BRIGHTON & HOVE CITY COUNCIL

PLACE OVERVIEW & SCRUTINY

6.00pm 6 OCTOBER 2026

HOVE TOWN HALL COUNCIL CHAMBER

MINUTES

Present: Councillor Evans (Chair) Fishleigh, Goddard, Meadows, Sykes, Wilkinson, Parrott, Strong and Mackey

Other Members present: Natasha Barefield (CVS), Bernadette Kent (OPC)

PART ONE

24 PROCEDURAL BUSINESS

24 Procedural Business

24a Declarations of substitutions:

Cllr Parrott for Cllr Cattell
Cllr Mackey for Cllr Winder
Cllr Strong for Cllr Lademacher

Apologies from George Woodhams and Nora Mzaoui
Natasha Barefield was invited as the CVS rep as Vic Borrill was unable to attend.

24b Declarations of interest:

24c Exclusion of the press and public:

There were no Part 2 papers so the press and public were not excluded.

25 CHAIR'S COMMUNICATION

25.1 The Chair gave the following communication:

Good evening and welcome to this Call-in meeting of the Place Overview & Scrutiny Committee. I'd like to thank everyone for attending this meeting at such short notice. This was unfortunately the only possible slot for a meeting that fitted with constitutional requirements and the availability of key people and the chamber. I'd like to inform those present that this meeting is being webcast live and will be capable of repeated viewing.

I'd like to start off by briefly explaining the purpose of a call-in meeting. If anyone has any questions, I'm sure that Giles will be happy to respond.

Call-in is an essential and legally required part of the Leader and Cabinet model, providing a mechanism for non-executive members to challenge executive decisions before they are implemented.
It is not intended to be used simply because members disagree with a decision. To be accepted, a call-in request must set out valid grounds for challenge in accordance with the Council's procedure rules and be supported by at least six members from at least two political groups. In this case, the grounds are that there was an absence of sufficient evidence on which to base a decision.

In a moment, I am going to ask Cllr McNair to present this call-in on the Red Route. I'll then ask Cllr Taylor to respond before moving to questions and discussion. Officers are here to support and provide any clarifications as needed. Once members are happy to do so, we'll move to voting on the recommendations before us. The call-in committee essentially has 2 choices: it can agree that the Cabinet decision was sound, in which case it will not refer it back and the decision can be implemented. Or it can decide that there were significant problems with the way in which the Cabinet decision was made, in which case it will refer it back to Cabinet for reconsideration, noting the aspects of the decision that are of particular concern.

There is a third choice technically open to the committee, that of referral to Council. This can only be done if the committee believes that the original Cabinet decision was contrary to the Council's policy or budget framework. As there is nothing in the call-in letter suggesting that the decision was contrary to the budget or policy framework, I don't think this is an option for us today. I do want to be clear that the only way that the committee can refer to Council is on the grounds that the decision is contrary to the budget or policy framework; otherwise, if members wish to refer the decision back it must be to the original decision maker which was Cabinet.

It is very important for members to bear in mind that they are not being asked to debate the merits of the original executive decision. Rather, they are being asked to consider whether the Cabinet decision was properly made, given the concerns about process outlined in the call-in request. I do ask that we limit questions to the process of decision-making. I will stop questioners if they are veering too far from the brief of the committee.

Finally, when the committee comes to decide whether or not to refer the Red Route decision back to Cabinet, only voting members, that is Councillors, will vote. Non-voting members are otherwise welcome to play a full part in questioning and debating the issue.

26 PUBLIC INVOLVEMENT

26.1 There were two deputations submitted by members of the public.

26.2 Catherine Lane presented her deputation:

"Fines after fines after fines."

These are the words of Azem Gashi. He was talking about Archipelagos Gyros, his restaurant on Lewes Road, after the Red Route came. He says he lost between 20 to 30% of his turnover.

A few people lost their jobs. Azem also owns two restaurants on Western Road. Today he does not know whether they can survive a Red Route there.

Paul Sankey was a butcher on Lewes Road for 14 years. He says that when the red lines came, his takings fell and suppliers refused to deliver. He says that is why he lost his business. He went bankrupt.

Amir Khan's family has run Taj on Western Road for three generations. Their shop on London Road is gone. Amir says the Red Route there contributed directly to its closure.

Those are three voices. We have heard many more, and we can put every one of them before you.

Now a Red Route is coming to Western Road, and to 185 businesses.
Once was a lesson. Twice would be a choice. Why has the decision making process completely failed to include a consideration of the inevitable economic impact? The loss of jobs? Why apply the most drastic parking enforcement option, when the Cabinet report never weighed anything less?

On 17th September, Cabinet resolved that the purpose of this scheme is "to reduce congestion in the area to allow for improved bus reliability." We share that aim. Nobody on Western Road defends illegal parking. We want the rules enforced. The report records 2,315 vehicles that drove away before a ticket could be issued. That grace period exists because loading is allowed on yellow lines. The report does not say how many of those drivers were simply making a delivery or collecting something heavy. A Red Route would ban that too.

Section 4 of the report sets out the alternatives Cabinet considered. There are only two: do nothing, or make the scheme permanent from the start. Stronger enforcement is not among them. Nor are clearer kerbside markings to prevent loading in any particular locations where congestion is an issue. The lightest tools were never weighed. The heaviest is being reached for first.

The traders would welcome working with the council on any other solution except double red lines and 24 hour camera enforcement. Unlike some other Red Routes, Western Road has no rear access. This scheme gives us ten loading bays, for nearly a kilometre of shopfront. The report says some businesses will be around 70 metres from the nearest bay. Health and safety guidance flags carrying goods more than 10 metres as a risk. The Brewery Logistics Group, whose members deliver to pubs and bars on this street, has said. Kegs weigh up to 200 kilograms. It says this scheme leaves its drivers with "an impossible choice": obey the Red Route and breach health and safety rules, or obey those rules and get a fine. In its words: "This is not a theoretical concern. It is an operational certainty."

Section 122 of the Road Traffic Regulation Act requires the council to have regard to reasonable access to premises. Seventy metres, carrying a side of meat or a barrel of beer, is not reasonable access. Members, Red Routes have a cost, and we know who pays it.

The British Heart Foundation shop on Lewes Road tells us its profits fell from £75,000 a year to £35,000. People bringing furniture to donate to a heart charity were fined £70 for stopping outside. That shop is now closing. We are told this is an 'experiment'. A shop that has closed as the result of an experiment stays closed. Ask Paul. Ask Amir.

We believe a Red Route will close many of the 185 businesses on Western Road. Please do not carry out a live experiment on the jobs of everyone who works on this street without first trying everything else. These are real people. Some will lose everything. Please send the decision back. That is not a vote against your colleagues in Cabinet. It gives them the chance to get this right.

This council's own plan says: "We continue to listen closely to our city's residents and businesses." Today, we are asking you to listen. Western Road is now closed for resurfacing. No Red Route can operate there until it reopens, so a pause costs the city nothing. Let us use that time well. The traders of Western Road will work with you and share our trading figures to show the impact of no kerbside stopping caused by the roadworks, so that the council can carry out the economic impact assessment the Chamber of Commerce and BIDs have asked for before deciding to implement this scheme.

26.3 Nigel Perkins presented his deputation:

Due to the Climate Emergency that we all face, it is even more important that we take all possible steps to encourage means of transport which have the lowest carbon emissions created per person per kilometre travelled.

Buses have a much lower impact on the environment in terms of carbon emissions per kilometre travelled per person. Red Routes always help to make bus services more efficient and hence more attractive to the travelling public.

As the Red Route is subject to an Experimental Traffic Order, the Council will be able to make changes before it is made permanent. Following a 6 week consultation period, closing on 4th January 2026, residents and businesses were able to make their views known. Feedback from the consultation confirmed that there was significant support for the plan. The Council also made changes to the number of loading bays and disabled parking spaces in response to the feedback.

As with the 2 other Red Routes, we are confident that the Council will continue to deal with the concerns of residents and businesses before they are made permanent.

It would be a terrible shame to lose this opportunity of a Red Route just when the road has finally been re-surfaced. We believe that the Council complied with established procedures before the cabinet made the decision to introduce a red route along part of Western Road.

26.4 The deputations were noted.

27 MEMBER INVOLVEMENT

27.1 There were no member questions.

28 CALL-IN: UPDATE REPORT ON WESTERN ROAD RESURFACING WORKS AND RED ROUTE

28.1 Cllr McNair presented the call-in and said that they would like to refer the matter back to Cabinet due to the serious effects the red route would have on the local economy and called for better enforcement of the current parking restrictions. Cllr McNair raised 4 main points:

- That there was no Western Road specific evidence to support the scheme's stated aims of improved bus reliability and reduced congestion
- Cabinet was only given a partial summary of the 1032 consultation responses with no breakdown of respondent type so they were unable to see how the businesses responded.
- The loading provision is not tested against the council's own evidence of demand.
- The economic effect of the scheme will only be assessed once the red route is in place and there is no baseline indicator or success criterion against which these effects will be measured.

28.2 Cllr McNair said that the British Heart Foundation and Taj had to close in London Road because of the red route there and that the Western Road red route is being introduced as an extra revenue stream for the council at the expense of people's livelihoods.

28.3 Cllr Taylor responded that this is an important decision, he did not agree with the framing of the call-in request and there is no valid reason to send it back to Cabinet. Cllr Taylor said that the aim of the red route was to reduce congestion on a busy bus route which was substantially related to widespread illegal parking that caused delays and affected bus reliability and bus times. In the year 25/26 there were 2315 recorded driveaways after enforcement which is more than 6 a day. The suggestion from the campaigners is to have more enforcement, however, there is nowhere else in the city that receives such high reports from residents of illegal parking than the Western Road area. The average bus journey time eastbound from Hove Town Hall to Churchill Square has increased by 16.7% and he stressed the importance of movement of traffic and its wider impact on the rest of the city. They need to manage this for residents and it is not about attacking small businesses or retail. Cllr Taylor said that Catherine Lane was a good campaigner and had done a good job of convincing people that the red route is the death of the high street. The red route is not about being anti-car and the future of the city is about having a mix of different transports. It is about being anti-illegal parking and not about generating income because the council won't receive any money if people park legally. Cllr Taylor acknowledged that the wording of the Experimental Traffic Regulation Order (ETRO) is not helpful as it sounds like an experiment which is misleading. The point of the ETRO is to work with businesses to test, adjust and amend the plans as needed.

28.4 Cllr Taylor said that at the moment there are double yellow lines on Western Road which makes it illegal to park and those who park to go to the shop quickly are still parking illegally. Enforcement officers have to wait 5 minutes before giving a fine and often they are unable to as people drive off. It is common for drivers to drive away from the enforcement officer, go around the block and come back again. They want to stop the illegal parking to get the traffic flowing better and make sure it works for businesses in terms of loading.

28.5 Cllr Taylor addressed the 4 points from the call-in:

- The report does include data specific to Western Road such as on illegal parking and data from the bus company on the increase of congestion and lateness of buses on that stretch of road.
- The consultation is set out in appendix 1 where there is a summary of the qualitative findings of 792 responses. It would be unreasonable to expect councillors to read all 792 responses so a summary is provided instead. The quantitative responses are displayed with questions and answers in the paper. It also includes the number of responses from businesses who have also sent submissions directly to Cabinet members as well.
- The loading provision was informed by surveys of existing loading activity which the plan was based on and therefore, demonstrates a sufficient level of loading bays.
- The point about the Economic Impact Assessment demonstrates why the ETRO is important as they cannot assess the impact until the change has been made. The ETRO allows the council to respond flexibly and in a timely manner to the needs of businesses if something isn't working for them. The council looked at the impact of red routes in other places such as London Road and Lewes Road where footfall has slightly increased. Vacancy rates are lower in the city compared to the national average.

28.6 Cllr Taylor reiterated that they do want to work with the businesses and Catherine Lane and explained that they would be monitoring impact from day one of the red route by talking to businesses. If something is not working for them then they will change things very quickly and will be monitoring the effectiveness of the scheme hoping to see less illegal parking and improved bus flow. Cllr Taylor said that disability access is very important and reminded the committee that there is no such thing as unlimited disabled parking citywide. Appendix 1 shows the planned disabled parking bays which are all a short distance to the shops. Cllr Taylor said that it is not valid to send the decision back to cabinet as the points raised as missing information are not. It is a vital role of the council to allow for good bus flow and access to residents.

28.7 Cllr Sykes said it has been a passionate campaign and the plans merit scrutiny. He was concerned about transparency in relation to financial information and felt it was a critical part of decision making as the change to the revenue budget is important. He raised whether there are alternative options and said that double yellows can be designed to have immediate enforcement. He could foresee loading issues such as between Waterloo Street and Upper Market Street where the nearby traffic island would prevent large vehicles to park for loading. People have been given fines for loading in a designated loading bay.

28.8 Cllr Taylor clarified that the financial elements of the capital programmes are important but they have been accused of only putting the red route in to make income, which is not true. Paul Nicholls, Project and Policy Lead, explained about the process of issuing penalty notices for loading vans and explained that there are not enough officers to deploy in the area. The same issue happens throughout the day where an officer is sent to enforce illegal parking but the driver will drive off and return a few minutes later. There are 40 officers at any one time covering the whole city and the stretch of Western Road is the most heavily patrolled area. Paul Nicholls explained that when an ETRO is in place, they can change things within a matter of days. The cameras are not automatic and have 2 independent officers viewing the situation. If they are not satisfied that a parking rule has been violated, they will not issue a penalty notice.

28.9 Cllr Parrott asked if there was anything else that the council could do instead and whether all possibilities for enforcement had been explored. Paul Nicholls said the only other option would be to have 3 or 4 enforcement officers continually patrolling the area which would take away from other parts of the city and is not realistic. Cllr Taylor said the number of driveaways is the problem and they could deploy an army of enforcement officers but it would be unfair on the rest of the city. It would probably get a similar outcome because of the driveaways.

28.10 Natasha Barefield said the loss of places disabled people can park safely is a problem and that some people can't be dropped off because they need someone to remain with them. It can take some people a long time to get out of the car and there is anxiety around being fined. Some disabled people now avoid areas with a red route. The radius displayed in the paper for the disabled bays does not represent the walking route for disabled people who need to be close to their destination. Some bays are on side streets which have steep hills. She asked what specific measures will be used to assess the impact on disabled people. Paul Nicholls said they are increasing engagement with local groups on the location of the disabled bays. There are also 7000 disabled bus pass holders who need to be considered as well. If someone needs more time to get out of the car, the officer monitoring the red route cameras will acknowledge this and will not issue a fine.

28.11 Cllr Goddard said he had read in the papers that 100,000 extra movements had been recorded in London Road post red route which indicated an increase in footfall. Paul Nicholls said that mobile phone data monitoring showed an increase of 2% in footfall. He explained that they had introduced 5 additional loading bays in London Road after engaging with the McDonalds there whose delivery truck was much bigger and needed more space. Cllr Taylor said that they had acknowledged that deliveries for pubs is different due to the heavy weight of beer kegs so they have not changed the loading bay areas for the Temple Bar and the Wick Inn on Western Road. They had received a letter from the pub owners saying there were no loading bay provisions for them which was inaccurate.

28.12 Cllr Goddard said that the parking regulations had not changed, it was the method of enforcement that has. Paul Nicholls said most cities have red routes and that 30% of London's traffic goes through red routes ensuring that public transport works efficiently. There is evidence of improvements in bus reliability and a reduction in collisions due to improved lines of sight.

28.13 Cllr Goddard said that the campaign had claimed the closing down of shops on London Road on the red route but that he had heard that the British Heart Foundation was closing stores nationally and the Taj had unrelated challenges. Paul Nicholls said that there are 192 businesses in London Road and there are 7 vacant sites. Cllr Taylor said that the retail industry is struggling at the moment nationally due to cost pressures. Cllr Goddard asked if they will be looking at evidence on the impact of red routes across the city. Paul Nicholls said they will be collecting this data and doing surveys.

28.14 Bernadette Kent said that accessibility and transport came up a lot at the Older Peoples' Council meeting and asked how the red route will affect these issues, and how it will be monitored and measured for success. Cllr Taylor said older people also use the bus a

lot and they can monitor that with the bus company's tap card data. They will continue to engage with community groups to see if anything needs improving.

28.15 Cllr Strong said that some disabled bays seem to be some distance down the side streets and need to be assessed in some detail to ensure that the paving is safe and potentially moved closer to the main road. The impact of pavement parking is problematic but this should be enforceable soon by a new law being introduced. Paul Nicholls said there is a disabled bay outside the pharmacy and outside the GP surgery along with bays for doctors. It is possible to switch the disabled bays with the doctors' bays so that they are closer. These details will be looked at as part of the process. The bus company has said that reliability has increased by 2% from 75% to 77% along London Road and by 4% from 80% to 84% along Lewes Road and they will use the same measures for Western Road.

28.16 Cllr Strong said that London has flexible bays that can be used for different purposes at different times of the day including becoming parklets during the daytime when it's not needed for loading. Paul Nicholls said they are looking at bookable bays where a company can book a loading bay for an hour and it will be blocked for them and anyone else using it will be fined. However, changing the use at certain times of the day isn't always possible due to the high volume of buses passing through 24/7.

28.17 Cllr Strong said there are 185 businesses in Western Road but only 32 responded to the consultation and they need to reach out to those businesses that did not. Cllr Taylor said the ETRO gives them the opportunity to test and learn. Businesses are opposed to the red route and concerned about its impact so their barriers go up. The council will talk to them, keep them engaged and carry on listening. Paul Nicholls said their experience of London Road and Lewes Road was good where they approached businesses and had a conversation one-on-one and made changes as required. This will be the approach taken with Western Road.

28.18 Cllr Wilkinson said that he does not think that this matter should be referred back to Council as the call-in does not meet the requirements. He wanted to establish whether material evidence was missing when the decision was made by Cabinet. What evidence from Western Road regarding bus delays was available to Cabinet when making their decision? Was the capacity of the proposed 10 loading bays assessed against the demand including duration of delivery and the ability for simultaneous deliveries? How was the 70 metre maximum distance from a loading bay decided and were practicalities such as pavement conditions and having to cross roads considered? Were suppliers asked for their opinion? Did all of this information go to Cabinet? Paul Nicholls said the solutions to these points would be worked out under the process of the ETRO and adjustments will be made along the way, such as a City Car Club bay that is not used being replaced by a loading bay. Cllr Taylor said that there had been representation from the brewery group but he wasn't sure about other suppliers. The nature of the ETRO is to flush out immediate issues and he pointed out that at the moment there is no guarantee that deliveries can be made outside businesses due to all the illegally parked cars and traffic flow. Cllr Taylor said that it was clear that there is a problem with this stretch of road and that decisions need to be based on legal framework and good evidence which the report provides. The ETRO will allow for more details to be drawn out as part of the process.

28.19 Cllr Mackey asked about some conflicting details in the report regarding footfall and air quality. Paul Nicholls said it was difficult to definitively attribute improvements in air quality on Lewes Road and London Road on the red route but that the data suggests there is less congestion which would result in this. Cllr Taylor said that the report is being cautious and not over-promising to transform air quality which is why this is not an objective of the decision. Evidence across the country shows that reduced congestion results in better air quality.

28.20 Cllr Fishleigh said that other cities had undertaken economic impact assessments prior to putting in a red route, such as Luton and Birmingham. She said that the loading bay outside Taj on London Road was often blocked by other businesses and that they need to look at the frequency of deliveries. It is not good enough to say that they will sort it out as they go along as they need the basic information first. Paul Nicholls said they will look at what metric Luton used for this. They are looking at bookable bays which will be more efficient and wouldn't allow for other people to block the loading bay. They use the responses to the consultation as a starting point where they asked about the frequency of deliveries and size of the vehicle when designing the bays. Cllr Fishleigh said there are 185 businesses on Western Road and asked how they can coordinate that many deliveries, which will not always be on time. Paul Nicholls said this isn't the first time they have installed a red route and that they have a lot of contact with the businesses and will adjust things as a result of those discussions. They don't hear from those businesses on London Road anymore because things are working. They will give letters to all the businesses with a named contact to report if something isn't working. Cllr Taylor said that 30% of road traffic in London goes across red routes and the councils are able to respond to issues. They can't be fixed 10 seconds after being reported but it will happen.

28.21 Cllr Fishleigh said they had received a letter from the brewery saying that the red route fails Section 122 balancing test which is not mentioned in the report and is actually illegal. She asked if the letter had been presented to Cabinet. Paul Nicholls said he did not understand why the letter stated that there was no loading bay provision when there was. No change has been made to the current arrangements on Western Road for the pubs that they had made enquiries about. Cllr Taylor said there is no legal issue.

28.22 Cllr Fishleigh asked how many of the 2315 driveaways were blue badge holders or deliveries. Paul Nicholls said none of them were blue badge holders and very few for deliveries. He had spoken to enforcement officers who said they saw people come out of the shop and drive around the block. Enforcement officers will wait as long as it takes for loading vehicles and will not fine them. Cllr Fishleigh said her bus journey from Saltdean has become slower and congestion has got worse in the city. Cllr Taylor said that there are pinchpoints in the city due to old Victorian roads dealing with higher numbers of cars. Cllr Evans said that they are not discussing the merit of the scheme but on the soundness of the decision being made.

28.23 Cllr Meadows asked about phone data being used to calculate footfall and whether it was done in the summer or when there were 50,000 students living in the city and that it doesn't say whether they're out shopping. She asked about larger vehicles coming into the city to make deliveries that have multiple stops across Sussex and that it is difficult to have coordinated deliveries at certain times when they might get stuck in traffic. It is difficult to make a decision when you don't know the economic impact and they should

look at the existing red routes where they have got the data. She said that London generated £90 million from their red routes and that this is a cash making exercise. Food deliveries and taxis will find it difficult to operate and risk fines from the cameras and that people have been fined when loading in London Road. Cllr Meadows asked if the red route ends up being detrimental to the area, will it actually be removed? Cllr Taylor said that phone data doesn't show how much people are spending but it does show footfall; that bus reliability needs to be improved on Western Road; that London is a much bigger city and £50,000 revenue in Brighton is very small and the decision is not about revenue. Paul Nicholls said that there are very few deliveries at the rear on Western Road and the same applies to many parts of London Road and Lewes Road. He said that they had catered for food delivery and pick up and had worked closely with McDonalds on London Road to provide for their high numbers of delivery vehicles. Cllr Taylor said there is no assumption that the red route will become permanent and that is a decision to be made by a future Cabinet after assessing the balance of everything including disabled access, bus reliability, parking and loading.

28.24 Cllr Wilkinson asked about disabled access and that the radius circles on the map doesn't show accessible walking routes; what assessments were available at the time of the decision being made? Paul Nicholls said the initial assessment was based on key areas where disabled people need access and the Your Voice consultation invited people to comment on the design. The engagement is ongoing and they are looking at the area as a whole, checking data and making improvements. Cllr Wilkinson asked how quickly they will respond if something is reported as not working and what circumstances would trigger a change and who will make it. Paul Nicholls said they will write to all businesses and if they feel the bay needs to be moved then they can move it within a few days. The delegated authority lies with the director.

28.25 Cllr Mackey said she was reassured that the safeguards and baseline assessments were sound when Cabinet made the decision. Cllr Taylor said the nature of the ETRO allows the flexibility to be responsive with mechanisms in place to fix things quickly. They will engage with businesses as it is rolled out. Cllr Goddard agreed that the decision was sound.

28.26 Cllr Evans said she would like this to come back to scrutiny at a later date and moved to a vote:

Having regard to the grounds for call-in and the information supplied in response: Does the committee agree –

2.1 To determine that the challenge to the decision called-in should be taken no further and the decision may be implemented; or

2.2 To determine that that the decision called-in is contrary to the policy framework or contrary to or not wholly in accordance with the budget framework and that is should therefore be referred to full Council. In such a case the Committee must set out the nature of its concern to full Council; or

2.3 To refer the decision called-in back to Cabinet for reconsideration. In such a case the Overview & Scrutiny Committee must set out the nature of its concerns for Cabinet.

The majority voted in favour of 2.1

28.27 RESOLVED – Place Overview & Scrutiny Committee determines that the challenge to the decision called-in should be taken no further and the decision may be implemented.

The meeting concluded at 8.49pm

Signed Chair

Dated this day of