

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

**4.00pm 16 NOVEMBER 2021**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Davis (Joint Chair), Heley (Joint Chair), Lloyd (Deputy Chair), Nemeth (Group Spokesperson), Bagaeen, Fowler, Hamilton, Moonan, Platts and Shanks

**Other Members present:** Councillors

**PART ONE**

**43 TO APPOINT CO-CHAIRS FOR THE COMMITTEE**

- 43.1 The Democratic Services Officer stated that the Chair of the Committee Councillor Heley had resigned with the intention that the Committee appoint Co-Chairs of the Committee.
- 43.2 Councillor Lloyd nominated Councillor Davis to one of the positions of Co-Chair.
- 43.3 Councillor Shanks seconded the nomination.
- 43.4 A vote was undertaken on the nomination that was unanimously agreed.
- 43.5 Councillor Lloyd nominated Councillor Heley to one of the positions of Co-Chair.
- 43.6 Councillor Shanks seconded the nomination.
- 43.7 A vote was undertaken on the nomination that was unanimously agreed.
- 43.8 **RESOLVED-** That Councillor Davis and Councillor Heley be appointed as Co-Chairs of the Committee.

**44 PROCEDURAL BUSINESS**

**44(a) Declarations of substitutes**

- 44.1 Councillor Moonan was present as substitute for Councillor Wilkinson.
- 44.2 Councillor Shanks was present as substitute for Councillor Hills.

**44(b) Declarations of interest**

- 44.3 There were none.

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

- 44.4 In accordance with section 100A of the Local Government Act 1972 (“the Act”), the Committee considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100(I) of the Act).
- 44.5 **RESOLVED-** That the press and public not be excluded from the meeting.

**45 MINUTES**

- 45.1 Councillor Wilkinson requested a correction to minute item 26.3:

26.3 Councillor Wilkinson declared a pecuniary interest in Item 33(3)d as ~~his spouse~~ ~~was~~ an allotment holder. Councillor Wilkinson stated that he would leave the Chamber during consideration of the item.

- 45.2 **RESOLVED-** That the minutes of the previous meeting be approved as the correct record subject to the above amendment.
- 45.3 Councillor Nemeth enquired as to the status of the reports that had been requested by the committee in response to various representations from the public.
- 45.4 The Executive Director, Economy, Environment & Culture clarified that the number of reports requested had caused capacity issues for officers to deliver those. It was added that many of the reports requested dealt with similar issues and it may be that would be combined into one report addressing those individually and collectively.

**46 CHAIRS COMMUNICATIONS**

- 46.1 The Councillor Davis presented the following communications:

“As this is my first time chairing the ETS committee, I wanted to start by thanking Amy for her time as full chair and her assistance in the transition to co-chair and wanted to say I’m really looking forward to being in the co-chair seat with you, and to working with our colleagues from all sides across this committee, thank you for supporting me in this role.

I do want to start as I mean to go on by delivering some very good and positive news. The fabulous £100,000 redesign of Preston Park play area is happening. I’ve seen images of how it will look and even I’m excited! We consulted with many people, including 600 Friends of Preston Park, on the plans to develop this much loved area, which should reopen around the start of December.

We also found out recently that seven of our parks have been awarded the prestigious Green Flag Award. They are Easthill; Kipling Gardens; Preston Park; St Ann’s Well Gardens; Stoneham; The Level and Hove Park.

I want to congratulate everyone connected with the parks, including all our staff and especially our Operations Managers Sarah Carlisle and Alan Griffiths, and their teams. I'm also delighted to say the improvements to St Ann's Well Garden are almost there, the Sensory Garden is being restored and enhanced; we're increasing cycling stand parking and are improving the view of the entrance – we really have to say thanks to the teams and amazing volunteers who make this all possible.

I would also like to offer my congratulations to our Transport Projects team, Sustrans, Cranks and the city's refuge for winning a Modeshift National Sustainable Travel Award in the 'Best Partnership' category.

Thanks to the generosity of local residents, the project was able to donate more than 150 bikes and scooters to the refuge to help reconnect women and children to the joy of cycling.

Congratulations should also go to local resident and parent Alberto Zanni who won an individual award for his work in supporting the School Streets scheme outside Brunswick Primary.

It's been an extremely busy time for transport officers who are currently consulting on the next Local Transport Plan and the Local Cycling and Walking Infrastructure Plan. Two extremely important documents which will help to shape the future of travel in and around Brighton & Hove for years to come.

We're also consulting on six new School Streets schemes which will make journeys to and from school safer and sustainable for thousands of city school children. I've seen this in action firsthand and know how successful they can be.

My ETS colleague Councillor Elaine Hills has also been working closely with officers on engaging with residents in the Hanover and Turner area as we continue to work on developing the city's first Liveable Neighbourhood.

We are now reviewing almost 2000 responses to our cycle hangars survey which really shows the interest in this and will see 100 of them placed around the city next year, ensuring safe and secure spaces for residents to keep their bikes.

I wanted to send out a very happy one year anniversary message to Tech Take-Back, an award winning local business we support that collects old and unwanted electricals from residents for free, to either refurbish for use in community, or recycle. Since launching, they've collected almost 27,000 electrical items from city households, for recycling or refurb, with more than 2,000 household electricals finding new homes, and 294 laptops being given to schools, charities and families that previously didn't have access to digital technology. This really is the circular economy - putting the reduce, reuse recycle mantra into action!

Finally, this is an incredibly proud moment for me. I have come a long way from bike courier, to driving instructor, to activist, to elected councillor and now co-chair of this particularly important committee that helps shape this incredible city that we all love. We are in a climate, health and biodiversity emergency and it is all hands-on deck to help make the structural changes we need as the clock ticks down to disaster".

## **47 CALL OVER**

47.1 Councillor Davis stated that following consultation with the Opposition Spokespersons, Item 51: Allotments: response to Notice of Motion had been withdrawn from the agenda and would be presented to the January committee meeting instead.

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

- Item 52: Tree planting: response to Notice of Motion
- Item 54: National Bus Strategy: Bus Service Improvement Plan
- Item 55: Bus Franchising Feasibility Study
- Item 56: Active Travel Fund
- Item 57: Parking Scheme and Priority Timetable update
- Item 58: Old Town and North Laine Experimental Traffic orders
- Item 59: Valley Gardens 1&2 Experimental Traffic Regulation Order
- Item 61: Future use of Waterhall wilding area

47.3 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 53: Washington Street: permission to consult on changes to refuse collections

## 48 PUBLIC INVOLVEMENT

### (A) PETITIONS

#### (1) Review of residential parking and resident consultation on Southall Avenue

48.1 The Committee considered a petition signed by 27 people requesting the Council to Consult residents and review the current parking arrangements on Southall Avenue in line with the Review of parking Zone U.

48.2 The Chair provided the following response:

“Thanks for your petition. Due to the strength of opinion from residents a consultation for this road will be included in the review of Area U. This review is within the priority parking scheme timetable which is being discussed later on in a report to this Committee”.

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

#### (2) Stop the Round Hill rat run

48.4 The Committee considered a petition signed by 171 people requesting the Council to put in place measures to stop vehicle rat running in the Round Hill area, along Prince’s Crescent and Wakefield Road.

48.5 The Chair provided the following response:

“Thank you for you petition and I’m very sorry to hear about the accident involving the young child and we wish her a speedy recovery. I am a parent of a year 9 pupil and every morning and afternoon I have a wave of fear come over me in regard to his journey to and from school.

In terms of action, I have asked Officers to liaise with the Police to better understand the circumstances and contributing factors of the accident in order to address and develop potential engineering solutions that maybe required. I have also asked Officers to undertake speed surveys in and around the area and review all the existing road signs

and markings in the area. I can also report that the Council recently purchased a number of new mobile vehicle activated speed warning signs and I will ensure that Officers make arrangements for these streets to be prioritised for deployment of these signs”.

48.6 Councillor Platts moved a motion to call for an officer report on the matter.

48.7 Councillor Fowler formally seconded the motion.

48.8 **RESOLVED-** That the Committee receive a report to a future meeting responding to the petition request

### **(3) Washington Street bins**

48.9 The Committee considered a petition signed by 56 people in support of the introduction of individual refuse bins over communal bins on Washington Street.

48.10 The Chair provided the following response:

“Thank you for your petition and thank you for organising it.

I know the bins have been causing ongoing problems on Washington Street and how difficult it has been to resolve.

Sadly, changes cannot be made immediately as an approved consultation needs to take place with residents to ensure everyone has an opportunity to have their say. I am pleased that there is a report on today’s agenda seeking approval to start that consultation.

If Members agree to the recommendations this afternoon, a consultation document will be sent to all residents of Washington Street from tomorrow, seeking their views on the issue. The results of the consultation will be brought back to a future committee meeting for Members to consider in determining the way forward.

Thank you again for your petition and I hope we can resolve the issues soon”.

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

### **(B) WRITTEN QUESTIONS**

#### **(1) Traffic calming measures on Osmond Road, Nizells Avenue, York Avenue and Windlesham Road**

48.12 Kris Philips read the following question:

“Are the council going to instigate traffic calming measures on Osmond Road, Nizells Avenue, York Avenue and Windlesham Road? Speeding traffic is a daily problem, accelerating up to and through the junction. Pedestrians and cyclists are at risk. There is often aggressive behaviour by drivers who deem another driver, cyclist or pedestrian too slow. This is a main access route to day nurseries and a school and is busy all day. Fine black dust settles on worktops and windowsills from vehicle exhausts. Vehicle pollution is a factor in reduced cognitive development in children and cognitive decline in older people”.

48.13 The Chair provided the following reply:

“Thank you for your question. I’m sorry to hear of the poor behaviour of some drivers towards cyclists and pedestrians and entirely agree with you about the harmful effects of particulate matter caused by vehicle pollution – this is an absolutely critical issue that affects our public health.

As you may be aware, we are committed to encouraging active travel by improving infrastructure for walking and cycling and bus travel. It is these measures that will help in improving air quality across the city as more people begin to use the high-quality walking and cycling improvements we are rolling out across the city - we’re really aware we need to create the conditions for people to do this.

In relation to your concerns on speeding vehicles, it does deeply frustrate me how many drivers think it is appropriate to speed. I will ask officers to undertake a set of speed surveys and review the accident history to better understand any problems and discuss these results and any potential solutions with you.

We do now have a regular meeting with the police and we are raising the lack of enforcement on speeding, particularly 20mph – we can’t enforce speeds as this is done by them but we are making them aware at every meeting that we need more focus on this and more speed checks. I’ve also personally met with Nick May to challenge them on this issue. We have lost over 700 police staff over the last ten years, clearly need to take up the baton and hopefully we will soon be receiving extra enforcement powers from central government”.

48.14 Kris Philips asked the following supplementary question:

“A high number of taxis use these four roads both day and night seven days a week. It’s clearly being used as a shortcut from the main roads and again, the speed of the traffic is well above the 20mph speed limit. Could council request that taxi companies use alternative routes in order to reduce the volume of traffic and the noise created?”

48.15 The Chair provided the following reply:

“I also sit on the Licensing Committee and I’m the lead councillor for taxis so this is something I can bring up but not something I can immediately comment on. I can come back to you on what we could propose to do about this”.

## **49 ITEMS REFERRED FROM COUNCIL**

### **(A) PETITIONS**

#### **(i) Consult families and children on City playground upgrades**

49.1 The Committee considered a petition referred from Full Council and signed by 278 people requesting the council to engage in a period of open consultation with families in the communities for each park prior to undertaking upgrades to assess preferences for equipment, access.

49.2 The Chair provided the following response:

“Thank you for your petition. Play is so important for children and young people through its promotion of health and happiness.

Our £3 million playground refurbishment programme is upgrading 45 play areas over the next three years, with 25 sites being finished by the end of next March. Not only will the equipment on the 45 sites be newer and better, but it will also be safer and far more accessible for all children.

City Parks have carried out a great deal of consultation for each of the parks planned to refurbish before the end of March 2022. This includes working with Friends groups, local councillors, accessibility groups and holding on-site pop up consultations.

The recent media release for the Preston Park playground highlights the impact that the Friends Groups have on the refurbishment programme. Through the Friends of Preston Park, 600 members were consulted about what they would like to see for their children in the future

More informal consultation have always been undertaken with park users through the role of the Play Development Officer whilst on site.

I encourage the general public to support and join their local Friends Groups as the simplest way to keep up to date with park changes.

City Parks are seeking to utilise a representative from the Special Educational Needs and Disabilities children forum to review sites during and after completion.

Light touch pop-up consultations may be possible at future sites which have not advanced too far in the procurement process,

I hope this provide you with a suitable response to your important petition and thank you for taking the time to create it”.

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

**(C) DEPUTATIONS**

**(i) Tackling congestion on the A259 which is limiting the access of buses to the bus lane with journeys now taking up to 65% longer than in 2010**

49.4 The Committee considered a deputation referred from Full Council requesting the Council trial allowing some vehicles to use the A259 bus lane.

49.5 The Chair provided the following response:

“I would like to publicly thank you for your recent attendance at a stakeholder workshop organised by East Sussex County Council on the future of this section of the A259 which is now classified as part of the major road network.

The Environment, Transport & Sustainability Committee approved a draft Bus Service Improvement Plan in September. All Local Transport Authorities are required to produce this document in response to the new National Bus Strategy. This responds to the government’s requests to introduce more bus priority, improve bus journey times and grow passenger numbers. It identified the A259 corridor as one where improvements could be made and funding has been requested to develop proposals and consider the feasibility of these. It is worth noting that there are enforcement issues associated with High Occupancy Vehicle Lanes, particularly if they operate at certain times and their efficiency in managing congestion is not proven. The technology is not refined to robustly differentiate between a human second occupant and a mannequin for example. Therefore, the council has no current proposals to allow traffic into bus

lanes; however, the impact on general traffic will be fully assessed as part of any potential scheme development. Once again thank you for your concerns that we have noted and also for taking time to offer innovative solutions to dealing with congestion on the A259”.

49.6 Councillor Platts moved a motion to call for an officer report on the matter.

49.7 Councillor Hamilton formally seconded the motion.

49.8 **RESOLVED-** That the Committee receive a report to a future meeting responding to the deputation request.

## 50 MEMBER INVOLVEMENT

### (B) MEMBER QUESTIONS

#### (1) Greening Project at Round Hill

50.1 Councillor West read the following question:

“In 2019 committee received a petition relating to greening projects for Round Hill and called for a report. Residents have developed a funded plan for a pocket park at Princes Crescent bus stop. Persistent pavement parking there now makes urgent the need to reclaim this space for pedestrians and bus users. Delays caused by the pandemic are appreciated yet gaining even simple progress from Highways proves elusive. The project offers a good model that supports the ambitions of LCWIP. All residents seek is permission to get on with the job. When will the promised report be brought before the committee?”

50.2 The Chair provided the following reply:

“I am sorry you and the Roundhill Residents have been waiting for a detailed response to their proposal for creating pocket parks and more specifically dealing with persistent pavement parking on Ditchling Road behind the bus stop at Princes Crescent.

I have raised this with officers who have explained that the initial request for a report relates more to creation of pocket parks at other locations and that whilst meetings between Council Officers from different departments, the bus company and the residents have taken place there was no agreement to install a pocket park to prevent pavement parking at this location.

Pavement Parking is illegal and anti-social that in most situations can be dealt with by civil parking powers and in all other cases by criminal powers only operated by the Police. I am also aware that the Council has been expecting to receive new pavement parking enforcement powers that have likely been delayed during the pandemic alongside our own focus to deliver the important Active Travel Programme that we have been instructed to implement urgently by Government that has made it extremely difficult to resource requests such as this without delaying this important programme.

However, whilst I appreciate this has been difficult for officers to bring forward a specific report on a Greening Project across Roundhill, I do see it is important to the local community and Ward Members. Therefore, I have asked the Assistant Director to

contact Mr Furlong and arrange a site meeting with the Ward Councillors to explore options that can be taken forward at the Princes Crescent Bus Stop”.

50.3 Councillor West noted that there were a number of projects relating to the Round Hill area and hoped that commitment could be given for a Low Traffic Neighbourhood for Round Hill.

50.4 The Chair confirmed that could be explored.

## **(2) Saltdean Recycling Point over Christmas**

50.5 The Chair provided the following written reply to Councillor Fishleigh:

“Thank you for your question and thank you for your efforts in clearing the waste point over the festive period last year.

I appreciate more waste is generated at Christmas. As per the response to the question last year, Cityclean cannot provide additional bins at the Saltdean recycling point as it is not possible to provide extra bins to all areas of the city – extra staff, vehicles and bins will be required.

Residents must manage their waste responsibly and minimise the additional waste produced by thinking about their purchasing.

If a resident has too much waste to fit in their bin, they can take it to a recycling point (if it’s recyclable), take it to one of the Household Waste Recycling Sites, or hang on to it until their next collection.

Since the festive period last year, Cityclean has introduced CCTV to fly-tipping hot spots across the city. The Environmental Enforcement Team will be monitoring all the CCTV sites closely throughout the Christmas period, as well as increasing patrols.

Fly-tipping of waste is illegal, and anyone caught by CCTV or patrol will be issued with a Fixed Penalty Notice”.

## **(3) Bike racks on Saltdean Undercliff**

50.6 The Chair provided the following written response to Councillor Fishleigh:

“Thank you for your question. I am sorry you haven’t had a response on Bike Racks and have asked officers to contact you by the end of the week to discuss suitable locations and options to improve cycle parking in this location”.

## **(4) Rubbish collections during the bin strike**

50.7 The Chair provided the following written response to Councillor Platts:

“Thank you for your questions.

For point a, the following on-street areas were identified as high risk:

- South/North Lanes (especially Ship Street)
- Western Road and its side streets
- Lewes Road and/ Upper Lewes Road
- Seven Dials and Davigdor Road
- Poets Corner

- Church Road and its side streets
- St James Street

For point b, areas that were cleared by the contractor were:

- Two sites on Middle Street
- Ship Street, near The Ivy
- Ship Street, near Brighton Town Hall
- Lewes Road
- Morley Street at the corner of Grand Parade
- Vernon Terrace
- New England Street and New Preston Circus

For point c, these were identified through feedback from staff, such as Street Cleansing and Environmental Enforcement, as well as resident and councillor feedback.

For point d, we understand this question relates to the site on the corner of Chesham Road and Eaton Place, outside the old GP surgery. Sorry this was not identified as a high risk area. At the time, Cityclean resources were very stretched and limited whilst the strike was being managed. It is not an area that was flagged to us.

For point e, bin stores identified were those that were attached to residential properties and blocks of flats.

For point f, contractors visited bin stores to remove side waste to reduce the risk and provide access to remove and empty bins for when the service resumed.

These bin stores were:

- Arena House
- Argus Lofts
- Avalon
- Belbourne Court
- Blackmore Court
- Boulevard House
- Cawthorne House
- Curzon House
- Fred Emery Court
- Homelees House
- Mayflower Square
- Oriental House
- Osprey House
- Sillwood Mansions
- The Leas
- Theobald House
- Vernon Court

Also, for information, for council housing blocks of flats, staff managed bin stores and bin areas by sweeping up any split bags and piling rubbish into corners of bin stores, so residents were still able to dispose of their rubbish. For outside areas, where possible, bins were used as a barrier and rubbish was stacked in the middle and then covered with sheets of cardboard to deter foxes and seagulls from ripping bags open”.

## **(5) Bulky Waste Collections**

50.8 The Chair provided the following written response to Councillor Platts

“Thank you for your question. Cityclean has not completed any research into the accessibility of information via a QR code for our older population.

As stated in the response at Full Council, this was a helpful idea and in reviewing signage on communal bins, Cityclean will look at the options available to signpost residents on how to dispose of their waste. This will include whether QR codes are a realistic option. Key to this will be ensuring information is easily accessible to all residents”.

**(6) East Brighton park- locked pitch**

50.9 The Chair provided the following written response to Councillor Platts:

“Thank you for this question and apologies for the confusion with the last response.

One gate to the pitch is locked as the gate post is unsound. The other gate is open, and the area is being used. There are currently no plans to refurbish this area”.

**(7) East Brighton Park – Pavilion toilets**

50.10 The Chair provided the following written response to Councillor Platts:

“Thank you for this question and apologies for the confusion with the last response.

City Parks staff clean the pavilion toilets. It is not part of the public toilet cleaning contract”.

**(8) Cleaning and graffiti in East Brighton**

50.11 The Chair provided the following written response to Councillor Platts:

“Thank you for your question.

As stated in the article in the local press, this is a trial, running for three months from 1 November to 28 January. At the end of the trial, Cityclean will assess how effective it has been before considering the next steps.

To determine the effectiveness of the trial, operatives are photographing and logging all the graffiti removed in order to track the rate in which new pieces appear and ascertain whether this diminishes during the trial period. Cityclean is also recording operative time used to assess the resource needed to deliver this approach in the future.

The success of the trial will be assessed at the end of the three-month period when the data is available and once it has been analysed.

The trial has been made possible through the commitment of an extra £100,000 towards graffiti removal in the council budget. Therefore, if it is determined that the trial has been a success, additional funds will need to be identified before it can be rolled out further.

If it is decided to roll out further, Cityclean will work with community groups and stakeholders to determine viable areas of the city, where the work will have a positive impact”.

**51 ALLOTMENTS: RESPONSE TO NOTICE OF MOTION**

51.1 The item was deferred.

**52 TREE PLANTING: RESPONSE TO NOTICE OF MOTION**

- 52.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that responded to the request to receive a report on tree planting arising from a Notice of Motion considered on 21 September 2021.
- 52.2 In response to a question from Councillor Fowler, the Head of Operations- Cityparks confirmed that there were sufficient officers to deliver the funding currently available.
- 52.3 In reply to questions from Councillor Nemeth the Head of Operations- Cityparks clarified that some funding was for a specific type of tree planting and had to follow the terms set out and the cost of tree planting varied according to the job in question, and it was not possible to provide a general, indicative fee. The recent cases of Ash dieback meant that the council's Tree Strategy was now out of date and may be re-written.
- 52.4 **RESOLVED-**
- 1) That the Environment, Transport & Sustainability Committee note the response to the Notice of Motion.

**53 WASHINGTON STREET: PERMISSION TO CONSULT ON CHANGES TO REFUSE COLLECTIONS**

- 53.1 **RESOLVED-**
- 1) That Environment, Transport & Sustainability Committee approves for a consultation to take place with the residents of Washington Street to determine whether to remain with communal refuse bins, or move to refuse wheelie bins, pending a wider piece of work as part of the Modernisation Programme.

**54 PEDESTRIAN CROSSINGS PRIORITY PROGRAMME - 2021/22-2022/23**

- 54.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that presented the findings of the pedestrian crossing assessments of locations requested up to 30 June 2021 and identified priority crossing points to be delivered over the next 2 years, subject to the availability of funds.
- 54.2 In response to questions from Councillor Bagaeen, Senior Project Manager explained that each location was scored uniformly, and a 'corridor' treatment was applied rather than ad-hoc, individual schemes as this ensured wider safety improvements.
- 54.3 In reply to a question from Councillor Fowler, the Senior Project Manager that assessments entailed an initial one hour review and that would indicate whether a full 12 hour traffic count was required that would pick up peak movements at a particular location. The detail of the specific review undertaken at Brentwood Close was not to hand but could relate to improvements to sight lines rather than the need for a formal pedestrian crossing.

54.4 In response to a question from Councillor Bagaeen, the Senior Project Manager stated that 12 hour counts could count against school as the location may only be busy for a small proportion of that count however, close work was undertaken with the school crossing patrol programme team to ensure these locations were closely monitored.

54.5 The Chair then put the recommendations to the vote that were approved with Councillors Bagaeen and Councillor Nemeth voting against.

54.6 **RESOLVED-**

- 1) That the Environment Transport & Sustainability Committee approves the Pedestrian Crossing Priority List 21/22
- 2) That the Environment Transport & Sustainability Committee authorises officers to progress schemes at priority locations where funding has been identified within the financial years 2021/22 and 2022/23.

**55 BUS FRANCHISING FEASIBILITY STUDY**

55.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the results of the independent study commissioned to review the advantages and disadvantages of bus franchising and whether it would be feasible to introduce it in Brighton & Hove.

55.2 In response to questions from Councillor Platts, the Senior Project Manager explained that franchising could address the problem of areas lacking a regular bus service however, that would come at a cost and a similar arrangement to the supported bus network programme currently in place. The Senior Project Manager supplemented that the main cost to the bus companies was the vehicle requirement at peak times. Reducing costs and therefore fares would need political support for giving buses priority working in conjunction with greater co-operation between providers that an enhanced partnership could deliver.

55.3 **RESOLVED-**

- 1) That the committee notes the conclusions and recommendations of the independent consultant's report on franchising.
- 2) That the Committee agrees not to pursue franchising further at this stage but recognises that franchising may prove valuable in the future should circumstances change and commits to review this position at least annually coinciding with the monitoring of the Bus Service Improvement Plan.

**56 ACTIVE TRAVEL FUND - A259**

56.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that outlined the consultation feedback and monitoring from an Experimental Traffic Regulation Order (ETRO) that amended parking and waiting restrictions and introduced a cycle lane on the south side of Kings Road and Kingsway. The report recommended making the Order permanent.

- 56.2 In response to questions from Councillor Moonan, the Senior Project Manager explained that the eastern direction was identified in the LCWIP, plans for the area were not yet at the detailed design stage pending committee approval and there would be a public consultation upon those covering all modes of transport.
- 56.3 In reply to questions from Councillor Nemeth, the Senior Project Manager clarified that ETRO's that had run the permitted 18-month period required a legal status designated.
- 56.4 In response to a question from Councillor Platts, it was clarified that officers continued to monitor road safety in the area for the blue badge bays for improvement and five new bays would be positioned on the northern side of the road close to accessible points.
- 56.5 In reply to questions raised by Councillor Bagaeen, the Legal Officer clarified that the ETRO could not stay in place beyond 18 months. Further, the terms of the ETRO was legally what would be made permanent, and those conditions could not be amended or added to. The Senior Project Manager added that the report only proposed changing the legal status of the area and a further report on the detailed design would be brought to a future committee. In the event the ETRO expired, the current cycle infrastructure would have to be removed at significant cost.
- 56.6 The Chair then put the recommendations to the vote that were approved with Councillors Bagaeen and Councillor Nemeth voting against recommendation 2.1.

56.7 **RESOLVED-**

- 1) That the committee agrees to make permanent the current A259 Phase 1 cycle lane Experimental Traffic Regulation Order.
- 2) That the committee agree that Officers develop options for a permanent scheme to replace the temporary infrastructure, and to consult on those options which will be brought back to a future committee.

57 **PARKING SCHEME AND PRIORITY TIMETABLE UPDATE**

- 57.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that notified the Committee of the outcome of the recent review of Zone J (The London Road Station area), asked Committee for approval on a recent Brighton & Hove (Zone M) Experimental Traffic Regulation Order 2020 in the Brunswick & Adelaide area and requested Committee approval of the updated Parking Scheme Priority Timetable.

57.2 **RESOLVED-**

- 1) That the Committee having taken account of all duly made representations and comments, agrees that there will be no change to Zone J (London Road Station area).
- 2) That the Committee having taken account of all duly made representations and comments, agrees that the restrictions that were included in the Brighton & Hove Zone M (Brunswick & Adelaide area) Experimental Traffic Regulation Order 2020 are made permanent, with the exception of Permit holders only in the north of Brunswick Square

(south side) where the bays will be removed and returned to the original restriction (no waiting at any time).

- 3) That the Committee agrees the new revised parking scheme priority timetable outlined in Appendix D.

## **58 OLD TOWN AND NORTH LAINE EXPERIMENTAL TRAFFIC ORDERS**

58.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set objections and representation received in relation to the Old Town and North Laine Experimental Traffic Regulation Orders (ETROs).

58.2 In response to a query from Councillor Lloyd, the Highway Regulation Manager stated that it may be possible to replace the gates and Gardener Street with ANPR cameras however, there would be complexity arising from legitimate access for Blue Badge holders and those residents not travelling in their own vehicle.

58.3 Councillor Nemeth stated that the Old Town ETRO had not improved the area in his view and had hugely inconvenienced people and the Conservative Group would not be supporting the recommendations on that basis.

### **58.4 RESOLVED-**

- 1) That, having taken account of all duly made objections and representations to the Old Town Experimental Traffic Order, the Committee approves action being taken to make this order permanent.
- 2) That having taken account of all duly made objections and representations to the North Laine Experimental Traffic Order in so far as it relates to Sydney Street, the Committee approves action being taken to make this order permanent with adjustments to the closing times to 11am-6pm every day.
- 3) That having taken account of all duly made objections and representations to the North Laine Experimental Traffic Order in so far as it relates to Gardner Street, the Committee approves action being taken to not make this order permanent allowing the ETRO to lapse and the road return to the previous Traffic regulation order.

## **59 VALLEY GARDENS 1&2 EXPERIMENTAL TRAFFIC REGULATION ORDER**

59.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an overview of the Traffic Regulation Order consultation responses for two locations associated with the Valley Gardens project and made recommendations based on those responses.

59.2 In response to questions from Councillor Nemeth, the Senior Project Manager clarified that the TRO was sent to the statutory consultee list, twenty five notices were positioned at key points on site and an advertisement was run in the local printed press. The Head of Parking Services confirmed that 9,618 tickets were issued in October 2021 from four cameras located on Marlborough Place, St George's Place, St Peter's Place and York Place. That figure was dropping on a month by month basis.

- 59.3 Councillor Nemeth stated that until the number of tickets issued came down, the Conservative Group could not support the proposals.
- 59.4 In response to a question from Councillor Platts, the Head of Parking Services stated the number of tickets was high but the cameras were located in a peak traffic area in the city. Officers had reviewed the signage and lining in the area and would continue to review those. The Head of Parking Services added that any appeals to the fines were submitted to an independent tribunal and the significant majority of cases reviewed by tribunal had found in the council's favour and upheld the fine.
- 59.5 Councillor Lloyd commented that the tickets were issued in line with the law, and he found it likely the committee would welcome such enforcement in other unlawful activity such as littering.
- 59.6 The Assistant Director, City Transport confirmed that the signage and lining in the area had been independently audited four times and the council had passed those audits. The Assistant Director, City Transport added the bus gate was an important piece of infrastructure toward improving bus services. The process and procedures for the fines issued had satisfied a government body and were broadly comparable with other such high traffic areas across the country.
- 59.7 Councillor Platts stated that the Labour Group would be supporting the proposals as the area was a key part of bus infrastructure in the city however, the fines issued were very high and that support would be conditional on a guarantee of a review of signage and lining in the area.
- 59.8 The Chair confirmed that review would be undertaken, and an update of the findings provided.
- 59.9 The Chair then put the recommendations to the vote that were approved with Councillors Bagaeen and Councillor Nemeth voting against the recommendations.
- 59.10 **RESOLVED-**
- 1) That the Committee, having taken account of all duly made representations and comments, agree that the provisions of the Brighton & Hove (Valley Gardens) Bus Gates and Traffic Management Experimental Order 2020(TRO-9-2020) be made permanent.
  - 2) That the Committee, having taken account of all duly made representations and comments agree that the provisions of the Brighton & Hove (St Peters Place -Valley Gardens) Bus Gates Experimental Order 2020 (TRO-20-2020) be made permanent.
- 60 FUTURE USE OF WATERHALL WILDING AREA.**
- 60.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested the committee agree to a commitment to manage Waterhall as a 'wilding site' for a period of at least 20 years commencing on the date on which the

funding is confirmed. This related to a potential award of funding from the National Heritage Lottery Fund.

60.2 In response to a query from Councillor Nemeth regarding statutory access, Councillor Lloyd stated that some of the group managing the site were passionate about statutory access and others were less enthusiastic. Councillor Lloyd stated that professional dog walking at the site had become a major issue and needed to be addressed quickly.

60.3 In response to questions over the legal process for statutory access, the Chair offered Councillor Nemeth a briefing on the matter.

60.4 **RESOLVED-**

1) Subject to the Council receiving confirmation of an award of funding for the wilding of Waterhall from the National Heritage Lottery Fund by the 16<sup>th</sup> of November 2022, that the committee agree to a commitment to manage Waterhall as a 'wilding site' for a period of at least 20 years commencing on the date on which the funding is confirmed.

**61 ITEMS REFERRED FOR FULL COUNCIL**

The meeting concluded at 8.35pm

Signed

Chair

Dated this

day of