





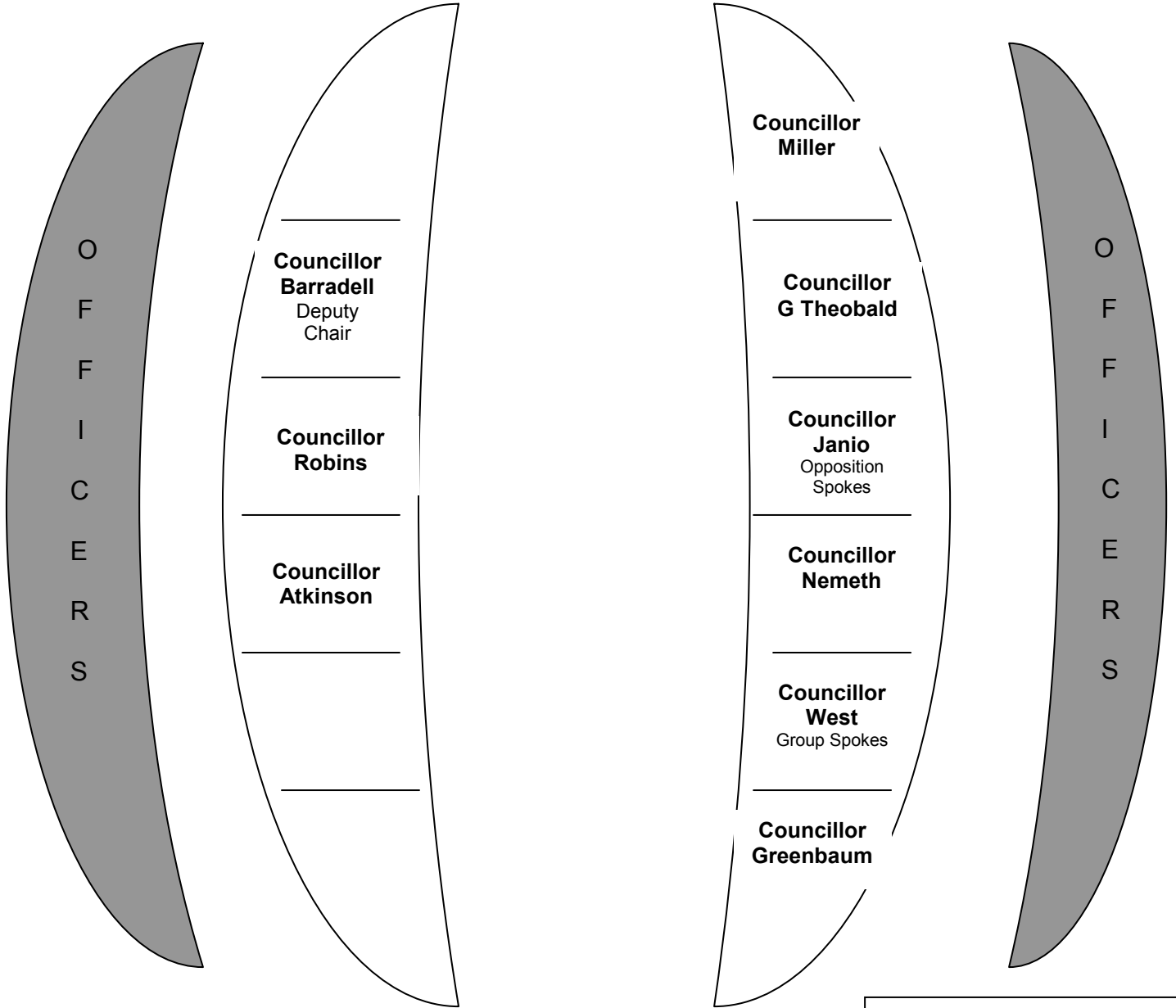
Brighton & Hove  
City Council

# Environment, Transport & Sustainability Committee

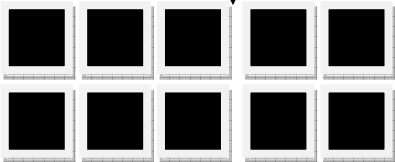
Title:	<b>Environment, Transport &amp; Sustainability Committee</b>
Date:	<b>13 October 2015</b>
Time:	<b>4.00pm</b>
Venue	<b>The Ronuk Hall, Portslade Town Hall</b>
Members:	<b>Councillors:</b> Mitchell (Chair), Barradell (Deputy Chair), Janio (Opposition Spokesperson), West (Group Spokesperson), Atkinson, Greenbaum, Miller, Nemeth, Robins and G Theobald
Contact:	<b>John Peel</b> Democratic Services Officer 01273 29-1058 john.peel@brighton-hove.gov.uk
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Democratic Services: Environment, Transport & Sustainability Committee

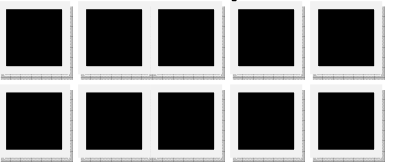
Legal Officer	Executive Director Environment, Development & Housing	<b>Councillor Mitchell</b> Chair	Democratic Services Officer
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Public Seating



Public Seating



AGENDA

PART ONE

Page

16 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.*

17 MINUTES

1 - 22

To consider the minutes of the meeting held on 7 July 2015 (copy attached).

Contact Officer: John Peel

Tel: 29-1058

18 CHAIRS COMMUNICATIONS

**19 CALL OVER**

- (a) Items (23 – 35) 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.

**20 PUBLIC INVOLVEMENT**

**23 - 32**

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

- (a) **Petitions:** To receive any petitions presented by members of the public
  - (i) Surrenden & Fiveways Parking Proposals
  - (ii) Traffic Calming on Preston Park Avenue
  - (iii) Zebra Crossing on Bear Road
  - (iv) Food Waste collection and composting; council-led
  - (v) Beaconsfield Road parking
  - (vi) Light touch parking restrictions, Rothbury Road and Jesmond Road
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 6 October 2015.
  - (i) Pedestrian Crossing Whitehawk Road
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 6 October 2015.
  - (i) Controlled Parking Zone in Lauriston and Cumberland Roads Preston Village

**21 ITEMS REFERRED FROM COUNCIL**

**33 - 34**

Item referred from the last meeting of Full Council held on 16 July 2015 (copy attached).

- (a) **Petitions**
  - (i) Brentwood Road pedestrian crossing
  - (ii) Proper Parking Consultation
  - (iii) Lollipop Crossing for West Blatchington Primary School



**22 MEMBER INVOLVEMENT**

**35 - 40**

To consider the following matters raised by Members:

- (a) Petitions:** To receive any petitions;
  - (i)** Lewes Road Traffic Scheme Review- Councillor Yates
- (b) Written Questions:** To consider any written questions;
  - (i)** Pay-by-Phone parking- Councillor Janio
- (c) Letters:** To consider any letters;
  - (i)** Southdown Avenue- Councillor Hamilton
- (d) Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

**TRANSPORT & PUBLIC REALM MATTERS**

**23 SURRENDEN & FIVEWAYS RESIDENT PARKING SCHEME CONSULTATION REPORT.**

**41 - 64**

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

*Contact Officer: Charles Field Tel: 29-3329*  
*Ward Affected: Hollingdean & Stanmer;*  
*Preston Park; Withdean*

**24 VALLEY GARDENS UPDATE**

**65 - 70**

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

*Contact Officer: Jim Mayor Tel: 29-4164*  
*Ward Affected: All Wards*

**25 PARKING ANNUAL REPORT 2014-15**

**71 - 74**

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

*Contact Officer: Paul Nicholls Tel: 29-3287*  
*Ward Affected: All Wards*

**26 RESIDENT PARKING SCHEME PRIORITY TIMETABLE**

**75 - 90**

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

*Contact Officer: Charles Field Tel: 29-3329*  
*Ward Affected: All Wards*

## ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

### **27 HIGHWAYS WINTER SERVICE PLAN 2015-16 91 - 128**

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

*Contact Officer:* Christina Liassides *Tel:* 29-2036  
*Ward Affected:* All Wards

### **28 TRAFFIC NETWORK MANAGEMENT STRATEGY 129 - 138**

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

*Contact Officer:* Jeff Elliott *Tel:* 29-2468  
*Ward Affected:* All Wards

### **29 REMOVAL OF NON-MOTORISED VEHICLES. 139 - 144**

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

*Contact Officer:* David Fisher *Tel:* 292065  
*Ward Affected:* All Wards

### **30 PARKING BAY SENSORS TRIAL 145 - 150**

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

*Contact Officer:* Austen Hunter *Tel:* 29-2245  
*Ward Affected:* East Brighton; Preston Park; Queen's Park; St Peter's & North Laine; Westbourne; Withdean

## **ENVIRONMENT & SUSTAINABILITY MATTERS**

### **31 BUSINESS CASE AND PROPOSALS FOR INCREASED WASTE ENFORCEMENT ACTIVITY 151 - 156**

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

*Contact Officer:* Jan Jonker *Tel:* 29-4722  
*Ward Affected:* All Wards

## ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

### **32 PROPOSALS FOR CHARGEABLE GARDEN WASTE COLLECTIONS 157 - 164**

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

*Contact Officer: Jan Jonker*

*Tel: 29-4722*

*Ward Affected: All Wards*

### **33 SUSTAINABILITY ACTION PLAN 165 - 172**

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

*Contact Officer: Mita Patel*

*Tel: 29-3332*

*Ward Affected: All Wards*

### **34 AIR QUALITY ACTION PLAN 173 - 178**

Report of the Director of Public Health (copy attached).

*Contact Officer: Annie Sparks*

*Tel: 29-2436*

*Ward Affected: All Wards*

### **35 REPORT OF THE SCRUTINY PANEL ON SHORT TERM HOLIDAY LETS (PARTY HOUSES) 179 - 190**

Report of the Director of Public Health (copy attached).

*Contact Officer: Tim Nichols*

*Tel: 29-2163*

*Ward Affected: All Wards*

### **36 ITEMS REFERRED FOR FULL COUNCIL**

To consider items to be submitted to the 22 October 2015 Council meeting for information.

*In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the 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](mailto:john.peel@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

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

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Date of Publication - Monday, 5 October 2015

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

**4.00pm 7 JULY 2015**

**THE RONUK HALL, PORTSLADE TOWN HALL**

**MINUTES**

**Present:** Councillors Mitchell (Chair), Barradell (Deputy Chair), Janio (Opposition Spokesperson), West (Group Spokesperson), Atkinson, Greenbaum, Miller, Nemeth, Robins and G Theobald

**PART ONE**

**1 PROCEDURAL BUSINESS**

**1(a) Declarations of substitutes**

1.1 There were none.

**1(b) Declarations of interest**

1.2 There were none.

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

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

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

**2 MINUTES**

2.1 **RESOLVED-** That the minutes of the previous meeting held on 17 March 2015 be approved and signed as the correct record.

**3 CHAIRS COMMUNICATIONS**

- 3.1 The Chair paid tribute to Highways Officers, the emergency services and Brighton & Hove Bus Company for their effective response to the serious road traffic accident on North Street the previous day.

#### **4 CALL OVER**

- 4.1 The following items on the agenda were reserved for discussion:

- Item 9: Wheelie Bin recycling trial
- Item 10: Changes to textile collections from bring sites securing revenue for Brighton & Hove City Council and local charities
- Item 11: Progress and proposals for ultra-low emission vehicles
- Item 12: Traffic regulation order objections- Lustrell's Vale and Saltdean Vale
- Item 13: George Street- opening hours to traffic

- 4.2 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 8: Constitutional Matters
- Item 14: Madeira Drive- changes to the parking arrangements and tariffs

#### **5 PUBLIC INVOLVEMENT**

##### **(a) Petitions**

##### **(i) Zebra crossing for Nevill Avenue- Kate Culligan**

- 5.1 The Committee considered a petition signed by 116 people requesting a zebra crossing at the end of Nevill Avenue to assist the safety of children from five local schools.

- 5.2 The Chair provided the following response:

*"Thank you for presenting your petition requesting a pedestrian crossing at the end of Neville Avenue at the Neville Road end to particularly help local school children to cross safely.*

*The council does recognise the provision of such crossings as important for allowing pedestrians to move safely around the city.*

*We do receive a large number of requests and so have an agreed policy and criteria for assessing them fairly and carefully. This includes technical as well as social factors.*

*I am pleased to say that an evaluation of the movement of pupils to school is already in hand through the Council's Safer Routes to Schools Programme and the Road Safety Manager has advised that construction work to improve crossing opportunities at that location will be carried out during the Summer".*

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

##### **(ii) Eastb. A259/Longridge Ave- Peter Wright**

5.4 The Committee considered a petition signed by 79 people requesting the council to establish the left eastbound lane at the junction Saltdean, A259/Longridge Avenue as left turn only (except buses) in the interests of safety.

5.5 The Chair provided the following response:

*"I am pleased to advise that the Council's Road Safety Team has started a Route Study of the A259 between Marine Gate and the city boundary, with a view to seeing where the safety of road users can be improved.  
The request in the petition will be included in this work.  
The results of that study will be brought to this committee when complete".*

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

**(c) Deputations**

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

5.7 The Committee considered a Deputation presented by Chris Taylor that relayed the outcome of a parking survey recently conducted by Hanover & Elm Grove Local Action Team (HEGLAT) and asked the council to undertake the development of a mutually agreed proposal followed by a consultation on controlled parking in the area based on the Community Parking Plan as devised and proposed by residents and HEGLAT.

5.8 The Chair provided the following response:

*"Thank you Mr Taylor for bringing your deputation here today. I want to congratulate you, the Hanover & Elm Grove LAT, ward councillors and all of the residents in the area that have been working so positively with the council to hopefully create a scheme that works for the majority of the Hanover & Elm Grove community.  
I attended the most recent public meeting a few months ago and was impressed by the willingness to do this.  
I can confirm that the area will be considered as part of the priority timetable for a parking scheme consultation that is being presented as a report to this Committee in October.  
Between now and then, officers will examine the suggestions put forward in your submission and the feasibility of incorporating them will be reflected in the October report.  
We look forward to continuing work with you on this".*

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

**(ii) Controlled Parking Zone for Hollingbury Road**

5.10 The Committee considered a deputation presented by Rachel Christopher on behalf of residents in Hollingbury Road requesting consultation of their area for inclusion in the existing CPZ J.

5.11 The Chair provided the following response:

*“Thank you for your deputation.*

*Following your requests officers will carry out a further investigation and ensure that this area is considered as part of the priority timetable for parking schemes which is being presented in a report to this Committee at our next meeting in October.*

*The report in October will include the feasibility for taking forward the requests outlined in your deputation.*

*It will also take into account the timescales of the Surrenden & Fiveways parking scheme consultation to see if a solution for one road can be identified as soon as possible”.*

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

## **6 ITEMS REFERRED FROM COUNCIL**

### **(a) Petitions**

#### **(i) One way system around the Windmill at the top of Holmes Avenue- Nigel Jenner**

6.1 The Committee considered a petition referred from the meeting of Full Council on 26 March 2015 and signed by 156 people requesting the council install a one way system around the Windmill at the top end of Holmes Avenue.

6.2 The Chair provided the following response:

*“I would like to thank Mr Jenner for his petition presented on behalf of residents in the Holmes Avenue area.*

*I am pleased to report that the council’s Road Safety Manager has investigated the traffic management issues in the roads passing each side of the windmill and improvement measures were implemented in April.*

*At the present time it is not considered that necessary to implement a one-way system that may have the adverse effect of speeding up traffic. Records indicate 1 slight collision reported to police in the last 5 years.*

*However, the Road Safety Manager will be pleased to meet with any residents that have continuing concerns about traffic management in that area”.*

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

#### **(ii) Pedestrian crossing for Freshfield Road- Faye Bridgewater**

6.4 The Committee considered a petition referred from the meeting of Full Council on 26 March 2015 signed by 1369 people requesting the council install a pedestrian crossing point on Freshfield Road.

6.5 The Chair provided the following response:

*“Thank you for your petition and congratulations on getting a large number of signatures. As I have outlined to the previous petitioner for a crossing, there is a commitment to road safety in the city and we have a methodology for assessing the sites requested for crossings.*



*I have asked the council's Road Safety Manager to add this location to that programme, the outcome of which will be posted on the council's website. Your local ward councillors will also be informed. I know that Councillor Morris has been supportive of your request".*

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

**(iii) Save the Mazda fountain- Sarah Brooker**

6.7 The Committee considered a petition referred from the meeting of Full Council on 26 March 2015 and signed by 1055 people that requested the council retain the Mazda Fountain in its current position in Victoria Gardens.

6.8 The Chair provided the following response:

*"Thank you for your petition and for getting so many signatures. The design work for the gardens is at a preliminary stage and not yet at the detailed design stage. Any abortive design that relies on the fountains' inclusion or exclusion will be avoided. This means a final design will work with or without the fountain in its current location.*

*As a Labour Administration we are keen for the fountain to stay in its current location and the size of your petition reflects the fact that many people hold a similar view. The final designs will be brought to committee for debate and a final decision"*

6.9 Councillor Theobald asked if a final decision on the design of the Valley Gardens scheme would be taken by this Committee.

6.10 The Chair stated that she understood that would be the case as only the contractual aspects of the scheme would need to be agreed by Policy & Resources Committee.

6.11 The Head of Transport stated that it was intended to submit the final designs for the gardens and highways and contractual matters in one report to Policy & Resources Committee.

6.12 Councillor Theobald stated that he was very concerned by that proposal as he had always believed that the final design should be decided by this committee.

6.13 The Executive Director Environment, Development & Housing stated that officers would look again and the timeframe for the scheme and an Urgency Committee could be convened if necessary in order for Members of this committee to approve the scheme.

6.14 Councillor West stated that a decision had already been taken on the removal of the fountain by this committee when it had agreed the concept design.

6.15 The Chair stated that the a decision on the scheme would be taken by this committee that would provide two design proposals- one incorporating the Mazda Fountain and one with the Fountain removed.

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

**(iv) Brighton & Hove's Live Music Venues- Mark Stack**

- 6.17 The Committee considered a petition referred from the meeting of Full Council held on 26 March 2015 and signed by 4698 people requesting the council to review its procedures and protocols in respect of noise abatement notices served on live music venues in the city. The petition had been debated by Full Council in March and a recommendation had been passed to the committee that it considers the establishment of a Policy Panel to review the issues raised in the petition.
- 6.18 The Chair provided the following response:
- “Thank you for your petition and may I congratulate you on getting a large amount of signatures.  
As Members will be aware, the committee was requested by Full Council to consider the establishment of a Policy Panel to review the issues raised in the petition.  
Members will note that the Terms of Reference for the Policy Panel are set out in pages 31-40 in the agenda.  
I would like to propose that the committee notes the petition and agrees to the establishment of a Policy Panel”*
- 6.19 Councillor West stated that the Terms of Reference were not directly relevant to a Policy Panel on this issue.
- 6.20 The Chair replied that the Terms of Reference would allow scope for the Panel to agree its work and remit as Scrutiny Panels had done previously.
- 6.21 **RESOLVED-** That the Committee notes the petition and agrees to the establishment of a Policy Panel to review the issues raised in the petition.

## 7 MEMBER INVOLVEMENT

### (b) Written Questions

#### (i) Trip-wires across cycle paths- Councillor West

- 7.1 Councillor West presented the following question:

*“I note with increasing concern a number of local reports of dangerous trip wires being strung across cycle paths. Recently cyclist Darren Gibson was dragged from his bike by a near invisible trip wire while cycling in woodland near East Brighton Golf Course, breaking his collar bone. I understand Police are also investigating at least two other local instances where riders have been injured by trip wires in Coldean Woods. This is not however just an isolated local problem but part of an alarming national picture: neck high wires have also been found strung across cycle paths in Suffolk and spikes have been found deliberately scattered on a hairpin bend in Wales. In 2008 a 17 year old was killed by a trip wire strung across a path in Merseyside.  
What urgent action is being taken by Council officers and Police to identify the culprits of the trip-wires in the City? What security measures are being employed to deter other anti-cyclists from creating similar hazards? And, what education will be offered to help combat anti-cycling sentiment that leads to some extremists taking life threatening action?”*

7.2 The Chair provided the following response:

*“Thank you for your question.*

*These are very concerning events which can only be regarded as criminal actions. The council’s Rights of Way Officers have made an investigation of the local incidents and none have occurred on public rights of way they are in off-road areas used by people on off-road bikes, but that does not diminish the seriousness of the actions. The police are the principal agency handling this matter and so any action to bring the culprits to justice is a matter for them.*

*In terms of combatting the anti-cycling feeling that may be leading to such criminal behaviour, the council will continue to promote understanding between all users of public spaces, both in and outside the built up area of the city and ensure that our City Parks and Ranger services are fully aware of the potential for these dangerous activities”.*

7.3 Councillor West stated that given the seriousness of the offences, he hoped high priority could be given to the activities before somebody was more seriously hurt and that regular updates could be provided to Members.

7.4 The Chair stated that she would request officers to ask Sussex Police for updates.

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

7.5 Councillor Wares presented the following question:

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

- 1. The site is now acknowledged as prone to flooding evidence by the Council’s plans to mitigate this.*
- 2. Surface water from the proposed 21 transit pitches just runs off to ground. This risks contaminants entering the ground and eventually to the drinking water supply. The site is directly above a man-made adit that collects the City’s drinking water that is pumped through Waterhall.*
- 3. The risks of contaminants causing pollution are considered high by the Environment Agency evidenced by their letter dated 17<sup>th</sup> June 2015 that it lists prohibited chemicals and liquids banned for use and storage on site as for example oils, fuels, bleaches, white spirits, paints. All commonly associated with the travelling community.*
- 4. The Council’s management plan is to evict if such pollutants are stored or used. That prevents a repeat but not an initial accidental or deliberate spillage causing contamination.*
- 5. If access to the site means not bringing pollutants on then a significant number of travelling families could not enter the site rendering it useless.*
- 6. The 21 transit pitches will be served by one toilet. 21 transit pitches could accommodate 100-150 people. This is a wholly inadequate standard to provide a reasonable amenity for any community.*

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

7.6 The Chair provided the following response:

*“The council has always been aware that there are environmental sensitivities around the Horsdean site. The planning of the site has carefully factored-in these environmental concerns in order to ensure that they are successfully mitigated. I am not aware of any recent issues that should cause the council to reverse its intention of securing the new permanent travellers site. With regard to the issues you have raised in your question, my response is as follows:*

- 1. The site has experienced occasional flooding at times of exceptionally heavy rainfall, as have many parts of the city and the wider area. Such rare floods have always drained away very quickly. The nature of localised surface water runoff during the January flooding incident has been taken into account in the landscaping design of the proposed facility, which will serve to divert water flows and protect against future flooding. The design has been signed off by the South Downs National Park Authority.*
- 2. The purpose of the treatment components within the soakaways is precisely to prevent contaminants from entering the ground and from affecting the drinking water supply. The design of the surface water soakaways has been supported by the Environment Agency and has been signed off by the South Downs National Park Authority.*
- 3. The Environment Agency has not stated that the risks of contaminants causing pollution are high. If this was the case, it is unlikely that the Environment Agency would accept the principle of the permanent site in this location. In order to minimise the risk of contaminants from entering the site there will be a ban on storage or use of hazardous materials that will be a condition of tenancy for future residents of the permanent site.*
- 4. The threat of eviction for breaches of the ruling against the use or storage of hazardous materials should not be taken lightly. There is considerable demand for the 12 permanent units from the traveller community, who will need to enter into appropriate tenancy agreements with the council. The site will be monitored and a process of continued education will take place with the community regarding the environmental sensitivities of the site and the consequences for non-compliance with site rules and regulations.*
- 5. There is already an existing ban on bringing hazardous materials onto the transit site, but that does not stop the site from being well used by the traveller community. A process of continued education already takes place on the transit site and environmentally friendly cleaning products are made available to minimise the threat of pollution.*
- 6. There are in fact six, not four, toilets in the current transit site wash block. I recognise, however, that this level and standard of toilet facilities for the transit site is not ideal. The development of the permanent site will result in the net loss of two transit site pitches, so there will be a slight easing and no exacerbation of the long-standing situation. In any case, this level of provision is at least better than the lack of any facilities, which is the normal situation on illegal encampments.*

*There is no justifiable reason for the administration to suspend the project to enable a fuller environmental study. The scheme has been through considerable scrutiny from the South Downs National Park Authority, statutory bodies such as the Environment Agency and non-statutory amenity groups such as the Patcham and Hollingbury Conservation Association.*

*The scheme has been refined and improved to take on board a wide range of environmental concerns and now has planning permission for work to commence. With regard to the transit site, I have asked officers to see if improvements can be secured to the toilet block within existing financial resources.*

*Whatever the outcome, there is no valid reason to suspend work on securing the new permanent facility which received its original grant back in 2008, since when considerable time and effort have been spent in in site selection exercises, consultation and planning in bringing the scheme to fruition”.*

7.7 Councillor Wares asked the following supplementary question:

“I would ask that the Committee reconsiders its decision on the location of the site on the basis of new information”

7.8 The Chair thanked Councillor Wares for his comments.

7.9 Councillor Janio asked officers if water tracing experiments been conducted on the site.

7.10 The Executive Director Environment, Development & Housing stated that the position of officers was the necessary consents had been obtained for the site.

7.11 Councillor Janio stated that he wished to move a motion for a six month suspension to any works on site until assurance was provided that the necessary checks had been carried out.

7.12 The Chair stated that as the question was put directly to her as Chair and not to the committee, it was not possible under the terms of the council’s constitution to permit a motion.

7.13 Councillor Theobald noted that the former Chairman of Southern Water had provided evidence against the site location to the South Downs National Park Authority. Councillor Theobald asked the Deputy Head of Law if the Conservative Group could vary the response provided by the Chair or to take a vote on a decision to suspend work on the site until the necessary checks were conducted.

7.14 The Chair stated that she would not be putting her response to the vote as by the terms of the constitution, Written Questions were put to the Chair and no debate or decision by the wider Members was required.

7.15 Councillor Theobald asked if he could have this confirmed by the Deputy Head of Law.

- 7.16 The Deputy Head of Law confirmed that the Chair was correct and that the procedure in question was dealt with exclusively by the Chair and there was no remit for a resolution by the committee.

**(c) Members Letters**

**(i) Lewes Road- Woodingdean Traffic- Councillors Simson and Bell**

- 7.17 Councillor Simson presented a letter on behalf of the Woodingdean ward councillors that traffic monitoring in relation to the impact of Lewes Road be undertaken as a matter of urgency due to the large increase in traffic through Woodingdean that was of great concern to residents.

- 7.18 The Chair provided the following response:

*“Thank you for your letter seeking an update to the response you received back in October 2014.*

*I fully acknowledge the concerns about traffic volumes raised by residents in Woodingdean and the desire to see these addressed.*

*I am pleased to say that a period of post scheme monitoring of the Lewes Road corridor has now commenced and this is being done in two stages.*

*Traffic volume and speed data has been collected for the Woodingdean area as part of the first stage.*

*Second stage surveys are programmed for September following which an evaluation will be made of the overall impact so that any mitigation measures can be considered.*

*I will ensure that you are both kept fully briefed as this work continues”.*

- 7.19 Councillor West noted that the intention in the design of Lewes Road was to create a reduction in traffic by encouraging a shift to sustainable transport. Councillor West stated that he hoped any report detailing traffic monitoring would also detail the way people living in Woodingdean were travelling to give a wider picture.

- 7.20 The Chair stated that Councillor West's question related more to travel planning that the council was monitoring in different ways and the information requested by the Woodingdean ward councillors was a valid request and a separate matter.

- 7.21 **RESOLVED-** That the letter be noted.

**(ii) Coach Parking- Councillor Theobald**

- 7.22 Councillor Theobald presented a letter requesting that the Administration urgently prioritise a clear timetable for establishing a new coach park whether temporary or permanent for the summer of 2016.

- 7.23 The Chair provided the following response:

*“Thank you for your letter.*

*I agree with you that as traffic levels and visitor numbers rise, it is important that sustainable transport modes are encouraged. I fully take your point about the i360 and*

*the other developments planned that will boost visitor numbers and support the local economy.*

*The inclusion of the provision of a coach park within the Local Transport Plan reflects the following representations*

- *From Roedean residents*
- *The views of the tourism and business industry*
- *The condition of Pool Valley Coach Station*

*To ensure that a modern coach park with all the driver and passenger facilities can be realised, we will need to have:*

- *An investment plan with an allocated budget*
- *A site identification process along with any associated planning and other consultation*
- *Decisions in relation to the ongoing operation, management and security of the site*

*All of this will form one of the several key work streams from the LTP that will need to be prioritised by this committee according to available resources.*

*So, at this stage, I can't commit to bringing forward any one work stream in isolation. I can commit to bringing forward the report to committee this year that will set out options for taking forward these work streams in a coherent programme within budget".*

7.24 Councillor West noted that the previous Administration had put significant efforts into obtaining a coach parking site in the city to no avail as it was very difficult to find a valid, permanent site.

7.25 **RESOLVED-** That the letter be noted.

### **(iii) Local shopping centres- Councillor Janio**

7.26 Councillor Janio presented a letter requesting a report for significant design changes to the Grenadier Shopping area could be improved in relation to transport accessibility.

7.27 The Chair provided the following response:

*"Thank you for your letter and I am sorry to read that the measures undertaken so far to improve the parking around The Grenadier have not lived up to expectations. I fully agree with your 3<sup>rd</sup> paragraph in relation to the accessibility of local shopping centres.*

*As I have mentioned to Cllr Theobald in terms of a coach park being included as a work stream within the LTP, the work to support the accessibility and viability of neighbourhoods and local shopping areas is another of the work streams identified within the LTP, as your letter points out, where the committee will decide on a programme of priorities.*

*Other work streams in addition to the two mentioned includes Use of Technology & Travel Information and a review of the city's route hierarchy.*

*Resources do not allow all of this work to be progressed at once- hence the commitment to bringing a report to committee later this year to get agreement on prioritisation.*

*This will be a transparent and fair assessment of the city's strategic and local needs".*

7.28 **RESOLVED-** That the letter be noted.

**(iv) Craven Vale Estate Controlled Parking Zone- Councillor Barradell**

7.29 Councillor Barradell presented a letter on behalf of Craven Vale Community Association detailing a survey they had carried out with residents on a potential controlled parking zone and requesting a report be brought to a future committee with proposals for a way forward. Councillor Barradell provided an update to the survey results that demonstrated from a response rate of 28%, 78% were in favour of a scheme for the area.

7.30 The Chair provided the following response:

*“Thank you for your letter and as a fellow ward member I am well aware of the increasing parking pressures in the Craven Vale area.  
I’d like to commend the work of the Craven Vale Community Association on their survey. Officers will ensure that this area is considered as part of the priority timetable for parking schemes coming to this committee in October”.*

7.31 **RESOLVED-** That the letter be noted.

**(v) Valley Gardens Scheme- Councillors West & Janio**

7.32 The Committee considered a joint letter from Councillors West and Janio regarding delays to the Valley Garden scheme and requested that, in order for the project to remain to its original timescale agreed at the Committee’s March 2015 meeting, that Members agree that a report be submitted to the 16 July 2015 Full Council meeting covering the matters scheduled to be presented to this meeting.

7.33 The Chair provided the following response:

*“I want to be clear that this is a scheme that has the potential to deliver real public urban realm improvements for the city.  
Delivered well, it can benefit residents, businesses and visitors.  
We are committed to delivering the scheme successfully.  
To do this we now need to move from the overall urban realm proposal to the detailed traffic modelling – the devil really is in the detail – and that work is underway based on the conceptual designs presented to committee.  
The scheme will impact on the city’s main arterial roads. Every alteration we make will impact on traffic flow and we have to understand the full impact of the changes proposed. A tested traffic management plan will need to be produced.  
Last month, Cllr Warren Morgan and I met with officials from the Local Enterprise Partnership to explain that we needed a bit of additional time to seek these assurances. They were very understanding of our need to do this.  
I have committed to bringing a report to October’s Policy & Resources Committee that will detail the final designs and get the go ahead for construction to start. It will need to go to P&R because of the contractual matters.  
This will still enable the project to be completed within the LEP’s 3 year funding timescale and I understand they work will begin in February if not before.*



*If we are to ask businesses and residents to put up with the inconvenience of what will be a long programme of road works, we need to be sure that we get the scheme right and I think you would agree with that.*

*I'm hoping that we can all work together on this and be able to realise the long term aims and gains of the project".*

- 7.34 Councillor Janio asked for clarification on whether there would be an Urgency Sub-Committee of this committee to decide on the final design or whether a decision would be made exclusively by Policy & Resources Committee.
- 7.35 The Chair stated that the previous agreement was to consider two reports separately-one to agree the design and another to seek approval to construct. The new proposal was to package both together in one report to Policy & Resources Committee to prevent overlap and duplication of work.
- 7.36 Councillor Janio stated that he was not content that previous agreements on design would be disregarded and a new version presented for approval.
- 7.37 The Chair clarified that the design work currently underway was based on the concept designs agreed by the committee in March 2015. Furthermore, the garden design was not yet started and any decision on the future of the Mazda Fountain would be for Members to decide. The Chair added that size of the scheme accordingly meant it was extremely important not to rush work and ensure that the traffic modelling and design was right and would work.
- 7.38 Councillor West stated that a timescale had been clearly set out to the committee and its meeting in March 2015 and at previous stages and was clearly not rushed. Councillor West stated that the description of the design as a concept was erroneous as the plan agreed was the design and since then officers had been working on how to build the scheme.
- 7.39 The Chair stated that as a new Administration had committed as an manifesto pledge to conduct a rapid appraisal of the scheme and content themselves of other issues such as the wider impact of the scheme and a traffic management plan had been requested. The Chair stated that it was intended to submit a report to Policy & Resources Committee in October.
- 7.40 Councillor Miller asked if it might be appropriate to hold further Project Management Board meetings ahead of the committee meeting the report would be presented to.
- 7.41 Councillor Janio asked if Members requested to approve the design at a future committee would be presented just one design or options. Councillor Janio repeated Councillor Miller's request that the Project Management Board be reconvened.
- 7.42 The Chair stated that she was happy to re-establish the Project Management Board but she could not guarantee when the designs would be available to present to the Board.
- 7.43 Councillor Theobald stated that he had been provided assurance in the debate but he had maintained throughout consideration of the scheme that the final design was approved by this Committee not Policy & Resources Committee.

- 7.44 The Chair stated that the final design could be agreed by this Committee and asked officers if that meant the contractual and financial matters would still have to be decided by Policy & Resources Committee.
- 7.45 The Executive Director Environment, Development & Housing confirmed that the report would have to be split effectively in two with the design aspects considered by this committee and the contractual and financial matters agreed by Policy & Resources Committee.
- 7.46 Councillor Nemeth asked if the council had a deadline for completion from the Local Enterprise Partnership.
- 7.47 The Chair confirmed this was October 2015.
- 7.48 Councillor Janio thanked the Chair for her clarification on the project schedule and noted his Group would agree to note the letter and a report to the next Full Council meeting was not necessary.
- 7.49 **RESOLVED-** That the letter be noted.

### **Adjournment 17:40-17:50**

## **8 CONSTITUTIONAL MATTERS**

### **8.1 RESOLVED-**

1. That the committee's terms of reference, as set out in Appendix 1 to this report, be noted; and
2. That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

## **9 WHEELIE BIN RECYCLING TRIAL**

- 9.1 The Committee considered a report of the Executive Director Environment, Development & Housing that sought approval to trial wheelie bins for recycling for 4,500 households in areas of Hangleton, South Portslade and North Portslade.
- 9.2 Councillor Janio asked if there were any plans to consider inserts for glass recycling in the bins as other authorities had done.
- 9.3 The Head of Strategy & Projects clarified that glass inserts could be considered for the bins against issues of capacity amongst others.

- 9.4 Councillor Robins asked if residents would have a choice on a 240L or 140L capacity bin.
- 9.5 The Head of Strategy & Projects stated that the smaller 140L bins may be more appropriate for smaller households and the area would be audited ahead of the trial.
- 9.6 Councillor West stated that he welcomed the proposal and it was something that his previous administration had been working on for some time. Councillor West stated that the black box recycling was a good idea at their inception but had become redundant over time. This new scheme would be much more helpful for both residents and Cityclean staff collecting recycling material. Councillor West stated that one potential issue was that residents would have to retain a black box for glass recycling which may create confusion but he acknowledged that an insert in the bins for glass recycling may cause the bins to be too heavy. Councillor West urged strong communication with residents on this matter to ensure it was a success.
- 9.7 Councillor Barradell stated that she welcomed the report adding that she found it surprising that it had not been introduced already as many authorities had done so. Councillor Barradell asked if the council would be collecting the black boxes no longer needed as they could be reused and if a breakdown could be provided on the £5.75 per household cost of communication materials for the trial.
- 9.8 The Head of Strategy & Projects clarified that the black boxes would be collected and reused in other parts of the city and that he would provide a breakdown of the £5.75 cost per household for communication materials subsequent to the meeting as this was not currently to hand.
- 9.9 Councillor Miller asked if there would be any prevention to residents continuing to use black boxes for recycling and asked for more information on paragraph 3.11 of the report that stated that some areas properties would be suitable for wheelie bins.
- 9.10 The Head of Strategy & Projects stated that the new bins would be a different colour and would be clearly labelled as recycling bins. The current black boxes would no longer be collected by the refuse teams and that would be made clear in the communication and engagement with residents. The Head of Strategy and Projects added that some properties would not be suitable for the new 240L bins due to a lack of space at the front of the properties and that it would not be practical to store these to the rear of the properties as many black boxes currently were as they would have to be taken through the house.
- 9.11 Councillor Nemeth noted that he had found some animosity toward the black bins and asked what colour the new bins would be.
- 9.12 The Head of Strategy & Projects stated that a decision on this matter had not yet been made.
- 9.13 **RESOLVED**
1. That the committee approve a trial to introduce wheelie bins for the storage and collection of paper, card, cans and plastic bottles for recycling.

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

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

- 10.1 The Committee considered a report of the Executive Director Environment, Development & Housing that sought approval to procure a contract for the installation, maintenance and servicing of textile banks in Brighton & Hove to enable textiles to be recycled with the rising revenue ring-fenced to local charities and groups and service improvements.
- 10.2 Councillor Greenbaum noted there was no mention in the report of any consultation with the existing collection providers or any consideration to the option to license or regulate the current arrangement.
- 10.3 The Head of Strategy & Projects noted that there was currently a good network of textile collection points but no direct benefit in the revenue from those sites remained within the city. The Head of Strategy & Projects added that the council had been contacted by a number of locally based charities asking that the council help them to benefit from such collections.
- 10.4 On behalf of the Conservative Group, Councillor Janio moved a motion to amend recommendation 2.1.2 and 2.1.3 as shown in bold italics below:

(That the Environment, Transport & Sustainability Committee):

- 2.1.2 Authorises the re-investment of **60%** of the net income from the contract in service improvements such as maintenance of on-street recycling bins and investment in wheelie bins for recycling;
- 2.1.3 Authorises the ring-fencing of **40%** of the net income from the contract to the incentive fund formally agreed by the Committee in March 2014;
- 10.5 Introducing the amendment, Councillor Janio stated his general support for the proposals noting that the scheme would only apply to council land and that collection points on private land could continue. Councillor Janio added that whilst he supported the principle, he believed local charities needed more support rather than directed to the council's General Fund and would it was his preference that the ring-fenced income directed to the incentive fund be increased from 10% to 40%. Councillor Janio

supplemented that he hoped the matter could be revisited once it had been in operation for a period.

- 10.6 Councillor Theobald formally seconded the motion.
- 10.7 The Chair noted that the income received from the scheme would not be directed to the General Fund but would be used for issues such as the repair of communal bins and repayment of the wheelie bin trial just agreed by the committee.
- 10.8 Councillor West stated it wasn't true to say that the wheelie bin trial was solely dependent on a 90% re-investment of the net income from a textile collection service as the report on that matter had identified funding for the scheme would come from central funds and the issue would be how that amount was recouped. Councillor West stated he was supportive of bringing textile collection to local benefit but he was disappointed that existing providers had not been consulted and he had received a lot of correspondence from those providers on the impact of the proposals. Councillor West stated he was keen for the money to be shared fairly and would be supporting the Conservative Group amendment.
- 10.9 The Chair noted that the financial implications of the Wheelie Bin recycling trial report previously agreed had identified money generated from textile collections as an income generator for the scheme and asked what impact the proposed amendment might have.
- 10.10 The Head of Strategy & Projects noted that the Wheelie Bin recycling trial report had identified that the money for the trial would be funded from capital reserves and repaid from schemes such as textile collections, commercial waste schemes and from other savings on waste disposal. However, none of those income streams were guaranteed and a likely effect in the reduction in income would be that the repayment period for the Wheelie Bin recycling trial would have to be extended from 2-3 to 3-4 years. The Head of Strategy & Projects noted that should the Wheelie Bin trial be successful, funding for a full roll of the scheme would have to be found.
- 10.11 Councillor Barradell stated that a continuing challenge for local government in the context of funding cuts from central government would be generating income to provide services such as those on the agenda. Councillor Barradell stated that she had sought information from the Charity Commission on TRAIID and found that of a £4.9m income, £4.6m was costs and only £300,000 was passed to charities. Councillor Barradell stated that the recommendations might mean that more could be returned to local charities in Brighton & Hove. Councillor Barradell added that she was also unsure whether the European Recycling Company had charity status.
- 10.12 Councillor Greenbaum stated that she also had reservation about the legal status of some of the organisations involved in textile collections and upon researching further; it did not appear that European Recycling Company was a registered charity.
- 10.13 Councillor Miller stated that he agreed the contribution should be higher as public perception was very important on this issue.
- 10.14 Councillor Nemeth asked if there would be resources required to move the existing banks and a timescale for the council to begin its scheme.

- 10.15 The Head of Strategy & Projects stated that informal discussions had taken place. Removal of the banks would require a Notice to Remove and no issues were anticipated.
- 10.16 The Chair then put the motion to a vote which was passed.
- 10.17 The Chair then put the report recommendations as amended to a vote which passed.
- 10.18 **RESOLVED-** That the Environment Transport and Sustainability Committee:
- 1) Authorises the procurement of the contract for the installation, maintenance and servicing of textile banks in Brighton & Hove, following the timeline and evaluation criteria set out in the report with a contract term of 3 years from November 2015 with the option of a two year extension;
  - 2) Authorises the re-investment of 60% of the net income from the contract in service improvements such as maintenance of on-street recycling bins and investment in wheelie bins for recycling;
  - 3) Authorises the ring-fencing of 40% of the net income from the contract to the incentive fund formally agreed by the Committee in March 2014;
  - 4) Agrees to the review of the scheme after six months to assess income generated and its allocation within the service and to the incentive fund; and
  - 5) Authorises all necessary measures to remove the unregulated textile banks from council-owned land so that they can be replaced by those authorised under the contract;
  - 6) Grants delegated authority to the Executive Director Environment, Development & Housing:
    - to award the contract for 3 years following the recommendations of the evaluation panel and the results of the tendering process; and
    - to extend the contract for 2 years subject to satisfactory performance of the provider in respect of the initial 3 year period.
  - 7) Notes that the contract will be awarded as soon as practicable allowing for the procurement process.

## 11 PROGRESS AND PROPOSALS FOR ULTRA-LOW EMISSION VEHICLES

- 11.1 The Committee considered a report of the Executive Director Environment, Development & Housing that outlined a number of future proposals that are required to maintain, update and expand the infrastructure required to support and facilitate the greater uptake and use of Ultra-Low Emission Vehicles (ULEV's in the city, especially electric vehicles.
- 11.2 Councillor Barradell asked if any future agreement could include access to detailed information on charging point usage without having to pay a fee for that information.

Furthermore, Councillor Barradell asked if the rapid charging point would provide free parking for just 20 minutes.

- 11.3 The Head of Transport Policy & Strategy clarified that there had been changes with the provider of monitoring information on how charging information was obtained and the council would be looking at options available in any new arrangement. The Head of Transport Policy & Strategy added that the rapid charger was only available off-street and it was likely to only provide twenty minutes free stay as that would allow sufficient time for a full charge of any vehicle. Fast chargers would remain at three hours in accordance with the relevant Traffic Regulation Order.

**11.4 RESOLVED-**

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

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

- 12.1 The Committee considered a report of the Executive Director Environment, Development & Housing that requested Members to consider two objections in relation to the Traffic Regulation Order (TRO) advertised to introduce waiting restrictions in Lustrell's Vale, north of School Lane (Saltdean) and to extend the existing double yellow lines on Saltdean Vale near the junction of Arundel Drive East.
- 12.2 Referring to recommendation 2.3, Councillor Miller stated that the car park referred to was heavily used and he feared there would be significant displacement should charges be brought in.

- 12.3 The Parking Infrastructure Manager stated that the proposal to introduce parking charges for the car park was to cover the cost of the necessary maintenance and enforcement for the all the measures outlined. The Parking Infrastructure Manager added that the introduction of a four hour maximum waiting restriction would be subject to consultation with residents and businesses and officers would report the result of that to the committee.
- 12.4 Councillor Theobald stated that he too believed that introducing charges for the car park would create displacement and people would use free parking in the surrounding area rather than pay.
- 12.5 Councillor Miller moved a motion to delete recommendation 2.3.
- 12.6 Councillor Theobald formally seconded the motion.
- 12.7 The Chair put the motion to a vote which failed.
- 12.8 The Chair then put the substantive recommendations to the vote that passed.
- 12.9 **RESOLVED-**
- 1) That having taken account of all duly made representations and objections, the Environment, Transport & Sustainability Committee approves the amendment of the Brighton & Hove (Waiting & Loading/Unloading Restrictions and Parking Places) Consolidation Order 2008 Amendment Order No.\*\* 20\*\* (TRO-11-2015) to enable the introduction of one hour maximum waiting restrictions on Lustrell's Vale north of School Lane outside numbers 59-87 either side of the bus stop and to extend the existing double yellow lines on Saltdean Vale to a point north of the Arundel Drive East junction.
  - 2) That the Committee also approves the extension of existing waiting restrictions to a point outside numbers 114-132 Lustrell's Vale, either side of the existing bus stop to prevent long stay parking at these locations blocking deliveries and preventing a regular turnover of customer parking.
  - 3) That the Committee authorises officers to consult with residents and businesses over the introduction of a 'Pay by Phone' four hour maximum waiting restriction to the off-street car park on the corner of Lustrell's Vale and Saltdean Drive, in order to prevent long stay parking for the same reasons given at 2.2 above and to finance enforcement and upkeep.

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

- 13.1 The Committee considered a report of the Executive Director Environment, Development & Housing that outlined suggested next steps for George Street in response to a petition presented to the previous meeting on 17 March 2015.



- 13.2 Councillor Greenbaum stated that whilst she agreed to proceed with consultation, she was surprised that businesses and traders had made such a request as changes such as road closure had made a positive difference since being introduced.
- 13.3 Councillor West agreed that he found the request to be unwise noting that there was a lack of support for a similar consultation in 2011. Councillor West stated that he hoped the consultation could consider the wider area and could be broader than just businesses in the direct vicinity.
- 13.4 Councillor Atkinson stated his agreement with the comments made and that an earlier opening of traffic in George Street would be impractical to the shopping environment.
- 13.5 Councillor Greenbaum asked if the word “businesses” could be removed from recommendation 2.1 to reflect the variety of users accessing George Street.
- 13.6 Councillor Mitchell noted that the recommendation was set out to reflect the request of the petition which the committee needed to address directly.
- 13.7 Councillor Barradell asked if people that used George Street would be consulted.
- 13.8 The Parking Infrastructure Manager stated that the previous consultation had contacted residents, business and interested groups and it was intended to repeat that process if the proposals were agreed.
- 13.9 Councillor West stated that no value would be achieved from just contacting businesses.
- 13.10 The Chair noted that the recommendations outlined that a consultation letter would also be sent to interested groups.
- 13.11 **RESOLVED-**
- 1) That the Environment, Transport & Sustainability Committee approves a consultation to businesses in George Street on whether their road should be open to traffic at 4pm all year rather than the current opening of 6pm between 1<sup>st</sup> April and 31<sup>st</sup> October. This will include a consultation letter to any interested groups.
  - 2) That the Environment, Transport & Sustainability Committee agrees that the results of the consultation be presented to a future Committee meeting to agree the way forward.

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

##### **14.1 RESOLVED-**

- 1) That Committee agrees to remove the perpendicular parking on the north side of Madeira Drive east of the Concorde and replace this with parallel parking on both sides of the road. The parking on the north side will be further complemented with a 1.2 metre wide footway strip to provide safe means of access to and from vehicles. The parking on the southern side will also give some protection to the cycle lane and it will be further supported by extending the barriers further towards the Dukes Mound.

- 2) That Committee agrees to the installation of a section of white centre line markings at the eastern end of the road where road widths are narrower. Once finalised a Road Safety Audit would be undertaken.
- 3) That Committee approves that a Traffic Regulation Order (TRO) is advertised so 20 parking spaces west of the Concorde are changed from high tariff to low tariff bays with the associated annual revenue loss of approximately £80,000 plus the TRO costs for the Parking & Network Operations service.
- 4) That Committee approves advertising a separate retrospective Traffic Regulation Order to incorporate any of the minor changes to bays again under the revenue budget for the Parking & Network Operations service.

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

15.1 No items were referred to Full Council for information.

The meeting concluded at 7.00pm

Signed

Chair

Dated this

day of

**Subject:** Petitions  
**Date of Meeting:** 13 October 2015  
**Report of:** Monitoring Officer  
**Contact Officer:** Name: John Peel Tel: 29-1058  
E-mail: john.peel@brighton-hove.gov.uk  
**Wards Affected:** Various

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

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

**2. RECOMMENDATIONS:**

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

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

**3. PETITIONS**

**3. (i) Surrenden & Fiveways Parking Proposals- John Colman**

To receive the following e-petition signed by 644 people:

*"We the undersigned petition Brighton & Hove Council to abandon proposals to introduce new parking regulations in the Surrenden and Fiveways area"*

**3. (ii) Traffic calming on Preston Park Avenue- Damian Brewer**

To receive the following e-petition signed by 16 people:

*"We the undersigned petition Brighton & Hove Council to investigate and implement traffic calming measures on Preston Park Avenue as a significant proportion of the vehicles that use this road are driven well in excess of the 20 mph speed limit. Preston Park Avenue is used extensively by school children commuting to local schools, cyclists and the thousands of visitors to the park on a weekly basis. We are concerned that many accidents and damage to cars and near misses on this road are going unreported. We (residents of Preston Park Avenue, and users of Preston Park) urge the Brighton and Hove Council to look into this further and introduce further measures as the 20MPH signs are not a deterrent"*

**3. (iii) Zebra crossing on Bear Road- Emma Davies**

To receive the following e-petition signed by 105 people:

*"We the undersigned petition Brighton & Hove Council to install a zebra crossing or other pedestrian crossing on Bear Road above the Bevendean road turning"*

**3. (iv) Food waste collection and composting, council-led- Hannah-Rose Tristram**

To receive the following e-petition signed by 447 people:

*"We the undersigned petition Brighton & Hove Council to provide a food waste collection and composting service in Brighton and Hove. We believe Brighton should catch up with the other councils in the country that provide this service, and that it should be made easy for all residents in Brighton and Hove to dispose of foodwaste without putting it in landfill"*

**3.(v) Beaconsfield Road parking- Liz Goodwin**

To receive the following e-petition signed by 28 people:

*"We, the residents of Beaconsfield Road, Portslade, we petition the Council to:*

- 1. Carry out an urgent assessment of parking, especially for residents, in Beaconsfield Road*
- 2. Find a solution to the problems being encountered by residents wishing to park, at all times of the day and night*
- 3. To introduce some form of resident parking scheme to alleviate these problems"*

**3. (vi) Light touch parking restrictions, Rothbury Road and Jesmond Road-Tess Booth**

To receive the following paper petition signed by 100 people:

*“We the undersigned request the implementation of light touch parking restrictions in Mornington Crescent, Rothbury Road and Jesmond Road Hove”.*



**WRITTEN QUESTIONS**

**(i) Pedestrian Crossing Whitehawk Road- Dee Edmonds**

*“Last October a petition organised by me and signed by nearly 1000 people was submitted about, about the urgent need for a pedestrian crossing at the Steiner School bottom of Whitehawk Road School.*

*Although Councillor Gill Mitchell supported the petition and said 'I hope that the request for a crossing will be taken seriously', the request seems to have been ignored.*

*Continued support in the area for a crossing is shown by another petition collecting 200 signatures.*

*I would like to know if children need to be seriously hurt or killed before a crossing is enacted at the end of Whitehawk Road”*





13 October 2015

Brighton &amp; Hove City Council

**DEPUTATIONS FROM MEMBERS OF THE PUBLIC**

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

Deputations received:

**(i) Deputation:** Controlled Parking Zone in Lauriston and Cumberland Roads  
Preston Village

In view of the increasing parking pressures experienced in Preston Village, and, as a result of the parking surveys/petitions undertaken by residents in February, June and July 2015 (the surveys of both roads evidence that over 80% of residents are in favour of a full RCPZ), we the undersigned request that Brighton and Hove City Council undertake consultation in order to develop a mutually agreed scheme.

Whilst this deputation relates to Lauriston and Cumberland Roads, the recently formed Action Group will expand the survey to cover the area marked on the attached drawing PV1, including residential properties and businesses.

Originally Preston Village was to be included in the Surrenden/Fiveways consultation (prior to the March 2015 Committee meeting) and discussions with officers have identified that there has not been a consultation on a resident 'permit' parking scheme or parking consultation since June 2000. Our Action Group is, therefore, willing to invest time and work closely with Officers and Councillors in an effort to expedite a CPZ for the area.

Presented by and on behalf of the residents:

Lauriston Road:

Chloe Andrews

Peter Graves

Renata Gussone

Paul Morton

Christine Zaniewicka

Lucy Forrester

Cumberland Road:

Joanne Field (Lead Spokesperson)

Jane Peek

Sally Roberts

Sandra Messenger

Catherine Murray

Terry Read

## SUPPORTING DOCUMENTATION

### Supporting Statement

By necessity this statement raises negative issues, but the Action Group remain positive that, by working in collaboration with Officers, Ward Councillors, and Committee members, a CPZ scheme can be mutually agreed that suits both residents and local businesses in the Village. Dialogue, meetings and an onsite visit have already taken place with the Parking Infrastructure Manager, and it is clear from these that a full CPZ is the only option. The current 'light touch' scheme in Cumberland Road is not working, and is heavily reliant on policing by the enforcement contractor, with recent evidence highlighting this to be inconsistent and, often, negative to residents. For this reason, and in view of the issues below, the Action Group feel that 'light or medium touch schemes' would not be successful in this area.

#### Lauriston Road - The Context:

There has always been unrestricted parking in this road (except for loading and limited waiting bays fronting commercial buildings at the east end). Long term residents (30 years plus) are aware of historical parking problems, particularly when the commercial site at the east end was occupied by a car franchise (coming to a head in 1998 and requiring director involvement at resident meetings to resolve the problems). Matters eased when this site was vacant, but parking pressure returned noticeably with the implementation of Zone A and the opening of two supermarket convenience and pet stores (in spite of onsite customer parking). In addition, the block of commercial premises (South East end) have recently been occupied by 5 estate agents, all absorbing a high number of day time parking spaces (both employee vehicles and branded cars), although one company has 3 off road spaces dedicated to the property.

#### Lauriston Road - The Parking Issues:

There are (almost consistently) 18 spaces for cars on both the North and South sides of the road, with the addition of 2 dedicated spaces for two residents with disabled permits (40 total car spaces), and no off road parking. The survey undertaken revealed that residents (property numbers 3 to 30) own a total of 41 cars (with 1 dedicated garage space accessed from Home Road). Resident parking is, therefore, at saturation point.

The pressure faced by residents, in addition to the above figures, come from:

1. Unrestricted parking available on both North and South sides of LR allowing free and convenient daytime parking for commuters using PP station (usually starting early in the morning and extending beyond 7.00pm in the evening),
2. Employees working in businesses without access to onsite parking facilities in the Village (including those in South Road) and, similarly, parking freely,
3. Travellers using Gatwick airport and again parking for free, with time frames often extending between one and two weeks.
4. Displacement parking from Zone A (West of the railway line), again with timeframes extending to multiple days, for those not willing to pay for a permit (whether for their only car or a second car),
5. Displacement parking from residents in CR as a result of the daily 'light touch one hour restriction between 12.00 and 13.00 hours',
6. Branded business cars being parked overnight as a 'tax break' at the expense of a space for residents,
7. Casual parking from visitors to large scale events held in Preston Park.

### Cumberland Road - The Context:

The North side has unrestricted parking and the south side has a single yellow line restriction between the hours of 12.00 and 13.00 on Monday to Friday. The flats to the north of CR have leases that prevent large commercial vehicles from parking onsite, and there is an increasing tendency to park in CR across kerbs and onto the footpath, having little respect for the space invasion or safety issues this causes. There is pressure to convert Clarendon Church (North west end of CR) into 8 residential dwellings, with no allocated parking provision.

### Cumberland Road - The Parking Issues:

There are currently a maximum of 20 spaces for cars on the north side, in 4 separate locations. There are a maximum of 28 vehicle spaces on the south side with light touch restriction, depending on the size of vehicle occupying the space.

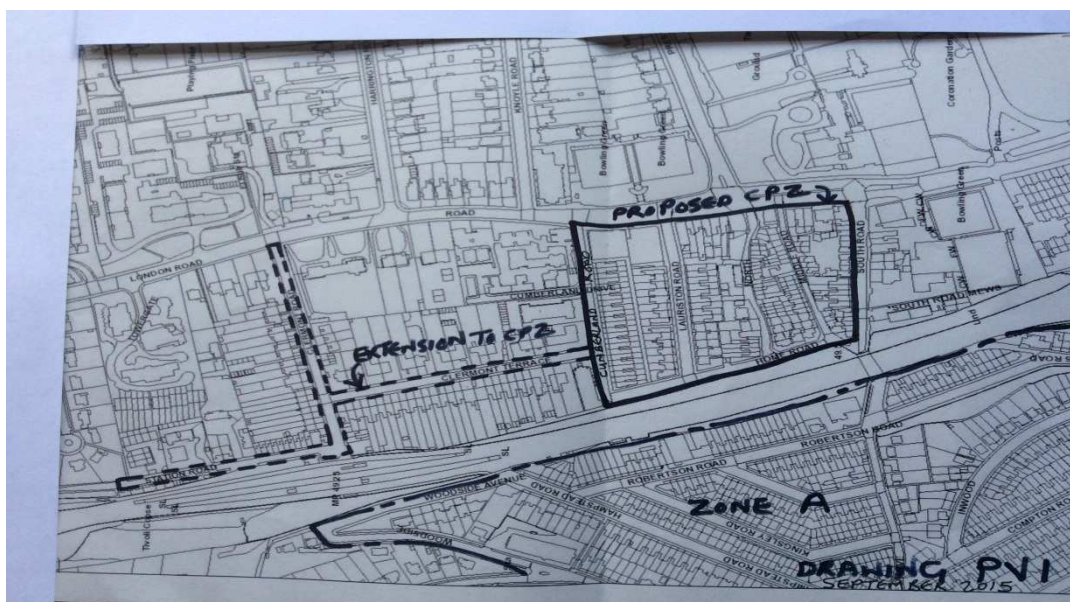
The recent survey revealed that residents, on the south side only of CR, own a total of 30 cars.

The same issues outlined under LR apply to CR, with the following particular pressure point as a result of the entrance and exit to the commercial car park at the east end:

The road has become the overflow car park for the Local Convenience Stores. The car park serving both stores simply cannot cope with the additional 10,000 + cars per week ( source: Sainsbury's Manager) turning into the road and maneuvering in a narrow entrance and tight car park. Shoppers have, therefore, sought to park in the road (particularly larger vehicles, whose drivers feel unable to negotiate the car park).

### Beyond Lauriston and Cumberland Roads:

The Action Group has now delivered survey sheets to the residents of North, Middle, and Home Roads and made contact with the various businesses located in the London Road on the east side of the Village. The Group will continue to liaise with the Parking Strategy Manager once data has been collated. The view is that a small and self-contained CPZ could be developed, bounded by Cumberland Road, London Road, South Road, and Home Road. There is the capability to extend this zone to incorporate South Road, Clermont Terrace, Clermont Road, and Station Road subject to consultation with residents





**Subject:** Items referred from 26 March 2015 Full Council meeting- Petitions  
**Date:** 13 October 2015  
**Report of:** Monitoring Officer  
**Contact Officer:** Name: John Peel Tel: 29-1058  
E-mail: john.peel@brighton-hove.gov.uk  
**Wards Affected:** Various

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To receive any petitions referred from the Full Council meeting of 20 January 2014.

**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) Brentwood Road pedestrian crossing- Holly Robertson**

To receive the following petition referred from the meeting of Full Council on 16 July 2015 and signed by 189 people

*"We the undersigned petition Brighton & Hove Council to install a pedestrian crossing on Brentwood Road, opposite Hollingdean Children's Centre"*

**3. (ii) Proper Parking Consultation- Rachel Finn**

To receive the following petition referred from the meeting of Full Council on 16 July 2015 and signed by 253 people

*"We the undersigned petition Brighton & Hove Council to Introduce any new parking restrictions in residential areas fairly by consulting with residents on the type of parking controls applied and the times controls are enforced"*

**3. (iii) Lollipop Crossing for West Blatchington Primary School- Councillors Barnett, Janio and Lewry**

To receive the following petition referred from the meeting of Full Council on 9 July 2015 and signed by 150 people

*"We, the parents of schoolchildren at West Blatchington Primary School, request that Brighton & Hove City Council provides a lollipop person to help our children get safely across Hangleton Way, a very busy road which is also on a bus route"*

**Subject:** Petitions  
**Date of Meeting:** 13 October 2015  
**Report of:** Monitoring Officer  
**Contact Officer:** Name: John Peel Tel: 29-1058  
E-mail: john.peel@brighton-hove.gov.uk  
**Wards Affected:** Various

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

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

**2. RECOMMENDATIONS:**

- 2.2 That the Committee responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:
- § taking the action requested in the petition
  - § considering the petition at a council meeting
  - § holding an inquiry into the matter
  - § undertaking research into the matter
  - § holding a public meeting
  - § holding a consultation
  - § holding a meeting with petitioners
  - § referring the petition for consideration by the council's Overview and Scrutiny Committee
  - § calling a referendum

**3. PETITIONS**

**3. (i) Lewes Road Traffic Scheme Review- Councillor Yates**

To receive the following combined paper and e-petition signed by 771 people:

*"We the undersigned petition Brighton & Hove Council to release all Lewes Road scheme monitoring documents produced since November 2013. Bring to the Environment, Transport and Sustainability Committee a full review of the scheme to include; the air quality and health impacts across the route and consultation area, the impact on alternative routes including through Moulsecoomb, Bevendean, Coombe Road, Ditchling Road and Falmer Road car, taxi and bus travel times through the*

*scheme and accident rates along Lewes Road. We further call on this report to consider amendments within the scheme to balance the effect including time restrictions on bus lanes and also to consider changes required outside the scheme area on roads affected by the scheme”*



**WRITTEN QUESTIONS****(i) Pay-by-phone parking- Councillor Janio**

*“Will the Chair of the Committee please tell me a) how much revenue has been raised through ‘service charges’ since pay-by-phone parking was introduced by the Council in September 2013; b) what proportion of transactions are now carried out by phone, compared to pay & display and PayPoint pro rata; and c) what impact, if any, the introduction of pay-by-phone parking has had on overall income in the areas where it applies?”*



Geoff Raw – Acting Chief Executive  
Brighton & Hove City Council  
Grand Avenue  
Hove

23 September 2015

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 7<sup>th</sup> July 2015.

Southdown Avenue is a narrow cul-de-sac accessed via Victoria Road, containing 14 housing units in 13 properties, all on the western side of the road. On the opposite side of the road is the Chandlers car franchise, one of 5 car franchises in close proximity in Victoria Road. The parking by employees of these franchises is making it very difficult for local residents, especially those in Southdown Avenue, to park anywhere. As an example Chandlers have told my ward colleague Cllr Alan Robins that they employ 150 staff but do not allow them to park on site. They have a very large car park but claim that they need all the bays for customers, cars awaiting repair and cars for sale.

The car park at Portslade Town Hall will lose 24 parking spaces soon when a housing development takes place, leaving a building that employs council staff and can accommodate 150 people in the Ronuk Hall, with reduced parking opportunities. All this on a road with no bus service.

Three meetings have been held with Southdown Avenue residents, the most recent being in July. Council officers Charles Field and Martin Hedgecock were in attendance. Residents expressed their concerns. They often find it impossible to park anywhere near to their homes and various solutions were considered. I list below several options and have discussed some with Charles Field.

- Provide 24 new parking places on the north side of Victoria Road, removing the unnecessary single yellow line
- Where restrictions apply Monday –Saturday 8am -6 pm, change to 9am-5pm, Monday to Friday
- Remove the 1 hr time limit restriction
- Introduce a resident parking scheme in Southdown Avenue
- Give residents of Southdown Avenue a council sticker permitting them to park for unlimited time in bays in Victoria Road if time restrictions apply.
-

With users of the nearby Victoria Rec, staff and hirers of Portslade Town Hall, residents of Southdown Avenue, plus all the employees of the car franchises who are not allowed to park on site, there is a desperate shortage of parking space in this area. I am seeking a report to come before the ETS committee with a view to resolving this long running issue

A handwritten signature in black ink, reading 'Les Hamilton' in a cursive script.

Cllr Les Hamilton  
South Portslade

<b>Subject:</b>	<b>Surrenden &amp; Fiveways area resident parking scheme consultation</b>		
<b>Date of Meeting:</b>	<b>13<sup>th</sup> October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Charles Field</b>	<b>Tel: 29-3329</b>
	<b>Email:</b>	<b>Charles.field@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Hollingdean &amp; Stanmer, Patcham, Preston Park &amp; Withdean.</b>		

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

- 1.1 The purpose of this report is to consider the outcome of the recent public consultation undertaken for a proposed parking scheme in the Surrenden & Fiveways area. Permission to proceed with the consultation was agreed at the Environment, Transport & Sustainability (ETS) Committee meeting on 17<sup>th</sup> March 2015.

## **2. RECOMMENDATIONS:**

- 2.1 That the Committee approves:
- (a) That a new resident parking scheme progressed within the Fiveways area (Appendix B) and as outlined in paragraph 5.8 of this report be progressed to the final design stage and publicised for statutory consultation thereafter;
  - (b) That no resident parking scheme is taken forward in the further Surrenden area within the Withdean and Patcham Wards.
  - (c) That limited waiting free parking bays replace the exclusive pay & display bays in Preston Drove (see Para 5.14).

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

- 3.1 As part of the Citywide Parking Review update report presented to the ETS Committee on 7<sup>th</sup> October 2014 it was agreed to proceed with Parking Surveys in the Surrenden & Fiveways area.
- 3.2 The parking surveys were undertaken in February but the authorisation on taking forward a consultation was yet to be agreed. Therefore, following a request from members of the ETS Committee on 20<sup>th</sup> January 2015 a report was presented to the ETS Committee on 17<sup>th</sup> March outlining the proposed way forward and seeking agreement to proceed with the consultation as soon as possible.
- 3.3 At this meeting on 17<sup>th</sup> March 2015 it was agreed to consult residents from June 2015 to determine whether they would like to be considered for a new residents parking scheme.

- 3.4 In July 2015 a leaflet and questionnaire giving details about proposals for a new resident parking scheme was sent to all property addresses in the area outlined in Appendix A.

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

- 4.1 The main alternative option is doing nothing which would mean the proposals would not be taken forward. There is also the option to consult on further different parking schemes such as a light touch scheme.
- 4.2 However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

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

- 5.1 Brighton and Hove City Council Land and Property Gazetteer was used to provide 3433 property addresses in the Surrenden & Fiveways area of the city. An information leaflet, detailed map, a questionnaire and a prepaid envelope for reply was sent to each address. Respondents were invited to complete the survey online via the council's Consultation Portal should they wish to: 246 respondents (15%) chose this method.
- 5.2 Plans could also be viewed at a staffed exhibition held at St. Mary's Church in Surrenden Road (1pm – 8pm Wednesday, 22<sup>nd</sup> July 2015) and an unstaffed exhibition held at Hove Town Hall parking Shop from 6<sup>th</sup> July 2015 to 14<sup>th</sup> August 2015.
- 5.3 1,627 responses were received giving a response rate of 47.4%.
- 5.4 53.3% of respondents were in favour of an extension to the Residents Parking Scheme and 46.7% of respondents were against the extension of the scheme. The full results analysis of the consultation is outlined in Appendix C.
- 5.5 The results have been broken down further into the two areas (Appendix D) and it is clear that a majority of residents in the Fiveways area are in favour of a scheme with **75.9%** of respondents in favour of an extension to the Residents Parking Scheme and **24.1%** of respondents against the extension of the scheme.
- 5.6 Within the rest of the consulted area there is a distinct difference with only **42.6%** of respondents in favour of an extension to the Residents Parking Scheme and **57.4%** of respondents against the extension of the scheme.
- 5.7 The Withdean Ward Councillors also conducted their own survey which outlined that a majority of residents in their Ward were not in favour of a scheme. They have also highlighted that the majority of respondents to the parking scheme consultation in the Withdean Ward are not in favour of a resident parking scheme. The Patcham Ward Councillors had the same view with the majority of respondents in their ward against the introduction of a resident parking scheme.
- 5.8 Therefore, it is recommended to take into account these results and propose a new resident parking scheme into the Fiveways area which is solely within the wards of Preston Park and Hollingdean & Stanmer but not to include the rest of the consulted

area. It is also proposed that a Mon-Sun 9am-8pm scheme is introduced as this was requested by **75.1%** of respondents in favour of a resident parking scheme compared to the other two options.

- 5.9 Ward Councillors in the Preston Park and Hollingdean & Stanmer Wards were generally in agreement with taking this forward. The main concern particularly for Hollingdean & Stanmer Ward Councillors was the possible displacement effect of vehicles.
- 5.10 There was consideration of including or re-consulting other roads such as Balfour Road in the scheme but it was felt this could lead to issues. The main one being that including Balfour Road would mean two schools would require the opportunity to buy school permits which could lead to a small parking scheme having a potential 40 school permits parking in bays with limited spaces available. The majority of Balfour Road was also against the proposals and Withdean Ward Councillors made it clear that overall residents in their ward voted against a resident parking scheme (The east side of Balfour Road is the Withdean Ward).
- 5.11 Double yellow lines can be considered throughout the area in appropriate locations if there are vehicle displacement concerns and this will be discussed with Ward Councillors if the recommendations are approved.
- 5.12 In terms of the comments received as outlined in the Consultation report (full details in Appendix C), the highest amount in the whole area was 282 who felt there was no need for a scheme followed by 122 comments who felt it was purely a money making exercise. A further 106 comments wanted different hour options such as light touch while 98 comments suggested that existing parking schemes are the problem and 93 comments did not want to pay for parking.
- 5.13 During the consultation a number of representations were made by members of the public and Ward Councillors regarding the use of Pay by phone methods. There were concerns about equalities issues for those without the use of a mobile phone or had difficulties using one. Therefore, it is proposed that a small amount of pay & display machines will be included in the proposals in suitable locations.
- 5.14 Along with these proposals it is recommended to replace exclusive pay & display parking with one hour free limited waiting bays in Preston Drove (Area J). There was a request for this to be investigated by officers at the ETS Committee on 17<sup>th</sup> March 2015 in response to a petition presented to the Committee signed by 1,170 members of the public.
- 5.15 It is recommended by officers the recommendations are taken forward including the advertisement of a Traffic Regulation Order for the Fiveways area allowing further comments to be made from residents both within and outside the new proposal on the details of the scheme. All comments will be reported back to a future Environment, Transport & Sustainability Committee meeting.

## **6. CONCLUSION**

- 6.1 Based on the consultation results it is recommended that a new resident parking scheme is progressed in the Fiveways area. There are concerns about possible

displacement into the surrounding area, however, due to the results it would be very difficult to justify a case for including the wider area.

- 6.2 As part of the consultation exercise, regard has been given to the free movement of traffic and access to premises since these are issues that have generated requests from residents and in part a need for the measures being proposed. The provision of alternative off-street parking spaces has been considered by officers when designing the schemes but there are no opportunities to go forward with any off street spaces due to the existing geographical layout of the area and existing parking provisions in the area.

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

### Financial Implications:

- 7.1 The capital costs associated to the new resident parking scheme will be funded from unsupported borrowing, with appropriate repayments made over a seven year period funded from the revenue income generated from the scheme. It is anticipated that the capital costs of the scheme will be approximately £0.050m. The annual income generated from the scheme is forecasted to be approximately £0.099m, which after the estimated cost of managing the scheme would generate sufficient surplus income to fund the borrowing repayments. The recurring financial impact of the scheme will be incorporated in future year's budgets.
- 7.2 Revenue income generated from on-street parking schemes is first defrayed against relevant costs with any surplus used to fund qualifying transport and highways related expenditure such as supported bus services, concessionary fares and Local Transport Plan projects.

*Finance Officer Consulted: Steven Bedford*

*Date: 11/09/15*

### Legal Implications:

The proposed Traffic Regulation Order ("TRO") must be advertised in accordance with the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and this will include giving notice of the TRO in a local newspaper and the placing of the TRO on deposit for public inspection. The notice must specify, inter alia, the date by which any objections or other representations must be made.

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

*Lawyer Consulted: Hilary Woodward*

*Date: 11/09/15*

### Equalities Implications:

- 7.3 The proposed measures will be of benefit to many road users.
- 7.4 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities



Sustainability Implications:

- 7.5 Any new motorcycle bays and pedal cycle parking bay will encourage more sustainable methods of transport.
- 7.6 Managing parking will increase turnover and parking opportunities for all.

Any Other Significant Implications:

- 7.7 None identified

**SUPPORTING DOCUMENTATION**

**Appendices:**

- 1. Appendix A – Consultation area
- 2. Appendix B – Proposed Parking scheme in Fiveways.
- 3. Appendix C – Consultation report
- 4. Appendix D – Breakdown of consultation figures.

**Documents in Members' Rooms**

- 1. None

**Background Documents**

- 1. ETS Committee – 13<sup>TH</sup> March 2015
- 2. ETS Committee - 20<sup>th</sup> January 2015
- 3. ETS Committee - 7<sup>th</sup> October 2014





# KEY

- — Scheme boundary line
- (P) Private Road



Double yellow line restrictions would apply across all vehicle crossovers/dropped kerbs. Where there are no parking bays indicated, double yellow line restrictions would apply along kerb side with the exception of private roads.

Client: PARKING INFRASTRUCTURE

TRANSPORT

Surrenden & Fiveways

Drawing Title

Consultation Area  
Appendix A



Scale

NTS

RM

Drawing status

Original disp. size

A0

Checked

Approved

Date

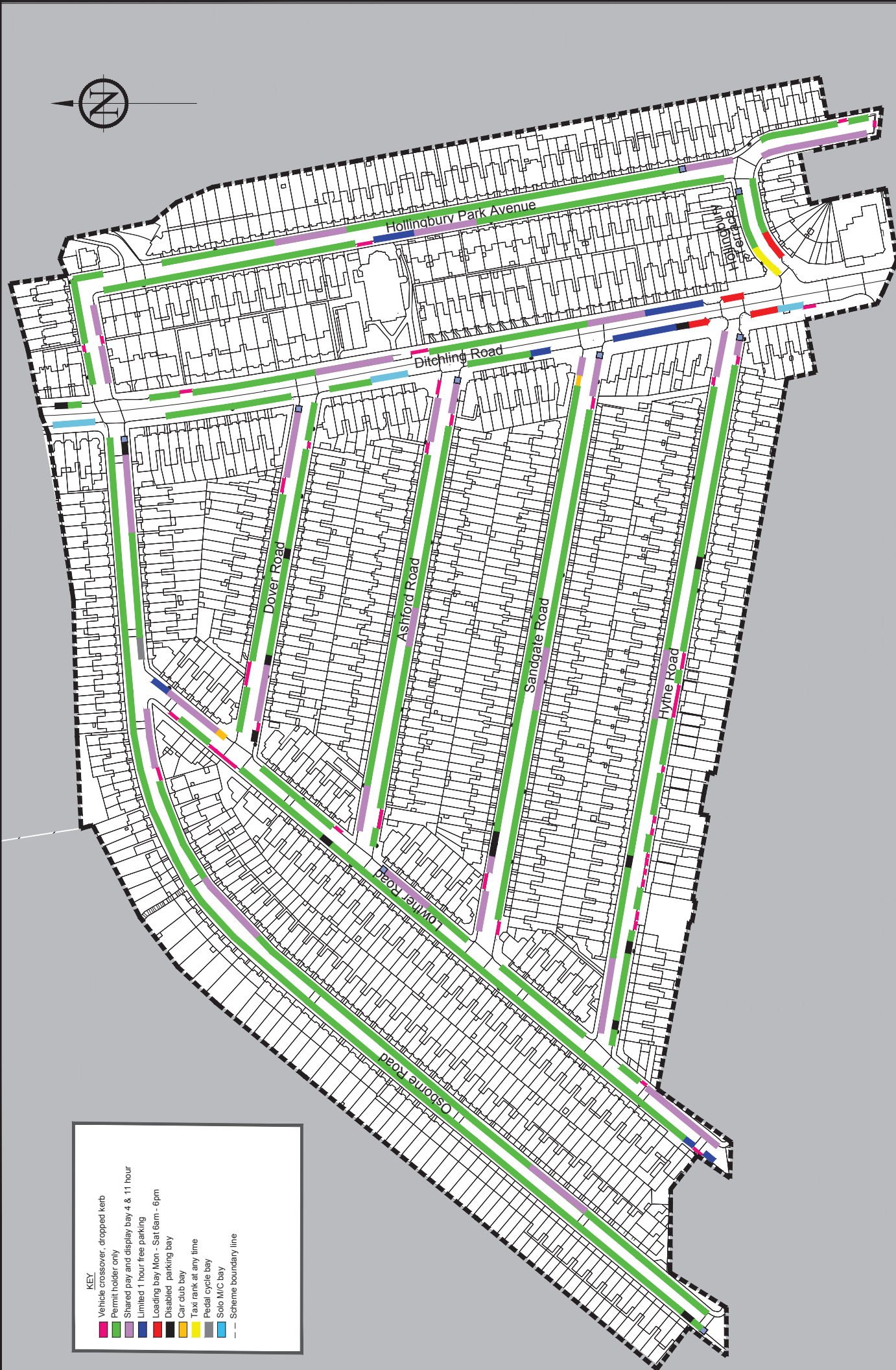
October 2015


Rev

Drawing Number

100020999, Brighton & Hove City Council, 2015.





<p>Double yellow line restrictions would apply across all vehicle crossovers/dropped kerbs. Where there are no parking bays indicated, double yellow line restrictions would apply along kerb side with the exception of private roads.</p>		<p>Fiveways ( Area F )</p>		<p>Parking Consultation Appendix B</p>		<p> Brixton &amp; Hove City Council</p>		<p>Drawn by - RM</p>	<p>Date - October 15</p>	<p>Drawing Number BHCC 056</p>	<p>Rev -</p>
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## Appendix C - Area F: Surrenden and Fiveways Resident Parking Scheme Consultation Report August 2015

### Headline Findings

The consultation achieved a 47.4% response rate.

53.3% of respondents were in favour of an extension to the Residents Parking Scheme and 46.7% of respondents were against the extension of the scheme.

### Methodology

Brighton and Hove City Council Land and Property Gazeteer was used to provide 3433 property addresses in the Surrenden and Fiveways Area. An information leaflet, detailed maps, a questionnaire and a prepaid envelope for reply was sent to each address. Respondents were invited to complete the survey online via the council's Consultation Portal should they wish to: 246 respondents (15%) chose this method. The consultation was advertised on the council's website, via social media and through a press release to local media.

An error in the initial mailout led to the following roads being missed: Hollingbury Park Avenue, Hollingbury Terrace, Varndean Close, Varndean Drive, Varndean Gardens, Varndean Holt, Varndean Road, Walnut Close, Whittinghame Gardens and Withdean Crescent. A reprint was ordered and mailed to these addresses within the first week of the consultation opening and the consultation as kept open for an extra week to allow for this mistake.

Plans could be viewed at two exhibitions:

**Staffed:** St Mary's Catholic Church, 5 Surrenden Road, Brighton  
1pm to 8pm, Wednesday 22 July, 2015

**Unstaffed:** Parking Information Centre, Hove Town Hall  
9am to 5pm, Monday 6 July to Friday 14 August, 2015

1627 responses were received from within the proposed scheme boundary giving a response rate of 47.4%.



## Results

### Q1 Are you in favour of a residents parking scheme extension into your road?

Yes		No		Total
Number	%	Number	%	
853	53.3	747	46.7	1600

Results on a street by street basis were as follows:

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Ashford Road	80	45	56.2	33	73.3	12	26.7
Balfour Road	163	84	51.5	40	47.6	44	52.4
Bates Road	111	51	45.9	22	43.1	29	56.9
Bavant Road	17	12	70.6	10	83.3	2	16.7
Beacon Close	15	14	93.3	6	42.9	8	57.1
Cliveden Close	96	9	9.4	2	22.2	7	77.8
Cornwall Gardens	63	38	60.3	18	47.4	20	52.6
Ditchling Road	159	67	42.1	36	53.7	31	46.3
Dover Road	50	33	66.0	21	63.6	12	36.4
Draxmont Way	9	5	55.5	1	20.0	4	80.0
Fairlie Gardens	17	11	64.7	6	54.5	5	45.5
Fircroft Close	7	5	71.4	0	0	5	100
Friar Close	11	7	63.6	0	0	7	100
Friar Crescent	50	39	78.0	15	38.5	24	61.5
Friar Road	52	42	80.8	16	38.1	26	61.9
Friar Walk	8	8	100	2	25.0	6	75.0
Gordon Road	96	36	37.5	16	44.4	20	55.6
Harrington Road	131	53	40.5	28	52.8	25	47.2
Harrington Villas	34	19	55.9	12	63.2	7	36.8
Herbert Road	66	28	42.4	21	75.0	7	25.0
Hollingbury Copse	7	5	71.4	3	60.0	2	40.0
Hollingbury Park Ave	136	62	45.6	45	72.6	17	27.4
Hollingbury Terrace	17	14	82.3	11	78.6	3	21.4
Holly Close	8	1	12.5	0	0	1	100
Hythe Road	143	63	44.0	53	84.1	10	15.9
Knogle Road	36	18	50.0	7	38.9	11	61.1
Laine Close	37	11	29.7	6	54.5	5	45.5
Loder Road	159	67	42.1	21	30.9	47	69.1



Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
London Road	210	39	18.6	14	36.8	24	63.2
Lowther Road	123	72	58.5	55	76.4	17	23.6
Mulberry Close	12	4	33.3	0	0	4	100
Oak Close	2	0	0	0	0	0	0
Osborne Road	205	106	51.4	86	81.1	20	18.9
Poplar Close	8	5	62.5	3	60.0	2	40.0
Preston Drove	17	15	88.2	6	40.0	9	60.0
Preston Road	19	3	16.7	2	66.7	1	33.3
Sandgate Road	108	62	57.4	52	83.9	10	16.1
Stringer Way	4	2	50.0	1	50.0	1	50.0
Surrenden Close	15	13	90.5	0	0	13	100
Surrenden Crescent	71	48	67.6	36	75.0	12	25.0
Surrenden Holt	32	18	56.2	10	55.6	8	44.4
Surrenden Park	60	43	71.7	7	16.3	36	83.7
Surrenden Road	226	129	57.1	73	56.6	56	43.4
The Approach	12	5	41.7	1	20.0	4	80.0
Vardean Close	6	5	83.3	3	60.0	2	40.0
Vardean Drive	97	38	39.2	17	44.7	21	55.3
Vardean Gardens	42	35	83.3	8	22.9	27	77.1
Vardean Holt	17	16	94.1	1	6.3	15	93.8
Vardean Road	48	19	39.6	8	42.1	11	57.9
Walnut Close	13	8	61.5	2	25.0	6	75.0
Whittinghame Gardens	46	33	71.7	13	39.4	20	60.6
Withdean Crescent	53	35	66.0	4	11.4	31	88.6
<b>Total</b>	<b>3433</b>	<b>1600</b>	<b>47%<sup>1</sup></b>	<b>853</b>	<b>53.3</b>	<b>747</b>	<b>46.7</b>

51 sets of duplicates from the same address were removed. Some property addresses submitted as many as 5 responses. These were dealt with by amalgamating responses to one response per property. If respondents disagreed as to whether to support a scheme or not then the response was nullified by a “no reply response”.

There were also 165 submissions from outside the area<sup>2</sup>.

<sup>1</sup> This number differs from overall response rate at top of page 2 as not everyone answered this question.

<sup>2</sup> 23 of these addresses were sent consultation packs in error: four of these were outside the area not in an existing CPZ (Peacock Lane), and 19 of these were in the existing Area J (Preston Drove). These have been removed from the main results and re-classified as outside the area. Results from outside the area are given in the Appendix.

## Q2 What type of scheme would you prefer?

### People who support a scheme

	Number of responses	%
Monday to Sunday 9am to 8pm	537	64.2
Monday to Friday 9am to 8pm	163	19.5
Other type of scheme	137	16.3
<b>Total</b>	<b>837</b>	<b>100</b>

An assumption was made that respondents who were not in favour of a parking scheme would not wish to express an opinion on the hours of operation ( Q2). The printed questionnaire instructed respondents onto Q3, the online version automatically took respondents onto Q3.

However 66 respondents who were not in favour did tell us what type of scheme they would prefer.

	Number of responses	%
Monday to Sunday 9am to 8pm	6	9.1
Monday to Friday 9am to 8pm	26	39.4
Other type of scheme	34	51.5
<b>Total</b>	<b>66</b>	<b>100</b>

In addition respondents also used the comments box ( Q7) to expressed opinions on the timing of the scheme.

**Q4 Respondents were asked whether they are a resident, a business owner or manager or work in the area.** Respondents could tick more than one option.

	Number of responses
Resident	1551
Business owner or manager	83
Work in the area	107
Other (includes care for people in area, use facilities in area)	17

### Q5a How many cars in your household?

No. of cars	Number of responses	Total number of cars
0	115	0
1	868	868
2	526	1052
3	58	174
4 or more	17	68

<b>Total</b>	<b>1584</b>	<b>2162</b>
--------------	-------------	-------------

1584 respondents have at least 2162 vehicles (= 1.3 vehicles per household).

**Q5b Do you have access to off-street car parking?**

<b>Yes</b>		<b>No</b>		<b>Total</b>
<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>	
686	43.8	881	56.2	1567

**Q6a What type of business do you own or manage in the area?**

<b>What type of business?</b>	<b>Number of responses</b>
Retail outlet	7
Office-based	26
Other includes: Artist, Consultant, Nursery, doctors practice, dress maker, tutor, work from home, physiotherapy, veterinary practice, therapist, care home	71
<b>Total responses</b>	<b>104</b>

**Q6b How many vehicles are directly associated with your business?**

<b>No. of vehicles</b>	<b>Number of responses</b>	<b>Total number of vehicles</b>
0	18	0
1	37	37
2	10	20
3	7	21
4 or more	15	60
<b>Total</b>	<b>87</b>	<b>138</b>

87 respondents had at least 138 vehicles associated with their business (= 1.6 vehicles per business).

## Q7 Any other comments?

An open text box enabled respondents to add comments. Although expressed in residents' own words analysis of the open text shows common themes emerged and have been grouped as followed below. The figures show the amount of times a comment was made. 21 responses contained site-specific queries and these were sent to the project manager. There were comments about parking for users of the churches (and their halls), Knoyle Road Church, St Mary's and St Matthias. Several letters were passed to the project manager on this subject.

Comments	Number of times made
No need for a scheme/ Unnecessary	282
This is purely a money making exercise	122
Want different hour options – light touch	106
Concerned about long term parkers, commuters, vans, campervans	102
Parking restrictions already implemented are the problem/ No problems before Area J/ remove CPZ's	98
Don't want to pay for parking	93
Not enough residents parking spaces in this scheme/ will need more than one permit	69
Concerned about the cost of visitor parking	58
In favour because of current parking difficulties/ general positive comments	54
Don't want double yellow lines across driveways/ don't want more double yellow lines	45
Scheme won't help after 8pm parking situation	42
Concerned about displacement	37
Don't want mobile payments/ Don't use mobiles to pay	33
Don't want signs and P&D in conservation area	23
More time limited free parking around shop sneeded	17
Not enough visitor permits	16
More time limited free parking around schools needed	15
Enforce current illegal parking	15
Concerned scheme will adversely affect businesses in the area	11
Not enough Pay&Display for schools staff	9
General negative comments	7

## Demographic Information

### Gender

Gender	Number	%
Male	573	45.0
Female	697	54.9
Other	1	0.1
<b>Total</b>	<b>1271</b>	<b>100</b>

Do you identify as the gender you were assigned at birth?	Number	%
Yes	1171	99.5
No	6	0.5
<b>Total</b>	<b>1177</b>	<b>100</b>

### Age

Age	Number	%
U18	1	0.1
18-24	16	1.4
25-34	88	7.7
35-44	277	24.2
45-54	285	25.0
55-64	219	19.2
65-74	137	12.0
75+	119	10.4
<b>Total</b>	<b>1142</b>	<b>100</b>

### Disability

Disability	Number	%
Yes, a little	99	8.3
Yes, a lot	80	6.7
No	1014	85.0
<b>Total</b>	<b>1193</b>	<b>100</b>

Of those who answered “yes”, disabilities were as follows:

Please state the type of impairment which applies to you.	Number
Physical impairment	71
Sensory impairment	10
Learning disability/ difficulty	2
Long-standing illness	2
Mental health condition	18
Development condition	3
Other	9
<b>Total</b>	<b>115</b>

<b>Ethnicity</b>		<b>Number</b>	<b>%</b>
White	White English/ Welsh/ Scottish/ Northern Irish/ British	1132	90.1
	White Irish	18	1.4
	Gypsy or Irish Traveller	2	0.2
	Any other white background	62	4.9
Asian or Asian British	Bangladeshi	0	0
	Indian	8	0.6
	Pakistani	0	0
	Chinese	1	0.1
	Any other Asian background	2	0.2
Black or Black British	African	3	0.2
	Caribbean	5	0.4
	Any other Black background	3	0.2
Mixed	Asian & White	7	0.6
	Black African & White	2	0.2
	Black Caribbean & White	0	0
	Any other mixed background	5	0.4
Any other ethnic group	Arab	3	0.2
	Any other ethnic group	3	0.2
<b>Total</b>		<b>1256</b>	<b>100</b>

<b>Sexual Orientation</b>	<b>Number</b>	<b>%</b>
Bisexual	13	1.1
Gay Man	19	1.6
Heterosexual/ straight	1105	95.4
Lesbian/ Gay Woman	19	1.6
Other	2	0.2
<b>Total</b>	<b>1158</b>	<b>100</b>

<b>Religious Belief</b>	<b>Number</b>	<b>%</b>
I have no particular religion or belief	533	45.2
Buddhist	14	1.2
Christian	431	36.6
Hindu	9	0.8
Jain	1	0.1
Jewish	12	1.0
Muslim	14	1.2
Pagan	3	0.3
Sikh	1	0.1
Agnostic	29	2.5
Atheist	95	8.1

Other	23	2.0
Other philosophical belief	14	1.2
<b>Total</b>	<b>1178</b>	<b>100</b>

<b>Are you a carer</b>	<b>Number</b>	<b>%</b>
Yes	82	8.8
No	850	91.2
<b>Total</b>	<b>932</b>	<b>100</b>

<b>If yes, do you care for a:</b>	<b>Number</b>
Parent	32
Partner or Spouse	15
Child with special needs	17
Friend	4
Other family member	11
Other	3
<b>Total</b>	<b>82</b>

<b>Armed Forces</b>	<b>Yes</b>		<b>No</b>	
	<b>Number</b>	<b>%</b>	<b>Number</b>	<b>%</b>
Are you currently serving in the UK armed forces?	0	0	843	100
Have you ever served in the UK armed forces?	47	5.5	811	94.5
Are you a member of a current or former serviceman or woman's immediate family/ household?	25	3.0	805	97.0

## Appendix

216 responses were the data as they fell into the following categories:

- Duplicates (only one responses per household was included)
- Responses from residents outside the area

78.2% of these responses were against the introduction of a parking scheme in the Surrenden and Fiveways area as shown in the table below:

Why removed from main report	In favour of parking scheme		Not in favour of parking scheme		Total
	Number	%	Number	%	
Duplicates	19	37.3	32	62.7	51
Outside the area	28	17.0	137	83.0	165
<b>Total</b>	<b>47</b>	<b>21.8</b>	<b>169</b>	<b>78.2</b>	<b>216</b>



## Appendix D - Surrenden and Fiveways Area data.

Are you in favour of a residents parking scheme in your road?

Area Description	Yes		No		Total
	Number	%	Number	%	
Fiveways	391	75.9	124	24.1	515
Surrenden	462	42.6	623	57.4	1085
Total	853		747		1600

### Fiveways Area

What type of scheme would you prefer?

Type of scheme	Those in favour of a parking scheme		Those against a parking scheme		Total
	Number	%	Number	%	
Monday to Sunday 9am to 8pm	286	75.1	3	16.7	289
Monday to Friday 9am to 8pm	61	16.0	6	33.3	67
Different Scheme	34	8.9	9	50.0	43

Do you support a residents parking scheme by street

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Ashford Road	80	45	56.2	33	73.3	12	26.7
Ditchling Road	136	58	42.6	35	60.3	23	39.7
Dover Road	50	33	66.0	21	63.6	12	36.4
Hollingbury Park Ave	136	62	45.6	45	72.6	17	27.4
Hollingbury Terrace	17	14	82.3	11	78.6	3	21.4
Hythe Road	143	63	44.0	53	84.1	10	15.9
Lowther Road	123	72	58.5	55	76.4	17	23.6
Osborne Road	205	106	51.4	86	81.1	20	18.9
Sandgate Road	108	62	57.4	52	83.9	10	16.1
<b>Total</b>	<b>998</b>	<b>474</b>	<b>47.5</b>	<b>391</b>	<b>75.9</b>	<b>124</b>	<b>24.1</b>

## Surrenden Area

What type of scheme would you prefer?

Type of scheme	Those in favour of a parking scheme		Those against a parking scheme		Total
	Number	%	Number	%	
Monday to Sunday 9am to 8pm	251	55.0	3	6.3	254
Monday to Friday 9am to 8pm	102	22.4	29	41.7	122
Different Scheme	103	22.6	25	52.1	128

Do you support a residents parking scheme by street

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Balfour Road	163	84	51.5	40	47.6	44	52.4
Bates Road	111	51	45.9	22	43.1	29	56.9
Bavant Road	17	12	70.6	10	83.3	2	16.7
Beacon Close	15	14	93.3	6	42.9	8	57.1
Cliveden Close	96	9	9.4	2	22.2	7	77.8
Cornwall Gardens	63	38	60.3	18	47.4	20	52.6
Ditchling Road	46	9	19.6	1	11.1	8	88.9
Draxmont Way	9	5	55.5	1	20.0	4	80.0
Fairlie Gardens	17	11	64.7	6	54.5	5	45.5
Fircroft Close	7	5	71.4	0	0	5	100
Friar Close	11	7	63.6	0	0	7	100
Friar Crescent	50	39	78.0	15	38.5	24	61.5
Friar Road	52	42	80.8	16	38.1	26	61.9
Friar Walk	8	8	100	2	25.0	6	75.0
Gordon Road	96	36	37.5	16	44.4	20	55.6
Harrington Road	131	53	40.5	28	52.8	25	47.2
Harrington Villas	34	19	55.9	12	63.2	7	36.8
Herbert Road	66	28	42.4	21	75.0	7	25.0
Hollingbury Copse	7	5	71.4	3	60.0	2	40.0
Holly Close	8	1	12.5	0	0	1	100
Knogle Road	36	18	50.0	7	38.9	11	61.1
Laine Close	37	11	29.7	6	54.5	5	45.5
Loder Road	159	67	42.1	21	30.9	47	69.1
London Road	210	39	18.6	14	36.8	24	63.2
Mulberry Close	12	4	33.3	0	0	4	100
Oak Close	2	0	0	0	0	0	0

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Poplar Close	8	5	62.5	3	60.0	2	40.0
Preston Drove	17	15	88.2	6	40.0	9	60.0
Preston Road	19	3	16.7	2	66.7	1	33.3
Stringer Way	4	2	50.0	1	50.0	1	50.0
Surrenden Close	15	13	90.5	0	0	13	100
Surrenden Crescent	71	48	67.6	36	75.0	12	25.0
Surrenden Holt	32	18	56.2	10	55.6	8	44.4
Surrenden Park	60	43	71.7	7	16.3	36	83.7
Surrenden Road	226	129	57.1	73	56.6	56	43.4
The Approach	12	5	41.7	1	20.0	4	80.0
Varndean Close	6	5	83.3	3	60.0	2	40.0
Varndean Drive	97	38	39.2	17	44.7	21	55.3
Varndean Gardens	42	35	83.3	8	22.9	27	77.1
Varndean Holt	17	16	94.1	1	6.3	15	93.8
Varndean Road	48	19	39.6	8	42.1	11	57.9
Walnut Close	13	8	61.5	2	25.0	6	75.0
Whittinghame Gardens	46	33	71.7	13	39.4	20	60.6
Withdean Crescent	53	35	66.0	4	11.4	31	88.6
<b>Total</b>	<b>2249</b>	<b>1085</b>	<b>48.2</b>	<b>462</b>	<b>42.6</b>	<b>623</b>	<b>57.4</b>



<b>Subject:</b>		<b>Valley Gardens Update</b>	
<b>Date of Meeting:</b>		<b>13 October 2015</b>	
<b>Report of:</b>		<b>Acting Executive Director of Environment Development &amp; Housing</b>	
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jim Mayor</b>	<b>Tel: 294164</b>
	<b>Email:</b>	<b>Jim.mayor@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>		<b>All</b>	

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

- 1.1 The report updates members on the Valley Gardens project

**2. RECOMMENDATIONS:**

- 2.1 That Committee notes the update and timeline in 3.6-3.11.
- 2.2 That Committee notes the urgency of gathering updated traffic data within the October 'neutral period'.
- 2.3 That Committee agrees that the Project Management Board should oversee project progress along-side formal Committee decision-making processes.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 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 and by the cross party political support for the Concept Scheme that formed the basis of the Business Case that was successful in securing an £8m Local Enterprise Partnership contribution towards improvements in early 2015.
- 3.2 As demonstrated in the Business Case, the Valley Gardens scheme delivers local and regional benefits relating to personal safety, sustainable transport, the environment, the local economy, health & social wellbeing, ecology, jobs and city / regional competitiveness.
- 3.3 In March 2015 ETS Committee agreed that the next project stage (Landscape and Highways Technical Design) should commence under guidance of the Project Management Board.
- 3.4 In June 2015 the Administration requested an Independent Review of the Valley Gardens scheme to reassure that the proposed scheme was fit for purpose ahead of construction starting, and to respond to concerns raised by the new

Administration and Brighton & Hove Bus & Coach Company, in the press and to the Traffic Commissioner.

- 3.5 The review is being undertaken by independent consultants Project Centre Limited (PCL). To date, an initial draft has been received.

### **Summary of Review Findings**

- 3.6 Based on the draft review, it is likely that the final review will conclude that the modelling used in the Business Case (and the Business Case itself) is robust. However, the review recognises that the current preferred scheme, agreed by ETS Committee in October 2014, differs from that in the Business Case.
- 3.7 The rationale for the revised scheme came from additional detailed junction modelling undertaken after submission of the Business Case, during the Developed Design stage. The review recommends updating the city centre model with 2015 data (to reflect recent changes to the traffic network in the area such as Lewes Road, Brighton Station Gateway and Edward Street), and re-running the modelling. This will help ensure key junctions in the area respond to latest traffic flows as efficiently as possible.

### **Forward Timeline**

- 3.8 Additional traffic information needs to be gathered in early October (the next available 'neutral' month for traffic data). The city centre model will then be updated so that the existing situation and proposed scheme can be compared in a way that reflects 2015 traffic flows. The updated city centre model will enable any issues to be quantified and if necessary, mitigating solutions to be developed and tested, before Highways Technical Design is completed and the project progresses to construction.
- 3.9 Updating the city centre model is forecast to take 3-4 months. A short period will then be required to consider any design updates that may be informed by the updated modelling. It is therefore anticipated that a report will be provided to ETS Committee in March 2016.
- 3.10 Initial discussion with the Local Enterprise Board (LEP) suggests they are willing to accommodate the associated delay and roll forward the Local Growth Fund (LGF) funding, subject to formal agreement from the LEP and the Accountable Body. The LEP are in the process of producing guidance for delivery bodies which includes the possibility of allowing virement between individual Growth Deal projects between financial years to facilitate delivery and optimise use of funding; or allowing a delivery body to apply the LGF to other (non LEP Growth Deal) capital projects within its wider 15/16 capital programme provided that it be demonstrated that the same amount of funding will be spent on the allocated LGF project in 16/17. A formal request has been made to the LEP to seek approval for the rollover of the LGF funding whilst the city centre model is updated.
- 3.11 In the interim, design work will continue on aspects of the scheme that will be unaffected by any potential updates to the carriageway arrangement, and work will also continue on refining a fully costed forward maintenance plan for the

Gardens aspect of the scheme. It is recommended that this work is overseen by the Project Management Board, which will ensure that the project progresses as quickly as possible. The next Project Management Board meeting will be held in November.

## **Project Management Board**

- 3.12 It is recommended that the Project Management Board, as agreed by October 2014 ETS Committee, meets monthly to oversee project progress. The Project Management Board comprises members from each political party (nominated by each party), external representatives from the local community (Oliver De Trafford) and Community Works (Chris Todd), and officers from Communications, Parks and Transport.
- 3.13 It should be noted that the Project Management Board complements a separate, Officer Project Board.

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

- 4.1 Progressing the preferred scheme to construction when we know elements of design were based on outdated modelling assumptions would be questionable.
- 4.2 Whilst it would be faster to re-test the preferred scheme using 2011 traffic data, if the objective is to ensure the scheme design best responds to existing demands, it is sensible to update the model with the impacts of schemes added in the area since 2011.

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

- 5.1 The Valley Gardens proposals have been informed by a detailed consultation process, as described in Section 11 of the draft Business Case agreed by Committee in July 2014. At Transport Committee in March 2013, members considered messages of support for the scheme from a wide range of city stakeholders, demonstrating the many benefits that can be realised through the improvements. Consultation and dialogue with the community will continue as the project progresses through further design refinement, trials and implementation.

## **6. CONCLUSION**

- 6.1 The update ensures common understanding of project status. It is hoped that members agree that in the circumstances, the way forward is identified is a sensible approach that will ensure the scheme delivered in best for the city.

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

### Financial Implications:

- 7.1 The Local Enterprise Partnership have approved funding of up to £8.000m of Local Growth Funding towards the capital cost of the Valley Gardens project. The updated project timeline will not allow for the approved funding profile to be fully utilised on the project. A formal request has been made to the Local Enterprise Partnership for the funding to be either transferred between financial years to

facilitate delivery and optimise use of funding, or applied to other capital projects within the approved capital programme provided that the same amount of funding will be spent on the project in future years. Dependant on the confirmation of funding conditions, the amended capital funding profile will be reported to Policy and Resources Committee for approval to be included within the capital programme.

- 7.2 The costs associated to the gathering of updated traffic data will be funded from the approved Local Transport Plan and will form part of the council's match funding towards the overall scheme cost. The costs associated to the Project Management Board of overseeing the project is largely officer time which is funded from within existing revenue budgets.

*Finance Officer Consulted: Steven Bedford*

*Date: 23/09/15*

Legal Implications:

- 7.3 There are no legal implications arising from this report

*Lawyer Consulted: Elizabeth Culbert*

*Date: 20/09/15*

Equalities Implications:

- 7.4 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. An independent Access Audit has started, and will re-commence, incorporating consultation with local users, when the current review has provided certainty over the final form of the Valley Gardens design.

Sustainability Implications:

- 7.5 The (Valley Gardens northern and southern) proposals improve Air Quality, Noise Quality and introduce Sustainable Urban Drainage System features that enable the area to better accommodate future flash flooding events. The proposals provide an enhanced environment for the National Elm Collection and create an Arboretum to protect that heritage into the future, whilst additional planting and reduction in severance created by current transport infrastructure will enhance the area's biodiversity. Achieving a better balance of space between different movement modes also encourages sustainable transport choice. Overall the scheme objectives support those of the Biosphere, as explained further in the full Business Case previously agreed by Committee.

Any Other Significant Implications:

- 7.6 Corporate / Citywide Implications: The project directly supports objectives of the Local Enterprise Partnership's Strategic Economic Plan, the City Plan, 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. None

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

1. None

### **Background Documents**

1. None



<b>Subject:</b>	<b>Parking Annual Report 2014-15</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Acting Director Environment, Development and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Paul Nicholls</b>	<b>Tel: 29-3287</b>
	<b>Email:</b>	<b>Paul.nicholls@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1 To approve the publication of the Parking Annual Report 2014-15 on the performance of Parking Services and key service initiatives 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 Committee endorses the publication of the Parking Annual Report for 2014-15 under the provisions of the Traffic Management Act 2004.
- 2.2 That the Transport Committee authorises the Head of Transport Operations to produce and publish the report which will also be made available on the Council's website.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The City Council has operated Decriminalised Parking Enforcement since 16 July 2001. Part 6 of The Traffic Management Act 2004 came into force on 31 March 2008 and the enforcement of parking became Civil Parking Enforcement. The Council is required to produce and publish an annual report to the Department for Transport within 6 months of the end of the financial year.
- 3.2 Parking Service's first Parking Annual Report 2008/9 received national recognition when it was declared overall winner by the independent Parking Annual Report Review Group established by PATROL (Parking and Traffic Regulations Outside London). Brighton and Hove's report has been shortlisted for the national award in every subsequent year. This award was established to highlight best practice amongst Local Authorities in using the report to engage with the public on a range of parking issues.
- 3.3 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 and 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 considered as there is a statutory requirement to produce a Parking Annual Report. The importance of the report in communicating with the public was recently highlighted by the Transport Select Committee.

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

- 5.1 The publication of the Parking Annual Report 2014-15 is being used as an opportunity to inform and engage with the public and stakeholders on a range of parking issues in the city

#### **6. CONCLUSION**

- 6.1 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 To costs associated to the production of the Parking Annual Report have been funded from existing budget within the Transport service. Financial information relating to the council's civil parking enforcement regime is included within the report.

*Finance Officer Consulted: Steven Bedford*

*Date: 09/08/15*

##### Legal Implications:

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 within 6 months of the end of the financial year detailing financial and statistical information on its civil parking enforcement regime. It is not considered that any human rights implications arise from the report.

*Lawyer Consulted: Hilary Woodward*

*Date: 14/9/15*

##### Equalities Implications:

- 7.2 The report highlights initiatives such as Blue Badge Enforcement which aim to address equalities issues

### Crime and Disorder Implications

- 7.3 The report summarises enforcement action that has been taken in the course of the year.

### Any Other Significant Implications:

- 7.4 None

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

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

1. Parking Annual Report 2014-15

### **Background Documents**

1. None



<b>Subject:</b>		<b>Resident Parking Scheme Priority Timetable</b>	
<b>Date of Meeting:</b>		<b>October 13<sup>th</sup> 2015</b>	
<b>Report of:</b>		<b>Executive Director Environment, Development &amp; Housing</b>	
<b>Contact Officer:</b>	<b>Name:</b>	<b>Charles Field</b>	<b>Tel: 29-3329</b>
	<b>Email:</b>	<b>Charles.field@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>		<b>All</b>	

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

- 1.1 The purpose of this report is to recommend a parking scheme priority timetable. These recommendations are based on recent deputations and petitions presented at Committee over the last six months where residents have requested a parking scheme consultation in their area.
- 1.2 Recent requests from resident associations, Ward Councillors, deputations and petitions from residents have also been taken into consideration.

## **2. RECOMMENDATIONS:**

- 2.1 That Committee agrees the Parking Scheme priority timetable as set out in Appendix A which would require officers commencing work immediately in the Hollingbury Road / Ditchling Road area and the Hanover & Elm Grove area.
- 2.2 That Committee agrees to a further report early next year on the options to take forward a consultation in the Hanover & Elm Grove area in 2016.
- 2.3 That Committee agrees to a further report in spring 2016 to determine the area and types of schemes to be consulted upon in the Preston Village, West Hove and Hove Park areas (if the relevant deputations are received). This report would also consider any further requests.
- 2.4 That Committee also notes the further requirement for additional resources to deliver this revised timetable and requests the Executive Director to investigate this possibility given the current controls on current expenditure and recruitment.

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

- 3.1 Over the six months there have also been three petitions and deputations to the Environment, Transport & Sustainability Committee requesting parking scheme consultations and so it was agreed that a report would be presented to Committee for members to agree the way forward for a new parking scheme priority timetable.
- 3.2 The proposed timetable includes the current resourced work being undertaken in the Surrenden & Fiveways area and future work over the next two years.

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

- 4.1 The main alternative option is doing nothing which would mean that no proposals would be taken forward. There is also the alternative to re-prioritise the timings of the proposed parking scheme consultations.
- 4.2 However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

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

- 5.1 Over the last few months the following areas have come forward requesting a consultation on a resident parking scheme.

##### *Hollingbury Road / Ditchling Gardens*

- 5.2 On 17<sup>th</sup> March 2015 the ETS Committee considered a petition signed by **142** people requesting the council to include Hollingbury Road in the proposed Fiveways/Surrenden Road resident parking scheme consultation.
- 5.3 Whilst officers appreciated the concerns, the technical officer view was that Hollingbury Road does not connect to the current consultation area in the Surrenden & Fiveways area. The consultation is also for a new area not an extension to the current Area. Therefore, it was outlined that this would need to be considered as part of another area when the future parking scheme timetable is considered later in the year.
- 5.4 A further deputation was presented to the ETS Committee on 7<sup>th</sup> July on behalf of residents in Hollingbury Road to request consultation for inclusion in the existing Controlled Parking Zone J. It was outlined that Hollingbury Road residents have experienced huge problems with parking since the Area J parking scheme was extended northwards to Preston Drove and that the creation of a new zone north of Fiveways will further increase the problems.
- 5.5 Following the request it was agreed that officers would carry out a further investigation and ensure that this area is considered as part of the priority timetable for parking scheme. It was also agreed to take into account the timescales of the Surrenden & Fiveways parking scheme consultation to see if a solution for one road can be identified as soon as possible.
- 5.6 After investigation it was felt that the Hollingbury Road could be considered for a new parking scheme as soon as possible which would be consulted through a letter drop to all residents on the road. The proposal would be for a new scheme as it is felt that Area J should not be increased further particularly as complaints have been received in the southern section of the zone on internal commuting.
- 5.7 As part of this consultation it is also recommended to consider including Ditchling Gardens in the new scheme. At a recent meeting with officers a number of residents outlined the difficulties parking on the road due to the nearby residents of Ditchling road parking in the limited parking available for residents and their visitors. Therefore it is proposed to consult residents in Ditchling Gardens on



whether they would like to be considered as part of a new parking scheme which would separate them from Ditchling Road residents who still have the opportunity to park on their own road. Although Ditchling Gardens does not directly join Hollingbury Road they can be connected geographically to create a new zone (Appendix B).

- 5.8 It is felt that as these roads could be consulted through a letter drop rather than a detailed leaflet (such as what happened in Tivoli Crescent a few years ago) then this could be considered very quickly. This would also allow for this scheme, if wanted and approved, to be implemented at the same time as any scheme in the Surrenden & Fiveways area.

#### *Hanover & Elm Grove area*

- 5.9 At the ETS Committee on 7<sup>th</sup> July 2015 the Hanover & Elm Grove Local Action Team (HEGLAT) presented a deputation requesting that Brighton & Hove City Council undertake the development of a mutually agreed proposal. This to be followed by a consultation on a Controlled Parking Zone in the area.
- 5.10 The deputation stated that a transport and parking survey was undertaken by residents with **1101** surveys returned based on the Community Parking Plan as devised and proposed by the residents and Hanover & Elm Grove Local Action Team (HEGLAT).
- 5.11 Residents indicated on a ratio of approximately **2:1** in favour of some kind of parking scheme but not necessarily 9am to 8pm, as found in other areas of the city. A light touch scheme, as found in some areas, would not necessarily solve the problems as the survey highlighted that one of the most difficult times to park is early in the evenings, and so a medium touch parking scheme is getting the most support.
- 5.12 The request indicated that a medium touch Scheme was favoured covering the Hanover area bordered by Albion Hill, Queen's Park Rd, Elm Grove and Lewes Rd. It was also outlined that whilst the survey indicated that residents north of Elm Grove are still generally against controlled parking they do appreciate that any proposal will impact on them and so they might be ready to accept a light touch scheme. In terms of Elm Grove it was requested that the Council look at a viable way of improving the situation of the road.
- 5.13 It was also felt that the Pankhurst Estate and "Isle of Wight Triangle"? (Carisbrooke road, Ryde Road, Sandown road, Totland Road, St Helen's Road) also need full community consultation.
- 5.14 Therefore it is proposed that work will begin as soon as possible with the local community in the area outlined in Appendix C. A report would be presented to the ETS Committee early next year on the options to take forward for a consultation in 2016 as outlined in the proposed timetable in Appendix A.

### *Craven Vale area*

- 5.15 In March / April 2014 the Baker's Bottom and the Craven Vale area were consulted on whether they wanted to be part of an extension to the Area U resident parking scheme. Following this consultation, the ETS Committee on 1<sup>st</sup> July 2014 agreed to extend the scheme to include Baker's Bottom area who were strongly in favour of a parking scheme. Following further approval at the ETS Committee on 7<sup>th</sup> October 2014 this was taken forward for implementation on 1<sup>st</sup> November 2014. Within the Craven Vale area there was a distinct difference with only 31% of respondents in favour of an extension to the Residents Parking Scheme and 69% of respondents were against the extension of the scheme.
- 5.16 At the ETS Committee on 7<sup>th</sup> July 2015 Cllr Barradell and Cllr Morgan presented a letter on behalf of the Craven Vale Community Association outlining that since the parking scheme was introduced in the Bakers Bottom area there has been a notable increase in pressure on car parking spaces throughout the Craven Vale Estate.
- 5.17 It was explained that at a meeting of the association in March 2015 the over-riding view of those present was that the parking situation had worsened significantly this year, and that another parking scheme consultation was needed. The association organised a questionnaire to every household in the Craven Vale area (**330** residences) and asked whether or not they wished to have another consultation organised by the Council. The questionnaires were circulated in June 2015 and **84%** of residents agreed with the need for a new consultation while **79%** stated they were likely to vote in favour of a CPZ at a response rate of **27%**.
- 5.18 Cllr Barradell and Cllr Morgan, as Ward councillors for East Brighton, outlined their wish to support the Craven Vale Community Association in their request that a new parking scheme consultation be undertaken in their area and asked that a report be submitted to a future committee meeting with proposals on a way forward for consideration by Members.
- 5.19 Therefore it is proposed that a parking scheme re-consultation takes place in the area in Appendix D alongside the consultation in the Hanover & Elm Grove area which is outlined in the proposed timetable in Appendix A.

### *Preston Village*

- 5.20 Officers met with residents from the Preston Village area and were made aware they would be presenting a deputation to a future ETS Committee.
- 5.21 There are concerns about the current parking difficulties along with potential displacement from any agreed scheme in the Surrenden & Fiveways area.
- 5.22 Residents in this area have not been consulted about any parking scheme proposal in the last 12 years.
- 5.23 Therefore it is proposed (subject to a deputation / Petition being presented at a future ETS Committee) that a parking scheme consultation takes place in the area from Mid 2016 which is outlined in the proposed timetable in Appendix A.

The agreed area and type of scheme would be approved at a further ETS Committee.

#### *West Hove area*

- 5.24 In November 2013 a leaflet, map and questionnaire was sent to all property addresses in the Wish Ward area excluding residents currently in a resident parking scheme and Boundary Road.
- 5.25 A majority of respondents in the Wish Ward area voted against any parking scheme. The only areas that wanted a parking scheme were in the Wish Park area and Bolsover Road.
- 5.26 The results of the consultation were reported to the Environment, Transport & Sustainability Committee on 4<sup>th</sup> March 2014 and it was recommended to take into account the responses received and a new proposal for a resident parking scheme be consulted upon in the Wish Park / Aldrington Recreation Ground area.
- 5.27 Since the introduction of these schemes there have been complaints from residents about vehicle displacement into unrestricted roads.
- 5.28 The Kingsway and West Hove Resident's Association has written in to the council recently to request a consultation on the extension of the current light touch scheme. They outlined that as well as the current displacement there were a number of current and future planning development issues that may cause parking issues. Officers' understanding is that Ward Councillors are also surveying the area for resident opinion on a parking scheme consultation.
- 5.29 Therefore it is proposed (subject to any deputations / petitions being presented at Committee) that a parking scheme re-consultation takes place in the West Hove area from late 2016 which is outlined in the proposed timetable in Appendix A. The agreed area and type of scheme would be approved at a further ETS Committee.

#### *Hove Park area*

- 5.30 The Hove Park area was consulted in 2009 when the majority of respondents were against the proposals being taken forward.
- 5.31 Representations from Ward Councillors have outlined there are ongoing parking problems in this area.
- 5.32 Therefore it is proposed (subject to a deputation / petition being presented at a future Committee) that a parking scheme re-consultation takes place in the area from early 2017 which is outlined in the proposed timetable in Appendix A.
- 5.33 The area would be determined by the residents requesting a scheme in the future deputation. The agreed area and type of scheme would be approved at a further ETS Committee.

## **6. CONCLUSION**

- 6.1 It is felt that the recommendations outlined represent a fair way of dealing with requests for a resident parking scheme in various areas. Therefore it is recommended that the Parking Scheme priority timetable as set out in Appendix A should be approved.
- 6.2 Those additional parking schemes would place extra burden on officers in Parking Services dealing with permit applications / renewals as well as Penalty Charge Notice appeals and the increased general correspondence.
- 6.3 To deal with an additional proposals and the associated work and ensuring that the Council operates to its full potential it is recommended additional resources will be required and so this will be pursued within existing pressures and financial controls.

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

### Financial Implications:

- 7.1 The costs associated to officer time and consultation for the initial scheme reviews will be funded from existing budgets within the Transport service.
- 7.2 The capital costs associated to controlled parking scheme creation and extension is funded by unsupported borrowing, with repayments made over an appropriate time scale funded from the revenue income generated from the scheme. The detailed financial implications relating to the specific schemes will be reviewed and reported to future Committees on completion of consultation and consideration of options. The recurring financial impact of schemes will be incorporated in future years budgets.
- 7.3 Revenue income generated from on-street parking schemes is first defrayed against relevant costs with any surplus used for qualifying transport and highways related expenditure such as supports bus services, concessionary fares and Local Transport Plan projects.

*Finance Officer Consulted: Steven Bedford*

*Date: 10/09/15*

### Legal Implications:

- 7.4 Any parking scheme proposed would be subject to statutory public consultation, allowing for a period of at least 21 days for any objections or other representations to be made.
- 7.5 It is not considered that any human rights implications arise from the recommendations in the report.

*Lawyer Consulted: Hilary Woodward*

*Date: 14/9/15*

Equalities Implications:

- 7.6 The proposed measures will be of benefit to many road users.
- 7.7 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities

Sustainability Implications:

- 7.8 Any new motorcycle bays and pedal cycle parking bay will encourage more sustainable methods of transport.
- 7.9 Managing parking will increase turnover and parking opportunities for all.

Any Other Significant Implications:

- 7.10 None identified

**SUPPORTING DOCUMENTATION**

**Appendices:**

- 1. Appendix A – Proposed parking scheme priority timetable.
- 2. Appendix B – Hollingbury Road and Ditchling gardens proposed boundary area.
- 3. Appendix C – Hanover & Elm Grove proposed boundary area.
- 4. Appendix D – Craven Vale proposed boundary area

**Documents in Members' Rooms**

- 1. None

**Background Documents**

- 1. ETS Committee – 7<sup>th</sup> July 2015
- 2. ETS Committee – 13<sup>TH</sup> March 2015
- 3. ETS Committee - 20<sup>th</sup> January 2015
- 4. ETS Committee - 7<sup>th</sup> October 2014

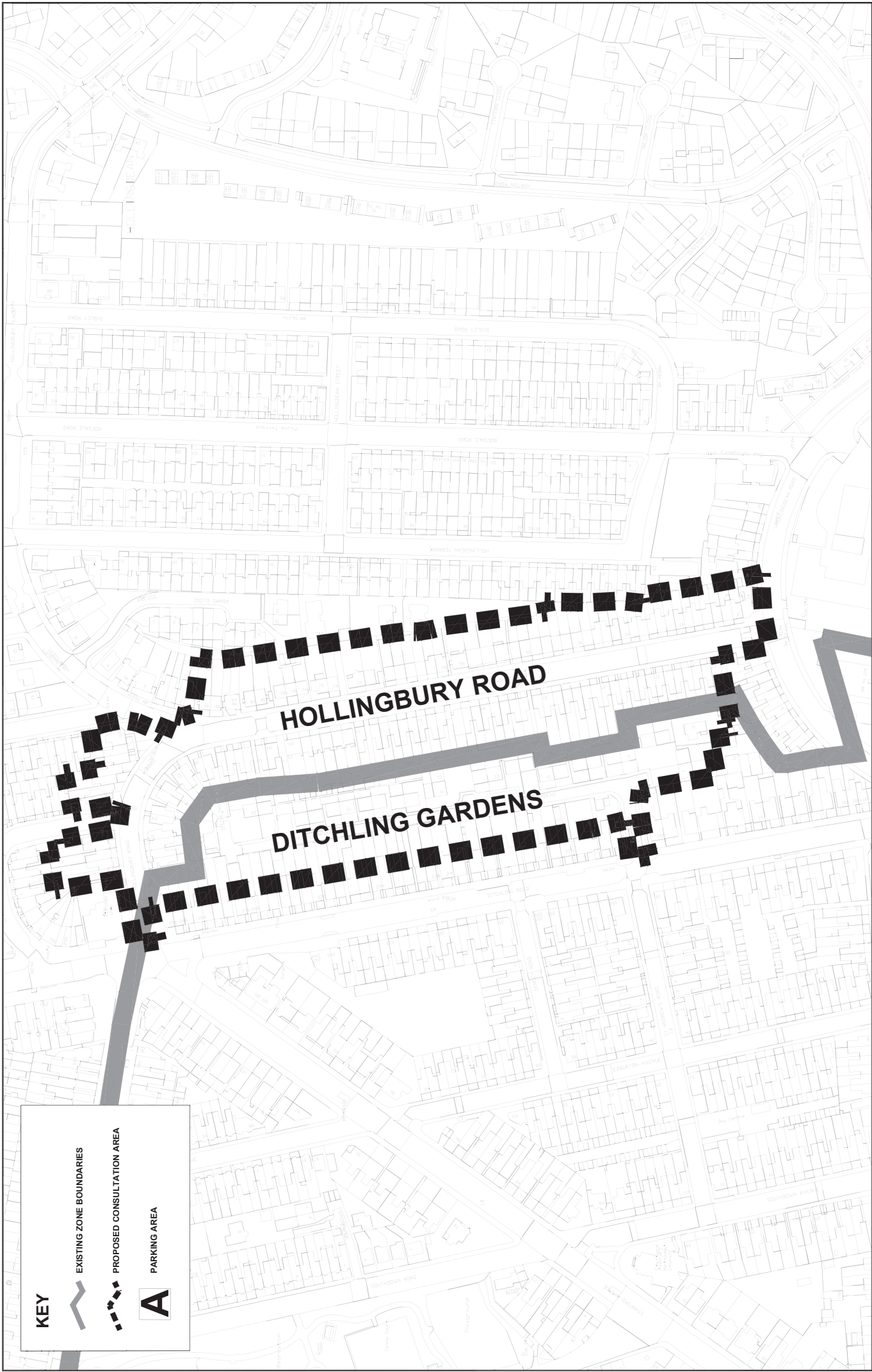


## Appendix A – Proposed resident parking scheme programme

	Year	Quarter	2015				2016				2017				2018			
			1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4
Priority	Area																	
Current	Surrenden & Fiveways area																	
1	Ditchling Gardens / Hollingbury Road																	
2	Hanover / Elm Grove area / Craven Vale area																	
3	Preston Village																	
4	West Hove / Wish area																	
5	Hove Park																	







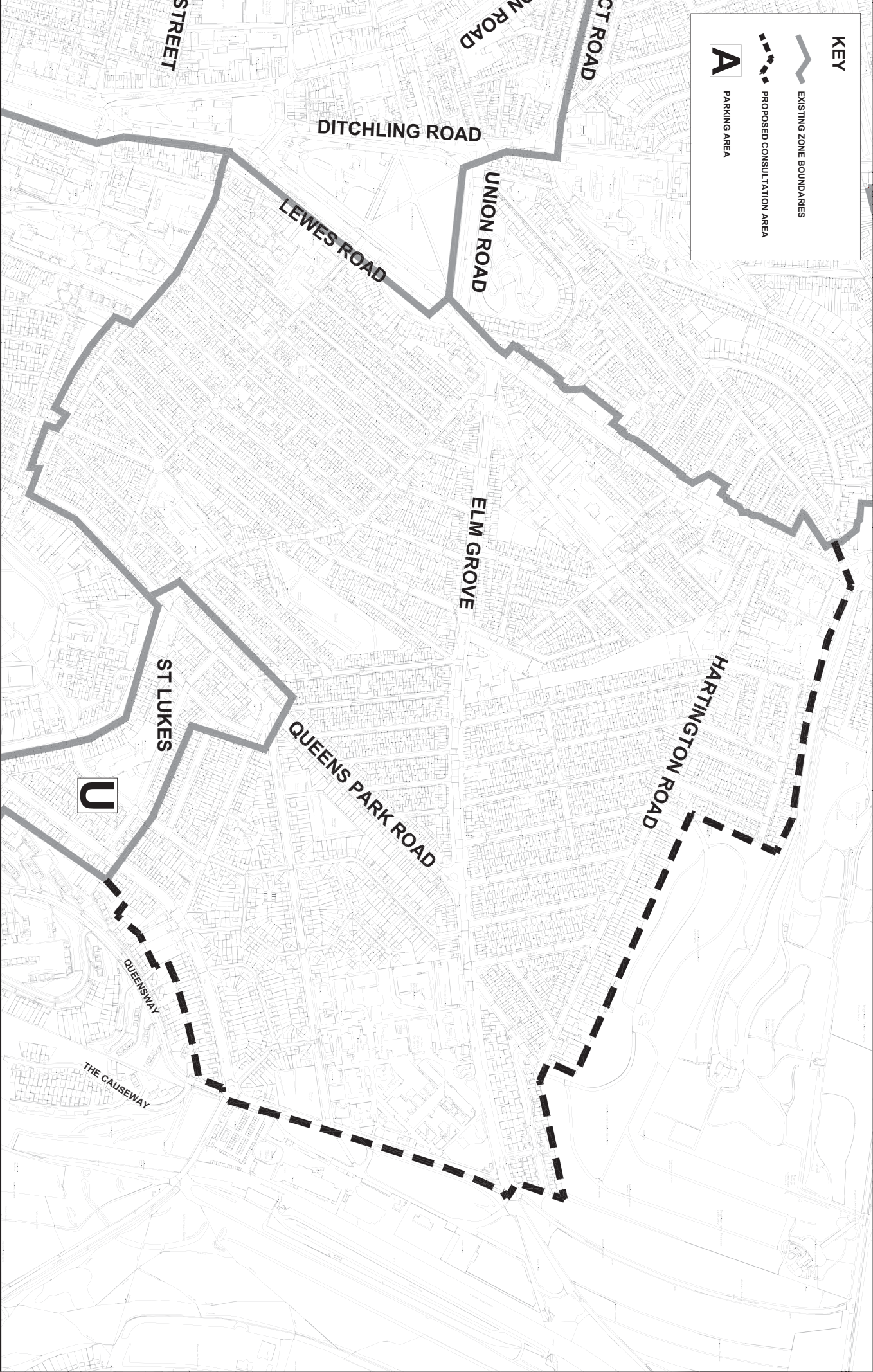
# APPENDIX B

HOLLINGBURY ROAD /  
DITCHLING GARDENS









**KEY**

- EXISTING ZONE BOUNDARIES
- PROPOSED CONSULTATION AREA
- PARKING AREA

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# HANOVER

# APPENDIX C







# APPENDIX D

## CRAVEN VALE





<b>Subject:</b>	<b>Highways Winter Service Plan 2015-16</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Christina Liassides</b>	<b>Tel: 29-2036</b>
	<b>Email:</b>	<b>Christina.liassides@brighton-hove.gcsx.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 The Highways Winter Service is managed by the Asset and Network Management section within the Transport division and is supported by Cityclean and Cityparks.
- 1.2 'Well-Maintained Highways', the national code of practice for highway maintenance management recommends that local authorities should formally approve, adopt and publish, in consultation with users and key stakeholders, a Winter Service Operational Plan based on the principles of the code. Brighton & Hove City Council has produced an annual Highways Winter Service Plan since it became a unitary authority and undertakes regular reviews with stakeholders, particularly after severe winters. Last year, the Plan was re-written to make it a more outward-facing guidance document for the public.

**2. RECOMMENDATIONS:**

- 2.1 That the Environment, Transport and Sustainability Committee approves the Brighton & Hove City Council Highways Winter Service Plan 2015-16 as attached at Appendix 1 to this report.

**3. CONTEXT/ BACKGROUND INFORMATION**Context for Highways Winter Service Plan

- 3.1 The Highways Winter Service plan outlines the policy and operational mechanisms that this authority puts in place to meet its statutory requirement to take measures to prevent or remove accumulations of ice and snow from the public highway as far as is reasonably practicable.
- 3.2 Winter maintenance is often referred to as 'gritting.' However, this term is misleading because the process usually involves spreading salt at an appropriately determined level from calibrated vehicles in advance of frost, ice or snow forming. The salt lowers the freezing point of water when in solution, and

thereby melts or prevents ice and frost forming on the highway. Salt is affected by weather conditions such as wind, dryness and depth of ice. It becomes much less effective as temperatures start dropping to around -5 degrees centigrade and is not effective with heavy snowfall.

### Annual Review 2014-15

- 3.3 Last winter was initially mild, with only one Hilltop run required in November. Spells of cold weather followed at periodic intervals in December, January and February, including some light snowfalls occurring which did not affect the gritted network.
- 3.4 During the cold spells, there were quite high probabilities of heavier snowfalls but these did not in fact materialise in the city. There were also several nights where temperatures were 'marginal' – i.e. the potential to dip below freezing in colder areas.
- 3.5 45 gritting runs were carried out over the winter period. Of these, 13 runs treated our gritting routes in the coldest areas of the city only (our 'Hilltops' routes), reflecting the marginal nights where the damp road surfaces ran the risk of becoming icy. 11 runs treated our standard gritting routes across all the city and 21 runs covered all the gritting routes in the city during the periods with colder weather/snow flurries.
- 3.6 In total, 1,100 tonnes of salt were used in 2014-15, compared to nearly 230 in the 2013-14 winter.

### Snow events

- 3.7 There were no severe snow events in 2014-15 although there were several light snowfalls or snow flurries.
- 3.8 Should snow occur during this coming winter, it is worth noting that the Code of Practice states that it is: "impractical to spread sufficient salt to melt more than very thin layers of snow and ice."
- 3.9 This means that the salt will not prevent anything but very light snow from settling (the salt acts as a de-bonding layer rather than a preventative treatment).
- 3.10 Under such circumstances, the essential treatment is ploughing and using a salt/grit mix to clear the layers of snow and compacted ice. These treatments take place during and after snowfall, where the aim is to remove the snow from the roads on our defined gritting routes as soon as is practicable.
- 3.11 Ploughing is a difficult task within the city due to a number of factors, such as roads having steep cambers, speed calming measures and tight corners. Cars may also block gritting routes, as the plough increases the width of the gritter. Nonetheless, all gritters plough in deep snowfall as well as treat with a salt/grit mix.



## Service Provision

- 3.9 During our full runs, we grit nearly 192 miles, which equates to just under 50% of our entire road network.
- 3.12 Our defined routes are all main roads and all bus routes. This enables us to direct our available resources to keeping strategic links treated all across the city. These routes are reviewed annually and changes are made where the network or the bus routes have altered or been increased. The team is currently working towards electronic management and optimisation of the gritting routes, utilising software technology.
- 3.12 We have 7 gritter vehicles, all with plough attachments, and a pavement gritter. Salt is stored at Hollingdean Depot. Grit bins and grit drops are provided for public use.
- 3.13 Detailed information on the winter service and maps of routes and grit bins are contained on the council's website.

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

- 4.1 A Highways Winter Service Plan is recommended as good practice by central government. The alternative would be to have no strategic or operational plan.

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

- 5.1 The Highways Winter Service Plan and our operational practices are regularly reviewed against the latest edition of the government's good practice guidelines (Appendix H of Well-Maintained Highways). Brighton & Hove City Council meets or is working towards best practice. However, there are some limitations such as the nature of our salt storage or the difficulties encountered when ploughing on steep, cambered city roads.
- 5.2 A copy of the plan and gritting routes are sent to relevant stakeholders such as transport operators, emergency services and major business continuity organisations in the city.
- 5.3 Brighton & Hove Head of Asset and Network Management is also part of a working group of local highway authorities – East Sussex, West Sussex and Highways England – seeking to improve communications internally and to our public before and during severe weather events. This work is linked into the Sussex Resilience Forum's Transport Group and to the wider SE7 local authority collaboration.
- 5.4 The Highways Winter team work closely with Cityclean, Cityparks, the Communications team and other council sections, particularly the Civil Contingencies team, to communicate and pool resources during extreme cold weather events.

- 5.5 The Winter Service team also support community groups that wish to undertake snow clearance in their local area, providing advice, guidance, shovels and materials such as grit e.g. in Queen's Park, Woodingdean and Ovingdean.

## 6. CONCLUSION

- 6.1 This report recommends approval of the Highways Winter Service Plan 2014-15 in order that the council has an agreed strategic and operational framework for responding to freezing weather conditions.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 The costs associated to the Highways Winter Service Plan are funded from an existing revenue budget within the Transport service. The revenue budget for the 2015-16 financial year is £0.306m.

The Highways Winter Service Plan is also supported by a Winter Maintenance Reserve. Any variance within the annual revenue budget is transferred to/from the reserve as contingency to fund periods of extreme weather which may result in a revenue overspend. The current reserve balance is £0.451m following a contribution of £0.012m at the end of the 2014-15 financial year. Reserves are maintained as a matter of prudence to enable the authority to provide for unexpected events and thereby protect from overspending, should such events occur. The table below provides a summary of previous years expenditure and reserve contributions.

Financial Year	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15
Revenue Budget (£'000)	227	332	323	292	297	302
Revenue Expenditure (£'000)	470	363	268	358	278	290
Contribution to/(from) Reserve (£'000)	-243	214	55	-66	19	12
Year End Reserve Balance (£'000)	217	431	486	420	439	451

*Note that the 2010-11 contribution to the reserve includes corporate contributions.*

*Finance Officer Consulted: Steven Bedford*

*Date: 21/07/15*

### Legal Implications:

- 7.2 The statutory duty referred to in paragraph 3.1 of this report is the duty specified in section 41.(1A) of the Highways Act 1980, requiring the highway authority to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice.

The duty is not absolute but qualified by reference to what is reasonably practicable. This gives the council discretion to prioritise routes based on cost,

strategic importance and operational capability.

*Lawyer Consulted: Hilary Woodward*

*Date: 21/07/15*

Equalities Implications:

- 7.3 The Highways Winter Service covers main routes and all bus routes. It is a service for the public highway, aimed at bringing the maximum benefit to the most used thoroughfares. It is not logistically or economically feasible to cover all roads in the city, so by treating bus routes and pavements on a priority basis we ensure that most areas of the city have some accessible options for travel and target areas of highest usage/maximum benefit. An Equalities Impact Assessment was undertaken in 2013.

Sustainability Implications:

- 7.4 Salt has a negative environmental impact e.g. on the water table or vegetation. It is not possible to spread enough quantity of salt to dissolve more than a minimum layer of snow or ice so usage must be balanced against impact. Sharp sand (grit) does not dissolve into solution and has a negative impact on drainage and appearance. Therefore resources are carefully deployed in order to provide a balance between network usability and detriment to the local environment.

Any Other Significant Implications:

- 7.5 The objective is to provide a highways winter service, which will permit, as far as possible, the safe movement of traffic on designated roads throughout Brighton and Hove and to keep to a minimum delays and accidents brought about by adverse weather conditions. There is a risk that roads will not be completely clear of snow, ice or frost and highway users should adjust their usage accordingly. The opportunities are created by treating an agreed network across the city which helps the movement of people and goods.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Highways Winter Service Plan 2015-16

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

None

### **Background Documents**

1. Previous Environment, Transport & Sustainability Committee reports on the Highways Winter Service Plan



## Brighton & Hove Highways Winter Service Plan 2015-16



This Highways Winter Service Plan incorporates the policy and operational provision of Brighton & Hove City Council's service for clearance of snow and ice on the city's streets. It also provides advice and information for residents and businesses.



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## Highways Winter Service

### Overview of Essential Services

#### 1 Summary

This document provides detailed information about the council's highway winter service, specifically relating to public roads and pavements. It is worth noting that other agencies and council sections also have winter plans and policies which support their service objectives.

#### 2 Objective

The Railways & Transport Act 2003: Section 111 – Highways, Snow & Ice, amends the Highways Act to give local authorities a duty, as far as is reasonably practicable, to ensure that the safe passage along a highway is not endangered by snow and ice.

The Traffic Management Act 2004 places a network management duty on the local authority to secure the expeditious movement of all users.

The objective is to provide a winter service which will permit, as far as is reasonably possible, the safe movement of traffic on designated roads throughout Brighton and Hove. It also aims to keep to a minimum delays and accidents brought about by adverse cold-weather conditions.

#### 3 Service overview

The service covers all main roads and all bus routes within the city, plus access to emergency service depots.



In normal winter conditions, this is achieved by pre-salting the road network to prevent ice or frost forming.

In snow conditions, it is unachievable to spread sufficient salt to melt more than a very thin layer of snow and/or ice. Under such circumstances, the aim is to reclaim the network as soon as possible and particularly once snow has ceased falling.

Pavement clearance will also be carried out during snow events. Grit bins are provided across the coldest, steepest areas of the city for the public to use.

The service operates from 1 November until the end of March, 24 hours a day, 7 days a week. The period may be extended on a day-to-day basis by the Head of Highway Asset & Network Management in cases of severe cold weather continuing into April or starting earlier in October.

## 4 Winter Weather Conditions

Winter weather conditions which are managed are:

**Snow** – fairly rare, but it does cause great difficulties due to its infrequency, partial melts/refreezes, the topography of the city and the resources needed for clearance.

**Ice** – occurs when conditions are freezing and wet.

**Hoar Frost** – is formed from white ice crystals. We only deal with this when it forms on roads making them slippery. This should not be confused with low-level frost, such as the white frost that appears on car roofs or vegetation in the mornings.

**Freezing rain** – is rain which freezes as soon as it hits the road surface. This is a rare occurrence but difficult to treat because of the timings between rain washing off

the treatment and the roads freezing. It also creates very hazardous conditions which may not be easily visible e.g. black ice.

Extreme or severe winter conditions are defined as an event where the snow is over 50mm (2 inches) and is predicted to remain on the ground for longer than 36 hours.

## **5 The Highways Winter Service**

### **5.1 Gritting**

The Highways section provides a service for the public highway, carrying out gritting treatments on designated roads in advance or during and after ice/snow. In extreme conditions it also carries out pavement treatment on designated public thoroughfares. Grit bins and grit drops are provided for local self-help.

### **5.2 Routes**

The priority is to keep major routes treated and passable. These are generally all the 'A' roads, most of the 'B' and 'C' roads and other roads of local importance, e.g. all bus routes. A total of just under 192 miles of main routes around the city will be treated if weather conditions require it. This is nearly 50% of the entire road network in the city. It is simply not possible in terms of time and resources to treat every road in the city.

The aim is to use the resources available to us as effectively as possible and bring the greatest benefit to the most utilised roads in our network.

There are four levels of routes which the Council will use depending on the severity of the weather conditions and the variables which can affect it. They are listed below in order of increasing severity according to climatic zones and weather conditions:

5.2.1 Hilltop Routes (Level 1): The routes are mainly based in the northern hill top areas of Brighton and Hove where frost is more likely to form in marginal conditions.

5.2.2 Standard Routes (Level 2): This covers the main roads, bus routes, and roads leading into emergency service depots, hospitals, important commuter routes, and shopping centres. These routes are commonly used for pre-salting and gritting before frost and icy conditions. These routes do not cover the warmest parts of the city.

5.2.3 Full Routes (Level 3): These are extended versions of the Standards Routes and cover more of the city's roads. These routes are commonly used in advance of snow or in extremely cold conditions where all of the city will be affected.

5.2.4 Priority/Snow Routes (Level 4): These are limited variations of the Full Routes. They are used when sustained snow or ice conditions are causing severe disruption and the routes need to be reduced to maintain the core of the city. This is usually when the snow is over 100mm (4 inches) and predicted to fall continuously or frequently within 24 hours or to remain for longer than 24 hours. When there are severe or sustained adverse weather conditions the gritting/ploughing needs to occur more intensely on the vital routes in order to try and keep these roads operable. They include roads around the main hospitals and the main arterial routes. These routes may also be employed if for any reason there is a reduction in the usual available resources, such as personnel, vehicles or materials.

During periods of prolonged heavy snowfall, designated pavements are cleared in priority order - central shopping areas and pedestrian routes and around hospitals first, followed by other important pavements and local shopping areas.

It is not possible to clear all these designated pavement routes at once hence the agreed strategy.

If forecasts are predicting heavy snow, city centre pavements may be treated in advance although this depends on available resources. City centre pavements may also be pre-treated, depending on available resources, if temperatures are predicted to be -3 degrees in damp weather or -5 degrees in dry weather.

### **5.3 Treatments**

5.3.1 Precautionary Salting - The application of salt to carriageways on routes usually in advance of frosty and icy conditions (often referred to as spreading, gritting or pre-salting).

5.3.2 Post-treatment – the application of ploughing, salt, a salt/grit mix or grit (sharp sand) to carriageways following snow and depending on the depth and severity of the snowfall. Also refers to the application of hand or machine clearance to pavements following snow.

### **5.4 Materials**

Available alternative de-icers are regularly reviewed, particularly with a view to their use on structures and special paved areas. However, such alternatives are currently prohibitively expensive, would require different storage conditions and may also have their own environmental disadvantages. Therefore, as the temperature seldom falls below minus 5°C, salt is used almost exclusively as the means of treating ice or snow on the highway.

As it is impracticable to spread sufficient salt to melt more than a thin layer of snow, ploughing and/or grit may be used when snow is of sufficient depth. A salt/grit mix may also be used to aid traction and break down compacted layers. This mix is sometimes used for trouble spots or extreme gradients. For extreme snowfall, pure grit may be spread to assist with traction.

The council is dependent on the national salt supply chain to replenish its stocks. Brighton & Hove has stored as much salt as it is able to do in advance. The winter service plan will therefore be carried out to the best of our ability but also according to available resources and identified national and local priorities.

## **6 What The Council does**

### **6.1 Responsibility for the Highway Winter Service**

The Highway Asset & Network Management section within Transport in Brighton & Hove City Council are responsible for this Winter Service Plan and for providing the majority of the resources and equipment required.

This includes providing the salt and gritting materials, providing the vehicles, providing information to the gritter drivers and any other personnel carrying out the clearance work and operating the Winter Service 24/7 during the period.

The Highways Winter Service is reliant on Winter Duty Managers (WDM) to perform the organisational and operational functions during the Winter Service Period, supported by the Head of Highway Asset & Network Management.

## **6.2 Decision-making**

The WDMs use the latest technology in weather forecasting/prediction to decide what is required to protect road users during cold weather. They will assess the weather forecast for a 24-hour period combined with local road temperature sensor data and other information such as from external sources (Meteorological agencies, Police) in order to decide what action is necessary.

The WDM instructs the depot co-ordinators and gritter drivers about which work needs to be carried out and when.

These duty managers are on standby during office hours, out of office hours, at weekends and during holiday periods such as Christmas and New Year.

Over a winter season, weather forecasts are approximately 90 percent accurate. Typically, this means that there are several days when a road frost or other freezing conditions are not forecast but will still occur. Similarly, there are some forecasts which predict ice and snow conditions which do not occur.

Winter Duty Managers are volunteers from within the Transport section of Brighton & Hove City Council who all have regular day-to-day jobs. Winter duties are in addition to their normal roles so please be aware of this if awaiting a response to queries.

## **6.3 Council sections involved in the Winter Gritting work**

The Highways Winter Duty Manager carries out the decision-making and management of the service.

Highways work with Cityclean as the Winter Service “Contractor.” Cityclean will provide the staff required to carry out the machine and manual spreading and ploughing operations. Cityclean drivers maintain a 24-hour standby rota for all of the gritter driving whilst other

Cityclean staff may be required to respond to a Winter Service event at the request of the WDM and under the Head Of Operations at Cityclean.

Highway contractors are used for tasks such as filling up grit bins and for pavement clearance under the direction of the WDM. Cityparks staff may also assist with vehicle provision, grit drops and clearance in the event of heavy snowfall.

Provision of additional staff for manual winter tasks is dependent on what other duties may need to be carried out such as refuse collection. Apart from road gritting, such tasks will not be carried out during night time for safety reasons.

Other sections of the council and other services (such as fire, police and NHS) will also have plans in place to deal with severe weather incidents. The Highways team consult on this winter service plan with other service providers to ensure that our highway gritting routes best suit their needs as much as is practicable.

#### **6.4 Weather Forecasting**

Brighton & Hove City Council has several key weather forecasting tools to help in predicting and deciding on action to be taken.

There are 4 weather outstations situated in strategic locations across the city. These stations provide information such as air and road surface temperatures, humidity and wind speed /direction. The information is retrieved remotely by computer and displayed as a minute-by-minute feed using a tailor-made IT system (the Ice Prediction System).

We also have a contract with an expert major weather forecasting company to provide the weather forecasting for the region. During the Winter Period twice daily forecasts are sent.

Additional updates can be asked for by a Winter Duty Manager to confirm or track potential changes.

Thermal mapping was originally used for the purposes of establishing gritting routes and priority risk areas. Thermal mapping is able to identify which sections of road are cooler or warmer than average due to the lie of the land, type of construction, traffic flows and other factors which can affect road temperature.

## 6.5 Communications

The Communications team will post regular updates on the Council's website informing of severe weather conditions, advice on self-help and on driving and movements across the city during extreme of adverse weather conditions.

Search under Roads and Highways, Road gritting on: [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)

Or go to: [www.brighton-hove.gov.uk/snow](http://www.brighton-hove.gov.uk/snow)

The Environment Customer Centre based at Cityclean's depot will handle most of the direct enquiries to the council.

## 7 Other Highway Authorities

### 7.1

Highways England is responsible for treating national routes including the A23, M23 and A27 trunk roads. They can be contacted on 0845 600 0414.



What areas does Highways England cover?	A27, Brighton bypass, A23 north of the A27 Junction.
What areas does East Sussex County Council cover?	Falmer and Saltdean border.
What areas does West Sussex County Council cover?	Fishergate border, Devil's Dyke border.

## **7.2 Co-ordination with Neighbouring Highway Authorities**

Highways Authorities will manage their own salting solutions within their own boundaries unless assistance is requested. In that event, level of assistance will be determined on a day-to-day basis.

Due to concerns regarding liability issues, reciprocal treatment arrangements with other neighbouring Highways Authorities ceased in 2006-07. However, in the event of extreme winter conditions or other business continuity issues the Head of Highway Asset & Network Management will liaise with members of East and West Sussex County Councils and with the Highway Agency.

Partnership work with these other authorities seeks to continuously improve internal communications and messages to our public.

## 8 What Can You Do To Help?

### 8.1 Self Help

You can apply table salt to paths, pavements and driveways. During frosty and icy conditions one tablespoon per square metre is generally all that is needed.

Salt/grit mix can be taken from over 420 locally placed salt/grit bins to be applied to roads and pavements if necessary. This is best spread in a thin even layer, concentrating on the middle of the pavement or where wheel tracks will run on the road.

#### **IN SNOW: SHOVEL SWEEP SALT**

In heavy snowfall, the best thing to do is to shovel, sweep, and salt.

Firstly, particularly if the snow is deep, and you've got a shovel, try to shovel it out of the way, into the gutter, or somewhere it won't cause a trip hazard. You can then sweep away the remaining residue with a broom, and apply salt onto the pavement.

It's worth bearing in mind that what we put in our grit bins is a mixture of salt and grit or pure grit during snowfall, but ordinary salt will usually work just as well, especially if the snow is cleared.

All you need is household table salt, and really you don't need that much: usually one tablespoon will do a square metre once the majority of snow has been cleared. So you can use it sparingly.

Grit can also work by giving traction on compacted icy surfaces.

Finally, if you are clearing snow, please don't use any water – boiling or otherwise. The problem with water is that it can very quickly re-freeze, and leave an icy patch.

The same is true for clearing your car windscreens; water can leave icy patches on the road.

## 8.2 Driving Advice

Please remember to drive with caution during freezing weather. The Highway Code makes it clear that drivers should always drive according to the weather conditions.

Before setting out on a wintry day you should:

- consider whether your journey is absolutely necessary
- if it is, check the local and national weather forecasts
- make sure you clear all the snow off your car including windows, headlights and roof
- if driving, listen to your local or national radio stations for travel news
- Even if roads have been gritted, do not assume that they are free from ice, snow and frost. Please remember that we are not able to treat all roads.

Before setting off on a journey make sure you have:

- Ice scraper and de-icer
- Fully charged mobile phone
- Warm clothes and a blanket
- First aid kit
- Torch and spare batteries
- Reflective warning sign
- Jump leads
- Food and a warm drink in a thermos flask

- Boots / Wellingtons
- Consider whether 'snow socks' for your car would be a useful investment
- And clear the snow from the bottom of your shoes.

#### When driving

- Remember it can take up to 10 times longer to stop in snow and ice
- Make gentle manoeuvres to remain in control
- Select second gear when pulling away to avoid wheel spin
- If hill climbing, try and avoid stopping on the hill. Try and leave lots of distance between you and the car in front. Try to keep at a constant speed and try to select the best gear before you get to the hill.
- When driving downhill, use engine braking by selecting lower gears. Leave plenty of room between you and the car in front.
- When using the brakes, use them gently. If you start to skid, take your foot off the brakes and reapply.

### 8.3 Walking Advice

When there are slippery and icy conditions it is vital to recognise the hazards of walking on these surfaces.

#### Tips:

- Don't wear shoes with smooth soles. Try putting stretch socks over your shoes to aid grip. You can also try spiked over-shoes, available from catalogues and via the internet.

- Be aware of the surface you are walking on. Don't try and run for a bus or run to cross a street.
- Use your arms to keep you balanced. Don't put your hands in your pockets when walking and avoid carrying heavy loads which could imbalance you.
- Try and remove as much snow as possible from the bottom of your shoes, periodically, as you are walking.
- Walk "small". Avoid a tall, erect marching walk.
- Just because a path has been cleared, do not assume it is free from ice and won't be slippery.
- Assume all wet and dark areas on pavement are slippery and icy.
- Be careful when getting in and out of vehicles. Use the vehicle as support when getting in and out.
- Try and walk on grassed areas where possible as this gives better traction.
- Point your feet out slightly. Spreading your feet like this will increase your centre of gravity. Extend your arms to maintain balance and take short steps.
- If you are going to fall, try and fall on your side. Avoid falling on your knees, spine or trying to stop your fall by putting your arm out.
- If falling, try and relax your muscles. You will injure yourself less if you are relaxed.
- Watch where you are stepping and go SLOWLY!!!!!!

## 8.4 Salt/Grit Containers

There are over 420 salt/grit bins on the public highway throughout Brighton and Hove with some additional bins provided for important council or NHS community facilities.

These bins have been made available at sites which are not usually near a gritting route. The coldest areas of the city particularly on steep hills are our priority.

The aim of the bins is self help for residents of Brighton and Hove to salt/grit an area which would not be on a gritting route.

(Housing also provides grit bins/grit for some areas of housing-owned land. These are usually locked, whereas Highways bins are not). For further information, please see Housing's Adverse Weather Policy.

Additional salt/grit piles will be placed in strategic locations across Brighton & Hove at the discretion of the Winter Duty Manager during snow events.

Compared to some other authorities, we supply a high quantity of salt/grit for the public, within what is a relatively small geographical area. This is because we recognise that Brighton & Hove is a mainly urban area built on hills.

The bins are supplied for steep areas usually hardest hit by snow and ice. However, provision of grit bins needs to be balanced against the capability to refill within a reasonable timescale, as well as available resources such as salt and grit.

It is not possible to supply any more grit bins on the highway. This is because it would take far too long to fill them quickly during extreme weather and with finite resources we cannot keep expanding the number of grit bins that we then need to service.

The installation of a bin at any new site would only be achieved by removing a bin currently installed elsewhere in the same ward, having consulted with ward councillors and with written agreement to the substitution.

Following recent national and local budget constraints, it was agreed at Budget Council that grit bins are only filled once per year at the beginning of the season, except in extreme/severe winter conditions. This means that even if grit bins are emptied during frosty or icy periods, they will not be refilled.

Grit bins will only be refilled in extreme winter conditions, generally defined as where snowfall is greater than 50mms (2 inches) and predicted to remain on the ground longer than 36 hours. In such circumstances, the contingency fund will be used to cover the additional costs of refilling the bins.

It will not be possible to fill every grit bin immediately – it can take up to two weeks to get round every area in the city depending on accessibility and available resources.

## 9 Our Equipment

### 9.1 Brighton & Hove Council Equipment List:

- 7 gritters
- 7 ploughs for use with the gritters
- 6 hand spreaders used for footways and cycleways
- 1 machine pavement gritter
- We may also have access to 3 tractors in severe weather conditions
- We may also have the use of 3 JCB's in severe weather conditions

### 9.2 Salt Storage

The council has a contract in place for the supply of salt. This is delivered by boat from one of the two salt mines in the country direct to Shoreham Harbour. It is then stored outdoors at our Hollingdean Depot and the gritters load up and go out on their routes from here.

The average amount of salt used per winter is about 800 tonnes. In very cold winters, this usage can rise to around 2,000 tonnes. In a recent mild winter, we used 270 tonnes.

Brighton & Hove has limitations on how much the council can store in advance and must also balance purchase against lifespan/likely usage of the stock. Just over 1,300 tonnes is stored at our depot at the beginning of winter.

As we have no options to increase salt storage within our boundaries, we can arrange with our contractor for additional storage at Shoreham Harbour.



## 10 Frequently Asked Questions

### Grit or Salt?

Although most of us call it gritting there is in fact no grit involved in precautionary treatment. (Precautionary treatment or pre-treatment is where we treat the roads in advance of frost, ice or snow).

What we spread on the roads is rock salt taken from an underground mine.

It is similar to the rock salt you would grind into your food, but of a size and composition for road use.

Grit (or sharp sand) is used as post-treatment on its own or in a mix with salt. (Post treatment is where we treat the roads during or after severe ice or snow). Grit helps with traction and breaks down layers of ice and snow.

### What does salting the roads do?

We spread salt onto the road. This works best when it goes into a solution, which is why we rely on the tyres of cars passing over the top of it to crush the salt onto the road. This then forms a solution with a higher de-icing capability.

Water freezes at 0°C. Salt stops water from freezing until about -6°C to -8°C, depending on the quantities of each. So the salt solution means the snow or ice will freeze less or melt quicker, depending on other factors such as dryness, wind and depth.

In theory, salt has the potential to melt snow at temperatures as low as -20° C but is not a very efficient treatment in extreme cold. Salt starts to become much less effective as temperatures drop to round minus 5°C and almost ineffective at lower temperatures or in

very dry conditions. With anything more than a thin layer of snowfall, salt will not make a difference. In all these circumstances, its use becomes practically, economically and environmentally difficult.

In extremely low temperatures, or heavy snowfall, a mix of salt and grit or pure grit may be used to aid traction and to break down compacted layers of snow and ice. Ploughing is also used if the depth of snow allows this but cannot clear away all of the snow (e.g. around speed humps).

### **When and how do you salt the roads?**

We salt the roads to prevent icy conditions when we are expecting ice or frost.

We also salt the roads when we are predicted to have snowfall, as the salt will act as a de-bonding layer even if the snow covers it.

Each route is planned to achieve a maximum of three and a half hour response time from leaving the depot to completing the route prior to ice forming.

In snow conditions, routes will take longer: for example, in heavy traffic or when ploughing due to the care needed to manoeuvre the additional vehicle width in our narrower roads.

### **Which areas of the city are salted?**

Salting depends on how severe the weather conditions are. It may be necessary to salt the coldest areas only or alternatively to salt all main routes.

Resources are focused according to priorities on identified gritting routes. Decisions are based on the following priorities:

- 1) primary roads (all 'A' roads), hospital, ambulance and other emergency service areas
- 2) the majority of 'B' roads
- 3) other important roads (bus routes)

### **Why are salted roads sometimes still icy?**

Despite the high level of service provided, no guarantee can be given that treated roads will always be completely clear of ice, frost or snow.

This can be for various reasons.

- It takes time for the salt to become effective after roads are salted
- Rain and running water can wash salt off roads leaving them prone to re-icing.
- In severe cold weather (falling to and below  $-5^{\circ}\text{C}$ ) even salt is not guaranteed to prevent roads from icing.
- Salt will not melt anything more than a very thin layer of snow.
- In heavy ice or light snowfall, salt treatments are only effective on roads with heavy traffic but too much traffic can also disperse the salt quite quickly.
- Salt is less effective in very dry conditions as it needs to form a solution to work effectively.

- If freezing conditions follow rain, salting will normally start after the rain has stopped to avoid salt being washed away. Temperatures may fall by as much as 5°C per hour and the wet roads may well freeze before the gritter has been able to salt them.
- Dawn frost occurs on dry roads where early morning dew falls on cold road surfaces and freezes on impact. It is not possible to forecast with any accuracy where and when this may happen.
- When rain turns to snow during the rush hours, early salting is washed away and gritters are unable to make progress due to traffic congestion.
- There may be water on the highway due to a number of reasons. These could include a water mains leak or vehicles being washed, or windscreens having water poured over them to melt the ice. These quantities of water will result in ice forming if the road surface temperature is below zero degrees. The council will treat major water leaks or ask Southern Water to respond as soon as it is made aware but this obviously takes time after receiving reports.
- Over a season, weather forecasts are approximately 90 percent accurate. In most winters, this means that there are several days when a road frost is not forecast but will still occur.

Treated roads can still therefore have icy patches and drivers should remain vigilant and aware of the need to drive with due care at all times, especially when damp conditions are followed by freezing temperatures.

### **Why does snow settle on salted roads?**

There are specific environmental factors that will reduce the effectiveness of salting/gritting and ploughing. This is particularly the case in areas outside the main city centre:

- Salt is not efficient at melting more than a thin layer of snow. Once snow has fallen, salt will lie inert under the snow, until the layers of snow are broken up enough for it to mix in and act as a de-icer and de-bonder between road and snow.
- Salt/grit needs to be tracked in by substantial vehicle or pedestrian traffic in order to work well and break down the layers of snow. Where roads (and pavements) do not have heavy traffic, they are more resistant to treatments. However, heavy traffic will also contribute to the salt being “used up” as it works into solution or is dispersed by vehicles.
- Gritter vehicles will take time to get round to re-treating roads especially in adverse conditions.
- Roads in more outlying areas tend to get more snowfall as they are higher up.
- Roads further out from the city centre areas are generally much colder, allowing snow to settle and remain longer.
- Cars abandoned on junctions or badly parked will prevent the larger vehicles such as buses & gritters from getting through.
- Some roads are too narrow for the gritters when they have ploughs on.
- Ploughing opens up the road but tends to provide a narrower band of clearance so leaves less room to manoeuvre for larger vehicles such as buses as well as pushing the snow into the kerbside which can make bus stops harder to reach.
- Ploughing is not very effective over speed humps, steep junctions, pronounced cambers and crowned roads.

### **Do you close roads in icy or snowy weather?**

It is our policy to work with the Police in closing roads.

However we do not generally tend to close roads during winter weather. This is because not all roads are treated and because in heavy snowfall or very icy conditions, even treated roads may still have snow/ice on them.

It would not be feasible to close all these roads. Motorists are advised to drive with caution on all city roads during cold winter weather.

### **Do you salt the pavements?**

We have approximately 1,100 km (687 miles) of pavement in the city. Many pavements are too narrow to be salted by machine. We do, however, place salt/grit bins at locations across the city for anyone to make use of and we will clear snow away after prolonged heavy snowfall (in order of priority).

As with roads, pre-salting pavements is only effective if there is heavy footfall to help the treatment work and the snow is not too deep. So we clear most pavements only after snowfall. We have identified Priority 1 and 2 pavements, which are where the greatest number of people will be using central or local services.

If we get enough warning from the forecast, and resources permit, we may pre-salt the city centre pavements in advance of snow because we know there will be enough footfall in this warmer area of the city to help this treatment work.

Pavement clearance is a lengthy labour-intensive task by hand spreading, so operationally and practically this work requires a high level of resources.

We have a pavement gritter which is faster but still requires time and resources to operate, including regular refills.

The ice or snow may melt during the day of its own accord. Therefore the Winter Duty Manager must decide on priorities, how heavy the snowfall is and when the snow may be

likely to clear naturally due to improved weather conditions as well as when clearance will be most effective (e.g. in heavy and continuous snowfall, clearance may need to wait until it stops because all efforts would be immediately covered over again).

Generally pavement clearance will be instructed in extreme conditions i.e. when the snow is over 50mm (2 inches) deep and predicted to last more than 36 hours.

Snow that has compacted into ice, or has partially melted and then re-frozen is extremely difficult to clear either by hand or by machine. We can only get round a certain number of pavements with the staff and time that we have. This is why we encourage people to help clear snow from pavements whilst it is still fresh, where possible and if they are able to do so.

#### **What are salt/grit bins for?**

Salt bins are provided at 420 locations in the city, on steep road junctions or hills. They are not usually placed on major salting routes or in flatter, warmer areas of the city. They are there for anyone to make use of in icy weather.

#### **How do I ask for a refill of a salt/grit bin?**

Please email

[gritbinrequest@brighton-hove.gov.uk](mailto:gritbinrequest@brighton-hove.gov.uk) or complete our online application, stating the exact location of the bin.

Grit bins will only be filled once at the beginning of the winter season unless we have severe winter conditions (where snow is greater than 50mm and predicted to remain on the ground for longer than 36 hours).

During severe weather when bins are being used, we batch up all the requests for grit bin refills and then make a decision on when to refill depending on amount of requests, geographical proximity, available resources and forecasted weather conditions.

Please note that no new grit bins will be supplied on the public highway. This is because we have now reached the limit of what we can sensibly and practicably keep supplied. To request the removal or relocation of an existing bin only, please e-mail [gritbinrequest@brighton-hove.gov.uk](mailto:gritbinrequest@brighton-hove.gov.uk)

### **What can I do to help?**

You can apply salt to paths, pavements and driveways or “Shovel, Sweep and Salt”.



**Gritting routes:** see also [www.brighton-hove.gov.uk](http://www.brighton-hove.gov.uk)

## Appendix 1





## Appendix 2

### Grit bins - criteria

For locations of bins, please: see [www.brighton-hove.gov.uk/maps](http://www.brighton-hove.gov.uk/maps)

A mixture of salt/grit is stored in bins at various roadside sites throughout Brighton and Hove as a self help for residents.

Brighton and Hove as a city is now at capacity in terms of the quantity of highway grit bins that it can service. Therefore the installation of a bin at any new site would only be achieved by removing a bin currently installed elsewhere in the same ward, having consulted with ward councillors and with written agreement to the substitution.

It is not practicable or possible to provide grit bins and maintain them on all side roads of the city. So to enable a fair distribution of grit bins where most needed the following criteria has been used in assessing requests. The criteria below is a guide and not exhaustive.

- At junctions away from main [Gritted] roads with a gradient in excess of 1 in 10 [10%] and where vehicle flow exceeds 200 vehicles per day.
- On hills with gradients in excess of 15% [Non Gritted Routes], where vehicle flows are more than 200 vehicles per day.

- On hills at locations with gradients in excess of 20% (1 in 5) whatever the vehicle flow, and is not gritted.

Grit bins for carriageway/footway use will not be provided:

- On roads that form part of precautionary or secondary gritting routes, except at known points of difficulty on steep gradients, subject to site assessment.
- Where they attract anti-social behavior or cause nuisance to nearby residents.
- Where their provision would create a further proliferation of street furniture to the detriment of disabled or visually impaired people and/or the community.
- At locations where there are no residents or community in close proximity and where the bin is unlikely to be used.
- On un-adopted highways whether subject to future adoption or not.

<b>Subject:</b>	<b>Developing a ‘Traffic’ Network Management Strategy – Approval to Develop</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jeff Elliott</b>	<b>Tel: 292468</b>
	<b>Email:</b>	<b>jeff.elliott@brighton-hove.gcsx.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 This report outlines the concept of developing a 'Traffic' Network Management Strategy for the city and seeks approval from Committee to commence development.

**2. RECOMMENDATIONS:**

- 2.1 That a city wide 'Traffic' Network Management Strategy be developed.

**3. CONTEXT/BACKGROUND INFORMATION**

- 3.1 The Traffic Management Act 2004 (TMA) received royal assent 22 July 2004. The first stages came into force on 1 April 2008 varying and replacing (inter alia) parts of the New Roads and Street Works Act 1991 (NRSWA). One of the main objectives of the TMA was to reduce congestion and disruption on the road network by actively encouraging forward planning and co-ordination of street works. Section 16 of the TMA introduced a new Network Management Duty (NMD) for local traffic authorities. Section 17 of the Act requires local Traffic Authorities to make appropriate arrangements for planning and carrying out the NMD fully considering the needs of all traffic on the network. The Government's 2004 White Paper 'The Future of Transport' emphasises the importance of the active and coordinated management of the road network.
- 3.2 Developing a network management strategy will provide the framework that enables city centre developments to extend the city's offer to visitors within finite traffic network capacity.
- 3.3 The Network Management Strategy must also deliver the Network Management Duty and consider general network management obligations, policies and objectives and the wider UK economic factors that may affect Brighton & Hove in the future.
- 3.4 The Network Management Strategy will set out how Brighton & Hove, as the Transport Authority, will manage the highway network and fulfil its Network

Management Duty. It will also explore the challenges that Brighton & Hove faces, and explain what actions will be taken to deal with them, including:

- Understanding the network
  - The causes of congestion
  - The impacts of congestion (both now and in the future)
  - Policies to deal with congestion
- Planning and development
  - Encouraging development
  - Ensuring developments provide the necessary infrastructure
  - Reducing any adverse impacts on the network.
- Highway management
  - On a daily basis, coordinating planned activities and events
  - Responding to unplanned events
  - Enabling traffic to flow freely
- Traffic demand management
  - Encouraging the use of sustainable transport
  - Traffic control systems and information
- The needs of road users and utility companies
- The transport services that are delivered
- How Brighton & Hove's transport system (road and bus network) will be managed in order to help tackle congestion

Consideration can also be given to the objectives within other schemes or programmes, such as traffic management schemes, pedestrian crossings, street lighting, drainage and structures etc.

For reference, "traffic" includes pedestrians. So all road users: pedestrians and cyclists, as well as motorised vehicles – whether engaged in the transport of people or goods.

### ***Network Management Strategy Key Objectives***

- 3.5 Brighton & Hove has recently introduced a Road Works Permit Scheme as a key step supporting the meeting of these objectives and introduced a headline network and traffic management objective for Brighton & Hove;

**“Working together to deliver a safe, efficient and sustainable highway network for everybody”**

- 3.6 The wider objectives of the Network Management Strategy to include:
- Ensure delivery of the Network Management Duty
  - Reduce congestion and disruption on the road network.
  - Manage the road network to achieve the expeditious movement of traffic on the a road network

- Actively encourage the forward planning and co-ordination of street works by undertakers
- Enable developments to extend the City's offer to visitors within finite traffic network capacity
- Support structural maintenance schemes
- Support Transport Asset Management plans
- Deliver improvements in National Indicator performance
- Meet the needs of the local community by addressing issues highlighted by elected Members.

3.7 Efficient movement on the Brighton & Hove road network is essential for both society and for a successful economy. As a result of the success of the City and its regeneration prospects, more traffic is inevitable.

There is also a wider UK context;

- UK Infrastructure investment forecast to be circa £500 billion over the next 5 years.
- There are greater pressures to increase house building and commercial development
- The economy is growing again.
- There is an increasing population.
- There are greater traffic volumes.
- There are downward pressures on budgets.

3.8 Highways must play its part in delivering the efficient movement of traffic and ensure Brighton & Hove services benefit the community. However, the Network Management Strategy needs to be framed within the broader range of responsibilities Brighton & Hove has. Brighton & Hove has its obligations, policies and objectives that it must address. Accordingly, the Network Management Strategy and the Network Management Duty contained within should **not** take precedence over everything else that Brighton & Hove does.

3.9 Brighton & Hove faces a range of challenges along with its obligations, policies and objectives which will have to be taken into account and supported when delivering a Network Management Strategy. These include, for example, schemes, economic regeneration, house building, special events, road safety objectives, pollution, the Local Transport Plan and long term transport developments.

### ***The Traffic Manager Role***

3.10 Section 17 of the TMA requires the appointment of a "traffic manager" 'to perform such tasks as the authority consider will assist them to perform their network management duty'. The guidance relating to the NMD emphasises that the performance of the Duty requires a 'whole authority' approach, and that the Traffic Manager should provide a focal point within the Authority, championing the need for the authority to consider the NMD in all areas of work. The

Government's 2004 White Paper 'The Future of Transport' emphasises the importance of the active and coordinated management of the road network. The Network Management Duty is one element of an Authority's transport activities and should complement other policies and actions.

### ***Legislation***

- 3.11 There are two pieces of legislation and one piece of statutory guidance fundamental to the performance of the NMD: The Traffic Management Act 2004; Network Management Duty Guidance (NMDG) and the Traffic Management (Guidance on Intervention Criteria) (England) Order 2007. All Local Traffic Authorities (LTAs) in England are now performing the NMD.
- 3.12 The distinctions between the LTA, Local Highway Authorities and Street Authorities are technical ones and relate to the powers made available to an Authority to carry out certain functions under the different legislation, as follows:
- The Highways Act 1980, which covers the structure of the network
  - The New Roads and Street Works Act 1991 (NRSWA), which covers Utility works

### **DELIVERING THE STRATEGY**

- 3.13 The Network Management Strategy must:
- be practical and sit alongside other requirements such as road safety
  - consider the effects of its actions on neighbouring networks
  - identify current and future causes of congestion and disruption
  - plan and take action accordingly

This means there is a need to have access to the information needed to do this. With this information, Brighton & Hove can undertake a pro-active co-ordination of the network, adopt a planned, evidence-led approach to known events, and develop contingencies for the unforeseen. Situations, such as unforeseen weather conditions, security alerts and other incidents are outside of Local Authority control. But again, in delivering a Network Management Strategy and meeting the NMD Brighton & Hove must establish contingency plans for dealing with these promptly and effectively, as far as is reasonably practicable. It is Brighton & Hove's responsibility to ensure that all parties involved in making these arrangements work are fully consulted during their development, and have the information they need to put them into practice quickly. This will complement the Transport Asset Management Strategy that also seeks to ensure a resilient network.

- 3.14 Brighton & Hove must monitor the effectiveness of processes and strategies. Monitoring should be sufficient to identify where there are causes of disruption. Brighton & Hove must acknowledge that performance can be affected by factors outside its control.



## ***A Whole Authority Approach***

- 3.15 The NMD requires consideration of anything that affects the co-ordination or regulation of the flow of traffic and the Network Management Strategy aims to manage these as effectively as possible, minimising their impact on traffic. It is essential that the whole organization is aware of the Network Management Duty and its implications and supports and contributes towards the Network Management Strategy consistently. Given its importance the Act contains powers for the Secretary of State to intervene if an Authority is failing to meet the duty. Therefore the Network Management Strategy must include the delivery of the Network Management Duty as a core principle.

## ***Example Initiative – Work Already Completed***

- 3.16 An initial piece of work and an operational change that has been completed in Brighton & Hove is the introduction of a Permit Scheme under Part 3 of the Traffic Management Act 2004 (TMA) which is a principal mechanism to deliver increased resources, co-ordination and control over road works. This supports the objectives and future delivery of a Network Management Strategy as there is now control over the activities of Utilities (excluding emergency works) so approval of their work can be given having first considered the Network Management Strategy. The Cost Benefit Analysis of the Permit Scheme assuming a 5% works reduction identified a Societal Benefit at of £190m measured over 25 years. This resulted in a Benefit to Cost Ratio of =12.19:1 using a DfT approved methodology.

Within the Cost Benefit Analysis was a measure of the impact by different users of the Highway Network.

**Table 81 Benefits Summary Values and Percentage 5% reduction in works impact 25 Years**

<b>Benefits</b>	<b>Value</b>	<b>Percentage of Total Benefit</b>
Consumer Travel Time	£101,326,884	53%
Consumer Vehicle Operating Costs	£6,995,907	4%
Business Travel Time	£76,636,170	40%
Business Vehicle Operating Costs	£2,698,602	1%
Private Sector Provider Operating Costs	£939,483	0%
Reduction in Fuel Revenue	£945,027	0%
Greenhouse Gases	£1,211,303	1%
Accidents	£1,275,541	1%
<b>Net Present Value of Benefits</b>	<b>£190,138,864</b>	

## **PROPOSED OBJECTIVES**

- 3.17 Primarily, the Network Management Strategy will be about dealing efficiently with the traffic presented on the network – both now and in the future.

- 3.18 The Network Management Strategy will introduce a structured approach to the allocation of road space, keeping the city safely on the move whilst works and major projects get underway.
- 3.19 There will be an overlap with network management arrangements contained within the Local Transport Plan (LTP) but they are complementary and should appear alongside.
- 3.20 Traffic management initiatives such as traffic calming, improving city centre, public transport priority, and the LTA's road safety plan will be supported and delivered within the Network Management Strategy framework.
- 3.21 Part of the Network Management Strategy will be to identify trends in traffic growth on specific routes and put in place policies for managing incremental change.
- 3.22 Working with the city's Emergency Planning and Business Continuity team and procedures the Network Management Strategy will identify potential Incidents and ensure all parties are consulted on contingency plans.
- 3.23 The Network Management Strategy will identify other Authorities that could be affected by Brighton & Hove actions and make arrangements for managing this, establishing joint working arrangements with other Authorities affected.
- 3.24 The Network Management Strategy will ensure increased co-operation, communication and co-ordination and consultation on initiatives, ensuring all departments and stakeholders are aware of the NMD and related objectives.
- 3.25 The Network Management Strategy will identify indicators that demonstrate and improve network performance aligned with the LTP. However, where LTP indicators are not sufficient to show the full range of performance against the NMS others should be introduced.
- 3.26 The Network Management Strategy will include monitoring and evaluation of organisational structures and decision-making processes put in place to meet the NMS.
- 3.27 The Network Management Strategy will identify problems facing the different parts of the network and the needs of different road users ensuring a balanced approach to overall network management.
- 3.28 The Network Management Strategy will identify and give consideration to seasonal variations of the network.

### **PROPOSED CONTENT**

- 3.29 The Network Management Strategy will have multiple appendices. Some will already exist and some will need to be produced. These provide more detail on the Network Management Strategy and the complementary strategies and policies:
- Network Management Strategy Action Plan
  - Compliance with the Traffic Management Act 2004

- Measuring congestion costs
- Transport modelling
- National legislation
- Performance management
- Local Transport Plan (LTP3 / LTP4)
- Safety. This will outline the impact that road accidents have on people's lives, and the economic cost associated with these accidents and the emphasis on reducing road accidents.
- Transport Asset Management Plan. This identifies the best maintenance practices to minimize the cost of the Cities transport assets.
- Highway Maintenance Policy and Strategy. This will ensure that practices deliver, or exceed the government's national code of practice for highway maintenance (Well Maintained Highways).
- Road Works Communication Protocol. The protocol ensures that Brighton & Hove communicates about its own road works. This enables the general public, residents and business etc to adapt their travel plans.
- Street Works Register. The register keeps a list of Utility works and road works. This provides information regarding the nature of proposed works, the proposed traffic management, their locations and their start and end dates.
- Climate change as set out by the Met Office and the impact on services and traffic.
- Local Flood Management Strategy. This strategy sets out how organisations and communities in Brighton & Hove will work together to manage their flood risk.
- Rights of Way Improvement Plan .The plan considers how best to manage and develop the Rights of Way network in the City for the next 5 years.
- Design Guide. The design guide that sets out road and transport requirements for new developments. It covers a range of scales, from new housing and industrial estates through to much smaller developments, such as a single new house.
- LTP4 Performance Indicators. This is the set of performance indicators that will be used to demonstrate whether the strategy is achieving its objectives.
- The local policy framework. This explores the local policies that support national legislation and objectives, and which have a direct influence on this Network Management Strategy.
- Network Management in Brighton & Hove. This explores what actions will be taken to deal with congestion and the challenges that Brighton & Hove faces, how the strategy is going to help deliver LTP4 and how Brighton & Hove will meet the requirements of the Traffic Management Act 2004 and the Network Management Duty. It has 5 sub-sections:
  - I. Understanding the network
  - II. Planning and development
  - III. Encouraging sustainable travel
  - IV. Highway management
  - V. Traffic demand management
- Network Management and the Environment. This explores the local policies that support air quality and noise objectives.
- Air quality including:

- a) The legal framework
  - b) Compliance with legislation
  - c) Air quality evidence
  - d) Air quality in the City
  - e) Options to tackle poor air quality
- Noise including:
  - a) The legal framework
  - b) Compliance with legislation
  - c) Noise evidence
  - d) Noise in the City
  - e) Options to tackle noise

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

- 4.1 Continue without a Network Management Strategy leaving existing Transport priorities and procedures to manage the network effectively and with due regard as they do already.
- 4.2 This option means no change and the risk of no change is low in the short term but long term effectiveness of the city's transport objectives will be challenged by the growing expectation on the network through increased development and tourism.

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

- 5.1 Should a Network Management Strategy be developed the needs of all the city's road users will be crucial and an effective methodology will have to be developed for seeking and including these views.

#### **6. CONCLUSION**

- 6.1 The implementation of the Network Management Strategy will help to ensure that Brighton & Hove has an effective transport system for the people of, and visitors to, Brighton & Hove. This will ensure that transport continues to play its important role in helping Brighton & Hove to be a prosperous, safe and attractive city.
- 6.2 Should agreement be to develop a city wide Network Management Strategy work will need to be undertaken with both internal and external partners to fully scope the strategy and identify partners.
- 6.3 This will include close cooperation with our adjacent highway authorities to ensure any measures undertaken do not adversely impact their or our highway network.

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

Financial Implications:

- 7.1 The costs associated to the development of the Network Management Strategy will include officer time, consultancy support and community engagement and consultation. It is anticipated that these costs will be funded from existing revenue budgets within the Transport service and by income generated from the Road Works Permit Scheme where legislation and regulation allows. Any significant variation to existing budgets as a result of developing the strategy will be monitored and reported as part of the council's budget monitoring process.

Any financial implications associated with implementing measures to meet the objectives of the strategy will need to be assessed within relevant future reports or business cases to seek appropriate approval.

It is expected that the strategy will assist in making funding applications for external resources and the development of joint funding bids to deliver the objectives of the strategy. 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: 02/10/15*

Legal Implications:

- 7.2 Section 16 of the Transport Management Act 2004 imposes a duty ("the network management duty") on local traffic authorities to manage their road network with a view to achieving, so far as may be reasonably practicable having regard to their other obligations, policies and objectives, the objective, inter alia, of securing the expeditious movement of traffic on the authority's road network. The action an authority may take in performing that duty includes any action it considers will contribute to securing the more efficient use of the road network and securing the avoidance, elimination or reduction of road congestion or other disruption to the movement of traffic on its road network. Section 17 of the Act allows a local transport authority to make such arrangements as it considers appropriate for planning and carrying out the action to be taken in performing its network management duty. The report's recommendation that a Network Management Strategy be developed is in keeping with legislation.

It is not considered that any adverse human rights implications arise from the report.

*Lawyer Consulted: Hilary Woodward*

*Date: 23/9/15*

Equalities Implications:

- 7.3 The overall aim of the Network Management Strategy is to help develop complementary policies that will enable the road network to operate as effectively as possible. Also providing a framework that enables wider city centre developments to extend access to the city for residents, businesses and visitors alike.

Sustainability Implications:

- 7.4 The Network Management Strategy will support and promote the use of sustainable transport options and integrate with policies on air quality and flood management.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. None

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

1. None

#### **Background Documents**

1. None

<b>Subject:</b>	<b>Removal of Non-Motorised Vehicles</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>David Fisher</b>	<b>Tel: 29-2065</b>
	<b>Email:</b>	<b>David.fisher@brighton-hove.gcsx.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 The Highway Enforcement team currently deal with abandoned Non-Motorised Vehicles (NMVs) whilst the Travellers Liaison team deal with lived-in NMVs on the public highway. However the council does not have a policy to deal with NMVs that are neither lived-in nor abandoned, and therefore these are able to remain parked on the public highway.
- 1.2 NMVs left upon the public highway generate a large number of complaints from residents particularly about the vehicles taking up valuable parking spaces and attracting anti-social behaviour.

**2. RECOMMENDATIONS:**

- 2.1 That the committee recommend officers undertake a more detailed investigation and consultation into the use of the Highways Act 1980 to develop a highway policy that will assist the Highway Enforcement team in the removal of NMVs from the Public Highway. A full report will be brought back to ETS committee as soon as possible after consultation.
- 2.2 That Committee notes that an annual budget will need to be identified to cover the costs of removal and storage of NMVs for up to 14 days

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 This report focuses on the issues surrounding use of the public highway as a storage facility for Non-Motorised Vehicles (NMVs). NMVs can include caravans and trailers. The definition could be: A vehicle or structure that cannot move by independent means.

The storage of NMVs for unlimited periods on the public highway prevents others from making use of the area and causes inconvenience and frustration to Brighton and Hove residents, business and visitors.

Opportunities for parking are reduced for residents' vehicles, which are subject to road fund licence, insurance, MOT and within parking schemes, parking permit costs. NMVs such as caravans and trailers are not subject to these legal requirements, and therefore it could be seen as unreasonable for them to have the same rights to use the public highway as motor vehicles.

The Council currently assesses abandoned NMVs under the Refuse Disposal (Amenity) Act 1978 and carries out removals when necessary. However, once an owner has come forward to claim the property that legislation is no longer applicable. This report seeks to address the issue of NMVs stored indefinitely on the public highway, and which have identified owners, therefore not falling into the category of being abandoned.

- 3.2 NMVs are becoming an increasing problem across Brighton and Hove. Since 2012 the Highway Enforcement team have dealt with over 400 reports of problem NMVs.

Of the 400 reports we have only removed 30 from the public highway as genuinely abandoned. The majority are claimed by local owners.

A large number of the reports are also passed over to the Travellers' Liaison Team who will check if the NMV is being lived in; if so they can serve a Section 77 Notice that requires the NMV is moved on. Whilst this does solve the initial issue, the NMV is normally moved to another location on the public highway.

Between April 2014 and March 2015 159 section 77 notices have been served. Only 9 of these vehicles are still being lived in and progressing through legal processes.

The Highway Enforcement team carried out a short survey in January and February 2015 to assess how many NMVs were parked on the public highway. During what could be classed as the quiet period for NMVs there were over 70 NMVs parked on the public highway including in controlled parking zones. We plan to carry out a similar survey during summer 2015 to compare the figures, the results from this survey will help inform a further report.

- 3.3 Following research into other local authorities' approach, it is proposed that Brighton & Hove City Council consider a policy to deal with NMVs on the public highway. This policy if adopted would seek to address the issue of non-motorised vehicles and structures stored indefinitely on the public highway, and which have identified owners, therefore not falling into the category of being abandoned or lived in.

Section 143 of the Highways Act 1980 provides that highways authorities have the power, following the service of a notice, to remove structures from the highway where such structures are present without lawful authority. The authority may recover any costs reasonably incurred by in so doing from the person having control or possession of the structure. For the purposes of the section a "structure" includes a structure on wheels.

Whilst the Highway Enforcement team already have the delegated powers under the Highways Act 1980 to use this piece of legislation and do so for other structures (walls, posts etc.), the council does not use it to remove NMVs.

- 3.3 If the policy was adopted there would be a cost to the council. These costs have not been investigated fully but would include the removal and storage of any



NMV. These costs could be offset by charging owners for the return and possibly selling on of any valuable NMVs that were not claimed. However there is little to no scrap value in NMVs and the council would be charged again for disposal for any unclaimed vehicles.

Recovery contractors have quoted £125 per removal. The Council does not have facilities to securely store caravans and therefore Sussex Police have been approached regarding their vehicle pound in Shoreham-by-Sea. The Police would charge in the region of £30 per day. The NMVs would either be claimed within 14 days or disposed of.

Based on these figures and the number of NMVs that could potentially be removed using this policy and then disposed of, the very worst case scenario would be a cost to the council of over £38,000 for the first year. However the true cost will be considerably lower as most NMVs will be removed by their owners from the public highway. A more selective approach could also be adopted where only the most persistent cases or those NMVs that have remained for over a set time (i.e. a year) would be recovered. The relevant case law held that 13 months was sufficiently permanent. This would reduce the costs considerably. In 2011 Portsmouth City Council set aside £5000 to cover the cost of their policy. The cost will reduce over time as the public become aware of the policy and the number of NMVs stored on the public highway reduce.

- 3.4 The policy would complement the council's overall control of NMVs on the public highway and will not replace other forms of control. Any reports of NMVs would still go through the current investigations by the Highway Enforcement Team and Travellers' Liaison Team. Only after these routes have been investigated would this policy come into effect.

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

- 4.2 Allowing NMVs to remain on the public highway could be considered; whilst the numbers of NMVs inside controlled parking zones do reduce the turn-over and availability of parking, no exact survey of the level of impact has been carried out. NMVs parked outside of the controlled parking zones also reduce parking opportunities for others and the resulting increase in complaints and possibility of anti-social behaviour including litter and befouling of the surrounding area can indirectly cost the council in officer time and resources.

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

- 5.1 No community engagement has taken place. If agreed a full report will include a community consultation

#### **6. CONCLUSION**

- 6.1 A detailed report into the possibility of introducing a policy of removing NMVs from the public highway is recommended, This report will investigate the full costs to the council both of removing the NMVs and of not pursuing a removal policy...

- 6.2 The report will allow time for further surveys into the numbers of NMVs both inside and outside controlled parking zones.

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

### Financial Implications:

- 7.1 The cost of officer time to undertake a report into the use of the Highways Act 1980 and develop a highway policy to assist the Highway Enforcement team in the removal of NMVs from the Public Highway will be funded from existing resources within the Transport revenue budget. The financial implications of the report findings and recommendations will be reviewed and reported to the committee at a later date.

*Finance Officer Consulted: Steven Bedford*

*Date: 14/08/15*

### Legal Implications:

- 7.2 The relevant legislation is referred to in the body of the Report.

It is not considered that any human rights implications arise from the Report's recommendations.

*Lawyer Consulted: Hilary Woodward*

*Date: 14/08/15*

### Equalities Implications:

- 7.3 No Equalities impact assessment has been carried out for this report, a full report would include the equalities impact.

### Sustainability Implications:

- 7.4 No sustainability implications are predicted but a sustainability impact assessment can be carried out for a full report.

### Any Other Significant Implications:

### Crime & Disorder Implications:

- 7.5 By removing NMVs from the public highway there is opportunity to reduce anti-social behaviour that can occur when the vehicles are being used.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

**Documents in Members' Rooms**

1. None

**Background Documents**

1. None



<b>Subject:</b>	<b>Parking bay sensors trial</b>		
<b>Date of Meeting:</b>	<b>13<sup>th</sup> October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director Environment Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Austen Hunter</b>	<b>Tel: 29-2245</b>
	<b>Email:</b>	<b>austen.hunter@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>St Peters &amp; North Laine; Regency; Queens Park; East Brighton; Westbourne; Withdean; Preston Park; Brunswick &amp; Adelaide</b>		

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

- 1.1 The Committee is asked to approve a trial of parking bay sensors at selected locations around the city.
- 1.2 The reason for the trial is to take advantage of a national funding opportunity that will help to determine the effectiveness of parking bay sensors in making it easier for motorists to find available parking space, reducing congestion and improving air quality.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee approves a trial for parking bay sensors at selected locations around the city.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Brighton & Hove has the opportunity to take part in a 'future parking platform' project funded by Innovate UK and delivered by a private company, Ethos VO.
- 3.2 In October 2014 Ethos VO was awarded £1m by Innovate UK to take forward a development project for a 'future parking platform'. The Innovate UK Small Business Research Initiative (SBRI) competition "Future Cities Solutions" aims to stimulate the market for innovative solutions to common challenges faced by cities, concentrating on issues that UK cities highlighted as their main concerns: energy, data and transportation.
- 3.3 A number of local authorities have expressed an interest in the project. Brighton & Hove is well placed to take a leading role and benefit from a significant portion of the funding, if approval to trial parking bay sensors is granted.

- 3.4 The project aims to make it easier for motorists to find available parking space, reduce congestion and improve air quality. The platform will gather live data from a variety of sources and help citizens to make better travel choices. For example, the intention is to link real time bus data so that citizens can compare availability, cost and estimated time to their destination across a range of options, including multi-modal journeys.
- 3.5 Parking availability data is already drawn from live car park counts and published online. This proposal is to add to the data available by installing on-street parking bay sensors (up to 500 in total) that will show whether bays are available, and to develop data that will enable the prediction of future availability.
- 3.6 Whilst sensors have been used on-street in other cities (notably in San Francisco and Westminster) there are at least three aspects to this project that are novel:
- By focusing on areas outside of the city centre and linking data to other travel data there is the potential to facilitate multi-modal journeys, as motorists may be encouraged to park outside the city centre and complete their journey by public transport or alternative means.
  - This project will test whether it is possible to deliver reliable availability information from only partial deployment of sensors (e.g. 20%). If it is proven, then this would significantly reduce the cost of wider deployment.
  - The parking platform will use historic, trend data and predictive algorithms to calculate likely future availability, for more intelligent, advanced journey planning.
- 3.7 The proposed trial sites are:
- Disabled Bays (central)
  - Loading Bays (central)
  - Preston Park Station
  - Withdean
  - Princes Avenue (near Hove Street)
  - London Road
  - The Avenues (Hove)
  - Selected central Pay & Display bays
  - Madeira Drive (by way of entry and exit counters, rather than bay sensors)
- 3.8 Other sites may be added depending on the availability of sensors following detailed design work.
- 3.9 The rationale for selecting trial sites is:
- Good probability of space availability (mainly outside of the city centre)
  - Local businesses which may benefit - motorists who would otherwise drive all the way to the city centre may use local shops
  - Well connected locations to pick up a bus (or walk)
  - Physical layout advantages, for example, where there is echelon parking in Princes Avenue near Hove Street. This offers natural, individually marked bays, which makes it easier to ensure that sensors detect vehicles.

3.10 Indicative timescales for the project are:

Phase	Start	Finish
Detailed design	October 2015	December 2015
Implementation	January 2016	February 2016
Trial operation	March 2016	March 2017

3.11 In the event that the trial is unsuccessful, the cost of decommissioning the sensors will be met by the project funders (Innovate UK / Ethos VO).

3.12 In the context of the council's Local Transport Plan [LTP] Strategy and Delivery Plan, this pilot is consistent with the established principles of:

- Using creative thinking
- Making the best use of innovation and technology
- Pooling resources to address capacity issues and impacts that travel and transport can create

3.13 Participating in this pilot will help towards meeting two of the LTP's main goals:

1. Growing the Economy Sustainably
2. Reducing Carbon Emissions

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

4.1 The proposed option offers the potential to make it easier for motorists to find available parking space, reduce congestion and improve air quality.

4.2 A disadvantage of the proposals might be that more vehicles are encouraged to enter the city, which could add to congestion and pollution.

4.3 Opting to focus the deployment of sensors in central areas, to maximise space utilisation was considered, however it was considered that the trial is likely to have greater impact reducing congestion and pollution by prioritising areas outside the city centre, to reduce pressure on the centre. It was considered that deploying sensors in the city centre would be less likely to encourage sustainable transport choices and would be less useful to motorists as they would be presented with bays that are regularly full instead of bays where there is availability.

4.4 Opting not to engage with the project was considered. Due to the cost neutrality, potential benefits and negligible risks to the council this option is not recommended.

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

5.1 As part of the trial, feedback from community groups will be sought to inform the development process and also to assess the success of the project.

## **6. CONCLUSION**

- 6.1 These proposals represent an opportunity for Brighton & Hove to take advantage of a fully funded innovation project.
- 6.2 The project has the potential to make it easier for motorists to find available parking space, reduce congestion and improve air quality.
- 6.3 These benefits support the city's policy objectives of:
- Growing the Economy Sustainably
  - Reducing Carbon Emissions
- 6.4 For these reasons, it is recommended that the Committee authorise officers to go ahead with this parking bay sensor trial in Brighton & Hove.

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

### Financial Implications:

- 7.1 The project costs of up to £1.000m associated to the trial will be incurred by the private company Ethos VO. In the event that the trial is unsuccessful, the cost of decommissioning the sensors will be met by the project funders. There will be a cost to the council of officer time, which will be funded from existing revenue budgets within the Transport service.
- 7.2 The financial implications associated to potential extension or permanent implementation will be considered based on the outcome of the trial, and will be reported to the appropriate Committee for consideration.
- 7.3 External funding is potentially an important source of income. Officers must ensure that funding conditions are carefully considered to ensure that they are compatible with the aims and objectives of the council.

*Finance Officer Consulted: Steven Bedford*

*Date: 09/09/15*

### Legal Implications:

- 7.4 The proposed arrangements with Ethos VO should be reflected in an agreement with the company, to include details of the agreed liability for de-commissioning of the sensors.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 14<sup>th</sup> September 2015*

### Equalities Implications:

- 7.5 When designing citizen interfaces for the consumption of travel information, due regard will be taken for making information accessible to diverse groups.
- 7.6 There are no other equalities issues related to these proposals.



Sustainability Implications:

- 7.7 These proposals aim to improve sustainability of transport in Brighton & Hove by reducing congestion and air pollution. There are no other sustainability issues connected with this report.

Any Other Significant Implications:

- 7.8 None

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Map of proposed trial sites

**Documents in Members' Rooms**

None

**Background Documents**

None

Withdean area

Preston Park station

London rd station

Pay & display, Blue Badge & loading bays Central Area

Princes Crescent

The Avenues

London Road

Madeira Drive

Transport

Parking Sensors

0 0.5 1 km

Brighton & Hove City Council

B&H/004

<b>Subject:</b>	<b>Business Case and Proposals for Increased Waste Enforcement Activity</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director of Environment Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 At the Policy & Resources Committee on the 9<sup>th</sup> July 2015 a report was presented which set out the service priorities for Cityclean. The report highlighted the need for increasing the level of enforcement activity around commercial waste and littering and agreed in principle to the procurement of a contract to support Cityclean in the provision of enforcement activity.
- 1.2 This report sets those proposals out in detail and seeks approval to procure the enforcement services.

**2. RECOMMENDATIONS:**

That the Environment, Transport & Sustainability Committee authorises:

- 2.1 The procurement of a concession contract for enforcement activity in Brighton & Hove following the timeline and evaluation criteria set out in this report with a contract term of 12 months from January 2016.
- 2.2 Grants delegated authority to the Executive Director for Environment, Development & Housing following consultation with the Executive Director for Finance & Resources to award the contract for a period of three years.
- 2.3 Grants delegated authority to the Executive Director for Environment, Development & Housing following consultation with the Executive Director for Finance & Resources to extend the contract for one year subject to satisfactory performance of the provider in the initial contract period.

**3. CONTEXT/ BACKGROUND INFORMATION**

*Fixed Penalty Notices and Littering - National Guidance and Best Practice*

- 3.1 Broxborough Borough Council made news by serving an FPN over a discarded orange peel which ended up costing the local authority £8000. Clearly this is an

example where Enforcement action has gone wrong and similar instances are to be avoided.

- 3.2 Government guidance ([www.gov.uk/enforcement-officers-issuing-fixed-penalty-notices](http://www.gov.uk/enforcement-officers-issuing-fixed-penalty-notices)) provides advice for dealing with intentional versus unintentional instances of littering. The guidance suggest an FPN should *not* be issued if:-
- Littering is done accidentally
  - There is no criminal liability (e.g. the person(s) in question are exempt) or a child under 10 (inform the child's parents instead)
  - It is not in the public interest to do so, or
  - The offence is trivial
- 3.3 The guidance encourages some degree of leniency and suggests an FPN should only be served where there is evidence of intent and offenders should be given the opportunity to pick up their litter before an FPN is served. Defra provide evidence of public support of the use of FPN's *"provided they are issued sensibly, enforced even headedly and are seen as a response to genuine problems"*.
- 3.4 Defra provide the following scenario in cases where an FPN would be appropriate *"a practical way to deal with such situations, where there is doubt over intent, is for the enforcement officer to challenge the person and to state that they have seen the dropping something and ask them to pick it up. Should the individual refuse to pick up the litter then there would be more sustainable grounds for issuing a fixed penalty notice and pursuing prosecution, should the FPN go unpaid"* (Defra Local environment enforcement guidance of the use of FPN's 2007:46)
- 3.5 Best practice from other Local Authorities includes Thanet District Council's website, with a useful Q&A section covering scenarios such as *"what if there were no bins around where I was fined"*, *"does dropping a cigarette butt count as littering"* and *"why should I pay the fine if there no signs about littering or dog fouling in the area"*.
- 3.6 The Keep Britain Tidy group advise that FPN's should only be used to reinforce good behaviour in the last of their *"three E's"* strategy approach – Education, Engagement & Enforcement.
- 3.7 The proposals in this report should therefore be taken in this context and as part of the work being developed around recycling awareness and incentives, community engagement at neighbourhood level.

#### *Proposals for Increased Enforcement Activity*

- 3.8 Fly-tipping, littering, fly-posting, uncontrolled distribution of leaflets, graffiti, poor containment of trade waste and illegal disposal of commercial waste in communal bins are offences which can have a significant visual impact on the city. They also have a cost implication where the authority has to pick up clean up and disposal costs. Minimising these issues requires a strategy of education, engagement and enforcement to make people aware of their responsibilities and



where appropriate take enforcement action through the issuing of Fixed Penalty Notices (FPNs) or prosecution.

- 3.9 Cityclean is responsible for education, engagement and enforcement activities for these types of offences. In 2014/15 officers issued 439 written warnings, 10 verbal warnings and gave site advice to 27 businesses in relation to waste issues. Eighty fixed penalty notices were issued.
- 3.10 The service receives many requests for enforcement activity around fly-tipping and use of communal bins by businesses. The survey of businesses shows a number of them are using communal bins for waste disposal. The extent of businesses using communal bins is likely to be more significant than that reported through the survey as some will not have admitted using council facilities rather than making their own arrangements as they are required to do.
- 3.11 Capacity within the existing team to further increase enforcement activity is limited. Officers respond to specific issues raised but are unable to carry out daily patrols to issue proactive advice, have more visible presence and take appropriate enforcement action. In order to address the demand for enforcement activity it is proposed to procure an enforcement service with an enforcement company. The contractor would carry out enforcement activity as directed by the authority. The service would be of no cost to the council and it would receive a proportion of funds raised through Fixed Penalty Notices. This model of enforcement is successfully used by a number of authorities.
- 3.12 It is proposed that the scope of the contract includes enforcement activity in relation to business waste containment and disposal, fly-tipping, littering, fly-posting, and graffiti. The priorities for attention will be determined by Cityclean and reviewed regularly. Subject to the success of this work it can then be extended to address issues like dog fouling.
- 3.13 The contractor will employ a number of dedicated uniformed officers whose work will be directed by the council. The contractor would be responsible for engagement, education and where appropriate taking enforcement action through the issuing of fixed penalty notices. They would also be responsible for talking payment and pursuing non-payment.
- 3.14 In cases which warrant prosecution a prosecution file would be prepared by the contractor containing witness statements and evidence which would then be passed to the council's Legal Team who would determine whether to take the case further.
- 3.15 The contract would be at no cost to the authority, with the contractor retaining the majority of income raised through fixed penalties. A proportion of income would be paid to the council. At this stage no projections have been made on the level of income that could be generated, and the main purpose of the contract is to address anti-social and illegal behaviour to improve the environment and minimise waste clean-up and disposal costs. It is proposed that any surplus which is generated for the council is re-invested in bins and education and communication.

- 3.16 The work of the officers would be supported by proactive publicity around education, engagement and enforcement.
- 3.17 Due to the limited number of suppliers in the market, a one stage procurement tender process will be undertaken to procure an enforcement service for environmental offences with an enforcement company.
- 3.11 It is envisaged that the Service Concession contract will be let no later than February 2016 for an initial duration of 3 years, with an optional extension period of 1 year with break options throughout the contract each year on the anniversary of the commencement date.

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

- 4.1 The approach of procuring a support service is recommended as it will provide a bespoke resource to address specific issues. It is at no cost to the council and considered to be low risk. The alternative would be to provide the service in house which would require training and start-up costs as well as on-going staffing costs which is not considered to be viable.
- 4.2 A 12 month trial is proposed to allow the scheme to be evaluated.

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

- 5.1 The council receives many reports and complaints about fly-tipping from the general public. It is also an issue that is raised at resident focus groups and other community meetings. Residents who see and report businesses using communal bins expect appropriate action to be taken.
- 5.2 A recent survey of businesses has identified that more than 10% of respondents use council bins to dispose of their waste, suggesting they are unaware that this is illegal. The proposed contract will provide a means to communicate with businesses that dispose of their waste illegally and where appropriate take enforcement action.

#### **6. CONCLUSION**

- 6.1 Cityclean officers currently carry out enforcement activities in relation to fly-tipping, graffiti, fly posting and distribution of leaflets. Capacity within the team is not sufficient to address these issues as effectively as required.
- 6.2 The proposed service will support Cityclean officers to address these issues more quickly and robustly and is expected to have a demonstrable impact on these anti-social and illegal activities through education, engagement and enforcement.
- 6.3 The proposed approach is low risk as the contract is low risk to the authority. It is expected to be at nil cost to the authority and may generate some surplus to reinvest in to the service. It is also expected to reduce waste disposal and clear up costs.

## 7. FINANCIAL & OTHER IMPLICATIONS

### Financial Implications:

- 7.1 There will be no cost to the council from the proposed contract, with the contractor retaining the majority of income raised through fixed penalties. The potential revenue stream to the council has not assumed within the council's approved budget at present but could be incorporated in later years when it can be accurately forecast.
- 7.2 It is anticipated that increased waste enforcement activity will result in reduced costs to the council relating to waste disposal, street cleansing and responding to fly-tipping, fly-posting and littering associated with flyers. It is not possible to accurately determine the financial implications of this, and no assumption has currently been made within the approved budget.
- 7.3 The proposed procurement process is subject to compliance with the council's Contract Standing Orders and Financial Regulations. The procurement process will be prepared on a basis to maximise economy and effectiveness, and will therefore support achieving value for money.

*Finance Officer Consulted: Steven Bedford*

*Date: 14/08/15*

### Legal Implications

- 7.4 The Environmental Protection Act 1990 ('the EPA') places a Duty of Care on the occupiers of all commercial and industrial premises to ensure adequate arrangements are made for the safe storage, collection and disposal of waste. Businesses are legally required to enter into an agreement with the local authority or a private waste contractor to ensure they meet their obligations. Failure to do so may result in a Fixed Penalty Notice being served under the EPA. Other offences arise under the EPA 1990 in relation to illegally dumped waste, fly-posting, etc.
- 7.5 The proposal is to tender for a concession contract with a suitable contractor for a contract to commence in January 2016. Currently, concession contracts are outside the Public Contracts Regulations 2016 but there should be a fair, transparent, and competitive procurement process. The contract arrangement may also generate income for the local authority but it is not known how much this could potentially bring in at the current time. Further legal advice may be necessary once more information is available.
- 7.6 Any contract must comply with Contract Standing Orders, and depending on the value of the contract may need to be in a form approved by the Head of Law.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 14/08/15*

### Equalities Implications:

- 7.8 There are no equalities implications

Sustainability Implications:

- 7.9 The additional enforcement activity will improve the environment by reducing fly tipping, graffiti, fly posting and littering associated with flyers. If successful after a review period of six months the service can be expanded to address dog fouling and littering.
- 7.10 This will have a beneficial impact on the environment.

Crime & Disorder Implications:

- 7.11 The service seeks to address illegal and anti-social behaviour and will have a beneficial impact on crime and disorder.

Public Health Implications:

- 7.12 The proposed service will improve the local environment which will have a beneficial impact on public health.

Corporate / Citywide Implications:

- 7.13 The improvements to the environment will further improve the reputation of the city and support the visitor economy and is expected to have a positive impact on the city.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

**Documents in Members' Rooms**

1. None

**Background Documents**

1. None



<b>Subject:</b>	<b>Proposals for a Chargeable Garden Waste Collection Service</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director of Environment Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>Jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 At the Policy and Resources Committee on the 9<sup>th</sup> July it was agreed that a business case for garden waste collections would be developed and presented to this committee.
- 1.2 This report summarises the business case and seeks approval for the introduction of a chargeable green waste collection service.

**2. RECOMMENDATIONS:**

That the Committee:

- 2.1 Agrees to trial a chargeable garden waste collection service as set out in the body of this report.
- 2.2 Authorises the Director of Environment, Development and Housing following consultation with the Director of Finance and Resources to extend the service if the first collection round has been established and evaluated to be successful as set out at paragraph 3.15
- 2.3 Agrees a policy on garden waste collections as set out in paragraphs 3.17 to 3.19 of this report.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 At the Policy & Resources Committee on 9 July 2015, Members approved the development of a more detailed five year Waste, Street Cleansing and Recycling Service Plan incorporating the key actions and revising long term targets and objectives set out in the existing Waste Management Strategy. It was also reported that a business plan for garden waste collection would be produced for consideration by this committee.

- 3.2 Currently residents can dispose of their garden waste by:
- composting at home or participating in a community composting scheme,
  - taking green waste to the Household Waste & Recycling Sites (HWRS),
  - paying for a contractor to collect and dispose of it or
  - dispose limited volumes through their residual waste collection.
- 3.3 The council encourages home composting through subsidised compost bins, and community composting schemes. Home and community composting are financially the best options as they avoid collection and processing costs. They reduce the total waste collected by the authority and are environmentally sustainable options as they avoid impacts associated with transporting the green waste and the end product. Since 2007 over 20,000 compost bins have been sold through the council's scheme and sales have started to level off.
- 3.4 Not everyone has the space or desire to compost at home and some materials such as woody cuttings are not suitable for home composting. These materials can be taken to the Household Waste and Recycling Sites (HWRSs). Garden waste disposed of in this way contributes to the recycling rate and over the last three years between 3.3% and 3.5% of total waste arising was composted through the sites. The sites are not easily accessible by people who do not have a car.
- 3.5 No accurate data is available on the amount of green waste disposed of through the residual kerbside or communal bins. The latest data from 2007 indicated it was around 10%. This material does not contribute to the recycling rate and is more expensive to dispose of than material processed for composting.
- 3.6 In order to provide a better service for residents and increase recycling rates a business plan for a chargeable garden waste collection service has been produced. Residents opting in to the service will be issued with a 240l wheelie bin to be collected on a fortnightly basis for 12 months of the year. The bin will be a different colour to the residual waste bin and clearly marked up. The material will be collected in a standard refuse collection vehicle and tipped at the Hove Transfer Station prior to onward transportation to the Whitesmith In-Vessel Composting Facility in East Sussex.
- 3.7 It is anticipated that for most customers one bin collected fortnightly will provide sufficient capacity for their garden waste. Residents who require more capacity can sign up for multiple bins, the cost depending on the number of bins they have. For some households a 240l bin may provide excess capacity and they can choose to share a bin with their neighbours. These arrangements will need to be made between residents themselves with one household being responsible for payment.
- 3.8 The service will be offered to those parts of the city with lower density housing where properties will have room to store an additional wheelie bin.

## **BUSINESS CASE**

- 3.9 The garden waste collected will consist of:

- Material that would otherwise have been taken to the HWRS by residents. This material is already composted as part of the waste stream and collection at the kerbside will have no impact on total waste arisings, disposal costs or recycling rates. It will result in a decline in the volume of material taken to the HWRSs by residents.
- Garden waste that residents would have previously placed out for collection in their residual waste bins. This material will result in total residual waste going down, the tonnage of material composted (and hence the recycling rate) going up and will result in a net saving in waste disposal costs.
- Garden waste that residents may have previously composted at home, disposed of through a contractor or fly-tipped. This will be 'new' material in the waste stream that was not accounted for in the council's waste stream previously. This will increase total waste arisings, but all the additional material will be composted and will result in a further increase to the recycling rate.

3.10 The business case has been developed to ensure the charge to service user covers the cost of the scheme. The annual cost to the resident would be £52 per annum. The estimated income and costs on an individual round basis is summarised in the table below.

	Year 1	Year 2	Year 3	Year 4	Year 5
Number of households on round	4,000	5,500	5,500	5,500	5,500
<b><u>Capital Expenditure (£'000):</u></b>					
Vehicle Purchase	60	0	0	0	0
Initial Bin Purchase	102	38	0	0	0
<b><u>Revenue Implications (£'000):</u></b>					
Cost of replacement bins		14	14	14	14
Staffing costs	87	87	87	87	87
Vehicle running costs	12	12	12	12	12
Promotion/Correspondence	14	20	20	20	20
Capital Financing	39	62	60	58	56
Administration Costs	6	7	7	7	7
Net additional disposal costs	61	83	83	83	83
<b>Total Expenditure</b>	<b>219</b>	<b>285</b>	<b>283</b>	<b>281</b>	<b>279</b>
<b>Total Income</b>	<b>(208)</b>	<b>(286)</b>	<b>(286)</b>	<b>(286)</b>	<b>(286)</b>
<b>Net Annual Cost</b>	<b>11</b>	<b>(1)</b>	<b>(3)</b>	<b>(5)</b>	<b>(7)</b>
<b>Cumulative cost/ income</b>		<b>10</b>	<b>7</b>	<b>2</b>	<b>(5)</b>

3.11 The above business case, and impact on recycling rates, depends on a number of variables including the level of take up of the scheme and the tonnage of green waste put out for collection. If a high proportion of residents sign up in a given area a round will be able to collect from more properties as travelling distances will be less. A more dispersed customer base will result in fewer customers per round, and higher collection costs per household.

3.12 The business case has been subject to sensitivity analysis and is prudent providing a high degree of confidence that initial investment in bins and vehicles will be recovered within a five year period. It is proposed that the service is trialled with one round in the first instance to test the variables in the business case. The service will be provided using a dedicated second hand vehicle which can be sold if the trial is discontinued. The vehicle will be backed up by the existing Cityclean fleet if it is off the road for any reason such as servicing or repairs. If the trial is successful the levels of charges will be reviewed on an

annual basis as part of the 'Fees and Charges' report to Policy & Resources Committee.

- 3.13 The scheme is expected to increase the tonnage of material collected for recycling by 100 tonnes per 1,000 households. It is estimated that approximately 65,000 households would be suitable for the service by nature of having a garden and room for an additional bin. If 20% of all properties eventually take up the service this would result in an increase to the recycling rate of between 1% and 2%.

### **PROPOSED TRIAL**

- 3.14 It is proposed to trial the service by establishing one collection round in the Hove Park and Withdean Areas initially. The service will be promoted from November onwards to sign new customers up with collections commencing in March 2016. Customers will be required to sign up for a minimum of 12 months, pay up front for the service and will be invoiced annually. Any customers signing up part way through the year will be invoiced on a pro-rata basis. The service will be administered within existing staff resources.
- 3.15 It is anticipated that the service can be extended quickly if it proves popular and the income covers costs as projected. To avoid delays in rolling the service out, Committee is asked to authorise the Director of Environment, Development and Housing following consultation with the Director of Finance and Resources to extend the trial if the first collection round has been established and evaluated to be successful. This assessment will be based on an analysis of the costs expended and the income generated. If the arrangements are demonstrated to be cost neutral, they will be offered to suitable areas across the City.
- 3.16 Once the service is established in parts of the city which have room for an additional wheelie bin options to provide the service to those parts of the city which cannot accommodate a wheelie bin will be explored in more detail. This could involve a scheme whereby residents who sign up to the service are issued with bags.

### **CHANGES TO GREEN WASTE COLLECTION POLICY**

- 3.17 Crews currently collect limited volumes of garden waste along-side residual waste. Approval is sought to adopt a policy whereby no garden waste or side waste is collected with residual waste in areas where a garden waste collection service is offered. Garden waste disposed of as residual waste adds to the council's waste disposal costs. Composting this material is more favourable environmentally than disposing of it through energy recovery.
- 3.18 Residents who do dispose of green waste with residual waste will in the first two instances be advised about the garden waste service and if they continue to place garden waste out with residual waste their bins will no longer be emptied. Similarly residents who produce side waste will initially be advised of the policy about side waste and thereafter any bags next to the bin will not be collected.

- 3.19 In areas where there is no garden waste collection service small volumes of garden waste placed within the wheelie bins will continue to be collected. Any side waste will not be collected.

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

- 4.1 The two alternative options are to (i) do nothing and not provide a separate service or (ii) to provide a free garden waste collection service. A free collection service is not considered to be viable as it would result in significant extra collection costs for the service at a time when budgets are reducing.
- 4.2 The proposed chargeable service is low risk as the scheme is expected to cover its costs. It is a model that has been tried and tested by other authorities in the country and is expected to be successful. It is expected to result in a service improvement for residents and increase recycling rates. This is why it is recommended over a 'do nothing' option.

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

- 5.1 A small scale on line survey was carried out to gauge the level of interest in the service. The total number of responses was 106. 24.5% of respondents said they would sign up to the service as set out in this report, 27.4% would possibly sign up and 36% would not sign up. 12% of residents gave no preference.
- 5.2 No further consultation has taken place on the proposals however residents contacting Cityclean often ask for a garden waste collection service, particularly as these schemes are offered by other authorities. It will be an 'opt-in' scheme so residents will have a choice as to whether they sign up to it.

#### **6. CONCLUSION**

- 6.1 This report seeks approval to establish a chargeable garden waste collection service. The service will provide another way for residents to compost their garden waste, complementing home composting, community composting and services provided at the HWRSSs. It is expected to help increase recycling rates.
- 6.2 In order to minimise the amount of green waste disposed of as residual waste it is recommended that Committee agrees on a policy to stop collecting garden waste from properties in an area where the service is available. In other areas small volumes of green waste that fit in to a residents wheelie bin will continue to be collected.

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

##### Financial Implications:

- 7.1 The estimated financial implications of the trail are included within the main body of the report. The financial business case and proposed level of fees has been prepared to be as close to cost neutral as possible, as agreed at Policy and Resources Committee on the 9<sup>th</sup> July 2015. The financial information has been subject to sensitivity analysis based on the best available data to ensure that prudent estimates have been made. The scheme is forecasted to have a net

deficit of approximately £0.011m in year one; it is anticipated that this will be funded from within the existing service revenue budget. Any significant variations to the approved revenue budget will be reported as part of the council's budget monitoring process.

The financial data will be reviewed during the trial to test the assumptions made and the overall financial viability of the service. Following the initial trial, any expansion of the garden waste collection service will be subject to the demonstration of an acceptable business case.

It is proposed that the capital expenditure will be funded from unsupported borrowing with repayments being funded from the income generated from the scheme. If the recommendations are approved, the capital element of the project will require Policy & Resources Committee approval to be added to the capital programme. This can be done through the budget monitoring (TBM) reports

The recurring financial impact of the proposed scheme will be incorporated in future years budget as part of the budget setting process when information on the costs and income becomes more robust and can be accurately forecast. Any significant variation to the approved budgets will be reported as part of the council's budget monitoring process.

The proposed charge of the service will be subject to the council's Corporate Fees and Charges Policy. Fundamentally, the policy aims to increase the proportion of income contributed by users of services where appropriate, rather than the cost being met from the general Council Taxpayer. The proposed charges have been based on estimated costs to ensure it at least achieves cost recovery. As a minimum, charges will be reviewed annually as part of the budget and service planning process.

The additional cost of waste disposal will impact on the financial viability related to the Waste PFI contract. An element of fee income that is considered to offset the additional disposal costs will be transferred to the Waste PFI budget to ensure that there is minimal impact of the ongoing financial viability on the PFI budget.

*Finance Officer Consulted: Steven Bedford*

*Date: 25/09/15*

Legal Implications:

- 7.2 S.45 of the Environmental Protection Act 1990 imposes a duty on local Authorities to arrange for the collection and disposal of household waste in their area. S.45(3) provides that no charge may be made for the collection of household waste unless prescribed by Regulations made by the Secretary of State. Where the Secretary of State makes Regulations permitting charging for the collection and / or disposal of certain types of waste, the duty to collect that waste does not arise until the charge has been paid.
- 7.3 The Controlled Waste (England and Wales) Regulations 2012, made under the Environmental Protection Act 1990 as referred to above, designate garden waste as household waste for which a charge for collection may be levied (Schedule 1, paragraph 4(8)).

- 7.4 In proposing revised arrangements for the collection of garden waste the Council is required to have regard to the provisions of the Equalities Act 2010 and s.17 of the Crime & Disorder Act 1998. Nothing within the proposals to charge for the collection of waste contravenes the provisions of these Acts.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 26<sup>th</sup> August 2015*

Equalities Implications:

- 7.1 Residents will be required to place their garden waste at the kerbside on their registered collection day. Customers who will be able to apply for an assisted collection if they have difficulty moving their bin to the collection point.

Sustainability Implications:

- 7.2 The council has always prioritised home composting and community composting as the most sustainable options. Significant number of compost bins have been sold and more than 1,000 people are participating in community composting schemes. To further increase composting of green waste and minimise the volume disposed of with residual waste it is now proposed to establish a self-funding collection service which will help increase recycling rates.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. None

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

1. None

### **Background Documents**

1. None





<b>Subject:</b>	<b>City Sustainability Action Plan</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Acting Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Mita Patel</b>	<b>Tel: 29-3332</b>
	<b>Email:</b>	<b>mita.patel@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 The City Sustainability Action Plan for Brighton & Hove was agreed at Policy & Resources Committee and launched in March 2013. When the plan was launched, it was agreed to have a refresh of the plan after 18 months. This report presents the refreshed City Sustainability Action Plan (Appendix 1).
- 1.2 The Plan supports delivery of the council's priorities as set out in the Council's Corporate Plan 2015-19 for modernising the council and creating a more sustainable city. In particular, it helps deliver our service priority around environmental sustainability.
- 1.3 The Plan also provides the overarching framework for delivering the city's sustainability objectives for the Biosphere programme and formed a critical part of submission for UNESCO Biosphere designation.
- 1.4 The Brighton & Lewes Downs UNESCO Biosphere area has developed a governance structure to be able to effectively deliver its sustainable development agenda across diverse sectors and administrative areas.
- 1.5 The Greater Brighton Economic Board requested that the new Biosphere Board takes forward a programme of work which seeks to maximise the economic benefits of Biosphere status for the Greater Brighton city region alongside its environmental and social objectives.

**2. RECOMMENDATIONS:**

That Environment, Transport & Sustainability Committee:

- 2.1 Approves the City Sustainability Action Plan (at Appendix 1)
- 2.2 Requests that annual progress updates are presented at ETS committee and annual updates are also taken to the Biosphere Board

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

- 3.1 The City Sustainability Action Plan was introduced in 2013 with the ambition for stretching our existing performance and achieving sustainability excellence as a council and city. It was a detailed 3 year plan that is authored by officers from within the council and by partners in the city. Coordinated by the councils International & Sustainability Team, the Plan was updated quarterly and a commitment was made from the outset, to review and refresh the Plan after 18 months. The refreshed plan is included as Appendix 1 and is the outcome of consultation and input received from all partners and contributors (see section 5).
- 3.2 As well as forming the sustainability framework for the Brighton & Lewes Downs Biosphere designation, the City Sustainability Action Plan also informs key strategies including City Deal, the Economic Strategy, and supports key city priorities as set out in the Council's Corporate Plan 2015-19. The Corporate Plan commits to "Continue the implementation of our One Planet City Sustainability Action Plan for the council and the city".
- 3.3 The City Sustainability Action Plan provides a framework for presenting existing and planned projects in a comprehensive way; projects that are either being delivered or are achievable. Other benefits include: making it easier to recognise obvious gaps in key areas of work; identifying opportunities to develop partnerships to deliver new pieces of work or to connect projects that support better outcomes for the city. The Plan also provides an opportunity to strengthen funding applications for the City and the Biosphere region, and facilitates the development of joint funding bids.

#### **Administration, performance and monitoring**

- 3.4 Overseen by the council's International & Sustainability Team, the refreshed City Sustainability Action Plan presents an updated plan of actions structured within the One Planet framework which provides a comprehensive approach to setting ambitious targets across 10 key principles. Some principles have two separate sections – one that focuses on work across council services and the other presenting work being delivered by partners and organisations across the city. Each section has a principle lead responsible for overseeing work, ensuring targets are met and for ensuring that various officers/contributors responsible for individual actions are providing necessary updates to the plan when required.
- 3.5 To track progress on the Action Plan, Key Performance Indicators (KPIs) (draft list provided as Appendix 2) will be used to measure performance across each of the 10 principles. To support this there will be 6 monthly updates of progress on actions and a 12 monthly progress on KPIs. The target setting for KPIs is currently in development and will align with corporate standards where possible.
- 3.6 A review and refresh of the City Sustainability Action Plan, its governance and supporting performance framework will be undertaken every two years.

## **Governance**

- 3.7 The International & Sustainability Team will coordinate progress and updates with principle leads and co-contributors, and manage performance monitoring and reporting.
- 3.8 An update report, including progress against KPIs, will be taken to Environment, Transport and Sustainability Committee annually and a report taken to Policy & Resources committee when appropriate.
- 3.9 A progress update will be taken to the Biosphere Board to invite comment, support collaboration on key work areas, and identify opportunities for joint funding bids with Biosphere partners.

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

- 4.1 Not having a City Sustainability Action Plan:
  - This option will also mean we will not be able to fulfil our commitment to deliver the City Sustainability Action Plan, as set out within the council's Corporate Plan, as well as in delivering sustainability commitments as referenced in other key city plans and strategies.
  - This option will result in a lack of coordinated activity and progress in achieving sustainability objectives as required for maintaining our UNESCO Biosphere status.

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

- 5.1 The Action Plan is the outcome of a commitment of different principle leads taking responsibility as authors for their respective sections. Part of this commitment is to ensure that all key teams, officers, stakeholders, organisations and individuals, with a responsibility for delivering work in these areas, are engaged and have the opportunity to contribute.
- 5.2 Part of the coordination and oversight role of the International & Sustainability Team is to also ensure that key areas and pieces of work are considered, and support leads in this process.
- 5.3 Principle leads have also undertaken their own consultation exercises as part of the 18 month review and refresh of the Action Plan. For instance the Food Partnership (as principle lead) undertook a consultation with key stakeholders to feed into the updates of the Local & Sustainable Food section.

## **6. CONCLUSION**

- 6.1 The City Sustainability Action Plan sets out a commitment for achieving ambitious goals in key service areas and improving on how work is delivered in the council and across the city. It serves to support the council's priorities as set out in the council's Corporate Plan 2015-19.

- 6.2 The refreshed City Sustainability Action Plan will provide a structured programme of sustainability initiatives that supports delivery of the Biosphere programme and helps secure the future of the UNESCO Biosphere status of the region.
- 6.3 The City Sustainability Action Plan supports partnership working, is a useful mechanism for identifying opportunities for leveraging in funding for delivering key pieces of work across the city and for supporting Biosphere initiatives across the Biosphere region.
- 6.4 The recommended progress monitoring sets out a robust approach that will ensure the Plan remains current and monitors that targets are being met. Reporting to the Biosphere Board will ensure that the Plan has wider city ownership and buy-in, and provide a basis for greater input and commitment from key partners. This will serve to support successful outcomes from the Plan, for the city and for the wider Greater Brighton region.

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

### Financial Implications:

- 7.1 The actions within the City Sustainability Action Plan have been identified and selected because of the social, environment or economic return on investment for the authority and city.
- 7.2 Appendix 1 details each action and identifies the funding implications of each. The costs associated to implementing the identified actions will be funded from a combination of existing council budgets, government grants, specific reserves and commercial, public sector and other third party partners. Each action will only be carried out when funding has been identified and the financial implications considered. A contribution of £0.250m was set aside in March 2013 to a specific One Planet Living reserve to support the delivery of various schemes. As at the end of the 2014-15 financial year, £0.198m of this reserve has been allocated, leaving a remaining balance of £0.052m which has been earmarked for specific schemes within the 2015-16 financial year.
- 7.3 It is anticipated that the reviewed strategy will assist in making funding applications for external resources and the development of joint funding bids to deliver the identified actions. 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.
- 7.4 The development and monitoring of the City Sustainability Action plan is administered by the council's International & Sustainability Team. The cost of the team is funded from existing general fund revenue budgets within the City Regeneration service.

*Finance Officer Consulted: Steve Bedford*

*Date: 07/09/2015*

#### Legal Implications:

- 7.5 There are no legal implications arising from this report.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 07/09/2015*

#### Equalities Implications:

- 7.6 Equalities implications will be assessed throughout project development and delivery. Projects will produce an Equalities Impact Assessment (EIA), as appropriate, as part of the project planning stage.

#### Sustainability Implications:

- 7.7 The City Sustainability Action Plan sets a framework for setting ambitious targets and for delivering on sustainability objectives across all sectors, both in the council and across the city. Individual actions are considered for their sustainability considerations.

#### Crime & Disorder Implications:

- 7.8 There are no crime and disorder implications. The project may generate opportunities to reduce crime and disorder by encouraging greater community involvement in the management and enjoyment of the environment and public spaces, supporting opportunities for the local economy and associated benefits from this, and through projects aimed at alleviating poverty.

#### Risk and Opportunity Management Implications:

- 7.9 The purpose of ensuring that the plan is regularly performance managed is to help to reduce risks and manage them accordingly as they arise. Also, having a plan that is comprehensive in delivering on broader sustainability ambitions provides the basis for identifying greater opportunities for partnership working and in successful funding bids that may not otherwise have been possible.
- 7.10 As part of ongoing coordination of the City Sustainability Action Plan, risks and opportunities will be regularly considered and managed accordingly. However, some considerations are presented below:

- *A number of actions are dependent on securing external funding:*

All actions included in this Plan have been assessed and included on the basis that they are SMART (Specific, Measurable, Achievable, Realistic, and Time-bound). External funding that has been referenced has either been secured or is likely to be secured. Where funding is not secured alternative funding will be sought.

- *Reduced staff capacity and resources for managing and coordinating updates to plan:*

Coordination of the Plan is managed within existing budgets and staff time. Governance, coordination and performance management of the plan has been

adapted to improve efficiency and minimise time taken for administering this process.

- *Lack of sufficient buy-in of wider city partners:*

Citywide support through the Biosphere Board, authorship by a wide range of city partners and key individuals and experts, and consultation on particular sections of the plan where relevant, should reduce this risk

- *Supporting the Biosphere Reserve designation*

Supporting the sustainability objectives of the Biosphere programme and strengthening its brand for the region.

#### Public Health Implications:

- 7.11 The City Sustainability Action Plan supports projects and initiatives that aim to positively impact on public health (both in terms of physical and mental health). The Health and Happiness section of the plan is owned by the City's Public Health team and there are several others chapter that refer to projects and initiatives that have a benefit to public health.

#### Corporate / Citywide Implications:

- 7.12 The Action Plan sets out a number of ambitious targets and opportunities both for the council and the City. These targets have been agreed upon, set and are owned by key corporate and city stakeholders from each of the areas included in the plan.

#### Any Other Significant Implications:

There are no other significant implications identified

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Sustainability Key Performance Indicators – draft list

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

1. City Sustainability Action Plan

### **Background Documents**

None

## Sustainability Action Plan 2015-17

### Key Performance Indicators

Principle	Lead	Potential KPI's
<b>Zero Carbon</b>	Miles Davidson Angela Dymott Alex Fox Francesca Iliffe Gill Packham	1. Reduce CO <sub>2</sub> emissions from our own buildings by 4% per year. 2. Reduction in Carbon Dioxide emissions per capita
<b>Zero Waste City</b>	Jan Jonker	3. Tonnes of household waste which have been sent for reuse, recycling, composting or anaerobic digestion.
<b>Zero Waste Council</b>	Angela Dymott	4. Achieve 75% recycling rate on internal operations within 3 years of setting a baseline 5. Reclaim or recycle over 95% of waste by weight generated by council construction and demolition work.
<b>Sustainable Transport</b>	Andrew Renaut	6. Total number of vehicle* journeys in inner city area 7. Total number of vehicle* journeys in outer city area *all motorised traffic vehicles
<b>Sustainable Materials City</b>	Cat Fletcher	8. Enable monitoring and assessment of reuse rates
<b>Sustainable Materials Council</b>	Clifford Youngman	9. % of Council procurement within BN postcode 10. % of paper purchased by the council that is recycled
<b>Local &amp; Sustainable Food</b>	Vic Borrill, Francesca Iliffe	11. Proportion of meals served by public institutions that meet Food for Life Bronze (equivalent) standards. 12. Number of projects involved in community food growing.
<b>Sustainable Water City</b>	Kate Rice, Environment Agency	13. Improvement in groundwater status
<b>Sustainable Water Council</b>	Angela Dymott	14. To set a target for reduction in water consumption once the baseline has been established.
<b>Land Use &amp; Wildlife</b>	Jan Jonker	15. Local Wildlife Sites designated (monitored under the Single Data List) in positive conservation management.

<b>Principle</b>	<b>Lead</b>	<b>Potential KPI's</b>
<b>Culture &amp; Community</b>	Janita Bagshawe	16. All major venues and destinations owned or managed by the council will have a sustainability action plan or a robust Environmental Management System
<b>Equity &amp; Local Economy</b>	Cheryl Finella	17. Percentage of people earning below the Living Wage. Using ASHE income percentile data, we can estimate the numbers and percentages of people in the labour market earning less than the living wage in a given year.  18. Potential measure financial inclusion & community banking
<b>Health &amp; Happiness City</b>	Tom Scanlon	19. Adult participation in sport and active recreation
<b>Health &amp; Happiness Council</b>	Sue Moorman	20. A 5% increase in the staff survey result to the statement 'I feel valued by the Council



<b>Subject:</b>	<b>Air Quality Action Plan</b>		
<b>Date of Meeting:</b>	<b>13<sup>th</sup> October 2015</b>		
<b>Report of:</b>	<b>Environment Transport Sustainability</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Sam Rouse / Tim Nichols</b>	<b>Tel: 29-2163</b>
	<b>Email:</b>	<a href="mailto:sam.rouse@brighton-hove.gov.uk">sam.rouse@brighton-hove.gov.uk</a> <a href="mailto:tim.nichols@brighton-hove.gcsx.gov.uk">tim.nichols@brighton-hove.gcsx.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 Under the provisions of Part IV of the Environment Act 1995 the local authority has a statutory duty to review and assess air quality in their area. Local Air Quality Management Policy Guidance PG09 has been issued by the Secretary of State and local authorities must have regard to it when carrying out their local authority management duties.
- 1.2 Under section 84 (2)(b) of the Act the local authority has a duty to produce an Air Quality Action Plan (AQAP) and submit to DEFRA following declaration of an Air Quality Management Area (AQMA).
- 1.3 This report seeks approval for the 2015 Air Quality Action Plan for Brighton & Hove. Comments from DEFRA and feedback resulting from the consultation process have been included in the AQAP. The AQAP was written and developed at the same time as the City's latest Local Transport Plan, and in consultation with colleagues in Policy Planning and Transport Planning.
- 1.4 On 12 September 2015, since drafting this committee report, defra launched a consultation on their new national air quality action plan. This is in addition to the air quality action plans produced at a local level.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee agrees the 2015 AQAP and recommendations for reducing nitrogen dioxide levels across the City as set out in Appendix 1.
- 2.2 That the Committee agree that every major council strategy including Transport, Planning and Tourism has due regard to the Air Quality Action Plan and every decision concerning Development Control and Transport Projects also has regard to the Air Quality Action Plan, and the appropriate air quality assessments undertaken.

- 2.3 The Director of Public Health be given delegated authority to amend the Air Quality Action Plan to include measures introduced by the National Air Quality Action Plan, currently in draft format and going through consultation.

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

- 3.1 Within the declared AQMA area nitrogen dioxide continues to exceed legal limits for the protection of human health (especially respiratory and circulatory wellbeing).
- 3.2 Airborne pollution is inhaled in homes and cars across Brighton and Hove, Portslade and Rottingdean. The most vulnerable people include; infants, the elderly and those with existing illness such as; asthma and cardiac obstructive, pulmonary disease, bronchitis and lung cancer.
- 3.3 The European Commission and independent non-government organisations can take legal action against a local authority or unitary authority with responsibility for transport where nitrogen dioxide continues to exceed the legal limit (EU and English) directly because of emission from road traffic. The city council has a statutory duty to make sure existing concentrations are improved and comply with the law where people live.
- 3.4 In April 2015 NGO (Non-Government Organisation) activist lawyers Client Earth won a Supreme Court ruling against the UK government. The current government is ordered to submit a revised national Air Quality Action Plan before the end of 2015. Many of the measures required to reduce levels of nitrogen dioxide will need to happen at a local level..
- 3.5 The 2015 AQAP sets out geographically where nitrogen dioxide is a problem and which vehicle category emissions are primarily responsible for its exceedance. This source apportionment varies considerably across the AQMA for example along Rottingdean High Street nitrogen dioxide levels are mainly because of emission from private cars, in contrast North Street is because of emissions from buses and taxis and Lewes Road shows mixed contributions from lorries vans, buses , taxis and private cars.
- 3.6 Appendix 1 includes the 2015 AQAP and recommendations for reducing nitrogen dioxide levels across the City
- 3.7 The results of all air quality assessments are reported on the Council's website. This includes all the air quality reports required as part of the statutory reporting process to defra. In addition nitrogen dioxide levels across the City are one of the corporate key performance indicators and are reported annually to Performance and Resources Committee
- 3.8 The recently announced consultation on the national air quality action plan includes the same defined agglomerations used in previous defra air quality reporting and assessments. Brighton and Hove is in an agglomeration with Adur and Worthing, Lewes, and Littlehampton (excluding National Park). In the majority of cases the details of the local authority local actions plans have been included in this national document. The air quality assessments included in the

national air quality action plan use monitoring data produced by defra, and not local data produced by the individual local authorities. The modelling of defra's air quality information has been undertaken using a larger geographic scale, compared to the local authority assessments which tend to use smaller more detailed geographical scales. Defra's approach of modelling using less monitoring data, and mapping over a larger scale could be part of the reason why the national air quality assessment undertaken by defra gives a better picture of nitrogen dioxide levels compared to the local more detailed assessments

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

- 4.1 The 2015 AQAP sets out priorities for nitrogen dioxide improvement in future years and informs the latest Local Transport Plan
- 4.2 To ensure that major council strategies including Transport, Planning and Tourism have due regard to the Air Quality Action Plan reference and comments can be made in the Implications section of the Council's committee report templates which already have a section on Public Health Implications. A formal consultation process already exists in relation to planning applications and where necessary air quality assessments are required. As part of the delivery of the Local Transport Plan, and the 2015 Air Quality Action Plan, it is proposed to review air quality assessment in relation to transport projects across the City.

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

- 5.1 The report was also sent to DEFRA in accordance with the requirements of Part IV of the Environment Act 1995
- 5.2 A comprehensive public consultation process including internal and external stakeholders has taken place. This was conducted over a 10 week period.

#### **6. CONCLUSION**

- 6.1 The Air Quality Action Plan is a key document for operational and high level decision making in relation to major Council Strategies, including Transport, Planning and Tourism, but also decisions relating to development control and transport projects.

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

- 7.1 The Air Quality Action Plan has been funded from within existing budget resources.

*Finance Officer Consulted: Mike Bentley*

*Date: 08/09/15*

#### Legal Implications:

- 7.2 The process of Local Air Quality Management is set out under Part IV of the Environment Act 1995 and Air Quality Regulations. The Act places the Council under a duty to prepare and revise from time to time an action plan in relation to

an area designated as an Air Quality Management Area. The Council is required to consult on the preparation of an air quality action plan and is also required to keep copies of any AQMA available for public inspection.

The purpose of the action plan is to ensure that the Council takes suitable action to improve air quality within the area.

*Lawyer Consulted: Elizabeth Culbert*

*Date: 8<sup>th</sup> September 2015*

Equalities Implications:

- 7.3 A variety of people's health can be affected by airborne pollution across a range of affluent and deprived housing. This includes several neighbourhoods along several transport corridors within the AQMA. An Equalities Impact Assessment has been undertaken and will be submitted to the Equalities and Inclusion Team and published on the council website.

Sustainability Implications:

- 7.4 The AQAP explain potential co-benefits for one plant living and carbon reduction and identifies where there may be conflicts with these aims.

Any Other Significant Implications:

- 7.5 None

Crime & Disorder Implications:

- 7.6 None

Risk and Opportunity Management Implications:

- 7.7 None

Public Health Implications:

- 7.8 Within the declared AQMA area nitrogen dioxide continues to exceed legal limits for the protection of human health (especially respiratory and circulatory wellbeing).

Corporate / Citywide Implications

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. None

## **Documents in Members' Rooms**

1. 2015 Action Plan
2. Equalities Impact Assessment 2015



<b>Subject:</b>	<b>Report of the Scrutiny Panel on Short Term Holiday Lets (Party Houses)</b>		
<b>Date of Meeting:</b>	<b>13 October 2015</b>		
<b>Report of:</b>	<b>Director of Public Health</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tim Nichols/Annie Sparks</b>	<b>Tel: 29-2163</b>
		<b><u><a href="mailto:tim.nichols@brighton-hove.gcsx.gov.uk">tim.nichols@brighton-hove.gcsx.gov.uk</a></u></b>	
	<b>Email:</b>	<b><u><a href="mailto:annie.sparks@brighton-hove.gcsx.gov.uk">annie.sparks@brighton-hove.gcsx.gov.uk</a></u></b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 At Overview & Scrutiny Committee on 20 October 2014 Councillor Bowden, as the Chair of the scrutiny panel, introduced the report of a scrutiny panel which had been established to look at issues relating to 'party houses' – short term holiday lets targeting large groups such as stag and hen parties.
- 1.2 The panel had researched complaints concerning party houses and the lack of regulatory controls. The recommendations listed in the Scrutiny report are principally, advisory, good practice matters for Brighton and Hove Holiday Rental Association (BHRA) so that the rental businesses mitigate residents' concerns. Local authority officers would have no legal authority to intervene. No formal enforcement action is requested of any department or agency: Sussex police; ESFRS; community safety, EH, planning, housing, economic development, tourism, VisitBrighton, or City Clean.
- 1.3 This is the formal response to those recommendations. While it would have been usual to have issued a formal response earlier in the municipal year, due to the end of the administrative term, it was decided that it would be more effective to postpone the response until the potential change in administration. This decision has had the benefit of allowing Environmental Health more time to assess the situation with regard to short term holiday lets. The revised timescale has not affected any actions taken by the Environmental Health team. It should be noted that since the scrutiny panel work was completed, some ward councillors and residents have reported community concerns about short term let properties.

**2. RECOMMENDATIONS**

- 2.1 That the Committee endorses the officer response on Short Term Holiday Lets as set out at Appendix One.

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

- 3.1 The scrutiny panel was established to address concerns raised by residents who lived near to short term holiday accommodation about anti social behaviour. The cross-party councillors on the panel sought to balance the benefits brought by responsible short-term accommodation operators against the genuine concerns expressed by residents.
- 3.2 The panel felt it was important to find a mutually agreeable position that respects residents' views, but also supported responsible short-term holiday let operators catering for this market. They were also mindful of the impact on other local businesses, in particular small hoteliers.
- 3.3 It became clear that since a local authority's powers are limited, aiming for an operational 'gold standard' that responsible operators could sign up to might be the most realisable objective for the panel.

As a direct result of the establishment of the scrutiny panel, a number of local businesses came together to promote a 'gold standard' of best practice and offer some self-regulation of the market under the Brighton and Hove Holiday Rental Association (BHRA) umbrella.

- 3.4 The panel made a number of recommendations for BHRA. Brighton and Hove Holiday Rental Association (BHRA), is asked to ensure that operators act as good neighbours. Concerns included that they were locating in inappropriate areas and these properties were no longer available for family use. Some residents and panel members felt that if they were a business, then they should be subject to business constraints and regulation: trade refuse collection, planning and land use constraints, private rented sector housing standards, fire safety. The emerging sector may have an effect on housing demands and the local economy, contribution to business rate/council tax and local communities.
- 3.5 The scrutiny panel welcomed the establishment of the BHRA trade body, which had been one of the aims of the panel as self-regulation will be essential to achieve improvements. The association told the panel that they were committed to promoting the best service for visitors, and to contributing to the tourism sector in the city.
- 3.6 Responses to their recommendations can be found in Appendix 1.
- 3.7 Scrutiny officers worked with BHRA members during the panel and liaised with them when the recommendations were agreed. The recommendations have largely been in the gold standards that are available on the BHRA website. <http://www.brightonholidayrentals.org/BHRA-Guidelines.pdf>



- 3.8 The report recommendations also included two items for Brighton & Hove City Council:

***Monitoring and overseeing***

- 4a) *As a way of monitoring the situation, in the instance of any complaints being received by statutory agencies, eg noise, refuse, fire safety, the statutory agencies call BHRA into the regular Joint Intelligence Meetings straight away and consider investigating the properties to take any action necessary. In this way, we can encourage the operators to be self-monitoring but retain an oversight and step in as soon as a problem arises.*
- 4b) *The panel recommends that the council reserves the right to review the arrangements and bring the monitoring in-house if it is not deemed satisfactory. The first monitoring should take place after six months and the second should not take longer than 12 months after the report is agreed. It will be for council officers including Environmental Health and Planning Enforcement, and East Sussex Fire and Rescue Service and the Police to determine together with BHRA whether this is necessary.*
- 3.9 Unfortunately we can not agree with recommendation 4a in that the Joint Intelligence meetings are a multi agency including representatives from a number of Council Departments inc Housing, Planning Enforcement, Community Safety, Environmental Health, Licensing and Trading Standards. External partners who attend include the Police Fire Safety, Department of Work and Pensions and Immigration Services. The group meet every three weeks to share intelligence and resources on common cases, and target effective efficient responses to concerns and problems raised. This often includes sensitive, confidential information and is not the appropriate forum for the BHRA to attend.
- 3.10 However, agencies and partners are aware to bring current party house cases to the meeting where information is shared, and a joined up approach to the case is adopted. Any case is always shared with Fire Safety and Planning Enforcement and Environmental, and any appropriate action taken in accordance with enforcement policies. Managing agents and owners of premises are also made aware of cases and complaints.
- 3.11 One of the concerns was noise from 'party houses'. Analysis of noise complaints cannot separate party houses or short term lets from other noise sources as officers may not be aware of tenure. However, over the past few years noise complaints have stayed reasonably static:

2011/12	3331
2012/13	3381
2013/14	2779
2014/15	2706

- 3.12 Noise cases are coded in accordance with the requirements of the Chartered Institute of Environmental Health. Each year a statistical return is submitted to this professional body breaking down the types of noise cases received, in accordance with their codes. There is no specific code for party houses/short term lets.
- 3.13 On average we receive perhaps 1 to 2 cases a month in relation to Party House/Short term lets. This information is gathered from routine case reviews of the work undertaken by the Environmental Protection Team. In relation to noise this has to have regard to the provisions of the Environmental Protection Act 1990 and statutory noise nuisance is assessed having regard to the character, duration and frequency of the noise and how it affects a person in their home

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

- 4.1 Members could choose not to endorse the officer response appended although the recommendations were made by a cross-party panel of councillors.

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

- 5.1 Please refer to the scrutiny panel report.

#### **6. CONCLUSION**

- 6.1 Members are asked to endorse the officer response.

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

##### Financial Implications:

- 7.1 'The recommendations listed in the Scrutiny report are advisory, good practice matters for BHRA, so that the rental businesses mitigate residents' concerns; rather than requiring formal enforcement. There are no direct financial implications for the Council. There has been a reduction in investigator capacity from 11 to 10 FTE to help support the 2015-16 budget strategy savings requirement within the Environmental Protection team that investigates all pollution complaints like noise, and in addition the night-time noise investigation service funding halved from the previous £0.110m. Therefore, self regulation of these matters becomes more critical.'

*Finance Officer Consulted Michael Bentley*

*Date: 30 September 2015*

### Legal Implications

- 7.2 The Regulators' Code made under section 23 of the Legislative and Regulatory Reform Act 2006 requires local authority regulators to carry out their activities in a way that supports those they regulate to comply and grow. Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

Lawyer: Elizabeth Culbert

Date: 2nd September 2015

### Equalities Implications:

- 7.3 Equalities issues are addressed in the scrutiny panel report.

### Sustainability Implications

- 7.4 None identified. The emerging sector could potentially impact on housing demand.

### Any Other Significant Implications

- 7.5 None.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Report of the Short Term Holiday Lets Scrutiny Panel

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

1. None



No	Recommendation	Response
1.	<p>Notifying neighbours of existing short-term holiday lets –</p> <p>a) BHRA must take active steps to notify all neighbours in writing that they are living near to a short-term holiday let. Information should be given to all properties that are likely to be affected by any disturbance, including those backing onto the holiday let or in the same street. BHRA should keep a record of who has been notified. This should be repeated annually.</p> <p>b) This notification should clearly identify the property and give neighbours information about what guest behaviour is acceptable, the contact details of the private noise patrol and other contacts in case of any disturbances. BHRA must ensure that they have a noise patrol in operation 24 hours a day during weekends and bank holidays.</p> <p>c) Noise patrols firms used must be British Standard compliant, use body or head cams to record all encounters and be SIA cleared and fully trained in conflict resolution. Written reports of incidents should be made within 24 hours.</p> <p>d) Noise patrol companies employed should use clearly identifiable vehicles and personnel should wear uniforms and carry identification with them at all times.</p>	<p>To be referred to Brighton &amp; Hove Holiday Rental Association (BHRA) for its consideration. The actions are good practice and require self-regulation and management by BHRA. The arrangements for BHRA should not negate the facility for residents to report concerns to the Council. BHRA will require a high standard of quality management designed to ensure that it meets the needs of communities. If the council's Environmental Health team receives complaints directly, it would notify BHRA and let the resident know that it has done so. The Regulators' Code came into effect in April 2014 under the Legislative and Regulatory Reform Act 2006. It provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate. Nearly all non-economic regulators, including local authorities and fire and rescue authorities, must have regard to it when developing policies and procedures that guide their regulatory activities.</p> <p>The Security Industry Authority is responsible for regulating the private security industry in the UK.</p>

No	Recommendation	Response
	<p>e) Those who raise noise complaints should be provided with a copy of the incident report made to the operator by the professional noise patrol, so it is clearly understood that their concerns have been addressed.</p> <p>f) In hours of daylight, the noise patrol should always attempt to knock on the doors of neighbours that have raised noise issues to let them know that action has been taken and a report will be shared.</p> <p>g) In hours of darkness or very early in the morning, the patrol should post a card through the letterbox of the neighbours who raised the original noise complaint to let them know the patrol has attended and that an incident report will be forward to them within 48 hours.</p> <p>h) If BHRA receive complaints, these should be resolved in line with their agreed procedures. The council's Environmental Health team should also be notified about the nature of the complaint and the response made. If the council receives complaints directly, it should notify BHRA and let the resident know that it has done so.</p> <p>i) The panel recommends that where a clear breach involving noise and Anti-Social Behaviour has been identified prompting the forfeiture of a group's deposit, the operators</p>	

	should actively consider donating the deposit direct to the neighbours as compensation or to a local neighbourhood community group.	
<b>No</b>	<b>Recommendation</b>	<b>Response</b>
	<p>j) The panel recommends that all noise patrol reports from operators should be routinely be posted onto the BHRA website to help build confidence and in the spirit of transparency.</p> <p>k) In addition to the leaflets , BHRA should attach a sign to the front of each of their properties with details of the operator and contact details of who to contact in case of disturbances; this should be a 24/7 service.</p> <p>l) The panel would encourage BHRA to complete its website as quickly as possible so that it can become active and useful.</p> <p>m) BHRA should promote their website as widely as possible, for the benefit of residents, guests and operators. The panel would like the website to list the street addresses of all BHRA properties to enable residents and statutory agencies to be able to easily check whether a property is operated by BHRA. This would help identify who to contact if there are any issues.</p>	
2.	<p>Notifying neighbours of new short-term holiday lets-</p> <p>a) The panel heard that residents were aggrieved about the lack of notification if a new short-term holiday let was opened up in their neighbourhood. Whilst there is</p>	To be referred to Brighton & Hove Holiday Rental Association for its consideration. Liaison with the local community is supported as sensible practice to avoid causing problems in communities

	currently no statutory duty to consult with residents before establishing a short-term holiday let, BHRA should encourage potential holiday let operators to consult with and work with neighbours, before converting accommodation into holiday rental accommodation in order to open up lines of communication.	
<b>No</b>	<b>Recommendation</b>	<b>Response</b>
	<p>b) Operators should be encouraged to actively listen to neighbours' concerns and suggestions about how to minimise disruption.</p> <p>c) In areas where there is a Local Area Team or other community forum, BHRA should engage with the group to notify them about the forthcoming holiday let and address any concerns about anti-social behaviour that might be raised.</p>	
3.	<p>Working with the Council and VisitBrighton</p> <p>a) BHRA members should talk to VisitBrighton about how BHRA can work with the tourism body for the city. In turn, VisitBrighton should seek to work with BHRA to promote their positive practice and make any further suggestions that might arise in the future.</p> <p>b) There should be links between the BHRA website, the VisitBrighton website and Brighton and Hove City Council's website.</p>	<p>To be referred to Brighton &amp; Hove Holiday Rental Association and VisitBrighton for consideration. Government is developing a proposed 'growth duty' for regulators, which would require regulators to take into account the impact of their activities on the economic prospects of firms they regulate. Ref: Autumn Statement 2012: Government announced that it would introduce a package of measures to improve the way regulation is delivered at the frontline including the proposed Growth Duty for non-economic regulators and the Accountability for Regulator Impact measure.</p>



No	Recommendation	Response
4.	<p>Monitoring and overseeing</p> <p>a) As a way of monitoring the situation, in the instance of any complaints being received by statutory agencies, eg noise, refuse, fire safety, the statutory agencies call BHRA into the regular Joint Intelligence Meetings straight away and consider investigating the properties to take any action necessary. In this way, we can encourage the operators to be self-monitoring but retain an oversight and step in as soon as a problem arises.</p> <p>b) The panel recommends that the council reserves the right to review the arrangements and bring the monitoring in-house if it is not deemed satisfactory. The first monitoring should take place after six months and the second should not take longer than 12 months after the report is agreed. It will be for council officers including Environmental Health and Planning Enforcement, and East Sussex Fire and Rescue Service and the Police to determine together with BHRA whether this is necessary.</p>	<p>Not accepted. The Joint Intelligence Meeting has terms of reference agreed between Sussex Police, East Sussex Fire and Rescue Service and the City Council. The prescribed core membership comprises Environmental Health Managers, East Sussex Fire and Rescue, Planning Enforcement, Safe in the City Delivery Unit, Chief Inspector - Neighbourhood Policing, Police Operations (Licensing), Analyst and Minute Taker.</p> <p>The terms of reference also gives examples of invited representation, which are all enforcement agencies: Highways enforcement, Housing, Adult Services and Children's' Services. Its stated aims and purposes are:</p> <ol style="list-style-type: none"> <li>1. Discuss casework of note, other than high risk ASB, which is impacting on more than one service, or likely to benefit from a multi-agency approach.</li> <li>2. Review current intelligence in association with current casework.</li> <li>3. Agree a multi-agency response to complaints which don't necessarily sit within a team's primary statutory</li> </ol>

		<p>responsibilities.</p> <p>4. Identify opportunities to support other teams with their workloads and reduce the number of multiple visits/duplicated work, also creating time for our communities and making best use of our time.</p> <p>5. Identify current problem priorities in the city and agree necessary actions and responsibilities, whether they involve enforcement or support.</p>
<b>No</b>	<b>Recommendation</b>	<b>Response</b>
		<p>6. Whenever possible seek to agree activities which are likely to achieve a permanent solution.</p> <p>7. Any information or intelligence discussed or shared is restricted to those agencies already permitted to share or according to any protective marking.</p> <p>Community intelligence (information from BHRA) would be welcome although for deliberate, operational reasons, joint information exchange meeting membership is exclusively enforcement agencies (see 7 above). Joint intelligence meetings are held fortnightly. Inclusion of private businesses would inhibit open information exchange and potentially impact on or undermine enforcement operations. It is recommended that BHRA report matters of concern to the relevant agency: police, environmental health, city clean, etc, who, in turn, determine intelligence to be discussed or shared. However, with reducing resources the enforcement officer joint intelligence meeting must keep this matter under consideration, particularly if complaints appear to rise again.</p>