

Brighton & Hove City Council

Environment, Transport & Sustainability Committee

4.00pm 15 March 2022

Council Chamber, Hove Town Hall, Norton Road, Hove, BN3 3BQ - HTH/CC

Minutes

Present: Councillor Davis (Joint Chair), Heley (Joint Chair), Lloyd (Deputy Chair), Wilkinson (Opposition Spokesperson), Nemeth (Group Spokesperson), Fowler, Hamilton, Hills, Peltzer Dunn and Platts

Other Members present: Councillors

Part One

77 PROCEDURAL BUSINESS

77(a) Declarations of substitutes

77.1 Councillor Peltzer Dunn was present as substitute for Councillor Bagaeen.

77(b) Declarations of interest

77.2 There were none.

77(c) Exclusion of press and public

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

77.4 **Resolved-** That the press and public not be excluded from the meeting.

78 MINUTES

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

79 CHAIRS COMMUNICATIONS

79.1 The Chair provided the following communications:

It's been a busy few months since the last meeting of this committee.

Our CityParks Team has been working to increase the number of applications for our Assistant Seasonal Gardner vacancies.

With a shortfall in applications for the 10 vacancies, the team has been working with Plumpton College, to offer a 5-day long intensive horticulture training programme. The successful attendees will be awarded a City & Guilds Level 1 Award in Practical Horticulture, along with the opportunity to attend an interview for the roles available.

Work is also continuing to educate the community in the disposal of electronic waste responsibly, via routes such as Tech-Takeback, Revaluit (: Re-value-it) or our local recycling centres.

Proving such a success, through collecting donations from the public, Tech-Takeback has now opened a new store in Brighton. It's a shop with a difference, where donated gadgets are restored and then sold at a price the customer is happy to pay.

Tech-Takeback employs four apprentices, who are busy learning the skills to enable them to undertake repairs confidently, ensuring there are plenty of refurbished gadgets for everyone to purchase.

Officers are also working hard to deliver key projects in the coming weeks to improve safety on our roads, cut carbon emissions and improve air quality

This weekend community engagement workshops will take place on the Hanover and Turner Liveable Neighbourhood Pilot Project while work on the first of six new School Streets schemes will begin at St Mary's Primary School this Easter.

A project that will help to future proof the city against coastal erosion and flooding will also start this spring with site surveys, ground investigations and technical design planning.

Working with partners, this project will repair, strengthen or replace flood defences and install new timber groynes – just one of the steps we're having to take to protect our city from the devastating impact of the climate emergency.

Finally, as you will be aware, today is Nick Hibberd's final ET&S meeting with the Council. Nick has been with the Council for 25 years I know that everyone in this room, across the council and beyond deeply values his expertise, professionalism, and leadership as well as his openness with members of all political groups.

Nick has led the council on many pioneering schemes including many that have been agreed in this very room by this committee and helped guide us through very challenging circumstances not least through the council's covid recovery and renewal programme.

I would personally like to thank Nick for all of his support and the great team he leaves behind.

Nick leaves us for an incredible opportunity, and I hope you will join me in a short round of applause and stand up".

80 CALL OVER

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

- Item 85: Local Transport Engagement Outcomes

- Item 86: Local Cycling and Walking Infrastructure Plan
- Item 87: Trial Park & Ride
- Item 88: A259: Walking, Cycling and Accessibility Improvements
- Item 93: Brighton & Hove In Bloom
- Item 95: Public Spaces Protection Orders- barbecues, lanterns and balloons: Outcome of Public Consultation
- Item 96: Wilding Waterhall- Access and LNR decision
- Item 97: Managing Verges and Weeds

80.2 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 84: Local Transport Plan 2022/23 Capital Programme
- Item 89: A23 Active Travel Scheme- Phase 1
- Item 90: Parking Scheme Update report
- Item 92: Commercial Bins on the Highway
- Item 94: Response to Fly posting Notice of Motion

Item 91: Playground Refurbishment was deferred.

81 PUBLIC INVOLVEMENT

(a) Petitions

(1) Remove the weeds and litter from our streets

81.1 The Committee considered a petition signed by 442 people requesting the council to improve weed removal and litter removal in the city.

81.2 The Chair provided the following response in writing:

“As you will see, there is a report on today’s agenda providing an update on the council’s weed removal activities in 2021.

With respect, the reduction in the use of pesticides and pressures and staff sickness arising from Covid has impacted on the council’s ability to remove weeds from across the city. As detailed in the report, the service struggled to recruit enough operatives last year to complete its planned weed removal programme, this was a result of Covid and a shortage of manual workers.

City Environment was open and clear when the decision was made to reduce pesticide usage that they would not be able to remove the weeds to the same extent and therefore, there would be more weeds. This has been exacerbated by the other factors, such as Covid and a national labour crisis.

It is also important to note that whilst there has been some negative feedback in relation to weeds across pavements in Brighton & Hove, the council has also received lots of positive feedback in respect of the increase biodiversity, wildflowers and insects that came with them.

The council continues to explore other methods for weed removal as detailed in the report – I’m pleased to update you that this means we’re investing in new types of equipment to do this and more strimmer’s will be purchased for this year’s weeding.

In addition, I am pleased that in this year's budget, we have committed an ongoing £70,000 for six additional weed removal operatives".

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

(b) Public Questions

(1) Vale Park Parking

81.4 Patricia Sauer read the following question:

"Residents and leisure users of south Portslade's Vale Park are now rarely able to use its small, free car park. Since the introduction in mid-2021 of a new CPZ the car park has become filled with lived-in motorhomes, dumped/often illegal vans and vehicles without parking permits.

Friends of Vale Park committee, with local support, anticipated this problem and has raised it, offering solutions, with councillors and officers several times in recent years. But the different departments have been unable to agree a workable, permanent measure to resolve the problem.

Will you now find a way to alleviate this community nuisance?"

81.5 The Chair provided the following reply:

"Thank you for your question.

I have spoken with officers and the only way to ensure parking is available to park users only is to introduce controlled parking and to enforce this. The enforcement is financed from the income generated from the parking, so this would mean charging for parking. Height barriers have been suggested; however, this will only stop high sided vehicles not prevent long term parking of cars in the car park or parking by residents who chose to park in the park rather than buy a permit.

The issue of controlled parking for Vale Park along with other parks will be brought back to this committee in 2022/23".

(2) Whitehawk Playground

81.6 Daniel Harris read the following question:

"Someone I know has a little boy that needs 24-hour care, and the family we live in the high-rise blocks in Whitehawk, why isn't there enough for the disabled in north Whitehawk as there is in peace haven and Woodingdean. They have wheelchair swings, why doesn't Whitehawk have this for disabled children and the lack of seesaws why has it been left for this long neglected?"

81.7 The Chair provided the following reply:

"As you may be aware, we're working on playground refurbs - Whitehawk was the first areas in the city to receive a £120,000 refurbishment of the playground in Middle Park. City Parks worked very closely with the local community in completing this refurbishment.

I am pleased to let you know that City Parks will be installing one of the first wheelchair seesaws in the country this month at St Nicholas Park. City Parks have been looking at installing a wheelchair swing in the city for over five years and continues to do so. The cost for one unit is around £40,000 and this specialist apparatus needs to be secured from non-wheelchair users for safety reasons. The Whitehawk Way playground in the north still requires refurbishment; and a consultation for this area will be held this year which the community and you can participate in. At present there is only £35,000 of funding allocated to this area but, City Parks are keen to work with you and the local community to formulate a plan going forward. A member of City Parks will contact you in the coming weeks to start this process. Thank you again for your question”.

(3) Speeding on Freshfield Road

81.8 Mike Bodkin read the following question:

“I write on behalf of our Community Speedwatch Group. Our records show that around 1/3 of those speeding on Freshfield Road are travelling in excess of 30mph, 50% above the limit. We have recorded vehicles travelling at up to 49mph. The 20mph speed limit is clearly not working. We know that Sussex Police share our concerns and would welcome some simple and inexpensive improvements such as better signage and more roundels in the road. We’d like to know how the ETS Committee intends to assist our efforts to reduce speeding and improve community safety (as well as lowering air pollution)?”

81.9 The Chair provided the following reply:

Thank you for your question. Following a related petition received in January, a vehicle speed activated sign was installed on Freshfield Road for six weeks between March and April. During this time, vehicle speed data was collected which showed an average speed of under 22mph and a calculated upper speed of 27mph. Based on this assessment and the very low collision history here officers wouldn’t recommend any further action at this stage. However, I completely understand your concerns and officers will review the existing signing and lining and provide additional or refreshed markings if necessary. In the meantime, other initiatives are already taking place to support safer active travel to schools in this area. A permanent, timed School Street road closure is in place on Queen’s Park Rise to support children and families travelling to St Luke’s Primary school. A School Crossing Patrol is also in place on Queen’s Park Terrace. As part of the School Streets programme, officers are working with eligible schools to implement more closures on roads around schools. A design option for Queen’s Park Primary School on Freshfield Place has recently been consulted on and feedback gathered from local residents and the school community will inform the next stage of design. Additionally, the Council’s Pedestrian Priority list contains a request for crossing improvements at the junction of Queens Park Terrace and Freshfield Road, which currently sits at number 32 on our priority list, and a further request for crossings at Queens Park Rise and Queens Park Terrace. Both request locations will be reassessed

to determine their priority for pedestrian crossing improvement measures which can help to further reduce speeding traffic.

I would like to personally thank you for volunteering on the speedwatch initiative, I recently spent time with residents on Withdean Road in my ward and know it's not always a pleasant experience. I would add that our local Withdean team encountered very similar speeding traffic to your group".

81.10 Mike Bodkin ask the following supplementary question:

"Would Members be happy to attend a (Speedwatch) session?"

81.11 The Chair provided the following reply:

"Yes, absolutely".

(4) East Brighton Tennis Courts

81.12 On behalf of a ward resident, Councillor Platts put following question:

"I used to enjoy playing tennis in East Brighton Park and whilst I understood the need for the Covid test centre, I am hoping it will now no longer needed.

Can the Council tell me when the tennis courts in East Brighton Park will be reinstated and if they will be resurfaced and repairs to the fence be carried out so that residents can use them to play once again?"

81.13 The Chair provided the following reply:

"In line with the Prime Minister's announcement on 21 February 2022 and the governments recently published 'Living with Covid' Strategy, PCR testing centres such as the one in East Brighton Park will cease at the end March 2022. The council's Estates and Public health Teams will be liaising with UKHSA (the UK Health Security Agency) on the removal of the testing centre from East Brighton Park. Due to the huge number of testing centres across the country that will need to be removed, it is not yet clear how quickly UKSHA will remove the testing centre at East Brighton Park. This is a vast project to undertake and massive task to demobilise the testing centres across the whole country, so it may take some time for the East Brighton Park testing centre to be removed. Council officers are liaising with UKHSA with the aim of getting greater clarity on the timetable for removing the East Brighton Park testing centre.

Once, the testing centre has been removed, council officers will be appointing a contractor to resurface the tennis courts at East Brighton Park. A budget is in place for the resurfacing of these tennis courts and I have asked officers to keep ward councillors updated on the timescale for resurfacing the courts".

(c) Deputations

(1) Westdene School Streets

81.14 The Committee considered a deputation outlining concerns relating to the Westdene School Streets initiative.

81.15 The Chair provided the following response:

“Thank you for your deputation, as a Ward Councillor for Withdean ward as well as Co-Chair of this committee, this matter is extremely important to me.

Like many schools in the city, Westdene School has faced ongoing problems with road safety issues stemming from increased traffic, dangerous driving and illegal parking at school drop off and pick up times. Concerns about road safety around Westdene School have been longstanding and raised by local residents, parents and the school as well as by ward Cllrs.

A deputation was presented to this committee in November 2019 which called for a permanent, timed School Street closure to be implemented on Bankside and Barn Rise. At that time, myself and other members of this Committee also raised concerns about the situation at Westdene and it was suggested that the school be included in a pilot of School Streets.

The Covid-19 pandemic accelerated the introduction of School Streets in Brighton & Hove as there was an additional need to create more space for pedestrians outside school entrances to allow for physical distancing. An amendment was agreed by this committee in June 2020, to introduce a citywide emergency School Streets programme as an amendment to the Interim Local Cycling and Walking Infrastructure Plan. 14 schools across the city trialled a School Street as part of the emergency programme, with Westdene School offered a one-day taster event.

Following the trialling of School Streets closures as part of the pandemic response, a commitment was made by the Council to deliver a rolling School Streets programme with the aim of implementing timed closures outside as many of the city’s schools as possible. Assessment criteria, based on the Hackney School Streets toolkit, to assess schools for their eligibility for a School Street was agreed by ETS Committee. A total of 55 infant, junior and primary schools were subsequently assessed for their eligibility for a School Streets closure. Based on this assessment, a priority list of 12 schools was determined for implementation in the first two years of the programme, which included Westdene Primary School. This approach was again agreed by the ETS Committee in September of 2021 and officers were given approval to proceed on this basis.

It is typical for a preliminary design to be consulted on and for the feedback used from consultations to determine any changes required to improve the design of schemes. For all proposed School Streets schemes, preliminary designs were open to the public to submit their views on for 6 weeks from mid- October to the end of November last year. The consultation for Westdene School Streets received 260 responses with over 75% respondents in support of the principal of school streets and over 70% in support of the proposed preliminary design. In addition to the consultation, we have also welcomed and accepted stakeholder feedback from other means and are grateful to Westdene Residents Group for their report which was submitted to the School Streets Team. Officers will consider this alongside the consultation feedback as part of the next design phase.

Despite majority support for the preliminary design, the design is not final and officers will ensure changes will be made where possible to respond to issues and concerns raised throughout the process. Traffic monitoring is also being carried out, which will provide a pre-implementation baseline of data to help measure impacts when the scheme is implemented. As a result of the concerns raised about the proposed scheme at Westdene, we will also be implementing the scheme on an Experimental Traffic Regulation Order which will allow us to monitor the impact of the scheme and will allow

local residents and members of the school community a further opportunity to report on their experiences with the scheme so any adjustments can then be made, if necessary, before the any measures are made permanent.

We are committed to supporting schools in the city to address these issues and create safer journeys to school, and that also encourage sustainable, active travel modes which contribute to children's health and wellbeing and reduce emissions from vehicles".

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

(2) Refund Valley Gardens Bus Gate fines

81.17 The Committee considered a deputation that contended that the council had not met its duty in the issuing of PCN's relating to the Bus Gate on Valley Gardens and all should be refunded.

81.18 The Chair provided the following response:

"At the last ETS Committee through a verbal update it was agreed that we would review the approaches to the Valley Gardens bus gates to ensure they are as clear as possible for motorists. It was made clear that no changes were required to the current lining and signing within the bus gates and at the entry point. These had already been reviewed and no independent adjudication decisions from the Traffic Penalty Tribunal in relation to appeals have been made that any of the signage is at fault.

To clarify no reference to 9.7.3 of the DfT guidance has formed appeals to the Council so, therefore, has not needed to be reviewed by the Traffic Penalty Tribunal. The main reasons for lost appeals include medical emergencies, incorrect Vehicle registration, late provision of evidence, road surface erosion which has been rectified and procedural error back office which is standard for any bus lane enforcement.

The Valley Gardens Bus gates have been designed using DfT guidance specifically Traffic Signs Manual, Section 9.7.3 providing a short length of bus-only street. On a two-way road, access may be restricted to buses in one direction only with all traffic permitted in the opposite direction. It is advised that a traffic island be utilised to separate the traffic lanes but this is not a requirement. In the case of Valley Gardens the carriageway has been narrowed considerably to 3.2 meter running lanes to restrict movements and allow clear sight of 'No Entry signage'. In line with section 9.7.3 the bus gates have been implemented to allow full access but to restrict through traffic. As this route was previously a through route, signage has been implemented to advise on alternative routes inline with DfT guidance.

New signage has now been installed to ensure the routes are as clear as possible to motorists. Additional advanced CCTV enforcement signs, new lane directional signage at the bottom of North Road and the removal of street clutter at the approach to the bus gates have ensured the approaches are clearly visible. The advanced directional signage on the primary route (A23) are also due to be upgraded making them more visible to motorists with larger text, these are due to be installed this week.

There is currently no justification or evidence to review this further or to refund fines as the signage was already legally compliant and clear".

81.19 Councillor Nemeth moved a motion to request an officer report on the matter.

81.20 Councillor Peltzer Dunn formally seconded the motion.

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

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

(3) Roundhill Liveable Neighbourhood

81.23 The Committee considered a deputation requesting request formal consideration for Round Hill to be included in the roll-out of the Council's Low-Traffic Neighbourhood Scheme.

81.24 The Chair provided the following response:

“Thank you for presenting this deputation Councillor West. I know that you have had a lot of involvement with residents in the Round Hill area regarding their concerns and ideas for solving some of them. As a result, officers are supporting the community-led Round Hill Greening Project to deliver planters across the area and we look forward to seeing these installed in the future. Concerns expressed by residents about traffic will also be addressed in a future report requested by this committee in November last year. We are aware that interest in creating Liveable Neighbourhoods is growing, and we are looking forward to the ongoing development of the proposals for the Hanover & Tarner pilot project and future reports to this committee. This pilot will help to inform other future Liveable Neighbourhood projects in the city.

In response to this committee, officers are also developing a prioritisation framework for other requests for low traffic or liveable neighbourhoods, or similar measures. This Framework will enable a transparent and objective assessment of requests against a number of factors to help identify the most appropriate locations to manage and reduce traffic and enable more active travel and social activities to take place in local areas. It is helpful to see that the deputation has included the objectives that residents would like to achieve for the Round Hill area.

The new framework will ensure that there is a consistent and balanced approach to assessing requests and will help inform how we make decisions about where we could direct officer time and budgets. This will then help manage these types of requests from different parts of the city. The framework will be considered by this committee, and when approved we will then be able to assess this request for the Round Hill area alongside other locations. Those outcomes will then be reported to committee and will help ensure that the locations that are prioritised will achieve the greatest impact. We will ensure that communities are made aware of the progress and outcomes of this work, and those locations that are prioritised to be progressed will then be subject to further study and engagement with communities to help explore issues and develop ideas and options to address them”.

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

82 ITEMS REFERRED FROM COUNCIL

(c) Deputations

82.1 The Committee considered a deputation referred from the Public Engagement Meeting held on 3 February 2022 that requested the Council investigate a free bus travel policy for residents under 17.

82.2 The Chair provided the following response:

“Firstly, I would like to thank David and Class Divide for the deputation and all the work you have been doing on this. I and my colleagues on this committee and on the Children, Young People and Skills Committee want to see fair access to education and opportunities for young people across the city. I acknowledge the important role transport policy, including in relation to buses, has in this and can see the potential benefits of making buses free for young people.

As an administration, it is our ultimate aspiration that young people can travel on buses for free as they do in London and Scotland. This is reflected in our ambitious Bus Service Improvement Plan which we submitted to the Department for Transport last year. Along with other authorities, we are currently waiting to hear the outcome of funding for this.

Whilst our fingers are crossed, I do sadly need to provide a bit of caution on this. We expect that free fares would cost at least £6m per year which would need to be publicly funded. Even if government funding is awarded to help provide lower fares to young people, they have asked that proposals are sustainable. This is so we avoid a situation where generous offers are suddenly removed when funding ends. I agree we need to be careful with this and unfortunately have to say the council’s finances mean we could not commit to ongoing funding at this level.

However, officers are currently working with neighbouring authorities on different options for an additional discount scheme above what is currently offered by bus operators. We hope to announce more on this once we know what funding will be available. We also want to work with bus operators to make sure people are always getting the lowest fare available to them.

I acknowledge that Class Divide would like us to ask bus operators to make more commitments themselves. On this point, I have to say that operators continue to be impacted by lower passenger numbers as a result of the pandemic. Therefore, at this time, increased costs or reduced revenue to them would risk reduced services. I very much welcome support funding the Department for Transport has provided during the pandemic, which has largely avoided service cuts. I am pleased to see the Secretary of State’s decision this month to extend support until October which will be critical as the city recovers. However, he has said this will be the final payment. The priority for operators after this will therefore need to be on maintaining services.

I can though commit to working as hard as we can with bus operators through our Enhanced Partnership to deliver improvements to bus services. If funding is received for the Bus Service Improvement Plan, it is our intention that a report will be brought to a future meeting of this committee with more detailed plans. I have also asked officers to engage with Class Divide as we develop proposals”.

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

82.4 Councillor Wilkinson formally seconded the motion.

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

82.6 **Resolved-** That the Committee receive an officer report responding to the deputation.

83 MEMBER INVOLVEMENT

(b) Written Questions

(1) Woodland Trust

83.1 Councillor Platts read the following question:

“The Woodland Trust has worked with various local authorities on improving tree cover, including Cardiff, Wrexham, Newcastle, Plymouth and Bristol. In Bristol the goal is to double the tree canopy to 24% by 2046. Local authority help is around locating land, securing funding and engaging the public in the idea. Brighton and Hove is exactly the kind of outward-looking city where the same idea would work and be likely to have public support. Can the Council confirm whether they are in touch with the Woodland Trust and if not, will they make contact to forge a working relationship to improve our tree canopy?”

83.2 The Chair provided the following reply:

“City Parks will be meeting with The Woodland Trust to discuss how they have supported other Local Authorities on the issue of planning and preservation of green infrastructure.

City Parks have also expressed their interest to The Woodland Trust in seeking assistance to improve the council’s policy documentation with respect to trees. Representatives from The Woodland Trust also sit on the City Park’s-led Tree Forum, linking in with other stakeholders from across the city”.

(d) Notices of Motion

(1) Victoria Fountain

83.3 The Committee considered a Notice of Motion referred from the meeting of Full Council held on 3 February 2022:

This Council requests the Environment, Transport & Sustainability Committee:

1. To commission an urgent investigation into the appearance of a sink hole after the removal of the Christmas market and funfair, and whether existing known damage to the Victoria Fountain has been worsened by the funfair, or may be worsened by heavy equipment due to be placed there during planned work on Valley Gardens 3; and
2. To agree to the public release of all findings so that residents can be assured that the city’s historic sites and important heritage assets will be treated with the respect they deserve.

83.4 The Chair provided the following response:

“The Council has commissioned Hemsley Orrell Partnership (HOP), specialist local civil and structural engineers, to investigate the appearance of the sink hole at the Old Steine Gardens following the removal of the Christmas Festival and funfair. We have also commissioned the Geotechnics firm already engaged by Transport colleagues on the Valley Garden Phase 3 (VG3) project to carry out a Ground Penetrating Radar (GPR) survey of the area where the sink hole has appeared and they will be carrying out an intensive study in the next 3 weeks using two types of GRP to cross reference. Once HOP have the results of the GRP survey they will analyse and report on the findings giving recommendations on remedial actions. The council should receive HOP’s report and recommendations within the next 4 weeks.

The council and HOP have also been in contact with Southern Water regarding the sink hole who have visited the site on two occasions and confirmed that the “swallow hole” has not been caused by any deterioration of their sewer pipe directly under the hole itself. We still await Southern Water’s written confirmation of their survey which we have been promised within the next 10 days.

The Victoria Fountain, Old Steine is temporarily propped up and has been made safe following HOP’s condition report that identified structural problems in early 2020.

There were delays to carrying out intrusive surveys due to the pandemic and HOP were commissioned for further in-depth surveys of the structure in 2021 to be able to specify the repair works for all the specialisms associated with the project. HOP have been appointed to carry out the major refurbishment and repairs required to renovate the Victoria Fountain which are programmed to start in June following the clearance of the site after the Fringe Festival. It is part of HOP’s brief to assess the ground conditions to ensure safe working with the crane that will be needed for the Fountain refurbishment project.

Following a recent due diligence exercise HOP have confirmed that the listing of the Victoria Fountain is not related to the Christmas Festival.

The Transport Team have confirmed that Valley Gardens Phase 3 will not require any construction or heavy plant on Old Steine Gardens.

We can certainly arrange for a public release of findings following receipt of the Structural report and GPR survey”.

83.5 Councillor Nemeth moved a motion to request an officer report on the matter.

83.6 Councillor Platts formally seconded the motion.

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

83.8 **Resolved-** That the Committee receive an update report on the matter.

(2) Westdene Park & Ride

83.9 The Committee considered a Notice of Motion referred from the meeting of Full Council held on 3 February 2022:

This Council:

1. Notes that Environment, Transport & Sustainability Committee voted on 21st July 2021 for an urgent report for the next meeting of that committee on Administration proposals for a park and ride scheme on Mill Road in Westdene;

2. Further notes that no report was forthcoming at meetings of Environment, Transport & Sustainability Committee on 21st September 2021, 16th November 2021 or 18th January 2022;
3. Notes that the Labour Group identified funds in last year's underspend to invest in a park and ride scheme;
4. Urgently calls on the Administration to deliver a report to the next meeting of the Environment, Transport & Sustainability Committee with an update on current progress.

83.10 The Chair provided the following response:

"As you know this is now the subject of a comprehensive report at this meeting which details the trial proposed by the bus company, and suggestions on how to proceed, also outlining how the park and ride scheme would work.

The bus operator has indicated that it wishes to trial a car park and ride using Mill Road. It intends to provide the necessary staff and resources to understand the impacts of using the road for a period of 4 months. Once completed the data that will be collated and then further discussions will take place on the future of using the road as a P&R. Committee can consider this shortly in the rest of the agenda.

The report clarifies the situation related to the funding of the trial and the separate issue related to assessing sites for a permanent P&R and the £15,000 made available to fund the assessment so will not be used in the trial".

(3) Resident/Visitors 'Bus Gate' Fines

83.11 Councillor Nemeth moved the follow Notice of Motion:

This Council:

1. Notes that Labour and Green Groups voted to make permanent two Experimental Traffic Regulation Orders relating to 'Bus Gates' in Valley Gardens after figures were released showing that the gates are not working as intended and that around 10,000 residents/visitors are being fined each month;
2. Requests an urgent Officer Report to Environment, Transport & Sustainability Committee to consider options to redesign the defective junctions.

83.12 Councillor Peltzer Dunn formally seconded the Notice of Motion.

83.13 In response to queries raised by Members, the Executive Director, Economy, Environment & Culture stated that the number of fines issued each month was declining and current figures could be provided after the meeting.

83.14 The Chair put the Notice of Motion to the vote that failed.

83.15 Councillors Nemeth and Peltzer Dunn requested that the official record their votes in support of the Notice of Motion.

84 LOCAL TRANSPORT PLAN 2022/23 CAPITAL PROGRAMME**Resolved-**

That the Environment, Transport & Sustainability Committee:

- 1) Recommends that Policy & Resources Committee agrees the 2022/23 Local Transport Plan capital programme budget allocation of £6.357 million, as set out in Appendix 1 of this report.

85 LOCAL TRANSPORT PLAN - ENGAGEMENT OUTCOMES

85.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that summarised the feedback and responses to the initial engagement undertaken during autumn 2021 on the development of the council's fifth Local Transport Plan [LTP5]. Based on the feedback, the report sought approval of amendments to some of the principles, priority areas and initial set of proposed interventions set out in the 'Developing a new Transport Plan for Brighton & Hove' consultation document which was approved by this committee for consultation in June 2021. The report also set out the next steps in the development of LTP5.

85.2 In response to questions from Councillor Platts, the Head of Transport Policy & Strategy explained that understanding of travel that potential offset journeys such as supermarket home deliveries was something that would be explored in future workstreams. A minibus service in areas that were less well served by buses would be something reviewed in the Bus Service Improvement Plan (BSIP) and future provision of parking was something assessed on a case-by-case basis in planning applications.

85.3 Councillor Nemeth stated that there were a number of gaps in policy and the report did not go far enough to address disagreements between motorists and cyclists and therefore the Conservative Group would be abstaining on the vote on the report.

85.4 Resolved-

- 1) That the Committee approves the proposed amendments to the Local Transport Plan's three key principles, as set out in paragraph 3.23 of this report.
- 2) That the Committee approves the proposed amendments to the Local Transport Plan's six priority areas and interventions, as set out in Appendix 6 of this report.
- 3) That the Committee notes the next steps and indicative programme for the completion of Local Transport Plan 5, as set out in paragraph 3.33.

86 LOCAL CYCLING AND WALKING INFRASTRUCTURE PLAN (LCWIP)

86.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that presented the proposed Local Cycling, Walking Infrastructure Plan (LCWIP) that set out the strategic plans and ambitions for routes and areas in the city to be improved for active travel. The LCWIP Brighton & Hove's LCWIP has been progressed over the last three years, involving stakeholder and public engagement.

- 86.2 Councillor Nemeth observed that the report proposed a permanent cycle route on Old Shoreham Road which was something that had previously been rejected by the committee and an issue his Group were against in principle and would therefore be voting against the report recommendations.
- 86.3 In response to a question from Councillor Wilkinson, the Principal Transport Planner confirmed that any LCWIP schemes undertaken would have a detailed design and more consultation and committee approval requested.
- 86.4 In response to a question from Councillor Platts, the Principal Transport Planner confirmed that Wilson Avenue was a high and long-term priority as not all high priority schemes were deliverable in the short-term. The timescale on any scheme could shorten should increased funding become available.
- 86.5 **Resolved-**
- 1) That Committee agrees the Local Cycling and Walking Infrastructure Plan (LCWIP) (Appendix 2 to this report) as a basis for the strategic planning of active travel network improvements in the city over the next ten years.
 - 2) That the Committee agrees that the cross-party Local Cycling and Walking Infrastructure Plan (LCWIP) Member Working Group continues to operate in order to provide oversight of the delivery of the plan, with amended Terms of Reference brought to a future meeting of the Policy & Resources committee for approval.

87 TRIAL PARK & RIDE

- 87.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on the intention of the Bus Operator (Brighton and Hove Bus and Coach Company) to trial a Park & Ride (P&R) on Mill Road from June 2022 to September 2022.
- 87.2 In response to questions from Councillor Peltzer Dunn, Andrew Strange of Brighton & Hove Bus Company clarified that the scheme would operate every 12 minutes through to midnight, 7 days a week except matchdays at the Amex Stadium. The scheme was predominately aimed at tourists and visitors from areas with no direct public transport link. Fares would be slightly more than a network ticket and would be a limited stop service from Mill Road to the city centre.
- 87.3 In response to a question from Councillor Wilkinson, Adrian Strange explained that the service would be seasonal and deploy buses that were unused during the university holiday period.
- 87.4 In response to a question from Councillor Nemeth, Adrian Strange explained that planning consent would be required for a permanent scheme should the trial be a success and discussion with the SDNPA were planned.

87.5 Resolved-

- 1) That Committee agrees to the use of Mill Road as a Park & Ride for a trial period between June and September 2022 to enable Brighton & Hove Bus and Coach Company to plan and progress their park and ride trial scheme.

88 A259: WALKING, CYCLING AND ACCESSIBILITY IMPROVEMENTS

88.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that outlined the results of the second round of consultation as requested at ETS Committee on the 21st July 2022 for the Tranche 2 Active Travel Funded A259 Walking, Cycling and Accessibility Improvement Scheme. The report also presented the detailed scheme design as informed by the consultation.

88.2 On behalf of the Conservative Group, Councillor Nemeth proposed the following motion to amend the recommendations:

- 2.1 That this Committee approve the **elements of the** A259 Active Travel Scheme - Walking, Cycling and Accessibility Improvements detailed design scheme as presented in Appendix 1 **to the east of Hove Street and calls for an officer report to be brought back to committee on the elements to the west as to how concerns over turning-points, crossings and integration with the Kingsway to the Sea project will be fully addressed.**

88.3 Councillor Peltzer Dunn formally seconded the motion.

88.4 In response to questions from Councillor Peltzer Dunn, the Senior Project Manager explained that the long-term aspiration for the A259 was a separated space for cyclists and pedestrians. The Kingsway by the Sea project was an exciting scheme and officers were working collaboratively on linking both schemes. Officers were reviewing the current layout to seek additional space for right turns. Further, the road itself was underutilised through most of the day however, journey times were likely to increase at peak times as part of the changes.

88.5 The Chair then put the Conservative Group motion to the vote that failed.

88.6 The Chair then put the recommendations to the vote that were approved.

88.7 Resolved-

- 1) That the Committee approve the A259 Active Travel Scheme - Walking, Cycling and Accessibility Improvements detailed design scheme as presented in Appendix 1.
- 2) That the Committee authorises officers to commence the construction phase and to procure the Works Contract under the authority of the Executive Director.

89 A23 ACTIVE TRAVEL SCHEME - PHASE 1

Resolved-

- 1) That the Committee approves the A23 Phase 1 Detailed Design as presented in appendix 1 and supports officers to proceed with the associated Traffic Regulation Order.
- 2) That the Committee authorises officers to commence the construction phase and to procure the Works Contract under the authority of the Executive Director.

90 PARKING SCHEME UPDATE REPORT

Resolved-

- 1) That the Committee having taken account of all duly made representations and comments, agrees to proceed to the next stage of the detailed design for the Roedean Area. This will consist of a consultation to the whole area on a light touch parking scheme Monday to Sunday.
- 2) That the Committee having taken account of all duly made representations and comments, agrees to proceed to the next stage of the detailed design for the Hallyburton Road area. This will consist of a consultation to the whole area on a light touch parking scheme Monday to Friday.
- 3) That the Committee having taken account of all duly made representations and comments, agrees there will be no change to the days and times of operation in Zone W. Minor changes to parking are being considered around Wish Park and if changes are required will be included in a future Traffic Regulation Order.
- 4) That the Committee having taken account of all duly made representations and comments, agrees there will be no change to the days and times of operation in Zone L West Hove. Minor changes to parking are being considered and if changes are required will be included in a future Traffic Regulation Order.

91 PLAYGROUND REFURBISHMENT PROGRAMME

The item was deferred.

92 COMMERCIAL BINS ON THE HIGHWAY

Resolved-

- 1) That Committee agrees an amendment to the model to allow bins/sacks to be left out overnight. This will be a medium-term adjustment and be subject to review in 12 to 18 months' time once businesses are familiar with the new arrangements.
- 2) That Committee delegates authority to the Executive Director – Economy, Environment & Culture to determine the parameters of this amendment, including the types of sacks to be permitted overnight e.g. vermin proof and an appropriate time from when bins/sacks can be left outside from the afternoon / early evening.

93 BRIGHTON & HOVE IN BLOOM

- 93.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that responded to a petition presented to its 18 January 2022 meeting calling for the return of Brighton & Hove In Bloom.
- 93.2 Councillor Nemeth expressed his disappointment that different models of operation had not been proposed.
- 93.3 Councillor Hamilton observed that council budgets had been significantly impacted and the cost of bringing back In Bloom was too high for a non-essential service.
- 93.4 Councillor Heley agreed that the very high service and budget pressures meant the proposal was not currently feasible.
- 93.5 **Resolved-**
- 1) That the Committee notes the report.

94 RESPONSE TO FLY POSTING NOTICE OF MOTION

Resolved-

- 1) That Environment, Transport & Sustainability Committee note the contents of this report.
- 2) That Environment, Transport & Sustainability Committee approves for a public consultation to take place on the introduction of Community Protection Warnings and Community Protection Notices to address posters and other items stuck to street furniture as outlined in paragraphs 3.11 to 3.15 below.

95 PUBLIC SPACE PROTECTION ORDERS - BARBECUES, LANTERNS AND BALLOONS: OUTCOME OF PUBLIC CONSULTATION

95.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that presented the results of the public consultation for the introduction of a Public Space Protection Order (PSPO) to manage environmental anti-social behaviour, namely the use of disposable barbecues and the release of lanterns and balloons on the seafront and in council owned open spaces and recommendations on how to proceed, based on the results of the consultation.

95.2 On behalf of the Labour Group, Councillor Fowler moved the following motion to amend the recommendations:

2.3 That Committee requests officers bring a report back to a future meeting of ETS, outlining alternative provisions (such as, but not limited to; permanent communal barbecue pits), that could be provided to allow residents without gardens or outdoor spaces the opportunity to enjoy barbecues.

2.34 That Committee approves the updated Environmental Enforcement Framework as detailed in Appendix 2 (tracked changes version) and Appendix 3 (clean version).

2.45 That Committee approve the £100 fine for failure to comply with the PSPOs.

2.56 That Committee authorise Environmental Enforcement Officers to issue Fixed Penalty Notices for non-compliance with PSPOs in respect of the use of single-use barbecues and the release of lanterns and balloons.

95.3 Councillor Wilkinson formally seconded the motion.

95.4 On behalf of the Conservative Group, Councillor Nemeth moved the following motion to amend the recommendations:

2.2 That Committee agrees to make a PSPO to stop ~~the use of single-use, disposable barbecues~~ and the release of lanterns and balloons in or on council-owned parks, open spaces and the seafront.

2.5 That Committee authorise Environmental Enforcement Officers to issue Fixed Penalty Notices for non-compliance with PSPOs in respect of ~~the use of single-use barbecues~~ and the release of lanterns and balloons.

2.6 That further research will be carried out to investigate the possibility of communal barbecues, barbecue areas or no-barbecue beaches and a report brought back to Committee with the results of those investigations.

95.5 Councillor Peltzer Dunn formally seconded the motion.

95.6 The Chair put the Labour Group motion to the vote that passed.

95.7 The Chair put the Conservative Group motion to the vote that failed.

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

95.9 **Resolved-**

1) That Committee note the results of the public consultation as detailed in Appendix 1.

2) That Committee agrees to make a PSPO to stop the use of single-use, disposable barbecues and the release of lanterns and balloons in or on council-owned parks, open spaces and the seafront.

3) That Committee requests officers bring a report back to a future meeting of ETS, outlining alternative provisions (such as, but not

limited to; permanent communal barbecue pits), that could be provided to allow residents without gardens or outdoor spaces the opportunity to enjoy barbecues.

- 4) That Committee approves the updated Environmental Enforcement Framework as detailed in Appendix 2 (tracked changes version) and Appendix 3 (clean version).
- 5) That Committee approve the £100 fine for failure to comply with the PSPOs.
- 6) That Committee authorise Environmental Enforcement Officers to issue Fixed Penalty Notices for non-compliance with PSPOs in respect of the use of single-use barbecues and the release of lanterns and balloons.

96 WILDING WATERHALL - ACCESS AND LNR DECLARATION

96.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on progress at Waterhall and requested the committee to consider the level of public access that should be allowed across the site and its designation as a Local Nature Reserve. It also advised the Committee on the implications of formally designating Waterhall (former) Golf Course as statutory access land as requested by the Tourism, Equalities, Communities & Culture Committee on 24th September 2020.

96.2 On behalf of the Conservative Group, Councillor Nemeth moved a motion to amend the recommendations as follows:

~~2.2 That Committee agrees that the Wilding Waterhall Project Area should be dedicated as access land and delegates authority to the Executive Director Economy, Environment & Culture to take all steps in relation thereto~~

96.3 Councillor Peltzer Dunn formally seconded the motion.

96.4 In response to a query from Councillor Peltzer Dunn, the Lawyer explained that the purpose of recommendation 2.2 was to give the public right of access and would not prevent development under a specific legal purpose.

96.5 In response to a question from Councillor Nemeth, the Conservation Manager explained that statutory and permissive access provided similar outcomes for nature and wildlife however the public consultation demonstrated a preference for statutory access. The Conservation Manager added that if issues arose then the act allowed for changes to be taken.

96.6 The Chair then put the Conservative Group motion to the vote that failed.

96.7 The Chair then put the recommendations to the vote that were approved. Councillors Nemeth and Peltzer Dunn requested it be recorded that they abstained on the vote.

96.8 **Resolved-**

- 1) That Committee agrees that the Wilding Waterhall project area (“the Wilding Waterhall Project Area”) should consist of the ex-golf course land and the adjoining land being managed for wildlife under the councils Higher Level Stewardship Agreement, as shown on Appendix 1.
- 2) That Committee agrees that the Wilding Waterhall Project Area should be dedicated as access land and delegates authority to the Executive Director Economy, Environment & Culture to take all steps in relation thereto
- 3) That a further report be brought to this committee if in the view of the Waterhall Management Advisory Group ongoing monitoring is showing that the agreed public access is having an unacceptable impact on the site’s biodiversity
- 4) That the Committee delegates authority to the Executive Director Economy, Environment & Culture to take the steps necessary to include the Wilding Waterhall Project Area within the council’s dog control zone
- 5) That Committee agrees that the Wilding Waterhall Project Area should be declared as a Local Nature Reserve and delegates authority to the Executive Director Economy, Environment & Culture to take all steps in relation thereto.

97 MANAGING VERGES AND WEEDS

97.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested approval to pilot a new approach to verge management and provided an update on weed management following this committee’s decision in November 2019 to reduce the use of pesticides. It also provided a response to a Notice of Motion to the committee on 18 January 2022 which agreed to set out how the council manages weeds in the future, learning from the past few years of pesticide free removal.

97.2 On behalf of the Conservative Group, Councillor Nemeth moved a motion to amend the recommendations as follows:

2.3 That Environment, Transport & Sustainability Committee strongly makes the point that the representations from residents and their elected representatives will guide locations and mowing regimes unless unreasonable.

97.3 Councillor Peltzer Dunn formally seconded the motion.

97.4 In response to a query from Councillor Fowler, the Head of Operations – Cityclean explained that the recruitment day had gone well and offers had been made to 19 candidates that may not have made an online application to a job advertisement.

97.5 The Chair then put the Conservative Group motion to the vote that passed.

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

97.7 **Resolved-**

- 1) That Environment, Transport & Sustainability Committee note the contents of this report.
- 2) That Environment, Transport & Sustainability Committee approves the verge management pilot as detailed in Section 3.
- 3) That Environment, Transport & Sustainability Committee strongly makes the point that the representations from residents and their elected representatives will guide locations and mowing regimes unless unreasonable.

98 ITEMS REFERRED FOR FULL COUNCIL

98.1 No items were referred to Full Council for information.

The meeting concluded at 8.50pm

Signed

Chair

Dated this

day of