for the collection, maintenance, repair and enforcement * Review with residents of the new collection system over regular periods eg. 3 months
Pretty unimpressed that the existing collection process has been deemed unsafe - complete nonsense. I suspect no injuries have ever occurred. In my experience, street bins in the area attract more rubbish outside their capacity through passers-by. I fully expect the lower bins to overfill, and for rubbish to be blown down the square. Recycling I am less concerned with as I already take mine to the top of the street. However, again, overfilling through passers by is a major concern - I suspect these will be full in a flash during summer months.
Please see previous answer. We are very concerned about these proposals due to the noise and issues with small children and dogs.
The Regency Squares are an integral part of our city's heritage. Communal bins in this area are a sacrilege to our history and disrespectful to all of the residents of our city who are able to enjoy this special area.
Please see my comments in answer to Q4 - maybe the very front of Adelaide Crescent could be somehow exempted because of the detrimental effect on the aesthetics of this area? It may be true of other buildings too I think. So far, Brighton and Hove have done a fantastic job here of making sure everything is 'in keeping' with the environment. So much so, that sometimes you feel you have gone back in time. Please don't lose sight of this aspect!!
I am concerned that the proposed location of recycling bins is focused around the top of Adelaide Crescent , and therefore noise and debris will disproportionately affect residents in this area. I would recommend a more even distribution at the top of the crescent and at the bottom.
I don't care about the bin cover because I don't want them, you should have a multiple choice answer - don't want them
The design makes no difference I don't want them in the square
Ideally, I'd like to see a choice of colour so that they blend in. I believe there is cream and black, but green could also work. Additionally, I'd like to see a natural screen infront of the bins as they are so ugly.
I live in only one of two complete houses in Adelaide Crescent having purchased it virtually derelict in 1975 so 40 years resident. Much good work, gardens, parking lighting has been done. Please don't mess it up with your refuse plan.
We don't think the communal bins are in keeping with the listing status of this area. They will look ugly and distract from the whole atmosphere and character. We are not comfortable with just a promise of clearing the bins 5 days a week - also there are so many visitors to the Crescent and Square at weekends there will always be an excess of rubbish. Bottle banks are noisy and dangerous.
We have lived here and paid council tax for 7 years. Never has Adelaide Crescent and Palmeira Square looked so dilapidated and unkempt. Weeds everywhere, rusted lamp posts and bollards. So many visitors have commented on the above - a disgrace!
Bin grouped in the middle. Too many. Already noise travels from bins in Holland Road.
Absolutely NO glass bins in the residential area. It is too noisy. If its voted to have communal bins, then, the OBVIOUS place for them is at the bottom of Adelaide Crescent in the slope down to the seafront road, which is NOT outside anybody's flats. They should be CREAM and not ugly black. They should be MAINTAINED not like they are an eyesore. Absolutely NO glass bins in residential areas, please, too noisy.
You will probably ignore what people vote for anyway, why else would you ask about lid design?! If your dedication to the parks and gardens is anything to go by I don't hold up much hope of a good looking aesthetic solution. You should take a leaf out of other tourist destinations, in much poorer countries, like Spain.

RESIDENT HAS TICKED COMMUNAL REFUSE COLLECTION AND KERBSIDE BLACK SACK COLLECTION. THEY AGREE WITH THE PROPOSED LOCATIONS FOR REFUSE BUT HAVE NOT AGREED TO THIS FOR RECYCLING AS THIS IS CROSSED THROUGH ON THEIR FORM. THEY HAVE TICKED THE BRUSHED HATCH AND FOOT PEDAL FOR THE RECYCLING BIN DESIGN.
I oppose the suggestions because we live in one of the finest regency crescents in the country, people come and film, take pictures every week and Brighton and Hove want to place huge great dustbins around, and these aren't refined to refuse they attract fly tipping!
Don't really mind but NOT open hatch. Thanks for requesting feedback and acting on this. What about senior citizens though who might need collections? Thanks
Happy to dispose of own rubbish and recycling outside of the crescent on Holland Road/Church Square/Tip.
I am 100% behind communal bins for refuse collection and recycling. There was a rat infestation at (number removed) Adelaide Crescent recently and they had to spend a fortune on preventative measures. We have banned cellar refuse bins at number (number removed)!
Loss of parking spaces - this is four spaces from about two hundred and fifty - Palmeira square and Adelaide Crescent. The bins outside numbers 13 and 25 would be better located at the foot of the ramps, adjacent to Kingsway, where they will be more convenient for the resident at the lower ends of the crescent, and less intrusive visually. The residents at the north end of Adelaide Crescent have the bins at the south end of Palmeira Square.
The resident has ticked the brushed hatch and foot pedal options. The bins do not look nice in a conservation area, surely smaller bins could be kept in the gardens and large bins at the bottom wall! I do hope we get communal bins in the crescent as we have had many basements infested with rats with the previous method. The recycling bins need brushed hatches as the crescent looks a mess when the seagulls come to play! PS Cant the bins be kept in the gardens? Less noise, easy access for picnickers, not outside any home ok they would have to be smaller bins.
PLEASE PLEASE can we have communal bins! We are fed up of the wind blowing rubbish around due to the kerbside collection on recycling day. It just makes the place look a mess.
If there is daily collection, less bins will be needed. Bins should not spread out over the crescent - need to be near seafront end.
Resident preference of Brushed hatch and Foot Pedal
I so hope that these bins will be collected daily and if so I agree!
Concerns over vermin, provides a perfect food source for rats and seagulls. Took steps to prevent infestation with our current set up and have concerns with how this will be policed under new proposals.
You must look seriously at the FOPIA proposal which has enormous backing. Amongst residents, WHITE painted, built in the sea front facing parking spaces...Anything else would be an abysmal lack of consideration for residents.
No bins outside residents homes!!! You want to put bins outside my front window!! Put them by the seafront or at the top of the square. Why not maintain the two communal bins at the top of Palmeira Square? No glass recycling bins near houses! Noisy and dangerous for children and dogs. Put bins at the top of the square or the bottom of the Crescent! Must review any system regularly!
Proposed plans are dangerous! Glass and rubbish will end up on the road! Bins will be noisy. People will fly tip!! Keep the bins at the top of Palmeira Square. NO BINS OUTSIDE HOMES!!
How many injuries have there been? I prefer communal bins, but, don't mask cost cutting with safety concerns!
I am keen that we move to the communal bin system as storing black bags in the cellar is very unhygienic and attracts vermin.
These bins will get full very quickly - they will need to be emptied daily/twice daily including weekends when many will dump their rubbish. I hope the cost saving which caused this change will reduce council tax.
Very much in favour of change.

I think it is essential that we have a communal refuse collection point. The risk of rats in the basement is too high. I do not think we should have communal recycling, as it would be loud and might destroy the park atmosphere and litter could get spread.
Is there any reason why recycling is not proposed on the south side of Adelaide Crescent (next to the proposed refuse bin)? If it were possible too, can we have bins green instead of black. I feel this would help the look of the area.
Cull seagulls and pigeons.
I am sorry for what you would like to do, but I know you will agree with me when you know how I feel. I am 90 years and cannot walk up that hill and have a heart problem. So sorry.
If this approach (communal bins is to be adopted as standard throughout central Hove and Brighton, the council should invest in proper underground bins, where only a small part is above ground. These are in operation all over Spain and Italy, look neater, have greater capacity and mean longer periods between collections. e.g.. sofkon, Taylor bins, Edmolift Envac.
We understand the problem - just not sure we like any of these solutions and don't want to spoil the conservation area and reduce parking.
I am concerned regarding DISABILITIES - will have to depend on help from neighbours, and this is not really fair on them or me! - but having said that, I cannot think of any other better option. Also NO BINS outside any residents' houses - this is a most beautiful area and we are its custodians! Up to US to keep it largely as it has always been (ditto bottle banks)
I would support the plans if more recycling bins were proposed.
I consider that the present system of bin-store collection from basements should be maintained.

Area 2 - Comments throughout the consultation
Residents expressed that they did not wish to have the two proposed locations in Adelaide Crescent itself
Suggestions that bins should be placed next to existing communal bins on the south of the crescent, rather than in the crescent itself
Suggestions that bins at the top end of both sides of Palmeira Square could be placed around the corner on the main road
Residents expressed that even without recycling being taken out, they still did not want bins in Adelaide Crescent
Some residents felt that if recycling did not go ahead this would reduce the amount of bins required and this made them feel that proposals may be acceptable
Residents felt that the two communal bins at the south end of Adelaide Crescent were not needed
Suggestions were made that there were two areas to the centre of the south side that should be explored

• They commented that we showed them two plans in a prior meeting and their preferred plan was omitted from the published plans. • They have put forward a few freedom of information requests regarding the number of injuries reported by the crews in the squares. • Palmeira and Adelaide are assets to the city which will be degraded and become devalued. • There are a lot of rented properties in Palmeira / Adelaide Crescent who do not care for the area as much as residents who own their properties. • They are happy to keep recycling with kerbside boxes; they do not believe that there is any need to change. • They would like to have more nets sent to the residents for recycling boxes (they think the nets work well). • They would like to have notices on the communal bins to explain what can be put in them (non-recyclables, landfill etc.) and what should not be (recyclable materials, large items, electrical goods etc.). • The bins should also have warning notices about fly-tipping. • They would like us to make the bins more attractive (perhaps a different colour) and to make them out of materials which are stronger and last longer. • People in the Square work hard to keep the area looking good and regularly enter the 'In Bloom' competition.
• Opposed totally to the proposed introduction of communal bins into the square. • They believe that there are no health and safety issues. • They believe the council has an obligation to the conservation of the area which it is not meeting with this proposal.
• Happy for the introduction of communal bins • Resident already uses communal bins in the surrounding area for their refuse and believes many of their neighbours do the same • Resident believes many other residents in the area are pro communal bins
• Concerned about the location of the bins at the top of the square. Resident believes they are on a blind corner and will cause problems for cars, cyclists and pedestrians. Officer explained that the map was slightly misleading and the bins are located further to the middle of the Square, away from the blind corner. • Resident commented that some people in the Square have held back their consultation comments until they see visuals of the proposals

Area 3 - Sussex Square - Q6 'Please provide any additional comments or suggestion you may have
Whilst we already re-cycle on Bristol Place and Easter road locations, if bins are introduced a more regular collection needs to be implemented as overflows and fly tipping are a regular experience, resulting in a loss of the benefits claimed. There also needs to be a notice in these locations about bags to be placed in side, and if full at the next location and that FLY TIPPING is strictly forbidden?
I do not want the bins full stop regardless of colour. The question is presuming that they are coming in regardless of what people say. Another corrupt survey?
The bins do not belong in a grade 1 listed area and certainly not in the locations you mention. They are dumping sites around the city and overflow and cause more problems than the existing situation ever will. The scheme does not need to change any change will be massively detrimental to the area and more likely to cause risk to life from obstructions and overflowing bins.
The other 2 options will allow overflow of the bins as people might throw away bulky stuff and the lids won't close properly with the risks of seagulls and other animals ripping open sacks etc
Its important that these bins do not become tired. Sussex Square is an important Grade 1 development and we must try and be sympathetic to the heritage zone.

I take issue with the fact that the health and safety concerns of the presumably fit, largely male refuse collectors is clearly taking priority over the risks to the frail, old, disabled and young mothers with babies and toddlers who will now have to carry their waste up or down the street to the nearest communal bin. Does the Council not have an equal responsibility to minimise risks to local residents too, even if there is only one case of an H & S risk to them as you claim for refuse collectors? What is your duty of care to residents and will you be accepting liability for any falls resulting from the less able carrying what can be heavy waste to them if not to healthy younger people? Although I have indicated preferences in the questions above, I am very unhappy with the scope of the questionnaire which indicates a fait accompli on the part of the Council with only marginal choice at the edges. It does not give me the options I wish to select as I do not support communal refuse and recycling in our square where black bags are not left on the street as refuse is stored in suitable basement level bin stores, alongside recycling. The recycling bins in our house are always full and I do not believe us to be exceptional.
In Sussex Square the bins should be sited on the Garden side of the road not outside the front doors of the houses.
The current system is awful with rubbish/recycling blowing all over the place so communal bins should be mandatory. People hang their rubbish from the railings and it looks awful too.
brushes are best idea but they only last a couple of months use before they break and are never replaced
Any of the options above has its disadvantages. The truth is that this communal bins look always awful and dirty and they smell. The whole city is becoming a huge communal bin itself.. I haven't seen so many of this communal bins in other cities here or abroad and the cities look even cleaner than Brighton...All this thing about communal bins is about cost savings by all costs.
None of the designs proposed will deal with the rubbish that is left on the pavements that often includes furniture, fridges etc.
Communal bins and recycling bins are constantly overflowing in this area due to high population density?not enough collections
It is really important that a better job is done than presently to ensure bins are emptied every day and that refuse is not left in piles on the street either before or after collections. Bristol Place looks most days like a developing world slum because of the mess left behind after collections, and sometimes the communal bin is left to overflow for days without collection. This is not acceptable: I have a collection of photos taken over the last two years of the mess, which is a health hazard and deeply unsightly.
Bins along either side of Eastern Road are appropriate. Bins along Arundel Terrace on the side where cars can park are appropriate, as would be bins along Chichester Terrace on the side where cars can park. It is the proposed siting of bins on both sides of Lewes Crescent adjacent to the pavements in front of the buildings to which I object.
Brushed Hatch and Foot Pedal both ticked as question 5. As above not GREEN - doesn't work as rubbish is still strewn across Brighton and always untidy and unsightly on the seafront. Poor design - lids are heavy and the process is too difficult for elderly or impaired adults. Think outside the box! Submerged containers with shoots kerbside as in other parts of Europe. Don't understand why its not part of town planning and future proofed? Eastern Road causes a traffic hazard on the corner and congestion. Noise levels for immediate proximity of neighbours. If emptied every day it affects some more than others and impact on property prices!
We really appreciate the chance to have our say. We also really appreciate the hard work done by City Clean and the council. Still wanting organic waste recycling though!!
Appreciate this consolidation and all the hard work carried out by refuse staff and administrative staff on my behalf as a resident here. Thank you
Brushed hatch will stop non domestic refuse being dumped in the bins. Concerned about the frequency of emptying, cleaning of surrounding area, rats, etc.
Sussex Square becomes extremely dirty around bin collections and I welcome these proposals which would improve the area considerably.

More bins could be provided in Bristol Place and Church Place and additional to those proposed on Eastern Road.
I am happy with the current refuse and recycling and so would like it to stay the same.
I would rather keep things as they are. The problem with the proposed locations for the refuse collection is that there are not enough, even if the recycling bins became refuse only. The streets surround Sussex Square are often a disgrace as tub bins are always overloaded and not cleaned or tidied around or emptied enough!
Alternative suggestions for bins placement 1) 2 sets of 3 on the North side of Eastern Road - between Sussex Square and Church Walk and between Sussex Square and Bristol Place. 2) 3 sets of 3 on Marine Parade, below Chichester Terrace, below Arundel Terrace and 1 or 2 sets on Marine Parade at the South of Sussex Square. My observation is that fly tippers tend to use side streets where they think they are unseen, rather than main roads.
For fit and healthy people, using the bins is no problem but we have a neighbour who cannot lift a bag of rubbish into the bin. What provision is there for people with disabilities to put rubbish into the bins?
Could the bins have a less ugly design? Maybe a leaf green design?
I am concerned about litter, waste AROUND the bins and items not easily disposed of being dumped next to the bins. These squares have some of Brighton's best architecture and must be preserved and looked after appropriately. I would be very upset if I lived in numbers 14 or 16 Lewes Crescent. This prime real estate and where the Crescent opens out offering spectacular views. We all know bins allow rubbish to congregate OUTSIDE on the pavement. People will leave large items and cardboard etc. next to them. This is why I am AGAINST recycling bins.
Brushed hatch for recycling and Foot pedal for refuse. My mother lives in France in the country and walks about 10 mins to her communal bins. She enjoys it as part of her constitutional walking and meets people etc. She is 80.
IF City Clean collect five times a week then this might well be a good solution.
I think you should use the bike park/motorcycles area opposite number 25 Sussex Square as no one ever uses this and there are motor bike areas on each corner of the Square - if not the rubbish bins you are suggesting are quite far away from the properties at the top of the square.
Although I agree with the proposal overall I am a little concerned about the loss of parking spaces but I think having more bins and recycling points is probably essential.
In theory this should work as long as the bins are collected at least 5 days a week and you have a vehicle small enough to get around the back of Sussex Square which can be tight for larger vehicles.
Open hatch and Foot pedal BOTH ticked. I personally dislike boxes because they are ugly so must be hidden in my flat and, when full, I cant lift them. A problem which I am pleased you will resolve by introducing communal refuse bins. Thank you.
Be sure to collect daily! The nearest common bins, at the moment, are often a disgrace of scattered litter, food, and general rubbish because the bins are overflowing!!! THIS IN A UK PREMIER GRADE ONE SITE!
Brushed Hatch and Foot Pedal preferred. Evidence from nearby refuse communal bins, strongly suggest that fly tipping and abandoned large items are common. Enforcement promises are hollow! Neither is daily collection much in evidence! If this is to work properly daily attention is necessary!!
About time!
The communal bins are so much more hygienic and convenient. Our basement store is a mess. Bags burst and there is always garbage on the ground. All rats are a regular nuisance.
Presently there are two communal refuse/recycling bins situated in Bristol Place behind Sussex Square. Rather than site the new bins on Western Road, where they would be unsightly in a grade one conservation area, simply site them all in Bristol Place, which is as easily accessible for the residents in Sussex Square and less noticeable.
There are no current recycling bins on Lewes Crescent and I feel it will spoil the conservation area.
I do not want the bins outside of my house.
ASAP

The major disadvantage of communal bins is the outrageous litter across the streets. It does not seem to cure the litter problem. More frequent collections are ESSENTIAL.
Open Hatch and Foot Pedal are both ticked in question 5
Open Hatch and Foot Pedal both ticked Very happy with proposals - already use on street bins. Would appreciate a food waste recycling scheme.
See attached sheet. I note that the council says bins will usually be collected 5 times a week although it does not specify which days this will occur. It is important that the bins are emptied on Saturdays and Sundays for two reasons: 1. Firstly, to minimise overflowing bins as these are the days when they are most used - many of the properties in the area are occupied only at weekends and 2. As tourism is so important to the Brighton economy and most tourists come at the weekends, it is important that the city looks at its best on those days to ensure tourists are encouraged to return.
I think bin locations are not suitable. Residents paying for parking permits are already struggling with parking space. Only pay and display bays should be used. I do not believe ANY spaces on the lower end of Sussex Square or Lewes Crescent should be used for bins - this is a listed/conservation area and we pay a premium to live here. You are ruining our neighbourhood.
If new street bins are provided there should be more street cleaning as well as there is always spillage.
Bins should be located in Eastern Road either side of the bus stop and along the flank wall of number 40. On the verge of Arundel Terrace would be hidden by hedging so unseen from the main road as the Chichester Terrace location - bins should not be seen when you drive into the estate of grade one listed properties.
Re question 5, Brushed Hatch and Foot Pedal are both ticked. The bins DO create rubbish over the streets. People do not collapse boxes, just dump them, which attracts fly tipping of domestic as well as commercial items. Brighton's heritage areas are a national treasure and should not be so DEFILED.
SEE 4B This is a regency square and as such its look should be protected in line with previous local planning agreements. This proposal is very disappointing and upsetting for residents.
The "sites" for proposed bins are dangerous for motorists (vision of traffic and pedestrians for motorists) and also dangerous for the elderly and young alike crossing the road to access communal gardens on Sussex Square. NOT appropriate , its an eyesore for a grade one listed square. Recycling collection is already put onto pavements for collection by residents each week. COSTS - surely a daily collection five days a week will cost more than a weekly collection? if so then this cost will be passed on through Council Tax!!
I strongly support street collection. I live in a basement next to a communal bin store for eight flats and it is often unhygienic and attracts rodents, especially since collections are often missed. I often have to clear cat litter etc. from the steps which is a health hazard.
This was refused last time for the reasons above, and should remain as it is.
The position of the bins indicated for Sussex Square will be right under the windows of a flat. We already have bicycle racks, outside our house. This does not preserve the grade one appearance. This would not happen in any other Grade One square in the country.
Sussex Square is a conservation area and these bins are not in keeping. The proposed site on Eastern Road is of additional concern as there is risk from the continuously speeding cars (as it is near the pedestrian crossing) and most nights, there are drunk revellers passing and the bin will be an obvious target.
To have all three bins immediately outside my house is unacceptable. The noise and visual effect will be hugely inconvenient as I have babies, the noise is a particular issue. If anything, they should be around the corner, opposite and near the gardens and bus stop. I have drawn this on the map.
As above, based on experience of communal bins around the area already. Rubbish is NOT securely maintained or contained. Problems with split sacks. Risk of discarded needles, etc. already exists around these bins.
Re question 5, Brushed Hatch and Foot Pedal boxes both ticked. All this has been said before. This is a grade 1 historic, protected area. Possibly collecting from cellars could be discontinued but collection from ground level pavement MUST continue.
MESS, UGLY, UNTIDY. DONT WANT BINS.

Question 5 - none of the above This is a GRADE ONE LISTED AREA with regulations governing the street as well as the houses.
I think things might look unsightly all week if the bins don't get emptied.
The communal bins would ruin the aesthetic of the square. We are currently struggling to replace our old aluminium window frames with modern windows. So I find it rather disappointing that the Council are happy to ignore the heritage image of the area when it suits them, but, not for residents of these homes.
Recycle bins are a means to save money only. They discourage recycling and encourage fly tipping - I am attaching images taken in and around Sussex Square/Lewes Crescent/Arundel Terrace which shows how unsightly these communal bins will be in a conservation area.
Communal bins will be an eyesore on the only grade one square/crescent. They would need daily collections. Please don't ruin our beautiful square/crescent. The accident risk mentioned above is very real as sight lines will be blocked. Please consult with Highways. The Council will be sued for any accidents.

Area 3 - Arundel Terrace - Q6 'Please provide any additional comments or suggestion you may have
I'm happy for bins to be used for refuse - no-one leaves black bags out for collection on our terrace anymore anyway, but I don't think extra bins are needed - we always use the ones on Arundel Place, and there are also ones on Rock St and Bristol Place (I think!)
Brushed lids can still be lifted up for more than single items.
THE BINS COULD EASILY BE LOCATED ON THE GARDEN SIDE OF LEWES CRESCENT, LEAVING ENOUGH ROOM FOR MAINTENANCE SO NO ONE HAS THIER VIEW RUINED, ALSO THE RAILINGS ACT AS CAMOUFLAGE. WE ALL PAY HIGH RATES FOR THE PRIVILEGE TO LIVE HERE, WITH THE PROPOSED POSITION IN ARUNDEL TERRACE THE BINS WILL BE DIRECTLY IN OUR VIEW AND RUIN THE ENTRANCE TO THE GRADE 1 LISTED ENCLOSURES WHICH ARE GREAT HISTORIC SIGNIFICANCE TO THE AREA.
none of the bins. they all break, are unsightly and take up parking spaces. you will do what you want to do anyhow.
it is shocking to ask for contribution from residents if a decision has already been made. but this will not be the first time. the main reason for this change (health and safety) is exaggerated, and that its needed is a careful approach.
i think this is an outrageous suggestion, and the excuse for ''Health and safety'' is insulting to us and the bin men. its far more of a risk for them to drive in the bin trucks! ALSO, residents put their bags out at night on the pavements and only very, very rarely is there a problem with seagulls, which is invaribly cleaned up by other residents. I AM STONGLY OPPOSED TO THIS PROPOSAL.
please, please, put the communal bins on the main road (a259) not in a beautiful grade 1 listed square. you will ruin the areas look and cleanliness. its also easier for the communal bins to be emptied on a wide road (a259)
please put the communal bins on the main road a259 and eastern road. they will destroy the look of the grade 1 listed area. you have put them on the main road for Chichester Terrace, please do the same for Arundel Terrace.
if certain houses are creating the problem penalise them and not collect from them. why punish all of us for the sins of a few!!! this is another scheme to get rid of unskilled jobs and put people on the dole. shame on you!!!
the communal bin have caused an increase in rubbish/mess/flytipping. this is a ''cost saving'' measure dressed up as improvement in service. it will result in even more mess and rubbish on the streets of our city. Cityclean and the council should do the job they are paid for and keep beighton clean.
I'd rather have a black box - please provide one. I have contacted the council before and been told black boxes weren't collected in our area, they are!
We have the bins behind the Terrace in Arundle Mews, this works fine.
I am fully in favour of communal bins if they are located discretely and not in front of a Grade one listed area. I am happy to walk to a communal bin e.g. in Arundel Place (as at present) or Arundel Road.

Not sure where the bins will be placed on Arundel Terrace. The map is cut off.
Brighton and Hove is quickly becoming covered in rubbish and filth. The only way to stop the problem is to empty bins more frequently and have more foot patrol cleaners to clean up after the bins have been emptied. The system is broken!! Money is needed to fix!!
Resident has ticked brushed hatch and foot pedal. The current communal bins are often too full and this means it is likely that refuse and recycling is left in piles on the road. Could foot pedal opening not be provided for recycling bins as well as refuse bins? Parking is already at capacity - could alternative locations be considered which would not reduce this capacity even further?
There are bins around the corner in Arundel Place that some people on the terrace use. So is it really necessary for them to be on the terraces?
This is a poorly designed questionnaire! My objections to the communal bins are two fold. They are very unsightly when banged up. Furthermore, in may areas they do not seem to be emptied frequently enough - they overflow and attract sea gulls and foxes and make a considerable mess.

Area 3 - Chichester Terrace - Q6 'Please provide any additional comments or suggestion you may have
Chichester Terrace & Sussex Square is not an appropriate area for large black bins.
The most important thing is that the bins are kept in good repair. Some of the ones near to us have badly damaged or no lids - all caused by the collection men and machinary. It looks horrendous and leads to a lot of mess, especially as it then gives open access to the gulls.
If the brushed hatch option is used it would solve issues by ensuring at least one bin in each location is left unlocked so the lid can be raised just and multiple items added at one time!
is brighton the dirtiest town in the country?
my mother (aged 96) in (number removed) and i currently hang our refuse sacks on our railings the morning of collections - no problems with foxes or seagulls. i cannot physically carry my own refuse or recycling to the nearest bin, let alone my mother. currently i collect recycling in a box on my patio and place it at top of my steps on recycling collection morning. this system works well. i understood this street would keep its weekly refuse/recycling collections due to being part of the kemptown enclosures.
i strongly disagree with plans for communal refuse bins. it is inconvenient messy and ugly and hard to carry rubbish to. we are happy with the current collection and very sad that recycling is no longer collected.
Propose that bins on Lewes Crescent be located at the rear of Lewes Crescent and more on Marine Parade by Kemptown Enclosures.
Full set of bins required at each location. Fly tipping is still a problem in vicinity of communal bins. Suggest that CCTV to stop clearance companies abusing residents refuse and recycling facilities, which is a problem to rear North East of Sussex Square. Suggested that bins on Lewes Crescent are likely to cause accidents. Enforcement need to investigate fly tipping at Bristol Place.
If the existing bins were emptied more frequently no new bins would be required. We have sufficient facilities.
NB Also ticked foot pedal. The refuse disposal is WAY too far from my house. The recycling hatch is also difficult. It takes me ages to put items in one at a time. I have never been informed about recycling boxes on planned front door collections.
I use the communal bins located on Clarendon Terrace and on Marine Parade. These bins meet my requirements so I don't want to have additional bins within the conservation area. The brushed hatch bins are sometimes locked which makes them very awkward to use. Please could you ensure the lids are always open to lift.
Bins positioned on the corner of Sussex Square and Eastern Road, restricts your view of oncoming traffic. As do the bins in surrounding streets i.e. Rock Street.

We are pleased to see that no bins have been positioned on the junction of 1 Lewes Crescent and Marine Parade A259. This spot is very dangerous with cars taking short cuts and joining the A259 from the North so any extra use by pedestrians would be very likely to result in accidents. The location of the bins on Arundle Terrace is not quite so dangerous because there is less traffic. If it helps with parking spaces - there is one disabled bay outside 2/3/4 Lewes Crescent which never seems used anymore.
Having just moved from Westminster, I find their recycling scheme much more convenient. All residents get a supply of transparent blue bin bags which can hold all recycling together, I am not sure if they are viable here but I thought I would mention it.
You must involve English heritage. If you look at the listed map its not just the houses but also the road that is protected. As far as the statement regarding repair and maintenance, this is not true if you look at the bins in the area.
Re question 5, open hatch and foot pedal options are both ticked. In the subject area of study - how many genuine related health and safety incidents have occurred in the last 150 years? You are simply transferring any minute risks to the public rather than your "trained" staff. It is your use of certain intransigent staff which has created any reported problems, not the reasonable activities of their allotted tasks! All life/work activity contains some risk! Be honest with residents, this is all about cost saving, not concern for safety. What reduction in Council Tax will this achieve for me?
Re questions 3 - resident has ticked BOTH Communal Refuse Collection and to keep existing weekly recycling box collections. The bins are not emptied regularly enough and all the benefits go to disadvantages! Encourages fly tipping. There is absolutely no point providing bins if they are not emptied regularly. With the existing communal bins, they are frequently surrounded by refuse and subject to seagulls and foxes. The situation is DIRE!

Area 3 - Lewes Crescent - Q6 'Please provide any additional comments or suggestion you may have
I strongly object to ANY bins in this area. Judging by those outside J Rolls estate agents in East Street, they smell, are misused and rubbish is piled up outside them. Vandals have tried to move and break them. They are unsightly and most objectionable close to any residential area.
The bin lids are not properly maintained at present. Recently the lid of the bin on Arundel Terrace had been completely torn off, leaving the contents open to the seagulls.
If bins are located on Eastern Road, 2 Terraces and Marine Parade the bins will be close enough to all houses on the Square and the Crescent without losing parking spaces or causing noise issues for residents.
I agree that it is really important to protect against seagulls.
I'm very concerned that you don't take into consideration the amount of litter and dumped garbage that tends to happen around the communal bins. They are generally not kept tidy enough. I'm already struggling with litter blowing down on my patio. The EF language school and it's many students contribute to this. Having the communal bins straight outside would be adding to this in a big way and would affect the value of the flat and my enjoyment of being outside on the patio. The second thing I'm concerned about is the noise from disposing of glass and also the emptying of the bins. My suggestion is that you place the bins on Madeira Drive instead, away from flats. If this was xxx, where I'm from, a neat and tidy space would be built where the residents would need a key to be able to dispose bins. This would stop others from fly tipping. It's embarrassing for the city to have big bins standing open like they are now.
A Glass dedicated bin is a very good idea, even if people vote for the black sack collection
Please don't put any bins at all in the actual Crescent. It's an area of special importance and I don't mind walking to the bin but don't want to be looking out at the bins. Nobody would mind if there are additional bins on Eastern Road - but definitely not in the crescent / square please.
Definitely no bins on Sussex Square / Lewes Crescent.
I don't want any bins in the square.

Please do not put communal bins on Sussex Square/Lewes Crescent!!! The bins that are on the next street over are already a disaster; people use them as a dumping ground (people drive from the surrounding areas to dump rubbish!!), no-one pushes through the bin bags so seagulls attack the bags, recycling is constantly overflowing...basically it's horrible and if you were to put communal bins on Lewes Crescent, people would not respect this historic street and there would be garbage everywhere! Weekly collections would be better OR individual bins for each apartment block (that you have to have a key for) located on Eastern Road. I'm also getting concerned about rats as the bin situation is getting so bad!! PLEASE no bins on Lewes Crescent!
At one of the drop in sessions I was told by a member of City Clean that the post for the recycling bins were going to be removed and no longer used. I have noticed that many of the posts are bent and the bins are not attached.
the brushed hatch bins are not safe in terms of bacterial (un-readable word). people put their hands in and become contaminated by bacteria and thus cross infection is encouraged.
Brushed hatch and Foot pedal both ticked.
I think it would be important to keep the area around the communal bins cleared regularly as they can encourage general dumping of larger items around them. From experience, any black bin bags left out result in considerable spillage and scattering by animals.
Many residents of Lewes Crescent use the refuse and recycling bins in Rock Street and Arundel Place using the rear entrances to their properties. Therefore, there is no need for refuse bins in the middle of Lewes Crescent. The bins should be sited in Eastern Road and Marine Parade. At present, we bring up our own recycling bins on Friday mornings to the kerbside and this should continue. It will result in the need for less bins in total - good for appearance/more room for refuse bins.
If kerbside collection of recycling is retained, then, there is no need for glass and mixed recycling bins. Many residents use the existing bins at the rear of Lewes Crescent in Rock Street and Arundel Road. This lessens the number of bins required. Bins should be sited on Eastern Terrace and also on the grass verge at the bottom ends of Lewes Crescent and near Arundel Terrace and Chichester Terrace. Bins could also be sited along Marine Parade in keeping with the number already sited there.
Place bins on Eastern Road and/or Marine Drive. For us we access bins in Rock Street via the rear of our building. Cost under ground systems for future consideration.
Please put the westerly (Lewes Cres). Bins on the Eastern end of the Chichester Terrace (on the bend from Marine Parade. These should not be outside anyone's house. Thank you!
Stick the bins on double yellow lines, people wont mind losing them.
The impact of the bins in a conservation area is enormous. Location of the bins opposite the garden gate is dangerous. Bins need to be located behind the square and crescent in Eastern Road.
The design of the consultation is commendably clear + simple to use. Thanks

I have lived at (number removed) Lewes Crescent for 32 years and refuse has always been collected from the house cellar. I would like to know how many accidents have been recorded during this time. The intimation from your literature is that there is no evidence, only that an accident might happen! There is no justification for such sweeping changes being proposed. The communal bins in our area are an eyesore. The one placed in Clarendon Terrace has had its lid missing all summer and the amount of spillage around it is unsightly. Likewise, the bin in Eastern Terrace outside Jonathan Rolls Property Management is surrounded by contents spilled all over the pavement. Such evidence gives the lie to the promised cleaner streets. The collection of black sacks placed by the residents on the pavement is a non starter. We have a real problem with seagulls tearing bags open and scattering their contents all over the pavement. If such bins are introduced, then the siting of them has to be much more sympathetic to their surroundings. It is the duty of us all, including our council to protect the visual appearance of our grade one listed heritage and the siting of the bins destroys the magnificent vista looking down to the sea from Sussex Square on both sides of the Crescent. Other residents have suggested that the bins be placed in Eastern Road in locations not directly outside any of the houses and I support this suggestion and insist that this must be considered. As a last option, if a bin does have to be sited directly outside number 16 then it should at least be located on the other side of the road against the garden railings. We already cross the road to reach our cars, parked against the railings and also to enter the gardens by the gate opposite our dwelling. As far as the recycling boxes, the present arrangement of weekly collection from black boxes placed on the pavement works perfectly well and by continuing this practice there would be fewer of the ugly black communal bins that proliferate our city and which threaten to ruin the environment, which must be protected at all costs. I write in behalf of our Chairman and directors of 16 Lewes Crescent. Yours sincerely
How about instead of spending money on this you spend it on ensuring collections of existing bins is regular and the communal bins are kept clean. The design of the lids should specifically be in keeping with the building i.e. none of the options stated.
The communal bins should be placed on the seafront or the bottom of Chichester Terrace. We are also concerned about fly tipping.
If the Lewes Crescent bins were located on the garden-side they may be less of an eyesore (although I don't think they are that bad - considering the good they do!) Also locating them on a corner may compromise visibility for road users, as they are taller than an average car. If positioned sideways, the user could still access the bins without being in the road.
This is an important Regency Estate - GRADE ONE LISTED and should not be defaced by rubbish bins. Alternative positions are available e.g. the South side of Eastern Road and on Marine Parade at the bottom of Lewes Crescent (East and West) but not in front of the houses. There are rear exits to most houses in Lewes Crescent (East) where there are ample bins available.
It sounds like an excellent idea.
Like the proposal for communal refuse collection for the benefits you have outlined which outweigh the non benefits.
As a household of senior citizens, any of the above would be extremely difficult to cope with. Also, in reality, we are all aware of the mess surrounding the current bins, apparently unavoidable.
This will mean we have two rubbish bins outside the back door (see the cross on the map) and two recycle bins across the road in the front - 15 feet from our bedroom (rubbish and glass recycling) - we are surrounded - this is unfair. 4 of the flats are for sale and re-rent and are currently empty, therefore, no response currently (number 13). We have only just returned from holiday and several people in the area have NOT had forms.
Re question 5 - None of the Options These bins are nothing more than an eyesore. They are just targets for seagulls to rip open bags due to excess rubbish being left around them and the non-collection of rubbish in an area by Rock Grove, etc. This is what will happen in Sussex Square and Lewes Crescent.
I understand the health and safety issues, but, would still like to use storage under stairs for bags and put them out on the morning of the refuse collection. If the recycling is not collected I am afraid the system will break down and recycling will not be done efficiently.

I prefer the option of communal refuse bins and recycling boxes. But, the seagull population has increased. Can we also address this?
This has worked very well and any problems are dealt with by neighbours for newcomers.
The Council should respect the International importance of this grade one conservation area. If four refuse bins are agreed, they should only be on Eastern Road (by the bus stop) and on the wide and little used pavement along Marine Parade. See plan. Many residents use bins at the rear of their houses. The Council needs to check residents have black boxes with net tops. Collections currently are often needed twice daily.
You use the excuse of "health and safety" to bring in measures on which you have already decided.
I often see bins with rubbish dumped beside - is this because people are lazy or there is insufficient capacity? If there is kerbside black bin collection, is there an option for either cleaning up afterwards or providing extra tough (90L) bags? Bags often split through no explicit fault of the householder.
There is no need for bins in Lewes Crescent - there are more bins in Bristol Place which is not residential or of historical interest and would be sufficient.
How is one to empty a bin or box of recycling into a communal bin without an opening lid??
I feel these bins will attract people to DUMP larger items by the side of them which I have seen at many of these bins. Also what about the elderly people who cant get to the bins, what happens then?
I will happily keep my bin bags in the green council bins for kerbside collection to prevent seagulls breaking them open. Having moved here recently, I am surprised at the limited items that can be recycled in this area and believe efforts would be best concentrated on catching up with rest of the UK. I am interested in where research came from to suggest people are more likely to recycle in communal bins a walk from their homes? Making it less accessible will surely discourage people.
Brushed Hatch and Foot Pedal both ticked.
NO BINS HERE! It is disgusting that BHC think it is OK to have these bins in such a gem of an area. Wake up and smell the coffee, look after what is here and not add crap like ugly bins of ugly stupidity. Why does BHCC do what they want even if residents are opposed? What about cleaning up Dukes Mound - stopping the cruising amongst other stuff that happens there. Answer me that, yet another disgrace!

Area 3 - Comments throughout the consultation

Some residents suggested a trial of seagull proof sacks for a trial period, other residents would also not like to see these in the area, i.e. hanging on railings or on the ground
Suggestions were made to use seagull proof sacks or underground bins
Some residents had concerns that seagull proof sacks would be left out and not taken in
Concerns were raised over locations that were of a traffic and/or health and safety concern, these are particularly locations that have been proposed on bends and in narrow roads where ambulances or other emergency vehicles use
Residents would like to see some bin locations i.e. in Lewes Crescent bins moved to the south end
Other residents would not like to see any bins on the south end (seafacing) end of the crescent
Suggestions that the bins could be located on the other side of the road i.e. on the seafront side
Residents in Lewes Crescent explained that they have access to communal bins in other streets via the rear of their properties and therefore by using these, why are more bins needed, and/or could this reduce the amount of bins required?
Residents would prefer to see bins by the bus stop at the top of Sussex Square, others felt this would be dangerous
Residents felt that the six bins in Lewes Crescent could be dangerous as they are on corners
Residents felt that glass bins would be noisy
Concerns were raised over three bins at the north of the square, partially as at the side of someones house and therefore unfair and potentially noisy, and because this is a heavy traffic area which could cause a health and safety issues, as well as problems for emergency vehicles
Resident proposed two potential locations at the bus stop to the north of Sussex Square

A map was provided of the Kemptown conservation area, the map indicates recesses where it could be explored if bins could be placed here
Suggestion that bins could go in front of Chichester Terrace, where there is thick foilage and could be hidden
Residents expressed concerns over continuous flytipping and current lack of bin maintenance
I live in Lewes Crescent and object to having any large communal bins (which I understand are to be introduced) on the pavements of the Crescent and Sussex Square. There are other spaces better suited, away from residents' windows and front doors, eg along the roadside of Eastern Road where the garden divides and there are no houses at all. Also, at the southern entrance to the eastern side of Lewes Crescent, near the "gate-posts" and the grass verge, there is space where there used to be a machine for pay and display parking. Likewise on the western side of Lewes Crescent, there is space across the drive from the pavement itself, where bins could be safely accessed from the grass verge. Not only do residents need to park cars but also to enjoy the benefits of communal bins in a way that minimises the disruption and unsightliness that they inevitably cause, whether it be careless dumping, fly-tipping, mess caused by seagulls or upsetting noise. Losing a few parking spaces is a small price to pay to keep communal bins off the pavements and away from the houses in the Crescent and the Square.
We have been made aware of a proposal to site communal waste collection bins along the roadways of Lewes Crescent and Sussex Square, and of an alternative put forward by local residents which makes use of land at the junctions with Chichester and Arundel Terraces to allow the bins to be sited away from the houses, as explained in a recent e-mail to you from (name removed) We are writing in support of this alternative scheme. However, we wish to emphasise a further benefit of the alternative: It seems to us that removal of the bins from the carriageways also provides the option of screening them within simple purpose-built compounds, sympathetically designed to be compatible with the Grade I listed architecture of the Crescent and the Conservation Area in general. We would be grateful if you can ensure the Committee properly considers this alternative, and especially its potential for a much reduced visual impact on this area of exceptional heritage value.

I live at Lewes Crescent, and have just received the council's consultation document about the community bins proposed for Lewes Crescent/Sussex Square.

In principle, I think community bins are a very good idea and should keep our streets tidier; we cannot have black bags strewn around by seagulls, as happens now. On the other hand, the bins soon look atrocious, attract fly-tipping and are emptied very noisily at anti-social hours (as my friends have discovered in Rock Street). At present the proposals also include one for glass, which is noisiest of all. I will be trying to sleep immediately above!

I therefore think that both on aesthetic grounds (because they are in the middle of a Grade 1 listed Estate) and on grounds of noise, they should be sited as near the major roads and as far from the houses as possible, and not centrally within the estate.

To my mind a better site exists at the junction of Lewes Crescent and Chichester Terrace, on the west side, where an existing piece of paving would allow the bins to be reached in safety and without the loss of parking space (another consideration, as all the places in the Crescent are often full at weekends.) Even my neighbours in Chichester Terrace think this is a better spot! It also balances the placing of bins at the junction of Lewes Crescent and Arundel Terrace on the east side.

With bins there, and on Eastern Road (as proposed), and presumably still in Rock Street, we should have quite enough, and still manage to keep up our appearance as one of the most beautiful cityscapes in Brighton.

Further to your proposal to site Communal refuse bins on Lewes Crescent, I am writing to support an alternative proposal which I believe would cause less disruption, detritus and noise for the residents and also preserve the cleanliness and integrity of one of Brighton and Hove's most important and historic architectural areas.

I support the proposal that on the East side, there be extra bins sited on the Eastern Road flank wall of No.40 Sussex Square and that, together with the bins proposed at the junction of Arundel Terrace with Lewes Crescent, would mean that Sussex Square and Lewes Crescent could be adequately served without any bins at the pavement edge.
Similarly on the West Side of the Crescent, if we add to the bins proposed on Eastern Road additional bins on Marine parade at the site where you already propose a communal refuse bin, no bins would be needed in Lewes Crescent or Sussex Square.

I urge you to seriously consider this proposal that would be better for the area and minimise the disturbance for residents.

I am extremely unhappy about the possibility of communal bins being placed in Lewes Crescent/Sussex Square. If, in spite of asking us in the consultation, bins are a 'fait accompli', then I agree with (name removed) suggested positioning at either end of the area and NOT close to any of the residences. Judging by the state of bins outside J Rolls, they are unsightly, noisy, they smell and are misused.
It was disappointing that the consultation went out in August when many of us are away and unable to attend the meeting or respond. Fortunately a neighbour sent me the link by email.

I have read with interest and concern, the information issued about the plan to do away with house collections on the Kemptown Estate and their replacement by communal bins to be sited in what is arguably one of the finest architectural features in Brighton if not England.

I cannot imagine that such a plan would be even mooted in, say, Bath should their Royal Crescent be concerned. That said, I appreciate that the move to communal bins is probably a fait accompli (Health and Safety etc!). But I feel that the location of the bins should be carefully considered to ensure the least disruption and destruction of this unique area. There is no need, surely, for bins halfway up the curve on each side of Lewes Crescent – bins at the top (Eastern Road) and bottom would be more that adequate. Even better, could consideration not be given to simply enlarging the facility in Bristol Place and Arundel Place. The latter is bordered largely by lock up garages so is unlikely to prove such a health hazard and eyesore to residents and tourists who visit the area. Incidentally, even in its present state the facility in Bristol Place is a considerable eyesore as a result of seagull depredations and fly tipping but at least the problem would then be contained to some degree on one area. Fly tipping is a considerable problem here and it is not uncommon to see builders vans unloading their detritus at the end of the working day in the bins in Rock Place, Arundel Place and Bristol Place.

Please believe me when I say this is not the plea of an elitist Nimby. I am simply an OAP of modest means who lives in and loves this city and its unique Georgian architectural heritage which I would like to see passed on to future generations in some sort of order.

I have read the council's proposal for a number of rubbish / recycling bins to be placed in front of 16 Lewes Crescent with alarm, and support (name removed) suggestion of expanding those proposed to the south and north of the main gardens as a reasonable and thoughtful solution. One need only look at how similar bins In the area are currently treated, consider the noise impact on what is one of the most beautiful, residential streets in all Brighton and recognise the horrific aesthetic and hygienic damage of having garbage piled outside Grade 1 listed buildings to see what sense there is in this alternative.

Could I suggest a siting of the communal bins so that they can serve the houses in Kemp Town without having to site them in front of the houses themselves. It would seem a pity when we and the council want to and are required to go to such great lengths to preserve and maintain the houses in the estate to their Grade 1 Listed standard, to site bins in front of them. While we all agree that the bins are essential to our everyday life and welfare, I do not think anyone would claim them to be things of beauty!

On the West side of Sussex Square and Lewes Crescent the bins could be located both at the corner of Sussex Square and Eastern Road, as I believe is currently proposed and, in addition, at the junction of Chichester Terrace and Lewes Crescent. There is a piece of paving on the Chichester Terrace garden side which could enable the bins to be sited away from the houses but to be used without standing in the roadway.

Similarly, on the East side of Sussex Square and Lewes Crescent, I understand the present proposal sites bins at the junction of Lewes Crescent and Arundel Terrace where they can be safely accessed from the grass verge rather than from the roadway. If there were additional bins on Eastern Road, along the flank wall of 40 Sussex Square, there would be no need for bins to be located in front of the houses themselves.

I hope this is helpful and I look forward to hearing the final decision on the siting of these bins.

I am writing to you regarding the consultation document for communal bins and for the placing of some of these bins outside 13 & 14 Lewes Crescent. I am sure nobody is ever in favour of having these bins outside their property, but I would just like to make the following points:

There is already a bottle bank to the rear of my apartment in Lewes Crescent and this already causes a certain amount of noise and nuisance. If recycling stations are now placed at the front as well, this would double the amount of noise and cause significant nuisance.

The main road is just a short distance away and would it not be more appropriate to place the recycling stations there (as is already the case the length of the sea front). This is already a busy road and would cause very little extra inconvenience to anyone. Specifically, would not the following proposal be a suitable alternative and with the added advantage of minimising the visual impact of these bins: Siting the bins at the top of the street (Eastern Road), as proposed, and, as a new proposal, at the bottom of the street at the junction of Chichester Terrace with Lewes Crescent . There is a piece of paving there on the Chichester Terrace garden side which could enable the bins to be sited away from the houses but where they could be used without standing in the carriageway. Similarly, on the other side of the Crescent the present proposal sites some bins at the junction of Lewes Crescent and Arundel Terrace where they can be safely accessed from the grass verge rather than the carriageway. Additionally some bins could be placed on Eastern Road, perhaps along the flank wall of 40 Sussex Square. This could be a workable version of your own plan and with the benefit of some local support.

When making planning applications, as Lewes Crescent is grade 1 listed, the restrictions are quite onerous, and rightly so. It does appear a bit of a contradiction that changes to both the inside and the outside of the building are strictly controlled, but it is being considered to place recycling stations between the Crescent and the gardens!

A letter was received from Sussex Square Management Limited

Area 4 - Westbourne - Q6 'Please provide any additional comments or suggestion you may have
This will make a tremendous improvement to the appearance of Westbourne St, and will improve access for wheelchair and mobility scooter users. (Just need to sort out the tree roots and uneven slabs and it will be perfect!)
This is definitely needed on westbourne street, the existing set up is so messy
Great idea to make the bins communal. Will make the street far cleaner and probably improve efficiency of collection and volumes of recycling
Perhaps bins should only be at the bottom of the street and the end of the street and no bins in the middle, with extra collections. Parking is particularly bad in the middle of the street and there are always more spaces available at both end of the streets which would be better positions for the bins particularly outside the pub. You could always have a larger bin at both ends of the street or 2 bins rather than having ones in the middle.
Wheelie bins and (lidless) recycling boxes are left out permanently on the pavement in Westbourne St by many residents. This poses a hazard and makes it difficult to get a pram, wheelchair, mobility scooter, dustcart etc down the pavement. Often people have to use the road! Communal recycling would free the pavement for people to use, rather than obstruct with plastic bins and boxes. A lot of littering and fly tipping goes on in this street at the moment. And as residents leave lidless recycling boxes out, the contents frequently get scattered all over the street by wind and seagulls. Very unsightly and unpleasant. Communal bins would solve all these problems.

I think that we have to move to communal bins. The footpath is clogged with bins. Elderly people and disabled people are forced to walk in the road to avoid obstacles not to mention the hazards presented by possibly the most uneven footpaths in Brighton. However, we will continue to use the AMAZING Magpie for recycling, as the council recycling is shocking. Regularly our recycling remained uncollected. Whenever we queried this, we were told we either: had too much, it was too heavy (usually wet papers) or we had put it out in the wrong place. Magpie collect everything, clothes, batteries, plastic, etc. If the Greens had only focussed on recycling, first and tackled cars later! Good luck. Please improve recycling.
Foot pedal for bins, but brushed hatch for recycling (the survey doesn't allow us to opt for that!) I think its a great idea to have the communal bins, as the street is a complete eyesore at present with bins and recycling boxes splayed over the street (most residents have nowhere to put their bins off street). The recycling bins, when emptied, currently ends up with various items left on the street that don't get tipped in correctly by the bin men, so to have everything in the big bins makes so much more sense. I wholeheartedly agree with this plan (subject to the point about the placing of the mid road bins)
These communal bins have led to more fly tipping in nearby streets. The proposed locations mean that I am right in the middle of either option of bin, so I'd have to make several trips to the bins each week with general rubbish, glass, and mixed recycling, all of which is heavy and dirty. I already have to park a walk from my flat if I try and park after 8pm so I do not wish to lose any further parking spaces.
Agree. Communal bins will make the street a lot tidier taking away all the bins and recycling boxes. So we can be as environmentally friendly as possible can we have separate bins for general waste, glass, plastic, paper/card, and garden waste?
1. There does not look to be enough bins to take the refuse produced in this street so they are likely to overflow like in other streets. 2. Will any rubbish dumped outside the bins be removed quickly to avoid it spreading around the street as seen on other streets where bins have been placed? 3. Will the bins be cleaned regularly as it does not look like it happens in other places where they are being used? 4. Will they be repaired promptly if damaged as again this does not seem to happen.
Parking spaces are already difficult to find in Westbourne Street as there are a large number of properties which have been converted into flats or HMOs. Losing 5 additional spaces in the street is not satisfactory, particularly as residents are already having to pay for parking which they can't always access close by. Additionally, the proposed locations of the bins is on the side of the road which has parking permit holders only so that residents who pay their yearly parking fee lose spaces rather than visitors to the street. Furthermore, the communal bins already in use in other parts of the city are a draw for fly tippers with parts of the pavement adjacent to them seemingly always blocked by broken furniture and additional rubbish bags which can't fit in the bins. This would therefore reduce the general look of the street which is nearly always tidy and clear of rubbish. Finally, Westbourne Street is a quiet street and large recycling bins, particularly for glass, generates a large amount of noise when glass bottles are thrown in, particularly at night.
The road is far too narrow for Communal bins. These bins will be situated close to the side of our house,having seen other communal bins they will lead to increased rubbish left near the bins, noise and vermin and will effect the access on what is already a very narrow pavement.
We have previously consulted with the council - only a couple of years ago about the use of communal bins and the street voted against it so it is a bit of a surprise to receive this. Personally I am concerned as I see in other streets around the city that the bins are not emptied frequently enough and they are not replaced when broken i.e. when the foot pedal stops working or the brush has worn away. When the rubbish is not taken away frequently enough people dump their bags on the street which are then ripped apart by seagulls and foxes which is extremely unpleasant.
I see no reason why the opening on brushed hatched model should be so small.
The communal bins are always a mess even with the brushes. People leave more rubish anytime, they are always full. In summer time the smell is impossible. There are always rubish outside the bins the look is not healthy and nice.

Carmel House is a small block in the corner of Westbourne Street and has 33 flats and our own refuse bins for general waste and one for paper and plastic and one for glass - these are a necessity for us and must remain - the only problem is they are old and very heavy and need emptying weekly.
Should have read this page first. Sorry. Cant see this working they could put bins and refuse in the front gardens and the empty bins, but, don't. The three bins proposed are near the South Corner, and big vans, including yours, have difficulty getting round it now.
I strongly disagree with this proposal going ahead. Parking is difficult enough already. Your information, that 5 spaces out of 4,159 (0.12%) is misleading. It is 5 spaces on our street. As a woman, I do not want to park two or three streets from my house and have to walk home in the dark. What happens when bins overflow on to the street - more collections? How do you find out who is fly tipping?
The road is too narrow for communal bins. Proposed bins are immediately outside our living room window and bedroom window above. This will cause unacceptable noise at all times and rubbish being left everywhere. Letter enclosed - "The proposed Communal Bins are unsuitable for our street. Both the street and the pavements are narrow. The bins would therefore be very close to the residential properties. This would result in some very unpleasant noise being caused by inconsiderate use of the bins, in particular bottles being smashed in the middle of the night. We observed similar bins in Poets Corner, where a lot of rubbish was deposited around the bins. A very unpleasant sight apart from the associated health issues. You state in your letter that the three proposed sites in our section on Westbourne Street would result in the loss of five parking spaces. This is an underestimate - I estimate that for each of the three bins at least two spaces would be lost. It is also completely wrong to suggest that there are 4,159 parking spaces in the road, so your statement of the loss of 0.12% is totally wrong. Residents whose properties are further away from the proposed sites may not be quite as concerned, but their views would change quickly if the bins were moved closer outside their house.
For the reasons stated above, this would be disastrous for the street, creating a huge amount of noise pollution, mass overflowing and lack of space at key times of the year such as Christmas, and only make worse the situation with the seagulls. Plus, as already stated, elderly and incapacitated will be seriously disadvantaged, along with the entire street during bad weather"!
The proposed placement does not fit with the dynamic of the street. The upper half towards Portland Road has more flats, more bins in the road. Get someone from the office to actually walk the street. Cheers.
Why not stop any more properties being turned into HMOs and flats? The parking issue is already at breaking point. As an emergency on call nurse I have real problems with parking anywhere near my property which means a delay in arriving at the hospital for time critical, life saving surgery.
I have absolutely no confidence that the bins will be collected five times a week should that be necessary. Also Area R extends far beyond Westbourne Street. From information supplied, you state that there are 4,159 parking bays available in Area R and only five of those will be lost by bins. Therefore, are the bins in Westbourne Street to be used by the whole of Area R? As there are spaces for about 110 vehicles to park in Westbourne Street, your figure of 0.12% lost is incorrect and misleading.
I compost garden refuse or a friend takes it to site at Old Shoreham Road but if I need a brown bin I will contact you.
LIDS - NONE OF THE ABOVE Glass bins will create unacceptable levels of noise. Daily collections (if this happens) would block the one way street. There are approx. 150 parking spaces in the street - 5 less is 5 per cent. Residents do not pay to park half a mile away.
See the above comments re. parking. To reiterate, losing 5 spaces in our street would mean that a lot of us would end up having to park 3 streets away rather than 2 if we come home after 18:00 hours.
I DO NOT WANT THE BINS!
These bins will be unsightly and will be very smelly in the hot weather which is bad for the environment. My wife and I are unable to carry things to communal bins due to disabilities. Please leave it the way it is.
When you are on strike there will be vermin. Existing bins in the neighbourhood are unsightly + smelly + take up a lot of room. This is a narrow busy street + there is not enough room for communal bins.

Flats here are small with little/no room for storing recycling. - the current system works well as you can easily put recycling out everyday.
In densely populated areas, either collect more regularly bury bins in street, underground bins like in Spain then they are out of sight and look like normal waste bins. The large black bins are awful.
Why do spaces have to be lost? is there a refund for parking in the street this is put in place? I lived in Tisbury Road and all sorts was left next to the communal bins, the system works fine as it is, Portland Road is big enough why not put them along there as this where the seagulls go?
OTHER COMMENT - Retirement flat - refuse and recycling bins are on the premises near to the car park.
A lot of folk have had falls walking down Westbourne Street because of the tree roots and all the bins. Carmel House is a private over 55 block. But some are much older and have various walking aids, they walk in the road. Not able to push wheelchairs or some buggies now. This has to happen as soon as possible.
Communal bins are desperately needed in Westbourne Street. As a senior citizen negotiating the bins and recycle boxes is a daily hazard. Most people living in Carmel House walk in the road as its safer.
Repair and maintenance - not evident in the neighbouring streets, bins are left without repairs. Enforcement - must improve - fly tipping is a regular occurrence in neighbouring streets that have communal bins.
My fear is that idiots will dump their TVs and mattresses at the bins. Please can there be a big sign up explaining that it is forbidden and that they will be prosecuted. Can you guarantee the five times a week collection?
Please, please lets have communal bins. My flat overlooks Westbourne Street and looks so tatty with all the bins and rubbish outside. Foxes and seagulls mess a lot of the bins up. Pavements are too narrow and dangerous for the bins on the pavement outside of each house.
Communal bins are absolutely vital in Westbourne Street which due to the total lack of residents civic pride is an unmitigated slum. Constant complaints through local ward councillors and to the cleaning department direct have not resulted in any action to improve the disgusting situation for customers in Westbourne Street. Lets hope improvement is on the way.
The current refuse situation is unbearable. The streets look disgusting. The communal bins are a much better idea and have worked well on other roads that we have lived on. A better site, however, might be at the top of the street opposite the Westbourne pub (less residential, closer to Portland Road which would cause less disruption for more residents).
My thoughts are based on collections taking place regularly enough to prevent overflow etc. and are not cut down in the future as a result of any cost cutting exercise.
My concern with them being outside my house is noise on collection days as I often work nights and so try to sleep longer in the mornings. Resident has ticked brushed hatch and foot pedal as above.
I agree to the bins at either end of the street - however how is the third (middle) location determined? I have paid a substantial amount to live at (number removed) and do not want the bins located outside my property. I feel the disturbance and smell during unsociable hours will also be unbeneficial. Would you like them located outside your property?!?!
Resident has ticked brushed hatched and foot pedal. This really will make Westbourne Street look better, smell better. Well worth losing five car parking spaces. So pleased.
I think two areas either end of the street is better than one other in the middle of the street. It is not fair on the home owner as the bin areas do become a bit messy, like the ones near Danny's Restaurant on Portland Road.
I do not understand why these bins will be collected five times a week yet the current system can not be. This would address "the problem" outlined in your leaflet. Also will it mean that we will be unable to use our wheelie bins? I look forward to your response. Regards
A switch from wheelie bins will not only improve the appearance of the street but would also make access for wheelchairs and pushchairs easier. A number of residents put their wheelie bins away from their gate, often next to trees, which causes pinch points.

Although if it was to be located outside my flat, I would not be so keen and can see why neighbours who have it located there would be unhappy. Should only be placed at the end of each road. See 4B as well. There isn't just a yes/no answer. (Resident has ticked I do not want the bins outside my house and also I am concerned about the loss of parking spaces which only related to a No answer to question 3A). Parking is a major issue in Westbourne Street but better bins and recycling bins outside each house is also unsightly and allows litter to travel. It is a trade off. Bins need to be placed at the end of each road if possible, or for elderly and disabled residents, special provision should be made available.
Re the above, the resident has also ticked foot pedal.
Proposed communal refuse and recycling bins will greatly improve the appearance and safety of Westbourne Street. Often items are fly-tipped outside people's houses alongside their green bins. And recycling often mixed, therefore, not collected, ending up littering the pathway.
Good idea.
Slightly concerned that the loss of parking spaces could cause issues in a street that already has more cars than parking areas. Hopeful that communal bins will reduce the amount of rubbish and clutter on the pavement which is why I have voted for the communal refuse and recycling bins.
The residents all bring their recycling up to the kerb so what is the need to introduce communal recycling bins? The questionnaire suggested that the 'do nothing' option is not an option, yet it seems the best option with regards the kerbside recycling. We should have been more aware of the situation regarding kerbside recycling in the Square
Would like us to explore the option of underground bins. would like the council to cost this out. They recently put up £400k to purchase a plinth in the Square and there may be the option to do something similar to install underground bins. There are potentially 500 sources of funding in the area.
Agree that black sacks are not the answer as they can be easily ripped apart by wildlife
They want to remind us that this is a Grade 1 listed Heritage area and needs to be treated as a special case for the sake of the city. The gardens themselves – which the residents purchased privately from the council – are Grade 2 listed gardens and need to be preserved.
Rock Street bins: The residents on the west side of the Square have access to the bins on Rock Street – many of their properties have doors leading to Rock Street and have no problem disposing of their waste in the bins there. They haven't noticed the bins overflowing in Rock Street so there seems to be ample capacity for their needs. They do mention that there have been occasions where Rock Street has been full of litter and waste; they have ended up sending photos to councillors because Cityclean were difficult to get through to via the Contact Centre.
They also note that there is regular fly tipping in the street – especially on Fridays. Local builders seem to be responsible for these fly tips – they can be quite intimidating and aggressive when confronted. Tracy Phipps explained that we may put CCTV in the street to monitor this. We will also inform the 3GS crew so they can visit the area. We will investigate the possibility of putting up new signs warning against fly tipping. TP offered to send council officers to the Square on Fridays in the morning before collection to monitor the number of black sacks left out for the crews in the roads at the rear (Rock Street and Arundel Place).
One resident wanted to know if there was the possibility of placing another bin on Arundel Place. He said there was not much fly-tipping at the entrance to Arundel Mews, though the bin lids are broken.
Black bins: several residents mentioned that the aperture was not big enough and people had trouble placing their black sacks into the bin. Tracy acknowledged this but mentioned that the idea on communal bins was to use them 'little and often'. She acknowledged that there are problems with the small aperture when someone jams a large sack in the hole. When this happens lots of bags appear to the side of the bins. When the bins have broken down in other squares, this has dampened enthusiasm for them – one resident cited Eaton Place, where bins have malfunctioned causing fly tipping and bags to the side of the them; this has turned residents off these bins. Tracy explained that we might be trialling new comm bins with parts that won't corrode in the salty sea air.

The resident Lewes Crescent complained that they did not receive the consultation document. Has commissioned surveys about the diminution in value that comm bins are likely to cause the properties. Advised that they will start a class action against the council which will cost the council more than any saving they will make from the comm bins. Officer assured resident that although comm bins are cheaper, this is not the reason the council is proposing them. Officer informed resident that this proposal is solely down to health and safety. Resident said he would like us to provide him with the statistics which show the accidents in this and other Squares.
Safety: one resident raised safety concerns regarding the positioning of bins next to gates leading into the gardens. These bins would make it extremely difficult to spot oncoming traffic. They also mentioned that the crews often fail to replace the comm bins in their correct position after collection. This means that there can be large bins encroaching into unsafe parts of the road or blocking the pavement for pedestrians.

Residents asked for the following information: how many properties have basements with bin stores. They would like a costing for employing a private contractor to collect from the basements

Resident at Arundel Place– proposed location of bins might affect the character of their building. Concerned about condition of existing comm bins; businesses leaving their waste from their vans as they pass. Trucks coming along at all speeds.
Resient at Lewes Crescent feels 5 glass recycling areas are close together and concerned about noise potential. Front of houses should be kept clear.
resident at Sussex Square – bins should be back lanes as they aren't visibly obstructive & should be doubled up. Feels they are likely to be unsightly wherever. Doesn't feel the proposed change is due to health and safety foremost. Fly tipping
Resident at Sussex Square – approves of the plan, concerned placement may be traffic hazard. Full bin capacity required and cleaned daily.
Resident at Sussex Square – doesn't want bins on corners, putting them further up on Marine Parade better. There is a full communal bin to view from her window which is on Rock Street. Worried bin placement will affect architecture of the square, wants the bins emptied regularly.
Arundel Terrace Resident suggested - Location - put against the garden railings / More frequent collections / Foot patrol cleaners too
Chichester Terrace Resident expressed - Bin location important / Present location restricts view of oncoming traffic.
Lewes Crescent Resident commented - Bin location – not outside anyone's house / Place garden side and sideways
Sussex Square Resident commented on and suggested - More regular collections, potential rats if not / More hygienic and convenient for LGF flats / Appearance of bins improved – leaf green design possibly / Location – needs to be behind the square, crescent and terraces

I have been passed the proposals for the communal recycling bins which you have proposed for Lewes Crescent.I can see that you have proposed that the bins are located directly outside of my property. The property is unique in that all of the rooms (lounge, dining room and both bedrooms) are at the front of the property, south facing. Your proposal would mean that the bins would in fact be located directly outside of my bedroom and my sons bedroom (2m away). Clearly this would completely destroy our right to live in that property with peace and quiet.the property is not (and cannot be) double glazed and the noise which would be introduced from these bins would cause us to be completely disturbed. My children go to bed at 6:30 and have a right to sleep without being disturbed by the crashing of glass and people dumping rubbish.

As you must know Lewes Crescent is one of the most beautiful streets in the city and it attracts groups of people from all over the world who visit to take pictures and experience the stories and history. I just can't believe you would even consider creating a dumping ground for rubbish outside of such an area.

Please can you keep me updated because I will legally challenge any plan to put these bins outside of mine and my children's bedrooms. I will also fight with the other residents to preserve the area and to allow other people to enjoy it, unspoilt and respected.

Many thanks

Dear Councillors,
This letter is the response by the Kemp Town Society to the consultation on the introduction of Communal bins into the heritage Conservation Areas replacing both the black bag and recycling collection. When this was first proposed to the Conservation Societies of Brighton it was only the black bag collection that was proposed to be removed, justified on Health and Safety Grounds.
It is also our formal response to be included with the results of the 'hearing' on Thursday 11th. inst. We wish it to be submitted as representative of our members, who are drawn from the households and support our Grade 1 heritage status of the Kemp Town Estate and its importance to the nation. The content of this letter has been agreed by the KTS Committee after concerns submitted by members and other residents of the Kemp Town Estate Conservation Area. We support and echo the content of Roger Hinton's letter of March 8th to the Environment Transport and Sustainability Committee. We would also like to point out that members of our Committee have already had a meeting with representatives of City Clean and the Council, including a walk around the estate with them. None of the suggestions put forward and acknowledged as helpful appear to have been taken into consideration in preparing the current documentation.
The change of the City's refuse disposal policy to introduce communal bins into the heritage hotspots of Brighton is in our view a regrettable course of action and runs contrary to the City's previously stated support of heritage. Previous acknowledgement of this gave rise to the maintenance of the regular door-to-door collection service. The simple reality is that communal bins are the very antithesis of conservation and will permanently blight, in the case of Kemp Town Estate, the charm and character of the Conservation Area for the sake of convenience.

Cont... It is disappointing that the Council now views black bag collection an indulgence it cannot afford under the spurious heading of Health and Safety. Rubbish collection is the most visible value for tax payers money with the Council's most elemental services. Its duty of care for such residents is that rubbish is collected without hindrance on a regular basis. Since rubbish collection has been undertaken from the Estate by weekly collections for in excess of 150 years without obvious harm to collectors, scepticism prevails about the rationale behind the removal of door-to-door collection. Removal of such collection services and placing the burden on householders to carry rubbish to the bin sites is generally unwelcomed. Should we and the other Conservation Areas who currently benefit from black bag and recycling collections fail to persuade the Council of the merits to re-instate the door-to-door collection, we would agree that the communal bins are sited on the following locations itemised below.
The fastidious standards required to maintain the excellence of our corner of Brighton (and that of the other Heritage Areas) is put at risk of being compromised, not only by the poor locations bins, but equally, the slovenliness of those who do not hold such standards and will dump, as is regularly witnessed around bins in surrounding areas, large amounts of rubbish and household items with little thought for its inappropriate and unsightly impact. Such considerations have determined these locations.

Cont..1) Eastern Road.
Locate large refuse and re-cycle bins on the south side next to the bus stop. This area will service both Sussex Square itself and the upper parts of Sussex Square south of Eastern Road. Additional bins could go in Eastern Road both sides of Sussex Square on the North side
2) Marine Parade.
Locate refuse and re-cycle bins on Marine Parade south of Chichester and Arundel Terraces. These bins will service the West and East houses of Lewes Crescent and Chichester and Arundel terraces respectively. Clusters of such bins are already part of the Marine Drive landscape, so these additional ones will not be noticed exceptionally.
3) Back Street locations.
Many of the Estate houses already have access to bins already on side and back streets. A review and consideration of increasing the size of these to be assessed.
Benefits:
Lorries will be able to collect the bins with the least risk for operators from the Estate's widest streets.
Bins are located on level ground, avoiding additional costs.
Bins are located on easily accessible curb-sides locations
Re-cycle bins can be collected with the least noise impact for residents at any time day or night.

Cont.. For additional consideration.

1) Contact details with an attended 24/7 phone number with the collection company be made available on the BHCC website (it is not now). This would allow residents to alert the company to 'fly tipping' or other such related matters.

2) A damaged bin replacement policy be made public. It is noted that many bins are damaged and unsightly from excessive use. Reporting of damage or fly-tipping through BHCC's website seems an inadequate remedy.

In consideration of KTS' position, we would request that a Council representative be dedicated to draw up our recommendations by prior agreement, should the installation of the bins be implemented. This agreement to incorporate other matters such as the replacement policy.It should be noted, that householders on the Estate have accepted the burden of walking their rubbish the distance to the bin locations above. This is not their preference, but that there is a willingness to do so, for the sake of maintaining the architectural and heritage integrity of the Estate, is demonstration enough that our heritage is not to be compromised lightly.
We look forward to a successful and thorough consultation and not, as the initial 'consultation' with Heritage Societies seems to have been, a mere 'going through the motions' and implementation of the new policy. We urge your genuine consideration of and response to the reactions and suggestions received giving due weight to the evidence.

Area 4 - Comments throughout the consultation
Officers met with resident who proposed a potential new location
• Very much in favour of the proposal in principle and believes communal bins are logical and more convenient for residents. • Is very unhappy with the location of the bins outside her property; resident believes this will significantly devalue their property. Resident is also aware that the solution is not to move them to another position in the middle of the street as this would just move the problem to outside someone else's property. Resident does not believe any bins are needed in the middle of the street and that they should be left at the ends of the road. Resident also mentioned that the noise and smell would be intolerable. • Officer informed resident that the bins were proposed for this location due to distance, not capacity, and that this could be changed. • Resident asked why the bins were on their side of the road and not the other side where there was more space. Officer informed her that this was due to the street being one way; the vehicles can only collect from the left hand side of the road. • Resident is not concerned about the loss of a couple of parking spaces

• Firstly commented that there are two St Mary's Churches in B&H which would have caused confusion regarding the location of the consultations in the Kemp Town St Mary's Church Hall. • Resident is unhappy with the loss of parking spaces – especially worried that they might have to park a couple of streets away and walk back late at night. Believes that there will be other residents who feel the same way – especially female ones. • Resident believes that wheelie bins are working well and doesn't want them changed again and feels is speaking for others in the street. • Resident feels that communal bins encourage fly-tipping which does not get cleared away quickly enough. • Further up Westbourne Street resident believes there are a lot more renters who are more likely to abuse the comm bins. • Says that a petition was signed a few years ago which was against the introduction of the bins. Thinks that the majority of people in the street signed it at the time. • Resident says that the Cityclean vehicles used to make the collections are slow and get in the way of traffic. He is very concerned that the introduction of a daily collection would cause more problems for the traffic in the road. It was pointed out to him that the daily collections would probably be later in the day and that the process would be much faster, with less disruption to the traffic and residents

Area 5 - Beaconsfield - Q6 'Please provide any additional comments or suggestion you may have
The proposed location of the bins on Beaconsfield Road, where parking is already very limited, is not a well thought out suggestion. If we were to have communal bins there are far better locations that don't interfere with parking. (Outside the Duke of Yorks on the pedestrian area and on the corner of Ditching Rise and Beaconsfield. There are only spaces on one side of the road so we are already at a disadvantage and working jobs which require loading in and out of heavy equipment, bins right outside our house would hinder us greatly. Perhaps food recycling should be considered to cut down on refuse. The reason for the issues on this road are purely student based as they don't dispose of the waste correctly. Perhaps they could incur a charge from the council if that behaviour continues. There is also an added concern of fly tipping which we have noticed does happen in areas of communal bins. As this is a very narrow pavement and a main thoroughfare, it would make access very difficult for all.
As a disabled person it was ideal if the communal bin could be place as closed to my house as possible - I made several complaints - was promised bigger bins as at the moment there is 2 small bins to cover flats 1.2.3 and 4 is now over 6 month and I still not received them, as my neighbour in flat 2 uses the both bins this leaves me without a bin to put my rubbish. My Landlord asked me to order a new bin to avoid more complaints and as I work for the council he though it would be easy for me - but it is not. I have now ordered a new bin again it has been several weeks and I still have not received anything - instead I got this survey. I am all for the communal bins if they are place closer to my house as I can not go to far as this way I do not have to leave my rubbish in the pavement and see it all over after the seagulls have there fun. Meanwhile it would be nice to get my bin as I order so I do not have to leave my rubbish on the floor. I have now completed this consultation as you requested - I am not sure if my opinion will make a difference as I have had no luck every time I try to chase updates it seams that no one make notes on the system or find any on the requests or updates I banging my head on a brick wall and I still no not have any of what was promised to me, order and I very much doubt the communal bins will be in a place that will support me.
I am a permanent resident on this road and live here with my family. I don't think it is fair to have the bins positioned outside homeowner residents as it will directly affect our house prices and we have to live here long term. I strongly feel the bins should be positioned outside business premises or the many student or HMOs on this road of which there is a high turnover of residents.

I am a homeowner on this road and live here with my small children. I don't think it is fair to have the bins positioned outside homeowner residents as it will directly affect house prices and we have to live here long term. The bins should be positioned outside business premises who do not have to see the bins 24 hours a day or positioned outside the many student and HMOs on this road of which there is a high turnover of residents.
Because we are located near the busy London Road area, we already find a lot of rubbish dumped, or fly-tipped by the passers by, which would become more of a problem if the communal bins came into place. I think the local residents may well have trouble putting their household waste into them due to the volume of rubbish dumped by other new residents.
The anti-social behaviour in the south end of Beaconsfield is well documented for the number of HMO houses is unacceptable with the students being able to obtain parking permits it the long term residents are experiencing increasing difficulty to park. The whole road should be residents only and not for short term students, who use it as a very cheap way of parking for several days. Now you are trying to pass the bill that will make even further disruption by having large bins in parking spaces, and giving extra ammunition for the night people to engage in bottle brawls what a mess our once family two bed family homes and happy consumers, well done.
Awesome
Please send the street plan for Beaconsfield Road, Portslade, not Brighton!
Concerned about our parking as we already have a problem.
We are meant to be taking care of our environment by encouraging recycling, not decrease the amount we can recycle! (take a leaf out of Mid Sussex book!) Also allowing open top vans travelling on the A23 is ridiculous. The mess it leaves!! And you tell us it is too dangerous to collect (well ban open top!!). It looks bad on people visiting.
Beaconsfield Road looks very dirty, is full of black boxes and rubbish containers that are not collected enough times. I have also seen the rubbish man emptying the black containers/boxes in the normal rubbish truck many times, which discourages from using them.
We have concerns about possible fly tipping around the communal rubbish/recycling bins.
I am concerned still about the loss of parking spaces.
If the plan goes ahead then the Council will still need to do a very thorough clean up of the street as this road is a disgrace. Some residents have left junk and furniture in this street and on the pavements for years. The whole street needs cleaning as well as introducing communal bins.
I don't know why this hasn't happened sooner. Open hatch AND foot pedal have BOTH been ticked as above.
Resident has also ticked brushed hatch for the recycling. Comments - I own the property at (number removed) Beaconsfield Road (Flat 1) and WOULD STRONGLY object to the bins outside my flat; noise, smell, foot traffic from people leaving rubbish and the risk it would devalue my property. Also VERY UNSIGHTLY!! Recommend they be located outside postcard shop. Many flats have student tenants on this street so its a good idea (communal bin) - but please not near my property! Thanks
Brushed hatch - stops household items being deposited. Will the ground around the bins be kept clean? As the ones in New England Street opposite Richardson Scrap Yard are disgusting with rubbish strewn everywhere.
Beaconsfield Road is constantly in need of cleaning. The pavements are covered in glass, old food and general litter. Communal bins would hopefully help to remedy this. The pavements need cleaning far more regularly. Please, please, please empty the communal bins daily to prevent it piling up. Currently I am ashamed of my road.

Area 5 - Viaduct - Q6 'Please provide any additional comments or suggestion you may have
We used the bins on Rose Hill Terrace, hardly ever remembered to recycle as we would have to go out of our way. The addition of recycling bins in that location would make it a lot more convenient. Also, I never realised those bars on the bins with closed lids were foot pedals...

My main concern is that the bins are emptied regularly or the mess on the street/road will not only be very unsightly but dangerous along this main route into the city.
Despite your assurances about the frequency of the collections from these bins I feel there is a risk that either the footpath or the road would become partially blocked leading to potential accidents. particularly in Viaduct Road where the volume if traffic is very high at times.
There is no issue with bins on Viaduct Road - the collections just need to be more frequent. I STRONGLY DO NOT WANT THESE NEW BINS ON MY ROAD.
So long as they were on the road, not the pavement as it is not big enough. The resident does not want the bins outside his house.
Please no bin outside number (number removed) - we use a wheelchair daily.
Greatly in support of communal bins. Would strongly support civil penalties for rubbish dumped by bins and in the front yards.

Area 5 Comments throughout the consultation
No comments received outside of the consultation survey for this area

General - Comments throughout the consultation
Residents asked for enclosures to be built around the bins
Residents asked for the bins to be different colours in keeping with the surroundings
Residents specificallly wished to keep recycling collections as they are now to reduce the amount of bins required
Residents expressed concerns about parking loss
Concerns re noise
Concerns raised re bin maintenance and flytipping
Camouflage all bins
Keep them cleaner
More maintenance required
Cream bins required

Please note that where comments included personal or sensitive information this has been removed

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 47 Brighton & Hove City Council

Subject:		**Report of the Live Music Venues Policy Panel**
Date of Meeting:		**29th November 2016**
Report of:		**Executive Director, Finance & Resources**
Contact Officer:	**Name:**	**Annie Sparks** **Tel: 292436**
	Email:	**Annie.sparks@brighton-hove.gcsx.gov.uk**
Ward(s) affected:		**All**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 A petition was presented to Full Council on 26 March 2015, calling for the council to review its procedures and protocols in respect of noise abatement notices served on live music venues across the city. It had been signed by 4698 people. Full Council noted the petition and referred the matter to the Environment, Transport & Sustainability Committee for consideration. At the Environment Transport and Sustainability Committee of the 7th July 2015 the petition was noted and it was agreed that a Policy Panel be established, consisting of one member from each political Group.

1.2 The Policy Panel members were Councillors Joe Miller (Chair), Peter Atkinson, and Lizzie Deane.

1.3 The findings of the Policy Panel can be found in full at **Appendix 1** to this report.

2. RECOMMENDATIONS:

2.1 That the Committee considers the recommendations of the Live Music Venues Policy Panel (attached at Appendix 1) and determines whether to agree these recommendations.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 At the Panel's first meeting on 1st October 2015 panel members agreed their Terms of Reference:

- Understand the current situation of live music venues in Brighton & Hove and their position in the community
- Provide an independent cross party review of the issues which relate to live music venues in Brighton & Hove, including noise abatement
- Review national and local legislation, and policies, procedures and protocols that relate to music venues and noise
- Look at good practice in other areas of the country which relates to this issue

- To be informed by evidence provided by a balanced representative cohort of interested parties. This will include council officers, other local authorities, council members, members of parliament, community representatives, industry representatives such as band promoters and music venues, and Mark Stack the originator of the petition

- Report findings in a written report that is submitted to the Environment Transport and Sustainability Committee.

3.2 The report of the Live Music Policy Panel has now been completed and is attached at **Appendix 1**. The report has seven recommendations, including a proposal that Brighton & Hove Connect brings together a range of partners to establish a Night Time Economy Partnership. It is proposed that the Partnership will provide a structure enabling members to:

- Review the effectiveness of existing policies and develop new policies as appropriate
- Provide oversight of the Live Music industry and its place within the overall night time economy
- Ensure effective communication between stakeholders and encourage positive resolution of any differences or disputes that may occur
- Ensure that the role of support services is considered in the development of new initiatives that could result in extra demand on those services
- Communicate to the city stakeholders as a whole the positive impact of the Night Time economy and the live music scene in particular.
- Act as an umbrella group to pursue joint funding and other opportunities as they become available
- To provide links to other partnerships as appropriate and also to ensure that key council Committees are kept up to date with any developments with this work.
- Introduce cross service information, good practice, advice and links for the sector on the Brighton & Hove City Council Website.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 If following consultation the proposal to create a Partnership is not considered the most effective approach, then the Committee will be asked to identify the most effective alternative approach to addressing the recommendations of the panel.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The panel held a day-long evidence gathering session to hear from those working in the live music sector, locally and nationally, as well as council officers who are responsible for regulating this sector. Local Action Teams are important representatives of our communities and were encouraged to attend the day and also submit written evidence.

5.2 All Councillors, local MPs and Local Action Team (LAT) Chairs were invited to the proposed evidence gathering day. They were also informed of the terms of reference of the Policy Panel, as were other local authority Environmental Health teams. The limited number of responses received have been used by the Panel to develop their report.

6. CONCLUSION

6.1 Members are asked to consider the Policy Panel recommendations.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The Night Time Economy Partnership will be set up using existing resources within the Corporate Policy partnerships budget. However, as it evolves and develops, funding arrangements will need to be kept under review to ensure that these costs can still be met from current budgets.

Finance Officer; Monica Brooks *Date: 15/11/16*

Legal Implications:

7.2 There are no legal implications arising from the report at this stage. If future reports are brought to Committee for decision regarding planning policy or other matters, these will need to address the legal implications of any new approaches proposed.

Lawyer Consulted; Elizabeth Culbert *Date: 1/11/16*

Equalities Implications:

7.3 The panel carried out an Equalities Impact Assessment for the issue of live music venues and used this to inform their recommendations.

Sustainability Implications:

7.4 There are none arising directly from this report.

Any Other Significant Implications:

7.5 There are none arising directly from this report.

SUPPORTING DOCUMENTATION

Appendices:

1. The report of the Policy Panel on Live Music Venues

Brighton & Hove City Council

Report of the Live Music Venues Policy Panel

November 2016

Panel Members

Councillor Joe Miller (Chair)

Councillor Peter Atkinson

Councillor Lizzie Deane

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1. Chair's Foreword

I was delighted to chair this panel looking into smaller, grassroots live music venues in the city, because they are a vital part of what makes Brighton & Hove a great place to live in or visit. It is estimated that the music scene in Brighton & Hove generates a minimum of £45m per year from visitors alone[1], which accounts for roughly 40% of the total spend on live music in the city. This means that the city's live music is worth around £112m each year.

The panel was concerned to hear how many challenges faced those working in small live music venues in the city, such as the:

- Increased profitability of residential accommodation, meaning that venues and residents are living closer to each other
- Impact of changing and contradictory licensing and planning regulations, as well as increasing deregulation
- Worry that enforcement action could result in businesses closing
- Unprofitability and unpredictability of the sector.

Given the importance of this sector to the city, the panel looked at how to find the best ways to support the industry while ensuring this is balanced with the needs and rights of residents and visitors to the city. This valuable policy panel proposes the creation of a new city-wide Night Time Economy Partnership that will bring together stakeholders from across the city who have both an interest in live music and providing the best night time economy for Brighton & Hove. If agreed, this partnership will be tasked with exploring:

- The key local and national issues relating to the live music sector
- Funding opportunities for live music in the city.

The partnership will also work with the council to look at:

- How City Plan 2 could encourage mid-sized music venues in Brighton & Hove
- How to improve access to live music for younger people and disabled people.

The panel has also recommended two 'quick wins' to assist the sector, for the council to:

- Explore with the partnership, the development of a cross-service web resource to provide a one-stop source of information about live music venues e.g. licensing conditions
- In consultation with the partnership, to identify if parking dispensations could be used for unloading of musical equipment into music venues.

[1] **(UK Music, Wish you were here, 2016)**

The panel hopes that this partnership will result in good communication between the creative industries, the regulatory authorities, our local business leaders and of course our residents. This proposed forum will be able to help provide a space to work out how to promote and enhance the live music scene so it continues to make a vibrant and positive input into our city**.** I would like to thank all those who came in person to give us such useful evidence and those who wrote in, as well as the officers who supported the panel during our investigations.

Councillor Joe Miller, Chair of the Live Music Policy Panel

2. Executive Summary

The value of the night time economy

2.1 One in eight jobs in London now supports its night time economy (over 20% of them in arts, entertainment and recreation). It is expected that as the night time economy matures it will boost the economy by an extra £2bn a year by 2029.[2]

Brighton & Hove at night

2.2 The night time economy is a vital attraction for those who live, work or study in Brighton & Hove as well as its visitors. According to the Local Government Information Unit:

"Attracting restaurants, music venues, and other entertainment options to locate in your town centre will allow people to choose from an array of alternative activities to encourage a wider range of people into town in the evening and night time, and to reduce alcohol related crime and injury."[3]

2.3 So Brighton & Hove stands to gain significantly from supporting and nurturing the growth of its night time economy. At the same time, recognising the need to balance this with the needs of local residents, so as to minimise undue noise and disturbance.

Why is the live music sector important in Brighton & Hove?

2.4 Live music is an important part of this night time offer. The city has a significant number of small, medium and large music venues including the Dome, the Brighton Centre, Concorde 2, Sticky Mike's Frog Bar and the Green Door Store. In 2015 music tourism generated £45 million in Brighton & Hove and provided the equivalent of 481 jobs.

Why scrutinise?

2.5 This panel was set up in response to a petition about the closure of a venue in the city, following complaints about noise nuisance. The petition related to noise abatement notices closing premises.

2.6 The panel heard evidence that when a noise nuisance is established the council has no legal discretion to serve a noise abatement notice, and noise abatement notices cannot require a premise to close. Of the 11,058 noise complaints received by the council in the last four years only 25 noise abatement notices have been served on licensed premises, and this can be for people noise, and/or live and recorded music.

[2] http://londonfirst.co.uk/wp-content/uploads/2016/08/Londons-24-hour-economy.pdf
[3] LGIU report: Building a Vibrant Night Time Economy (2016)

2.7 Hearing about the problems faced by the live music sector, the panel widened their terms of reference to look at how to offer support to this sector.

This is a national issue

2.8 Significant numbers of live music venues, particularly the smaller grassroots venues, have closed across the country, leading to a number of high profile reports being published last year looking at this issue. Between 2007 and 2015, London lost 35% of its grassroots music venues[4]. The Mayor of London's Music Venues Taskforce emphasised how important these venues are in feeding the music industry with a supply of acts. A similar situation to London is likely to develop in Brighton & Hove in the next decade and so the policy panel drew on these reports to develop their recommendations.

Growing the sector here

2.9 As the music industry is increasingly priced out of the capital, Brighton & Hove could seize the opportunity to offer a more affordable location and an encouraging base for the music sector to operate in. This could bring significant benefits to the city, but failure to do so could result in the sector looking to more affordable places such as Hastings and Worthing.

Why are smaller venues at risk?

2.10 Live music is an area of the music industry which is thriving, alongside merchandise and music tourism. However smaller venues do not seem to be part of this success. There appears to be a big gap between the small venues which operate on very tight margins with stagnating ticket prices and the increasingly expensive concerts in larger venues. The panel was set up to look at the city's smaller music venues because this sector appears to be also struggling in Brighton & Hove and some of the high profile closures are having a significant impact on the confidence of the sector. The cumulative impact of venue closures can put the whole music scene of a city at risk.

2.11 The witnesses working in the live music sector who spoke to the panel set out convincingly why they needed the support and encouragement of the council and other bodies to survive and grow, and how their growth will in turn benefit the city.

Why is the sector vulnerable in Brighton & Hove?

2.12 The panel heard that the grassroots music sector in the city was becoming increasingly vulnerable. The reasons include:

[4] https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf

- The increasing profitability of developing residential accommodation in Brighton & Hove, which in turn is reducing the number of buildings in the city in which it is viable to host live music
- The financial vulnerability of the sector, because it is rarely profitable and operating on very tight margins, without being able to attract public funding
- It is a sector bound by a complicated and changing regime of regulation, as well as deregulation, which makes it a challenge for those working with live music.

Why should we support grassroots music venues?

2.13 The smaller venues are a crucial part of the success of the music industry, because they nurture talent and give people the opportunity to learn how to play live. The small margins mean that risks are taken and talent is developed.

The location of music venues

2.14 Many grassroots music venues have grown up in areas set away from residential accommodation. A good location is important, as bands can sometimes play at a loud volume. The Concorde 2, on the seafront, is an example of a venue that has found it easier to operate because of its distance from any homes.

How does a changing city affect live music?

2.15 The development of Brighton & Hove is increasingly having an impact on the live music sector, including:

- The closure of music venues, such as those in the backrooms of pubs, as these buildings are developed into residential accommodation
- The turning of other commercial premises (which when vacated at night made good neighbours for music venues) into residential accommodation.

2.16 These changes are both reducing the number of premises that can host live music in the city and resulting in more people living closer to live music venues, which increases the likelihood that these residents may object to noise levels from nearby venues. The Mayor of London's Music Venues Taskforce described these growing pressures in the capital:

'An increasing population means that residential development is taking place cheek- by- jowl with night-time activity. This pressure, coupled with rising property prices and increasing costs for grassroots music venues is proving too much and venues are closing.'[5]

[5] https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf

2.17 The proximity of venues and homes has also been exacerbated by the smoking ban, resulting in more people standing outside these venues; as well as by deregulation which can allow venues to stay open later. While the panel did not receive significant evidence from the community about the effect of live music, they were concerned to make recommendations which struck a balance between the needs of residents and music venues.

How does the council both support and regulate live music

2.18 The council has a range of roles in relation to live music, primarily:

- Regulation
- Enforcement
- Economic development & culture.

2.19 The first two roles may sometimes make the council appear to be focused on constraining the live music sector, rather than enabling it to grow. The witnesses working in grassroots music sector told the panel how complex they found the rules and regulations in this sector, especially since the recent deregulation.

Planning

2.20 The panel heard that the key issue influencing the direction of planning decisions is deregulation. Deregulation also enables premises to change use without requiring planning permission, which means that they miss out on the benefits of planning conditions to help manage the impact of noise on residential and commercial premises.

2.21 This is an area which is likely to see continuing change, as case law develops in relation to planning and development issues. For example the Agent of Change Principle (which puts the responsibility for noise management issues on the agent of change, such as a resident moving into a flat near an existing music venue). The Mayor of London's Music Venues Taskforce emphasises the need for guidance on regulating and protecting music venues for those making planning decisions.

2.22 One of the key aims of the Night Time Economy Partnership, recommended by the panel, would be to provide a forum for those involved in live music to review existing policies and develop new policies as appropriate in this changing and complex area.

2.23 To make this information more accessible, the panel have recommended that a web resource is set up to provide a one-stop source of information about live music, such as licensing, noise management, and planning. This could in turn benefit the council and police, who may be called upon to intervene in a

growing number of complaints as the proximity of venues and residents increases.

2.24 This on-line resource could help at a time when there has been increasing pressure on resources in the sections of the council which are able to offer economic support to businesses in the city and promote the value of the cultural sector.

Licensing

2.25 Licensing is an area which has also experienced substantial deregulation, with those holding live music events with fewer than 500 people no longer needing a licence. This is alongside the planning deregulation which has enabled residential accommodation to be developed without planning permission in areas close to live music venues. The Licensing Act 2003 also enables premises to open later, when local residents want to sleep. In addition the introduction of the smoking ban has moved customers and audiences into the open air, sometimes close to residential accommodation.

2.26 The panel also heard how licensing conditions could be felt to be complex and onerous by those holding live music events as well as increasing their costs, which can be problematic when operating a business on very tight margins.

Is this closing music venues?

2.27 A recent Twitter poll by the Music Venue Trust asked "What is the number one root cause of venue closures in the UK?" The responses were as follows:

1. 39% said development/planning
2. 18% licensing/noise
3. 43% the cost of 1 & 2 above[6]

2.28 It was clear to the panel that the closure of music venues in Brighton & Hove, such as the Freebutt and the Blind Tiger, has had a significant impact on the sector. One of the roles of the proposed partnership could be to restore the confidence in the sector and to seek ways to prevent further closures where possible.

Changing our view of live music venues

2.29 Only a limited number of people complained to the panel about the impact of live music in their neighbourhood. This backed up the Music Venues Taskforce which wrote:

"The old-fashioned view that grassroots music venues cause noise and nuisance doesn't reflect the modern reality of these responsible small

[6] Music Venues Trust website http://musicvenuetrust.com/

businesses…They are specialists in cutting-edge music and their audiences are surprisingly sober."[7]

2.30 This is reflected in the recommendations of the panel with their focus on support for mediation and partnership with grassroots music venues.

Balancing the needs of venues and residents

2.31 If a resident does experience difficulties with a nearby venue, the panel heard how important it is to have a transparent complaints process and clear information on the right person to complain to. Witnesses from the music sector talked of their desire to encourage residents to talk to them first about any problems they were experiencing. Often the first a music venue knows of any difficulties is when the council contacts them.

2.32 The new London Night Czar, Amy Lamé, spoke of the need to get the:

"…owner, the council, the licensing committee, the police, the residents and others together to discuss these things before it becomes a problem."[8]

Encouraging new audiences

2.33 The panel heard that another way to ensure the future of live music, alongside preserving grassroots venues, was to make live music more accessible to new audiences. It was seen as vital to attract younger audiences to see bands, by finding a workable solution to the licensing restrictions around alcohol and people under 18. These restrictions can deter venues from holding concerts which are accessible to young people. The panel were also keen to see what could be done to make live music more accessible to disabled people, particularly as so many smaller venues are based in inaccessible buildings and have limited resources to improve access.

What kind of support would the live music sector welcome?

2.34 People working in the live music sector (see statements in Appendix 1) spoke of their desire to develop a more positive relationship with the council and a better understanding of the regulatory framework. As the city continues to change, it becomes ever more important for the council to foster better relations with those working in the live music sector and the night time economy as a whole. The panel hopes that council support to establish a Night Time Economy Partnership will demonstrate its commitment to this sector.

[7] https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf

[8] http://www.musicweek.com/live/read/london-night-czar-lam-to-make-halting-venue-closures-her-total-priority/066448

Conclusion

2.35 This panel was set up to take a focused look at noise abatement in relation to smaller music venues in Brighton & Hove. The evidence heard by the panel led them to take a wider look at the live music sector when it realised the breadth of national and local challenges they face, including regulation, deregulation and financial vulnerability.

2.36 The panel recognises the council cannot commit significant resources to assist the sector. However the live music sector is a really important part of the city's night time economy. In recognition of this the panel think it will be hugely beneficial for the council to kick-start the establishment of a Night Time Economy Partnership.

3. Glossary

Agent of Change principle: The Music Venue Trust explained this principle as follows:

"…the person or business responsible for the change is responsible for managing the impact of the change. This means that an apartment block to be built near an established live music venue would have to pay for soundproofing, while a live music venue opening in a residential area would be responsible for the costs."[9]

This principle is enacted in music zones and a condition of being a resident there would be to acknowledge the Deed of Easement. This would be included in the guide for a new owner/lessee. This does not stop a resident or business from finding noise levels too loud.

Article 4 Direction: An Article 4 Direction removes permitted development rights for development or change of use. As a consequence planning permission would be required (though no fee is charged). Evidence is required to justify putting an Article 4 Direction in place.

Asset of Community Value: In England, an asset of community value (ACV) is land or property of importance to a local community which is subject to additional protection from development[10] under the Localism Act 2011.[11] Voluntary and community organisations can nominate an asset to be included on their local authority's register of asset of community value.[12]

Deed of Easement: This is an agreement that when people move into a designated music zone they will not complain about the noise. This is in the 2018 adoption of the London Plan.

Grassroots music venues: These are small spaces which play host to live music e.g. the upstairs, or back rooms of pubs. The main motive of this is being creative, rather than making a profit. The survey by the Music Venue Trust used this term to describe venues with a capacity of between 100 to 500 people (the majority of them 100-300).[13]

Night Mayor: A Night Mayor is a champion for the night time economy who will bring together night time businesses, local authorities and emergency services to ensure night time activity can survive. They would also mediate the friction that occurs between daytime civilians and nightlife denizens. A Night Mayor has been used successfully in Amsterdam and Melbourne and a Night Czar has just been appointed in London.

[9] http://musicvenuetrust.com/2014/09/what-is-agent-of-change-and-why-is-it-important/
[10] https://en.wikipedia.org/wiki/Real_estate_development
[11] https://en.wikipedia.org/wiki/Localism_Act_2011
[12] https://en.wikipedia.org/wiki/Asset_of_community_value
[13] http://musicvenuetrust

4. Recommendations

The panel has developed the following seven recommendations to provide short term and long term solutions to address the issues raised in the evidence they gathered.

Night Time Economy Partnership

Recommendation 1: To establish a Night Time Economy Partnership.

Brighton & Hove City Council recommends that Brighton & Hove Connected brings together a range of partners to establish this partnership. Its membership will be drawn from:

BHCC, Sussex Police, the licensing trade, venues, NHS, local business leaders, transport providers, the creative industries - including the music sector, community groups and other relevant stakeholders such as universities, colleges and schools such as BIMM (British & Irish Modern Music Institute) Brighton).

The partnership will provide a structure in which members will be able to:

- Review the effectiveness of existing policies and develop new policies as appropriate
- Provide oversight of the live music industry and its place within the overall night time economy
- Ensure effective communication between stakeholders and encourage positive resolution of any differences or disputes that may occur
- Ensure that the role of support services is considered in the development of new initiatives that could result in extra demand on those services
- Communicate to the city stakeholders as a whole the positive impact of the night time economy and the music scene in particular
- Act as an umbrella group to pursue joint funding and other opportunities as they become available
- Provide links to other partnerships as appropriate and also ensure that key BHCC committees are kept up to date with any developments with this work
- Introduce cross-service information, good practice, advice and links for the sector on the Brighton & Hove City Council website.

Recommendation 2: Addressing the key national and local issues relating to live music

Evidence to the panel about the live music sector in Brighton & Hove raised very similar issues to those highlighted in recent national reports on live music, including those by the Music Venue Trust and the Music Venues Taskforce (set up by the Mayor of London).

The panel recommend that an initial remit of this partnership will be to explore the feasibility of the recommendations made by the Music Venues Taskforce, which relate to:

1. **Planning policies** – including the Agent of Change principle in planning policies, whether local authorities should consider the use of an Article 4 Direction to protect music venues, and making use of the Asset of Community Value process to protect music venues
2. **Developers** – including the potential for the Deed of Easement of Noise when creating housing near existing music venues. The potential for developers to work with planning authorities to create high quality new grassroots venues, and set up Music Zones for grassroots music activity
3. **Business rates** – including the possibility of providing relief for grassroots music venues
4. **Licensing, Environmental Health and Police Policy** – to look at licensing requirements in relation to grass roots music venues
5. **Supporting music** –consider the creation of a Music Development Board, and a Night Mayor
6. **Championing music in the city –** a campaign to promote grassroots venues and their heritage.

The panel recommend that the partnership is tasked with reporting back on its progress in exploring the issues detailed in all the recommendations to the Environment, Transport & Sustainability Committee. This shall be within 18 months of this report being accepted.

Recommendation 3: Resources

The panel recommend that the partnership explore funding opportunities to assist grassroots music events and promote their value to the city.

Growing the sector

Recommendation 4: Mid-size music venues for Brighton & Hove

The panel recommend that the partnership explore with the council how City Plan 2 could be used to develop mid-size music venues in the city.[14]

Brighton & Hove City Council supporting live music

Recommendation 5: An on-line resource

The panel recommend that the partnership explore with the council how to develop a cross-service web resource to provide a one-stop source of information about live music venues e.g. licensing conditions.

[14] This refers to venues which have a capacity of more than 500 people. This is not an exact definition as in Brighton & Hove, the Concorde 2 (which is seen as a grassroots venue) has a capacity of 600. An example of a medium venue in the city is the Dome which has a capacity of 1,700. Then there are the large or arena venues, for example the Brighton Centre which has a capacity of 4,500.

Recommendation 6: Parking

For the council, in consultation with the partnership, to identify if parking dispensations could be used for unloading of musical equipment to mirror similar dispensations issued by the City Council's Parking Services. A report on this issue should be brought to Environment, Transport and Sustainability Committee within 6 months of the panel report being accepted.

Access to live music

Recommendation 7: The panel recommend that the partnership work with the council to identify how to enable younger people and disabled people to participate more fully in live music events, both in terms of licensing arrangements and the accessibility of venues.

If following consultation, the proposal to create a partnership is not considered the most effective approach then the matter shall go back to Committee to identify an alternative means of addressing the recommendations of the panel.

5. The report of the Live Music Venues Policy Panel

What is a policy panel?

5.1 Members of any of the council's policy committees can choose to look at an issue of importance to the city via a policy panel: a task & finish group of members. This policy panel was made up of a cross-party group of councillors which heard evidence on the issue of live music venues to make a set of recommendations to the Environment, Transport and Sustainability Committee for approval. Where a panel recommendation is approved, the committee will instruct officers to implement the recommendation or, if the matter is outside the committee's remit, then it can refer it to another committee.

Why was this panel set up?

5.2 At Full Council on 26 March 2015 a petition was presented which called on the council to review its procedures and protocols in respect of noise abatement notices served on live music venues across the city. It had been signed by 4,698 people. It was resolved that the petition be noted and referred to the Environment, Transport & Sustainability Committee for consideration along with the establishment of a policy panel to review the issues raised in the petition. At Committee on the 7th July 2015 the petition was noted and it was agreed that this policy panel be established.

5.3 The panel members were Councillors Joe Miller (Chair), Peter Atkinson and Lizzie Deane. At the panel's first meeting on 1st October 2015 the members decided not to just review procedures and protocols relating to the statutory provisions of service of noise abatement notices. The panel also wanted to understand the challenges faced by the live music sector sector, in particular by smaller music venues, and to find ways to support them while still protecting the needs of residents in the city.

Terms of reference

5.4 The panel agreed the following terms of reference, to:

- Understand the current situation of live music venues in Brighton & Hove and their position in the community
- Provide an independent cross-party review of the issues which relate to live music venues in Brighton & Hove, including noise abatement
- Review national and local legislation, and policies, procedures and protocols that relate to music venues and noise
- Look at good practice in other areas of the country which relates to this issue
- To be informed by evidence provided by a balanced representative cohort of interested parties. This will include council officers, other local authorities, council members, members of parliament, community representatives, industry representatives such as band promoters and music venues, and Mark Stack the originator of the petition

- Report its findings in a written report that is submitted to the Environment Transport and Sustainability Committee.

5.5 It was recognised that issues raised in this panel may also apply to venues which play recorded music or host a mixture of live and recorded music.

Case study: The Blind Tiger

The petition which triggered the setting up of this panel, followed significant media interest in relation to a noise complaint made about the Blind Tiger (a Brighton music venue used for live music and DJ nights). The complainant was a tenant living in the flat directly above the venue, and the flats and the Blind Tiger were owned by the same person. The Blind Tiger was leased to an independent company. Following an investigation by the council's Environmental Protection and Licensing Teams, a statutory noise nuisance was identified. This progress of the investigation was communicated to all parties. Under the provisions of the Environmental Protection Act 1990 a local authority has a duty to investigate noise complaints and where a statutory nuisance is identified, the local authority has a duty to serve a noise abatement notice. The council fulfilled its statutory duty and served a noise abatement notice on the operators of the Blind Tiger. The notice did not require the premises to close, and it did not impose a ban on live or amplified music. The notice provided 2 months for the venue to abate the noise nuisance. Officers from the council continued to work with them to try and achieve compliance. In June 2014 the operator of the Blind Tiger chose to close the premises.

5.6 Evidence to the panel revealed that in the last four years 11,058 noise complaints have been received and only 25 licensed premises have been served with noise abatement notices. None of these notices have required the premises to close down. A noise abatement notice can only require abatement of the noise nuisance.

The council's roles and responsibilities in relation to the live music sector

5.7 The council is the Local Planning Authority and so is responsible for making decisions in relation to new planning applications for any new premises, change of use, or structural changes to existing premises. These planning decisions include the impact that a new live music venue will have when it is built, but also the impact of new residential premises being built near existing long-established live music venues.

5.8 The council's planning service also has an enforcement role, for example where a live music business is established in a building which has no planning permission for operating as a live music venue. This could be a former warehouse, or even a church. Planning decisions in relation to new planning

applications, as well as changes of use, are not made in isolation. So the legal process includes a broad range of services, and organisations that need to be consulted to ensure that all impacts have been assessed. Examples include noise impact and associated sound insulation or light impact from external advertising and outdoor areas.

5.9 The council is also the Licensing Authority and issues licences where there is the sale of alcohol and regulated entertainment. In this role the council works closely with partners who also have an enforcement role around licensing. This includes: the Police (in relation to the licensing objective of prevention of crime and disorder), Trading Standards, Children's Services (in relation to the licensing objective of protecting children from harm), and Environmental Protection and Health & Safety services (in relation to the licensing objectives preventing public nuisance and public safety.

5.10 The council is also the Enforcing Authority in relation to noise nuisance and service of abatement notices.

The live music sector

In brief:

A number of recent national reports about live music have been prompted by concern about the number of smaller music venues which have shut down in the UK. These venues provide a vital place for bands to develop, some of whom who will go on to make a considerable contribution to the music industry. The cultural offer of Brighton & Hove is an important part of the city's success, but the panel heard that music venues in the city are facing a range of problems, including:

- *Financial vulnerability – with many promoters and bands barely breaking even and venues which could make more money if they did not host live music*
- *The loss of suitable venues – as it becomes more attractive to develop residential accommodation*
- *A complex regime of regulation, and deregulation, of planning and licensing that is having a significant impact on these smaller music venues.*

Live music in the United Kingdom

5.11 The panel's understanding of the national picture, as well as the situation in London, has been developed by four key reports on live music which are described below. These reports have also informed the panel's recommendations. The reports demonstrate that the issue of finding ways to protect grassroots music venues is becoming an increasing national and international priority.

5.12 Firstly, the Music Venue Trust (founded in 2014) published its report '*Understanding Small Music Venues'* (March 2015).[15]

5.13 Secondly, in October 2015, the Mayor of London's Music Venues Taskforce published its report *'London's Grassroots Music Venues Rescue Plan : A report for the Mayor, Music Industry, Local Authorities, Government, Planners, Developers, Licensers, Police, Economists, Tourism, Agencies, Musicians, Culture Funders'.*[16] The Taskforce showed that 35% of London's grassroots music venues have been lost since 2007. Since publication of this report, the London Music Board and the Night Time Commission have been created to implement the Rescue Plan and be key drivers of cultural and economic regeneration.

[15] (https://www.musicvenuetrust.com/wp-content/uploads/2015/03/music_venue_trust_Report_V5-1.pdf)
[16] (https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf)

5.14 The third UK Music report '*Wish You Were Here 2016*'[17] gives an updated quantified picture of the economic impact of live music and music tourism across the UK. Finally, July this year saw the publication of the Local Government Information Unit (LGiU) report '*Building a Vibrant Night Time Economy'* (July 2016).[18]

The Live Music Sector in Brighton & Hove

5.15 The city has a population of 276,000 of which 36,000 are students. Brighton & Hove has two universities with 24,343 full time students on its campuses.[19] Our universities contribute over £1bn to the city's economy. In addition there is BIMM Brighton with a total student population of approximately 1,000 students. Brighton & Hove also has 49 language schools. This helps to provide a supply of people who both want to go to see, and play, live music in the city.

5.16 Brighton & Hove has 1,403 premises which are licensed under the provisions of the Licensing Act 2003. Licensing policy supports entrepreneurial activity, promoting the city's businesses, supporting the growth of creative industries sector and extending the business improvement district. The city has a collection of large, medium, and small music venues including: The Dome, The Brighton Centre, Concorde 2, the Green Door Store, Komedia, The Hope and Ruin, Sticky Mike's Frog Bar, the Prince Albert, and many more including churches such as St Georges and Bartholomews.

5.17 The council has 60 open spaces which are used for events and 18 of these have premises licences. Last year 250 events were held on these sites. Festivals held in the city or surrounding areas include Together the People in Preston Park, and this seems to be a growing area of live music in the city, although outdoor events were not within the remit of this panel.

5.18 Brighton & Hove has taken a leading role in the national consortium, the Cultural Cities Network. The cultural offer has grown through new festivals, venues and organisations developing in or moving to the city.

5.19 The city has the highest level of current arts engagement outside London and the seventh highest out of 150 in the country at 61.2%. Brighton & Hove is known for its colourful and interesting arts and creative industries which attract tourism and new businesses. About one in five businesses and 10% of jobs are in the arts or creative industries. The city currently hosts around 60 festivals each year including the largest arts festival in England, the Brighton Festival (and its Fringe) with live music a significant component of the programme.

[17] (http://www.ukmusic.org/assets/general/FINAL_WYWH_2016_print_small.pdf)
[18] http://www.lgiu.org.uk/wp-content/uploads/2016/07/Building-a-vibrant-night-time-economy.pdf)
[19] 2015 figures

5.20 Brighton & Hove also hosts the Great Escape, a three day festival in May where numerous bands play in music venues across the city. It is now an important part of the music festival calendar in the UK. An Event Report from 2012 estimated that the spend of festival attendees to be over £4m.[20] While the 2016 festival featured 450 shows and drew its largest ever crowd,[21] a witness expressed concern to the panel as to whether there is a shortage of music venues during the Great Escape. [22]

5.21 In May 2016, the 3rd Music Cities Convention was held in Brighton & Hove with 78 cities represented. A common theme throughout the convention was the importance of communication between policy makers, creative leaders, the public and all sectors whose combined efforts will achieve a prosperous music economy.

Potential for growing the sector

5.22 Evidence to the panel from BIMM emphasised that:

"…Brighton & Hove has the second largest number of music professionals and it may grow as London prices out this sector."[23]

Is Brighton & Hove's unique offer causing grassroots venues to fail?

5.23 The Music Venues Taskforce report highlighted one of the external forces which was putting unintended pressures on grassroots venues:

"London's popularity as a place to live, work and study continues to increase. As a result of increased demand for accommodation, rents are increasing and some landlords are choosing to sell their properties to developers."[24]

5.24 The situation where business premises, including pubs and venues, are being converted into residential accommodation is a situation which is also being replicated in Brighton & Hove and other cities in the UK. It is also becoming increasingly attractive to develop residential accommodation in areas of the city, which had previously predominantly housed businesses.

The financial vulnerability of grassroots live music sector in Brighton & Hove

5.25 While there is growing recognition of the value of live music, a key reason this panel looked at the smaller music venues in the city (also known as grassroots music venues), was due to concerns about the vulnerability of the sector. These smaller venues, such as the back rooms of independent pubs,

[20] Great Escape Event Report 2012
[21] http://www.theargus.co.uk/news/14509808.Festivals_draw_thousands_to_Brighton_and_Hove/
[22] Phil Nelson, evidence to the panel
[23] Phil Nelson, evidence to the panel
[24] (https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf

are described by the Music Venues Trust as providing a place for bands to play who are not yet commercially successful enough to play in larger venues, or do not wish to.[25]

5.26 Mark Stack who started the petition in Brighton & Hove which triggered this policy panel, highlighted that there was not much money in the music sector, especially grassroots venues, with many people having to treat it as a hobby. That venues such as *"…the Hope & Ruin is based on passion and the pub could make more money if it did not hold live music events."*[26]

That:

"You will not get the David Bowies of this world if you do not give them a chance."[27]

5.27 But he felt that the sector was viewed by the council as being able to *"…take care of itself."*[28] Jordan Smith, from local band the Xcerts, described Brighton & Hove as seeming like a Mecca for bands but they did still have to put up with *"poor conditions and disrepair"* when playing a gig.[29]

The closure of a music venue

5.28 The most significant outcome for a music venue facing the challenges outlined in this panel report can be that the venue will either close down or cease to host live music events.

5.29 The report for the Mayor of London warned that:

"Between 2007 and 2015, London lost 35% of its grassroots music venues, a decline from 136 spaces programming new artists to just 88 remaining today…Those venues were big players in the music history of London, they fed the UK's £3.8 billion music industry with a stream of talented acts."[30]

5.30 Reasons they identified for venue closure in London included:

- Rising property values – causing venues to be turned into residential accommodation
- The planning system
- Licensing requirements
- Police priorities

[25] http://musicvenuetrust.com/2015/03/understanding-small-music-venues-a-report-by-the-music-venue-trust/
[26] Mark Stack, evidence to the panel
[27] Ibid
[28] Ibid
[29] Jordan Smith, evidence to the panel
[30] London Grassroots Music Venues Rescue Plan, 2015, https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf

- Competition from state subsidised venues in other European countries.[31]

5.31 In recent years there has been a shift in national legislative frameworks and in particular progressive deregulation of the Licensing Act 2003. This has meant that premises which wish to have live music between 8.00am and 11.00pm with an audience of less than 500 no longer require a licence, and there is therefore no provision for use of licensing conditions to manage and mitigate noise impact.

5.32 Deregulation of national planning legislation has made it easier for premises to change use without requiring planning permission, which removes the opportunity for the local authority to impose planning conditions requiring sound insulation and noise mitigation measures to protect local residents from the noise impact of live music venues. This has resulted in more residential accommodation being established close to existing live music venues, without the protection of planning conditions requiring sound insulation and noise mitigation measures.

5.33 The Health Act 2006 introduced a ban on smoking in premises. Customers and staff now wishing to smoke need to do so out in the street, outdoor gardens and seating areas. This is another challenge for venues to manage. People noise outside is intermittent, varies in character, can attract attention and is very difficult to mitigate. Later opening hours means this noise is happening when neighbouring residents want to sleep. Security staff managing outside areas can only have a limited impact. Noise from customers outside on private land could be deemed to be a statutory noise nuisance depending on the character, duration and frequency of the noise, and how it affects a person in their home.

5.34 Mark Davyd of the Music Venues Trust told the panel that they had identified 21 different reasons for venues closing down.[32] Brighton & Hove has also seen its share of music venues close, including the Blind Tiger (see earlier case study) and the Freebutt (which is explored below as a case study). Mark Stack believed that:

"Venues are scared and can be closed down and don't know why. Even though piped music in a pub tends to be louder than a band."[33]

5.35 A noise abatement notice can only require the abatement of the noise nuisance and the prohibition of a recurrence or occurrence. It cannot require closure of premises. Closure powers for both domestic and licensed premises are now provisions in the Anti Social Behaviour Crime and Policing

[31] Ibid
[32] Mark Davyd, evidence to the panel
[33] Mark Stack, evidence to the panel

Act 2014. This new provision has never been used for closure of licensed premises.

Case study: The Freebutt

The Freebutt was a long established live music venue in the City and attracted a large number of new bands. It is an old building that was never built and designed with sound insulation. Many years ago it was the victim of a new housing development being developed around it and housing being built on the party wall.

Over the years noise complaints were received, however, the most recent complaints in 2010 related to noise from the live music. These complaints were investigated and discussed with the operators of the Freebutt, who were very responsive to finding solutions. The noise was a statutory nuisance and a noise abatement notice had to be served under the statutory duties of the Environmental Protection Act 1990. After extensive dialogue between the venue operator and the local authority, the premises felt it had to close. This followed many attempts to install sound insulation to minimise the impact of live music. However, this was work to an old building and retrospective sound insulation can be costly, complex and it is not an exact science to remove low frequency structure-borne noise, and identify transmission pathways between a music venue and a home.

The closure of the Freebutt was mentioned by a number of witnesses to the panel. Andy Rossiter who used to run the Freebutt explained that when they were served with a noise abatement notice, the key issue for the Freebutt was a "lack of knowledge" on how to deal with it. It was clear that this closure had a significant impact on the live music sector at the time; with witnesses describing it as a "tragic story" and that the venue had been "a real starting point for so many bands."

The panel's evidence

5.36 The panel held a day long evidence gathering session to hear both from those working in the live music sector, locally and nationally, as well as council officers who are responsible for regulating this sector. The panel heard from the following witnesses:

Name	Job Title or role	Organisation
Rob Dawson	Economic Development Project Officer	Brighton & Hove City Council (BHCC)
Mark Stack	Petition Organiser	Zooberon Events
Mark Davyd	Founder and CEO	The Music Venue Trust (a national campaigning organisation)
Phil Nelson	Head of Music Business	BIMM
Chelsea Rixson		BIMM
Suzy Moosa		BIMM
Steven Ansell	Band member	Blood Red Shoes
Jordan Smith	Band member	XCerts
Sally Ann Oakenfield	Creative Director and booker	Sticky Mike's Frog Bar and The Hope & Ruin
Simon Walker		Brighton Ltd Music Venues
Andy Rossiter		Love Thy Neighbour Music Promotion
Annie Sparks	Joint Acting Head of Regulatory Services	BHCC
Jonathan Puplett	Principal Planning Officer	BHCC
Mike Sansom (gave evidence in writing)	Building Control Manager	BHCC
Jim Whitelegg	Licensing Team Manager	BHCC
Simon Court	Senior Lawyer	BHCC

Written evidence to the panel

5.37 All Councillors, local MPs and Local Action Team (LAT) Chairs were written to and advised of the evidence gathering day, and informed of the terms of reference of the Policy Panel. Other local authority Environmental Health teams were also contacted. While the panel only received a few responses, these have been used to develop this report.

Many emails were received in relation to a #NightlifeMatters manifesto.[34] The majority of these emails were generic and said the following:

"We believe that nightlife is a vital part of UK culture and way of life, and must be protected. Too many venues have closed in the last decade due to a lack

[34] http://nightlifematters.com/

of understanding about the benefits of nightlife, causing huge loss of culture, social spaces, jobs and economic prosperity. We believe that councils, councilors and MPs should take into consideration the huge benefits of a thriving night time economy, and take measures to support these businesses operating at night. We also support the points laid out in the #NightlifeMatters manifesto.''[35]

5.38 In addition the witnesses invited to the evidence gathering day were encouraged to submit in advance what they perceived to be the key barriers, or 'brakes', in the sector and what could be done to address them. These are quoted in this report in the relevant areas and are included in full at Appendix 1.

What did the evidence to the panel show?

5.39 The evidence gathered by the panel can be categorised into six themes:

1. **Appreciating the value of the sector to the city,** both in terms of its cultural offer and financial contribution. However it is a sector which struggles with financial viability and the panel heard about the pressure that this can place on those running music venues, promoting evenings and playing in bands
2. The need for a greater awareness and dialogue about **how the sector is regulated;** especially as some of the witnesses working in live music were not fully aware of the impact of the deregulation in the sector
3. Striking a **balance between the needs of residents and venues**
4. Encouraging and enabling younger people and disabled people to **access** live music
5. The vital role music venues play as part of the **night time economy**
6. **Building Partnerships** with many witnesses hoping that they could build a more supportive and sharing relationship with the council.

5.40 This section of the report looks at the evidence gained by the panel in terms of these six themes and compares the evidence to the issues being raised nationally. The recommendations of the panel are included at the relevant section, to show how the panel responded to the evidence they heard.

[35] Emails sent to the panel

Theme 1: Appreciating the value of the sector to the city

In brief:

Although the live music sector brought in almost £50m to the city last year, grassroots venues often struggle to break even. They would benefit from the kind of public funding that other art forms such as dance can attract. Evidence to the panel suggested that the council could help by offering rehearsal space to bands in their premises and bidding for funding to help music venues. The city would also benefit from having more medium-sized venues as they are able to attract bigger bands to come and play in the city. This would offer greater choice, stop people from having to travel to other towns to see their favourite bands and might give local bands the opportunity to support bigger bands.

Why do we need to support small, grassroots, music venues?

5.41 Rob Dawson from Brighton & Hove City Council (BHCC) opened the evidence gathering meeting by emphasizing how vital it is to "…*safeguard and nurture the music sector and small venues in the city.*" He felt there was a *"need for a consensus between residents, businesses and music venues.*"[36]

5.42 Andy Rossiter, a music promoter, explained the value of live music to the cultural offer of the city:

"Brighton has a [high] number of bands and venues compared to a location like Southampton. No one stays there after college as there is nothing to do."[37]

He also warned that if the sector did not receive greater support then bands could *"…all be in Hastings soon, as it's cheaper."*[38]

5.43 Mark Davyd of the Music Venue Trust was concerned whether the city was maximising its opportunities. His engagement with this sector had led him to believe that "…*Brighton could do an enormous amount more"* with its live music. He was concerned that there was a "*lack of understanding of what venues do"* and hoped their value to the city could be recognised.[39]

Resources for grassroots venues

5.44 Phil Nelson from BIMM Brighton explained that small venues:

[36] Rob Dawson, evidence to the panel
[37] Andy Rossiter, evidence to the panel
[38] Andy Rossiter, evidence to the panel
[39] Mark Davyd, evidence to the panel

"…give bands the first step, but 50% of them make a loss. There are high costs and may only be selling tickets for £3. Hard to cover costs, so can't really pay bands and the promoters etc. often work for free."[40]

It was hardest for smaller venues and smaller bands to operate in this sector. He was concerned that venues did not have sufficient funds to develop as they were "*struggling to break even."*[41]

Would funding the sector help?

5.45 The importance of live music in the city led the council to help fund the Great Escape Festival. Some of the witnesses referred to the funding, including from the Arts Council, which was available for the live music sector in areas such as Aberdeen. Andy Rossiter expressed his concern that:

"Grassroots music in the UK is poorly supported – none of the venues or promoters receives funding. As a result the industry survives on a shoestring and is of a lower quality compared to the rest of Europe. Promoting is essentially gambling and involves a lot of risk, where even busy shows can make a loss while ancillary industries (restaurants, pubs, car parks, hotels, grocery shops, transport etc.) benefit from our activity."[42]

5.46 The panel heard that:

"In Europe 42% of the funding for grassroots venues comes from governments. Berlin is very supportive and has a can-do attitude to this sector which has high benefits to their music scene."[43] Witnesses queried why other art forms such as ballet received funding *"…but live music is thought to make money and so there is no funding."*[44]

5.47 While council resources are so constrained it is extremely unlikely that it could offer direct funding to the sector, suggestions made by witnesses to resource the sector included:

- Council assistance, as well as from other relevant organisations, by offering resources in kind such as rehearsal space to bands in any appropriate buildings it owns such as community centres
- Where appropriate, using Section 106 money[45] to assist with measures to help venues. An example given was that if an arts resource was built, then this kind of funding could be used to sound insulate a music space.[46]

[40] Phil Nelson, evidence to the panel
[41] Phil Nelson, evidence to the panel
[42] Andy Rossiter, written evidence to the panel (Appendix 1)
[43] Steven Ansell and Jordan Smith talking to Phil Nelson, evidence to the panel
[44] Ibid
[45] http://www.pas.gov.uk/3-community-infrastructure-levy-cil/-/journal_content/56/332612/4090701/ARTICLE
[46] Group discussion at evidence gathering meeting

Recommendation 3: Resources

The panel recommend that the partnership explore funding opportunities to assist grassroots music events and promote their value to the city.

Encouraging the growth of medium-sized venues

5.48 At present the city has a few middle-sized venues, such as the Dome (which hosts a range of arts events, as well as live music). While looking at medium-sized venues was not in the remit of the panel, they did hear evidence about the need for more of venues of this scale. Currently many of bands who would like to come to play in Brighton & Hove are not able to find a suitable sized venue to play, so their fans have to go to London or cities such as Southampton which have an appropriate sized venue. The money spent on this music tourism is lost to Brighton & Hove (which can be considerable as it includes travel, eating, drinking and possibly staying in hotels).

5.49 Anna Moulson of Melting Vinyl wrote that:

"We need a 750-1000 size venue at present we have a lot of 100-150 and 300-500 but then there is a big gap."[47]

Andy Rossiter, a music promoter, wrote that:

"My business relies on there being plenty of thriving music venues in central Brighton of varying sizes and specialities."[48]

Recommendation 4: Mid-size music venues for Brighton & Hove

The panel recommend that the partnership explore with the Council how City Plan 2 could be used to develop mid-size music venues.

Music venues – nationally and in London

5.50 Appreciating the value of the music sector is a common theme of the recent national reports, as well as a London-focused report, on this issue which were described earlier in this panel report. These reports investigated both the financial value of the sector, as well as its cultural value.

5.51 The Music Venue Trust report[49] shows that the UK independent venues represent a diverse sector which plays a vital role in both the music industry, and broader cultural sector, and has a positive impact on businesses,

[47] Anna Moulson, written evidence to the panel (Appendix)
[48] Andy Rossiter, written evidence to the panel
[49] Music Venue Trust report

communities, and economies (both local and national). This report also reveals independent music venues to be under significant pressures financially, and one of their recommendations is the need for investment. This is supported by the evidence gathered by this policy panel.

5.52 The Mayor of London's Music Venues Taskforce report[50] showed that 35% of London's grassroots music venues have been lost since 2007. The recommendations from this report were seen to be a rescue package to halt the decline in grassroots music venues with the aim of stabilising the sector, stimulating investment, and bringing a change of attitude to music venues. A key recommendation of the Taskforce was to create a Night Time Commission and London Music Board which are to be key drivers in cultural and economic regeneration. Another recommendation was to encourage local authorities to implement relief on business rates, with full relief for grass roots venues.

5.53 The report by UK Music in 2016 report details the economic impact of live music and music tourism in the UK and provided the figures for the table below:

Table 1: Comparison across the UK of economic impact of live music and music tourism in 2015[51]

	UK	London	South East	Brighton
Total direct and indirect spend generated by music tourism	£3.7 billion	£967 million	£455 million	£45 million
Number of music tourists	27.7 million	3.2 million	890,000	154,000
Number of full time jobs sustained by music tourism	39,034	7529	5032	481

The LGiU report sees the night time economy as an opportunity to drive business growth, and build vibrant and creative places where people want to live.[52]

[50] Mayor of London Taskforce report
[51] Figures taken from UK Music 2016 report, Wish You Were Here http://www.ukmusic.org/assets/general/Wish_You_Were_Here_2016_Final.pdf
[52] http://www.lgiu.org.uk/wp-content/uploads/2016/07/Building-a-vibrant-night-time-economy.pdf)

Theme 2: Regulation of the sector

In brief:

Over the years a range of laws have been brought in across various regulatory areas such as licensing, planning and noise. This has been followed by uncoordinated deregulation in areas such as planning and licensing. This has happened without co-ordinated policies at a national and local level. The impact of this is that residential accommodation and live music venues are being thrown together without effective controls such as planning conditions, licensing conditions and not supported by co-ordinated policy decision in these areas.

5.54 A key focus of the evidence gathering was to look at the regulation of the sector and its impact on venues and residents. The panel has specifically looked at the following areas of regulation:

- The role of enforcement policies
- Planning and Building Control
- Licensing
- Noise abatement
- Smoking ban.

5.55 National legislation sets out how the council should regulate and enforce these areas. For example the Environmental Protection Act 1990 places a statutory duty on a local authority to serve a noise abatement notice when a statutory noise nuisance has been identified. There is no discretion in this process.

5.56 In some cases, this legislation is supported by national and local guidance. For licensing there is both national guidance provided by the Home Office, and in addition Brighton & Hove City Council has a local Statement of Licensing Policy. This is a good example of where there is both national and local guidance supporting decisions in relation to licensing. This helps to ensure consistent and transparent decision processes, while at the same time addressing local needs. There is a risk that local and national guidance can be contradictory in certain areas and lead to confusing messages for the live music sector.

Enforcement Policy

5.57 As with any regulatory processes, case law and enforcement policies are there to inform the decision making process. The council has a corporate enforcement policy and there are also specific enforcement policies for Environmental Health, and Licensing. These policies support, and

supplement, specific guidance on enforcement action contained in the national Statutory Code of Practice for Regulators.

5.58 In 2004 Philip Hampton was asked to lead a national review of regulatory inspection and enforcement. His report, published in March 2005, set out a programme to reduce the burdens on business created by regulatory systems. The report urged regulators to:

- Become more risk-based in their inspection and information requirements
- Focus greater effort on improving advice and guidance to help businesses which want to comply
- Deal more effectively with persistent offenders.

5.59 The Hampton Report set out a series of principles which it recommended all regulators adopt. The council's corporate and Environmental Health and Licensing enforcement policies are based on these Principles.

The Hampton Principles

•**Risk Assessment:** Regulators, and the regulatory system as a whole, should use comprehensive risk assessment to concentrate resources on the areas that need them most

•**Accountability:** Regulators should be accountable for the efficiency and effectiveness of their activities, while remaining independent in the decisions they take

•**Inspections and other visits**: No inspection should take place without a reason

•**Information Requirements:** Businesses should not have to give unnecessary information, nor give the same piece of information twice

•**Compliance and Enforcement Actions:** The few businesses that persistently break regulations should be identified quickly and face proportionate and meaningful sanctions.

•**Advice and Guidance:** Regulators should provide authoritative, accessible advice easily and cheaply.

•**Economic Progress:** Regulators should recognise that a key element of their activity will be to allow, or even encourage, economic progress and only to intervene when there is a clear case for protection.

Planning and Building Control

Building Control

5.60 This section now looks at the regulation and enforcement in relation to the Building Regulations. These specify how building should be built and include requirements in relation to sound insulation of buildings, such as music venues.

Mike Sansom, BHCC's Building Control Manager was asked by the panel:

"If residential premises are established close to or adjoining or above a live music venue can the Building Regulations require sound insulation? If so who pays for that."

5.61 His written response was that:

"*If a new residential building is provided adjacent to building that has a different use i.e. a public house with live music, then the new building should be constructed to ensure that a reasonable level of sound insulation exists from the non-residential use and the residential use. We would anticipate that the developer of the new building would include such sound reduction measures to satisfy the Building Regulations. However, the level of sound reduction may not prevent significant noise from a music venue as the requirements of the Building Regulations are limited."*[53]

He was also asked by the panel:

"If a music venue is established adjoining a residential unit do Building Regulation require sound insulation?"

Mike Sansom explained that:

"An existing building that is open to the public that becomes used for music events would not require Building Regulations consent as we would not deem this to be a change of use i.e. the building was open to the public and still is."[54]

5.62 Mike Sansom has subsequently clarified that:

"…if a light industrial premises were to change use to a live music venue i.e. a non-public building to a public building this is deemed as a change of use. This will impose requirements of the Building Regulations that apply to this type of use. However, there are no sound insulation requirements as a

[53] Mike Sansom, written evidence to the panel
[54] Ibid

result of a change use to a public building, other than where the public building is going to be used as a school."[55]

Planning

5.63 Jonathan Puplett, Principal Planning Officer for the council, gave evidence to the panel and then provided the supplementary information included below to explain the planning situation in Brighton & Hove:

"The process for managing and decision making in relation to planning applications is set out in national legislation. The requirement for Planning Permission can apply to both to new and existing developments. National and local planning policies seek to encourage and support cultural venues including live music venues (policy CP5 Culture and Tourism in City Plan Part One).

National and local planning policies seek to ensure that development which would cause harmful noise disturbance to residents should not be allowed. In addition planning permission should not be granted where there is an existing commercial premises, such as a live music venue, and there is a proposal to introduce residential homes with inadequate protection. This issue is summarised by paragraph 123 of the National Planning Policy Framework (NPPF) (see box below): This national policy is a material consideration when considering a planning application for a new live music venue or for building residential homes next to an existing live music venue."[56]

> *Planning policies and decisions should aim to:*
>
> *•avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
>
> *•mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
>
> *•recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*
>
> *•identify and protect areas of tranquility which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.*

[55] Ibid
[56] Jonathan Puplett, written evidence to the panel

5.64 Jonathan Puplett then explained that:

> *"Most of the live music venues in the city are well established and because they are so old, many are not subject to planning restriction. The planning laws and policies that are used today were first introduced in 1948, so any business and premises established before then would not have any planning restrictions. Some premises hosting live music may not in fact require planning permission if live music is an ancillary part of their operation, rather than forming a more primary element of their use. Therefore there are many buildings which host live music events intermittently and are not subject to the same planning controls of a new fully established live music venue or concert hall. Promotors and performers may not be aware of planning restrictions relating to the buildings that they are performing in. Even the operators and license holders of buildings may not be aware of planning restrictions. The complexities relating to this area of regulation would be a reason for introducing an online resource providing clear and simple guidance on these kind of issues."*[57]

Planning Conditions

> *"Planning conditions should only be imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects." (paragraph 206 NPPF)*

5.65 Jonathan Puplett explained to the panel that:

> *"If a new venue is proposed which does require planning permission, Brighton & Hove City Council can apply planning conditions, to restrict hours of operation, capacity of the venue, and to secure sound proofing measures. Planning conditions are attached to planning consents to mitigate the impact of a development including noise and light, the council uses national guidance to formulate their planning conditions."*[58]

Deregulation and Permitted Development Rights

5.66 Jonathan Puplett informed the panel that:

> *"Some developments can change use without requiring planning permission. In recent years national deregulation of planning legislation has enabled more development to change use without always needing planning permission. This has included office accommodation changing to residential use."*[59]

[57] Written evidence to the panel from Jonathan Puplett
[58] Ibid
[59] Written evidence to the panel from Jonathan Puplett

The London Mayor's Music Venues Taskforce report also makes reference to the issue of office accommodation being allowed to convert into homes without the need for planning permission. The report goes on to say that:

"…as a consequence, venues that have happily existed alongside office space for years are now facing residents moving in who expect quiet enjoyment of their homes in the evening. There is widespread concern that as a result of new Permitted Development Rights environmental noise assessments can be bypassed and more residents will find themselves living near sources of noise."[60]

5.67 This area of deregulation has resulted in residential accommodation being located next to long established live music venues, and complaints being made about noise from the live music venue. Then noise abatement notices being served on the live music venue requiring sound insulation and this having a cost impact on the venue.

Prior Approval

5.68 However, Jonathan Puplett in his written evidence explained that more recently the impact of this deregulation has been recognised and a 'prior approval' process has been introduced. In effect this is an early screening process, where a person wishing to change a premise from office to residential use is required to apply to the council to seek confirmation of whether the prior approval conditions are met. If it is decided that there will be noise consequences, a full planning application is usually required. This then enables planning conditions to be attached to the consent and therefore require sound insulation and other conditions.

Article 4 Directions

5.69 Jonathan Puplett explained to the panel that:

"We have highlighted that as a result of deregulation some premises do not require planning permission when changing use e.g. from office to residential. In 2015 a further permitted development right was introduced allowing change of use from A3/A4 public house to retail use (A1). Where this is the case there a legal process called an Article 4 Direction which can geographically control where these permitted changes may be applied. ***'A public house considered to be of value as a live music venue could be protected through an Article 4 Direction or through registration as an Asset of Community Value (ACV).'****(listing or nomination as an Asset of Community*

[60] Mayor of London report

Value removes the pub to retail permitted development right). Both A4 Directions and ACV have to be justified and require evidence.[61]

Wandsworth Borough Council has in fact recently introduced a single Article 4 Direction which protects 120 of the most valued Public Houses in their borough.''[62]

5.70 Simon Court, of the council's legal team, told the panel that:

''For a venue such as the Green Door Store, Article 4 would offer protection because of its city centre location [however]…Case law may not agree with the Mayoral report on music venues and the Ministry of Sound case which is a 'planning decision with a huge amount of room for legal challenge.''[63]

5.71 He cited relevant case law, such as the Camden case, ''*…which focused on offices being changed into residential accommodation, and the requirement for 'prior approval' conditions as part of the permitted development rights. After the Camden case, it was determined that decision makers have to take into account whether the proposed change of use would be prejudicial to existing businesses''.*[64]

Deed of Easement and Agent of Change Principle

5.72 The Ministry of Sound, a club in London, faced problems when an apartment block was proposed immediately opposite the club. They spent a significant sum in legal, consultancy and planning costs to protect the club from future noise complaints. This case resulted in:

- Deed of easement
- Agent of change principle.

These changes are likely to have a growing importance in the planning and development of Brighton & Hove.

Deed of easement

5.73 According to the Music Venues Taskforce report the Deed of Easement gave the Ministry of Sound:

[61] Jonathan Puplett, written evidence to the panel
[62] http://www.wandsworth.gov.uk/news/article/13477/wandsworth_council_protects_120_pubs_from_redevelopment'[62]
[63] Simon Court, evidence to the panel
[64] Ibid

"...the legal right to make a noise at existing levels, meaning that new residents essentially 'buy into' the club's ongoing operations, rather than being able to object to it."[65]

Agent of change

5.74 This principal places the responsibility for noise management measures on the 'agent of change' or the incoming individual or business. It has been adopted successfully in parts of Australia and the United States.

Annie Sparks told the panel that the:

''*Agent of change principal can work but relies on a huge amount of mediation work and managing change."*[66]

Jonathan Puplett suggested to the panel that:

"Mapping of all current live music venues would be a constructive step forward, as under planning applications, and applications for prior approval, we are required to consult properties that immediately adjoin the site. However a neighbouring premises any further away would not necessarily be consulted and possible noise concerns may not be picked up as an issue during the course of considering an application. Were all venues to be mapped it would be easier to identify them when considering, for example, applications for new residential development close to a live music venue if not immediately alongside.''[67]

5.75 Annie Sparks explained that when a person sells their home they need to declare whether they have complained about noise from commercial or residential premises.

''*New people moving in tend to be more accepting of that noise, which is a kind of zoning."* [68]

The specific establishment of such zones for grassroots music activity is one of the recommendations of the Music Venues Taskforce report, to encourage developers to '*create new, high quality music venues'*. This report emphasises that:

''*More can be done to recognise live music venues in planning policy and provide guidance for decision makers."*[69]

[65] https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf
[66] Annie Sparks, evidence to the panel
[67] Written evidence to the panel, Jonathan Puplett
[68] Annie Sparks, evidence to the panel
[69] See ref 65

5.76 The panel are aware that significant changes are happening nationally and want to ensure that Brighton & Hove is keeping up with these changes and that the Planning Service and councillors are fully aware of the implications for the city. Given the advice that these changes could be open to legal challenge, it will also be vital to keep up to date with how case law develops. This area will be a key issue for the Night Time Economy Partnership to explore and is intended to be a specific remit for them.

Licensing

5.77 Under the provisions of the Licensing Act 2003 there is a statutory duty to meet with the 4 licensing objectives:

- the prevention of crime and disorder
- public safety
- the prevention of public nuisance
- the protection of children from harm.[70]

This is a national requirement and a premises licence is required where there is sale of alcohol, and or regulated entertainment. The Deregulation Act 2014 introduced deregulation in relation to some aspects of the Licensing Act 2003. Now live music is no longer a licensable activity when it takes place between 8.00am and 11.00pm with an audience of less than 500.

5.78 The council has a Statement of Licensing Policy. The purpose of this Statement is to promote the licensing objectives listed above and covers the following areas:

- Retail sales of alcohol
- The supply of alcohol by or on behalf of a club, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment.

This Brighton & Hove City Council Licensing Policy recognises the need to encourage live music, dancing and theatre. The policy states that the licensing committee will support the cultural zones, outdoor eating areas, food led operations, community pubs, live entertainment and protect living conditions in mixed residential and commercial areas.

Temporary Event Notices

5.79 Temporary Event Notices (TENs) provide an opportunity for live music events to take place where the restrictions and conditions on the premises licence will not apply for that particular event (even though deregulation means that

[70] http://www.legislation.gov.uk/ukpga/2003/17/contents

live music is no longer a licensable activity when it takes place between 8.00am and 11.00pm with an audience of less than 500). A TEN would enable live music to happen later and outside of these hours, and for a larger audience, and perhaps outside. Although deregulation has widened the opportunity for live music to happen without needing licence, it could in turn result in complaints.

5.80 The Statement of Licensing Policy specifically makes reference to these Temporary Event Notices (TENs). There are limitations to TENs, including a maximum duration of 168 hours for one TEN for up to 499 people and the number of TENs to cover one premise must not exceed 21 days per year. The Policy states that Licensing Authority will encourage bona fide community events.

Licensing Guidance recognises that TENs are a light touch process, not requiring specific authorisation. However, when considering TENs notifications the licensing authority will take into account the history. If the police or Environmental Health believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must issue an objection notice.

The Late Night Levy

5.81 The Licensing Committee recently debated consulting on introducing a late night levy, which is a charge that can be applied to alcohol licensed premises open between midnight and 6am. The Committee deferred any decision until proposed legislative changes affecting the Late Night Levy have been clarified by the Government in Spring 2017.

Jim Whitelegg, the Licensing Team Manager for BHCC, confirmed that it was a legal requirement for the council to produce a statement of licensing policy:

"Live music is recognised as a benefit, so valued and encouraged…[and] Licensing conditions have to be appropriate and proportionate. They vary from venue to venue. The police and trading standards take the regulatory lead on the issue of under 18s. If a license is new or being varied, then there is a 28 day consultation period for responsible authorities, such as police and environmental health, and other persons such as residents to make comment based on licensing objectives. Sometimes the applicant will agree conditions during this period. This will save the application going through a formal committee hearing ."[71]

5.82 Jim Whitelegg then explained the significant impact of the Deregulation Act of 2015 which means that:

[71] Jim Whitelegg, evidence to the panel

"…..that no licence is needed from 8am -11pm for unamplified music, but if amplified need a licence only for over 500 people. Recorded music has also been deregulated for licensed premises between 8am-11pm, for up to 500 people. Cafes and bars have always been able to apply for licences, but again will not need one for regulated entertainment between 8am-11pm for up to 500 people. Where there is a persistent noise problem from a premises there is an opportunity for a member of the pubic, and or the Police, and or the Council to request that the premises licence be reviewed[72]".

5.83 Jim Whitelegg explained to the panel that a Licensing Strategy group met every three months to discuss licensing policy issues and feed into the Alcohol Programme Board. While it was attended by residents, businesses, the police and fire authorities, music venues rarely came to the meetings. Jim Whitelegg then suggested that the Licensing Strategy Group could look at issues such as bouncers and underage gig goers.

Noise

5.84 There is sometimes a confusion about noise legislation relating to noise impacting on performers, staff and the public visiting a live music venue, and the noise coming from the venue and impacting on local residents.

The Control of Noise at Work Regulations 2005 places a duty on employers to reduce the risk to their employees' health by controlling the noise they are exposed to whilst at work. The provisions of these Regulations are not covered by the scope of the Policy Panel.

This next section will cover noise abatement and noise impacting on local residents in their home.

Noise Abatement

5.85 Annie Sparks, Joint Acting Head of Regulatory Services for BHCC, told the panel that the two key changes which had impacted on the sector are:

- Licensing Act 2003
- Smoking Ban imposed by the Health Act 2006.[73]

The Licensing Act 2003 brought with it the opportunity for extended hours of opening for the sale of alcohol and regulated entertainment, and the smoking ban then brought people outside to smoke during these extended hours. This has brought noise complaints relating to both people noise and noise from music.

[72] Jim Whitelegg, evidence to the panel
[73] Annie Sparks, evidence to the panel

What is a statutory nuisance?

5.86 Under the provisions of the Environmental Protection Act 1990 a local authority has a duty to investigate all noise complaints and where a statutory noise nuisance is identified the local authority has a statutory duty to serve a noise abatement notice. Legally noise nuisance is not set at a specific decibel level but instead is assessed in relation to the character, duration and frequency of the noise and most importantly how a person is affected in their home, rather than a passerby.

How is the evidence collected?

5.87 Noise diaries completed by the person affected, noise recording equipment left in their home, and visits to a person's home to witness the noise, are all methods of collecting evidence to assess if a noise is a statutory nuisance. Evidence gathered and the assessment made *'shall have regard to the legal test of 'balance of probabilities'*.[74]

Noise Abatement Notices

5.88 The council has a statutory duty to investigate all noise complaints. The council uses noise abatement notices where the noise constitutes a statutory noise nuisance. This includes noise from both domestic and commercial premises, including; construction sites, noise from kitchen ventilation fans, and also live music venues. It requires the noise to be at an acceptable and reasonable level. In some cases this may be need to be very quiet to enable a person to sleep.

[74] http://www.legislation.gov.uk/ukpga/1990/43/contents

Noise Abatement Notices in Brighton & Hove

A noise abatement notice shall be served on the person responsible for the noise and/or the occupier and/or owner of the premises. This is also a statutory duty with no discretion. A noise abatement notice can be used to stop a music event happening where it is believed that it will cause a nuisance, such as a rave or prohibit the recurrence of the noise where the noise nuisance has already been identified.

The noise abatement notice may require prohibition of the noise nuisance 'forthwith', or where works are required to abate the noise the notice shall define a reasonable time for compliance.

The noise abatement notice may include a schedule of works to abate the noise nuisance. The majority of noise abatement notices served by Brighton and Hove City Council, however, simply require abatement of the noise nuisance and do not include a schedule of works. This enables the person served with a notice to explore reasonable options to comply with the notice. This is particularly relevant to live music venues as there may be a number of options on how to reduce noise levels. This may include reducing bass levels and or volume, shutting doors and windows, changing the hours and frequency of live music events, and or more complex sound insulation works. Legally this must have regard to reasonable cost, and available technology. A person served with a noise abatement notice has a right of appeal and there are a number of grounds of appeal detailed in the Act.

Enforcement

5.89 Noncompliance with a noise abatement notice is a criminal offence and the evidence gathered has to be to the legal test of 'beyond all reasonable doubt'. There are also provisions to seize noise making equipment, and where on private land this will require a warrant from the Magistrates Court.

A noise abatement notice cannot require closure of a premise. It can only require the abatement of the noise nuisance and the prohibition of a recurrence or occurrence. Closure powers for both domestic and licensed premises are now provisions in the Anti Social Behaviour Crime and Policing Act 2014.

5.90 The table below gives the context of noise abatement notices served across the City since 2012.

Table 2: The character and number of noise abatement notices served across the City since 2012

	2012/13	**2013/14**	**2014/15**	**2015/16**
Number of Noise Complaints Received	3162	2779	2706	2411
Industrial Noise	0	0	1	0
Domestic Noise	84	69	45	28
Commercial /Leisure Noise including music venues	12	25	21	24
Construction Noise (Not including notice provisions under the Control of Pollution Act 1974)	0	0	1	0
Noise Equipment in the Street	0	0	2	0
TOTAL NOISE ABATEMENT NOTICES	96	94	70	52
The number of commercial premises where a noise abatement notice was served for noise from live and or amplified music and or noise from people	5 3 of these were licensed premises.	10 8 of these were licensed premises	9 6 of these were licensed premises	9 8 of these were served on licensed premises

5.91 In the last four years 11,058 noise complaints have been received by the council and during this period 33 noise abatement notices have been served in relation to music and people noise from commercial premises. This includes notices on raves, squats, holiday lets, and therapy centres. 25 of

noise abatement notices on licensed premises were in relation to noise from people and or live and or amplified music.[75]

The impact of noise abatement action on the industry

5.92 Mark Stack, the petition originator, suggested that it would be more productive if the council could talk:

"…to a venue about a noise abatement notice first. Make it a level playing field rather than us and them."[76]

5.93 Noise was a recurring issue raised by witnesses working in the live music sector, in particular:

- Noise abatement
- Noise restrictions. A band member did comment that some music is meant to be loud.' Again this needs to be balanced by the needs of neighbours and the potential safety of the audience because of the potential for noise damage.
- Curfews – that if curfews are too early it may make events impracticable (time to soundcheck and number of bands to be fitted on the bill) but the panel recognized the need to balance this with the needs of residents in the locality.

There was a recognition by witnesses working in the music sector that some venues were more suitable than others to hold events at louder noise levels, such as the Concorde 2 because it is not sited near residential accommodation.

Soundproofing music venues

5.94 The cost of soundproofing venues was highlighted by Mark Davyd who explained that research by the Music Venue Trust had found that it took an average of £10,000 per music venue to carry out acoustic measures. [77]

Soundproofing of residential accommodation

5.95 Mark Stack told the panel there was a need for:

"…greater soundproofing regulations for residential developments. Especially an issue when there are new developments built next to existing venues – developers only need to follow domestic sound proofing regulations when converting adjoining buildings to residential when it's obvious more is needed."[78]

[75] Figures provided by the services
[76] Mark Stack, evidence to the panel
[77] Mark Davyd, evidence to the panel
[78] Mark Stack, evidence to the panel

5.96 Sally Ann Oakenfield told the panel that they did have ‘‘*…regular conversations with the council about a persistent complainer.’*[79] This was vital as ‘*One person’s complaint can close a venue – such as the Freebutt.’* Venues could end up feeling that they had to tell bands off continuously *‘…to stop neighbours being annoyed.’’*[80]

5.97 Simon Walker, a witness with 30 years’ experience of running pubs and music venues, also highlighted the need to ensure that a noise abatement notice is served on the right person, which should be the Designated Premises Supervisor (the person who has the day to day responsibility for running the premises). This can become confusing if the owner of the premises is not aware of the notice.[81]

Smoking ban enforcement

5.98 Simon Walker, explained to the panel that the enforcement of the smoking ban in public places had resulted in significant numbers of people outside venues. He described it as:

‘‘…yet another condition that the venue has to consider, is it worth it just to have a band on Thursdays.’’[82]

Enabling the music sector to understand regulation in the city

5.99 The witnesses who work in the music sector made a range of suggestions to enable a greater understanding of regulation of music venues for those who work in them, or wanted to express a concern about noise levels. These included:

- Making it obvious for a venue to find out what they need to do e.g. in respect of licensing conditions and who is responsible?
- Clear information at the venue about who is the right person to speak to about noise concerns
- Training sessions on licensing and other relevant information for venues, promoters and other stakeholders.

The panel believes that the above suggestions could be examined by the proposed Night Time Economy Partnership or the existing Licensing Strategy Group.

[79] Sally Ann Oakenfield, evidence to the panel
[80] Ibid
[81] Simon Walker, evidence to the panel
[82] Ibid

Theme 3. Balancing the needs of residents and the music sector

5.100 As part of the evidence gathering process, the panel received a limited number of written responses from the community and the concerns outlined included:

- The location of some venues in residential areas, such as the Old Market
- The end time of some music events
- The noise levels which can be generated by people smoking outside venues and coming to and from the event
- The importance of dealing appropriately to noise concerns of venue's neighbours without endangering the future of the venue
- The potential impact of the Shakedown Festival on the local community
- The potential growth of noise nuisance and anti-social behavior in residential areas due to licensing changes.

5.101 For example, the experience of a member of a residents' association near three venues in the city centre was that:

''Problems arise due to noise nuisance and antisocial behaviour - all venues are in the immediate vicinity of neighbours. Whilst these venues have conditions within their license with regards to noise levels etc., these are not always enforced and adhered to.''[83]

They were concerned that:

''With recent changes in licensing policy which will see cafes being granted licenses until 11:30pm, we are concerned that live music, recorded music and late licenses on top of this could potentially be very damaging for our area. This is not West Street. We do not want to see venues granted alcohol and music licenses just to see them then sold on to someone who then turns them in to a club which trades on cheap booze, students and stag parties. This needs to be regulated with due consideration for local communities over and above the late night economy.''[84]

5.102 Another resident living near a city centre venue expressed their belief that:

''*Any live event venue placed in a residential area should have hours of performance attached to events held - e.g. the event should be over and attendees should have left the premises and the residential streets outside the venue by 10.30pm (this is quite a realistic time as many begin 7/7.30pm and performers generally cannot go on for more than 2.5 hours – this allows a good interval break as well for the venue to sell drinks etc.). Should the venue have a bar attached, this bar should have a closing of 11pm in a residential*

[83] Written evidence to the panel
[84] Ibid

area. A venue in centre of town, party/pub/restaurant streets could more realistically have a closing time of 2am." [85]

5.103 However another resident, who also worked in the live music sector, felt that:

"Most pubs handle their music very carefully. On the whole, my experience of complaints about live music noise comes from people who move into an area where live music already occurs and has occurred for many years – and then suddenly wake up one morning and realise they have a pub opposite their house, and they complain to get it made quiet.

Usually those very same people have moved into that area because of the great vibrant pub life and when they have babies etc. suddenly their attitude changes." [86]

5.104 Annie Sparks (BHCC) explained that licensing changes meant that now the opening hours of venues were past 11pm but that:

"…residents found it easier when they knew when the noise was going to stop. Many music venues are in the middle of residential areas." [87]

Mark Davyd of the Music Venue Trust spoke of his concern that:

"Typically a council can place more than 20 licensing conditions on a music venue. Some are very out of date like the 100 Club in London which has a license condition relating to 'unsuitable clothing'." [88]

"*Licensing officers have a perception that residents' needs are greater than that of music venues."* [89]

5.105 Mark Stack told the panel that he believed that those running live music events, especially the venue managers, would be happy to come and talk to community groups.[90] Simon Walker felt that it was very beneficial if residents would first raise any issue with the venue, before approaching the council, because:

"Issues could often be sorted out between the resident and the venue. It is the hospitality industry so want to sort out the problems and find mutually agreeable solutions." [91]

5.106 Simon Walker told the panel that complaints were usually made first to the council so:

[85] Ibid
[86] Ibid
[87] Annie Sparks, evidence to the panel
[88] Mark Davyd, evidence to the panel
[89] Mark Davyd, evidence to the panel
[90] Mark Stack, evidence to the panel
[91] Simon Walker evidence to the panel

"…the venue is not aware of the problem until told by an enforcement officer".[92]

National Level

5.107 The Music Venue Trust's report[93] sees the challenges relating to regulation, licensing, public perception, and the rapidly changing urban environment threatening the survival of music venues, with demoralizing effect.

The London Mayor's report[94] sees grassroots music venues as cultural spaces, risk takers, hubs of innovation and place-makers, and they need to be recognised as such in policy documents. The report also highlights that music venues also need to enter day to day conversations of economists, planners, licensers, police, tourism experts, culture professionals and music industry decision makers.

5.108 The LGiU report[95] recommends building partnerships between all those with a stake in the area, police, local authorities, emergency services, businesses and communities, and sees this as an essential foundation on which to build a successful and safe night time economy.

Theme 4: Encouraging and enabling younger people and disabled people to access live music

Encouraging younger people

5.109 Many of the witnesses involved in the music sector were keen to explore how to enable younger people to attend gigs in the city. Steven Ansell, of the Blood Red Shoes, talked of going to gigs from the age of 14.

According to James Hann who provides licensing advice to venues in the city:

"…there is a need to reconsider how to attract young people to gigs, especially as sales of music declines." [96]

5.110 The BIMM witnesses felt "*…it is vital for young people to be able to see and play music. The Westbourne allows 14+ into gigs but this is a rarity."* [97]

Sally Ann Oakenfield, a venue booker in the city, gave the example of a young band called Grasshopper *'…but none of their friends can come to their*

[92] Simon Walker, evidence to the panel
[93] http://musicvenuetrust.com/2015/03/understanding-small-music-venues-a-report-by-the-music-venue-trust/
[94] https://www.london.gov.uk/sites/default/files/londons_grassroots_music_venues_-_rescue_plan_-_october_2015.pdf
[95] http://www.lgiu.org.uk/wp-content/uploads/2016/07/Building-a-vibrant-night-time-economy.pdf)
[96] James Hann, written evidence to the panel (appendix 1)
[97] Phil Nelson, talking to Chelsea Rixon and Suzy Moosa, evidence to the panel

gigs.[98] She explained that if any band member is under 18 years old then there has to be a risk assessment. She really hoped that the panel would be able to come up with a recommendation to make gigs for over 14 year olds more viable.

Licensing conditions and age

5.111 When considering how to encourage younger people to live music events one of the key considerations is in relation to the licensing conditions. Typically this is to protect young people from access to alcohol.

[98] Sally Ann Oakenfield, evidence to the panel

Licensing Act 2003

One of the Licensing Objectives is in relation to protecting children from harm. The Licensing Act allows children under the age of 16 to be present in a licensed premises providing they are accompanied by an adult (aged 18 and over), except where there is a specific condition on the licence restricting the access of children. The statement of Licensing Policy identifies measures that are intended to address the need for the protection of children from harm. This includes emotional and physical harm which may be associated with licensed premises and certificated club premises (for example the exposure too early to strong language and sexual expletives, e.g. in the context of film exhibitions or where adult entertainment is provided).

It is intended that the admission of children to premises holding a premises licence or club premises certificate should normally be freely allowed without restricting conditions (unless the 2003 Act itself imposes such conditions or there are good reasons to restrict entry or to exclude

Brighton & Hove Statement of Licensing Policy

The statement of licensing policy states that where children are expected to attend a public entertainment, appropriate adult supervision will be required to control the access and egress of children and to protect them from harm. This will normally be an adult member of staff for every 100 children. Where the entertainment is music and dancing, 2 persons, licensed by the Security Industry Authority (door supervisors) should be employed for every 100 children but will be subject to advice within the Event Safety Guide. Nothing in this policy shall seek to override child supervision requirements contained in other legislation or regulations. For exclusively under 18 events reference should be made to police guidelines available from the Police Licensing Unit. The licensing authority recognises the Director of Children's Services as being competent to advise on matters relating to the protection of children from harm. Applicants shall copy their applications to the Director of Children's Services in its capacity as the responsible authority.

5.112 The panel heard that a key issue in encouraging underage gigs and gig goers related to licensing issues. Sally Ann Oakenfield, explained that:

"They never allow 14+ [years] into their venues [because] the restrictions are so great. It would cost a further £250 per show to have the extra doormen,

which would not be viable for the business. It would seem that licensing don't want people under 18 to go to gigs."[99]

5.113 The BIMM witnesses suggested that one could have an all-ages show but:

"Issue wristbands only to over 18s at the gig, so they are the only people who can buy alcohol. A venue called Headcandy had no alcohol licensing because it was supposed to be for teenagers but it could not cover its costs. Bleach is an example of a venue which uses wristbands for identifying who can drink."[100]

Jim Whitelegg suggested to the panel that this issue could be examined by the Licensing Strategy Group.[101]

Physical access to venues

5.114 The accessibility of music venues is a concern as grassroots venues tend to be located upstairs or in basements, with little or no seating, no lifts, and toilets which are not usually accessible. Disability access is not part of licensing conditions in England at present, although it is in Scotland. It is challenging to seek funding for improving the accessibility of venues, when margins are so tight in this sector

A recent survey by the Music Venue Trust found that 34.68% of the venues in the survey had no disabled access[102] this is likely to be a particular issue in smaller venues which are not used solely for this form of entertainment.

5.115 Attitude is Everything is a pressure group to improve the access of deaf and disabled people to live music[103]. They are concerned about the accessibility for those with hearing and visual disabilities, such as the impact of loud music on those going to music concerts and in the surrounding area.

[99] Sally Ann Oakenfield, evidence to the panel
[100] Phil Nelson talking to Chelsea Rixon and Suzy Moosa, evidence to the panel
[101] Jim Whitelegg, evidence to the panel
[102] Understanding Small Music Venues: http://www.musicvenuetrust.com/wp-content/uploads/2015/03/music_venue_trust_Report_V5-1.pdf
[103] http://www.attitudeiseverything.org.uk/?gclid=CPiOzqKL7coCFaISwwodIAUIeQ

Gig going for people with learning disabilities

5.116 The witnesses praised the inclusivity of the project Gig Buddies (as well as Stay up Late) which promotes the rights of people with learning disabilities to have choices about their social life, including going to gigs. They recognise that traditional models of care have restricted the ability of people to go to see live music and other forms of entertainment in the evenings.[104]

The panel would like to see the Night Time Economy Partnership look at the issues of improving access to live music venues for younger people and disabled people.

Theme 5: Music and the night time economy

National level

5.117 The value of the night time economy has received considerable national attention. In July 2016 the Local Government Information Unit (LGIU), produced a report on Building a Vibrant Night Time Economy.[105]

This report recognises the challenges faced by local government including reform of local government finance, devolution, and Brexit, and how these impact on how councils function. It acknowledges positive steps that many local authorities are making around the night time economy in relation to the challenges of crime, public health and anti-social behaviour. The report sees the night time economy as an opportunity to drive business growth, and build vibrant and creative places, where people want to live. It identifies five recommendations for local authorities to achieve a vibrant night time economy.

1. **Building Partnerships:** Partnerships with all those with a stake in this area – police, local authorities, emergency services, businesses and communities – are an essential foundation on which to create a successful and safe night time economy.

2. **Diversify your economy:** Attracting restaurants, music venues, and other entertainment options to locate in your town centre will allow people to choose from a arrange of alternative activities to encourage a wider range of people into town in the evening and night time, and to reduce alcohol related crime and injury.

[104] Panel discussion http://stayuplate.org/

[105] (http://www.lgiu.org.uk/wp-content/uploads/2016/07/Building-a-vibrant-night-time-economy.pdf)

3. **Share intelligence:** Organisations involved with the night time economy are all busy collecting their own data to feed into their plans. Sharing this intelligence increases the insight and the value it can bring and supports a coherent strategy.

4. **Nominate a champion:** Nominate a single person who will be the single point of accountability for all things related to the night time economy will bring together all those working on these issues in the local area.

5. **Break down silos:** Often the night time economy is dealt with in a reactionary way, sorting out problems as they arise. But by working across the council silos a more proactive and positive approach can be taken.

The recommendations of the LGIU have informed the findings of the panel.

The night time economy in Brighton & Hove

5.118 Live music is a vital part of the night time economy of the city. A number of panel witnesses suggested that the city could benefit from a Night Time Mayor, a post which has been established in cities such as Amsterdam, with a Night Czar recently appointed for London. Mark Davyd of the Music Venue Trust explained that this kind of Mayor could offer both mediation and mitigation by enabling ‘*‘any resident to phone up and the Night Mayor to visit the source of noise and decide if too loud and try to resolve without the need for a complaint.’’*[106]

Sally Ann Oakenfield agreed that a Night Mayor would be able to:

‘‘…determine if complaints were vexatious or a real nuisance.’’[107]

The Night Mayor could also carry out the suggested role of championing the night time economy. [108]

Theme 6. Building partnerships

5.119 Some of the witnesses working in the live music sector expressed a hope that the council could take on a more supportive role, because due to their regulatory responsibilities, they could be currently viewed by music venues as an *‘aggressor’*[109].

Annie Sparks, from BHCC recognised that:

[106] Mark Davyd, evidence to the panel
[107] Sally Ann Oakenfield, evidence to the panel
[108] LGIU report
[109] Sally Ann Oakenfield, evidence to the panel

"If venues feel victimised there would be a value in bringing together the council and venues and we need to revisit how we communicate with venues especially when a complaint has been made about them."[110]

5.120 Many witnesses suggested the need for a forum for those involved in the night time economy in Brighton & Hove to work together. Some of the suggested roles were to assist the sector and provide regular contact with people working in, and enjoying, the night time economy. Part of its role could be to both act as a '*platform or support*'[111] for the live music sector.

Recommendation One

To establish a Night time Economy Partnership*.*

Brighton & Hove City Council recommends that Brighton & Hove Connected brings together a range of partners to establish this partnership. Its membership will be drawn from:

BHCC, Sussex Police, the licensing trade, venues, NHS, local business leaders, transport providers, the creative industries - including the music sector, community groups and other relevant stakeholders such as universities, colleges and schools such as BIMM (British & Irish Modern Music Institute) Brighton).

[110] Annie Sparks, evidence to the panel
[111] Andy Rossiter, evidence to the panel

Appendix 1 – ‘brakes’ identified by witnesses in the music sector

Each witness coming to give evidence in Session 1 of the panel meetings (i.e. who work in the live music sector in some capacity) were asked to identify the ‘brakes’ or the issues which had a negative impact on their work in the music sector. Those who responded are as follows:

Name: Mark Davyd
Organisation/role: Music Venue Trust. The Trust is a registered charity which acts to protect, secure and improve the UK’s grassroots music venue circuit
The noise/venue issues affecting my music business: **Please note: MVT is not a music business, it advises venues, audiences, local, regional and national government on policies and approaches which might support its aims**
1. Lack of cultural equivalency in all aspects of licensing, policing and control measures
2. A poorly understood sector, lack of informed debate around the role of music venues
3. Failure to capitalise on the social, economic and cultural benefits which music venues present
4. Inconsistency in approach
5. Failure to balance economic and residential concerns within city centres

Name: James Hann
Organisation/role: Licensing advice
The noise/venue issues affecting my music business:
1. The council could do more to promote the idea of community premises having the ability to apply to remove the requirement for a DPS – you will recall that the council were not aware of this provision and it can be a real lifeline for community based venues.
2. My personal belief is that the police have too much of a “rule” book that licensing officers adhere to when considering new applications, rather than considering each application on its merits. For example a food based pub receives representations from the police asking for drug (etc.) policies that are not appropriate for a food based establishment. I am not saying that a drug policy is not required for such an establishment, but the need to display drug related posters and challenge 25 posters!?
3. In terms of live music, I am not sure that venues are aware that most of

them do not require a licence to play live music if they have a licence to sell alcohol for consumption on the premises or that no licence is required to play unamplified music anywhere (both for up to 500 people). I would have thought that a city wishing to push its live music would actively promote this more.
4. On a more general point there is a need to reconsider how to attract young people to gigs, especially as sales of music declines. Anything that can be done to promote non-mainstream artists and to promote and coordinate live music on a digital platform would be a positive, especially given the quantity and quality of the digital based companies in the city and the Brighton and City College

Name: SALLY OAKENFOLD
Organisation/role: MANAGEMENT CONTRACTOR // BOOKER // PROMOTER at Sticky Mike's Frog Bar & The Hope & Ruin
The noise/venue issues affecting my music business:
1. Noise complaints are a constant concern… we do all we can to operate fairly and reasonably at all times. However one complaint can be a major issue. Which is a real worry at all times not to mention the constant fear of development.
2. Commitment to community driven and underground events threatened when everything is so profit driven… costs keep on rising.
3. A one size fits all approach to licensing premises. Being seen as a nuisance as opposed to an asset to the city.
4. The expectation that we will get it wrong as opposed to being seen and trying to do something positive.
5. A general lack of understanding surrounding how live music works and why it is so important for so many reasons.

Name: Anna Moulson
Organisation/role: Melting Vinyl
1. I think the information/training would be appreciated – when applying for St George's Premises license there's an expectation that everyone applying knows how premises licensing work how to maintain them and request changing policies (which is why MV recruited James Hann to support)– a handy pack and a 6 months meet post receiving license would be appreciated and useful. One central point to apply to cover Licensing/Police and Fire dept. when applying would be ideal as it was a lot of separate bodies with different approaches and ideas, The fire dept were particularly tough to deal with and had a very defensive than open

attitude. Licensing were on call to answer questions and Police were very open which was positive.

2. With regard to Noise issues and how to anticipate problems, issuing equipment that organisation such as myself could use to monitor sound efficiently would be appreciated as it is expensive (Anna Moulson)

3. More opportunity for outside Bill- boards around town – there are a lot of people traffic on the streets and it would be welcome in the ever competitive market in the city

4. A music conference in the city which involved Brighton based people involved in the city would bring people together more, personally I would love to organise a grass roots freelance promoter festivals – looking at networking, training, growth and showcases for programming, Brighton is made up of a high percentage of freelance promoters compared to the rest of the country. We are the launching pad for a lot of up and coming acts and do support the local music scene.

5. The Dome is very expensive to hire and sometimes acts as competition to local promoters, i.e. they have more money to price out local promoters than work on co-pros with them.

6. We need a 750-1000 size venue at present we have a lot of 100-150 and 300-500 but then there is a big gap

Name: Andy Rossiter

Organisation/role: Love Thy Neighbour

The noise/venue issues affecting my music business:

1. My business relies on there being plenty of thriving music venues in central Brighton of varying sizes and specialities. Flexible licensing plays an important part in this to keep costs down for the venues allowing promoters to create artistically interesting programmes which helps perpetuate Brighton's creative image.

2. Grassroots music in the UK is poorly supported – none of the venues or promoters receive funding, as a result the industry survives on a shoestring and is of a lower quality compared to the rest of Europe. Promoting is essentially gambling and involves a lot of risk, where even busy shows can make a loss while ancillary industries (restaurants, pubs, car parks, hotels, grocery shops, transport etc.) benefit from our activity.

Name: Mark Stack

Organisation/role: Zooberon Events, Petition creator

The noise/venue issues affecting my music business:

1. In my petition I stated it was non-hostile exercise and an attempt to open up the debate for the benefit for the whole city. Akin to my extended petition speech which we down so well with Councillors (attached) I'm writing a similar piece of background information to show the strategic importance of the city's live music scene in ways that I think you might not have considered. It will document areas where we can work together to not only help the music scene but also in turn reduce burdens on council staff. You will receive it by first thing Monday 11th at the latest.
   I want this whole process to a positive thing, an opportunity not only to protect the city but to also enhance its standing nationally and beyond. There are some instances where I think things have been done badly/wrong but the ones I'll be mentioning are only to illuminate problems with procedure and not personal to individuals. This review is an opportunity for all of us, and could be so beneficial for all of us; it could add so much to the city's standing and vitality.
2. Issue: Councillors and council staff not understanding how grassroots music operates and the wider implications because of this.
   For example, 90% off grassroots music in the city operates totally on goodwill with the people involved receiving no payment or running at a loss. I personally have lost at least £7k in the past five years but I continue because I have a passion for live music and want to help and be a stepping stone for the new blood of the city's musical talent. It is this goodwill keeps the venues open, the same venues that are needed for The Brighton Festival, The Great Escape and other festivals throughout the year. Without promoters like me (the majority) and bands playing for free and paying their own travel expenses then your high profile festivals just would not happen.

3. Issue: Inconsistency, a lack of transparency, elements of bias, an Us vs Them attitude (on both sides) and incorrect information presented to Councillors at review hearings etc.

4. As I said in my petition the importance of the city's nightlife, economically as well as culturally, seems to be taken for granted and only triggers into your council consciousness when something goes wrong or there are negatives involved. These negatives that Councillors and council staff come across only feed into that feeling that the city's nightlife is a problem to be tolerated, rather than something wonderful to be celebrated.

5. Issue: An uncoordinated approach to the city's nightlife by the council and relevant bodies.

A holistic, proactive approach to all 'stakeholders' rather than reactive approach from authorities could tap into that goodwill out there, make life easier and less burdensome for council staff, build on the city's international reputation and create additional revenue streams for the council and businesses alike.

	I am attaching with the “London’s Grassroots Music Venues Rescue Plan” which was instigated by Boris Johnson with a huge input from the Music Venue Trust. Mark Davyd of the MVT can elaborate further with his submissions but the piece I’m writing for you by Monday will pull on themes in that report that are appropriate for Brighton & Hove.

Appendix 2

Mike Sansom Building Control Manager – written response to panel questions

1. Who enforces the Building Regulations? Is it just the Council?

In the mid 1980's the government brought in the option for people undertaking building work to use a Private Sector Building Regulations provider known as an "Approved Inspector" Up until the late 1990's the council retained over 90% of market share. Currently Brighton and Hove City Council Building Control team oversee 77% of all projects undertaken in the City. A private "Approved Inspector" can certificate Building projects but should the work fail to satisfy the Building Regulations and they cannot resolve the situation the private sector provider can revert the work to the Council. The Council are the only authority who have the power to take Building Regulations contraventions to court under the Building Act 1984. There is a power of injunction that can be instigated by anyone in relation to breaches of Building Regulations but the situation would have to be a significant concern to the health and safety of those affected.

2. If residential premises are established close to or adjoining or above a live music venue can the Building Regulations require sound insulation? If so who pays for that.

If a new residential building is provided adjacent to building that has a different use i.e. a public house with live music, then the new building should be constructed to ensure that a reasonable level of sound insulation exists from the non-residential use and the residential use. We would anticipate that the developer of the new building would include such sound reduction measures to satisfy the Building Regulations. However, the level of sound reduction may not prevent significant noise from a music venue as the requirements of the Building Regulations are limited.

3. If a music venue is established adjoining a residential unit do Building Regulation require sound insulation?

An existing building that is open to the public that becomes used for music events would not require Building Regulations consent as we would not deem this to be a change of use i.e. the building was open to the public and still is.

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 48 Brighton & Hove City Council

Subject:		**Charging Scheme for Food Safety Rescore Inspections under the National Food Hygiene Rating Scheme**	
Date of Meeting:		**29 November 2016**	
Report of:		**Executive Director, Finance & Resources**	
Contact Officer:	**Name:**	**Nick Wilmot**	**Tel: 292157**
	Email:	**Nick.wilmot@brighton-hove.gcsx.gov.uk**	
Ward(s) affected:		**All**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 To consider charging food businesses in the city for food safety rescore visits made under the national Food Hygiene Rating Scheme (FHRS).

2. RECOMMENDATIONS:

2.1 That the committee agrees to the introduction of a flat rate charge for rescoring visits requests received from food businesses.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Brighton & Hove City Council are included in the FHRS co-ordinated by the Food Standards Agency (FSA). Under this scheme traders are given a rating between 0 (urgent improvement necessary) and 5 (very good) for the standards of food hygiene found at their routine inspection.

3.2 Where businesses are awarded a score less than the maximum 5, after undertaking necessary improvements, they are entitled to request a rescore with a view to obtaining a higher score.

3.3 The Food Standards Agency (FSA) has issued guidance that the adoption and implementation of the FHRS by local authorities falls within the general power under The Localism Act 2011.

3.4 The FSA considers that providing a re-inspection upon request by a food business operator, in circumstances where there is no statutory requirement to provide that re-inspection, also falls within the general power.

3.5 The FSA considers that each of these circumstances apply to re-inspections because:

- a re-inspection can be properly described as a service which a local authority provides on a non-commercial basis to a food business operator with that food business operator's agreement;

- the FHRS is a non-statutory scheme in England, meaning that the local authority is under no statutory duty to perform a re-inspection; and
- for the reasons set out in the Agency's publication of September 2010, the local authority does not have any other power to charge a food business operator for a re-inspection.

3.6 Brighton & Hove City Council was selected by the FSA to take part in a national pilot project to charge for such re-inspections. A charge of £90-00 was used in the pilot however, in order to recover costs, the charge would need to be £145.

3.7 Under the provisions of The Localism Act 2011 Brighton & Hove City Council are permitted to continue the charging scheme.

3.8 During the period of the pilot, 12th September to 7th November, 11 requests for re-scores were made by businesses. Review of the requests received since inclusion in the scheme at the beginning of 2012 indicates that 50-60 requests would be received annually.

3.9 Re-visits and inspections undertaken in order to protect public health and evaluate if further enforcement action is applicable are part of the statutory duties of the service and will not come within the scope of the charging scheme.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Reversion to offering free of charge re-scores on request at a cost to the council would continue to divert resources from statutory duties.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Prior to introduction of the pilot project 1,200 food businesses trading in the city were advised in writing of the charging scheme. No adverse comments or correspondence were received.

6. CONCLUSION

6.1 That a charge be introduced for re-score visits on a cost recovery basis.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The proposed charge is subject to the council's Corporate Fees and Charges Policy. The proposed charge is £145 which is less than the £160 introduced in Wales as part of a mandatory display scheme and has been calculated to ensure that costs are recovered. This service committee shall keep all fees and charges under review and will receive an annual report from the Executive Director on price variations above or below the corporately applied rate of inflation.

7.2 The potential revenue income is not assumed within the council's approved budget at present, but this will be incorporated in later years once more robust information on the likely take-up is available.

Finance Officer Consulted: Monica Brooks *Date: 14/11/16*

Legal Implications:

7.3 The Council has power to charge for the discretionary service covered by this report under the Localism Act 2011 s1. There is no relevant restriction in terms of charging for this service. The charging policy must comply with the Council's statutory duties (including the Human Rights Act and Public Sector Equalities Duty) and the manner of exercising the power must comply with general administrative law principles eg propriety of purpose. As the charging is not to be undertaken through a company, the amount of the charges must be set at a level which is limited to costs recovery (which can include overheads and other central costs).

Lawyer Consulted: Elizabeth Culbert *Date: 14.11.16*

Equalities Implications:

7.4 None

Sustainability Implications:

7.5 None.

Any Other Significant Implications:

7.6 None.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None

ENVIRONMENT, TRANPSORT & SUSTAINABILITY COMMITTEE	Agenda Item 49 Brighton & Hove City Council

Subject:		**Valley Gardens Preferred Preliminary Highway Design**
Date of Meeting:		**29th November 2016**
Report of:		**Executive Director Economy, Environment & Culture**
Contact Officer:	**Name:**	**Tracy Beverley** **Tel: 29- 3813**
	Email:	**Tracy.beverley@brighton-hove.gov.uk**
Ward(s) affected:		**All**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 Enhancing Valley Gardens has been an objective of Brighton & Hove City Council for a number of years. The longstanding recognition of the need to improve Valley Gardens is reflected in a number of the city's core, strategic documents. These include past and current Local Transport Plans [LTPs] and the approved, City Plan Part 1. In 2014, the role of the corridor was further emphasised when it was designated as one of the city's 4 Priority Development Areas in the Coast to Capital Local Enterprise Partnership's [LEP's] Strategic Economic Plan, which is sets out its ambitions, investments and proposals for realising sustainable economic growth by 2021.

1.2 The key principles of the Valley Gardens proposals are to simplify the existing highway network making the journey through Valley Gardens less complicated and more legible for all users, improving cycle and pedestrian networks and improving safety and air quality within the project area.

1.3 The Valley Gardens project Business Case sets out the various local and regional benefits relating to personal safety, sustainable transport, environment and the economy. The Business Case also sets out how Valley Gardens can play a vital role in planning for the future if delivered as part of a package of wider strategic improvements across the city including the Intelligent Transport Systems.

1.4 In June 2015 an Independent Review was commissioned to ensure the proposed scheme would accommodate general traffic movements and to respond to concerns raised by key stakeholders. This report provides the Committee with an overview of the project history and an update on the project following the Independent Review. The report explains how the council's computer-based, city centre (Paramics) transport model has been used to inform the Review's outcomes and conclusions; the details of the recommended, preferred design option; and the proposed next stages of the project.

2. RECOMMENDATIONS:

2.1 That the Environment, Transport & Sustainability Committee notes and accepts the outcome of the Independent Review of the project.

2.2 That the Environment, Transport & Sustainability Committee approves the preliminary Highway Design as the Preferred Design/Scheme for Valley Gardens (Phase1 & 2), as set out in Appendix 2 and authorises officers to progress to the detailed Highway Technical Design stage, including preparation of Traffic Regulation Orders.

2.3 That the Environment, Transport & Sustainability Committee support ongoing design work for the public/green space and agrees to consider proposals, including those for the Mazda Fountain, at a future Committee meeting.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The Valley Gardens project is a strategically important scheme for the city and wider economic areas of both the Greater Brighton City Region and the Coast to Capital LEP. It is recognised within the LEP's Strategic Economic Plan one of the city's 4 Priority Development Areas, in addition to the Lewes Road Corridor, the Seafront, and the New England Quarter. At a more local level the need to improve Valley Gardens is highlighted in the City Plan and within the Local Transport Plan.

3.2 The Valley Gardens design brief for Phases 1 & 2 was established by the council's former Transport Committee in July 2012. Early concept designs were developed and considered at Committee in 2013. In October 2014 the Environment, Transport & Sustainability [ETS] Committee approved the refined Highway Design which included a change from two lanes to one lane of general traffic in each direction on the east side of the scheme, thus retaining the Elm trees along Grand Parade.

3.3 The Valley Gardens Concept Scheme formed the basis of the Business Case that was submitted to the LEP in mid-2014. It was successful in securing £8m worth of Government Local Growth Fund [LGF] from the Coast to Capital Local Enterprise Partnership [LEP] when it was considered and approved by the LEP area's Local Transport Body in early 2015.

3.4 In March 2015, the ETS Committee agreed that the Landscape and Highways Design should commence under the guidance of the Project Management Board.

3.5 In June 2015 an Independent Review of the Valley Gardens scheme was requested and commenced to demonstrate the proposed scheme was fit for purpose and to respond to concerns raised about the emerging Highway Design. The Review was expected to provide greater reassurance about the proposed traffic layout and how it will operate on a typical, daily basis during the week.

3.6 The Review was carried out between July–October 2015. The Review concluded and confirmed that the modelling used in the original Business Case was valid; however, it also recommended that additional modelling should be carried out incorporating the current highway layout. Specifically, the proposed

scheme should be re-tested using the city centre (Paramics) transport model with updated (2015) traffic data to ensure that the Valley Gardens' proposals to be taken forward could be assessed alongside the latest traffic layouts in the area, including the changes introduced as part of the Edward Street/Eastern Road and Lewes Road schemes.

3.7 Additional transport modelling work was carried out and the outcomes presented to Members in June 2016. The modelling results showed that that reduced journey times can be expected for some north-south journey movements. However, for some movements journey times are expected to increase as some drivers/vehicles will have to pass through additional signalised junctions. Modelling results suggest that the signalised junctions at St Peter's Place and Edward Street/Grand Parade are the key network constraints.

3.8 Since June 2016 officers have been working with Highway Design consultants Project Centre Limited (PCL) and Transport Modellers AECOM, to further develop and refine the proposed highway design to optimise traffic movement through Valley Gardens particularly at the key junctions. Both local and strategic transport modelling has been carried out and as a result of this modelling, proposals include both one and two lane sections for general traffic movements along the east side of the gardens.

3.9 Transport modelling is used to provide officers with an indication on how driver behaviour/traffic movements, and other associated factors, could be affected by proposals. The most recent City Centre (Paramics) modelling data for Valley Gardens show the changes in predicted journey times for northbound and southbound movements within Valley Gardens for the weekday morning and evening peak hours (8.00-9.00am and 17.00 to 18.00pm respectively) for both buses and general traffic.

3.10 The city centre modelling (Pararmics) results show that, for the main 8 general traffic routes that private vehicle drivers (car, van, lorry etc.) would use to pass through the area, it is predicted that journey times for 4 routes could increase and 4 could reduce. The overall, average journey time change for all 8 general traffic routes through the scheme area is an increase of just over 2 seconds. For the 8 bus movements that were tested it is predicted that journey times on 4 will increase and 4 will decrease. The overall, average difference in journey time for all tested bus movements is an increase of less than 21 seconds. The modelling is still showing that the signalised junctions at St Peter's Place and Edward Street/Grand Parade junctions are the key network constraints within Valley Gardens.

3.11 During October 2016 targeted workshops were carried out with key members of the Transport Partnership (part of The Connected City). These workshops provided an opportunity for transport stakeholders, such as those with an interest in walking & cycling and bus and taxi operators, to participate in the ongoing discussion of the highway design.

3.12 At the Transport Partnership meeting on the 1st November, feedback from the consultation workshops was presented alongside the proposed design and a 'visual simulation' (moving images) of the city centre (Paramics) model outcomes.

3.13 This Committee is being presented with the preferred preliminary Highway Design so that it can consider and approve progression on to the detailed Highway Technical Design stage. The detailed Highway Technical Design will progress the micro-detail of the highway design including detailed information such as highway geometry confirmation, drainage and street furniture plans and highway dimensions required for; Traffic Regulation Orders, detailed construction cost estimates and construction phasing plans.

3.14 Since the Independent Review, officers have focused on the Highway Design element of the project. Once this design is agreed by this committee, Transport officers will commence the development of the design for the public/green space areas that will become the central spine of Phase 1 & 2 of the Valley Gardens corridor, in partnership with City Parks, Premises and Events Teams. The key principles for the public/green space design will be to encourage people's use and enjoyment of the area; to facilitate better and safer movement throughout the Gardens for walking & cycling; to provide high impact, low maintenance features which can facilitate a range of events, while contributing to improvements in air quality, community safety, and flood risk management. Particular consideration will be given to the future of the Mazda Fountain as part of this work.

3.15 Key benefits of Phases 1& 2 of the Valley Gardens scheme are many and varied; the full list of these benefits are set out within the Phase 1& 2 Valley Gardens Business Case submitted to the LEP in 2014. The scheme will assist in improving road safety, air quality, and flood risk management. The proposed, Preferred Scheme offers a more legible highway layout improving accessibility to public transport services and ease of movement throughout. Better and safer walking and cycling links throughout the scheme area will also be delivered, alongside a more attractive and enjoyable public space for all to enjoy. The scheme will also provide up-to-date traffic signals equipment and renew existing, poor condition, highway infrastructure, while at the same time enabling the remodelling and enhancement of the public/green space and event space.

3.16 Wider economic benefits of the scheme include the enhancement of the tourism offer by enhancing existing very popular attractions such as the Royal Pavilion. The scheme is expected to support the creation of new jobs and support new developments while increasing the potential retail rateable value of frontages.

3.17 The footprint of the Valley Gardens Phase 1 & 2 project stretches from north of St Peters Place junction to just south of Church Street and includes both Highway and Green Space between the western Highway boundary of Marlborough Place, Gloucester Place, St Georges Place and York Place, and the eastern highway boundary including Grand Parade and Richmond Place. The extent of the project boundary can be seen in Appendix 1

3.18 The proposed preliminary Highway Design is set out in Appendix 2. The design aims to simplify the operation of the current highway network within the extent of the project boundary. The proposal provides north and southbound general traffic lanes on the eastern side of the gardens and creates a new two-way public transport corridor with priority lanes for bus, taxi and coach operators on the western side of the gardens. The proposal allows private vehicles limited access to the public transport corridor/priority lanes to access existing westbound

connections at Trafalgar Street and Gloucester Street and to access properties along the western corridor. Church Street can also still be accessed from the southern end of the scheme.

3.19 The operation of the priority lanes in the public transport corridor will be positively enforced using Automatic Number Plate Recognition (ANPR) cameras at key points to manage and enforce restricted general vehicle movement through the corridor. To ensure the corridor operates effectively parking restrictions will be put in place. Additional timed loading bays will be provided to facilitate loading and access.

3.20 The eastern corridor will allow general traffic to travel both north and southbound with restricted access to Kingswood Street for left turning vehicles only. The junction currently does not allow for right hand turn movements so this restriction is not deemed to have a significant impact on users.

3.21 Detailed junction modelling (Linsig) has been carried out at St Peters Place junction and Edward Street Junction to improve signal timings. The proposal also includes a removal of the Ditchling Road right hand turn at St. Peters Place junction and the opportunity to provide bus priority measures travelling northbound through St. Peters Place junction.

3.22 Pedestrian and cycle facilities have been improved throughout the gardens with a dedicated two way, off carriageway cycle facility proposed on the eastern side of the scheme and a wide shared–use facility along the length of the western side of the green.

3.23 Access to the gardens will be assisted with the removal of excessive guardrail along the length of the western corridor and pedestrian crossings provided at key points along the route. Appendix 3 provides a visual impression of the current v's proposed scheme layout at St George's Place.

3.24 The preferred preliminary design is subjected to a series of Road Safety Audits which will be carried out independently of the Highway Design Team and will be used to further refine detailed Technical Highway Design

3.25 The key project milestones are included in Appendix 4; this includes the development of the Technical Highway Design, Green Space design, Road Safety Audits, and preparation of measurements for the advertisement of Traffic Regulation Orders, procurement and construction.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Highway Design proposals have been developed which considering alternative options for the delivery of Phase 1 & 2 of the Valley Gardens scheme. Scaleability was considered during the development of the Business Case. This included scaling-up to include the implementation of Phase 3 of the Valley Gardens project providing a continuous project along the A23 from the A259 Grand Parade junction to The Level. Although funding for Phase 3 has been approved in principle by the Government, it has not yet been fully approved as it requires the further submission of a full Business case to the LEP/LTB. Any

funding bid and then decision would be likely to be made once significant progress is made with Valley Gardens Phases 1&2.

4.2 At ETS Committee on the 7th October 2014, key changes to the initial, proposed design were approved. A key change was to reduce the two northbound and two southbound lanes to one lane in each direction, in places. The rationale for this change was based on initial modelling which showed two lanes for general traffic were not required throughout the scheme and key benefit of this amendment was to protect the existing Elm trees, which are part of the National Elm Tree Collection.

4.3 Further fundamental alternative design solutions have not currently been considered at this stage although there is some additional north and southbound two-lane sections for general traffic and junction improvements within the current proposed design proposed following the review process.

4.4 Any significant Highway Design changes required as part of the Highway Technical Design stage will be reported to Committee however if this is required there is likely to be an additional delay to the project timelines and generate pressure from the main funding body, the Local Enterprise Partnership (LEP).

4.5 The design of the green space is to be reconsidered in light of restricted maintenance budgets. It is proposed that green space designs will be developed once the highway design is approved.

4.6 The existing Highway network within the Valley Gardens area is in need of significant funding for maintenance alone. Current Highway maintenance costs are estimated to be in the region of £1.7m for Phases (1 & 2) area and a further £1.3m for the Phase 3 area. If the Valley Gardens project is not progressed, this funding will be required from existing maintenance budgets, or secured following successful bids for other potential sources of funding.

4.7 A ‘do nothing’ option is likely to result in the City Council repaying the ringfenced £2.8 million already received from the LEP. The remaining amount of the £8m (£5.2m) would also be expected to no longer be available to the City Council. The further £6 million agreed in principle for Phase 3 of Valley Gardens would also be likely to be retracted.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Substantial community engagement and consultation has been carried out to develop the concept designs for Valley Gardens through various workshops and targeted community and stakeholder engagement. Appendix 5 identifies a number of these carried out since the commencement of the project.

5.2 More recently during October 2016, Transport Partnership members were invited to focused workshops giving them an opportunity to discuss the Highway Designs. Proposed designs were also presented at the 1st November 2016 Transport Partnership meeting. At this meeting a commitment was made to work with public transport operators to seek to reduce journey times for buses, coaches and taxis using the priority lanes during the busy peak periods, by identifying a range of potential mitigation measures.

5.3 Appendix 6 provides the Communication plan for the Phases 1 & 2 of the Valley Gardens Scheme at key stages of the project. Using a range of media and targeted meetings, the council intends to continuously engage with interested parties. It is intended that this strategy will be developed further as the project progresses.

6. CONCLUSION

6.1 As a result of the Independent Review, the city centre model was re-run to provide officers and councillors with an indication of how the road network could operate following the introduction of the proposed, Preferred Scheme. The main results of this transport modelling have been outlined within this report alongside the overall benefits that Phases 1 & 2 of the Valley Gardens scheme are expected to deliver.

6.2 The conclusions that have been reached by officers following the Independent Review are that the preliminary Highway Design, as presented, is consistent with the original objectives of the scheme and aligns with that included in the approved Business Case; the Design has not been significantly altered from that which was included in the approved Business Case for the LGF allocation from the LEP; and is sufficiently robust to enable the Design to be progressed to the Detailed Highway Technical design stage. Following this, further work can be undertaken on the design of the public/green space within the Valley Gardens corridor.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The approved capital budget for the Valley Gardens project from 2015/16 onwards is £9.787m, funded from Local Growth Fund grant (£8.000m), Local Transport Plan (LTP) capital programme (£1.373m) and Section 106 and other external contributions (£0.414m). The cost of design fees associated with the recommendations in this report will be funded from the approved capital budget.

7.2 Any variation between project costs and the approved budget will be reported as part of the council's budget monitoring process and any budget re-profile will require Policy, Resources and Growth Committee approval. Additionally, any profiling adjustment will need to be reported to the Local Enterprise Partnership.

7.3 The Local Enterprise Partnership have approved funding of up to £8.000m Local Growth Fund grant towards the capital costs of the project, which is subject to compliance with grant conditions based on the original scheme business case. £2.800m of the total £8.000m Local Growth Funding has been received to date and is ring-fenced for this project. In the event that the project does not proceed, this funding will be repaid to the Local Enterprise Partnership.

Finance Officer Consulted: Steven Bedford *Date: 16/11/16*

Legal Implications:

7.4 Under the Highways Act 1980 the Council as highway authority has a general power to improve highways. 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 all types of traffic including cyclists and pedestrians. As far as is practicable, the Council should have regard to any implications in relation to: access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles; securing the safety and convenience of users and any other matters that appear relevant to the Council.

Lawyer Consulted: Stephanie Stammers *Date:* 14/11/16

Equalities Implications:

7.6 The developed design will be in line with industry best practice guidance to ensure all proposals are accessible to all members of society. The overall aim of the Valley Gardens proposal is to make the movement and place functions of Valley Gardens as inclusive as possible by redressing current environmental conditions that discourage use by all groups, and is arguably especially unpleasant for older and younger people.

Sustainability Implications:

7.7 The Phase 1 & 2 Valley Gardens proposals will include measures that will improve sustainability in a number of ways within the corridor. The measures outlined in this report will promote, encourage and provide for, greater use of sustainable transport, and particularly overcome some of the current barriers to greater levels of walking, cycling, and bus use. The measures also contribute to the objectives of the Brighton & Lewes Downs Biosphere. The proposed scheme will also seek to deliver improved Air Quality within part of the city's largest Air Quality Management Area and address some of the contributory factors to the identification of the area by the Government as one of the city's 'Important Areas' for noise. It is also intended that a key element of the scheme will be measures that will help improve the city's sustainable urban drainage systems.

Any Other Significant Implications

7.8 The Corporate / Citywide Implications; The project directly supports objectives of the Local Enterprise Partnership's Strategic Economic Plan, the City Plan, and Local Transport Plan, Conservation Area and Enhancement Plan, Biosphere, Air Quality Management Area, Seafront Strategy, One Planet Living, Public Space Public Life, the London Road SPD and the LR2 Study.

SUPPORTING DOCUMENTATION

Appendices:

1. Scheme boundary
2. Proposed Preliminary Highway Design

3. Visual Impression of Proposals
4. Proposed Project Milestones
5. Consultation History
6. Communications Plan

Documents in Members' Rooms

1. None.

Background Documents

1. Valley Gardens Phase 1& 2 Committee Reports (2014-2015)
2. Valley Gardens (Phase 1& 2) Business Case – 2014
3. Technical Report related to Independent Review 2015
4. Local Transport Plan (2015)
5. City Plan Part 1 (2016)
6. AECOM – City Centre Transport Modelling report (draft)2016

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Legend:

Scheme extents

-	4/11/16	ORIGINAL ISSUE	VB	AZ	AZ
Rev	Date	Description	Drn	Chk	App

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4th Floor, Westgate House
Westgate, Ealing,
London W5 1YY
Tel: +44 (0)20-7421-8222
Fax: +44 (0)20-7421-8199
Email: info@projectcentre.co.uk

Client: Brighton & Hove City Council

Project: Valley Gardens

Drawing Title: Limit of Works Sketch

Drawing Status: SKETCH

Drawn	Designed	Date	Scale	Size
VB	AZ	11/2016	NTS	A3

Drawing No.: 100002315-3-SK025 | Rev: -

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LEGEND

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- Existing kerb
- Existing kerb to be retained
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- Proposed white roadmarking
- Proposed yellow roadmarking
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Notes:

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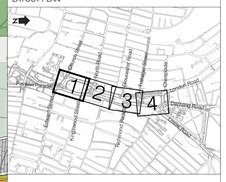
2. Refer to Untitled Practice drawings for designs within the green spaces

LAYOUT PLAN



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B	30.6.2016	DESIGN AT STAGE 3 INCEPTION	VB	SC	SC
A	1.6.2015	STAGE 3 DESIGN AMENDMENTS	VB	SC	WC
-	5.5.2015	ISSUED FOR BHCC APPROVAL	VB	SC	WC

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4th Floor, Westgate House
Westgate, Ealing,
London W5 1YY
Tel: +44 (0)20-7421-8222
Fax: +44 (0)20-7421-8199
Email: info@projectcentre.co.uk

Client

Brighton & Hove City Council

Project

VALLEY GARDENS
STAGE 3 DESIGN

Drawing Title

GENERAL ARRANGEMENT
SHEET 1 OF 4

Drawing Status

FOR REVIEW

Drawn	Designed	Date	Scale	Size
VB	SC	11.11.2016	1:200	A0

Drawing No. 1000002315-3-S010-01 | Rev E

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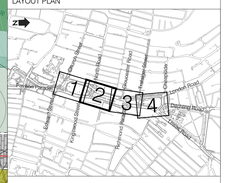
LAYOUT PLAN



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4th Floor, Westgate House
Westgate, Ealing,
London W5 1YY
Tel: +44 (0)20-7421-8222
Fax: +44 (0)20-7421-8199
Email: info@projectcentre.co.uk

Client

Brighton & Hove City Council

Project

VALLEY GARDENS
STAGE 3 DESIGN

Drawing Title

GENERAL ARRANGEMENT
SHEET 2 OF 4

Drawing Status

FOR REVIEW

Drawn	Designed	Date	Scale	Size
VB	SC	11.11.2016	1:200	A0

Drawing No. 1000002315-3-SK010-02 | Rev E

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Gloucester Street
Trafalgar St.
St Georges Place
Grand Parade (north)
Richmond Parade
Proposed 24m of parking
10 minute with no return within 30 minutes
Reproviding existing 2h disabled spaces, MC parking
Proposed zebra crossing
Proposed 7n removable bollards to enable emergency access
Proposed uncontrolled crossing
Cycle and pedestrian shared space along the eastern side of the scheme
Proposed trees
Proposed bus stop
Loading 13m length
Taxi rank/loading 20m length
Proposed granite paving shows recommended path for cyclists
Proposed 4n removable bollards to enable emergency access
Proposed segregated cycle lane along the eastern side of the scheme
Proposed tree
Proposed cycle stands
FOR CONTINUATION SEE DRAWING 1000002315-3-SK010-02
FOR CONTINUATION SEE DRAWING 1000002315-3-SK010-04
Church
Vintage Oy Vintage Shop
Private Dwelling
The North Laine Pub
Brighton Hornets Lonsdale Apparel
Offices
Private Dwelling
Optician
Rayner & Taylor Opticians
Vacant
Dental Surgery
Chris Gallery
Barnes Barbers
Dominos Pizza
G.A. Pawnbrokers
Perfect Kebab & Chicken
Boots Pharmacy
Om Nom Cafe
Mulberry Tree
Jewellers
Newsagent
Offices
No 19 Private Dwelling
No 17 Private Dwelling
No 16 Private Dwelling
No 15 Private Dwelling
No 14 Private Dwelling
No 13 Private Dwelling
No 12 Private Dwelling
No 11 Private Dwelling
No 10 Private Dwelling
No 9 Private Dwelling
No 8 Storeware (Wholesale) Accessories
No 7 Private Dwelling
No 30 Private Dwelling
No 29 Private Dwelling
No 28 Private Dwelling
No 27 Private Dwelling
No 26 Private Dwelling
No 25 Private Dwelling
No 24 Private Dwelling
No 23 Private Dwelling
No 22 Private Dwelling
No 21 Private Dwelling
No 20 Private Dwelling
Offices
Offices
Offices
Max. for Officers/Supervisor

LEGEND

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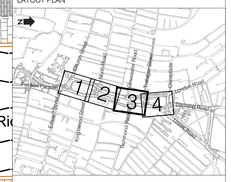

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PROJECT CENTRE

4th Floor, Westgate House
Westgate, Ealing,
London W5 1YY
Tel: +44 (0)20-7421-8222
Fax: +44 (0)20-7421-8199
Email: info@projectcentre.co.uk

Client: Brighton & Hove City Council

Project: VALLEY GARDENS
STAGE 3 DESIGN

Drawing Title: GENERAL ARRANGEMENT
SHEET 3 OF 4

Drawing Status: FOR REVIEW

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VB	SC	11.11.2016	1:200	A0

Drawing No. 1000002315-3-SK010-03 | Rev E

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N

Proposed bus stop

Shared space

Tree proposed in a raised steel bplanter with benches this is due to presence of utilities

Loading 18m length

Loading 14m length

Loading 13m length

York Place

Cheapside

A23 London Road

Proposed disabled drop off opposite taxi ranks

Proposed taxi rank - 9 vehicles

Proposed taxi shelter

St Peter's Church

Use 150mm wide kerb section and/or adjust utility covers in field to fit

St Peters Place

Church car park access

Custom utility cover detail under review

Richmond Place

Ditchling Road

A270 Richmond Terrace

Right turn lane extended to 60m length. For roadmarking adjustments, refer to stage 4 roadmarking drawing

Proposed segregated cycle lane along the eastern side of the scheme

PROPOSED ROAD MARKING CHANGES AT A270 RICHMOND TERRACE - NOT TO SCALE

A270 Richmond Terrace

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4th Floor, Westgate House
Westgate, Ealing,
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Fax: +44 (0)20-7421-8199
Email: info@projectcentre.co.uk

Client: Brighton & Hove City Council

Project: VALLEY GARDENS STAGE 3 DESIGN

Drawing Title: GENERAL ARRANGEMENT SHEET 4 OF 4

Drawing Status: FOR REVIEW

Drawn	Designed	Date	Scale	Size
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Drawing No. 1000002315-3-SK010-04 Rev E

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SHEET 4 OF 4

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Drawing No. 1000002315-3-SK010-04 | Rev: E

Current Situation looking north towards St Peters Church at St George's Place



Proposed 'with Scheme' Visual looking north towards St Peters Church at St George's Place



Valley Gardens Key Project Milestones													
	2016	2017				2018				2019			
Date	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4
Stage 4 Technical Design													
Stage 2 Road Safety Audit													
TRO Process													
TRO objections to Committee													
Highways / Green space contractor Procurement													
Stage 5 Highway Construction													
Green Space design													
Planning Application Process													
Stage 5 Green space Construction													

November 2016

Valley Gardens Consultation History

Throughout the early development stages of Valley Gardens concept design development there have been many various consultation exercises. Information has been gathered from local residents and business using a range of techniques. Table 1 shows some of the consultation exercises carried out between March 2012 and October 2015.

In 2012, improvements for Valley Gardens were identified using a mixture of Public Realm Analysis and feedback from a public scoping consultation.
Significant results showed eighty-three per cent of people would spend more time in the gardens if the facilities and environment were improved. Only a quarter of people felt it a pleasant place to walk while one in ten thought it a nice place to cycle. Approximately three quarters felt there was too much noise and traffic, and a third said the roads were well designed to keep traffic moving. Plans were agreed in principal by the council in 2012 and a concept scheme was developed between July 2012 and March 2013. The concept scheme was put out for public consultation in September 2013, and discussed at a series of stakeholder workshops during 2013 and 2014 for further development. A business case to secure some of the funding for the development was approved to the Local Enterprise Partnership in 2014. A qualitative research project to inform us of residents and key stakeholders' views and perceptions of the space and its future potential was carried out in late 2015.

Table 1 - List of Consultation Events

Date	**Type of Consultation**	**Who was involved**
March 2012	Online and through City News	All groups including residents, businesses and other relevant stakeholders
April 2012	Workshop	Stakeholder, Residents
April 2010	Workshop	Officers
September 2012	Workshop	Stakeholder, Residents
October 2012	Workshop	Officers
October 2012	Workshop	Stakeholder, Residents
November 2012	Workshop	Officers
December 2012	Workshop	Stakeholder, Residents
December 2012	Workshop	Officers
January 2013	Workshop	Stakeholder, Residents
January 2013	Workshop	Officers
January 2013	Roadshow	All groups including residents, businesses and other relevant stakeholders
February 2013	Workshop	Stakeholder, Residents
February 2013	Workshop	Officers
March 2013	Presentation/Update	Transport Partnership
June 2013	Workshop	Developers
September 2013	Temporary Events	All groups including residents, businesses and other relevant stakeholders
November 2013	Workshop	Stakeholder, Residents
February 2014	Workshop	Stakeholder, Residents
April 2014	Complaint	

May 2014	Presentation/Update	NLCA
June 2014	Presentation/Update	London Road LAT
July 2014	Presentation/Update	Transport Partnership
July 2014	Presentation/Update	CAG
September 2014	Targeted letter drop	Businesses (loading requirements)
October 2014	Meeting	Brighton and Hove Bus and Coach Company, Brighton Area Buswatch
November 2014	Survey	Businesses
November 2014	Workshop	Stakeholder, Residents
November 2014	Workshop	Officers
November 2014	Presentation/Update	London Road Town Team
November 2014	Presentation/Update	Taxi Forum
December 2014	Workshop	Stakeholder, Residents
December 2014	Workshop	Officers
December 2014	Presentation/Update	Taxi Forum sub group
December 2014	Meeting	
December 2014	Update	Cultural Partners
December 2014	Update	Cultural Partners
January 2015	Meeting	Brighton and Hove Bus and Coach Company, Brighton Area Buswatch
February 2015	Meeting	Brighton and Hove Bus and Coach Company, Brighton Area Buswatch
April 2015	Presentation/Update	Pavilion Project Team
May 2015	Workshop	University of Brighton and Sussex
June 2015	Presentation/Update	Quality Bus Partnership
October 2015	Meeting	Brighton and Hove Bus and Coach Company, Brighton Area Buswatch

Valley Gardens draft communications plan November 2016

Objective

To maximise support for the Valley Gardens scheme among residents and stakeholders by keeping them up-to-date with progress and developments, and informed about any necessary disruption caused during the work.

Vision

Our vision is for Valley Gardens to become:

- an attractive, flexible, safe space that enhances the city centre's environment
- a place that will attract residents and visitors at all times of the day and year, with something for everyone to enjoy
- a meeting place, connecting the city efficiently and safely however people travel

Strategy

- To promote the vision of the scheme and the benefits of the redevelopment
- To inform about the public engagement work carried out on the scheme design
- To inform and update progress on all public work carried out as part of the scheme

Communications plan (to be updated as project progresses)

Stage	When	Message	Activity	Audience
1. Concept development stages	2012 – 2016	Reminders of background, objectives and funding. Feed into the developing concept designs	Consultations, Roadshows, Events, Workshops, presentations	Internal Officers, key stakeholders, businesses, residents and local interest groups.
2. Initial Design stage (including review)	October 2016 to Nov 2016	Reminders of background, objectives and funding. Updates of work start dates.	Reports, internal working groups, presentations, news updates through media; social media; emails; meetings; conversations	Internal officers, Council Members and identified stakeholders including from The Transport Partnership.

3. Technical Design Stage	Dec 2016 – Dec 2017	Reminders of project key objectives, funding and timescales, developing a construction management plan.	Technical working group, Project Board, Transport Partnership meetings, formal consultation for TROs, and planning permissions. Project newsletter circulation.	Internal officers, Council Members, key stakeholders including Emergency Services, Project newsletter to interested parties.
4. Confirmation of Construction start dates	Late 2017	Progress update: likely timeframe of various stages.	Website update News updates through media; social media; emails Update meetings. Stakeholder working group meetings set up. Project newsletter circulation.	Internal officers & Council Members, residents, road users and other stakeholders
5. Construction stages	Feb/ March 2018	Reminders of background and objectives. Progress updates. Information about likely disruption.	Website update News updates through media; social media; emails On-site hoardings, Project newsletter circulation.	Residents, road users and other stakeholders
6. Completion Stage	Late 2019	Promote benefits of redeveloped space/s & other improvements	News updates through media; social media; emails Project newsletter circulation Opening/launch event. .	All previously contacted parties

Suggested Group Engagement list which will continue to develop and grow over the course of the project.

GROUP	ORGANISATION
Stakeholders BHCC (Internals)	Project Board Ward Members particularly within the following wards; Regency Ward, St. Peters & North Laine, Hannover & Elm Grove, Queens Park. City Parks Projects, Highway Engineers, and Road Safety Teams Network Management Teams Parking and TRO Teams Maintenance Teams Events and Premises Teams Planning Legal Services Communities & Equality Team Public Health
Stakeholders BUSES	Brighton and Hove Buses Big Lemon Compass Stagecoach National Express (including operator/manager of Pool Valley) Brighton area Buswatch Bus Users UK
Stakeholders TAXIS	205205 Brighton Taxis A1 Radio Cabs

	Streamline Taxis GMB Taxis Streamline Taxis Brighton & Hove City Cabs Brighton & Hove Radio Cabs GMB Taxis
Stakeholders OTHER	LAF Peoples Parking Protest Motorcycle Police Community Works Sussex East Coast Ambulance Service East Sussex Fire & Rescue Road Haulage Association (SE Region) Freight Transport Association Federation of Small Businesses Brighton & Hove Chamber of Commerce Brighton & Hove Economic Partnership Clinical Commissioning Group) University of Brighton existing central sites and Circus Street development) City College Possibility People (formerly The Fed)
Stakeholders CYCLISTS	Bricycles Bike Share operator
Stakeholders **PEDESTRIANS**	Living Streets

GROUP	**ORGANISATION**	**GROUP**	**ORGANISATION**
Community Groups	Bike Train Project = Lewes Road for Clean Air = Bike Hub at Field (Preston Barracks) City Gate Community Projects	**Business**	University of Brighton B&W Stores Baker St Bikes

	Justlife (One Church Brighton) Lewes Road for Clean Air No Holds Barred North Laine Community Association One Youth Brighton Round Hill Society Sylvan Hall Residents Association Triangle Community Group City Gate Community Projects Ditchling Rise Area Residents Association London Road LAT Hanover & Elm Grove LAT St James's Community Action Group & LAT Tarner Area Partnership Regency Society Phoenix Rise Residents Association Albion Hill Residents Association Hanover Community Association Friends of Preston Park Brighton & Hove Friends of the Earth Community Works		Oakley CiP Recruitment Rayner Taylor HB Ironmongery AIB HISBE Carilto Burrito One Eyed Jacks St Peter's Church Lyons Bennett King & Queens MeatLiquor Mobbu Lange Lees N Laine Pub Nordic Coffee Moksha Onca Pendragon Framing Graves Jenkins Print Room Richard Thorn Solicitors Ross Pharmacy Shuffle Bar DEBRA St Giles St Peters Library Swift Sports Tiffany's Softwareindustries.com Valley Gardens Hostel Steine Café Loving Hut Café Market Diner, Circus Street Coach park (at Sussex Place)

			Freedom Leisure for Prince Regent pool Probation service (fronts Grand Parade) Courts (specialist transport needs) Albion Street Surgery Oxford Street Surgery Regency Surgery Pavilion Surgery Park Crescent Health Centre Lewes Road Surgery

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 50 Brighton & Hove City Council

Subject:		**Parking Annual Report 2015-16**	
Date of Meeting:		**29 November 2016**	
Report of:		**Executive Director, Economy, Environment & Culture**	
Contact Officer:	**Name:**	**Paul Nicholls**	**Tel: 01273 29-3287**
	Email:	**Paul.nicholls@brighton-hove.gov.uk**	
Ward(s) affected:		**All**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1 To note and approve the publication of the city's eighth Parking Annual Report 2015-16 on the performance of Parking Services for submission to the Department for Transport, Traffic Penalty Tribunal and for general publication under the provisions of the Traffic Management Act 2004.

2. RECOMMENDATIONS:

2.1 That the Environment Transport and Sustainability Committee endorses the publication of the Parking Annual Report for 2015-16 under the provisions of the Traffic Management Act 2004.

2.2 That the Environment Transport and Sustainability Committee authorises the Head of Transport Operations to produce and publish the report which will be made available on the Council's website and to stakeholders.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The City Council took over responsibility for civil parking enforcement from Sussex Police on 16 July 2001. Statutory guidance issued under the Traffic Management Act 2004 requires local authorities to produce and publish an annual report with the aim of providing information relating to local parking policies, service delivery and financial data.

3.2 Last year's annual report received national recognition when it was judged 'best overall report' by the independent Parking Annual Report Review Group established by PATROL (Parking and Traffic Regulations Outside London). Councillor Jamie Macrae, Chair of the PATROL Joint Committee, said of the award "Brighton & Hove Council have consistently produced an outstanding report for the past seven years This year they have maintained their high standard – the report is attractive and easy to read with plenty of appropriate illustrations and it provides all the information that a resident or visitor needs to know about parking and related issues".

3.3 The latest figures show that income from on-street parking charges (excluding permits) has remained relatively stable, rising by 5% from 2011/12 to 2015/16 as new Controlled parking Zones have been introduced following consultations with residents. Despite the increase in transactions direct costs have fallen by almost £800,000 since 2011-12. The vast majority of machines in all areas (79%) outside the city centre still charge the same £1 per hour that has been in place for over 10 years.

3.4 The overall parking surplus increased to just under £12.7m compared to last year's surplus which had been exceptionally reduced due to two large one off charges. The surplus averaged out over the past 2 years has increased by 5% per year, much of which is due to the introduction of new controlled parking zones

3.5 This year's report includes;

- details of a slight increase in the number of parking PCNs issued (up to 123,556 from 122,737 last year following the introduction of new parking schemes)
- tables showing that compared to 2014 there were fewer fatalities and serious casualties on the city's streets.
- a chapter about phone parking which now accounts for almost half of on street parking transactions
- an increase in most permit types on issue to residents and businesses
- More bus lane penalty charge notices were issued in 2015/16 as the Rottingdean bus lane started to be enforced in April 2015. Initially after some months of issuing warning notices, around 3,000 penalty charge notices (PCNs) per month were issued. This fell to 1,000 PCNs per month as compliance with the scheme has improved. An average 22,000 vehicles pass through this spot on the A259 every day, so this number of PCNs represents 0.1% of drivers who are still using the bus lane.

- Figures for prosecutions and Community Resolution Orders for blue badge misuse in the city

3.5 Copies of this year's Parking Annual Report will be sent to stakeholders including, Sussex Police, East Sussex Fire Brigade, The Traffic Penalty Tribunal, the Department for Transport, local parking special interest groups. The Parking Annual Report will also be published on the council's website.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 No alternatives have been considered as there is a statutory requirement to produce a Parking Annual Report. The importance of the report in communicating with the public has also been highlighted by the Transport Select Committee

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The publication of the Parking Annual Report 2015-16 is being used as an opportunity to inform and engage with the public and stakeholders on a range of parking issues

6. CONCLUSION

6.1 The report aims to provide the public and stakeholders with information on the performance and aims and objectives of parking services and to meet the Council's legal obligations under the Traffic Management Act 2004

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The costs associated to the production and publication of the Parking Annual Report are funded from existing revenue budget within the City Transport service. Financial information relating to the council's parking activities is included within the Parking Annual Report.

Finance Officer Consulted: Steven Bedford Date: 03/11/16

Legal Implications:

7.2 The City Council is required by statutory guidance issued by the Department for Transport under Section 87 of the Traffic Management Act 2004 to produce and publish an annual report detailing financial and statistical information on its civil parking enforcement regime.

It is not considered that any adverse human rights implications arise from the recommendations of this report

Lawyer Consulted: Hilary Woodward Date: 8/11/16

Equalities Implications:

7.3 None identified

Sustainability Implications:

7.4 None identified

Any Other Significant Implications:

7.5 None identified

SUPPORTING DOCUMENTATION

Appendices:

1. Financial tables

Documents in Members' Rooms

1. Parking Annual Report 2015-16

Background Documents

1. None

Appendix 1

Income and expenditure for 2015/16 for parking services

Income by source	£ 2011/12	£ 2012/13	2013/14 (£)	2014/15 (£)	2015/16 (£)
On-Street Parking Charges*	9,220,144	8,917,232	9,185,951	8,439,569	9,693,532
Parking Permit Income	4,482,426	5,020,657	5,727,231	6,197,869	6,887,014
Penalty Charge Notices (inclusive of bad debt provision)**	4,315,078	4,374,603	3,658,701	2,052,477	3,777,375
Other Income	12,342	49,260	61,340	56,836	38,886
Total	**18,029,990**	**18,361,752**	**18,633,223**	**16,746,751**	**20,396,807**

Direct cost of Civil Parking Enforcement	£ 2011/12	£ 2012/13	2013/14 (£)	2014/15 (£)	2015/16 (£)
Enforcement	3,459,669	3,502,230	3,282,153	3,190,050	3,266,962
Admin, appeals, debt recovery & maintenance	3,329,736	2,400,730	2,359,015	3,019,787	3,024,286
Scheme review / new schemes	939,709	814,352	865,846	849,639	805,588
Capital Charges	773,718	698,089	647,814	518,215	600,932
Total	**8,502,832**	**7,415,401**	**7,154,828**	**7,577,691**	**7,697,768**

Surplus after direct Costs	**9,527,158**	**10,946,351**	**11,478,395**	**9,169,059**	**12,699,039**

Funding for other transport and highways related projects supported by CPE income	£ 2011/12	£ 2012/13	£ 2013/14	2014/15 (£)	2015/16 (£)
Supported bus services	1,155,562	1,150,250	1,159,434	1,200,302	1,029,917
Other Public transport services	373,866	319,611	256,571	203,325	145,516
Concessionary fares	9,277,361	9,797,801	10,217,230	10,542,672	10,752,591
Capital investment borrowing costs	3,382,755	3,155,540	3,029,319	2,914,638	2,775,202
	14,189,543	**14,423,203**	**14,662,554**	**14,860,936**	**14,703,225**

* 2014-15 figure includes approx. £1.261m for an impairment provision due to amounts owed by the councils previous cash-in-transit provider at the time it went into administration.

**A change in methodology for calculating the provision relating to Penalty Charge Notice required an increased impairment provision of £1.425m in 2014-15.

Public Car parks	Expenditure £	Income £	Net (deficit) surplus £
Carlton Hill Car Park	33,155.34	90,453.50	57,298.16
High Street Car Park*	55,316.63	83,150.25	27,833.62
London Road Car Park	395,858.12	715,931.01	320,072.89
Oxford Court Car Park	23,572.70	58,438.63	34,865.93
Regency Square Car Park	754,061.79	1,089,898.50	335,836.71
The Lanes Car Park	980,662.74	1,850,698.09	870,035.35
Trafalgar Street Car Park	712,351.04	1,205,264.56	492,913.52
Other Off-Street Parking	81,814.16	609,295.73	527,481.57
Sum:	3,036,792.52	5,703,130.27	2,666,337.75

Note: The expenditure figures include direct costs incurred at each car park plus an apportionment of centralised costs

*Note: * The High Street Car Park figures shown are after a contribution has been made to the councils Housing Revenue Account*

Leased Car Parks	136,003.00	395,946.88	259,943.88

ENVIRONMENT, TRANSPORT & SUSTAINBILITY COMMITTEE	Agenda Item 51 Brighton & Hove City Council

Subject:		**Sub National Transport Body**
Date of Meeting:		**29th November 2016**
Report of:		**Executive Director Economy, Environment & Culture**
Contact Officer:	**Name:**	**Mark Prior** **Tel: 29- 2095**
	Email:	**Mark.prior@brighton-hove.gcsx.gov.uk**
Ward(s) affected:		**All**

FOR GENERAL RELEASE.

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The Cities and Local Government Devolution Act 2016 makes provision for the establishment and constitution of a Sub National Transport Body (SNTB) for any area in England (outside of Greater London). The establishment of an SNTB provides an opportunity to develop a strong strategic partnership and a Transport Strategy for a region. The Transport Strategy would set out the SNTB's proposals for the promotion and encouragement of safe, sustainable, integrated, efficient and economic transport facilities to and from the area of the SNTB.

1.2 The South East 7 authorities, including Brighton & Hove City Council, have been working together to develop the proposition that would see Government, South East Transport Authorities and / or Combined Authorities and Local Enterprise Partnerships (LEPs) working together with Highways England, Network Rail and port, airport and bus operators in one body. Under the Cities and Local Govt Devolution Act SNTBs may expect strategic transport providers to take account of its priorities.

1.3 The SNTB would be the main mechanism to influence and prioritise investment by the major national transport agencies including Highways England and Network Rail in a way that has not been available to the City Council before. The specific focus would be for the delivery of major strategic transport infrastructure.

1.4 The report seeks approval to establish a shadow body and to develop the Transport Strategy. Establishing the SNTB in shadow form would demonstrate commitment by the constituent Authorities to working collaboratively and provide reassurance to Government about the strength of the partnership.

2. RECOMMENDATIONS:

2.1 That Committee agrees Brighton & Hove City Council should join a shadow Sub National Transport Body for the South East, known as Transport for the South East (TfSE);

2.2 That Committee delegates authority to the Executive Director for Economy, Environment & Culture to agree a shadow constitution for TfSE, following consultation with the Leader of the Council, on behalf of Brighton & Hove City Council;

2.3 That Committee notes that a further report will be brought back to Committee within the next 12 months to report on the shadow arrangements and update the Committee on the proposed detailed constitutional arrangements including membership, voting and emerging priorities.

3. CONTEXT/ BACKGROUND INFORMATION

Proposal for a Sub national Transport Body for the South East

3.1 The South East Seven (SE7) Councils (East Sussex, West Sussex, Hampshire, Kent and Surrey County Councils and Brighton & Hove City Council and Medway Council) and the Local Enterprise Partnerships (LEPs) that represent the area have been in officer level discussion about the establishment of an SNTB for the South East, to be called Transport for the South East (TfSE). Discussions will commence with the Hampshire Unitary Councils and the Solent LEP about joining TfSE.

3.2 The proposed area would fulfil the Department for Transport's requirements that SNTBs need to be large enough to allow the genuine strategic consideration and planning of transport infrastructure and do not create "white space" where Authorities are excluded from participation in sub-national arrangements.

3.3 The proposed TfSE would aid authorities in securing influence over national and regional infrastructure providers, helping to ensure the infrastructure required to support continuing economic growth. A TfSE would see Government, South East Transport Authorities and/or Combined Authorities and LEPs working together with Highways England, Network Rail and port, airport and bus operators. TfSE would require strategic transport providers to take account of its priorities.

3.4 TfSE would provide a mechanism for the area to speak with a strong, common voice on transport infrastructure and provide a single platform for strategic transport and infrastructure issues, giving partners greater, and potentially direct, influence over decisions that are currently made elsewhere. Its key outcome will be the development of a single, strategic transport infrastructure framework which would align the investment programmes and priorities from key agencies, such as Highways England and Network Rail, and also the LEPs.

3.5 TfSE presents the opportunity to support and deliver growth plans across the area through the development of a long-term strategic programme which identifies a comprehensive package of transport measures to make the South East more competitive. It would complement the work of the LEPs in the delivery of their Strategic Economic Plans and support the delivery of Local Plans.

Development of a Shadow Sub National Transport Body for the South East

3.6 Prior to the establishment of TfSE, it would be helpful to establish the Body in shadow form to help develop a strong strategic partnership. Establishing TfSE in shadow form would demonstrate commitment from the constituent Authorities to working collaboratively and provide reassurance to Government about the strength of the partnership. It would also carry out two main roles during this period:-

- Work on developing an overarching Transport Strategy for the area.

- Develop responsibilities and accountabilities for the TfSE, including governance and assurance arrangements. These arrangements will be developed if the principle of establishing TfSE is agreed.

3.7 If partners agree to establish TfSE in shadow form, it is proposed to establish an SNTB Leaders' Board to determine and agree the constitutional arrangements ensuring the governance reflects the aspirations of the Local Authorities. The SNTB Leaders' Board would consist of, subject to discussions with partners in Hampshire, the SE7 Councils, Portsmouth City Council, Southampton City Council and the Isle of Wight Council and the LEPs. The Board will agree the terms of reference, including governance and voting arrangements for consultation with wider partners.

The Transport Strategy

3.8 The cornerstone of TfSE is the Transport Strategy. It will build upon existing Local Transport Plans and evidence already in place amongst the constituent Authorities, including the LEP's Strategic Economic Plans and growth and infrastructure frameworks/studies being undertaken by a number of upper-tier Authorities. The Transport Strategy would outline the ambition of TfSE and describe the vision for the South East in relation to the transport function of the area, including the effectiveness, efficiency and resilience of the existing network. It would include freight, ports, airports and other public transport modes.

3.9 The draft Transport Strategy, which will also outline the proposals to establish a full SNTB, would be subject to consultation, including where appropriate, engagement with Borough and District Councils.

Membership of the Shadow Sub-National Transport Body

3.10 The constituent local authorities of the shadow body set out below will form the initial membership (subject to any future establishment of Combined Authorities):

Brighton & Hove City Council	Kent County Council	West Sussex County Council
East Sussex County Council	Medway Council	
Hampshire County Council	Surrey County Council	

3.11 Whilst these will be the initial member authorities it is desirable to broaden the membership to include all Transport/Highway authorities in the area and we will therefore be seeking the agreement of the Isle of Wight, Southampton and Portsmouth Councils to become members. In addition dialogue will be opened with

the Berkshire Authorities to consider whether it is desirable for them to become members, particularly in light of the recent airport expansion decision.

3.12 It will also be essential to ensure that, as with the SNTB proposals elsewhere, business is suitably represented in the Board and we will work with the LEPs to determine how best that can be achieved. The report therefore recommends that authority is delegated to the Leader to determine who the other members of the shadow board should be. This will be agreed through a Leader Board. As we progress towards a more formal body and develop the necessary governance arrangements we will also have to consider how we can take on board the voice of the Districts and Borough colleagues most effectively.

3.13 TfL represents the most significant transport hub in the South and has significant economic impact resulting from their investment decisions. It is for that reason they are included as part of the membership of TfSE. TfSE will also seek reciprocal arrangements to become a member of the TfL Board.

3.14 Additional members of the shadow TfSE SNTB may be considered, as appropriate, on a case by case basis but as a minimum should include:

Department for Transport
Highways England
Network Rail
Airport, Sea port, Bus and train operating companies.

The Coast To Capital Local Enterprise Partnership (C2C LEP)

The City Council has a strong relationship with the C2C LEP and intends to work closely with LEP officers, Board Members and partners to develop emerging SNTB proposals that support parallel ambitions set out within the Strategic Economic Plan (SEP) as well as existing Greater Brighton City Region and any subsequent Devolution plans. It is recognised that TfSE could support some of the GBCR objectives as set out within the SEP.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 TfSE provides an opportunity to support and deliver growth plans across the region through the development of a long-term strategic programme to identify a comprehensive package of transport measures to make the South East more competitive. It would complement the work of the LEPs and support delivery of Local Plans.

4.2 It would specifically enable the City Council to influence the prioritisation of investment by the major national transport agencies such as Highways England and Network Rail in a way that has not been possible in the past.

4.3 The SNTB would address some of the barriers to growth of the economy that have been held back by transport infrastructure shortcomings, notably strategic infrastructure, that is the responsibility of Network Rail and Highways England. The SNTB would enable the City Council to more directly influence the priorities

and programmes of these agencies, so helping to secure delivery of longstanding transport infrastructure ambitions.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Before progressing a proposal for an SNTB, the constituent Authorities must undertake a consultation on the boundary proposals and it is proposed that the shadow SNTB leads on this for the constituent authorities.

5.2 Public consultation is also required on the SNTB's Transport Strategy prior to publication

6. CONCLUSION

6.1 The proposal to develop a shadow SNTB for the South East, that will be known as TfSE, provides the opportunity to create a mechanism for the area that will become a stronger voice and influence on strategic transport policy and infrastructure provision, including the ability to secure significant funding and influence decisions that would otherwise be made by other strategic bodies or elsewhere.

6.2 Being a participant in the early development of the proposal will enable the City Council to influence the development and outcome of the shadow and eventual SNTB on important matters including priorities within the regional Transport Strategy, Membership and Voting arrangements.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 Key purposes of the Sub National Transport Body (SNTB) will be to assist authorities in securing influence over national and regional infrastructure powers, and deliver strategic growth plans to support economic growth. It is anticipated that a SNTB will provide opportunities for external funding applications and the development of joint funding bids to deliver strategic priorities.

7.2 A £0.020m contribution to develop the constitutional arrangements and Transport Strategy will be funded from existing revenue budgets within the City Transport service. Any future costs to the council associated to the SNTB will be considered as part of the budget setting process and could be incorporated in future budgets once they can be accurately forecast.

Finance Officer Consulted: Steven Bedford Date: 16/11/16

Legal Implications:

7.3 The Cities and Local Government Devolution Act 2016 allows the Secretary of State to make Regulations to establish a SNTB as a corporate body for any area in England outside Greater London.

7.4 Regulations can only be made if the Secretary of State considers that establishing an SNTB would facilitate the development and implementation of transport strategies for the area and that the effect of those strategies would be to promote economic growth in that area. The constituent authorities of the proposed SNTB are required to submit a proposal to the Secretary of State and to consent to the Regulations being made.

7.5 Before making a proposal the constituent authorities must undertake consultation. The membership, voting, executive arrangements and the functions of the executive body of the SNTB would be set out in the Regulations made by the Secretary of State.

7.6 At this stage, the report is proposing establishing a shadow SNTB. Further Committee authority would be required to proceed with consultation and a formal submission to the Secretary of State.

Lawyer Consulted: Elizabeth Culbert *Date: 13.11.16*

Equalities Implications:

7.7 There are no specific Equalities issues in the formation of a Shadow SNTB.

Sustainability Implications:

7.8 The creation of a SNTB would enable greater consideration of more sustainable strategic journeys across the TfSE region utilising public transport by road or rail through more effective engagement and partnership arrangements with bus and rail operators and legislative bodies. The preparation of a common Transport Strategy for TfSE would allow sustainability issues to feature and be raised at a regional level.

7.9 Better collaboration between adjacent local authorities on Transport and highways issues could lead to further benefits with materials recycling and energy savings associated with construction and maintenance costs.

Any Other Significant Implications:

7.10 None

SUPPORTING DOCUMENTATION

Appendices:

1. Other Implications

Documents in Members' Rooms

1. None

Background Documents

1. None

.Crime & Disorder Implications:

1.1 There are no specific implications arising from the formation of a Shadow SNTB.

Risk and Opportunity Management Implications:

1.2 There are no specific implications in the formation of a Shadow SNTB.

Corporate / Citywide Implications:

1.3 The agreement to take forward this proposal supports the City Council's membership on an important Regional Body that has the potential to draw in significant funding and influence for strategic transport issues that support regeneration and growth for the South East.

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 52 Brighton & Hove City Council

Subject:		**Whitehawk & Kemptown Safer Routes to School Scheme**
Date of Meeting:		**29 November 2016**
Report of:		**Executive Director Economy, Environment & Culture**
Contact Officer:	**Name:**	**Matthew Thompson Tel: 29-0235**
	Email:	**matthew.thompson@brighton-hove.gov.uk**
Ward(s) affected:		**East Brighton and Rottingdean Coastal**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 Brighton & Hove City Council has statutory duties under the Road Traffic Act 1988 to prepare and carry out a program of measures designed to promote road safety, carry out studies into accidents arising out of the use of vehicles on roads where it is the highway authority and to take such measures as appear to the authority to be appropriate to prevent such accidents, including the construction, improvement, maintenance or repair and other measures taken in the exercise of their powers for controlling, protecting or assisting the movement of traffic on those roads. The Council also has a statutory duty to promote safe and sustainable modes of transport under the Education & Inspections Act 2006. The Council's Safer Roads Strategy for 2014-2020 supports continued casualty reduction efforts within an annual, data-led Safer Routes to Schools Programme.

1.2 Brighton Steiner School, City Academy Whitehawk, St Mark's C of E Primary School and St John's College have been selected within the Safer Routes to School programme for 2016/17 as a priority due to the number of collisions in the area involving pedestrians and cyclists during school journey times over the past three years. This report reports on school surveys and the public consultation, and seeks permission to proceed with the proposed Safer Routes to School Scheme measures to improve road safety on school journeys.

2. RECOMMENDATIONS:

2.1 That the Committee approves the preferred scheme for the Whitehawk and Kemptown area, as outlined in paragraph 3.3 and shown in Appendices 1-6 of this report, and authorises officers to begin implementation including the advertising of any necessary Traffic Regulation Orders.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Safer Routes to School is an initiative that aims to improve routes to school making it safer for children and their parents and carers to walk, cycle or use public transport, thus providing increased travel choice for the journey to and from school. The initiative forms a key component of Brighton & Hove City Council's approved Local Transport Plan 2015/16 – 2018/19.

3.2 During the three academic years from 01 September 2012 to 31 July 2015 (within an 800m radius of the mid-point of Maresfield Road), there have been 12 collisions involving 1 cyclist and 11 pedestrians (including 5 children) at school journey times.

3.3 The measures recommended for implementation are summarised as follows (see Appendix 1 location map):

- A refuge on Wilson Ave south of the Henley Road junction, moving the start of the 30mph speed limit further up the hill north of Marlow Road.(Appendix 2)
- Move the central island on Whitehawk Road north of the junction with Marlow Road further south, widening it, and adding a build out on the east side. (Appendix 3)
- Move the dropped kerbs and tactile paving closer to the junction of Bristol Gardens with Church Place/ Manor Road.(Appendix 4)
- Bus stop improvements on southbound side and a crossing point on Manor Road to the twitten leading to Bristol Gate. (Appendix 5 - See also paragraph 4.13 below).
- New pavement on Whitehawk Hill Road between the lower and middle gates of St John's College with dropped kerbs. (Appendix 6).

3.4 The scheme will provide benefit to four participating schools which between them cater for almost 860 children. In addition to this, 260 students at St Joseph's RC (Roman Catholic) Primary School and Hamilton Lodge School (an Independent Special Educational Needs [SEN] school for deaf children) will also benefit. These improvements will further benefit the wider communities of Whitehawk and east Kemptown.

3.5 The headline results of the public consultation are as follows:
Wilson Ave measure – 85% in favour
Whitehawk Road measure – 92% in favour
Manor Road junction – 77% in favour
Manor Road bus stop – 92% in favour
Whitehawk Hill Road pavement – 85% in favour.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Two comments were received during the public consultation regarding the roundabout at the southern end of Whitehawk Way where it meets Arundel Road, Roedean Road and Bristol Gardens. Children at the Steiner School, which is located on this junction, are anxious about the crossing points there (See summary below).

4.2 There is a regular (6-weekly) Royal Sussex County Hospital Liaison Group (HLG) meeting for residents attended by East Brighton and other ward councillors. The comments referred to in paragraph 4.1 have been passed to the senior officers involved in the HLG for further consideration.

4.3 As part of the planning permission that has been granted for the Royal Sussex County Hospital ("the Hospital") redevelopment (often referred to as the '3Ts'), the NHS Trust has proposed, and agreed to fund, new traffic signals at the junction of Eastern Road and Arundel Road. A report considering objections to

the Traffic Regulation Order required for this change to the junction layout is also on the agenda for this committee meeting.

4.3 The consideration of possible options to manage traffic access associated with the Hospital during the first redevelopment phase on the western side of the Hospital in Upper Abbey Road / Whitehawk Hill Road (including parking) is ongoing, although nothing has been finalised or agreed as yet.

4.4 As part of the Safer Routes to School scheme, the junction of Wilson Avenue and Roedean Road has also been considered for signal upgrades to include a pedestrian phase. The current equipment is over 16 years old and the council's Signals Team considers that a full replacement upgrade would provide the best long term value for money. The cost of this would be in the region of £100,000 and is therefore outside the budget of the current Safer Routes scheme. However, other potential sources of funding in the future for this improvement have been identified.

4.5 The concerns that have been expressed about existing traffic and crossing conditions will be considered further by taking account of the predicted increase in vehicle movements that are expected to occur on this part of the local road network as a result of the long-term demolition/construction period associated with the Hospital (3Ts) redevelopment, and its subsequent completion and occupation. If measures are considered to be warranted, it may be possible to use some of the funding secured as a planning obligation for transport improvements to mitigate the effects of the development.

4.6 The council's process for assessing Pedestrian Crossing Requests has recently identified and assessed a site outside the Co-operative supermarket on Whitehawk Road. In October this year, this committee was recommended, and agreed that, further technical scoping work and an allocation of funding for a crossing facility at this location should be approved.

4.7 Improvements associated with the new housing development on the junction of Whitehawk Road and Findon Road, as part of the council's New Homes for Neighbourhoods project, are likely to focus on the junction of Manor Way and on Findon Road itself.

4.8 Changes to parking at the northern end of Manor Hill are expected to significantly reduce the issues there which cause concern to pedestrians and bus users. Parking will be removed from the west side of the road to improve traffic flow and reduce delays for buses.

4.9 A number of comments were received from parents of students at City Academy Whitehawk about the crossing point on Whitehawk Way, south of Fletching Close. A few pupils also mentioned this is a place they feel unsafe. Officers are investigating technical issues around improvements to this site.

4.10 The junction of Manor Road and Manor Way was named by significant numbers of pupils at St Marks CofE (Church of England) Primary School (see 5.1.4) as a place they felt unsafe crossing the road. Officers are also investigating technical issues around improvements to this site.

4.11 Ward councillors, and those taking part in St Mark's CofE Primary School surveys have highlighted the complex junction of Maresfield Road and Manor Road as a place where they feel unsafe when crossing. The Road Safety Technician has assessed the site and has concluded that the current budget allocation would be insufficient to incorporate the sort of changes necessary to make the junction less complex. He also notes that there are no recorded casualties at this location. Road Lining on the junction is worn and this will be referred to the council's Lines and Signs Team for refreshing as part of their regular programme of works in Controlled Parking Zone (CPZ) H.

4.12 Road markings outside three of the school sites also need refreshing, and this will be referred to the Signs and Lines Team. City Academy Whitehawk is outside the CPZ but lining and signage to direct pedestrians to 'twittens' (cut-throughs) will also be added using 'Section 106' funding secured by legal agreements for the planning permissions for flats being built on land owned by the Wellsbourne Medical centre on Whitehawk Road.

4.13 The bus shelter in the measure proposed at Appendix 5 (Map 2E) will be installed at a later date, when current negotiations about the citywide bus shelter contract have been concluded.

4.14 School managers at St Mark's CofE Primary School are concerned about the recent incident (not included in the Police's collision figures quoted at 3.2) outside the southern gate to the staff car park, which they do not want used as a pedestrian entrance. Officers from the council's Road Safety and Health and Safety Teams met with the Head teacher in July regarding the incident and have subsequently discussed the gate layout with the Diocese. The school has introduced droppable bollards to deter pupil 'drop-offs'. Parents and pupils approaching from the south are encouraged to use the school crossing patrol to enter via the northern entrance. The new Multiple Use Games Area [MUGA] south of the school site will be open to pedestrians, and the gate to the school's southern boundary and teachers' car park beyond will be reopened to pedestrians once works are complete.

4.15 The council's Sustainable Travel Transition Year project is working in the area up to end of March 2017. The project is working with residents and other users of the area to encourage sustainable transport use. A Walking and Cycling Permeability study is being carried out in this area to identify future improvements to encourage walking and cycling.

5 COMMUNITY ENGAGEMENT & CONSULTATION

5.1.1 <u>School surveys</u>
Brighton Steiner School, City Academy Whitehawk, St Joseph's RC Primary School, St Mark's CofE Primary School, Hamilton Lodge and St John's College were all invited to take part in the scheme. These survey findings will be presented to the schools and will form the basis of their renewed School Travel Plans (STPs).

5.1.2 Hamilton Lodge SEN School and St Joseph's RC Primary did not respond to the invitation to take part but have been consulted on final proposals as key

stakeholders. St Joseph's RC Primary has welcomed any improvements that can be made to increase the safety of journeys to school for children.

5.1.3 Brighton Steiner Surveys

14 students named the Wilson Ave junction with Roedean Road as a place they felt unsafe. Nine named Whitehawk Road outside the school gate, 4 named Roedean Road on the roundabout and 3 named Bristol Gardens on the roundabout. Few parents responded but all those that did lived more than 2 miles from the site, reflecting the specialist nature of this independent school. None said they drove to the school, corroborating the pupils' responses, with all saying they either walked or took the bus.

5.1.4 City Academy Whitehawk Surveys

Three parents mentioned the blind bend on Whitehawk Way south of Fletching Close as a problem to cross in their comments, and a further 7 pupils named this location as a place they felt unsafe. Whitehawk Road outside the school was named by seven pupils as a place they felt unsafe, while the twitten to the north connecting with Haybourne Road and Coolham Drive was a concern for 4 pupils because of motorcyclists using the path. One parent mentioned he/she would like to see some police action on this problem and suggested previous requests for enforcement have not been responded to. Many marked the twitten between Whitehawk Road and Chalvington Close as a cut through they used. The school has asked for some signage to make this route clearer to newcomers. Three pupils felt the northern end of Manor Hill was unsafe. A further two mentioned the Manor Hill junction with Maresfield Rd. Three were concerned about the junction of Whitehawk Road and Findon Way.

5.15 St Marks C of E Primary Surveys

Seven pupils mentioned the junction of Manor Road and Manor Hill as a place they felt unsafe crossing. Five mentioned the junction of Manor Road and Maresfield Road. Four identified the lower (southern) gate of the school opposite Manor Gardens as a place they felt was unsafe. Two mentioned the Bristol Gardens junction with Manor Road, and two mentioned Whitehawk Road near the bus garage. Parents are concerned about the lower gate and the speeds of cars on Manor Road. Maresfield Road at the top of Manor Road was also mentioned.

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5.16 St John's College Surveys

No pupil or parent surveys were conducted, at the request of this mainly residential, SEN school. Staff travel surveys have been conducted and a new School travel plan is being drafted but these have not been completed at the time of the report writing.

5.2.1 Ward Councillors and those of adjoining wards

East Brighton Ward Councillors have been on site visits with officers and have been kept informed about design plans. They were also invited to take part in the public event for the consultation. Rottingdean Coastal Ward Councillors have also been sent plans of the proposed measures, one of which adjoins their ward.

5.2.2 External Stakeholders.

Sussex Police have no objection to the proposals. No other responses have been received.

5.2.2 A petition was received by this committee on 25 November 2014 signed by 1020 people requesting that the council to provide a pedestrian crossing at the southern end of Whitehawk Road (near the Steiner School and Post office). The petitioners claimed that the levels and speed of traffic had increased dramatically, causing a significant danger to local people and noted that the elderly residents of the adjacent nursing home and children at the school are particularly vulnerable road users in this area.

5.2.3 A subsequent question was asked by one of the petition organisers at the October 2015 committee meeting about progress on the requested improvements. The chair's response explained that Section 106 funding from the Hospital redevelopment for transport improvements would not be released until building commenced. Works associated with the redevelopment of the Hospital (3Ts) site are now beginning to progress, and therefore officers may be able to begin to consider or review pedestrian crossings in the local area during the next 12 months.

5.2.4 One of the petition organisers has responded to the Safer Routes to School consultation requesting pedestrian crossings on the Whitehawk Rd/ Arundel Road roundabout and suggests measures similar to the recent changes to the Seven Dials roundabout are needed. She believes such a measure would encourage children, families and pedestrians in general to continue walking by implementing robust measures to keep them safe.

5.2.5 All comments at 5.2.2 -5.2.4 above have been referred to senior officers involved in the Royal Sussex County Hospital Liaison Group (HLG) - see also 4.2 above. They will also be considered the Walking and Cycling Permeability study being commissioned by the Sustainable travel Transition year project - see also 4.15 above.

6. CONCLUSION

6.1 The measures proposed in the consultation have a high degree of support and will address the concerns of the schools and wider school communities involved regarding journeys to school, and also improve general provision/conditions within the local neighbourhoods at other times. Other projects in the area will further address concerns raised leading to significant improvements that will help to encourage and increase walking and cycling access in the area.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The capital costs associated to the report recommendation will be funded from the approved Local Transport Plan (LTP) capital programme, and Section 106 contributions. The approved capital budget for the Safer Routes to Schools programme in the 2016-17 financial year is £0.058m.

7.2 Any potential impact on parking income associated with the recommended measures will have financial implications on the existing Parking revenue budget within the City Transport service. It is estimated that the financial impact will be

immaterial and will therefore not require any amendments to current budgeted assumptions.

Finance Officer Consulted: Steven Bedford *Date: 11/11/16*

Legal Implications:

7.3 The Council as a local authority has a statutory duty to prepare and carry out a programme of measures designed to improve road safety. The actions detailed in paragraph 3.3 of this Report and in the Appendices will assist in demonstrating that the Council is complying with its statutory duty.

Lawyer Consulted: Stephanie Stammers *Date: 14/11/16*

Equalities Implications:

7.4 There are no equalities implications.

Sustainability Implications:

7.5 These measures aim to encourage walking and cycling to school by addressing sites where casualties have occurred and sites where people are concerned for their safety.

Crime & Disorder Implications:

7.6 There are no Crime and Disorder Implications.

7.7 Public Health Implications:

Schools will be asked to publicise the measures in the scheme so that all parents, carers, staff and pupils are aware of their purpose and intentions.

SUPPORTING DOCUMENTATION

Appendices:

1. Location map for Whitehawk & Kemptown Safer Routes to School Scheme

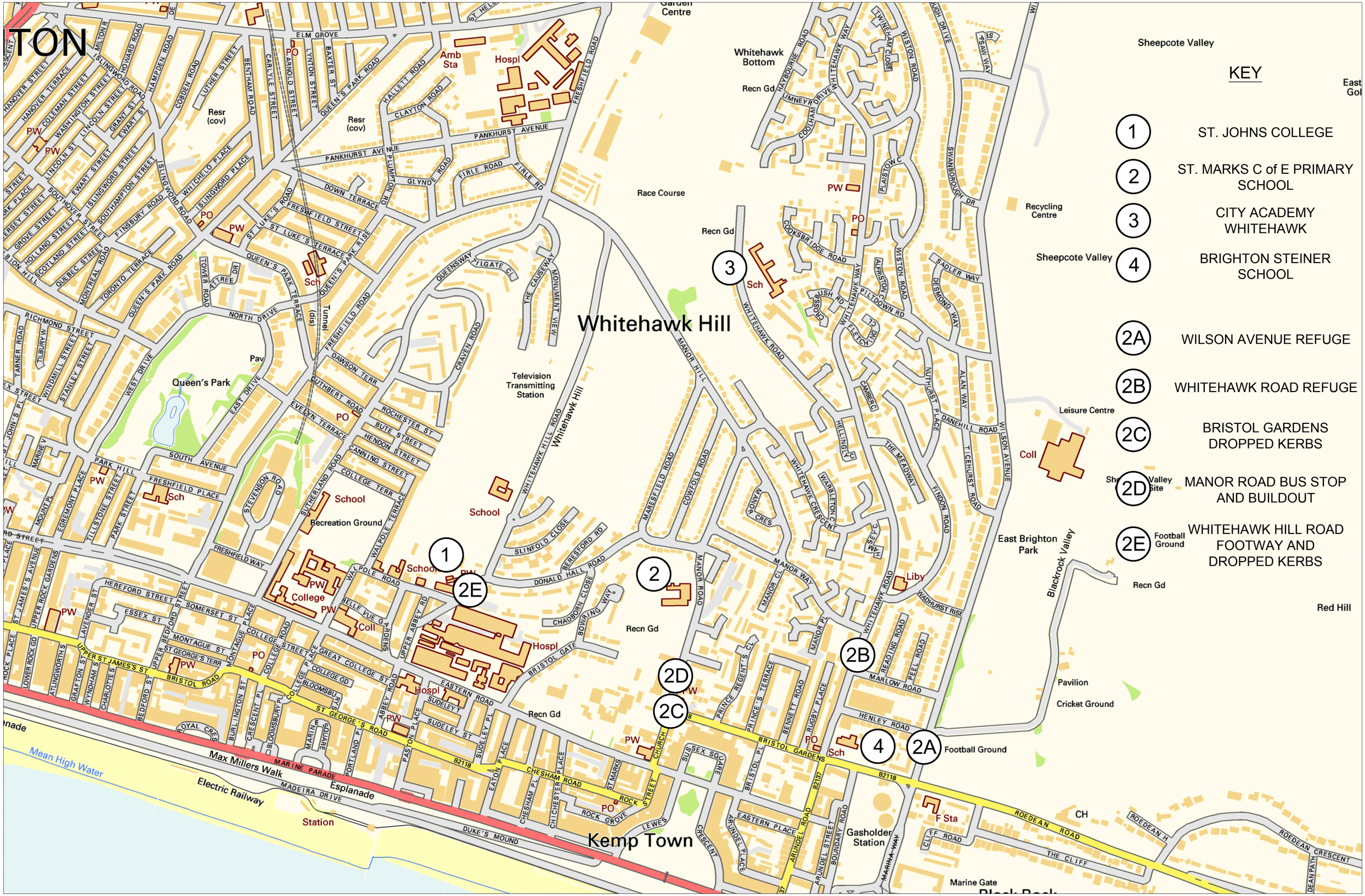
2. Map 2A – Proposed measures in Wilson Avenue

3. Map 2B – Proposed measures in Whitehawk Road

5. Map 2C – Proposed measures in Bristol Gardens

6. Map 2D – Proposed measures in Manor Road

7. Map 2E – Proposed measures in Whitehawk Hill Road


TON
Whitehawk Hill
Race Course
Queen's Park
Kemp Town
Whitehawk Bottom
Sheepcote Valley
Recycling Centre
Leisure Centre
East Brighton Park
Red Hill
Pavilion
Cricket Ground
Football Ground
Gasholder Station
Television Transmitting Station
Marine Gate
Mean High Water
Max Millers Walk
Esplanade
Electric Railway
Station
Recreation Ground
Garden Centre
Amb Sta
Hospl
Sch
School
College
Coll
Liby
PO
PW
Pav
Recn Gd
F Sta
CH
Resr (cov)
Tunnel (dis)
ELM GROVE
PANKHURST AVENUE
FRESHFIELD ROAD
QUEEN'S PARK ROAD
QUEEN'S PARK TERRACE
NORTH DRIVE
WHITEHAWK ROAD
MANOR HILL
WHITEHAWK HILL ROAD
BRISTOL ROAD
ST GEORGE'S ROAD
MARINE PARADE
MADEIRA DRIVE
DUKE'S MOUND
CHESHAM ROAD
EASTERN ROAD
BRISTOL GATE
GREAT COLLEGE ST
MARLOW ROAD
HENLEY ROAD
BRISTOL GARDENS
ROEDEAN ROAD
THE CLIFF
CLIFF ROAD
DONALD HALL ROAD
MANOR ROAD
MANOR WAY
WHITEHAWK WAY
WHITEHAWK CRESCENT
WHITEHAWK CLOSE
WISTON ROAD
SWANBOROUGH DR
PLAISTOW CL
COOLHAM DRIVE
LIMNEY DRIVE
RATBOURNE ROAD
COOKSBRIDGE ROAD
ALFRISTON CL
PILTDOWN RD
SADLER WAY
DESMOND WAY
ALAN WAY
NUTHURST PLACE
DANEHILL ROAD
WILSON AVENUE
TIGHURST ROAD
FINDON ROAD
THE MEADWAY
WADHURST RISE
READING ROAD
PEEL ROAD
Blackrock Valley
ROEDEAN CRESCENT
DEAN PATH
ROEDEAN H
FRESHFIELD ROAD
FRESHFIELD STREET
FRESHFIELD WAY
FRESHFIELD PLACE
ST LUKE'S ROAD
ST LUKE'S TERRACE
QUEEN'S PARK RISE
DOWN TERRACE
HALLETT ROAD
CLAYTON ROAD
GLYNDE ROAD
FIRLE ROAD
PLUMPTON RD
ELM GROVE
BENTHAM ROAD
CARLYLE STREET
LYNTON STREET
BAXTER ST
QUEEN'S PARK ROAD
ARNOLD STREET
LUTHER STREET
COBDEN ROAD
HAMPDEN ROAD
ISLINGWORD ROAD
WHICHELO PLACE
ISLINGWORD PLACE
ISLINGWORD STREET
SOUTHAMPTON STREET
FINSBURY ROAD
MONTREAL ROAD
TORONTO TERRACE
QUEBEC STREET
SCOTLAND STREET
HOLLAND STREET
GROVE STREET
SOUTHOVER ST
LINCOLN ST
WASHINGTON STREET
COLEMAN STREET
HANOVER TERRACE
HANOVER STREET
GRANT ST
EWART ST
EWART STREET
TOWER ROAD
TOWER DR
TILBURY W
WINDMILL STREET
STANLEY STREET
TARNER ROAD
RICHMOND STREET
WEST DRIVE
EAST DRIVE
CUTHBERT ROAD
DAWSON TERR
EVELYN TERRACE
ROCHESTER ST
BUTE STREET
HENDON STREET
CANNING STREET
COLLEGE TERR
WALPOLE TERRACE
WALPOLE ROAD
SUTHERLAND ROAD
STEVENSON ROAD
PARK HILL
PARK STREET
TILLSTONE STREET
EGREMONT PLACE
MOUNT PL
MARINE V
SOUTH AVENUE
SLINFOLD CLOSE
BERESFORD RD
BOWRING WAY
CHADBORN CLOSE
BELLE VUE GDNS
UPPER ABBEY RD
ABBEY ROAD
HEREFORD STREET
ESSEX ST
SOMERSET ST
MONTAGUE ST
ST GEORGE'S TERR
UPPER ST JAMES'S ST
ST JAMES'S AVENUE
UPPER ROCK GARDENS
LOWER ROCK GD
ATLINGWORTH'S
GRAFTON ST
WYNDHAM ST
CHARLOTTE ST
UPPER BEDFORD ST
BEDFORD ST
LAVENDER ST
MONTAGUE PLACE
COLLEGE PLACE
COLLEGE ROAD
COLLEGE STREET
COLLEGE GD
BLOOMSBU RYS
BLOOMSBURY PL
BURLINGTON ST
CRESCENT PL
ROYAL CRES
MARINE SQUARE
PORTLAND PL
PASTON PLACE
SUDELEY PL
SUDELEY ST
EATON PLACE
CHESHAM PL
CHICHESTER PLACE
ST MARKS
ROCK STREET
ROCK GROVE
LEWES CRESCENT
ARUNDEL PLACE
ARUNDEL ROAD
ARUNDEL STREET
BOUNDARY ROAD
MARINA WAY
CLIFF ROAD
EASTERN PLACE
SUSSEX SQUARE
CHURCH
PRINCE REGENT'S CL
PRINCE'S TERRACE
RUGBY PLACE
BENNETT ROAD
MANOR PL
MANOR CL
WARBLETON CL
HELLINGLY CL
CAMBERG CL
FLETCHING CL
CROSSBUSH RD
QUEENSWAY
PILGATE CL
THE CAUSEWAY
MONUMENT VIEW
CRAVEN ROAD
MARESFIELD ROAD
COWFOLD ROAD
RONUK CRES
SAWYER CLOSE
SAW WAY
1
2
2A
2B
2C
2D
2E
3
4
KEY
ST. JOHNS COLLEGE
ST. MARKS C of E PRIMARY SCHOOL
CITY ACADEMY WHITEHAWK
BRIGHTON STEINER SCHOOL
WILSON AVENUE REFUGE
WHITEHAWK ROAD REFUGE
BRISTOL GARDENS DROPPED KERBS
MANOR ROAD BUS STOP AND BUILDOUT
WHITEHAWK HILL ROAD FOOTWAY AND DROPPED KERBS

HENLEY ROAD

WILSON AVENUE

Henley Court
1 to 16

East Brighton Park

New pedestrian crossing point

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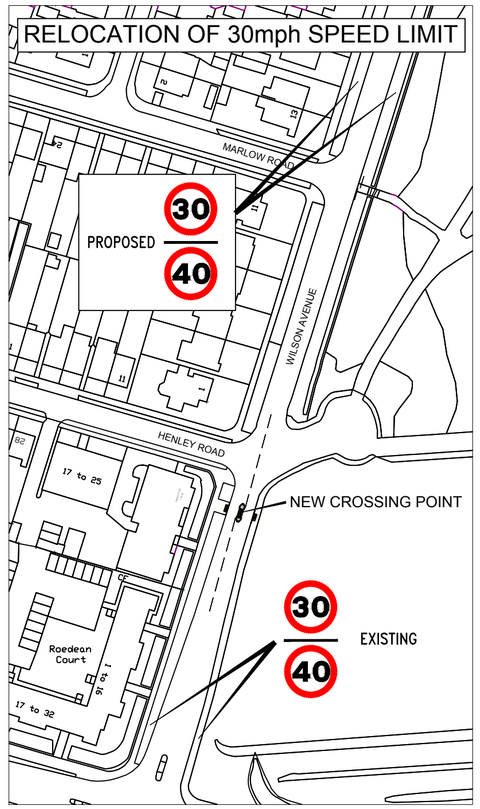

Rev	Revision details	Date

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INFORMATION	☑	SURVEY	☐	FEASIBILITY	☐
DESIGN	☐	TENDER	☐	WORKING DRAWINGS	☐
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	Signed	Date
Drawn:	PJO	September 2016
Surveyed:		
Checked:		
Approved:		
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Brighton & Hove City Council

Project Name

SAFE ROUTES TO SCHOOL

Drawing Title

WILSON AVENUE GENERAL ARRANGEMENT

Drawing No	Scale	Rev
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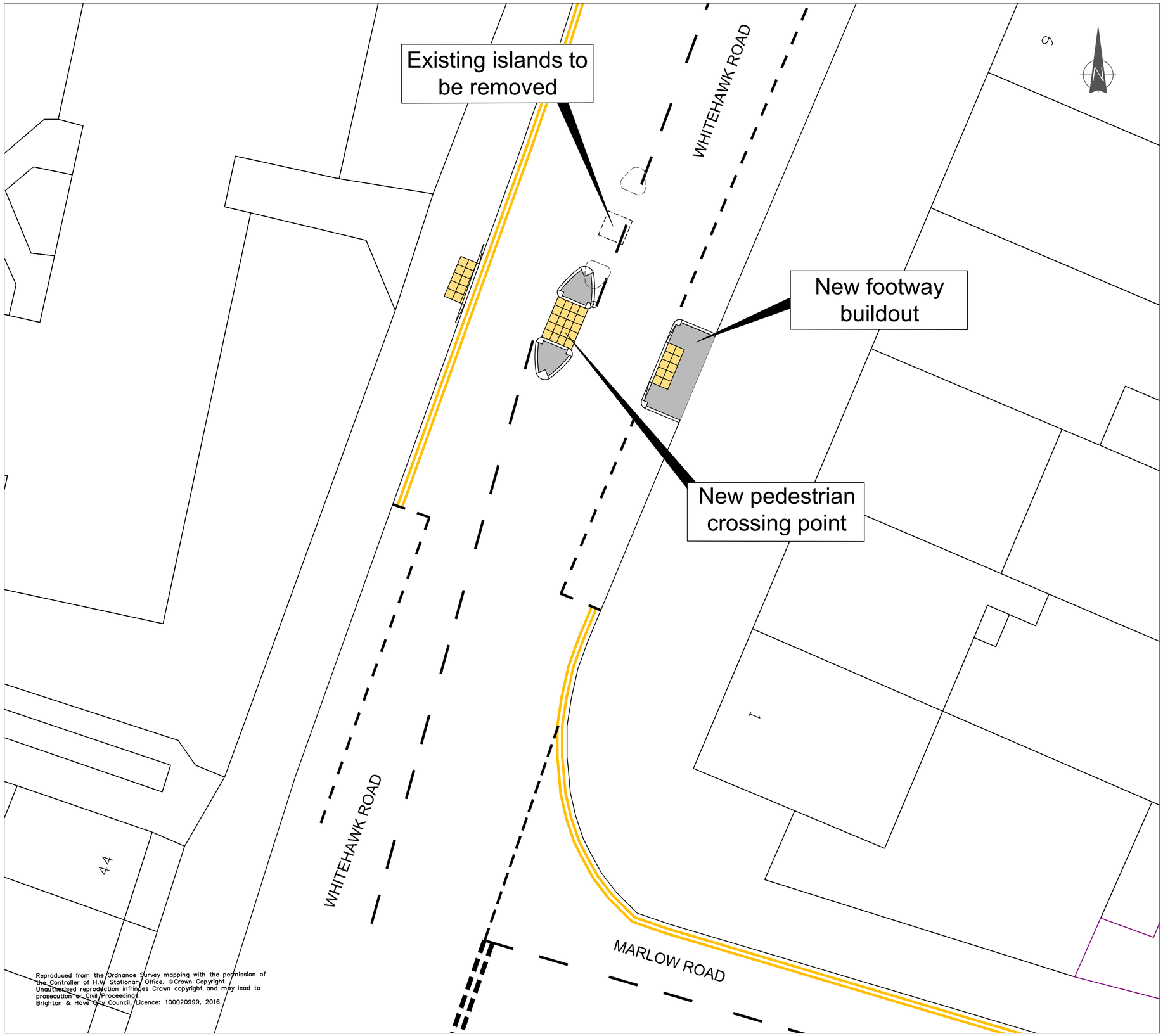

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INFORMATION	☑	SURVEY	☐	FEASIBILITY	☐
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Checked:		
Approved:		
File/Acad ref:	S:\	

Brighton & Hove City Council

Project Name

SAFE ROUTES TO SCHOOL

Drawing Title

WHITEHAWK ROAD / MARLOW ROAD GENERAL ARRANGEMENT

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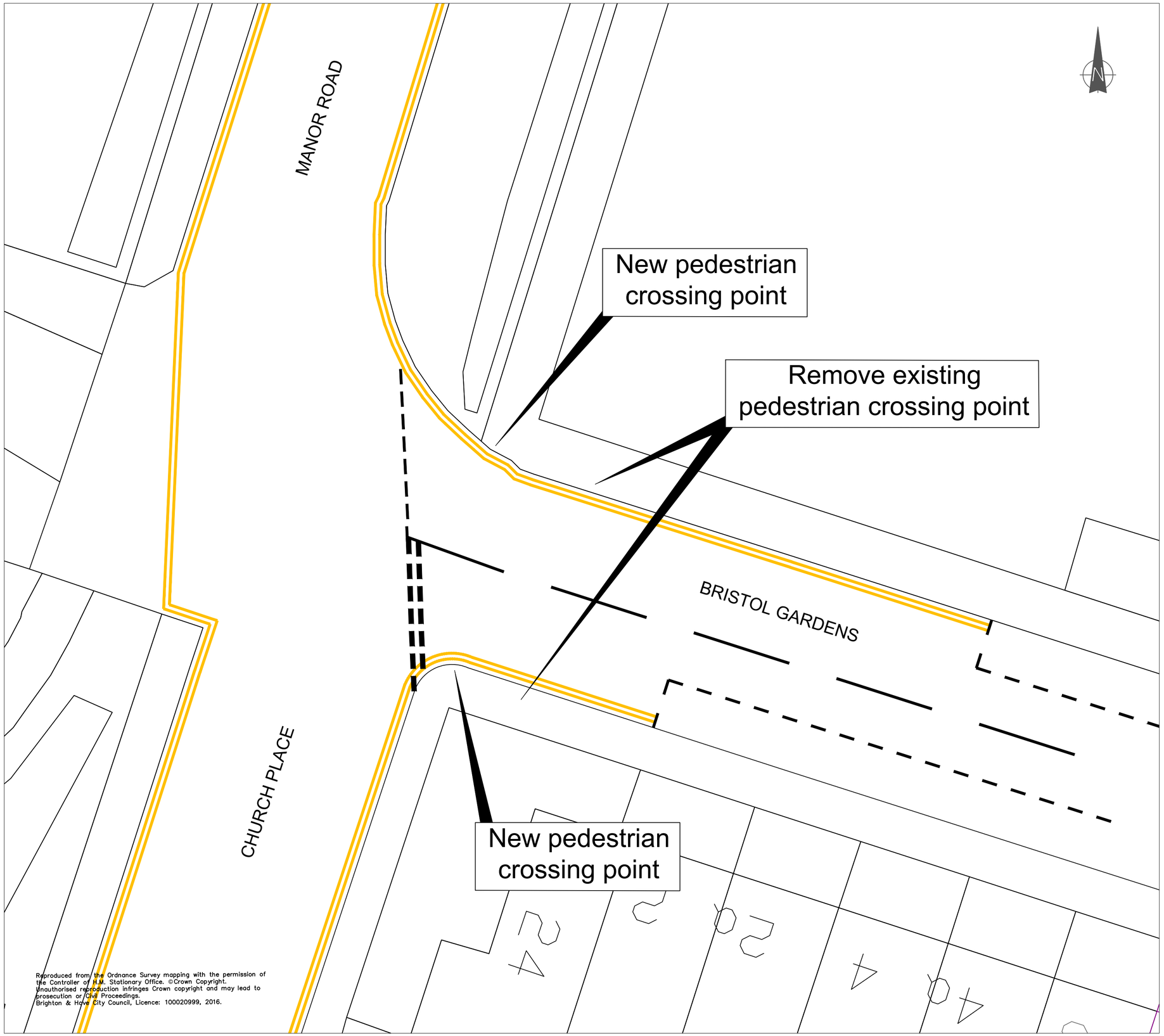

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Brighton & Hove City Council

Project Name

SAFE ROUTES TO SCHOOL

Drawing Title

CHURCH PLACE / BRISTOL GARDENS GENERAL ARRANGEMENT

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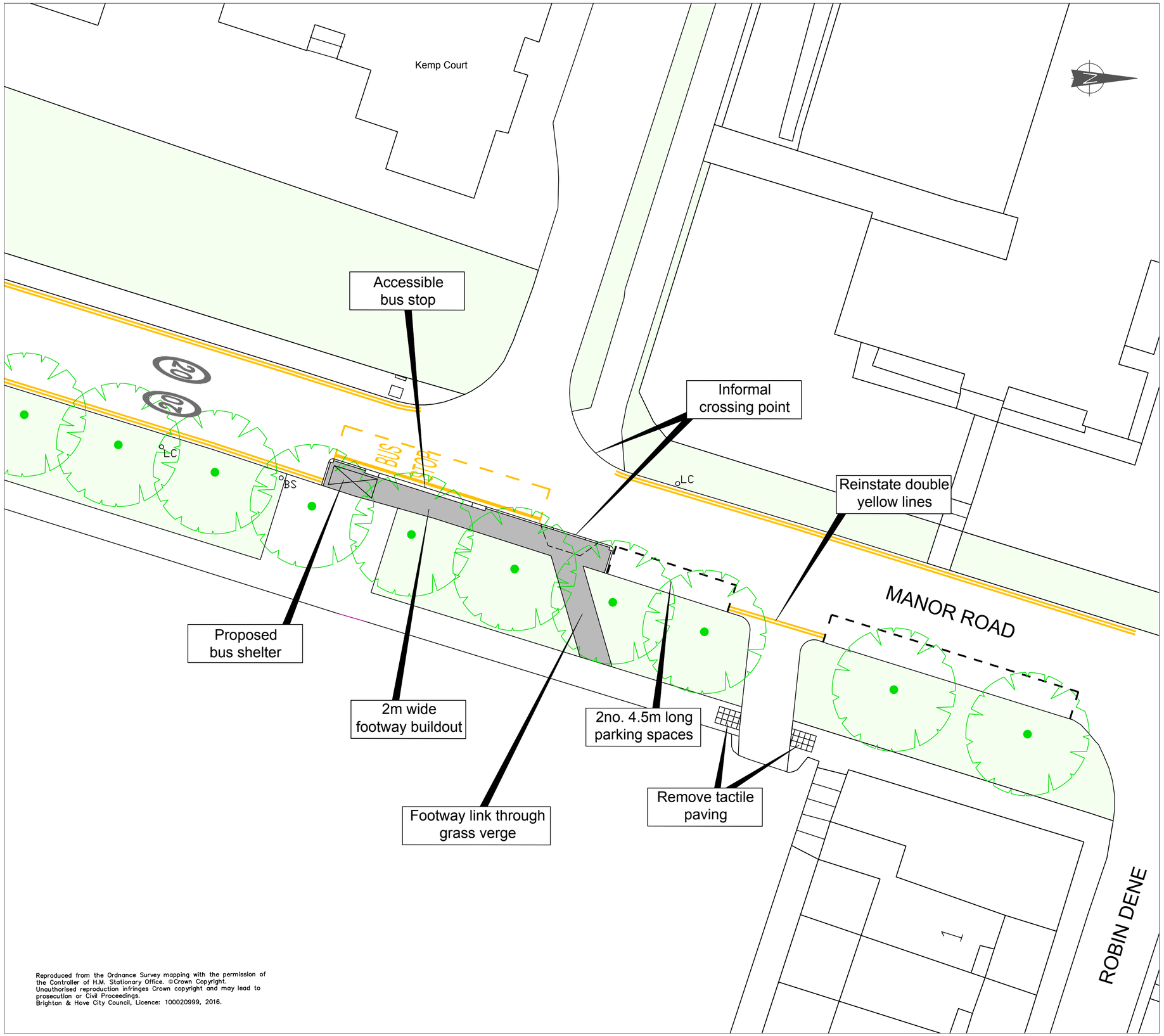

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Brighton & Hove City Council

Project Name

SAFE ROUTES TO SCHOOL

Drawing Title

MANOR ROAD GENERAL ARRANGEMENT

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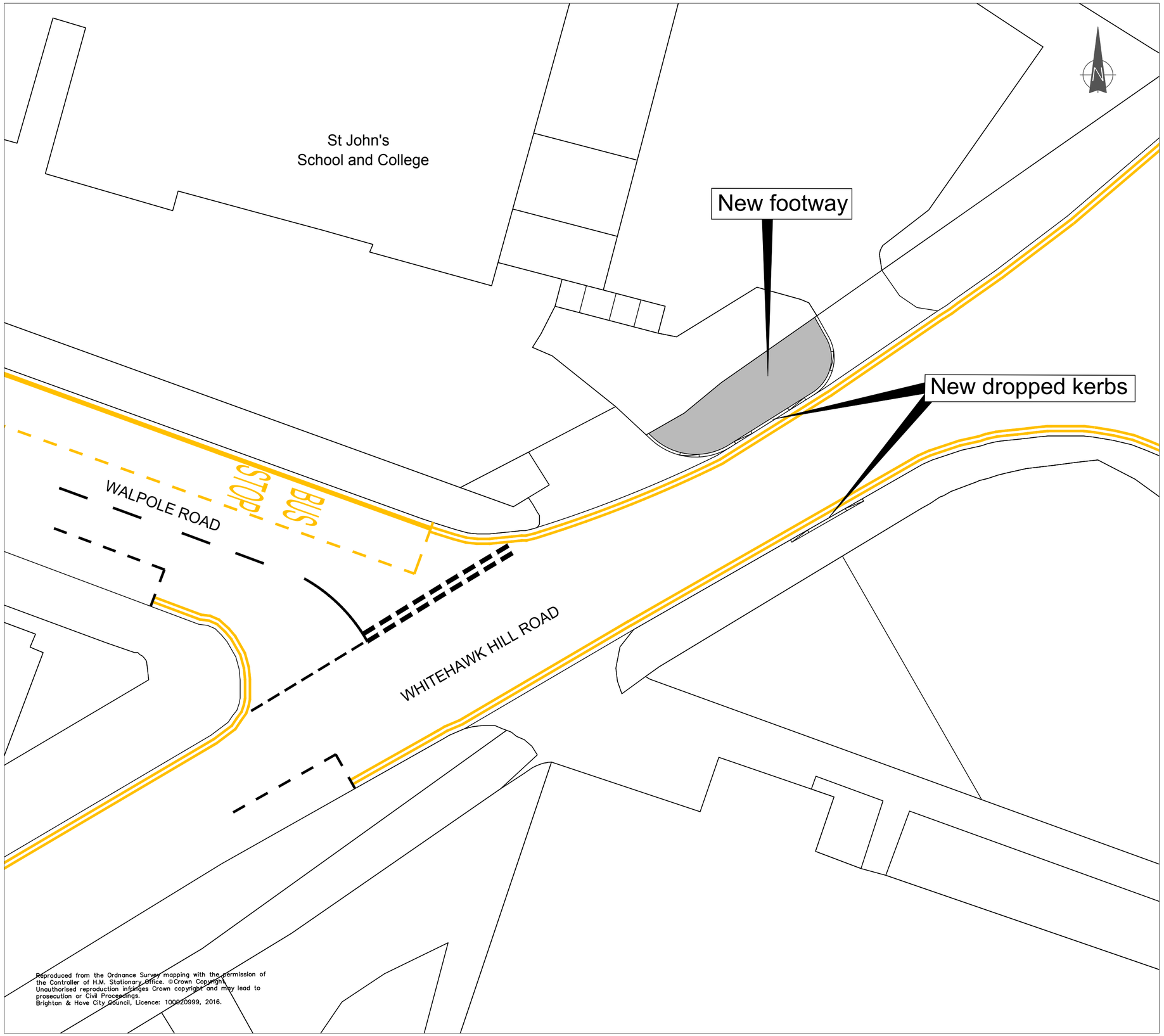

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Brighton & Hove City Council

Project Name

SAFE ROUTES TO SCHOOL

Drawing Title

WHITEHAWK HILL ROAD GENERAL ARRANGEMENT

Drawing No	Scale	Rev
SRTS/003	NTS	

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 53 Brighton & Hove City Council

Subject:		**Highway Asset Management Policy and Strategy**	
Date of Meeting:		**29 November 2016**	
Report of:		**Executive Director, Economy, Environment and Culture**	
Contact Officer:	**Name:**	**Christina Liassides**	**Tel: 29-2036**
	Email:	**Christina.liassides@brighton-hove.gcsx.gov.uk**	
Ward(s) affected:		**All**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report presents the Highway Asset Management Policy and Strategy (HAMS), developed by Brighton & Hove City Council over the previous two years, in line with requirements from the Department for Transport (DfT).

1.2 The purpose of the HAMS is to enable the Council to manage and maintain the City's highway network in a way that best meets the needs of the present without passing on unaffordable costs to future generations. The Council is also required to have an updated and approved HAMS in order to avoid financial grant funding reductions from Government that are worth £1.231M over the next 4 years (to 2020/21), with particular requirements that the HAMS must be based on long term forecasting of maintenance funding needs.

1.3 Brighton & Hove City Council's HAMS reflects the national context for local roads and other highway assets. Funding for all local highway authorities has reduced over several years with a subsequent impact on the condition of these assets and the cost to repair them. The adoption of an asset management strategy enables smarter working with the funding available.

2. RECOMMENDATIONS:

2.1 That Members approve the Highway Asset Management Policy at Appendix 1 and the Highway Asset Management Strategy at Appendix 2

2.2 That Members authorise officers to further develop proposals with the Highway Asset Management Strategy to facilitate progression through the DfT's Incentive Fund banding in order to secure additional maintenance funding.

2.3 That Members note that the HAMS will be regularly updated to include investment strategies for other highway infrastructure including footways, highway structures, drainage, street lighting and traffic control systems

3. CONTEXT/ BACKGROUND INFORMATION

Highway Assets

3.1 Brighton & Hove City Council's highway assets comprise:

- 624km carriageway
- 1024 km footway
- 25,903 lighting units (including subway lights, lit bollards, floodlights and illuminated signs)
- 375 sea-front structures, bridges, subways, retaining walls
- Traffic management systems including cameras, lights, crossings
- Street furniture including safety barriers, pedestrian barriers, bollards
- Signage and lining
- Grit bins
- Grass verges

3.2 The total Asset Value is £1.703bn. The biggest and most expensive assets are carriageways (£0.97bn); structures (£0.47bn); footways and cycleways (£0.17bn).

3.3 Brighton & Hove is a busy, compact city with extensive bus routes. This means that some B and C roads are as heavily trafficked as our A roads. It also means that many of our local roads carry heavier bus traffic than equivalent roads in other Local Authority areas.

A Highway Infrastructure Asset Management Strategy

3.4 Brighton & Hove's Highway Asset Management Policy and Strategy is a set of documents that establish how the Council will maintain the City's highway network to ensure that it is safe and reliable now and for the long term.

3.5 It also sets out how the Council's approach to maintenance will, as far as possible, underpin the Council's wider aspirations for economic growth, social equality, independent living and environmental sustainability.

3.6 Crucially, recognising the unprecedented financial challenges faced by all Council services, it considers how the Council can balance these needs within limited budgets both at the present time and over the long term.

3.7 The document acts as a record of the best evidence available at the time to support the Council's decisions. It therefore includes technical information on performance trends and forecasts that have been produced to inform the strategy.

Funding

3.8 Capital investment contributes towards maximising the life of the asset and is used for preventative maintenance, such as surface dressing of carriageways and for resurfacing/structural refurbishment.

3.9 Revenue budgets are used to repair or carry out some preventative maintenance on highway assets.

3.10 As a result of financial pressures across local government, the revenue budgets for most highway assets have been reduced in recent years.

3.11 The main revenue budget for these assets is the reactive maintenance one, which ensures the highway remains as safe as possible and is estimated to save circa £5 million in liability claims to the council.

3.12 The Council receives capital funding for highway maintenance primarily from the DfT through the LTP Block Maintenance Fund. Other opportunities are sought through bids for additional grant funding such as the Highway Maintenance Challenge Fund or through the Local Enterprise Partnership. The 'Invest to Save' borrowing proposal for street lighting forms an alternative approach.

3.13 The LTP Block Maintenance Fund forms the main source of highway maintenance funding. Funding is calculated using a Needs-based formula related to the length of carriageway, number of lighting columns and number of structures with a span greater than 1.5m.

3.15 The Incentive Fund was introduced in 2016/17. To maximise funding, councils need to demonstrate: approval of a highway infrastructure asset management strategy; input of stakeholders into the process; collaborative working with construction partners; standard specifications; joint contracts and collaboration with other local authorities.

3.16 Following a phased introduction over 3 years, 15.5% of total highway maintenance capital funding will be allocated through the Incentive Fund. BHCC's allocation for both Block Maintenance and Incentive Fund, depending on ranking, is:

	Block Maintenance (£)	Incentive Fund (£)		
		Band 3	Band 2	Band 1
2015/16	2,623,000			
2016/17	2,404,000	146,000	146,000	131,000
2017/18	2,332,000	218,000	196,000	131,000
2018/19	2,110,000	440,000	308,000	132,000
2019/20	2,110,000	440,000	220,000	44,000
2020/21	2,110,000	440,000	132,000	0

3.17 In 2016/17, BHCC scored itself in Band 1. This present edition of the HAMS (Appendix 2) contains detail on investment requirements for the City's carriageway surfaces. Alongside other work to achieve the Government requirements, this is sufficient to enable the Council to meet Band 2 requirements for 2017/18.

3.18 However, in order to progress to Band 3, or at least retain the current Band 2 status beyond 2017/18 the Council must extend the scope of the HAMS to cover other highway infrastructure including footways, highway structures, drainage and street lighting.

Actions to date

3.19 The Highway Maintenance section is responsible for delivering asset management across Transport. Roles within the team are not exclusive to asset infrastructure management alone; thus, the staff resource is still very small to cover the volume of work required.

3.20 Progress to date includes:

- Analysing and improving accuracy of data on highway assets, particularly carriageways and footways, in order to calculate the value of the assets, provide information for the Whole of Government Accounts and obtain an accurate picture of condition and likely deterioration of highway assets.
- Introduced specialist software and a data management plan to collect and manage data, enabling modelling and analysis of asset condition and deterioration and planning for optimum treatment interventions.
- Ensuring other aspects of the DfT's requirements are met such as analysis of customer feedback through NHT surveys and in-house reviews
- Produced an overarching asset management policy and first version of an asset management strategy focussing initially on the highest value asset (carriageways)
- Setting up a data management group across Transport to monitor and manage highway assets and to ensure accurate recording of any changes to highway infrastructure
- Undertaking regular detailed surveys to establish asset type and condition

Carriageways summary

3.21 Conclusions arising from analysis of the largest highway asset, the carriageway, are as follows (greater detail is contained within the Asset Management Strategy, Appendix 2):

- A detailed study of the entire road network has identified routes that are most critical to the well-being and economic resilience of the City. This is referred to as the Resilient Network and includes areas of economic growth, important routes for emergency services, routes that carry high volumes of traffic, HGVs and buses and also those where the condition of the road and associated infrastructure can have a major impact on residents and business in the vicinity. These are mainly the A, B and C roads.
- Evidence from condition surveys strongly indicates that the condition of the network as a whole has been declining since 2002/03 and at a faster rate since 2008/09
- The medium term (5 year) strategy is to make effective use of available capital budgets to hold back decline in the condition of the major road network whilst investing an average of 0.18M-0.24M in preventative treatments to secure longer term benefits for the unclassified roads. During this period, officers will continue to progress asset management for the majority of highway infrastructure, and will work with contractors and other partners to optimise best value for money.
- Analysis of the safety (reactive) repair regime has shown this to be good value for money by providing a cost effective means of addressing immediate safety risks on the network and this work will continue.
- There is no quick realisation of investment payback to provide a sound 'invest to save' borrowing case.

3.22 The decline in road condition is a national situation and an issue for all local authorities. Band 1 status is widespread across England, with many unitary authorities assessing themselves as Band 1. In the South East, the larger county authorities of Kent and West Sussex are in Band 1.

3.23 Locally within Brighton & Hove, the council has good strategies to deal with reactive maintenance, such as first-time permanent repairs rather than temporary pothole repairs, and these strategies are in place to progress us to Band 2.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The council could decide not to endorse a Highway Asset Management Strategy. However, this would mean that there was no long-term planning for highway infrastructure, making it harder to obtain best value within available budgets as well as losing capital funds year on year from the Department of Transport.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 A report was presented to ETS Committee in March 2015 raising awareness and setting out our general approach. The involvement of representative organisations of the Transport Partnership was also invited in November 2013

5.2 A update briefing for Members was provided in November 2015

5.3 Customer comments and feedback are reviewed regularly as part of the asset management strategy.

5.4 The Council participates in the annual National Highway and Transportation survey. In comparison with other Unitary Authorities the Council fares well with good levels of satisfaction for the condition of road surfaces and speed/quality of repair. In particular, the survey revealed that residents in Brighton & Hove believe that maintenance of roads, pavements and drainage should be the top priority when protecting Council budgets within transport and highways services. Only 3% of respondents believed that it is acceptable to reduce funding for roads, drainage and pavement maintenance which was the lowest level across all Council transport and highways services.

6. CONCLUSION

6.1 There is a need to invest in highway assets to avoid deterioration of the network and the impact that will have on the economic, social and environmental well-being of the city.

6.2 The case for adopting a positive approach to Highway Asset Management has been identified by DfT as the most efficient means of work planning over the longer term. DfT have provided an inducement to adopt asset management practices by introducing an Incentive Fund to be awarded to Councils following this approach.

6.4 It is proposed that the Council aims to manage the deterioration in the current condition of road surfaces by targeting resources as efficiently as possible, and, if funding permits, target improvement at key parts of the network. This could be via major schemes or through grant funding such as the Challenge Fund as well as via available Maintenance Block Funding.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 Costs associated with the delivery of requirements set out in the Highway Asset Management Policy and Strategy will be subject to available and approved revenue and capital budgets. The Policy and Strategy provides a framework to manage and maintain highways assets in a way that meets the city requirements and how to allocate available funding to achieve value for money.

7.2 It is anticipated that the Policy and Strategy will contribute to maximising the grant made available from the DfT and assist in making funding applications for external resources to deliver the identified requirements. Officers will continue to identify opportunities to maximise external funding sources. External funding is potentially an important source of income, but funding conditions need to be carefully considered to ensure that they are compatible with the aims and objectives of the council.

Finance Officer Consulted: Steven Bedford *Date: 09/11/16*

Legal Implications:

7.3 The Council as a highway authority has a statutory duty under the Highways Act 1980 to maintain publicly adopted highways. The actions detailed in this report will assist in demonstrating how the Council is allocating funds to enable it to comply with this statutory duty.

Lawyer Consulted: Stephanie Stammers *Date: 08.11.16*

Equalities Implications:

7.4 A well maintained highway provides a good level of service for all users but with particular impact on more vulnerable groups such as people with mobility difficulties, cyclists, etc.

7.5 When undertaking specific maintenance schemes the needs of the local community are considered from the outset to ensure accessibility for all.

Sustainability Implications:

7.6 Asset management planning enables optimisation of maintenance treatments, both in the longer-term and in yearly works planning, thus providing the most sustainable approach to maintaining highway assets, depending on the level of funding available.

7.7 Sustainable techniques are used during construction and repair such as using recycling materials. Contractors on the Councils framework are appointed on the basis of their contribution towards achieving the Council's One Planet Living targets.

Any Other Significant Implications:

7.8 These are set out in the Highway Asset Management Strategy document at Appendix 2.

SUPPORTING DOCUMENTATION

Appendices:

1. Brighton & Hove City Council Highway Asset Management Policy

2. Brighton & Hove City Council Highway Asset Management Strategy

3. Maintenance Treatment options

Documents in Members' Rooms

1. None

Background Documents

1. Highway Asset Management report to ETS Committee in March 2015

Appendix 1

Highway Asset Management Policy

What is the purpose of this document?

This document sets out the high level principles by which Brighton & Hove City Council will maintain the city highway network and associated assets over the short, medium and long term. As such it will guide the development of our Highway Asset Management Strategy and the options that we consider for securing the long term sustainability of the network.

Scope

Brighton & Hove City Council is responsible for maintaining 624km of highway road network with 1026km of pavements. This policy covers the following infrastructure assets associated with the highway network:

- Carriageway and footway surfaces
- Surface water drainage infrastructure associated with highways
- Bridges, coast defence structures, cliffs and other highway retaining walls and subways
- Street lighting and traffic control systems
- Signs, bollards and other street furniture

Policy statement

Effective asset management will be at the heart of the Council's approach to maintaining Brighton & Hove's highway infrastructure and will reflect the core principles within the Corporate Plan, namely:

- ***Public accountability:*** Using the best evidence locally and nationally to drive our decisions on investment in our highway infrastructure and demonstrate value for money. In doing so we will encourage creativity and alternative approaches to find solutions to the challenges that we face.
- ***Citizen focused:*** By focusing on improving the real world outcomes of our services and the condition of our highways for the people who use them and those who live and work by them.
- ***Increasing equality:*** By considering how the overall condition of our highways and our approach to maintenance affects people with different personal circumstances and by recognising the important role that our highways play in enabling people to live independent lives
- ***Active citizenship:*** By informing and engaging with communities and partnerships on our long term options for investment and demonstrating how we have responded to their views in choosing our strategy.

We will also continue to fulfil our obligations set out in legislation (as summarised in the **Annex**) and have regard to national guidance and Codes of Practice in determining our approach to highway asset management.

Principles

1. Our first priority is to minimise risks to the safety of people using Brighton and Hove's highway network or who live and work nearby.
2. We recognise that our aspirations for the economy, community safety and resilience, health and well-being and environmental sustainability are dependent on the maintenance of a highway network that is resilient to major risks such as extreme weather events. We will prioritise routine and preventative maintenance operations on key routes (the 'Resilient Network') that enable us to reduce these risks over the long term.
3. Highway assets have long service lives and decisions that we make now about how we maintain these will affect the economic and social well-being of future generations. We will adopt the principle that decisions on budgets for highway maintenance must not result in unaffordable costs being passed on to future generations. This principle will reflect our UN Biosphere Reserve status.
4. We recognise that a well-maintained public realm can underpin our aspirations to attract inward investment, quality housing and sustainable transport. We will adopt an holistic approach to planning for highway maintenance alongside new infrastructure proposals to ensure budgets are targeted to achieve the greatest benefit for residents, businesses and visitors to Brighton and Hove.
5. We will support our objective for a sustainable economy by adopting a long term approach to maintenance planning in order to minimise disruption to traffic, residents and businesses over the whole life of our highway infrastructure. We will also develop medium term (3-5 year) programmes of work that enable us to co-ordinate works in a way that will minimise disruption to traffic.
6. We will select long term maintenance investment options on the basis of evidence that they will deliver high value for money for the Council and residents and businesses in Brighton and Hove. We will maintain accountability in developing our programmes of work by regularly reviewing and publishing the criteria for prioritising and selecting scheme proposals.
7. We will also monitor shortfalls in long term budgets for maintenance and manage risks arising from these shortfalls through the corporate risk management framework.
8. We will listen to the views of our residents and businesses when considering the allocation of transport budgets for maintenance and provide feedback to demonstrate how we have responded to those views.
9. We will continue to develop relations with our local contractors and the SE7 Highways Alliance to draw on their expertise and Research &Development in identifying new solutions that will reduce whole life costs, consumption of primary raw materials and other environmental impacts of our highway assets. We will also disseminate our own innovation and best practice through other Local Authority alliances.
10. We will establish all necessary protocols to ensure that our asset information and systems are fit for the purposes of supporting the principles listed above.

Policy Annex

Overarching legal requirements

Legislation	Requirements
Highways Act 1980	The Council has a duty to maintain public highways in the city and must take all reasonable action to keep them in a safe condition.
Road Traffic Act 1988	The Council has a duty to promote road safety, to undertake studies into the causes of accidents involving vehicles and to carry out measures to reduce the risk of accidents
Local Government Act 1999	The Council has a duty to deliver best value in its services and to consult with users of those services on the approach to delivering best value.
Civil Contingencies Act 2004	The Council has a duty as Category 1 responder to assess major risks and plan for emergencies including those associated with transport infrastructure. This may include preventative actions to reduce or mitigate those risks.
Traffic Management Act 2004	The Council has a duty to take all reasonable action to reduce disruption to traffic on the network in particular as a result of road works.
Flood and Water Management Act 2010	The Council has a duty as Lead Local Flood Authority to investigate the causes of flooding and to undertake measures to reduce flood risk.

Other legislation affecting the Council's highway maintenance service

Requirements	Implications for highway maintenance service
Equality	The Council must not discriminate against any individuals or groups through its activities on the basis of identified characteristics such as gender, race or religion. The Council must take all reasonable action to mitigate any aspect of its highway service that puts people with identified characteristics at a disadvantage and to identify opportunities

Requirements	Implications for highway maintenance service
	to advance equality of opportunity.
Health and Safety	The Council has a duty of care to protect the safety of the public, its employees and operatives through its management of the highway network, design and delivery of highway maintenance operations. The Construction Design and Management Regulations 2015 clearly set out the duties of the Council and its contractors in relation to highway works.
Environmental Protection	The Council has a number of duties under the Environmental Protection Act 1990 relating to management of waste and minimising noise and pollution from highway maintenance activities.
Natural environment	The Wildlife and Countryside Act 1981 places restrictions on the timing of maintenance activities where they impact on natural habitats. It also places a duty on the Council to ensure that invasive non-native plants are not spread through maintenance and construction activities (such as transporting of contaminated soil). The Noxious Weeds Act 1959 requires the Council to control the spread of injurious weeds on highways and prevent its spread onto adjacent agricultural land. The Biodiversity Duty (Natural Environment and Rural Communities Act 2006) requires the Council to show regard for conserving biodiversity through its highway operations. The EU Water Framework Directive (Directive 2000/60/EC) places requirements on member states to achieve quality standards for inland watercourses
Coast Protection Act 1949	Designates the council as a Coast Protection Risk Authority, which gives powers (not duties) to take measures to protect the coast

Appendix 2

Brighton & Hove City Council Highway Asset Management Strategy

1. Introduction

1.1 What is the purpose of this document?

1.1.1 Brighton & Hove's Highway Asset Management Strategy sets out how the Council will maintain the City's highway network to ensure that it is safe and reliable now and in the future.

1.1.2 It also sets out how the Council's approach to maintenance will, as far as possible, underpin the Council's wider aspirations for economic growth, social equality, independent living and environmental sustainability.

1.1.3 Crucially, recognising the unprecedented financial challenges faced by all Council services, it considers how the Council can balance these needs within limited budgets.

1.1.4 However, planning for maintenance of highway infrastructure requires a long term view. Decisions made by the Council now will affect the ability of future generations to afford the levels of service that we are able to deliver at the present time. The HAMS therefore clarifies the long term implications of funding strategies for future levels of service.

1.1.5 Overall the purpose of the strategy is also to ensure that the Council can adhere to the principles within the Highway Asset Management Policy.

1.2 What is in this document?

1.2.1 The document acts as a record of the best evidence available at the time to support the Council's decisions.

1.2.2 It clarifies how the Council's maintenance services support wider objectives and draws on evidence of public opinion to inform priorities for expenditure. It also provides technical information on performance trends and forecasts that have been produced to inform the strategy.

1.2.3 At the core of the HAMS is the idea of lifecycle planning. The purpose of lifecycle planning is to identify the mix of treatments that will deliver the Council's objectives for the highway network at the lowest cost over the long term. In turn, lifecycle plans inform the Council's objectives by presenting what can be achieved within the tough financial constraints faced by the Council.

1.2.4 The main body of this document is therefore devoted to lifecycle plans for specific infrastructure types recognising that specific technical considerations will differ between, for example, carriageway surfacing and bridge maintenance.

1.2.5 The Highways Asset Management Strategy is intended to be a 'living' document. The document, or sections within it, will be reviewed or updated at least on an annual basis to

ensure that the Council is able to make strategic responses to new opportunities or risks and that the strategy itself reflects the best evidence available.

1.3 Outline of the document

1.3.1 Sections 2 and 3 outline the high level issues affecting our whole highway infrastructure. Section 2 briefly identifies the links between highway maintenance and wider Council objectives and draws on evidence of the views of Brighton & Hove's residents to inform our priorities for highways maintenance. Section 3 describes the outlook for funding of maintenance. This will include a brief discussion of alternative sources of funding and the contexts in which the Council will consider their use.

1.3.2 Sections 4-10 set out the investment strategies for each key asset group in turn. These are:

Section 4	Carriageway surfaces
Section 5	Footway surfaces
Section 6	Bridges, coastal defences and other structures
Section 7	Highway drainage
Section 8	Street lighting
Section 9	Traffic control systems
Section 10	Street furniture (including safety barriers, signs and bollards)

1.3.3 Section 11 summarises the medium term allocations for each asset type as described in the strategy.

1.3.4 In the current edition only Section 4 on Carriageway surfaces is covered in detail. Further work is required to develop plans for the other asset groups and the timescales for review are set out in each section.

1.3.5 Each investment strategy will cover the following themes:

1. How much asset have we got?
2. What are we trying to achieve and what are the long term demands for the assets?
3. What is our current level of service and is it getting better or worse?
4. How are we managing our assets currently?
5. What do we need to do to maintain the current level of service at the lowest cost?
6. How will the level of service of the asset change in future with currently available funding?
7. What is the best approach to deliver our objectives with available funding options?

1.3.6 Throughout the document colour coding of tables is used to assist with locating key pieces of information:

- Conclusions and summaries are provided in buff coloured boxes.
- Financial information is provided in blue coloured tables
- Red coloured boxes provide action plans and timescales for review and update of information in the corresponding section
- All other types of information are contained in green tables

2 What are we trying to achieve from our highway network?

2.1 Council objectives for the City's transport system

2.1.1 Highway maintenance underpins the Council's objectives for a sustainable transport system in the City. Table 2.1 below shows the links between highway maintenance and the objectives in the Brighton & Hove Local Transport Plan. These links provide a guide to enable the Council to prioritise maintenance expenditure within limited budgets.

Table 2.1 The contribution of highway maintenance to wider Council transport objectives

Objective	How does maintenance contribute?
Road safety	The core aim of the HAMS is to ensure the safety of road users and people who live and work adjacent to the highway. This drives the prioritisation of maintenance operations within limited budgets.
Resilience	Preventative and routine maintenance are fundamental to the resilience of the City's economy and communities particularly in the face of the growing risk of extreme weather events with climate change. The costs of routine maintenance of highway drainage are far outweighed by the social, economic and environmental costs of traffic disruption and flooding to properties if they are not maintained.
Sustainable economic growth	Market forecasts indicate that the highway network will continue to be the predominant means by which people travel even as we move towards a carbon free economy beyond 2050. Therefore long term decisions on maintenance investment are vital for the sustainability of the economy of the city and the region.
Equality of opportunity	Well-maintained pavements are vital for enabling people with mobility impairments to continue to live independently and poor condition of pavements can be a material issue for many people when considering how or if they can access a shop or service.
Promoting sustainable transport modes	Highway maintenance directly affects levels of cycling and walking. Evidence from surveys suggest that poor condition of roads is one of the primary factors that can deter people from actually choosing to cycle and that this factor is at least as significant as the positive effect of new cycling infrastructure.

2.1.2 Individual asset investment strategies in sections 4-10 will identify specific prioritisation objectives for different asset types and demonstrate how they will contribute to the Council's wider objectives above.

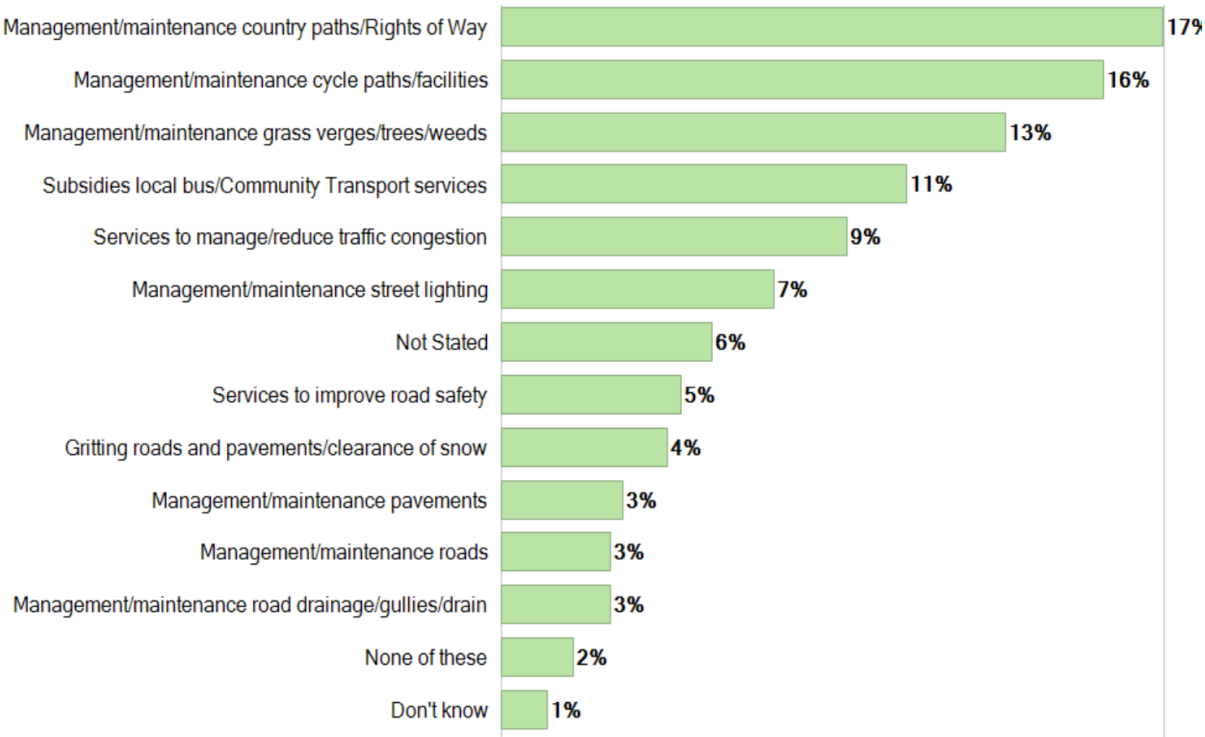
2.2 What do Brighton & Hove's residents say?

2.2.1 Since 2011 the Council has participated annually in the National Highways and Transport Survey (NHT) which is a public survey of satisfaction with highways and transport services specific to the Council's highway network. The latest available data comes from the 2015 survey.

2.2.2 Compared to the national picture, Brighton & Hove's residents express higher than average satisfaction with the condition of highways. However, there were many more respondents that believe that the condition of highways has got worse between 2014 and 2015 (35%) than those that believe that it has improved (9%).

2.2.3 It is clear from the NHT surveys that people in Brighton & Hove regard highways maintenance as one of the most important transport issues in the City alongside road safety and local bus services. In particular, the survey revealed that residents in Brighton & Hove believe that maintenance of highways should be the highest priority when protecting Council budgets within transport and highways services. Figure 2.2 compares the percentage of respondents that believe it is acceptable to reduce budgets for each aspect of the Council's highway and transport service.

Figure 2.2 Percentage of NHT survey respondents in Brighton & Hove that believe it is acceptable to reduce budgets for each aspect of the Council's highway and transport service



1.2.4 Only 3% of respondents believed that it is acceptable to reduce funding for roads, drainage and pavement maintenance which was the lowest level across all Council transport and highways services. This compared to 9% for services to reduce congestion and 11% for local bus subsidies.

Conclusions

With future updates to the HAMS the Council will draw on available evidence to quantify wider economic and social impacts of highway maintenance in order to identify where improvements in levels of service may be desirable or conversely if lower levels of service are acceptable in some cases.

In view of the evidence of the views of Brighton & Hove's residents in the NHT survey the Council will aim to prioritise transport budgets to minimise any decline in the condition of the highway network as a whole recognising the overall pressure on Council's budgets.

3. Funding of maintenance

3.1 Capital funding

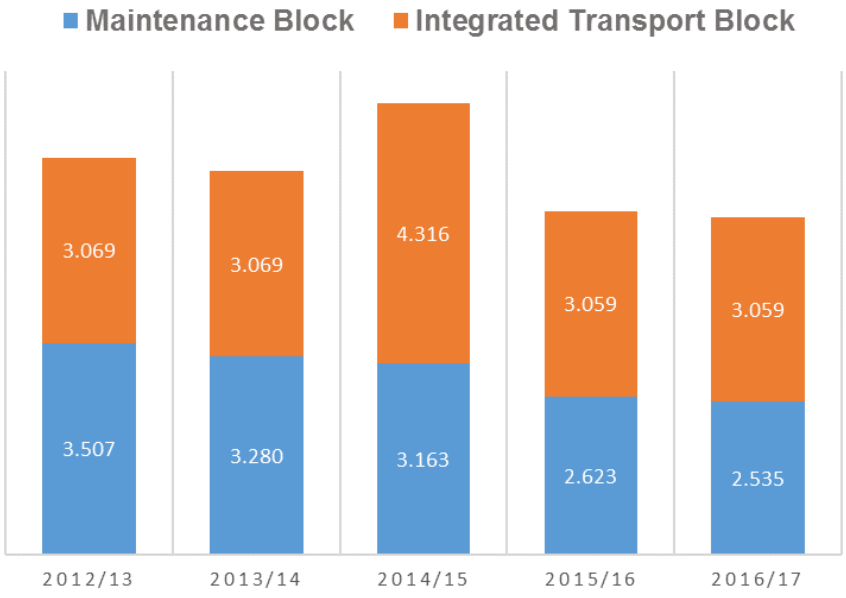
3.1.1 Capital funding can be used for maintenance operations that either restore the functioning of an asset – for example road resurfacing – or prolong the life of an asset in its current state – for example renewal of bridge deck waterproofing. Further details on how these are defined for individual asset types are provided in Sections 4-10.

3.1.2 Funding for the Council's capital expenditure for Local Transport Plan initiatives comes primarily from central Government grants. This funding comes in two blocks, one for maintenance of all highway assets and one for transport improvements (referred to as Integrated Transport Block). Funding is quoted separately in these two blocks because the Department for Transport uses separate formulae to calculate these amounts. However, there is no requirement for the Council to allocate funding according to these definitions and it is for the Council to decide how this should be spent according to its priorities.

3.1.3 In recent years the Council has used only the maintenance block and other supplementary grants for maintenance, although occasional schemes within the Integrated Transport Block have also included resurfacing of an existing carriageway or footway. For 2016/17, the Council allocated a slightly greater proportion of the overall fund to maintenance compared to transport improvements.

3.1.4 Since 2012/13 the amount of maintenance capital funding that the Council has received from DfT has reduced by nearly £1M as Figure 3.1 below shows.

Figure 3.1: Capital allocations under maintenance (blue) and Integrated Transport (orange) since 2012/13



3.1.5 Table 2.1 on the following page shows the central Government funding that the Council will receive for the next 5 years.

3.1.6 The Department of Transport has also introduced an incentive mechanism to encourage sustainable asset management and efficiency in highways services. The Council undertakes an

annual self-assessment of its performance through which it is allocated to an incentive band. Band 3 Councils will continue to receive the highest level of grant funding available whilst grants to Band 1 and Band 2 Councils will gradually reduce over the next 5 years. The bottom three rows of Table 2.1 show these three scenarios. It is anticipated that the Council will achieve Band 2 status in 2017/18.

3.1.7 For 2016/17 and 2017/18 the Council will receive a grant specifically for the Shelter Hall reconstruction scheme following a successful bid for the Department for Transport's Challenge Fund.

Table 2.1 Capital funding for Local Transport Plan initiatives (£M)

	2016/17	2017/18	2018/19	2019/20	2020/21
Integrated Transport Block	£ 3.059	£ 3.059	£ 3.059	£ 3.059	£ 3.059
Maintenance Block	£ 2.404	£ 2.332	£ 2.110	£ 2.110	£ 2.110
Challenge Fund (Shelter Hall scheme)	£ 3.817	£ 3.425			
Total	**£ 9.280**	**£ 8.816**	**£ 5.169**	**£ 5.169**	**£ 5.169**
Plus one of the incentive payments below dependent on Council performance					
Band 1 incentive	£ 0.131	£ 0.131	£ 0.132	£ 0.044	£ -
Band 2 incentive	£ 0.146	£ 0.196	£ 0.308	£ 0.220	£ 0.132
Band 3 incentive	£ 0.146	£ 0.218	£ 0.440	£ 0.440	£ 0.440

3.2 Revenue funding

3.2.1 Council revenue is funded through Council tax, business rates and central Government grants. Revenue spending for highways services covers reactive and emergency repairs to highway infrastructure as well as street lighting energy costs, premises and depot costs, staff and salaries, repayments on borrowing and also payments against third party claims.

More specifically, revenue budgets also cover safety inspections which are vital to the Council's management of risk and defence against third party claims.

3.2.2 As with all local authorities, due to reductions in Government grants, the Council's budgets are under pressure. Brighton & Hove City Council has committed to reduced revenue expenditure within the highway preventative and safety maintenance budgets. These two budgets fund repair or renewal of essential highway infrastructure including roads, pavements, safety barriers, drainage, skid resistance, guard rails, bollards, ironwork and other types of essential street furniture.

3.3 Other funding sources

3.3.1 Developer contributions

3.3.1.1 The Council is able to fund infrastructure improvements associated with developments using Section 106 agreements with developers.

3.3.1.2 There is very limited scope to use Section 106 agreements for capital maintenance projects unless the infrastructure requires redesign to support increased traffic or traffic loading to a new development site. An example would be strengthening of a bridge to allow HGV traffic to enter a site. For this reason Section 106 agreements are not considered further at a strategic level for long term maintenance funding.

3.3.2 Local Growth Funding

3.3.2.1 The Coast 2 Capital Local Transport Body has devolved powers to manage major investments in transport infrastructure in the region through the Local Growth Fund. There are opportunities for the Council to develop business cases for funding of major maintenance on corridors identified by the LTB as critical to the economic prospects for the region. These include routes such as the A23, A270, A259 and other routes connecting to major development areas such as the Seafront, Valley Gardens and the New England Quarter.

3.3.2.2 However, such investments are 'one-off' and can only deliver value for money if they are underpinned by an on-going commitment to funding that will sustain the infrastructure in its improved state. If this commitment cannot be made then large scale investments may increase the risk of a future 'shock wave' of maintenance liability for future generations.

3.3.3 Prudential Borrowing

3.3.3.1 Councils are able to access financing of investments in infrastructure from the Public Works Loan Board (PWLB) where it is demonstrated that the investments provide greater benefits to the economy than the cost of repayments. It also must be demonstrated that the Council can afford the repayments. A business case is currently being considered by the Council for investment in replacement of street lighting lanterns with LED which will provide substantial savings in energy costs and wider environmental benefits.

3.3.3.2 Given the unprecedented financial challenges faced by the Council, further consideration of this option requires us to identify where investments could quickly release pressure on revenue budgets for a sustained period. Financing options are discussed further in relation to individual asset types in sections 3-8.

Conclusions

Funding for planned highway maintenance has reduced significantly since 2011/12. Individual lifecycle plans in Sections 4-10 will identify the extent to which these reductions present threats to the sustainability of the City infrastructure.

There are alternative sources of funding that are appropriate for large scale infrastructure renewals where they will achieve specific economic objectives. However, these cannot replace the need for continued annual maintenance programmes to sustain the condition of the network as a whole.

4. Carriageway Surfacing Investment Strategy

4.1 How much carriageway asset do we have?

4.1.1 Brighton & Hove City Council is responsible for managing 624km of roads. Table 4.1 below summarises the length of roads in each road class:

Table 4.1 Road lengths in Brighton & Hove

Road class	Length
A Class Roads	59.6 km
B Class Roads	22.9 km
C Class Roads (Minor Roads)	46 km
Unclassified (Local) Roads	495.9 km
Total	**624.4 km**

4.1.2 Brighton & Hove is a busy, compact city with extensive bus routes. This means that some B and C roads are as heavily trafficked as our A roads. It also means that many of our local roads carry heavier bus traffic than equivalent roads in other Local Authority areas.

4.1.3 In terms of quantity, carriageway surfaces are the largest physical asset managed by the Council, and therefore have the highest value of all the assets. For this reason changes in the condition of carriageway surfaces across the network can lead to significant and long term financial consequences for the Council.

4.2 What do we need to achieve from our carriageway surfaces?

4.2.1 Road safety

4.2.1.1 There is no legal standard for the physical condition of carriageways with which Local Authorities in England must comply. The Council, as with all English Highway Authorities, must balance expenditure on carriageway maintenance with other vital Council services. This involves understanding the risks that deterioration in carriageway condition poses to road users and residents in different circumstances.

4.2.1.2 A new national Code of Practice emphasises that Highway Authorities should adopt a formal process for assessing and responding to risk through planned and reactive maintenance. The Council has updated its policies for highway inspection and repair and management of skidding risk which provide the technical detail of the Council's risk assessment and response policies.

4.2.1.3 Brighton & Hove has amongst the lowest road accident rates per capita in England and annual accident rates have continued to decline over recent years.

4.2.1.4 In order to sustain this low level with limited budgets we will use a comprehensive asset risk register that will enable us to prioritise reactive and planned maintenance where road users are likely to be more vulnerable to safety defects, such as at busy junctions with high levels of HGV traffic.

4.2.2 Resilience

4.2.2.1 The Council has undertaken a detailed study of the entire road network to identify routes that are most critical to the well-being and economic resilience of the City. This is referred to as the Resilient Network and includes important routes for emergency services, routes that carry high volumes of traffic and buses and also those where the condition of the road and associated infrastructure can have a major impact on residents and business in the vicinity.

4.2.2.2 Of the routes identified within the Resilient Network the condition of carriageway surfaces is most likely to affect the reliability of those that carry the highest levels of traffic and in particular HGVs and buses on the A, B and C roads.

Carriageway surfaces: Resilience objective

Our objective is to minimise the risk of sudden failures that lead to disruption to traffic on the A, B and C roads identified within the Resilient Network. In order to achieve this the Council will prioritise the use of budgets for planned maintenance on these roads with a focus on resurfacing of whole sections to reduce variability in condition and improve long term reliability for road users.

4.2.3 Sustainable economic growth

4.2.3.1 The Coast 2 Capital Local Enterprise Partnership, which has been established to promote economic growth in the wider region, has identified key development areas within Brighton & Hove that are vital to growth across the region, namely:

4.2.3.2 In support of these proposals the Council's Local Transport Plan emphasises the importance of promoting sustainable transport options along routes to these areas including cycling.

4.2.3.3 Major routes linking these areas include the A23, A259 and A270 as well as other roads that currently carry less traffic but that will experience greater levels of construction traffic in particular as a result of development proposals in these areas.

Carriageway surfaces: Sustainable economic growth objective

The objective for routes supporting the strategic development areas is to ensure a high standard of ride quality for road users. On routes with high numbers of HGVs and buses the use of localised patch repairs results in poor ride quality and rapid deterioration of the surface of the road and so a greater emphasis on resurfacing of complete sections of road on these routes is needed in order to achieve this.

4.2.4 Promoting sustainable transport modes

4.2.4.1 Two key objectives of the Local Transport Plan are to reduce carbon emissions from transport and also to promote healthier lifestyles by increasing levels of active travel. Promotion of cycling is a key element in achieving both of these objectives.

4.2.4.2 Recent studies of travel choice highlight the quality of road surfaces as one of the most significant factors in deterring or encouraging people to cycle particularly where off road routes are not available.

Carriageway surfaces: Sustainable transport objective

To seek to maintain and improve ride quality on roads that have high levels of cycling and

those identified as gaps within the cycle network (such as Old Shoreham Road and Marine Parade). On routes with high traffic volumes the focus will be on treatment of whole sections to obtain an even ride quality.

On local routes with high cycle flows this can be achieved by the use of larger scale patching in preference to localised pothole repairs where large numbers of defects or utility reinstatements affect the line of travel of cyclists.

4.3 What is the long term demand for our carriageways?

4.3.1 Decisions that the Council takes now will affect the performance of our carriageway surfaces for 30 or 40 years into the future.

4.3.2 In that time vehicle technology and travel behaviour will certainly change, although it is difficult to predict exactly how.

4.3.3 A major focus of research and development and Government transport strategy is on the use of intelligent transport systems and artificial intelligence to make more efficient use of road space than humans are currently able to do, through driverless car technology and vehicle platoons. Platooning technology in particular will enable an increase in the density of traffic on key routes with implications for increasing the rate of deterioration of the carriageway surface and structure.

4.3.4 Given this focus it is highly likely that carriageways will continue to be the primary means for getting around in Brighton & Hove for at least the life span of most resurfacing schemes carried out in the next 5-10 years. It is therefore crucial to continue to evaluate the long term sustainability of investment options for carriageways although this also means adopting a proactive approach to the uptake of innovative new methods and materials that will enable us to meet long term demands at lower cost and lower environmental impact.

4.4 What is the current level of service and is it getting better or worse?

4.4.1 How do we measure the level of service for carriageways?

4.4.1.1 The Council measures the level of service of our roads differently for different classes.

4.4.1.2 For A, B and C Roads (collectively referred to as the major roads) the Council uses a machine survey called Scanner to measure surface condition. Table 4.4.1 below summarises the aspects of the road surface condition that the Scanner survey measures.

4.4.1.3 These four measures are combined to provide an overall score of road condition. Any sections of road with a score greater than 100 are defined as being in poor condition. The level of service is then measured as the percentage of the length of roads in poor condition. The Council reports these separately for A roads and then for B and C roads together.

Table 4.4.1 Measures of road condition for the major roads

Condition measure	Why do we measure it?
Ride quality	Ride quality is a key aspect affecting the road user perception of the quality of the road.
Surface	This provides us with an indirect measure of the level of friction on the

texture depth	surface to prevent the risk of skidding
Cracking	The amount of cracking on the road tells us how likely the road is to deteriorate in condition in the short and medium term. The presence of cracking may indicate structural failures.
Rutting	Rutting is deformation or subsidence of the road surface in the wheel track. In extreme cases rutting can present a hazard to traffic and cyclists particularly when making turning movements at junctions

4.4.1.4 For unclassified (local) roads the Council uses a visual assessment method referred to as Coarse Visual Inspection (CVI) which is carried out from a moving vehicle. This provides information on different types of defect present and their extent. The Council surveys one quarter of the unclassified roads each year.

4.4.1.5 These defects are then weighted according to their importance and combined to provide overall scores for the condition of the surface and the structure of the road. Sections of road with a surface condition score of greater than 60 or a structural condition score of greater than 85 are defined as being in poor condition. As with the major roads, the Council reports the level of service as the percentage of the length of roads in poor condition.

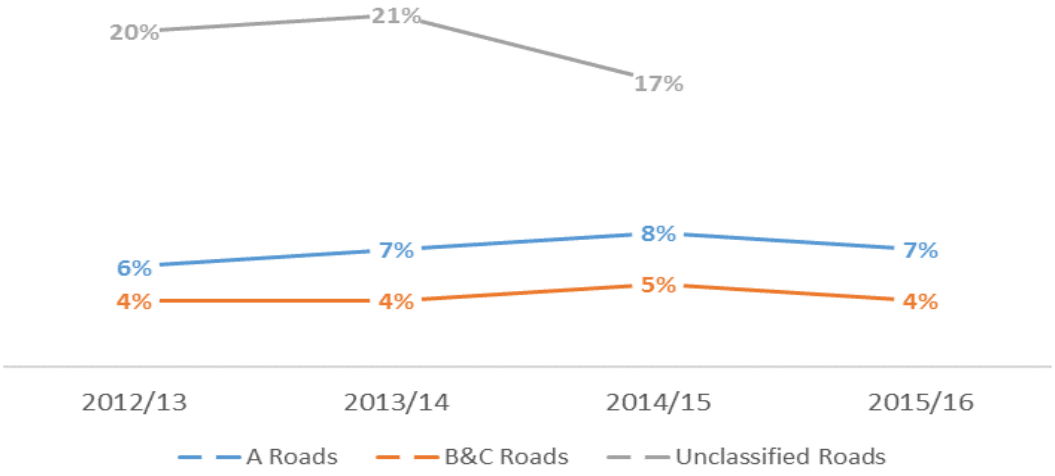
4.4.2 Condition trends

4.4.2.1 Figure 4.4.2 shows the recent trends in the level of service for A roads, B and C roads and unclassified roads.

4.4.2.2 Due to the nature of the surveys, within a relatively short period of assessment it is difficult to draw definite conclusions about the changes in the condition of A, B and C roads as many of the in-year changes are within typical margins of error for Scanner surveys (1.5%) although there appears to be worsening trend in the condition of A Roads since 2012.

4.4.2.3 Likewise, for the Unclassified road condition it is not possible to draw a firm conclusion about the trend from the available data in spite of the apparent 4% reduction from 2013/14 to 2014/15. Any actual improvements in condition must happen as a result of works undertaken by the Council either through resurfacing or, less so, by smaller pothole repairs. Within the period from 2012-2014 the Council resurfaced 0.6% of unclassified roads and therefore most of the 4% reduction in the indicator will have occurred as a result of the 4 year cycle over which surveys are carried out and other variations in assessment that are unavoidable within the survey methodology.

Figure 4.4.2 Trend in condition of roads in Brighton & Hove since 2012: percentage of roads requiring structural maintenance



4.5 What maintenance operations do we carry out and what do they achieve?

4.5.1 How much do we spend on carriageways maintenance?

4.5.1.1 Table 4.5.1.1 below shows the allocations of capital funding for carriageway surface maintenance since 2014/15 including other supplementary grants.

Table 4.5.1 Capital budgets for carriageway maintenance since 2014/15

Financial Year	2014/15	2015/16	2016/17
LTP Capital Allocation	£1.176M	£0.800M	£1.000M
Additional Highways Grant	£0.325M		
Pothole Repair Fund	£0.231M	£0.093M	
Severe weather recovery	£0.108M		
Total	**£1.840M**	**£0.893**	**£1.000**

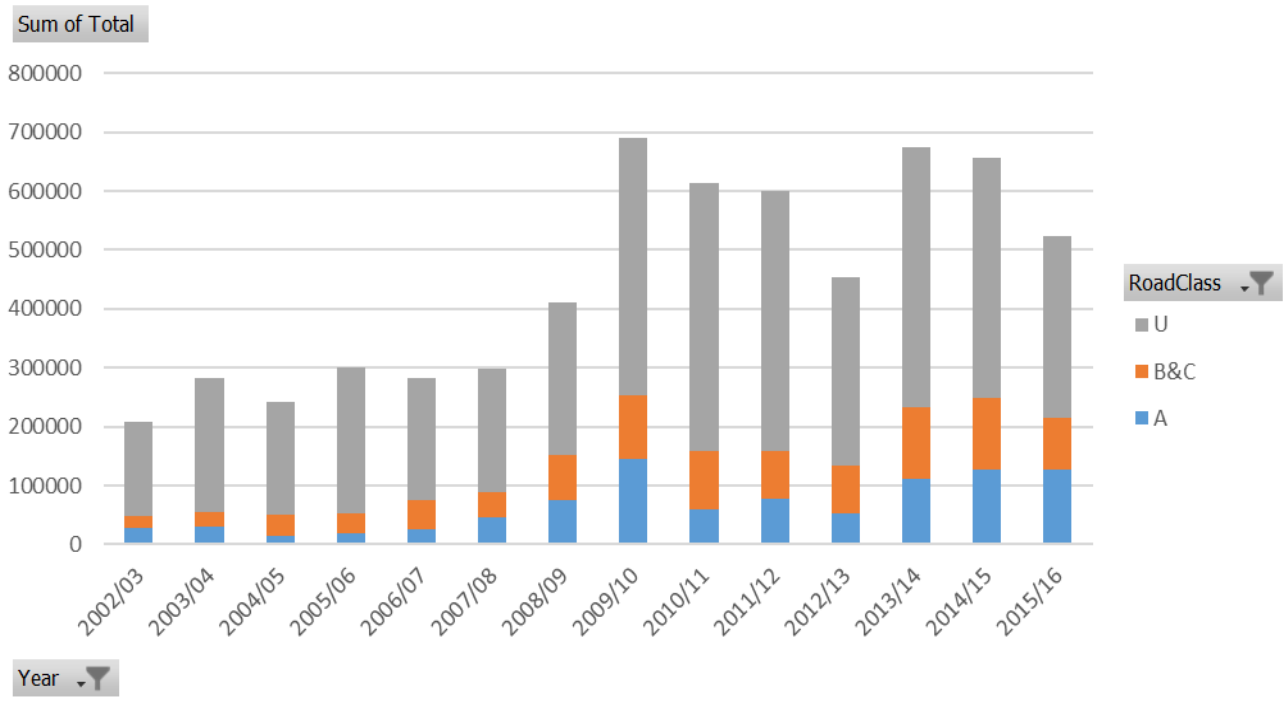
4.5.1.2 Since 2010/11 the Council has received a number of supplementary capital grants from Government to repair damage caused by extreme weather including the episodes of prolonged snow and ice cover in the winters of 2009/10 and 2010/11. However, during the same period the maintenance block capital allocation from central Government has reduced significantly (see Section 3.1 above).

4.5.1.3 In addition to capital spend the Council also uses £0.250 M of revenue for planned patching and crack sealing (see Section 4.5.4 and 4.5.5 below) and £0.050 M for planned treatments to improve surface friction at high risk sites.

4.5.1.4 Until 2011/12 the Council used an additional revenue fund for preventative microasphalt treatments (see below). However, this ceased in 2012/13 with the reduction in revenue funds and staffing resource.

4.5.1.5 The Council also uses revenue funds for unplanned reactive repairs, for example, repairs to potholes and damage around manhole covers. Figure 4.5.1 below shows the annual expenditure on carriageway repairs since 2002/03. This shows a significant increase in the annual expenditure on safety repairs over this period. This increase has in part resulted from the damage caused by extreme winter weather episodes, notably over the period 2009/10-2011/12 with prolonged snow and ice cover and frost damage and again in 2013/14 with the worst winter storms on record. These explain some of the peaks in expenditure over the period. However, setting those peak episodes aside it is clear that there is an underlying and more systematic increase in expenditure which is far over the typical rate of inflation for that period and points to a continued deterioration in the condition of the road network.

Figure 4.5.1 Expenditure on reactive repairs to carriageway surfaces by road class



4.5.2 Plane and resurface

4.5.2.1 This involves replacement of the road surface to varying depths dependent on the extent of deep structural failure in the road. As such this is regarded as a 'Renewal' operation which restores both safety and ride quality of the road and marks the start of the road lifecycle for our purposes.

4.5.2.2 In Brighton & Hove as in most local authorities it is rare to ever fully reconstruct whole sections of road and more often deeper structural failures are dealt with through patching of the lower layers. The relative amounts of deep structural repair required as part of resurfacing has a significant impact on the cost of a scheme.

4.5.2.3 Since 2012, Brighton & Hove Council has used capital funding exclusively for resurfacing. This has been focused towards major routes such as the A259 where there have been significant structural failures.

4.5.2.4 Typical costs of resurfacing range between £25-£45 per square metre. Additional costs within Brighton & Hove City Council include extensive traffic management and costs to meet Permit Scheme requirements. With capital spend on carriageways limited to £1M in 2014/15 and £0.8M in 2015/16 the Council has been able to undertake an average of 35,000 square metres of resurfacing each year which is equivalent to 0.76% of the road network in Brighton & Hove.

4.5.2.5 In order to clarify the implications of continuing this level of output Table 4.5.2 below shows the average percentage of Brighton & Hove's network that is resurfaced annually on each road class since 2014/15 and from infers how long it would take to resurface the whole network at current rates.

Table 4.5.2 Amount of resurfacing carried out each year (2 year average) and length of time that it will take to resurface the full network at current rates.

Road class	Average amount of resurfacing annually (square metres)	Percentage of the network resurfaced annually	The length of time it will take to resurface the whole network
A Roads	10,899	1.90%	53 years
B Roads	6,931	3.28%	31 years
C Roads	5,658	1.54%	65 years
Unclassified Roads	11,939	0.35%	285 years

4.5.2.6 The figures in Table 4.5.2 are cause for concern, in particular for the unclassified roads where the length of time between consecutive resurfacing at current rates would be 285 years. It is therefore imperative that the Council considers alternative options for the lifecycle management of our carriageway surfaces.

4.5.3 Preventative surface treatments

4.5.3.1 Surface treatments are designed to seal the surface of the road and prevent rapid deterioration from water and frost damage.

4.5.3.2 Typically surface treatments on their own do not restore the strength of the road structure but rather they preserve it. However, in practice surface treatments are combined with preparatory patching works that restore strength in localised areas and in some cases the addition of reinforcing membranes do greatly improve the resistance of the road surface to damage from traffic.

4.5.3.3 One particular type of surface treatment is Microasphalt which is which is usually laid on top of the existing surface to approximately 15mm depth. The Council had undertaken programmes of Microasphalt treatments every year using revenue funding until 2011/12. Thereafter, no further treatments have been applied in the period between 2012 and 2016 due to reduction in resources.

4.5.3.4 From the lifecycle planning perspective Microasphalt has a number of additional benefits to the above:

1. Microasphalt typically costs between £6-£12 per square metre (plus traffic management costs) which is significantly cheaper than resurfacing which is typically between £25-£45 per square metre.

2. Microasphalt can be used to improve the ride quality of a road in some cases by filling small dips and ruts in the road
3. Microasphalt schemes cause far less disruption to traffic than resurfacing schemes and the road can be open to traffic within an hour of completion.
4. Microasphalt is a cold mix and so consumes less energy than conventional resurfacing methods using hot mix materials. This makes Microasphalt an important option for reducing the lifecycle carbon emissions from road maintenance.

4.5.3.5 Therefore Microasphalt is now considered as an important option for use on Brighton & Hove's residential roads and B roads (away from junctions) where the level of deterioration is moderate. It is not considered as an option for A Roads or busy junctions as it is not able to withstand heavy traffic.

4.5.3.6 As a whole surface treatments can be used to improve the condition of the road from a user perspective. This fact combined with the significant life of the treatment (which may achieve the same life as a fully resurfaced road on residential roads) means that they are eligible as capital funded schemes.

4.5.4 Planned patching

4.5.4.1 This category covers any repairs to localised areas where the road has significant deterioration and poor ride quality.

4.5.4.2 These are different from normal reactive pothole repairs because they are not focused on just treating potholes that are reported as safety defects but also deal with surrounding defects that are not yet at the safety defect threshold. They also differ from typical reactive repairs in that the edges of patches are usually saw-cut and sealed and the patches are fully compacted. This enables the repair to last for many years. As such they are eligible as capital funded schemes.

4.5.4.3 Although planned patching can, in many cases, be a cost effective approach to addressing surface damage, continued patching to the same stretch of road over a number of years can result in poor ride quality, particularly on A and B roads where the impact of heavy traffic on uneven surfaces can lead to more rapid deterioration over time. For this reason planned patching can only have limited use within the lifecycle on these roads. Ultimately the full functionality of a major road can only be restored through resurfacing of whole sections.

4.5.5 Joint and crack sealing and mastic asphalt repairs

4.5.5.1 The Council allocates £0.250M annually to undertake joint sealing and mastic asphalt repairs using revenue funds.

4.5.5.3 The Council carries out an annual planned programme of sealing of joints and cracks in concrete bays which is a highly cost effective way to prolong the life of concrete roads in the Borough.

4.5.5.4 Alongside the crack repair programme the Council also carries out repairs to damaged surfaces, in particular, around manhole covers and gullies using a material known as Mastic Asphalt. Mastic asphalt is primarily made of bitumen mixed with sand and crushed limestone. Chippings are applied to the surface to ensure that the road has enough friction for vehicles passing over it.

4.5.5.5 A particular benefit of mastic asphalt is that it is a quick repair so there is minimal disruption to traffic. It is also does not require compaction and bonds well with the surrounding surface. For this reason mastic asphalt repairs can last for many years.

4.5.5.6 The mastic asphalt programme is used to tackle roads where large numbers of defects have been identified in a localised area and enable the Council to undertake permanent repairs to the whole area through a planned approach.

4.5.6 Reactive repairs

4.5.6.1 Reactive repairs are an inevitable part of the road lifecycle. These repairs are typically restricted to defects such as potholes, dips and sunken ironwork that are raised by safety inspectors. They do not treat the area surrounding the defect where there may be general deterioration or risk factors that may give rise to safety defects in future (for example utility reinstatements).

4.5.6.2 Across the network, analysis of reactive repairs shows that the Council makes very effective use of limited revenue funds and there are very few roads where the Council is consistently needing to make repeat visits to the same site. This is achieved primarily by carrying out permanent repairs where ever possible, for example by using in-situ infra-red pothole repair methods. As a result, on average the Council spends approximately 11p per square metre of carriageway per year on reactive repairs and less than 0.3% of the network (by area) incurs costs of greater than £1 per square metre per year.

4.5.6.3 Therefore, permanent reactive repairs will still continue to provide a cost effective means of addressing immediate safety risks on the network. However, continued use of safety repairs will cause significant problems for ride quality and eventually the carriageway surface will be weakened by frequent joints between patches. For this reason, resurfacing or surface treatments such as Microasphalt are eventually required.

4.5.6.4 In order to understand at what point larger scale treatments are required the Council has used a lifecycle model to test alternative long term scenarios as described below.

4.5.7 How do we estimate long term maintenance needs?

4.5.7.1 The Council has used a lifecycle model that predicts the change in condition of different types of carriageway surfaces following specific treatments such as resurfacing, microasphalt or patching. Within the model the pattern and rate of change in condition depends on the type of treatment used and the type of road.

4.5.7.2 Rates of change in condition can vary considerably even with similar types of road, and sometimes deterioration can happen very suddenly (for example as a result of prolonged frost or snow cover). The model therefore describes patterns of deterioration in terms of the likelihood that a road will change to a particular condition.

4.5.7.3 The Council will undertake further analysis of its historical condition data to ensure that the model closely reflects local patterns of deterioration and maintenance policies. However, for this edition the Council has applied deterioration rates derived from a study for Southend-on-Sea (with kind permission of Southend-on-Sea Borough Council). Owing to the similarity in a number of aspects, such as the climate and also the large proportion of concrete or composite roads found in Southend, these deterioration rates provide a useful basis to provide high level forecasts of future maintenance requirements for Brighton & Hove's road network.

4.5.7.4 The model uses a set of rules to determine when a treatment can be applied and in what order of priority. It then applies treatments in priority order until either the annual budget

is used up or until a specified service level is achieved. Therefore options can be defined in terms of specific service level targets, budget availability over a 40 year period and how much of each treatment can be applied on which types of road, when they can be applied and in what order of priority.

4.5.7.5 In order to help with identification of different options tested they are grouped as follows:

Option set	Option abbreviation
Maintain current level of service	S
Continue with current funding (Business as Usual)	BAU
Increase funding to carriageways	IF

4.6 What do we need to do to maintain the current level of service at the lowest cost?

4.6.1 How do we predict what is required to maintain the current level of service?

4.6.1.1 In order to estimate the amount of funding required to sustain the current level of service the model is used to produce a 40 year forecast of funding requirements assuming that there are no limits to the budget available to achieve this.

4.6.1.2 However, there are a number of different options for the use of treatments (described in section 3.6) that will enable the current service level to be sustained and so alternative scenarios are tested with different treatment mixes to identify the lowest cost method.

4.6.2 What are the options for maintaining the current level of service?

4.6.2.1 The options tested are:

Option	Strategy
Option S1	Use resurfacing only (with reconstruction of lower layers as required)
Option S2	Use resurfacing and planned patching
Option S3	Use resurfacing with planned patching and Microasphalt on B&C Roads (away from busy junctions) and Unclassified Roads
Option S4	As with Option S3 except on Unclassified roads where Microasphalt and planned patching are used on roads with more than 20% in poor condition and resurfacing of whole sections is only undertaken when the road has reached substantial structural failure to over 40% of its extent

4.6.2.2 Table 4.6.2 provides a comparison of the average annual costs of these options over a 40 year period.

Table 4.6.2 Comparison of lifecycle options to maintain the current level of service over 40 years (£M)

Lifecycle option	Option S1	Option S2	Option S3	Option S4
Average annual expenditure	£ 3.766	£ 3.509	£ 3.251	£ 2.739
Present Value of Costs	£ 79.340	£ 74.875	£ 70.181	£ 62.219

4.6.2.3 Table 4.6.2 shows that Option S4 is the lowest cost option to maintain the carriageway network at the current level of service with an average annual spend of £2.7M. This would include an average annual spend on Microasphalt of £0.638M.

4.6.2.4 By comparison, if the Council were to attempt to maintain the current level of service using only resurfacing as in Option S1, this would require an annual expenditure of £3.8M.

4.6.2.5 As shown in Section 4.5.1 the Council currently allocates £1.0M of capital each year for carriageways which is used solely for resurfacing. If the Council were to attempt to maintain the current level of service using only resurfacing then it would require £3.8M per annum with an annual shortfall of £2.8M.

4.6.2.6 By comparison, in Option S4, if the Council included an annual average of £0.6M for Microasphalt treatments the overall requirement for capital maintenance to maintain the current level of service would reduce to an average of £2.7M per annum with an annual shortfall of £1.7M. This reduction is achieved in part by using microasphalt to reduce the overall rate of deterioration although on other local roads the extent of repairs would be limited to localised patching rather than full resurfacing.

4.6.3 What is the value of investment in microasphalt?

4.6.3.1 Table 4.6.2 also provides a measure using an economic concept referred to as Present Value of Costs. The Present Value is a measure of the value now of a cost incurred by the Council at some point in the future. In practical terms it is calculated by applying a discount rate which is compounded year on year, effectively acting in the opposite way to an interest rate.

4.6.3.2 The calculation of the total Present Value of Costs over the 40 year period is intended to ensure that changes in cost a long way into the future do not unduly influence the decision to invest now.

4.6.3.3 As Table 4.6.2 shows the use of Microasphalt and planned patching in Option S4 reduces the total Present Value of Costs of managing the current level of service by £17M compared with Option S1.

4.6.3.4 Comparison of Option S4 and Option S2 demonstrates that every £1 spent on microasphalt will yield a saving to the Council of £2 in resurfacing and patching costs (again in Present Value terms).

4.7 How will the level of service of the asset change in future with currently available funding?

4.7.1 In this section and Section 4.8 there will be a number of charts showing long term projections of changes in the percentage of roads in poor condition, which are outputs from the lifecycle model. Small fluctuations in the projections may be as a result of inaccuracies in the estimation of the age of roads where this information is not available and so for the purposes of the strategy these charts are interpreted at a high level.

4.7.2 This section presents the findings of scenarios tested with the assumption that capital funding continues at the current level of £1M each year. In addition the £0.250M of revenue funding for planned highway maintenance is also included in the assessment. This allocation is assumed to be fixed until 2020/21 and thereafter it is linked to a 2.5% inflation rate.

4.7.3 Given the high value for money of introducing microasphalt it is assumed that this will be included in the capital programme from 2017/18 onwards in order to minimise any loss of service level.

4.7.4 Two alternative approaches are considered for managing the network with current budgets:

Option ref	Strategy
Option BAU1	Prioritise routes by levels of traffic such that requirements on A roads are met first, then B & C roads and unclassified roads receive the lowest priority
Option BAU2	Set aside a proportion of available capital for the unclassified roads to treat up to 5% of the outstanding backlog and allocate the rest to A, B and C roads.

4.7.5 Figure 4.7.1 below shows the change in the percentage of each road class in poor condition under Option BAU1.

4.7.6 Figure 4.7.1 shows that the Council may be able to limit severe decline in the condition of on the major road network for a further 15 years if all of the available capital is spent on these roads. However, in achieving that there would be no further funds available for capital maintenance on the unclassified roads and as a result the percentage of unclassified roads in poor condition would double by 2030/31.

4.7.7 Figure 4.7.2 presents the change in condition with Option BAU2. Option BAU2 would involve an average spend of £0.550M on the major roads and £0.700M on the unclassified roads. As Figure 4.7.2 shows, the diversion of capital money to the unclassified roads would significantly reduce the rate of decline on the unclassified roads but with a severe long term decline in the condition of the major roads (A, B and C roads).

4.7.8 However, the decline in condition of major roads would be gradual over the next 5-8 years and would be contained at or below 10% until 2024/25.

Figure 4.7.1 Option BAU1 change in condition with current budgets with all funding focused to classified roads (unplanned patching on unclassified roads)

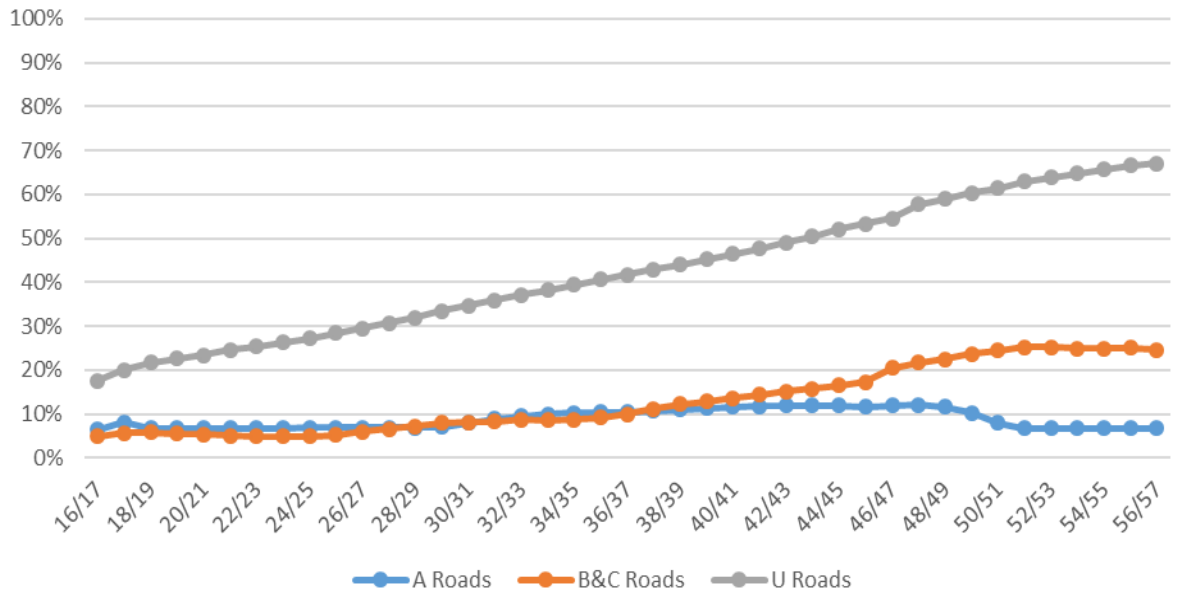
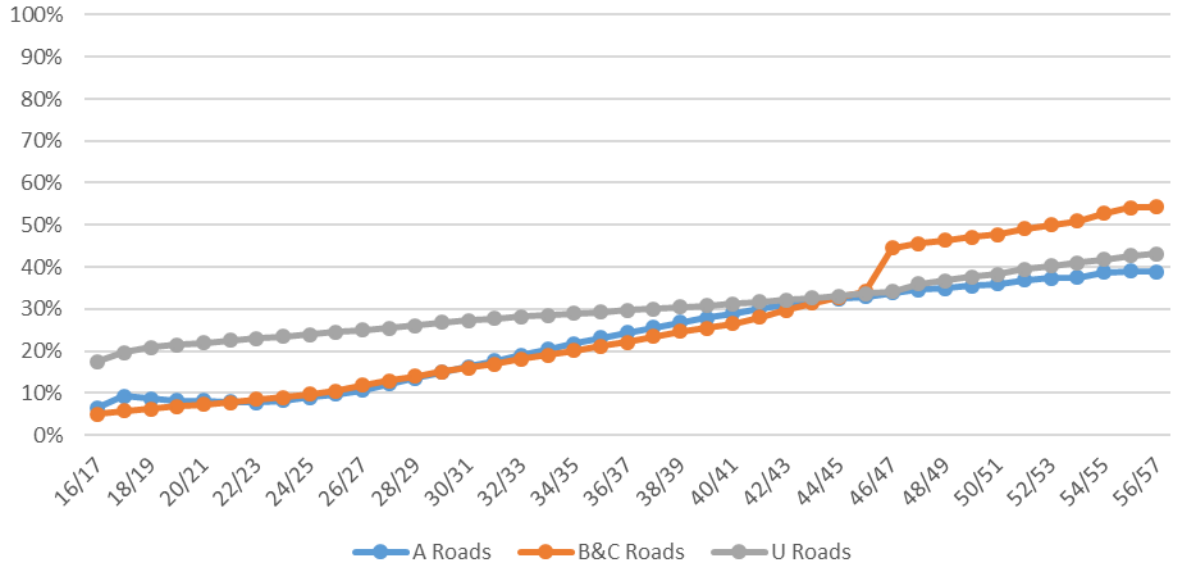


Figure 4.7.2 Option BAU2 change in condition with current budgets with budget set aside to treat 5% of the backlog on Unclassified Roads



4.8 What is the best approach to deliver our objectives with available funding options?

4.8.1 In view of existing funding constraints the Council must seek to minimise decline in the level of service of the road network over the medium term which will allow further time to build a longer term sustainable strategy for the road network.

4.8.2 Medium term strategy

4.8.2.1 The evidence from section 4.8 strongly indicates that the introduction of a microasphalt programme is critical to mitigating future decline in the condition of the network with limited budgets and can provide the Council with a substantial return on investment. However, allocation of funds entirely to the classified road network at the expense of the unclassified road network (Option BAU1) yields limited opportunity for the Council to benefit from the use of Microasphalt which would be mostly applied to the unclassified roads.

4.8.2.2 In the next 5 years Option BAU2 enables the Council to cost effectively manage the decline in unclassified roads. This would include an average annual investment of £0.185M in Microasphalt treatments.

4.8.2.3 However, in the long term Option BAU2 would be less favourable in terms of the objectives in 4.2. Poor condition and resilience on the A roads would deter investment and compromise the achievement of economic growth objectives. Such a decline would also reverse gains in cycling levels.

4.8.2.4 Further options to mitigate decline are therefore considered as follows:

Option ref	Strategy
Option IF1	Increase capital funding for carriageway maintenance by £0.5M per annum (£1.750M per annum) from 2018/19 onwards
Option IF2	Increase capital funding for carriageway maintenance by £1M per annum (£2.250M per annum) from 2018/19 onwards

4.8.2.5 Figures 4.8.2.1 and 4.8.2.2 show the condition forecasts for Option IF1 and Option IF2 respectively.

4.8.2.6 With Option IF1 the additional £0.5M is sufficient to retain the level of service on the major roads for the next 10 years although thereafter the decline on B&C roads will be severe (because the A roads will be prioritised for maintenance).

4.8.2.7 With Option IF2 the additional £1.0M would enable the Council to hold back significant decline in the A Roads and B&C Roads in the long term.

Figure 4.8.2.1 Option IF1 change in percentage of roads in poor condition with additional £0.5M per annum from 2018/19 onwards

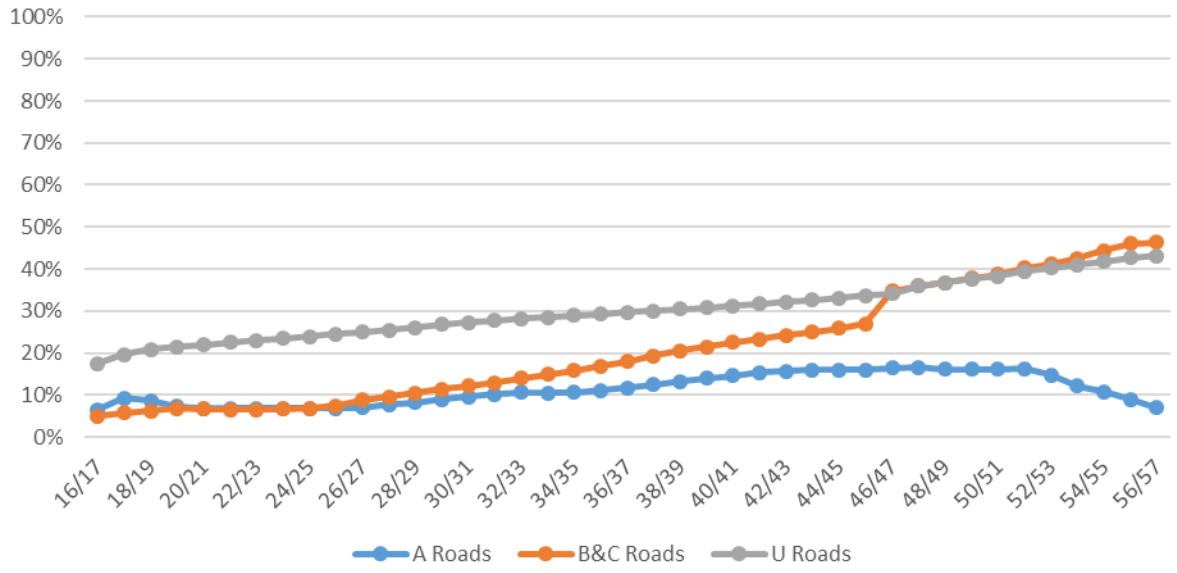
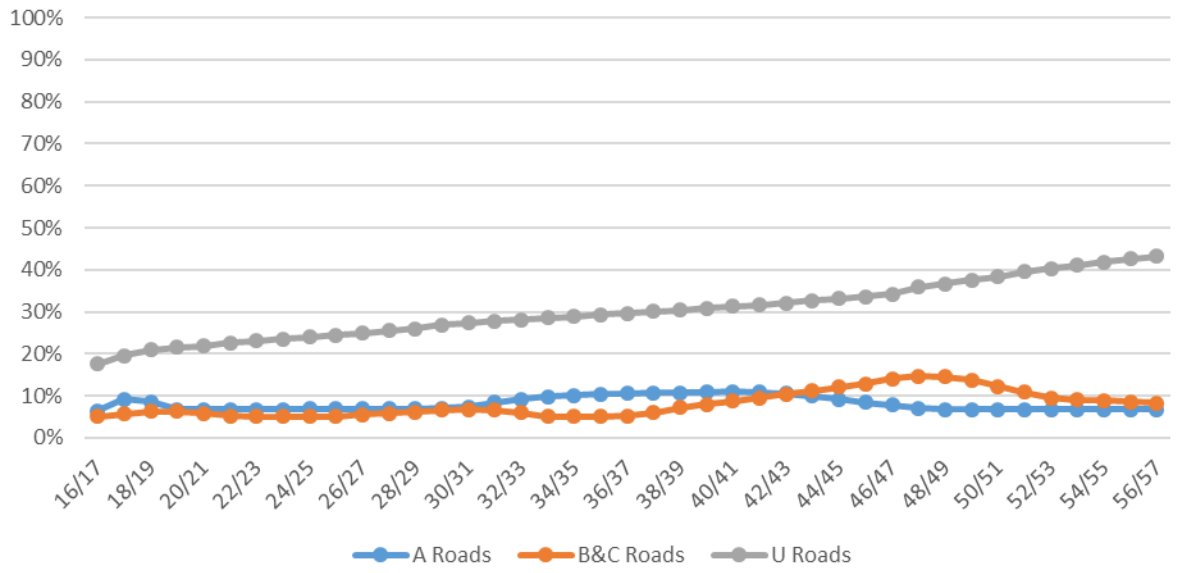


Figure 4.8.2.2 Option IF2 change in percentage of roads in poor condition with additional £1.0M per annum from 2018/19 onwards



4.8.3 Long term strategy

4.8.3.1 The longer term strategy will be likely to require securing further resources to close the gap in funding required to sustain the network at the same level of service.

4.8.3.2 However, it is equally important to work closely with our contractors and partners to identify innovative technologies that can drive down costs over the whole life of the carriageway.

4.8.3.3 Brighton & Hove Council is a member of the South-East 7 Highways Alliance (SE7) which can provide a strong forum for influencing the market and driving Research and Development to identify more cost effective and environmentally sustainable methods.

4.8.4 What are the risks to our strategy?

4.8.4.1 All of the above scenarios have assumed low growth in highway maintenance prices at or slightly above the typical rate of Consumer Price Inflation.

4.8.4.2 Price growth in highway maintenance has been relatively low since 2010 initially due to the down turn in the construction market until 2013 and more recently due to the unprecedented fall in oil prices since 2014.

4.8.4.3 World Bank forecasts indicate that oil prices will not reach pre-2014 levels before 2025 and this may have a continued effect in constraining highway maintenance prices due to the predominant influence of primary bitumen products. However, this close link to oil prices also means that highway maintenance prices are more vulnerable to geopolitical events than is the case with other construction sectors and this presents a significant strategic risk to the Council.

4.8.4.4 The SE7 alliance mentioned above is implementing a project aimed at maximising the recycling potential in highway maintenance (MORPH project). This and other similar initiatives may yield opportunities for the Council to reduce dependence on primary raw materials and in doing so build resilience to macro-economic trends and shocks.

4.8.5 What are the opportunities for our strategy?

4.8.5.1 As identified in section 3.3.2 it is important to identify where resurfacing or reconstruction of roads can support economic growth objectives for development sites in the LEP Strategic Economic Plan as well as increasing the resilience of the network and ensuring that the carriageways are able to support any increase in HGV traffic as a result of the developments. These proposals may be eligible for Local Growth Funding through the Coast 2 Capital LTB.

4.8.5.2 There will also be an opportunity to bid for funding from the next round of the Challenge Fund in 2018/19.

4.8.5.3 However, any funding from these sources should be considered for improvements to the level of service on particular corridors such as A23, A270 and A259, and would not be able to substitute for a sustainable funding strategy to arrest deterioration on the network as a whole.

4.9 Summary

4.9 Carriageway Surfacing Investment Strategy: Conclusions

4.9.1 Underlying trends in reactive repair costs on carriageways strongly indicate that the condition of the network as a whole has been declining since 2002/03 and at a faster rate since 2008/09 (Section 4.5.1, p9). Evidence from condition surveys are less conclusive although they indicate an overall worsening trend in the condition of A Roads (Section 4.4, p8).

4.9.2 With current levels of capital expenditure the Council is only able to resurface 0.35% of the unclassified road network each year. This means that if the Council continues with this level of expenditure it would take 285 years to complete a full cycle of resurfacing of unclassified roads (Section 4.5.2, p10).

4.9.3 There is strong evidence that the use of preventative maintenance is vital to enabling the Council to sustain or minimise decline in the condition of the network with limited budgets. Preventative maintenance treatments are most effective on unclassified (local) roads and are not usually suitable for urban A roads and other heavily-trafficked roads. With the inclusion of preventative maintenance in the mix of capital works the Council would need to spend an average of £2.7M each year to maintain the current condition of the network. However, if the Council continued to undertake only resurfacing without preventative maintenance the average cost to sustain the current condition of the network would increase to £3.8M (Table 4.6.2, p14).

4.9.5 With anticipated spend on planned maintenance of £1.250M per year the Council cannot sustain the level of service on the network. In the medium term an average split of £0.55M to major roads and £0.7M to unclassified roads would hold back significant decline in condition of the major roads for the next 5-8 years whilst enabling some investment (£0.184M per year) in preventative treatments on the unclassified roads that would yield longer term benefits (Section 4.7, p15). However, this option is unsustainable in the long term with all road classes showing major decline in condition (Figure 4.7.2, p15).

4.9.6 If the Council were to invest an additional £0.5M per year (total £1.750M per year) from 2018/19 onwards it would be possible to hold back deterioration on the major roads for 10 years before the rate of deterioration would exceed investment rates (Figure 4.8.2.1, p17). With an additional £1M per year (total £2.250M per year) from 2018/19 onwards it would be possible to sustain the condition of the major roads for the long term (Figure 4.8.2.2, p17). However, in each case the condition of the unclassified road network would decline steadily over the 40 year period.

4.9.7 The medium term (5 year) strategy is to make effective use of available capital budgets to hold back decline in the condition of the major road network whilst investing an average of £0.18M-£0.24M in preventative treatments to secure longer term benefits for the unclassified roads.

4.9 Carriageway Surfacing Investment Strategy: Conclusions

4.9.8 During this 5 year period the Council will seek to develop a longer term resourcing strategy for implementation from 2022/23 onwards that will analyse the gap in funding needed to sustain the condition of the network.

4.9.9 At the same time the Council will work closely with contractors and partners (particularly within the SE7 Alliance) to identify innovative solutions that may contribute to reducing the unit costs of major maintenance treatments and build resilience to future price instability.

Review of the Carriageway Surfacing Investment Strategy

Further work to develop lifecycle modelling based on data from Brighton and Hove's road network will be carried out, in particular, to support potential business cases for the Challenge Fund and Local Growth Fund.

This may require further surveys of structural condition (Ground Probing Radar and Falling Weight Deflectograph) at critical locations on key corridors.

5. Footway surfaces

5.1 Table 5.1 below summarises total capital spend on planned footway repairs since 2011/12.

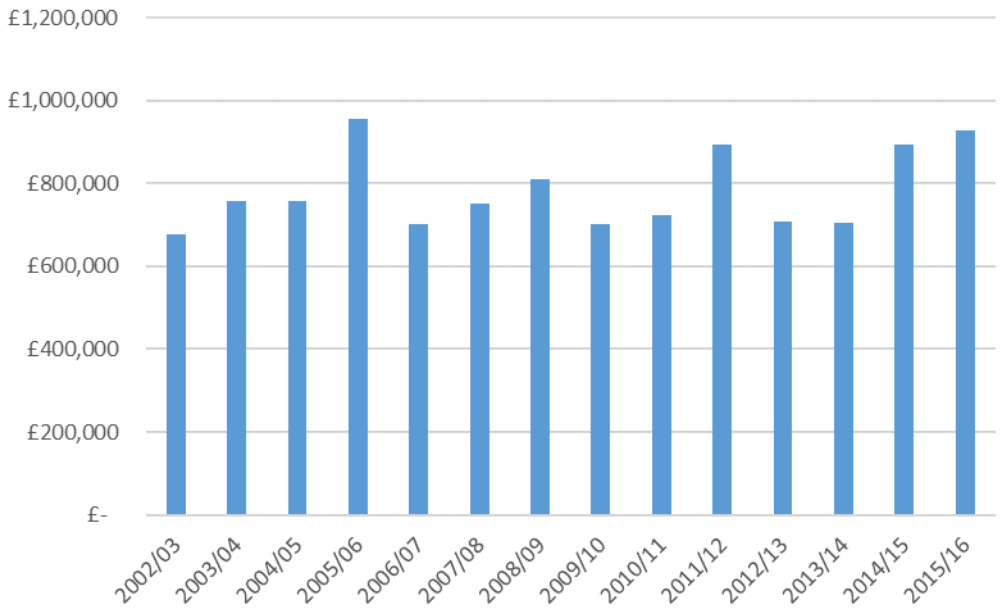
Table 5.1 Capital spend on footway maintenance since 2011/12

2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
£0.115M	£0.200M	£0.100M	£0.200M	£0.100M	£0.145M

5.2 This spend has been supplemented by between £0.050-£0.100M per year of revenue funding for planned footway repairs.

5.3 Figure 5.1 below shows the trend in expenditure on reactive repairs to footways since 2002/03. By comparison with the trend for carriageways (see Figure 4.5.1, Section p10) the long term trend in reactive repairs on footways has remained relatively stable although consecutive peaks over 2014/15 and 2015/16 may be cause for concern.

Figure 5.1 Trend in expenditure on reactive repairs to footways



5.4 In view of the key role that footways play in supporting independent living, particularly for people with visual and mobility impairments, as well as the significant financial risk that they may pose to the Council from third party claims if allowed to deteriorate the medium term strategy will be to ensure that the current level of service is maintained for footways.

5.5 Further work is required to forecast the long term investment requirements for footways. For the interim plan the Council will retain the current capital spending levels.

Review of the Footway Surfacing Investment Strategy
Work to develop lifecycle plans for footway surfaces will be completed by Q3 2017/18

6. Highway Structures Investment Strategy

6.1 There are 149 highway structures in the Council's ownership. These include road bridges, seafront arches and a large number of highway retaining walls, particularly on the seafront.

6.2 The Council's overall approach to management of highway structures is set out in the Highway Inspection Procedure (2013). This details the types and frequencies of inspection and monitoring that the Council carries out on different types of structure.

6.3 The Council is delivering a major package of renewal works to the Seafront Arches. This includes work currently being funded through a successful bid to the Department for Transport for £7.2M to reconstruct the Shelter Hall.

6.4 This work will secure the long term integrity of these structures which is vital to the economy of the town, both through the businesses that use the premises as well as supporting the A259 as one of the City's most critical routes.

6.5 Work on highway structures requires extensive planning in the medium and long term to minimise disruption to traffic, residents and businesses. For this reason the Council will develop full lifecycle plans for individual structures in order to ensure that appropriate preventative measures can be implemented and enable the Council to plan for the long term funding of major works on structures.

6.6 The City's coast protection structures defend the highway network from erosion and encroachment by the sea. Two approved life cycle plans are in place for their long term management. These are periodically updated in line with Environment Agency guidance.

Review of the investment strategy for bridges, coastal defences and other structures
Work to develop lifecycle planning for individual bridges and structures will be carried out in 2019/20

7. Highway Drainage Investment Strategy

7.1 With the growing risk of extreme rainfall events as a result of climate change the Council faces growing challenges to mitigate the risk of flooding from surface water run-off from highways.

7.2 The Council will address this challenge through two key approaches.

- Firstly the Council is directly addressing present risks of flooding through prioritisation of existing budgets. In particular the Council has partially reallocated revenue budgets to increase the frequency of cyclical maintenance of highway gullies in high risk locations.
- The second approach is to develop a longer term lifecycle based planning for the management of the City's highway drainage.

7.3 Currently the Council has included £0.15M of capital funding for renewal of soakaways in high risk sites in 2016/17 and a further £0.2M of revenue funding for investigation, renewal and improvements to the capacity of drainage at known flood sites.

7.4 However, the Council is developing a full risk profile of the City (including areas that may not have already experienced flooding) to prioritise data collection on drainage infrastructure and establish a targeted condition survey regime. This will enable the Council to plan in advance for preventative measures (such as tree root cutting and pipe lining) and avoid future flooding incidents and consequently the need for expensive excavations in future.

Review of Highway Drainage Investment Strategy
Work to develop lifecycle planning and refinement of the risk profile for highway drainage will take place in 2018/19

8. Street lighting Investment Strategy

8.1 The Council is considering a proposal to borrow £6.8M from the Public Works Loan Board to replace older-style lamps with LED lanterns as well as a Central Management System that will enabling dimming and part night switch off. These investments will substantially reduce the Council's energy costs.

8.2 £1 million of the funding will also be used to replace columns or to provide additional columns to meet current lighting standards.

8.3 However, the financial business case that Street Lighting is dependent on continued allocation of £300,000 per annum from the Local Transport Plan capital funding.

Review of street lighting investment strategy
The business case for street lighting Prudential Borrowing will go to the Policy, Growth & Resources Committee in December for Member consideration. Section 7 of the HAMS will be updated to reflect the resolution of the Committee.

9. Traffic Control Systems Investment Strategy

9.1 The Council is responsible for managing the City's traffic control system, including traffic signals, associated ducting and detection loops, communication equipment, variable messaging signs and a central control hub.

9.2 In addition to the above the Brighton & Hove Local Transport Plan outlines substantial investments in Intelligent Transport Systems to improve the management of the City transport network. Wireless sensor technology will form a significant part of the new infrastructure through this investment, including Bluetooth and Wifi detection devices that will enable better understanding and prediction of congestion and travel demand patterns, particularly on key corridors and locations where new developments are planned.

9.3 The Council will develop long term investment plans to maintain existing traffic control infrastructure as well as forecasting maintenance and replacement regimes for new infrastructure anticipated as part of the LTP.

Review of Traffic Control Systems investment strategy
Lifecycle plans for City's Traffic Control Systems will take place in 2019/20

10. Street furniture Investment Strategy

Review of Street Furniture investment strategy
Lifecycle plans for street furniture will be take place in 2018/19.

11 Medium term financial projection for planned maintenance

Entries in italics indicate that totals are subject to further work on lifecycle plan development and finalisation of the distribution of LTP Capital allocations during the period to 2019/20

Infrastructure	Programme	Funding source	2017/18	2018/19	2019/20
Carriageways	Resurfacing and planned patching	LTP Capital	£0.820M	*£0.820M*	*£1.260M*
	Preventative maintenance	LTP Capital	£0.180M	*£0.180M*	*£0.240M*
	Mastic asphalt and crack sealing	Revenue	£0.250M	£0.250M	£0.250M
	Skid resistance treatments	Revenue	£0.050M	£0.050M	£0.050M
Footways	Footway repairs and resurfacing	LTP Capital	£0.156M	*£0.168M*	*£0.170M*
	Footway repairs	Revenue	£0.050M	£0.050M	£0.050M
Highway structures	Shelter Hall scheme	Challenge fund	£3.425M		
	Shelter Hall scheme	LTP Capital	£0.922M		
	Other Highway Structures schemes	LTP Capital		*£0.800M*	*£0.800M*
Highway Drainage	Renewals to critical drainage infrastructure	LTP Capital	£0.150	*£0.150*	*£0.150*
	Repairs to drainage infrastructure (dig outs) and additional gully cleansing	Revenue	£0.200	£0.200	£0.200
Street lighting	Lighting Column Replacements (Contribution to Invest to Save)	LTP Capital	£0.300	*£0.300*	*£0.300*
Street furniture	Repairs to high risk safety barriers	Revenue	£0.050M	£0.050M	£0.050M
Total			**£3.128M**	**£3.018M**	**£3.520M**
Funding sources	LTP Capital Maintenance Block		£2.528M	£2.418M	£2.330M
	Revenue		£0.600M	£0.600M	£0.600M
	Shortfall				*£0.590M*

Type of treatment	*Method*	*What it does*	*Suitable for*	*Not suitable for*	*Costs*
Renewal	**Plane off old surface and re-surface (Plane and lay)**	**Replacement of the road surface to varying depths dependent on the extent of deep structural failure in the road**	**Heavily trafficked roads e.g. A, B, C roads and road surfaces that are at end of life**	**Not economically viable for every road in city**	**Between £25-£45 per square metre**

Benefit of investing in this type of treatment	**Potential risk of not investing in this type of treatment**
Delivers best value for money on the critical road network for the Council, residents and businesses in Brighton and Hove over a 10 year period	No- investment results in deterioration of state of roads and may result in unaffordable maintenance costs being passed on to future generations.
Enhances the City's reputation for good quality roads.	Deterioration of the network may have a negative impact on the economic, social and environmental well-being of the city. Poor condition of roads may impact on City's ability to host large events such as the Marathons
Reinstates the structural integrity of roads and prevents severe weather damage.	Sudden failure may cause major disruption to traffic on the A, B and C roads identified as critical within the Resilient Network.
Improves texture depth and road safety.	May result in reduced surface texture depth which may increase risk of skidding.
Improves the condition of the public highway and supports public safety for all with the potential to reduce public liability claims.	May increase public liability claims.
Reduces disruption to traffic on the network as a result of fewer reactive road works. Achieves more reliable journey times and reduces pollution.	Greater need to carry out more frequent reactive repairs increase congestion leading to higher levels of pollution and a negative impact on public transport.

Improves ride quality and appearance of roads which in turn encourages more people to walk and cycle particularly where off road routes are not available.	Results in poor condition of roads which is one of the primary factors that deters people from walking and cycling. Evidence from surveys suggests that for cycling this factor is at least as significant as the positive effect of new cycling infrastructure.
Improves the value of the asset.	Manages the network into a state of decline

Type of treatment	*Method*	*What it does*	*Suitable for*	*Not suitable for*	*Costs*
Preventative (Prolonging lifespan of road)	**Microasphalt**	**Seals the surface of the road and prevent rapid deterioration from water and frost damage**	**Residential roads and B/C roads (away from junctions) where the level of deterioration is moderate.**	**Heavily trafficked roads, roads that have already been treated with microasphalt or roads that have structural or extensive deterioration**	**Between £6-£12 per square metre**

Benefit of investing in this type of treatment	**Potential risk of not investing in this type of treatment**
Holds back significant decline in condition of the major roads for the next 5-8 years	Without preventative maintenance the average cost to sustain the current condition of the network would increase to £3.8M from £2.7M
Enhances the City's reputation for good quality roads.	Deterioration of the network may have a negative impact on the economic, social and environmental well-being of the city, and on the City's ability to host large events such as Marathons
Ensures the structural integrity of road is maintained for longer and prevents severe weather damage.	Sudden failure caused by weather damage may cause major disruption to the City's road network
Improves texture depth and road safety.	May result in reduced surface texture depth which may increase risk of skidding. Increase in public liability claims.
Improves the condition of the public highway and supports public safety for all.	Greater need to carry out frequent safety repairs resulting in more frequent disruption to the network.
Potential for reduction in liability claims.	May increase public liability claims.
Reduces disruption to traffic on the network as a result of fewer reacive road works. Achieves more reliable journey times and reduces pollution.	Greater need to carry out more frequent reactive repairs increase congestion leading to higher levels of pollution and a negative impact on public transport.

Improves ride quality and appearance of roads which in turn encourages more people to walk and cycle particularly where off road routes are not available. Improves the value of the asset.	Evidence from surveys suggest that poor condition of roads is one of the primary factors that deters people from walking and cycling. For cycling this factor is at least as significant as the positive effect of new cycling infrastructure. Manages the network into a state of decline

Type of treatment	*Method*	*What it does*		*Suitable for*	*Not suitable for*	*Costs*
Preventative (preserving lifespan of road)	**Planned patching**	**Large patching works that deal with both safety defects and other problems that have not yet reached safety critical**		**Repairs to localised areas where the road has significant deterioration and poor ride quality**	**Continued patching to the same stretch of road especially heavily trafficked routes over time.**	**£50 per square metre.**

Benefits of investing in this type of treatment	**Potential risk of not investing in this type of treatment**
Prevents localised deterioration of the network in the short term. Prevents severe weather damage over a short term	Non-investment may result in structural deterioration of the carriageway to such an extent that preventative treatments are no longer suitable and renewal is the only option. Sudden failure caused by weather damage may result in major disruption to the City's road network
Improves the condition of the public highway.	Greater need to carry out frequent safety repairs resulting in more frequent disruption to the network.
Potential for reduction in liability claims.	May increase public liability claims.
Reduces disruption to traffic on the network as a result of reactive road works. Achieves more reliable journey times and reduces pollution.	More frequent repairs increase congestion leading to higher levels of pollution and impact on public transport.
Improves ride quality and appearance of roads which in turn encourages more people to walk and cycle particularly where off road routes are not available.	Evidence from surveys suggest that poor condition of roads is one of the primary factors that deters people from walking and cycling. For cycling this factor is at least as significant as the positive effect of new cycling infrastructure.

Type of treatment	*Method*	*What it does*	*Suitable for*	*Not suitable for*	*Costs*
Preventative (preserving lifespan of road)	**Joint and crack sealing and mastic asphalt repairs**	**Sealing of joints in concrete roads. Repairs to damaged surfaces**	**Roads where large numbers of defects have been identified in a localised area**	**Roads with major deterioration or structural failure**	**11p per square metre**

Benefit of investing in this type of treatment

Improves the resistance of the road surface to damage from traffic and weather in the short term and reduces disruption to traffic on the network.

Potential risk of not investing in this type of treatment

Non-investment may result in structural deterioration of the carriageway to such an extent that preventative treatments are no longer suitable and renewal is the only option.

Does not improve the value of the asset but reduces the level of decline.

Type of treatment	*Method*	*What it does*	*Suitable for*	*Not suitable for*	*Costs*
Safety maintenance	**Reactive repairs**	**Repairs defects such as potholes, dips and sunken ironwork**	**Fixing genuine safety hazards**	**Addressing or reversing overall decline, deterioration or failure**	**£60-£100**

Benefit of investing in this type of treatment

Maintains the highway to a basic standard and ensures the Council complies with its statutory duty to maintain the highway under section 41 of the Highway Act.

Potential risk of not investing in this type of treatment

The Council will not be able to repudiate liability claims.
Does not improve the value of the asset but reduces the level of decline

Type of treatment	*Method*	*What it does*	*Suitable for*	*Not suitable for*	*Costs*
Preventative (Prolonging lifespan of road)	Surface dressing	Seals the surface of the road and prevent rapid deterioration from water and frost damage	Roads with no structural failure or that require high level of surface repairs and rural roads with no parking	Roads that have structural or extensive deterioration and urban roads with parking/lots of traffic movements in different directions	Not applicable as not suitable for our urban environment

ENVIRONMENT, TRNAPSORT & SUSTAINABILITY COMMITTEE	Agenda Item 54 Brighton & Hove City Council

Subject:		**Eastern Road/Arundel Road junction – Objections to Traffic Regulation Order [TRO]**
Date of Meeting:		**29 November 2016**
Report of:		**Executive Director Economy, Environment & Culture**
Contact Officer:	**Name:**	**Andrew Renaut** **Tel: 29-2477**
	Email:	**andrew.renaut@brighton-hove.gov.uk**
Ward(s) affected:		**Rottingdean Coastal and East Brighton**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The planning permission granted in 2012 for the redevelopment of the Royal Sussex County Hospital (often referred to as the '3Ts' (**T**eaching, **T**rauma and **T**ertiary Care)) included a new set of traffic signals at the junction of Eastern Road and Arundel Road, to enable it to accommodate predicted future traffic levels (including the movement of large vehicles during the 10-year construction period) and improve pedestrian crossing facilities.

1.2 This report considers the comments, support and objections received to the Traffic Regulation Order, which is required to ensure that the design of the junction is safe and built to the appropriate standards, and can be incorporated into the relevant legal agreement for the works.

2. RECOMMENDATIONS:

2.1 That the Committee (having taken into account of all the duly made representations and objections) agree to approve the Brighton & Hove Various Controlled Parking Zones Consolidation Order 2015 Amendment No.X 201X (reference number: TRO-19-2016).

3. CONTEXT/ BACKGROUND INFORMATION

3.1 The planning application (BH2011/02886) for the 3Ts development was submitted by Brighton and Sussex University Hospitals NHS Trust in September 2011. The NHS Trust submitted a Transport Assessment [TA] to support the application, which concluded that a number of improvements to the road network were required. These included the existing Eastern Road/Arundel Road crossroads junction as it was predicted that it would fail to operate within its design capacity with the full development in place, and cause delays to drivers resulting in queuing. The TA therefore proposed that the junction layout should be altered to traffic signals to mitigate that impact.

3.2 These signals are also considered necessary due to the increased number of lorry turning movements that are expected at this junction during the 10 year period of the redevelopment works. This junction is part of the designated, localised haulage route for the site. Pedestrians will also benefit from these

signals as crossing phases will be included on all arms of the junction. These works need to be implemented early in the construction process.

3.3 The technical assessment that was carried out, and its conclusions, were considered and accepted by officers and therefore the planning permission that was granted for the 3Ts/RSCH development in 2012 included a requirement that the NHS Health Trust should install traffic signals at the junction of Eastern Road/Arundel Road as part of the agreed Highway Works, and at its own cost.

3.4 In order to complete a safe and final design for these traffic signals, it is necessary to revoke some of the existing on street parking bays in the vicinity of this junction. This will allow improved visibility and hence safety for all road users at the junction. It will also be necessary to relocate the existing westbound bus stop in Eastern Road further westwards in order to allow sufficient room for turning vehicles at the junction to be able to complete their manoeuvres. A further two parking bays are to be shortened to allow correct operation of the traffic signal detector loops. A plan showing the proposed changes is attached to this report in Appendix 1.

3.5 When designing the junction for traffic signals, it has been necessary to propose alterations to the parking or waiting controls on a number of roads. It is recognised that there is a high demand for on street parking spaces in this area of Zone H and therefore, wherever possible, any loss has been minimised and additional parking areas have also been proposed. In total, the final design of the junction includes the net removal of the equivalent of 5 parking bays after seeking to relocate revoked (lost) bays to other roads in the area. This equates to an overall change of 2 additional permit only bays and a reduction in 7 shared (pay & display and permit only) bays. In summary, the lost bays are located in Eastern Road and Arundel Road, and the proposed extensions/increases to existing on-street parking bays are proposed in Eastern Road, Arundel Place and Eastern Place.

3.6 Through monitoring of the junction and roads in the surrounding area and local observation of traffic flows and driver behaviour, officers will consider any further measures that may be required during the 10-year construction period of the 3Ts development in discussion with local ward members and the NHS Trust.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The NHS Trust proposed the traffic signals as part of its planning application for the 3Ts development, which was submitted in 2011. The supporting TA stated that the Trust proposed to install traffic signals at the crossroads junction and include pedestrian crossing and cycling facilities. This would enable the junction to operate better, based on the forecast of future traffic movements using the junction after the development had been completed. It also took account of the proposed construction vehicle routeing associated with the development. The improvement is therefore considered to be not only a mitigation measure, but also a safety measure during the construction period. The planning application was approved in 2012.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Consultation was carried out on the 3Ts planning application by the council as the Local Planning Authority and reported to, and decided on by, the Planning Committee on 27 January 2012.

5.2 Ward members have been notified of the proposed TRO for the traffic signal junction and its design, and some discussions have taken place. Advertisement and consultation on the TRO (reference number: TRO-19-2016) has followed standard procedures and it was advertised on 19 August 2016 and the period for representations/objections ended on 2 September 2016.

5.3 A total of 10 representations were received in response to the consultation on the TRO. These are summarised in Appendix 2 of this report, alongside officer comments and recommendations. The majority (6) of the representations/objections are related to the change to the junction design from a Give Way/priority, crossroads junction to a traffic signal-controlled junction. The remaining 4 objections related to the content of the proposed changes to waiting restrictions/parking controls and are therefore considered as valid objections. The appendix therefore separates out the valid objections to the TRO, which are the primary subject of this report and its recommendations, from the comments/objections to the traffic signals required at the junction.

5.4 In order to further address a number of the objections that have been received, officers have further reviewed the parking and waiting controls in the wider area and recommended that consideration could be given to further mitigation to the loss of parking by introducing additional parking in the wider area, in Bristol Place and Bristol Gardens. If considered suitable, further changes could be proposed as part of the council's 6-monthly advertisement and consultation on minor changes to existing TROs within Controlled Parking Zones.

5.5 A number of the objections that were received commenting only on the traffic signals received a written, officer response explaining the background to the junction design and the TRO process, and invited further representations from residents, if they chose to do so.

5.6 Any further issues that may arise in relation to this junction or the local area, which are outside of this TRO process, could initially be raised and discussed within the formal Hospital Liaison Group for residents, which meets regularly, and is attended by ward councillors, council officers, the NHS Trust and its contractors.

6. CONCLUSION

6.1 The proposed changes to the parking and waiting controls at the junction of Eastern Road and Arundel Road are required in order to comply with the planning permissions. Officers have sought to minimise the loss of parking associated with the design of the junction, and also taken further account of objections by proposing where additional parking could be also provided within the local area. It is therefore recommended that the objections submitted are not upheld and that the TRO should be approved.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 It is anticipated that costs of the proposed works will be met by the NHS Hospital Trust as the developer, as the works are being developed and delivered as part of a legal (Section 278) agreement, which is required as part of the planning permission. When negotiating Section 278 Agreements, the council seeks to enable all reasonable costs to be recovered from the applicant/developer.

7.2 During the first year of operation, the cost of maintaining the junction layout and new traffic signals will be the responsibility of the developer. After the first year, that responsibility will transfer back to the council as the Highway Authority and will be met from existing and approved budgets within the Highways budget within the City Transport service, although the developer will be expected to also make a financial contribution towards the ongoing maintenance of the traffic signals.

7.3 Any potential impact on parking income associated with the recommendations will have financial implications on the existing Parking revenue budget within the City Transport service. It is difficult to estimate the potential impact on parking income as it is unknown whether vehicles will be displaced elsewhere or be discouraged from parking. The changes to the number and type of parking spaces are described in paragraph 3.5 of this report. It is estimated that the impact on parking income would be immaterial and therefore not require any amendments to current budgeted assumptions; however, this will be reviewed as part the Targeted Budget Monitoring process.

Finance Officer Consulted: Steven Bedford *Date: 07/11/16*

Legal Implications:

7.4 The Traffic Management Act 2004 places a duty on local traffic authorities to manage the road network with a view to securing, as far as reasonably practicable, the expeditious movement of traffic.

7.5 The action which a traffic authority may take in performing this duty include any action which they consider will contribute to securing a more efficient use of their road network or the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on their road network. The recommendations detailed in this report will assist in demonstrating that the Council is complying with its statutory duty.

7.6 The planning permission that was granted for the 3Ts development required that a Legal (Section 106) Agreement be completed. This was achieved in March 2012 and the Agreement included the requirement to complete the agreed traffic signal works at this junction.

7.7 It was also agreed that these works should be undertaken by the NHS Trust, at its own cost. To do so requires the completion of another Legal (Section 278) Agreement which needs to be completed before works on the highway can start.

This Agreement will include a plan showing the agreed design for the junction, including changes to parking and waiting controls.

Lawyer Consulted: Stephanie Stammers *Date: 08.11.12*

Equalities Implications:

7.8 There are no direct equalities implications arising from with this report and its recommendations. The design of the traffic signal junction will include facilities that will benefit movement across the junction for people with mobility difficulties, such as dropped kerbs and tactile paving, and also incorporate priority provision for cyclists.

Sustainability Implications:

7.9 There are no direct sustainability implications arising from with this report and its recommendations. The design of the traffic signal junction will include facilities that will provide controlled and therefore safer crossing provision for pedestrians and wheel chair users, and also incorporate priority provision for cyclists. This will encourage and provide for those types of trips.

Any Other Significant Implications:

7.10 There are no other significant implications associated with this report and its recommendations. In terms of concerns that have been expressed about public health and increased emissions that may occur as a result of the traffic signals, their design will incorporate the latest technology to ensure that their operation is optimised to minimise any delays to people or vehicles, and therefore unnecessary emissions, that may occur. In addition, increasing numbers of vehicles in the city, especially buses and lorries, are now equipped or designed to produce much lower emissions and are therefore less polluting.

SUPPORTING DOCUMENTATION

Appendices:

1. Plans advertised for the TRO proposals.

2. Summary of representations received.

Documents in Members' Rooms

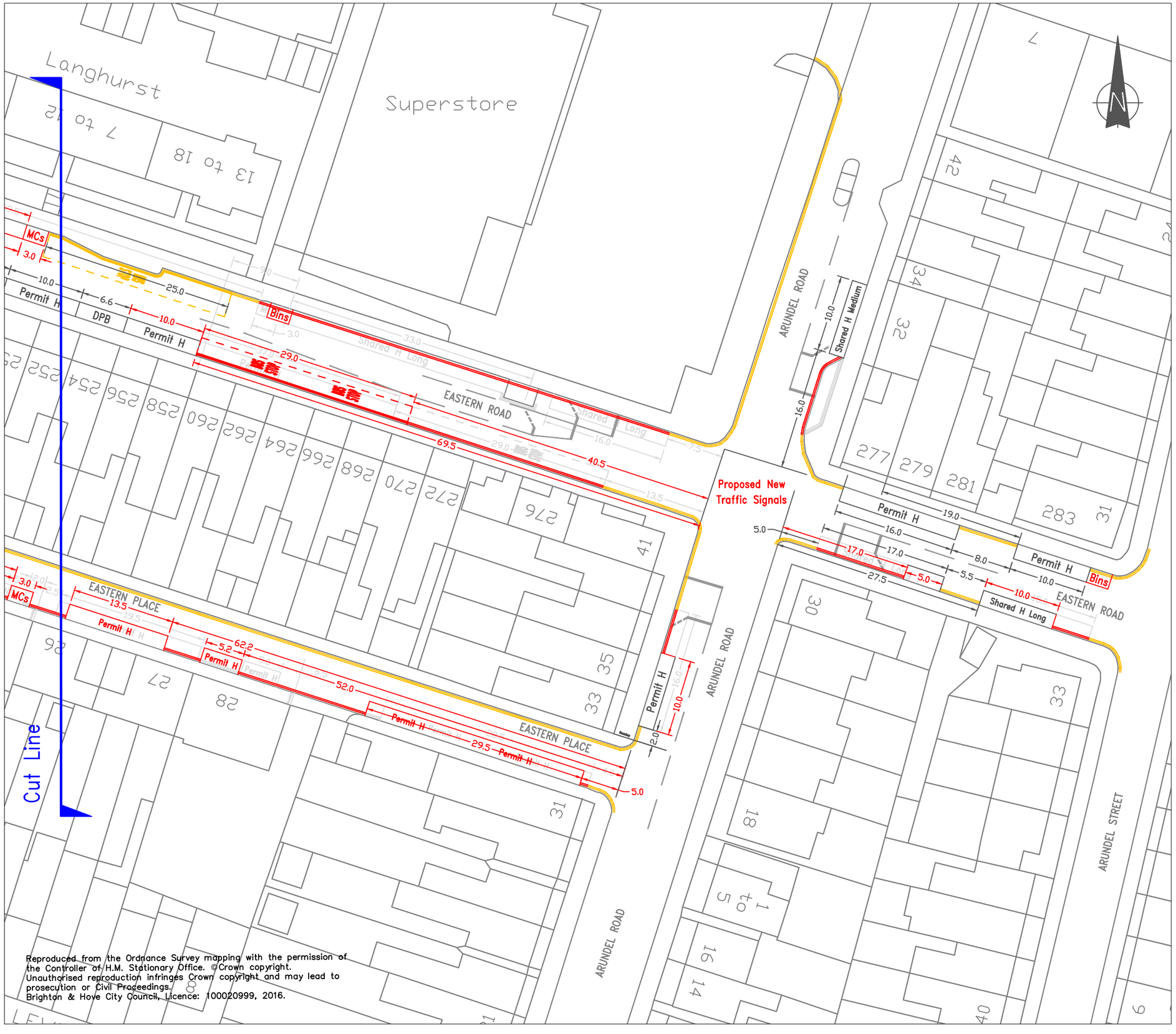
None

Background Documents

1. Traffic Regulation Order proposals for TRO-19-2016 Brighton & Hove Various Controlled Parking Zones Consolidation Order 2015 Amendment No.X 201X, including the Notice, Order and Statement of Reasons, as advertised on the council's website at:- https://www.brighton-hove.gov.uk/content/parking-and-travel/parking/traffic-regulation-order-tro-proposals

2. Planning application (BH2011/02886) for the Royal Sussex County Hospital (3Ts) redevelopment , Eastern Road, Brighton.

3. Transport Assessment for 3Ts planning application (BH2011/02886).



KEY

- Existing Parking Bays
- Revoked Parking Bays
- New and Amended Parking Bays
- Existing Parking Restrictions
- Revoked Parking Restrictions
- New and Amended Parking Restrictions

Rev	Revision details	Date

Status: (tick ✓ as appropriate)

INFORMATION	☐	SURVEY	☐	FEASIBILITY	☐
DESIGN	☑	TENDER	☐	WORKING DRAWINGS	☐
AS-BUILT	☐				

	Signed	Date
Drawn:	Ben Stride	July 2016
Designed:	Ben Stride	July 2016
Checked:		
Approved:		
File/Acad ref:	S:\	

Brighton & Hove City Council

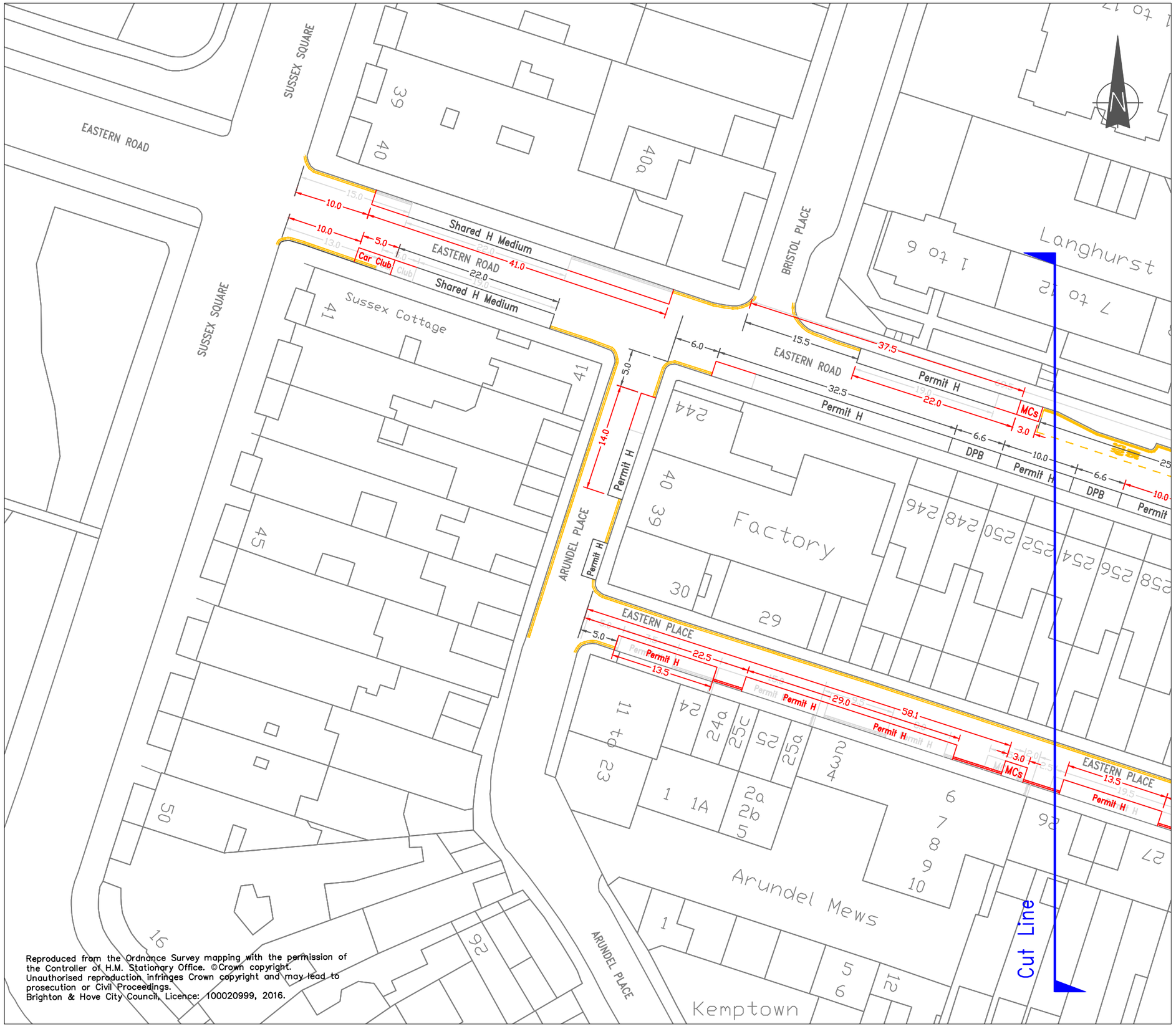
Project Name

RSCH 3Ts Redevelopment Project Offsite Highway Works

Drawing Title

CPZ H Eastern Road / Arundel Road TRO Drawing Eastern Section

Drawing No	Scale	Rev
HD-BHCC-RSCH/TRO2	N.T.S. @ A3	-



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Rev	Revision details	Date

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Brighton & Hove City Council

Project Name

RSCH 3Ts Redevelopment Project Offsite Highway Works

Drawing Title

CPZ H Eastern Road / Arundel Road TRO Drawing Western Section

Drawing No	Scale	Rev
HD-BHCC-RSCH/TR01	N.T.S. @ A3	-

APPENDIX 2

Summary of representations received

Traffic Regulation Order [TRO] Proposal (reference number: TRO-19-2016)

Who	Object/Support	Contents	Summary officer comments/recommendations
Resident	Object to TRO	Loss of parking bays in Eastern Road – the bays to the west of Arundel Place should become residents only to add additional parking. Shared parking on the extension of Eastern Road past Macs – is designated 'long stay' – this should be 'short/medium' to allow users of Macs to park rather than long stay vehicles. The communal bins on Arundel Place and the south-side of Eastern Road have been removed, need them somewhere and the only ones now seem to require crossing the busy Eastern Road with bin bags.	Loss of parking provision has been minimised within the design of the junction, and where possible, additional parking areas have been added. Further parking provision could also be made available in the local area, if considered suitable and subject to a further TRO. Locations and accessibility of communal bins will be reviewed as part of the final design.
	Object to traffic signal junction	The lights will have pedestrian phases which are great but will lead to queues and stationary traffic outside homes, which causes a worry for air and noise pollution. Road users will look to avoid the lights and rat runs will form in Arundel Place, Eastern Place, Arundel Street and possibly Bristol Place and Bristol Gardens. Eastern Place, Arundel Place and Arundel Street should be made no entry, access only to avoid through traffic.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that may be warranted.
Resident	Object to TRO	There will be a reduction in much needed parking bays.	Loss of parking provision has been minimised within the design of the junction, and where possible, additional parking areas have been added. Further parking provision could also be made available in the local area, if considered

Who	Object/Support	Contents	Summary officer comments/recommendations
			suitable and subject to a further TRO
	Object to traffic signal junction	If signals go ahead will increase the air and noise pollution due to stationary traffic. The smaller roads nearby will become rat runs for traffic trying to avoid lights. Main route into and out of East Brighton for emergency services, traffic will find it difficult to move out of the way and for emergency services to pass and cause a delay in them reaching their destination.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that may be warranted. As the NHS Trust has proposed the traffic signals, it is assumed that it has concluded that they will not significantly impede or delay emergency service vehicles.
Resident	Object to TRO	Reduction in spaces in Eastern Road - not enough space at the moment. The bins in area are at capacity already taking them away will move litter onto the streets.	Loss of parking provision has been minimised within the design of the junction, and where possible, additional parking areas have been added. Further parking provision could also be made available in the local area, if considered suitable and subject to a further TRO. Locations and accessibility of communal bins will be reviewed as part of the final design.
	Object to traffic signal junction	Extra congestion when leaving property at peak time, side streets will become more congested and used as rat runs. Additional noise from stationary traffic. Traffic noise and pollution already high and this will be worse with signals.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays.
Resident	Object to TRO	Loss of parking is a concern - the balance is just about right on Eastern Road at the moment.	Loss of parking provision has been minimised within the design of the junction, and where

Who	Object/Support	Contents	Summary officer comments/recommendations
		New bays on the eastern extension of Eastern Road past Macs Café should be short stay. The bays west of Arundel Place currently shared should become permit holder only to allow for the displaced vehicles.	possible, additional parking areas have been added. Further parking provision could also be made available in the local area, if considered suitable and subject to a further TRO.
	Object to traffic signal junction	Arundel Place and Eastern Place are both narrow roads and Eastern Place recently designated as a cycle route (cycles travel west against flow of traffic) and as a resident witnessed near misses. There is potential for this route to become a rat-run to avoid the signals, both are unsuitable through roads and should be designated access only. Arundel Street and section of Eastern Road to the east of Arundel Road could also become a rat run. Would like for the following to be considered: - *No left turns for westbound traffic from "east" Eastern Road onto Arundel Road. *No right turns for eastbound traffic from Eastern Road south onto Arundel Road *No left turns for southbound traffic on Arundel Road onto 'east' Eastern Road.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that may be warranted.
Resident	Object to traffic signal junction	Eastern Place, Arundel Place and Arundel Street should be made no entry access only to avoid excess traffic in residential area. Traffic queues will mean increased air and noise pollution.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that may be warranted.

Who	Object/Support	Contents	Summary officer comments/recommendations
Resident	Object to traffic signal junction	Signals will cause congestion - which will affect the air quality and force traffic into using Eastern Place as a rat- run. If lights installed then Eastern Place should be made no entry access only.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that may be warranted.
Resident	Object to traffic signal junction	Signals will cause queues and congestion. Arundel Place will be used as a rat run, with people driving too fast. Arundel Place should be made no entry except for access and residents.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that may be warranted.
Resident	Object to traffic signal junction	The lights will cause a delay and possible that drivers will avoid delay by using side streets. The signals will result in stationary traffic outside people's house - what will be done about the noise and air pollution. Arundel Place, Eastern Place and Arundel Street should be no entry to through traffic.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that

Who	Object/Support	Contents	Summary officer comments/recommendations
			may be warranted.
Resident	Object to traffic signal junction	Will increase air and noise pollution due to the static traffic. Will hinder the flow of traffic and will only cause congestion rather than reduce it.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays. General monitoring of the junction and local observation of traffic flows and driver behaviour during the 10-year construction period of the 3Ts development will enable officers to consider any further measures that may be warranted.
Bus company	Object to traffic signal junction	No bus priority at signals and this will cause delays to many passengers.	The installation of the traffic signals is required in order to comply with the 3Ts planning permission and is therefore not the subject of the TRO proposal or process. They will incorporate the latest technology to maximise movement and minimise delays.