





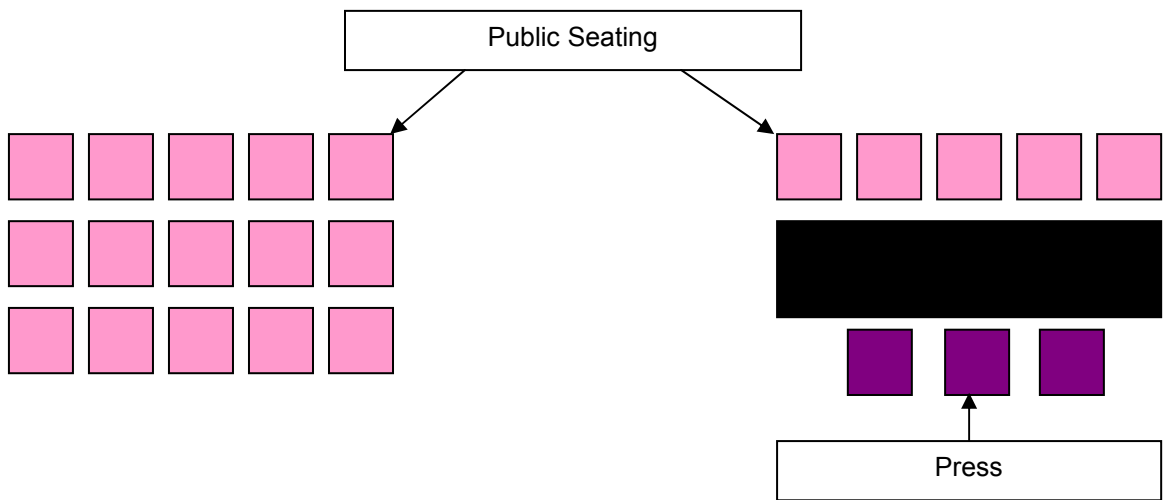
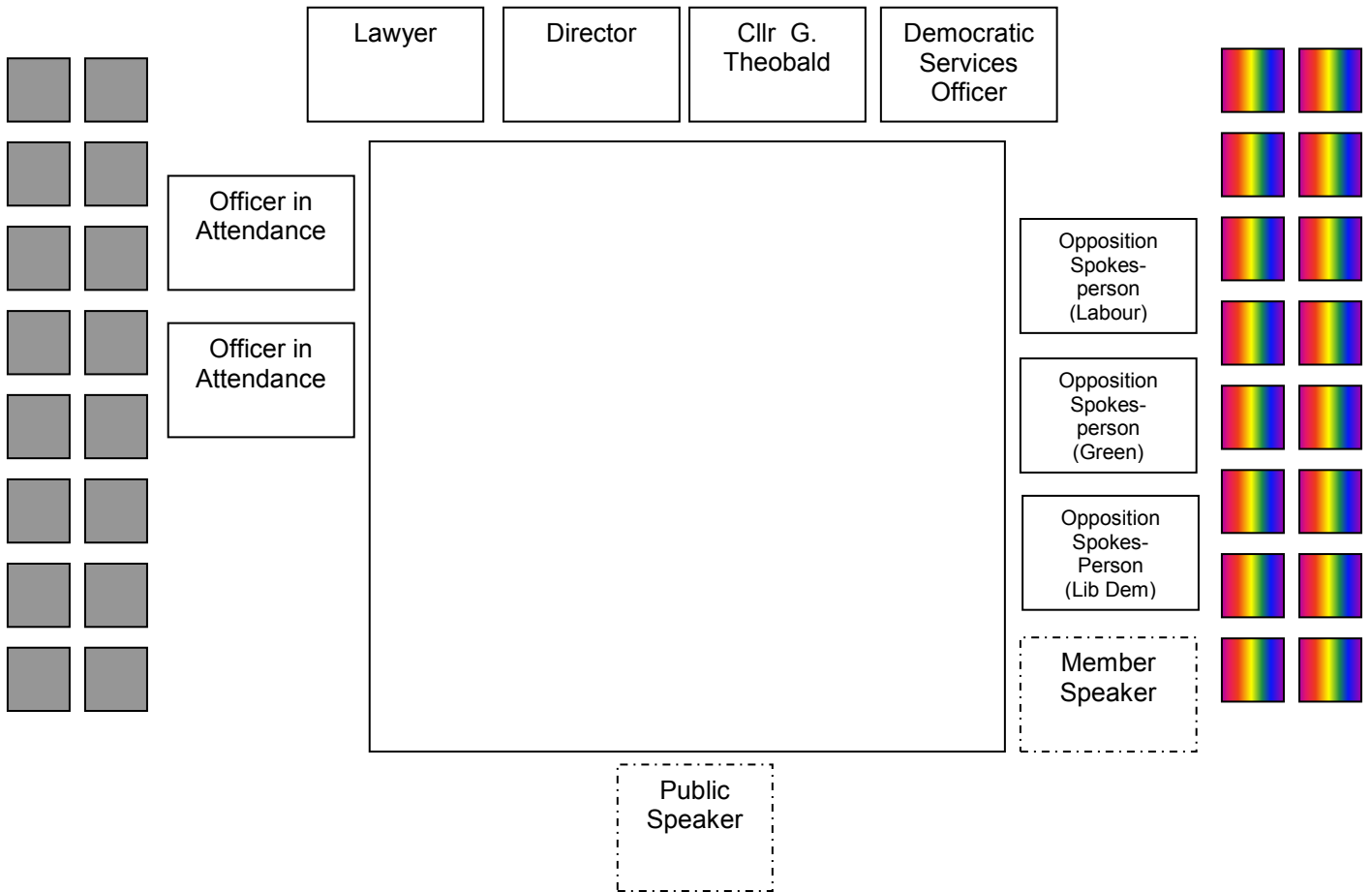
Brighton & Hove
City Council

Cabinet Member Meeting

Title:	Environment Cabinet Member Meeting
Date:	26 July 2010
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillor: G Theobald (Cabinet Member)
Contact:	Tanya Massey Acting Democratic Services Manager 01273 291227 tanya.massey@brighton-hove.gov.uk

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Democratic Services: Meeting Layout



AGENDA

14. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

15. MINUTES OF THE PREVIOUS MEETING

1 - 6

Minutes of the meeting held on 10 June 2010 (copy attached).

16. CABINET MEMBER'S COMMUNICATIONS

17. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokesperson
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

18. PETITIONS

7 - 10

Report of the Director of Strategy & Governance (copy attached).

Contact Officer: Tanya Massey

Tel: 29-1227

Ward Affected: All Wards

ENVIRONMENT CABINET MEMBER MEETING

19. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 19 July 2010)

No public questions have received by date of publication.

20. DEPUTATIONS

11 - 22

(The closing date for receipt of deputations is 12 noon on 19 July 2010)

- (a) **Deputation concerning parking management for Brighton & Hove** (copy attached).
- (b) **Deputation concerning byelaws relating to pleasure grounds, public walks and open spaces** (copy attached).
- (c) **Deputation concerning an application to have Tivoli Crescent North (Withdean Road to Tivoli Crescent section) included within Brighton & Hove Council controlled parking Zone A** (copy attached).

21. LETTERS FROM COUNCILLORS

No letters have been received.

22. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

23. NOTICES OF MOTION

No Notices of Motion have been received.

SUSTAINABLE TRANSPORT MATTERS

24. Portland Road Loading Bay

23 - 28

Report of the Director of Environment (copy attached).

Contact Officer: Charles Field Tel: 29-3329
Ward Affected: Westbourne

25. Tivoli Crescent resident parking scheme consultation

29 - 34

Report of the Director of Environment (copy attached).

Contact Officer: Charles Field Tel: 29-3329
Ward Affected: Withdean

ENVIRONMENT CABINET MEMBER MEETING

26. London Road Station area - Resident Parking Scheme Formal Consultation 35 - 48

Report of the Director of Environment (copy attached).

Contact Officer: Charles Field Tel: 29-3329
Ward Affected: East Brighton;
Rottingdean Coastal

27. Streetscape Design Guidelines 49 - 52

Report of the Director of Environment (copy attached).

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

28. Response to the report of the Overview & Scrutiny Committee Scrutiny Panel on 'Street Access Issues' 53 - 90

Report of the Director of Environment (copy attached).

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

29. Response to the report of the Environment & Community Safety Overview & Scrutiny Committee on 'The Winter Service Plan Review' 91 - 120

Report of the Director of Environment (copy attached).

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

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Tanya Massey, (01273 291227, email tanya.massey@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 16 July 2010

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT CABINET MEMBER MEETING

4.00PM 10 JUNE 2010

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor G Theobald (Cabinet Member)

Also in attendance: Councillors Mitchell (Opposition Spokesperson, Labour) and West (Opposition Spokesperson, Green)

Other Members present: Councillors Allen and Kennedy

PART ONE

1. PROCEDURAL BUSINESS

1a Declarations of Interests

1a.1 Councillor Mitchell declared a personal and prejudicial interest in Item 13, a report of the Director of Environment concerning the Area H extension parking scheme proposal, as she lived in the affected area. Councillor Mitchell advised that she would leave the meeting during consideration of the item.

1b Exclusion of Press and Public

1b.1 In accordance with section 100A of the Local Government Act 1972 ('the Act'), the Cabinet Member for Environment 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 nature of the business to be transacted or the nature of the proceedings, that if members of the press or 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 100I(1) of the Act).

1b.2 **RESOLVED** – That the press and public be not excluded from the meeting.

2. MINUTES OF THE PREVIOUS MEETING

2.1 **RESOLVED** – The minutes of the meeting held on 11 May 2010 were approved and signed by the Cabinet Member as a correct record.

3. CABINET MEMBER'S COMMUNICATIONS

3.1 There were none.

4. ITEMS RESERVED FOR DISCUSSION

4.1 That all the items be reserved.

5. PETITIONS

5.1 There were none.

6. PUBLIC QUESTIONS

6.1 There were none.

7. DEPUTATIONS

7.1 There were none.

8. LETTERS FROM COUNCILLORS**8(a) Letter – Anston House and adjoining site**

8.1 A letter was received from Councillor Allen concerning the occupants of the Anston House site and the site adjoining it. Councillor Allen was concerned that no progress appeared to have been made and that there were now more travellers present on the site; he requested an update on the situation and information on the council's long term proposals in relation to the sites.

8.2 The Cabinet Member explained that officers gained access onto the site during the previous week and a further multi agency meeting would take place on Monday 14 June to discuss the best course of action to remove the van dwellers. A course of action was expected to be agreed and implemented shortly after. He advised that planning enforcement officers intended to serve a Section 215 notice on the companies or individuals with an interest in the land within two weeks. The notice would require the land to be cleared of all rubbish and decaying vegetation and for the condition of the office building to be improved within 6 months. It was hoped that this would encourage those involved to bring forward a long term proposal for the site or at the very least improve its appearance and security of the land to avoid further problems arising in the future.

8.3 The Lawyer to the meeting gave assurances that achieving a resolution was a high priority and a multi-agency meeting had quickly agreed action following the last Cabinet Member Meeting. On the first attempt to access the site following the last CMM, access was refused and the correct legal procedure then had to be followed to notify the van dwellers of the Council's intention to carry out another site visit, including notification that a Court warrant would be sought if no access was granted. Having subsequently been granted access, the Council was now in the process of gathering the requisite evidence to pursue Court action. Officers were making the necessary investigations and

collecting evidence. She confirmed that, as access to the site had now been obtained, the Section 215 notices could be served imminently.

8.4 **RESOLVED** – That the letter be noted.

9. WRITTEN QUESTIONS FROM COUNCILLORS

9.1 There were none.

10. NOTICES OF MOTION

10.1 There were none.

11. CHALKY ROAD, PORTSLADE CASUALTY REDUCTION SCHEME

11.1 The Cabinet Member considered a report of the Director of Environment seeking approval to enhance existing traffic calming features in Chalky Road, Portslade.

11.2 The Cabinet Member explained that, following the tragic fatal accident involving a child in Chalky Road in 2008, he had been working closely with officers and local Ward Members to ensure that action was taken to make the road safer, and that report proposed the implementation of further road safety measures.

11.3 Councillor Mitchell welcomed the report and in particular the relocation of build-outs, which were felt locally to be having a detrimental effect on road safety. She added that she hoped the need for a controlled crossing point would be kept under review.

11.4 Councillor West welcomed the measures, but raised concerns over the decision not to install a controlled crossing point; he asked for further information on the safety audits carried out and what evidence the council had used to determine that infrequently used crossing were dangerous. He also questioned whether the passive crossing point located near to the bus stop presented visibility concerns.

11.5 The Cabinet Member reported that during his visit to the site it had been evident that no single defined crossing point was preferred by pedestrians and that it would therefore not be appropriate to install a controlled crossing.

11.6 The Assistant Director for Sustainable Transport advised that the scheme had been safety audited and that a further audit would be carried out once the scheme had been given time to bed in. He explained that there was a requirement for national criteria to be met in order to install a crossing and that this included the presence of a single natural crossing point preferred by pedestrians. Any crossing point would be used infrequently and government evidence had shown that drivers would therefore be inclined to ignore it, making it more dangerous. He added that the crossing near to the bus stop was used most regularly and the intention was to adjust its location to improve visibility.

11.7 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

- (1) That approval be given to progress the recommended sites set out in the report to detailed design stage and to begin construction.

12. QUEEN'S PARK SAFER ROUTES TO SCHOOL SCHEME

- 12.1 The Cabinet Member considered a report of the Director of Environment seeking permission to begin public consultation on the Safer Routes to School Scheme measures.
- 12.2 The Cabinet Member advised that the locations had been chosen due to the number of collisions in the area during school journey times over the previous three years. The proposed scheme would improve safety for families and children at Queen's Park and Carlton Hill Primary Schools as well as the Royal Spa and Tarnerland Nurseries.
- 12.3 Councillor Mitchell welcomed the report and added that such schemes were a good way of involving schools and children in the process and raising awareness of road safety and sustainable travel in children at an early age.
- 12.4 Councillor West advised that, while he was supportive of the intention, he was not convinced that the measures proposed would make a significant enough difference to encourage people to feel safe enough to travel sustainably. He suggested that inclusion of Killed and Seriously Injured (KSI) casualties data would have helped to inform the decision on the proposals and queried why some suggestions made in the consultation had not been taken forward. He added that it was not clear from the report what the proposals hoped to achieve.
- 12.5 The Assistant Director for Sustainable Transport explained that KSI data was not easy to follow, but that the key information had been distilled into the report. He advised that small measures were capable of making a significant difference and that officers would feed Councillor West's comments in relation to the motorcycle bay in Freshfield Road into the final proposals.
- 12.6 Councillor Theobald advised that the measures were aimed at reducing the number of casualties and that officers had proposing the best technical ways of achieving that aim. He encouraged residents and councillors to respond to the consultation.
- 12.7 The Director of Environment explained that Safer Routes to Schools schemes took an iterative approach, with the council working with the school to achieve improved safety for children travelling to and from school; the proposals in the report were intended for public consultation and the final proposals would come to a future Cabinet Member Meeting. She added that it was possible to implement a large number of smaller measures within the allocated budget in order to achieve the council's road safety priorities.
- 12.8 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:
- (1) That the initial principles of the proposed road safety measures be approved and permission be given to begin formal public consultation.

13. AREA H EXTENSION AREAS - RESIDENT PARKING SCHEME FORMAL CONSULTATION

- 13.1 The Cabinet Member considered a report of the Director of Environment addressing comments and objections to the draft traffic regulation order for the Area H extension parking scheme proposal and seeking approval for the order, subject to any amendments.
- 13.2 The Cabinet Member advised that the proposal had been outlined in an advertised Traffic Regulation Order following the decision made at the Environment Cabinet Member Meeting on 24 September 2009 and was supported by Ward Councillors. He reported that only six objections have been received to the traffic order which was a very small amount for a residents parking scheme proposal and that only four were within the affected area.
- 13.3 Councillor West suggested that it was worrying that very few responses had been received and raised concerns about the level of engagement with residents.
- 13.4 The Parking Strategy Manager explained that informal consultation had already taken place, with 60% of residents in favour of the proposals. The Council had subsequently followed the same process used for all parking scheme consultations, but received only a small number of objections; a number notices had been placed on every street and were replaced several times during the consultation period.
- 13.5 The Director of Environment explained that if officers would have expected to hear very early on in the process if residents or ward councillors opposed the proposed scheme. She added that the council was only requesting objections at this point in the process and that officers were confident that residents were aware and happy with what had been proposed.
- 13.6 The Cabinet Member stated that the proposals were well-publicised and that, if only a few objections were received, the council had to assume that residents and ward councillors were happy.
- 13.7 **RESOLVED** - That having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That having taken account of all duly made representations and objections, the following order be advertised;
 - (a) Brighton & Hove Various Controlled Parking Zone Consolidation Order 2008 Amendment Order No* 20** (Area H Extension).
 - (2) That any amendments included in the report and subsequent requests deemed appropriate by officers be added to the proposed scheme during implementation and advertised as an amendment traffic regulation order.

The meeting concluded at 4.35pm

Signed

Cabinet Member

Dated this

day of

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 18

Brighton & Hove City Council

Subject:	Petitions		
Date of Meeting:	26 July 2010		
Report of:	Director of Strategy & Governance		
Contact Officer:	Name:	Tanya Massey	Tel: 29-1227
	E-mail:	tanya.massey@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	Various		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive the following petitions presented at Council, any petitions presented directly to the Environment Cabinet Member Meeting or any e-Petition submitted via the council's website.

18. (i) To receive the following e-Petition submitted via the council's website by Councillor Rachel Fryer and presented at Council on 15 July 2010 signed by 375 people:

We the undersigned petition the council to review the operation of the dog control order in Queens Park, and to return all areas to the dog-free status which they enjoyed prior to January 2009. We are dismayed to learn that the council Dog Control Order which came into force in January 2009 has overturned historic arrangements which were arrived at through community negotiation and campaigning. Permitting dogs free access to the southern lawns threatens the health and enjoyment of users of this popular space and undermines the value of the lake as a habitat for birds. We believe that the historic 'dog friendly' area of the northern lawn is an adequate and convivial space for those wishing to exercise their dogs, and that the council consultation failed to take account of specific local issues and arrangements, or to adequately seek out local opinion and has created an imbalance between the needs of those affected by dogs and the needs of those seeking to exercise dogs in Queens Park, where none previously existed.

18. (ii) To receive the following e-Petition submitted via the council's website by Paul Mendlesohn and presented at Council on 15 July 2010 signed by 68 people:

We the undersigned petition the council to NOT ban dogs from the Southern Lawns, lake and Wild Park areas of Queens Park.

18. (iii) To receive the following e-Petition submitted via the council's website by Alasdair Buchan and signed by 63 people:

We the undersigned petition the council to include Springfield Road, Florence Road and the section of Southdown Avenue between them in the extension to

the existing Controlled Parking Zone J (London Road Station area residents parking scheme). We find parking in our own streets very difficult already. We call upon the Council to address the fact that displacement from south of the railway line will make parking much worse for us if our streets are not included in this scheme.

- 18. (iv)** To receive the following e-Petition submitted via the council's website by Stephen Hodgkinson and signed by 26 people:

We the undersigned petition the council to undertake a parking survey covering all of the streets included in the Area J Extension implemented in November 2009.

- 18. (v)** To receive the following petition presented directly to the Environment Cabinet Member Meeting by David Denyer and signed by 287 people:

The council intends to introduce sheep, penned within electric fencing, on Ladies Mile Nature Reserve, depriving the people of Patcham of the right to use that area for recreation and dog-walking. We, the undersigned, oppose this action as we wish to retain the limited leisure facilities which we have and also because sheep carry ticks and other diseases and are inappropriate in a residential area.

- 18. (vi)** To receive the following two petitions presented directly to the Environment Cabinet Member Meeting by Councillor Bennett and signed by 50 and 49 people respectively:

We, the undersigned residents of the upper section of The Droveaway (Shirley Drive to Dyke Rd) and Elrington Road respectfully request Brighton and Hove council to consider our proposals to ease Long term parking and safety issues in the above mentioned roads.

We request that the council consider treating this part of The Droveaway as a separate issue to that of the Stanford section (area B)

This Part of The Droveaway has unique issues unfelt in other areas.

- 1 – Tesco Express*
- 2 – Lancing School*
- 3 – Tennis Club*
- 4 – A Dairy*

There are no other roads with so many issues to take into consideration in such a small area and therefore we feel The Droveaway and Elrington Road needs to be considered again, separately, for parking restrictions on the grounds of the safety of the children coming and going into the school and our own families and harmony amongst the people using this area.

The issue of safety with speeding cars could easily be resolved with a number of speed bumps along The Droveaway.

Petition 1

The first proposal and preferential to the majority of residents is :

SINGLE YELLOW LINES WITH TIME RESTRICTIONS

As have been implemented in the surrounding Roads such as Hove Park Road, Rigden Road and a great number of Roads in the Hove area.

This scheme would work well in this road allowing parents to drop off and pick up either end of the day and shoppers to use the Tesco store easily without parking on pavements, in front of peoples driveways and sometimes in their driveways!

It would also dispel the long term parkers and campers in this road that are sometimes here for months at a time.

Petition 2

The second proposal and acceptable to the majority of residents is :

THE PROPOSED PARKING SCHEME AS LAID OUT BY THE COUNCIL PLANNERS-STANFORD AREA B:

WITH THE EXCEPTION OF THE 11 HOUR LIMITS IMPLIMENTED ON THE SHARED PERMIT HOLDERS AND LONG TERM PARKING (WE REQUEST IT BE REDUECED TO 4 HOUR)

If this section remained 11 hours we would still have the long term parking problem we already have and it would again prevent parents dropping off and picking up to and from the school.

- 18. (vii)** To receive the following e-Petition submitted via the council's website by Bill Cowell and signed by 107 people:

We the undersigned petition the council to to get together with the Police urgently to organise a way forward which will put a stop to the BBQ damage and desecration of Hove Lawns. The Council says the police should enforce the by-laws. The police say it is the Council's responsibility. Meanwhile 'Hove Lawns' along the seafront in Hove are damaged by large numbers of people having BBQs on The Lawns every summer.

- 18. (viii)** To receive the following e-Petition submitted via the council's website by Jacqueline Storey and signed by 57 people:

We the undersigned petition the council to Allocate some funding to refurbish and upgrade Victoria Park's play area to bring it up to date with other parks in the city.

DEPUTATIONS FROM MEMBERS OF THE PUBLIC

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for the hearing of depositions from members of the public. Each deposition may be heard for a maximum of five minutes following which the Cabinet Member may speak in response. The deposition will be thanked for attending and its subject matter noted.

(a) Deputation concerning parking management for Brighton & Hove – Mr Robert Rosenthal (Spokesperson)**THE PROBLEM**

1. Excessive car ownership and multiple car households.
2. Street space used for long term parking by garages, traveller and recreational vehicles as well as abandoned vehicles.
3. Piecemeal CPZs/Resident Parking Schemes which create local conflict and displace long term parking, multiple household vehicles and those unwilling to pay for permits to neighbouring areas.

THE SOLUTION: A CITY-WIDE SOLUTION

1. Every household to be issued with one FREE vehicle parking permit.
2. The existing system of a patchwork of separate zones would be phased out to be replaced by a simple 'inner' and 'outer' zone system to protect central residents and deter drive-ins to the centre.
3. Households without a car can return the permit for a rebate on Council Tax. This allows the Council to reward households without vehicles. The amount of the rebate to be significantly greater than the cost of an additional permit (see 3 below) to deter a black market in permits.
4. Any household can apply and pay for additional permits. This allows Councils to deter any household from multiple vehicle ownership. Each successive additional permit should cost incrementally more than the previous. The extent of the incentive /disincentive can be varied as the scheme progresses.
5. Trade vehicles have to pay for permits to park on the road as they do at present.
6. The entire city is included in this plan.
7. Vehicles park anywhere that is permitted.
8. No demarcation of parking spaces, white lines, signage and posts or parking permit machines are necessary. No associated costs are therefore involved. EXCEPT in key tourist locations eg seafront where visitor/resident shared bays continue to be used.
9. Wardens patrol streets as at present, issuing tickets to any vehicles without valid permits.
10. Visitor permits to be bought from newsagents as scratch cards, by mobile phone or bought online. No additional machines are necessary.
11. The cost of permits and parking wardens to be accrued from parking fines and purchase of additional permits.
12. Council to provide low cost, off road long term parking space away from residential areas in peripheral sites. Possible sites to be investigated.

(b) Deputation concerning byelaws relating to pleasure grounds, public walks and open spaces – Mr M Murray (Spokesperson)

1. It is now thirteen years since the Unitary Authority of Brighton & Hove City Council has been in being and it has become increasingly clear that the old, but extant, byelaws of the former Brighton Borough Council relating to Pleasure Grounds, Public Walks and Open Spaces have become increasingly unenforceable. As a result, the behaviour of a growing minority of the users of the excellent facilities the citizens enjoy has come to blight the pleasure of the majority.
2. This irresponsible behaviour has become especially noticeable in Stanmer Park and the Stanmer Park Stakeholders Group resolved to bring the matter to the attention of the Council by preparing a set of proposed byelaws to cover all the areas of most concern and repeated abuse.
3. The attached draft proposal (Item 20(b) Appendix 1) has been prepared by a legal executive member of the Friends of Stanmer Park in consultation with the Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders Group. It is based on the original Brighton Borough Council byelaws, a number of other Local Authority recent byelaws and the 2006 recommended example byelaws issued by the Office of the Deputy Prime Minister.
4. It is requested that these proposed byelaws be referred to officers for further refinement and public consultation before, hopefully, being adopted by Council. Furthermore, it is strongly recommended that they should then be published on the Council's excellent website.

(c) Deputation concerning an application to have Tivoli Crescent North (Withdean Road to Tivoli Crescent section) included within Brighton & Hove Council controlled parking Zone A – Peter Meekings (Spokesperson)

- Since the creation of Parking Zone A in Oct 2009, Tivoli Crescent North, which lies just outside the northern border of the Zone, has suffered extreme overcrowding of parked cars due to :
 - commuter car users not wanting to pay the charges in Zone A and therefore parking just outside the zone
 - residents in Zone A not wanting to pay for a Residents Permit and therefore parking just outside the zone
 - residents in Zone A with cars and vans they only use occasionally 'dumping' those vehicles for long periods of time just outside the zone.
- In October 2009 the residents of Tivoli Crescent North formed an 'action committee' which lobbied local Ward Councillors and in November 2009 submitted a petition to B&H Council asking for the introduction of controlled parking in Tivoli Crescent North. We were told no further controlled parking arrangements would be made in our area for at least 3 or 4 years.
- The congested parking in Tivoli Crescent and Tivoli Crescent North became so bad that it created a dangerous blind junction between these two roads which required the introduction of yellow lines at the junction in May this year. This, of course, meant cars and vans displaced from this stretch of road

causing *further* parking congestion in the rest of Tivoli Crescent and Tivoli Crescent North.

- Upon learning recently that residents of Tivoli Crescent were continuing to campaign to be included in Zone A, we have canvassed all residents in Tivoli Crescent North and of the 26 households, 23* (88%) have signed a petition requesting that Zone A be extended to Tivoli Crescent North between Withdean Road and Tivoli Crescent for the following reasons :
 - to stop *exactly the same* parking overcrowding currently experienced in Tivoli Crescent North as is being experienced in Tivoli Crescent
 - to prevent the *further* chronic over-spill parking in Tivoli Crescent North that would *certainly* take place if Tivoli Crescent *alone* were included in Zone A.
 - to give residents of Tivoli Crescent North access to street parking within a reasonable distance of their home
 - to maintain a unity between Tivoli Crescent and Tivoli Crescent North
 - to encourage commuters to use the extensive and under-utilised Zone A parking provided for them in Woodside Avenue and Hampstead Road

This request from the residents of Tivoli Crescent North is not a knee-jerk reaction to the application from our neighbours in Tivoli Crescent but a *re-statement* of the desire expressed in the petition we submitted to the Council in November 2009 for controlled parking in our road.

* Of the three non-signatories, 79 Tivoli Crescent North is currently unoccupied and the occupants of 85 Tivoli Crescent North are on holiday.

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

BRIGHTON AND HOVE CITY COUNCIL BYELAWS

Pleasure Grounds, Public Walks and Open Spaces

Byelaws made by Brighton and Hove City Council under s164 of the Public Health Act 1875 and Sections 12 and 15 Open Spaces Act 1906.

Interpretation

1. In these Byelaws:-

“the Council” means Brighton and Hove City Council.

“the ground” means each of the grounds referred to in the Schedule to these Byelaws.

Opening Times

2. On any day on which the ground is open to the public, no person shall enter it before the time, or enter or remain in it after the time, indicated by a notice placed in a conspicuous position at the entrance to the ground.

Vehicles

3. (1) No person shall, without reasonable cause, ride or drive a cycle, motor cycle, motor vehicle or any other mechanically propelled vehicle in the ground, or bring or cause to be brought into the ground a motor cycle, motor vehicle, trailer or other mechanically propelled vehicle (other than a cycle) except in any part of the ground where there is a right of way for that class of vehicle.

(2) No person shall, without reasonable excuse, ride a cycle, except in any part of the ground where there is a right of way for cycles, or along such routes as may be fixed by the Council and indicated by signs placed in conspicuous position in the ground.

(3) If the Council has set apart a space in the ground for vehicles of any class, this byelaw shall not prevent the riding or driving of those vehicles in the space so set apart, or on a route, indicated by signs placed in conspicuous positions, between it and the entrance to the ground.

(4) This byelaw shall not extend to invalid carriages.

(5) In this byelaw:-

“cycle” means a bicycle, tricycle, or a cycle having four or more wheels not being in any case a motor cycle or motor vehicle;

“invalid carriage” means a vehicle, whether mechanically propelled or not, the unladen weight of which does not exceed 150 kilograms, the width of which does not exceed 0.85 metres and which has been constructed or adapted for use for the carriage of one person, being a person suffering from some physical defect or disability and is used solely by such a person;

“motor cycle” means a mechanically propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which unladen does not exceed 410 kilograms;

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

“motor vehicle” means a mechanically propelled vehicle, not being an invalid carriage, intended or adapted for use on roads;

“trailer” means a vehicle drawn by a motor vehicle, and includes a caravan.

Overnight Parking and Speed

4. (1) No person shall, without the consent of the Council, leave or cause or permit to be left, any vehicle in the ground between the hours of midnight and 6am.

(2) A person shall not, in the ground, drive any vehicle at a speed exceeding 15mph except in Stanmer Park & Waterhall Playing Fields where a person shall not drive a vehicle at a speed exceeding 20mph.

(3) No person shall in the ground drive a vehicle as a learner driver.

Horses

5. No person shall in the ground intentionally or negligently ride a horse to the danger of any other person using the ground.

6. No person shall, except in the exercise of any lawful right or privilege, ride a horse in the ground.

Climbing

7. No person shall, without reasonable excuse, climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

Structures

8. (1) No person shall, without reasonable excuse, remove from or displace in the ground any barrier, railing, post or seat, or any part of and structure or ornament, or any implement provided for use in laying out or maintenance of the ground.

(2) No person shall wilfully, carelessly or negligently deface, injure, destroy, soil or defile any wall or fence in or enclosing the pleasure ground, or any building, barrier, railing, post, or seat or any erection or ornament.

(3) A person shall not affix any bill, placard or notice to or on any wall or fence in or enclosing the ground or to any tree or plant or to any building, barrier, railing, seat or any other erection or ornament.

9. No person shall, without the consent of the Council, erect any post, rail, fence, pole, tent, booth, stand, building or other structure.

Camping

10. No person shall in the ground, without the consent of the Council, erect a tent or use any vehicle, including a caravan or motor home, or any other structure for the purpose of camping, except in any area which may be set apart and indicated by notice as a place where camping is permitted.

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

Children's Play Areas

11. (1) No person who has attained the age of 14 years shall enter or remain in the children's play area in any of the grounds listed in the schedule to these Byelaws.

(2) This byelaw shall not apply to any person who is bona fide in charge of a child under 14 years of age.

Children's Play Apparatus

12. No person who has attained the age of 14 years shall use any apparatus in the ground which, by notice placed on or near thereto, has been set apart by the Council for the exclusive use of persons under the age of 14 years.

Trading

13. No person shall in the ground without the consent of the Council, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire, any commodity or article.

Grazing

14. No person shall without the consent of the Council, turn out or permit any animal to graze in the ground.

Protection of Flower Beds, Trees, Grass etc

15. No person who brings or causes to be brought into the ground a vehicle shall wheel or park it over or upon:

- (a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of any tree, shrub or plant; or
- (b) any part of the ground where the Council, by a notice placed in a conspicuous position in the ground, prohibits it being wheeled or parked.

16. No person shall in the ground enter upon:

- (a) any flower bed, shrub or plant, or any ground in the course of preparation as a flower bed, or for the growth of a tree, shrub or plant, or
- (b) any part of the ground set aside for the renovation of grass or turf, where adequate notice to keep of such grass or turf is exhibited.

Removal of Substances

17. No person shall remove from or displace in the ground any stone, soil or turf, or the whole of or any part of any plant, shrub or tree.

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

Games

18. Where the Council has by a notice placed in a conspicuous position in the ground, set apart an area in the ground for the playing of such games as may be specified in the notice, no person shall:
- (a) play in such an area any game other than the game for which it has been set apart;
 - (b) use any such area so as to give reasonable grounds for annoyance to any person already using that area for any purpose for which it has been set apart; or
 - (c) play any game so specified in any other part of the ground in such a manner as to exclude any person not playing the game from the use of that part.
 - (d) When the area is already occupied by other players not begin to play thereon without their permission;
 - (e) Where the exclusive use of the area has been granted by the Council for the playing of a match, play on that area later than a quarter of an hour before the time fixed for the beginning of the match unless taking part therein, or
 - (f) Except where the exclusive use of the area has been granted by the Council for the playing of a match in which he is taking part, use the area for a longer time than two hours continuously, if any other player or players make known to him a wish to use the area.
19. No person shall, in any area of the ground which may have been set apart by the Council for any game, play any game when the state of the ground or other cause makes it unfit for use and a notice is placed in a conspicuous position prohibiting play in that area of the ground.
20. (1) No person shall in the ground play any game:
- (a) so as to give reasonable grounds for annoyance to any other person in the ground, or
 - (b) which is likely to cause damage to any tree, shrub or plant in the ground.
- (2) This byelaw shall not extend to any area set apart by the Council for the playing of any game.

Archery

21. No person shall in the ground, except in connection with an event organised by or held with the consent of the Council, engage in the sport of Archery.

Field Sports

22. No person shall in the ground, except in connection with an event organised by or with the consent of the Council, engage in the sport of javelin or discus throwing or shot putting.

Golf

23. No person shall in the ground drive, chip or pitch a hard golf ball.

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

Cricket

24. No person shall use any cricket ball, except in any part of the ground, which, by a notice placed in a conspicuous place in the ground, has been set aside as an area where a cricket ball may be used.

Skateboarding or roller skating

25. No person shall in the ground skate on rollers, skateboards, wheels or other mechanical contrivances in a manner as to cause danger or nuisance or give reasonable grounds for annoyance to other persons in the ground.

Missiles

26. No person shall in the ground, to the danger or annoyance of any other person in the ground, throw or discharge any missile or rocket.

Waterways

27. No person shall:
- (a) without reasonable excuse, bathe or swim in any waterway comprised in the ground.
 - (b) intentionally, carelessly or negligently foul or pollute any waterway comprised in the ground.
 - (c) No person shall knowingly cause or permit the flow of any drain or watercourse in the ground to be obstructed or diverted, or open, shut or otherwise work or operate any sluice or similar apparatus in the ground.

Boats

28. No person shall, without the consent of the Council, launch operate or sail on any waterway comprised in the ground any boat, power craft, dinghy, canoe, sailboard, inflatable or any like craft.

Interference with life-saving equipment

29. No person shall, except in the case of emergency, remove from or displace in the ground or otherwise tamper with any life-saving appliance provided by the Council.

Aircraft

30. No person shall, except in the case of emergency or with the consent of the Council, take-off from or land in the ground an aircraft, helicopter, hang-glider or hot air balloon.

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

Power-driven model aircraft

31. In Byelaw 32:

“model aircraft” means an aircraft, which either weighs not more than 7 kilograms with it’s fuel or is for the time being exempted (as a model aircraft) from the provisions of the Air Navigation Order;

“power-driven” means driven by the combustion of petrol vapour or other combustible vapour or other combustible substances or by one or more electric motors or by compressed gas.

32. (1) no person shall without the consent of the Council, in the ground release any power-driven model aircraft for flight or control the flight of such an aircraft.

(2) no person shall without the consent of the Council, cause any power-driven model aircraft to take off or land in the ground.

Kites

33. No person in the ground shall fly or cause or permit to be flown any kite in such a manner as to cause a danger, nuisance or annoyance to any other person in the ground.

Metal Detectors

34. No person shall on the land use any device designed or adapted for detecting or locating any metal or mineral in the ground.

Fires

35. (1) No person shall in the ground intentionally light a fire.

(2) No person shall in the ground place, throw or let fall a lighted match or other thing likely to start a fire.

(3) No person shall in the ground light a barbeque except in a properly constructed barbeque in an area designated for barbeques.

(4) This byelaw shall not apply to any event held with the consent of the Council.

Fishing and Protection of Wildlife

36. (1) No person in the ground shall intentionally kill, injure, take or disturb any animal or fish or engage in hunting, shooting or fishing or the setting of traps or nets or the laying of snares.

(2) This byelaw shall not prohibit any fishing, which may be authorised by the Council.

(3) No person shall in the ground discharge or cause to be discharged an audible bird scarer.

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

Noise

37. (1) No person shall in the ground, after being requested to desist by an officer of the Council, or by any person annoyed or disturbed, or by any person acting on his behalf:

(a) by singing or shouting

(b) by playing on a musical instrument, or

(c) by operating or by permitting to be operated any radio, gramophone, amplifier, tape recorder or similar instrument cause or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground.

(2) This byelaw shall not apply to any person holding or taking part in any entertainment held with the consent of the Council.

Performances

38. No person shall without the consent of the Council, hold or take part in any public show, performance or exhibition in the ground.

Public shows, exhibitions and Structures

39. No person shall in the ground, without the consent of the Council, place or take part in any show or exhibition, or set up any swing, roundabout or other like thing.

Gates

40. Where the Council indicates by a notice conspicuously exhibited on or alongside any gate in the ground that leaving a gate open is prohibited, no person shall having opened that gate or caused it to be opened, shall leave it open.

Dogs

41. (1) Every person in the ground in charge of a dog shall so far as is reasonably practicable keep the dog under close control and restrain the dog from behaviour giving reasonable grounds for annoyance.

(2) No person in charge of a dog shall enter the ground or allow a dog to remain in the ground which is not wearing a collar and identification tag clearly displaying the owners address and telephone number and the immediate contact details of the person in charge of the dog.

(3) No person shall in the ground in charge of a dog allow the dog to be left unattended in a motor vehicle.

(4) No person shall in the ground be in charge of more than 4 dogs without the consent of the Council.

Proposed Byelaws

prepared by The Friends of Stanmer Park in consultation with Brighton & Hove Environmental Action Group and the Stanmer Park Stakeholders

Obstruction

42. No person shall in the ground:

- (a) Intentionally obstruct any officer of the Council in the proper execution of his duties
- (b) Intentionally obstruct any person carrying out an act which is necessary to the proper execution of any contract with the Council or,
- (c) Intentionally obstruct any other person in the proper use of the ground, or behave so as to give reasonable grounds for annoyance to other persons in the ground.

Savings

43. (1) An act necessary to the proper execution of his duty in the ground by an officer of the Council, or any act which is necessary to the proper execution of any contract with the Council, shall not be an offence under these byelaws.

(2) Nothing in or done under any of the provisions of these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting legally by virtue of some estate, right or interest in, over or affecting the ground or any part thereof.

Removal of Offenders

44. Any person offending against any of these byelaws may be removed from the ground by an Officer of the Council or a Police Officer or a Police Community Support Officer.

Penalty

45. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 24

Brighton & Hove City Council

Subject: Portland Road Loading Bay
Date of Meeting: 26 July 2010
Report of: Director of Environment
Contact Officer: Name: Charles Field Tel: 29-3329
E-mail: charles.field@brighton-hove.gov.uk
Key Decision: No
Wards Affected: Westbourne

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The aim of the report is to agree a way forward following a request for a loading bay in Portland Road.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member, having taken into account all of the duly made representations and objections, approves the recommendations to create an additional amendment order to the Various Controlled Parking Zones Consolidation Order 2008 with the following amendments:
- (a) Controlled Parking Zone R – proposed loading bay in Portland Road and an additional shared parking place in Portland Road.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 This proposal was part of a City-wide Traffic Order which included proposed restrictions for over 150 roads that was presented to the Environment Cabinet Member Meeting on 25 March 2010.
- 3.2 There were three objections to the proposed loading bay in Portland Road (Controlled Parking Zone R). The objections were from residents and from the Ward Councillors who are concerned about the loss of parking and enforcement issues.
- 3.3 Therefore, due to the objections received to the perceived need for a loading bay in Portland Road (Controlled Parking Zone R) it was proposed this decision be deferred to a future Cabinet Member Meeting following a stakeholder meeting to discuss the proposal in more detail.
- 3.4 This meeting took place on 30 April 2010 with Sainsbury's representatives, Ward Councillors and local residents to consider the best way forward, where it was

agreed to reduce the length of the loading bay to 21 metres and restrict the times of loading to 6am to 9am and 7pm to 9pm and create an extra shared parking place.

4. CONSULTATION

- 4.1 The Traffic Regulation Order was advertised between the 5 December 2009 and 31 December 2009.
- 4.2 The Ward Councillors for the areas were consulted, as were the statutory consultees such as the Emergency Services.
- 4.3 On-street notices were erected on the 5 December 2009, these comprised of the statutory legal notice, a plan illustrating the proposals and a justification statement. The notice was also published in The Argus newspaper on the 5 December 2009. Detailed plans and the order were available to view at Hove Library, Jubilee Library, City Direct Offices at Bartholomew House and Hove Town Hall.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial implications:

- 5.1 The full cost of advertising the traffic order and the lining and signing will be met from the existing traffic management revenue budget.

Finance officer consulted: Louise Hoten Date: 10/06/10

Legal Implications:

- 5.2 The traffic orders have been advertised according to the Road Traffic Regulation Act 1984. As there are unresolved objections and representations they are now referred to this meeting for resolution. There are no human rights implications to draw to Members' attention.

Lawyer consulted: Stephen Dryden Date: 10/06/10

Equalities Implications:

- 5.3 The proposed measures will be of benefit to many road users.

Sustainability Implications:

- 5.4 The new loading bay will support the local economy and provide loading opportunities for deliveries.

Crime & Disorder Implications:

- 5.5 The proposed amendments to restrictions will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

- 5.6 Any risks will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

- 5.7 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To seek approval of the Traffic Order with amendments after taking into consideration of the duly made representations and objections.

SUPPORTING DOCUMENTATION

Appendices:

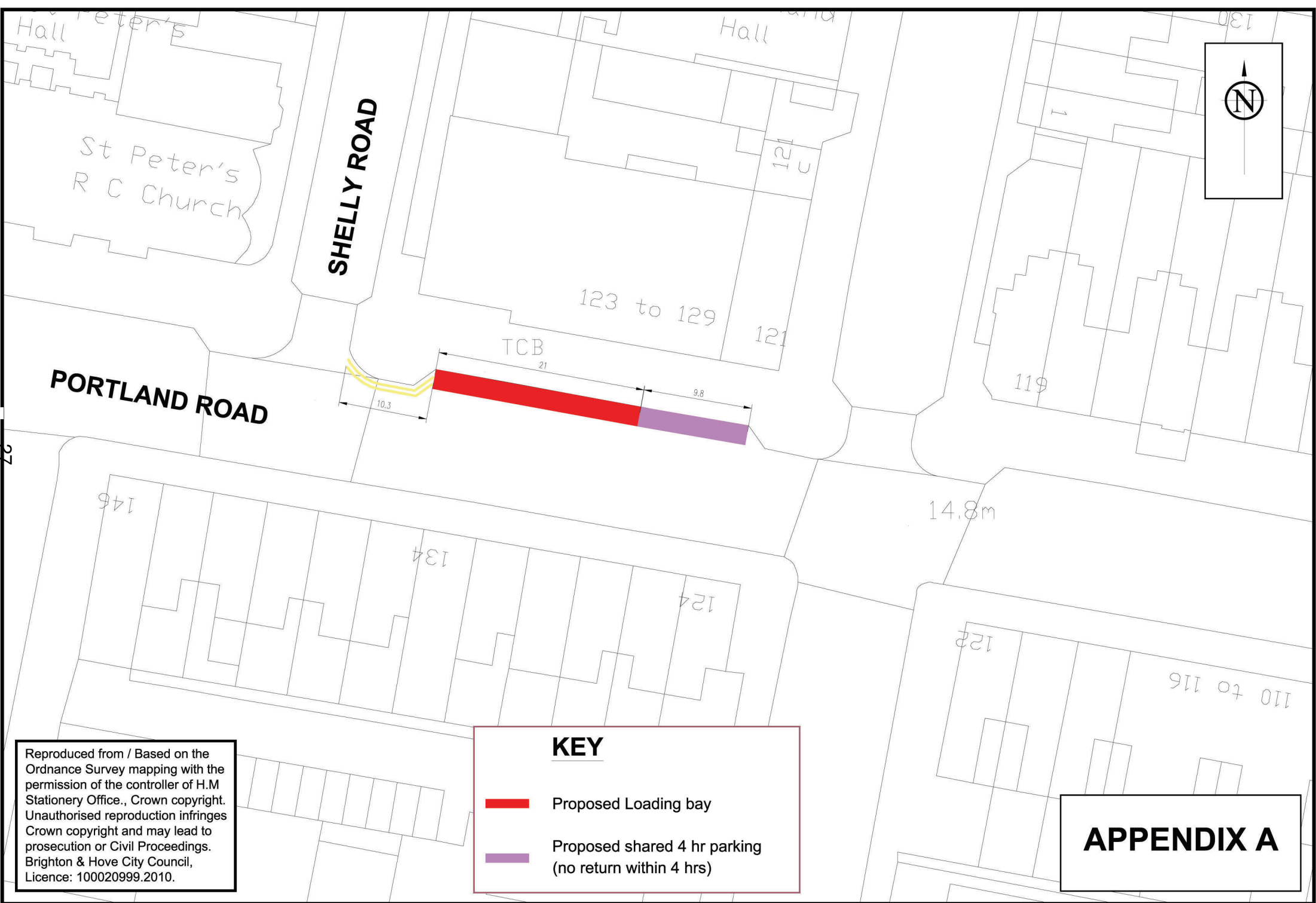
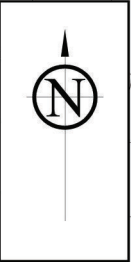
- 1. Appendix A – Plan showing the proposals

Documents in Members' Rooms

None



Background Documents

None



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KEY

-  Proposed Loading bay
-  Proposed shared 4 hr parking (no return within 4 hrs)

APPENDIX A

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 25

Brighton & Hove City Council

Subject:	Tivoli Crescent resident parking scheme consultation		
Date of Meeting:	26 July 2010		
Report of:	Director of Environment		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
	E-mail:	charles.field@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	Withdean		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to respond to the deputation received from residents of Tivoli Crescent requesting a resident parking scheme consultation.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member agrees to consult residents of Tivoli Crescent as an extension to Area A (Preston Park Station area).

3. RELEVANT BACKGROUND INFORMATION

- 3.1 In 2007, the residents of Tivoli Crescent voted to be excluded from the proposed Zone 'A' (Preston Park Station Area) resident parking scheme, and therefore, this road was not included within the proposed scheme.
- 3.2 As the parking zone lies at both ends of Tivoli Crescent the road is consistently overflowing at all times of the day with commuter parking. This results in significant nuisance, inconvenience and perceived health and safety risks to the residents.
- 3.3 A survey by the Tivoli Crescent Residents Association was carried out in December of last year, two to three months after the introduction of the new Zone A. The survey asked residents if they still wanted to be excluded from Zone A or alternatively, for the scheme to be extended to include Tivoli Crescent.
- 3.4 A response was received from 89% of the dwellings in Tivoli Crescent with 93% of these households now wishing to be included in the scheme. Tivoli Crescent by an overwhelming majority, now wish to be included in Zone A as soon as is practically possible.
- 3.5 Including Tivoli Crescent in Zone A logically completes the road network of Zone A - by filling in the missing link between Woodside Avenue and The Drove, and should have minimal effect on the other excluded streets, given the road layout. Unrestricted roads further out from Tivoli Crescent would also have the opportunity to comment on this proposal to include Tivoli Crescent when the traffic order is advertised.

- 3.6 A deputation concerning the proposal to extend Zone A to Tivoli Crescent - was presented to the Environment Cabinet Member Meeting by Mr Mark Dyson (Spokesperson) on 11 May 2010 and was supported by the Withdean Ward Councillors.

4. CONSULTATION

- 4.1 Brighton & Hove City Council's process for the introduction of parking schemes is based on national guidance issued by the Department for Transport. This recommends a three stage process:
- Information/decision about where to introduce a parking scheme
 - Consultation to ascertain public opinion and information about what is required.
 - Formal Traffic Regulation Order to make scheme legally enforceable.
- 4.2 The Traffic Regulation Order (TRO) is an absolute legal requirement for any introduction or revision to parking schemes. It must be advertised in a particular way, including a statutory consultation process, and it must go to an appropriate Committee for consideration on the event of there being any unresolved objections or representations. 21 days is the minimum legal requirement for advertising a Traffic Regulation Order.
- 4.3 Brighton & Hove City Council's process to date has closely followed the national guidance and the council's own Public Consultation Policy:
- Report to the Environment Cabinet Member for agreement to consult on a parking scheme
 - Informal consultation, consisting of parking surveys, leaflets, exhibitions and questionnaire to gauge support for scheme, and to provide information to proceed to the final design. Report to the Environment Cabinet Member on results on these consultation methods.
 - Formal Traffic Regulation Order. Report to Environment Cabinet Member, including any responses to the draft Traffic Regulation Order.

If approved, the scheme is implemented and the Traffic Regulation Order is sealed.

5. CONCLUSION

- 5.1 It is proposed an extension to the Area A resident parking scheme is consulted upon in Tivoli Crescent due to the representation received from this road and it's resident association. This work will be undertaken from September 2010 and a detailed design will be sent out to residents early next year. This proposals will be added to the existing resident parking scheme timetable and the completion date if approved by residents would be in Autumn 2011.
- 5.2 To minimise costs this can be undertaken in-house by officers alongside bigger consultations / reviews investigated by our consultants.

6. FINANCIAL & OTHER IMPLICATIONS:

Financial implications:

- 6.1 The full cost of advertising the order and the lining and signing will be met by the existing traffic management revenue budget.

Finance officer consulted: Louise Hoten

Date: 08/06/10

Legal Implications:

- 6.2 In all situations where traffic orders are required case law has established four fundamental rules of consultation before an order can be advertised as follows:
- (a) consultation must be carried out at a time when proposals are at a formative stage;
 - (b) consultation must give sufficient reasons for any proposal to allow intelligent consideration and response;
 - (c) adequate time for consultation and response; and
 - (d) the product of the consultation must be conscientiously taken into account in finalising the proposals.

The legal traffic order process itself also requires consultation with any unresolved objections and representations being referred to a Cabinet Members Meeting for resolution.

There are no human rights implications to draw to the attention of Members.

Lawyer consulted: Stephen Dryden

Date: 08/06/10

Equalities Implications:

- 6.3 The proposed measures will be of benefit to many road users.

Sustainability Implications:

- 6.4 Any new motorcycle bays will encourage more sustainable methods of transport.

Crime & Disorder Implications:

- 6.5 The proposed amendments to restrictions will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

- 6.6 Any risks will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

- 6.7 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

7. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 7.1 For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

8. REASONS FOR REPORT RECOMMENDATIONS

- 8.1 To seek approval to take a consultation forward due to the strong representation from residents in the road.

SUPPORTING DOCUMENTATION

Appendices:

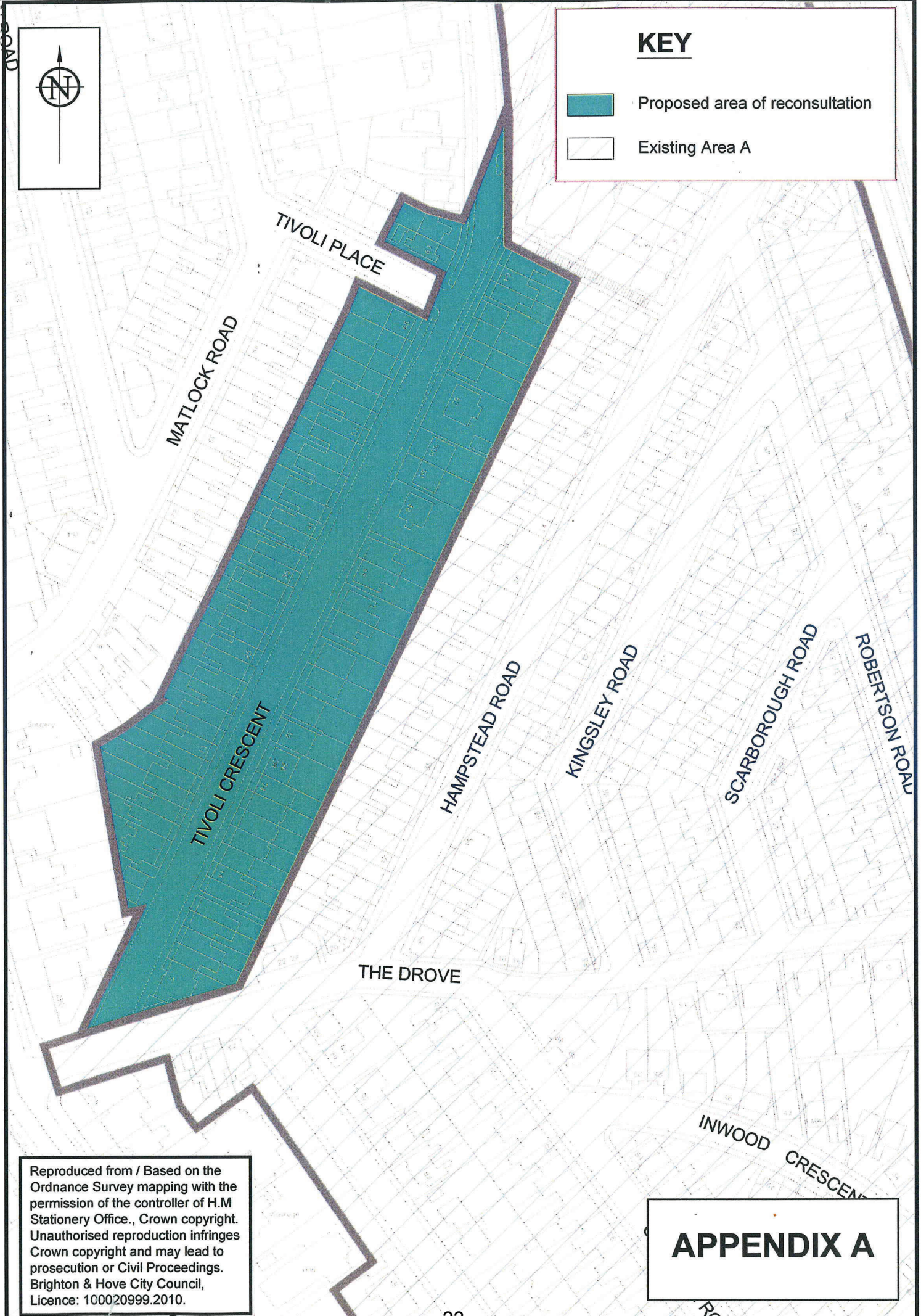
1. Appendix A – Plan of proposed consultation areas.

Documents in Members' Rooms

None

Background Documents

None



KEY

- Proposed area of reconsultation
- Existing Area A

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APPENDIX A

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 26

Brighton & Hove City Council

Subject:	London Road Station area - Resident Parking Scheme Formal Consultation		
Date of Meeting:	26 July 2010		
Report of:	Director of Environment		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
	E-mail:	charles.field@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No. tbc	
Wards Affected:	St. Peter's and North Laine, Preston Park		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The purpose of this report is to address comments and objections to the draft traffic regulation order for the London Road Station parking scheme proposal.

2. RECOMMENDATIONS:

- 2.1 That, having taken account of all duly made representations and objections, the Cabinet Member approves as advertised the following order;
- (a) Brighton & Hove Various Controlled Parking Zone Consolidation Order 2008 Amendment Order No* 20** (Area J Extension)
- 2.2 That any amendments included in the report and subsequent requests deemed appropriate by officers are added to the proposed scheme during implementation and advertised as an amendment Traffic Regulation Order.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The London Road Station area was included in the resident parking scheme priority timetable as an area to consider for a resident parking scheme as agreed in the report to the Environment Committee on 24 January 2008. Following detailed parking surveys which took place in December 2008 and meetings with the Ward Councillors, it was agreed that a public consultation would take place for the proposed extension to the Area J Residents Parking Scheme, and subsequently to consult residents on the detailed design for this scheme.
- 3.2 In June 2009, an information leaflet, map and questionnaire were sent to 6011 households. This included 124 sent to Wellend Villas in Springfield Road, which is a Car Free Development. These questionnaires have been treated separately and the number of households mailed that are eligible to join a residents parking scheme were therefore 5,887. Questionnaire returns totalled 1,516, giving a response rate of 26%.

- 3.3 Prior to completing the questionnaire, residents were invited to a public exhibition to learn about the proposals in more detail. A staffed public exhibition was held at the Calvary Evangelical Church Hall, 72 Viaduct Road on Monday 8 June 2009 from 5pm until 8pm and again on Tuesday 9 June 2009, from 12pm to 4pm. An unstaffed public exhibition was held at Hove Town Hall from 10 June to 17 July 2009 between 9am and 5pm.
- 3.4 Following the results of the consultation there was a positive opinion from the majority of respondents within a clearly defined, smaller geographical section of the area south of the railway line and west of Ditchling Road (Appendix A). The original questionnaire results were reviewed to take account of the revised boundary; of the 13 roads that are included within the proposed new scheme boundary, 10 are in favour of the scheme overall (77%) and a further 1 (8%) are neutral. Overall in the proposed revised London road station area scheme 66.8% of respondents are in favour.
- 3.5 It was therefore agreed at CMM on 5 November 2009 to proceed with a scheme within this newly formed boundary. It was also agreed at CMM to letter drop the lower section of Ditchling Road (south of the railway line) and the Sylvan Hall estate in order to inform residents that a scheme will go ahead in adjacent roads, and to give them an opportunity to consider the effect this may have. Residents in these 3 roads could then make an informed decision about whether to be included or excluded from the scheme.
- 3.6 The reason to re-consult these two roads in particular is the nature of the roads which are very narrow and any displacement may have safety implications on these roads. From recent experiences of implementing resident parking schemes the area's just outside new schemes can suffer from vehicle displacement. Therefore, it was felt it was fair to consult these three roads where the increase of vehicles would cause particular difficulties such as obstructions and visibility issues.
- 3.7 The re-consultation letters / questionnaires to Ditchling Road (lower section – south of the railway line) were sent out in October 2009 and residents & businesses had until Friday 20 November 2009 to respond.
- 3.8 Following the results of the re-consultation of the two roads (Appendix B) and discussions with the St Peters & North Laine Ward Councillors it was agreed that the Council should not include these three roads when advertising a Traffic Regulation Order for a resident parking scheme in this area. Therefore, this further area was not included in the advertisement of a Traffic Regulation Order.

4. CONSULTATION

- 4.1 The draft Traffic Regulation Order (TRO) was advertised on 30 April 2010 with the closing date for objections on 24 May 2010. Notices were also put on street for 30 April 2010 which outlined the proposal. These notices were replaced a number of times on-street and the notice was also published in The Argus newspaper on 30 April 2010. Detailed plans and the Traffic Regulation Order were available to view at Hove Library, Jubilee Library, the City Direct Offices at Bartholomew House and Hove Town Hall.

- 4.2 There were 62 items of correspondence received (hard copies are available to view in the Members Room). All 62 items were received from individuals and included objections and general comments. A plan detailing the proposals is shown on Appendix A.
- 4.3 42 objections were received from residents outside the scheme concerned with displacement of vehicles into their road if the scheme is approved in its current format. There were also several concerns within this correspondence on the consultation procedure.
- 4.4 All residents in Springfield Road and surrounding roads were sent a consultation document (leaflet, plan & questionnaire) in June 2009 and had until 18 July 2009 to respond to the Council. It was made clear in the consultation document that all comments received would be carefully considered and be presented in a report to Environment Cabinet to decide whether there is enough support to proceed to the next stage of the scheme development. It was also made clear if proposals are taken forward the final stage of the process would be the advertising of the Traffic Regulation Order which would allow individuals to make formal comments/objections.
- 4.5 It is appreciated that residents had a lot of questions regarding the parking scheme. The Council endeavoured to cover many of the anticipated queries within the consultation brochure, but officers and consultants also made themselves available for face-to-face discussion with members of the public over the course of 2 days. In addition, officers have responded to all queries that come in by e-mail and telephone to ensure that residents did get all the information available to make an informed decision.
- 4.6 Following the public consultation the area for the residents parking scheme was agreed at the Environment Cabinet Member Meeting on 5 November 2009. This was based on clear area-based consensus within geographical blocks; in the case of Viaduct Road, the natural boundary being the railway line. The resident parking scheme consultation last year showed that a majority were not in favour of an extended area of controlled parking north of the railway line.
- 4.7 Officers then met with residents north of the railway line to hear their concerns and wishes to be included in the new scheme. Officers were very clear at the meeting that the Council had consulted properly and adequately, and that we had followed our defined process for parking scheme consultation. Officers also stated that the consultation results had been presented to Environment Cabinet Member meeting for a decision and that this decision to exclude roads north of the railway line would stand. However, residents of Springfield and Florence Roads presented a case for consultation based on a different approach, ie that their roads were the more natural boundary and that Council officers had not been aware of the reasons for this when deciding on the railway line as a boundary. It was also claimed by residents at the meeting that their roads would absorb any displacement parking and would minimise any effect in roads north of their proposed new boundary and that all the other roads in this section would agree with this.
- 4.8 Officers advised residents that the local authority would have to be persuaded that there is consensus in the entire northern block that this inclusion would be acceptable and that one way to do this might be for ward councillors to write to

the affected households. This happened through a letter via Cllr Amy Kennedy and residents in roads north of the railway line were asked whether they would be happy with a boundary to include roads such as Springfield Road and Florence Road. The majority of residents were against this proposal.

- 4.9 There is no direct parallel between the two recent consultations. The consultation conducted by the Council allowed residents to respond on whether they would like to be part of a resident parking scheme. Residents in Springfield Road, Florence Road and other roads north of the railway line voted against the proposals in the initial consultation. The consultation conducted by Councillor Kennedy asked residents in roads north of the railway line whether they would be happy with a boundary to include roads such as Springfield Road and Florence Road. The majority of residents were against this proposal, therefore, there was no consensus to proceed with an extended parking scheme north of the railway line.
- 4.10 In terms of scheme introduction, the boundary for any potential scheme has to be established from the answers we receive during various stages of consultation. Ultimately the council has to have a boundary for parking schemes that is economically and geographically viable.
- 4.11 The results from the parking consultation have helped give the council a clearer picture of what local residents would or would not like and from this we can look at whether there are distinct geographical “blocks” that are favourable to a scheme. If this is the case, it is possible that displacement may occur in roads outside of any scheme that is established, but it is not possible to predict the extent and nature of this with any certainty at this stage.
- 4.12 16 objections have been received from residents regarding the double yellow lines proposed being too restrictive and that there is too much shared pay & display 11 hour parking in the scheme where it is not required. There were also particular concerns within these objections regarding specific bays which will be reviewed during implementation.
- 4.13 In regard to double yellow lines at it’s minimum they will extend 6 metres in on minor roads and 10 metres on a major road. In most instances this will be all that is required, however additional length will be required where there is dropped kerb, or where a short length of bays needs to be shortened to the approximate length of 1 or 2 vehicles. Other factors such as blind spots or excessively dangerous collision areas may also affect the length. The Council will not implement double yellow lines anywhere that is not deemed necessary and they will be reviewed during implementation.
- 4.14 In terms of shared pay & display 11 hour parking bays initially this was included in the design in response to the original parking surveys to accommodate all day parking. It was felt that as these spaces would no longer be free that a reduction in usage would be likely, freeing up more space for residents. However due to the volume of concern we will be reviewing the 11 hour bays in this scheme and where appropriate reduce the long term to medium term parking. This is most likely to be a reduction of long term parking as we feel some provision will be necessary for visitors to the area. This could be achieved by making changes on the ground during the implementation stage and then legally through an amendment order.

- 4.15 It must be added that we have also received a considerable amount of correspondence from residents in Springfield Road and Florence Road concerned with displacement so we do have to consider that aspect and allow some 4 & 11 hour shared parking within the resident parking scheme to minimize possible displacement as much as possible.
- 4.16 As mentioned above concerns regarding specific bays will all be reviewed during the implementation stage.
- 4.17 Two objections have been received from a resident and a local business regarding their objection to double yellow lines across their driveways.
- 4.18 The reason that we have to make changes to the current situation outside crossovers is because we need to legally comply with the Traffic Order and parking scheme requirements. This means that every part of the road must have some form of legally enforceable and clearly marked restriction. A white line is simply advisory, relying on people's goodwill rather than being legally enforceable. If we were legally able to leave a small section of road as unrestricted free parking, ie. not part of the surrounding parking scheme, it would involve a complicated Traffic Regulation Order that would generate legal challenges and concerns with the Traffic Penalty Tribunal.
- 4.19 It would also leave a small section of road as unrestricted free parking, this would mean anybody at all could park there and we would not be able to require them to move or penalise them for obstructing the entrance. It doesn't usually take long for people to work out where there is free or unenforceable parking so it could end up with a much more difficult situation for the resident or business. The legal implications are stated in more detail in Para 5.2.
- 4.20 Legally we could offer some form of parking bay or loading bay, if that would be helpful, or proceed with double yellow lines which would still allow loading and unloading outside the premises. This would be consistent with other driveways, including for business premises, across the city where parking schemes are already in place.
- 4.21 One objection has been received from a resident within the proposed scheme arguing that the proposed parking scheme is just a revenue raising exercise for the Council and they don't want a scheme.
- 4.22 When introducing new residents parking schemes the Council must demonstrate that these would be self financing. This is why charges have to be made for On-street parking through permits and pay & display. Any surplus from the revenue received from the proposed parking schemes goes back into transport and environmental improvements throughout the City. In terms of the proposed area in the original consultation 66.8 % of respondents were in favour of the parking proposals as discussed in the previous Environment CMM meeting in September 2009.
- 4.23 No parking schemes can be introduced without extensive consultation including the legal requirement of an advertised Traffic Order which provides an opportunity for final comments, support and objections to the proposals. Resident Parking Schemes are only introduced where there is support from a

majority of residents in a certain area and where they have the support of Ward Councillors in terms of the consultation going forward and any final design following the consultation.

- 4.24 One objection was received regarding motorcycle use and that motorcyclist's can't park in resident permit only bays.
- 4.25 Designated motorcycle bays have been provided on the majority of roads within the proposed scheme which motorcycles can park within for free.

Conclusions

- 4.26 The recommendation is that the London Road Station area be progressed as an extension to the Area J resident parking scheme area due to the reasons outlined within the relevant background.
- 4.27 Any additional amendments to the approved schemes deemed necessary through the formal consultation will be introduced during the implementation stage and advertised through a traffic regulation amendment order.
- 4.28 As part of the consultation undertaken in each of the schemes regard has been given to the free movement of traffic and access to premises since traffic flow and access are issues that have generated requests from residents and in part a need for the measures being proposed. The provision of alternative off-street parking spaces has been considered by officers when designing the schemes but there are no opportunities to go forward with any off street spaces due to the existing geographical layout of the areas and existing parking provisions in the areas.
- 4.29 Ward Councillors in St Peters & North Laine have been consulted about this proposal. They are happy with the proposals as long as amendments are made to the shared 11 hour bays and the double yellow lines reviewed during implementation.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Any revenue costs associated with the implementation of this residents parking scheme will be met from existing parking budgets. The financial impact of the revenue from the proposed new scheme will be included within the proposed budget for 2011-12 which will be submitted to Budget Council in February 2011. New parking schemes are funded through unsupported borrowings with approximate repayment costs of £100,000 per scheme over 7 years.

Finance Officer Consulted: Louise Hoten

Date: 08/06/10

Legal Implications:

- 5.2 Broadly, the Council's powers and duties under the Road Traffic Regulation Act 1984 must be exercised to secure the expeditious, convenient and safe movement of all types of traffic and the provision of suitable and adequate parking facilities on and off the highway. Also, as far as is practicable, the

Council should also have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles and securing the safety and convenience of users; any other matters that appear relevant to the Council.

- 5.3 The Council has specific powers under the Road Traffic Regulation Act to make various types of order and the most relevant in relation to the proposals in this report are summarised below.
- 5.4 Section 1 of the 1984 Act enables the Council to make orders prohibiting, restricting or regulating the use of roads. The various grounds for such action include safety, prevention of congestion and preservation of amenity and are not restricted to the roads mentioned in an order but can be for the benefit of other roads.
- 5.5 Under sections 32 and 35 of the 1984 Act, there is power to provide and regulate the use of parking places (without charges) on the highway, for the purpose of relieving or preventing congestion. The parking places powers must not be used in relation to any road so unreasonably as to prevent access to adjoining premises, or its use by anyone entitled to use it, or so as to be a nuisance.
- 5.6 Under section 45 of the 1984 Act, the Council has wide powers to designate pay parking places on highways for vehicles or classes of vehicles. It includes power to authorise parking by permit. Under subsection (3), in determining what parking places are to be designated under this section the Council must consider both the interests of traffic and those of the owners and occupiers of adjoining property, and in particular the matters to which that authority shall have regard include –
- (a) the need for maintaining the free movement of traffic;
 - (b) the need for maintaining reasonable access to premises; and
 - (c) the extent to which off-street parking accommodation, whether in the open or under cover, is available in the neighbourhood or the provision of such parking accommodation is likely to be encouraged there by the designation of parking places under this section.
- 5.7 Before making Traffic Orders, the Council must consider all duly made, unwithdrawn objections. In limited circumstances it must hold public inquiries and may do so otherwise. It is usually possible for proposed orders to be modified, providing any amendments do not increase the effects of the advertised proposals. The Council also has powers to make orders in part and defer decisions on the remainder. Orders may not be made until the objection periods have expired and cannot be made more than 2 years after the notices first proposing them were first published. Orders may not come into force before the dates on which it is intended to publish notices stating that they have been made. After making orders, the steps which the Council must take include notifying objectors and putting in place the necessary traffic signs.
- 5.8 Relevant Human Rights Act rights to which the Council should have regard in exercising its traffic management powers are the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them in appropriate circumstances.

Lawyer Consulted:

Stephen Dryden

Date: 08/06/10

Equalities Implications:

- 5.9 The proposed measures will be of benefit to many road users.

Sustainability Implications:

- 5.10 The new motorcycle bays and on-street cycle parking bay will encourage more sustainable methods of transport.
- 5.11 Managing parking will increase turnover and parking opportunities for all.

Crime & Disorder Implications:

- 5.12 The proposed amendments to restrictions will not have any implication on the prevention of crime and disorder.

Risk and Opportunity Management Implications:

- 5.13 Any risks will be monitored as part of the overall project management, but none have been identified.

Corporate / Citywide Implications:

- 5.14 The legal disabled bays will provide parking for the holders of blue badges wanting to use the local facilities.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 For the majority of the proposals the only alternative option is doing nothing which would mean the proposals would not be taken forward. However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To seek approval of the scheme to the implementation stage after taking into consideration of the duly made representations and objections. These proposals and amendments are recommended to be taken forward for the reasons outlined within the report.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A - Plan
2. Appendix B - Results of re-consultation

Documents In Members' Rooms

1. Objections / representations.

Background Documents

1. Report to Environment Cabinet Member Meeting on 5 September 2009

KEY

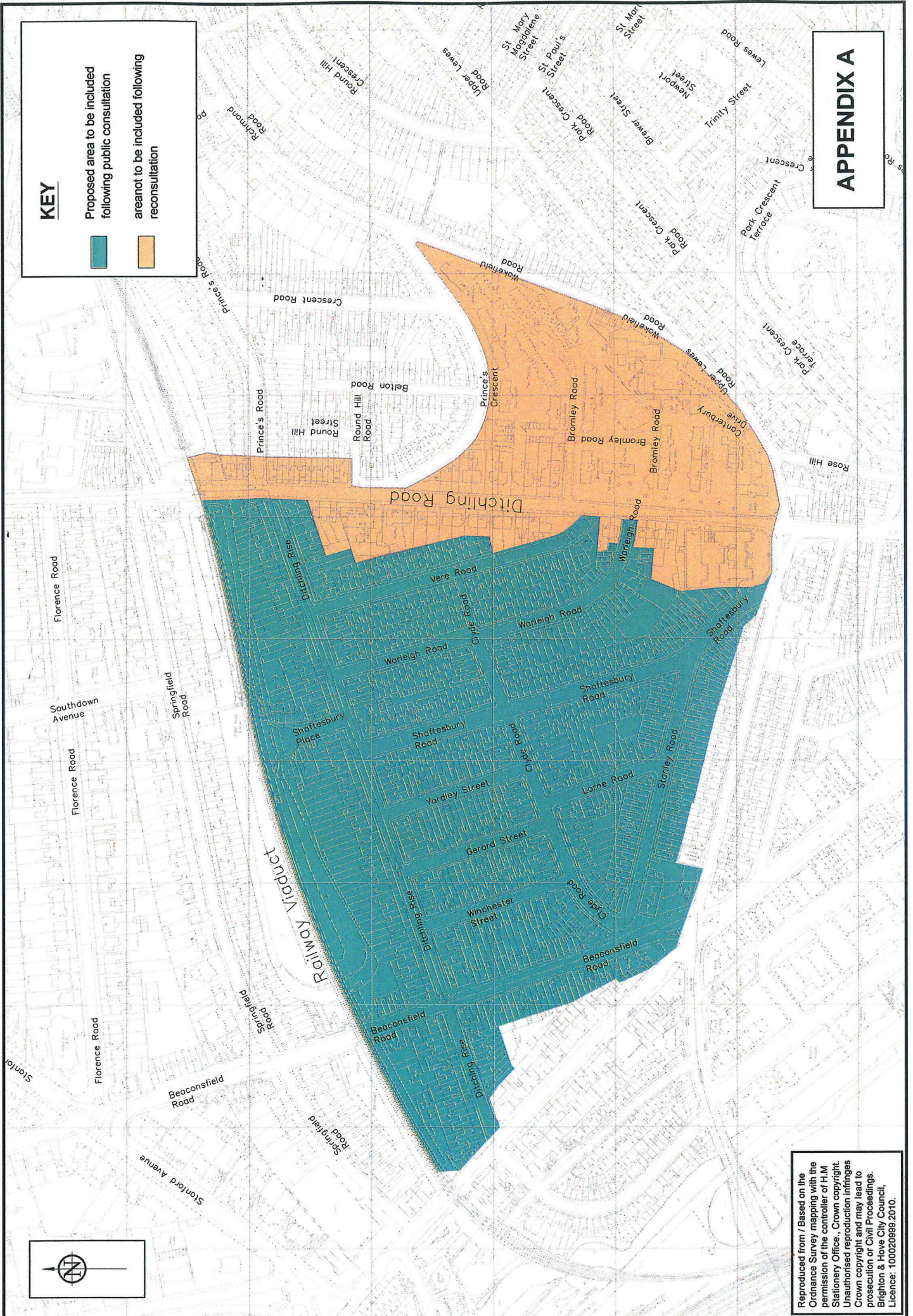
Proposed area to be included following public consultation



Area not to be included following reconsultation



APPENDIX A



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London Road Station Area reconsult

In the autumn of 2009 a large area of approximately 6000 households surrounding London Road Station were mailed to ascertain whether residents wanted to be included in a proposed residents parking scheme. An area south of the railway line and to the SE of Ditchling Road were clearly in favour and a proposed scheme boundary surrounds this area. Addresses to the east of the boundary along Ditchling Road and the Sylvan Hall estate may be affected by any residents parking scheme implemented and so it was decided to reconsult these areas. Residents were asked one question whether the scheme should be extended to include their area or whether it should not.

A total of 367 letters were sent out and 48 responses received making a response rate of 13%. Results overall were as follows:

Include area in scheme	Number.	%
Yes	19	39.5
No	29	60.5
Total	48	100

Results for Ditchling Road and for Sylvan Hall Estate:

Area	Yes		No		Totals	
	Number.	%	Number.	%	Number.	%
Ditchling Road	9	39	14	61	23	100
Sylvan Hall Estate	10	40	15	60	25	100
Total	19	100	29	100	48	100

CABINET MEMBER MEETING

Agenda Item 27

Brighton & Hove City Council

Subject: Streetscape Design Guidelines
Date of Meeting: 26 July 2010
Report of: Director of Environment
Contact Officer: Name: Jim Mayor Tel: 29-4164
E-mail: Jim.Mayor@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Streetscape Design Guidelines set out standard design and installation specifications for the elements that make up the highway corridors, such as street furniture and surface materials, along with the issues that should be considered when choosing and implementing them.
- 1.2 The Streetscape Design Guidelines contribute to delivery of the city's Public Realm vision as set out in the Public Space Public Life Study. The Public Space Public Life Study informs the Local Development Framework and the Sustainable Community Strategy.
- 1.3 The Core Strategy of Brighton & Hove's Local Development Framework sets out the overarching planning policy for the public realm network including the streetscape under Council Policy 3 (CP3) Public Streets and Spaces. CP3 "seeks to ensure new schemes within the public realm network achieve consistent standards in quality, legibility and accessibility and contribute towards the implementation of the Public Space Public Life Study (2007)". The aims of CP3 most relevant to the streetscape are:
 - Enhancing the local distinctiveness of the city's neighbourhoods;
 - Utilising high quality, robust and sustainable materials for all elements of the streetscape;
 - Reducing the clutter of street furniture; and
 - Incorporating an appropriate and integral public art element."

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member approves the Streetscape Design Guidelines should be the standard approach adopted by all people undertaking work in Brighton & Hove's public realm.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 A huge number of people undertake work which impacts on our streetscape, often with different primary objectives and within a variety of constraints, whether financial, legal, temporal or other. Establishing a consistent, coordinated and high quality approach to our streetscape is therefore a complex task. The Streetscape Design Guidelines is one of several documents that together aim to make this work and enable delivery of the city's Public Realm Strategy.
- 3.2 The overall aim of the Public Realm Strategy is to ensure the city's streets and public spaces are designed to bring maximum benefit to all residents. If all areas of the city work to maximum potential for residents they will also be much more attractive for visitors. The more attractive and usable the city is for everyone, the more time everyone will want to spend in it, bringing a host of social, economic and sustainability benefits. The other documents are:
- **The Public Space Public Life (PSPL) Study** (adopted in 2007) - sets out strategic recommendations to improve the public realm network, along with guiding design principles that should be followed to ensure the recommendations are delivered in the most successful way.
 - **The Public Space Public Life (PSPL) Delivery Plan** (in development) sets out how the PSPL Study's strategic recommendations can be delivered in a coordinated way. For example, where the PSPL Study identifies a recommendation for improving the pedestrian network and sets out good design principles for successful pedestrian networks, the PSPL Delivery Plan identifies where pedestrian network improvements are most urgently required, and any other streetscape improvements that may be required in the same area.
 - **The Urban Characterisation Study and Conservation Area Appraisals** (adopted in 2009) describe the different character areas in the city, providing historic context and a reference guide to help ensure any work within the public realm network protects and strengthens the character of an area where relevant.
 - **The Materials Database** (in development) is an online reference tool that provides easy access to details of existing and recommended street furniture and surface materials on an area and citywide basis.
- 3.3 The Streetscape Design Guidelines are based on good design principles used elsewhere, adapted to reflect the city's unique character and to reflect and complement Brighton & Hove City Council policy and strategy.
- 3.4 The Street Design Guidelines have been put together with support and input from a range of officers involved in delivery of aspects of public realm work, ranging from Highways Maintenance to Sustainability. A full list of contributors is included on page 2 of the document.
- 3.5 In addition, the council has been fortunate to benefit from "critical friend" support from a range of experts, including CABA (the Commission for Architecture and

the Built Environment) and John Dales, one of the authors of the Department for Transport's Manual for Streets. A full list of critical friend contributors is also included on page 2 of the document.

4. CONSULTATION

- 4.1 The Streetscape Design Guidelines aim to ensure that good practise principles are applied on a consistent basis. Due to the nature of the document, the most appropriate consultation has been achieved through a process of agreeing the final document amongst internal officers responsible for delivery of public realm works. It should be noted that the fact that the document has been agreed in its current form by officers working in traditionally disparate areas reflects positively on Brighton & Hove City Council's cross departmental working ethos.
- 4.2 Targeted external consultation has been undertaken, through the involvement of the expert "critical friends" listed on page 2 of the document, and through presentation to the Local Strategic Partnership Transport Partnership Board, after which Living Streets added their formal support for the document.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 Delivery of works in line with the Streetscape Design Guidelines does not carry an explicit cost implication. However, by ensuring only necessary street elements are installed, and that they are chosen and installed in such a way that they are fit for purpose, savings can be expected due to reduced expenditure on buying, fitting and maintaining unnecessary street elements, and minimising ongoing maintenance liabilities associated with street elements that are installed. A higher quality public realm is also more conducive to an enhanced economy, as more people – residents and visitors – will be inclined to use the city's streets if they are more pleasant places to be in.

Finance Officer Consulted: Patrick Rice

Date: 08/06/10

Legal Implications:

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

Lawyer Consulted: Stephen Dryden

Date: 08/06/10

Equalities Implications:

- 5.4 The general ethos of the document encourages greater consideration of all a street's potential uses and users whenever any work is undertaken in the public realm.

Sustainability Implications:

- 5.7 The document links directly to and supports Brighton & Hove's Sustainability Agenda, both in terms of choosing street elements, and enabling all uses and users of a street (which includes enhanced enabling of "sustainable" pursuits).

Crime & Disorder Implications:

- 5.8 Where appropriate, the document links to crime and disorder issues, ranging from ensuring street furniture is sticker and graffiti proofed through to encouraging greater levels of human activity in the street, which in turn reduces fear of crime.

Risk & Opportunity Management Implications:

- 5.9 n/a

Corporate / Citywide Implications:

- 5.10 This project will contribute towards the following Council Priorities:
- Protect the environment while growing the economy – by encouraging less investment and installation of intrusive street clutter, ensuring new street element decisions consider sustainable impact, and improving the quality of the city so that more people – residents and visitors – are encouraged to spend time (and potentially money) in the city
 - Better use of public money – by reducing unnecessary short term expenditure and long term maintenance liability
 - Reduce inequality by increasing opportunity – by ensuring streets are designed for all uses and users

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The alternative option is not having Streetscape Design Guidelines, which would see continuation of the issues that the document seeks to redress (such as unnecessary and or poor quality work)

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 By ensuring the Streetscape Design Guidelines are applied consistently across the city, the City Council ensures a consistent, co-ordinated and quality approach is applied to all aspects of public realm work, unlocking the benefits described in the document.

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

Streetscape Design Guidelines

Background Documents

None

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 28

Brighton & Hove City Council

Subject:	Response to the report of the Overview & Scrutiny Committee Scrutiny Panel on 'Street Access Issues'		
Date of Meeting:	26 July 2010		
Report of:	Director of Environment		
Contact Officer:	Name:	Christina Liassides	Tel: 29-2036
	E-mail:	Christina.liassides@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: ENV17080	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The Scrutiny review was established following concern over how accessible the city's public highways are. A review and impact assessment of the council's operational policy "Traders' Objects on the Highway" highlighted the issues regarding accessibility on the highway and the council responded to requests for further debate from organisations, individuals and businesses by setting up a Scrutiny Panel to examine the competing needs of different highway users. The scope included:
- Gaining an understanding of the issues relating to street accessibility within Brighton & Hove
 - Reviewing current Council policy relating to items placed on public walkways
 - Seeking a balanced range of views as to the impact of current policy and practice
 - Developing recommendations for the future development of council policy on these issues
- 1.2 The full report (Appendix 2) which describes the scrutiny process and summarises evidence, findings and recommendations has been considered by officers with lead roles in highway placements. The Scrutiny Panel's examination has been welcomed.
- 1.3 This report sets out at Appendix 1 the officer response to all of the recommendations. The scrutiny recommendations cover both highways and licensing functions which are dealt with separately under the Council's constitution. Licensing matters are dealt with by the Licensing Committee and therefore the scrutiny recommendations relating to licensing have been sent to Licensing Committee for decision on 24th June 2010. The recommendations and responses that relate to highways functions are executive functions and are therefore presented in this report for decision by the Cabinet Member for Environment.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member notes the evidence, findings and recommendations of the Overview & Scrutiny Committee and its scrutiny panel in relation to Street Access Issues.
- 2.2 That the Cabinet Member agrees the actions detailed in the officer response to Scrutiny Recommendations 1,7,8,9,10,11,12,14 and 15 (Appendix 1) with particular regard to the timescales and constraints identified.
- 2.3 That the Cabinet Member notes that the responses to Scrutiny's recommendations 1, 2, 3,4,5,6 and 13 (Appendix 1) will be considered by Licensing Committee as they relate to non executive licensing functions.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The council established a Scrutiny Panel following debate raised by a review of the existing operational policy for 'Traders' Objects on the Highway.' The Panel sought to take into account and balance the competing needs of highway users.
- 3.2 In terms of the operational policy, the Panel has set forth recommendations that support the principles and operation of the existing policy but seek to improve the enforcement regime.
- 3.3 The Panel also looked at other placements on the highway, and particularly sought to make recommendations with regard to communal bins and bicycle parking.
- 3.4 Several of the recommendations are in progress following agreement of the revised operational policy for 'Traders' Objects on the Highway' in April 2009 or - for example, with bicycle parking spaces - have already been trialled around the city. Lead officers are broadly in agreement with all the recommendations; however, there are some practical queries that have been raised on certain points.
- 3.5 In terms of the council's constitution any recommendations and approvals regarding the policy on traders' objects must be considered by Licensing Committee because it is a licensing function. .(Recommendations 1,2, 3,4,5,6 & 13)
- 3.6 Any recommendations and approvals regarding other highway placements (e.g. bicycle parking, communal bins) must be considered by Environment Cabinet Member as these are a highway function. (Recommendations 1, 7, 8, 9, 10, 11, 12, 14, 15, 16)

4. CONSULTATION

- 4.1 The Panel issued a general public invitation to submit evidence. Over 40 responses were received. The Scrutiny Panel then held 3 public meetings during 2009. During the sessions, individuals and representatives of various organisations or businesses were invited to give evidence and to respond to questions from panel members.

- 4.2 Lead officers within the relevant council services have been consulted regarding the recommendations. Other agencies have also been consulted where appropriate e.g. the police regarding monitoring and enforcement activities by PCSOs.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 There may be financial ramifications associated with implementing some of the measures quoted. The budget for 2010-11 assumes a certain level of income based on traders objects on the highway. A boards, hoardings, tables and chairs and skips and scaffolds are expected to yield £243,320 over the forthcoming year, which will be used to cover the monitoring costs of the Highway Enforcement Team. Any reduction in the level of traders items on the highway, could affect the revenue budget. Similarly, if the council decides to introduce new standard advertising boards a budget will have to be found for this initial expenditure and any ongoing maintenance costs.

Finance Officer Consulted: Karen Brookshaw

Date: 03/06/10

Legal Implications:

- 5.2 Section 130 of the Highways Act 1980 imposes a duty on the Council as highway authority to assert and protect the rights of the public to the use and enjoyment of any highway within its area and so far as possible to prevent the obstruction of the highway. However, the highway authority is empowered to licence the placing of certain objects on the highway, eg. A boards under the provisions of Part VII A of the 1980, although in doing so it must have regard to the provisions, including the Council's duties, of the Disability Discrimination Act 1995.
- 5.3 The Officer Response to the Scrutiny Panel's recommendations set out in Appendix 1 of this Report will assist in ensuring that the Council is in a position to comply with its statutory duties regarding the public's right of access to the highway.

Lawyer Consulted:

Hilary Woodward

Date: 04/06/10

Equalities Implications:

- 5.4 The council seeks to ensure that public highways are used in a manner that maximises the benefit to the most number of users. However in the busiest areas of the city competing interests can come into conflict. It is the council's responsibility to manage these interests and to ensure equality of access particularly for those with mobility issues.

Sustainability Implications:

- 5.5 There are no sustainability issues identified.

Crime & Disorder Implications:

- 5.5 There are no direct crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 5.6 The council needs to take into account economic factors for the city whilst ensuring that accessibility is safeguarded. This is an opportunity to ensure clarity of policy and enforcement to the benefit of all users.

Corporate / Citywide Implications:

- 5.7 This report seeks to respond to recommendations in the Scrutiny report that are aimed at balancing the various needs and requirements within the city's public highway.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The full submission of analysis reports and evidence by the scrutiny panel facilitated consideration of options in how to address the issues raised. The recommendations proposed by the panel are the final outcome of the options considered.
- 6.2 Officers have considered all the recommendations and subject to issues raised in the accompanying response feel the options provide a useful way forward with street access issues. The alternative is to not introduce any changes or improvements.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The recommendations for which consideration and approval are sought are as a result of scrutiny. Considerable supporting evidence was provided to inform the process from the start.

SUPPORTING DOCUMENTATION

Appendices:

1. Recommendations
2. Scrutiny Report

Documents In Members' Rooms

None

Background Documents

1. Licensing Committee April 2009
2. OSC Street Access Issues March 2010
3. Volume 2 of the Scrutiny Review into Street Access Issues

Rec #	Recommendation	Response	Date
1	In regulating and licensing the use of public highways the council should seek to strike a balance between the needs of competing interests. However this should be based on the premise that there should be free, unfettered access for all to public highways in Brighton and Hove.	Agreed	Ongoing
2	The panel supports the use of licensing zones for traders' items in specific areas of the city. Subject to its other recommendations, the panel endorses the policy regarding traders' items that was agreed at the meeting of Licensing Committee (Non Licensing Act 2003 Functions), Friday, 24 April, 2009 (Agenda Item 33).	Agreed	Already in place
3	In addition to the licensing criteria above businesses seeking to place an A Board on public land should be required to: a) Evidence that there is insufficient private curtilage for A board to be kept off the public highway b) Commit to ensure the A board will be placed on an agreed area on the pavement marked by the council.	Agreed	Undertaken during new licensing period for April 2010 - Mar 2011. Each licensed area is currently shown on shop display diagram/photo rather than marked on ground. Will need to explore best type of markings for licensing year 2011-12
4	Clusters of A boards should be combined into a single standard advertising board. The council should provide these in a single City-wide design livery that can be added to by individual retailers.	Recognise the issue the recommendation seeks to address. In taking this forward however the cost of the board should be met by traders. Legal advice is that the design/wording of the board would need to be carefully thought out as the council cannot be seen to be promoting any particular business. Suggest that this is progressed with recommendation 15. Practicalities of this need to be explored further including what can be reasonably accommodated in narrow streets, regular maintenance, etc. With regards to planning considerations, a single standard board advertising businesses in a street or block may be acceptable, subject to their number, size and location and approval of advertisement consent. A single hanging sign to each business premises, rather than an A board, may also be acceptable, subject to their size, appearance and location, the detailed policy guidance in Supplementary Planning Document SPD07 Advertisements and, where necessary, approval of advertisement consent.	Will explore possibilities for new licensing year 2011-2012

5	Businesses with tables and chairs on the public highway should be required to partition their external seating from the footway. Areas licensed for tables and chairs should be marked	Agreed with the addition that this should not apply in exceptional circumstances. Exceptional circumstances would apply to small single operators with less than 4m2 licensed area. This is because of the concerns for very small businesses on smaller streets such as little single shop-front cafes where just 2 chairs or one table may be placed outside. Officers believe this will add to street clutter rather than contain or reduce it in some circumstances particularly for smaller placements. In order to be safe, barriers need a large base and therefore a large footprint. Where there are small placements on quite narrow pavements, the addition of barriers may narrow down the width to less than 1.3 metres and therefore mean that some businesses will be refused a licence. Whilst appreciating that this is a means of controlling overspill, it may disproportionately affect small local traders who have never posed a problem. An alternative is agreeing to barriers being fixed to the highway but this is not a route recommended by officers because of the problems this causes e.g. when placements aren't out as well as for liability and main	For new licensing year April 2011 subject to final operational policy decisions regarding officer/Scrutiny recommendations
6	The council should provide compulsory guidance on the most appropriate design of partition to prevent them from causing an obstruction	Agreed	For new licensing year April 2011
7	Bicycles secured to inappropriate street furniture present a challenge to many people moving around the city. Investment in more on-street cycle storage should be prioritised.	Agreed. Pedal Cycle Parking Places (on-carriageway cycle parking) provision in the city is increasing following significant public demand. 14 sites (140 cycle parking spaces) having been delivered across the city in 2009/10. Another 10 PCPPs are due for implementation during 2010/11 following discussions with local residents and councillors.	Ongoing
8	Commercial bin storage on the highway should in general not be tolerated: a) No new planning permissions should be granted that do not include on-site waste storage b) Business that fail to utilise on-site storage facilities should be prosecuted quickly c) Council officers should investigate alternative arrangements where businesses are already trading and do not currently have on-site waste storage facilities	Agreed within the constraints of existing regulatory requirements. With regard to enforcement of bins on the pavement this can be done under city clean enforcement but consideration will need to be given to retrospective action. Fixed penalties can be issued to those not complying with Duty of Care legislation prior to full enforcement action. Under planning regulations, the provision of adequate refuse and recycling storage facilities on site would be required when considering planning applications for new development. Brighton & Hove Local Plan policies TR7, SU2 and QD27 require such facilities for reasons of safety to highway users, sustainability and the protection of amenity. Such facilities should be provided for new business uses in existing properties that require planning permission for change of use; however this could not be insisted on if it was not practical to provide facilities on-site and there was no material harm resulting from increased refuse/recycling generation.	

9	Communal bins should not be permitted to obstruct public highway to less than 1.3 meters (as per the minimum agreed in recommendation 2). Where this is the case communal bins should be relocated. Accessibility of the public highway should be of greater importance when deciding where to locate a communal bin.	Agreed. Communal bins are sited with a minimum of 1.3 m gap on the highway. Consideration is given to visibility of road users and access when sites for communal bins are considered. Where possible, these are not located in parking bays.	Ongoing
10	Whilst parking was raised a number of times throughout the review members felt that this was too big an issue for this panel to look at. It is however recommended that where changes are made to parking regulations accessibility issues are considered as part of consultations	Agreed. Accessibility and safety issues are always considered when parking regulations are changed or introduced. However, there must be a period of consultation when introducing any sort of parking controls (from a double yellow line to a residents' parking scheme) so it cannot be guaranteed that the controls will always be accepted.	Ongoing
11	The panel considers a robust, consistent enforcement regime of street access issues vital. Consideration should be given to utilising additional staff resource in monitoring and enforcing the streetscape. There should be given increased cross directorate/team working with officers able to undertake multiple enforcement regimes. This could include consideration of the use of civil enforcement officers, cityclean officers and PCSOs.	Agreed. Initial contact with the police has been positive and this will be followed up as soon as possible. Timescales for cross directorate/team working may take longer as may be affected by outcome of intelligent commissioning and new council structure before this can be fully put in place. However, discussions will take place with in-house teams and the police over the next 6 months. For enforcement, relevant delegated authority, correct training and good communication between teams are essential. Please note that teams already work in partnership e.g Environmental Health, Civil Enforcement Officers, and Highway Enforcement with problematic or complex sites. Highway Enforcement has not been at full team complement over past 12 months so will make a difference to enforcement activity with properly resourced team.	Initial meetings to take place soon in-house and with the police
12	Communication and coordination between officers undertaking work that affects the street-scene needs to improve. There appears to be a lack of coordination between different parts of the council that place items on the highway, license items to be placed on the highway and use items placed upon the highway. Overall responsibility for highway accessibility should be given to a named officer.	Agreed in relation to improved communication - council officers across various sections have been working together on a Street Design Manual which sets out principles and practices for good urban design and accessible streets so some of this recommendation has already been progressed through this route, and through "Public Space Public Life" meetings. With regard to a overall responsibility to a named officer, the council needs to identify who this is and where this best sits. It may not work if simply "added on" to existing work without the correct mandate (e.g. over other teams' work) and capacity to do this. This will need to be progressed properly over the longer term especially given current restructure subject to practical considerations.	

13	Where traders' items are in breach of license condition two written warnings should be issued. Upon the third occasion of breach of license immediate confiscation by council officers should be undertaken.	Agreed for majority of A-boards but magistrates' court & rescinding of licensing is also an option and may be a better route for certain placements. Legal advice is needed around the removal of perishable goods. Storage and removal costs will be an issue for larger placements - the council does not have the facilities to remove or store numerous tables and chairs. Any enforcement actions are subject to the council's corporate enforcement policy which provides for a range of sanctions in order that officers can use the most appropriate enforcement for the circumstance.	In place where practical to do so
14	The panel welcomes the willingness of Openreach to work with the council on the siting of utility boxes and supports the idea of creating a list of 'hotspots' where the re-siting of an existing box would be beneficial. The panel believes this could be usefully extended to other utility providers that locate items on the pavement.	Agreed. Highways & Planning are currently working with Openreach regarding the siting of new cabinets.	In progress
15	Considerable good will and a desire to work together was evident from traders and disability group representatives. The panel believes this should be acted upon and the council should facilitate on-going dialogue between different groups to review: a) Alternative forms of advertising that will reduce the impact on street accessibility and could become part of the city's culture b) How the city's café culture can meet the needs of mobility impaired residents and visitors	Agreed. The Communities & Equalities Team have agreed to facilitate this work.	Within next 12 months
16	Implementation of recommendations arising from the scrutiny review should be monitored by OSC after six and twelve months with an invitation extended to those involved in this review to comment upon any impact.	Agreed	6 - 12 months



Brighton & Hove City Council

Report of the Street Access Issues Scrutiny Panel

March 2010

Street Access Issues

Volume One

Panel Members

**Councillor Sven Rufus (Chair)
Councillor Jayne Bennett
Councillor Pat Hawkes
Councillor Brian Pidgeon
Councillor David Watkins**

CHAIR'S FOREWORD

This scrutiny review was established following concern over how accessible public highways within the city are. We have sought to take into account and balance the competing needs of different groups of highway users. We have heard evidence from disability advocacy groups, residents associations, business associations and private residents. Members also have undertaken site visits to areas identified as hotspots around the city.

It was immediately obvious that the issue of traders' items placed upon the highway is the most controversial and pressing for the majority of those giving evidence. It is clearly an issue that stirs emotion and divides opinion.

A boards, tables and chairs and displays of goods are all placed upon the pavement by businesses and depending on your point of view are either an important part of our city's culture and vital to business success or a menace to residents and visitors trying to live their lives and move around the city.

The panel has listened, questioned and contended with what is a difficult issue. We have I think come to a reasonable compromise solution that builds upon current council policy but seeks a more consistent and slightly tougher enforcement regime.

Other issues that were highlighted as areas of concern included flyparking of bicycles and the location of commercial and communal bins. We also made recommendations in these areas consistent with those relating to traders' items.

I would like to express my thanks to my fellow panel members and to the witnesses whom gave their time and expertise to the panel; I hope they think it has been useful exercise and that our recommendations will have a positive impact upon the city.



Councillor Sven Rufus
(Chair, Scrutiny Panel on Street Access Issues)

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Volume Two contains all of the evidence and appendices

EXECUTIVE SUMMARY

Public highways allow people to move around the Brighton and Hove, they also however are used to display goods, provide external seating, and advertise products and services; the council and other public bodies place signs and other infrastructure on the highway, and residents use the highway to store waste, park and secure bicycles.

The council seeks to ensure that public highways are used in a manner that maximises the benefit to the most number of users. However in the busiest areas of the city competing interests can come into conflict. It is the council's responsibility to manage these interests to prevent this from happening.

This review has focused on traders' items especially advertising boards (A boards), tables and chairs, bicycles and bins. Chaired by Councillor Sven Rufus the panel consisted of Councillors Jayne Bennett, Pat Hawkes, Brian Pidgeon and David Watkins.

Evidence was received from business representatives, disability charities, local resident groups and private residents. The panel has developed 16 recommendations, outlined below to improve accessibility around the city.

General Principles

1. In regulating and licensing the use of public highways the council should seek to strike a balance between the needs of competing interests. However this should be based on the premise that there should be free, unfettered access for all to public highways in Brighton and Hove.

Traders' Items

2. The panel supports the use of licensing zones for traders' items in specific areas of the city. Subject to its other recommendations, the panel endorses the policy regarding traders' items that was agreed at the meeting of Licensing Committee (Non Licensing Act 2003 Functions), Friday, 24 April, 2009 (Agenda Item 33), namely:
 - A. That no licensed traders' items should be permitted to reduce the width of a footway to less than 1.3 meters except where:
 - i) A formal pedestrian zone has been established in a road by Traffic Order and the whole of the carriageway is kept clear for pedestrian use;
 - ii) A road is closed to vehicular traffic by virtue of a temporary Traffic Order and the whole of the carriageway is kept clear for pedestrian use;
 - iii) A road is considered to be shared space and the whole carriageway is generally available for pedestrian use.

- B. That where a footway is reduced to a width of 1.3 meters (or less) by objects (whether these objects be traders' items of fixed street furniture such as lamp posts, bins etc.) 'turning areas' for manual wheelchair users and guide dogs must be established at regular intervals. These turning areas shall not be less than two meters in length and shall be the full width of the footway. Such areas must be maintained at intervals of no more than six meters along the length of any restricted footway.
- C. That, except in the case of items within large, waiter-serviced sitting-out areas, no traders' item shall be permitted to be placed more than 5 meters from the licensed premises. All objects must be within sight from a window or door of said premises or in clear visual range of CCTV camera(s) monitored from within the licensed premises. This provision will mainly affect advertising boards.
- D. That where an application is refused by Officers, an applicant may appeal to the Licensing Sub-Committee (the Licensing Panel).
- E. That applications for A-Boards shall be restricted to 1 per premises (excluding those situated on private land), but that:
 - i) Special consideration will be given to those premises situated in twittens and alleyways regarding this policy.
- 3. In addition to the licensing criteria above businesses seeking to place an A Board on public land should be required to:
 - a. Evidence that there is insufficient private curtilage for A board to be kept off the public highway
 - b. Commit to ensure the A board will be placed on an agreed area on the pavement marked by the council.
- 4. Clusters of A boards should be combined into a single standard advertising board. The council should provide these in a single City-wide design livery that can be added to by individual retailers.
- 5. Businesses with tables and chairs on the public highway should be required to partition their external seating from the footway. Areas licensed for tables and chairs should be marked.
- 6. The council should provide compulsory guidance on the most appropriate design of partition to prevent them from causing an obstruction.

Bikes, Bins and Parking

- 7. Bicycles secured to inappropriate street furniture present a challenge to many people moving around the city. Investment in more on-street cycle storage should be prioritised.

8. Commercial bin storage on the highway should in general not be tolerated:
 - a. No new planning permissions should be granted that do not include on-site waste storage
 - b. Business that fail to utilise on-site storage facilities should be prosecuted quickly
 - c. Council officers should investigate alternative arrangements where businesses are already trading and do not currently have on-site waste storage facilities
9. Communal bins should not be permitted to obstruct public highway to less than 1.3 meters (as per the minimum agreed in recommendation 2). Where this is the case communal bins should be relocated. Accessibility of the public highway should be of greater importance when deciding where to locate a communal bin.
10. Whilst parking was raised a number of times throughout the review members felt that this was too big an issue for this panel to look at. It is however recommended that where changes are made to parking regulations accessibility issues are considered as part of consultations.

Enforcement

11. The panel considers a robust, consistent enforcement regime of street access issues vital. Consideration should be given to utilising additional staff resource in monitoring and enforcing the streetscape. There should be given increased cross directorate/team working with officers able to undertake multiple enforcement regimes. This could include consideration of the use of civil enforcement officers, cityclean officers and PCSOs.
12. Communication and coordination between officers undertaking work that affects the street-scene needs to improve. There appears to be a lack of coordination between different parts of the council that place items on the highway, license items to be placed on the highway and use items placed upon the highway. Overall responsibility for highway accessibility should be given to a named officer.
13. Where traders' items are in breach of license condition two written warnings should be issued. Upon the third occasion of breach of license immediate confiscation by council officers should be undertaken.
14. The panel welcomes the willingness of Openreach to work with the council on the siting of utility boxes and supports the idea of creating a list of 'hotspots' where the re-siting of an existing box would be beneficial. The panel believes this could be usefully extended to other utility providers that locate items on the pavement.
15. Considerable good will and a desire to work together was evident from traders and disability group representatives. The panel believes this

should be acted upon and the council should facilitate on-going dialogue between different groups to review:

- a. Alternative forms of advertising that will reduce the impact on street accessibility and could become part of the city's culture
- b. How the city's café culture can meet the needs of mobility impaired residents and visitors

16. Implementation of recommendations arising from the scrutiny review should be monitored by OSC after six and twelve months with an invitation extended to those involved in this review to comment upon any impact.

1. INTRODUCTION

- 1.1 Public highways are subject to a variety of competing uses; most obviously they allow people to move around Brighton and Hove. They are also however used by businesses to display goods, provide external seating, and advertise products and services; the council and other public bodies place signs, furniture and other infrastructure on the highway, and residents use the highway to store waste, park and secure bicycles.
- 1.2 The council has a number of policies in place that seek to ensure that public highways are used in a manner that maximises the benefit to the most number of users. However in the busiest areas of the city competing interests can come into conflict. It is the council's responsibility to manage these interests to prevent this from happening.
- 1.3 This scrutiny review was established following concern that the accessibility of public highways within the city was being reduced. Whilst established to look at street access issues in a widest context evidence received from the public and groups with an interest in access issues has meant the review has focused to large extent on traders' items placed upon the highway. Given the publicity around this issue locally this is perhaps unsurprising. However many of the principles looked at in respect of traders' items hold true for other items placed upon the highway.
- 1.4 Throughout its work the panel has sought to understand and balance the needs of competing interests with the understanding that items placed upon the public highway should improve the general streetscape for users. The recommendations from this panel aim to improve the environment within the city and accommodate the needs of everyone.
- 1.5 At the 10 March 2009 Overview and Scrutiny Commission (OSC) meeting Members discussed a letter from Councillors Elgood and Watkins regarding the implementation of recommendation 10 of the 2006 Access Scrutiny Review. The letter and minutes of this meeting are attached to this report as appendices 1 and 2. Recommendation 10 stated:
- 1.6 *'That in consultation with sensorily-impaired people, officers give priority to achieving as wide, safe and straight access as possible in planning, licensing and enforcing all forms of street/pavement furniture and obstructions for pedestrians.*

That there be a presumption in favour of a clear straight pathways in line with Department for Transport guidance on the width of footways, footpaths and pedestrian areas.'

- 1.7 It was therefore agreed to establish a scrutiny panel to look at the issue of street accessibility. At its 21 April meeting OSC was presented with information regarding the progress made against recommendation 10 by the council's Highway Enforcement Team.¹

2. METHODOLOGY

- 2.1 Chaired by Councillor Sven Rufus the panel consisted of Councillors Jayne Bennett, Pat Hawkes, Brian Pidgeon and David Watkins. The Panel met to scope the topic, agreeing the terms of reference as:

- To gain an understanding of the issues relating to street accessibility within Brighton & Hove
- To review current Council policy relating to items placed on public walkways
- To seek a balanced range of views as to the impact of current policy and practice
- To develop recommendations for the future development of council policy on these issues

- 2.2 Initially the panel issued a general invitation to give evidence. Over the course of the review over 40 responses were received. From these initial responses the panel selected a number of individuals and organisations to give oral evidence.

- 2.3 Meeting three times in public the panel heard evidence from:

- Federation of Disabled People
- RNIB
- Openreach (part of the BT Group)
- North Laine Traders Association
- Western and Church Road Traders Association
- Brighton and Hove Youth Council
- Rottingdean Parish Council
- Regency Square Area Society
- Tom Chavasse²
- Older People's Council
- Cllr Juliet McCaffery
- Christina Liassides, Head of Network Management
- Ian Denyer, Senior Highway Enforcement Officer

- 2.4 Additional evidence was received from a number of different individuals and organisations including:

- Cllr Paul Elgood
- Paula Murray - Head of Culture and Economy, Brighton and Hove City Council

¹ Appendix 3, Volume 2.

² Representing the Lansdowne Area Residents Association, Friends of Brunswick Square and Terrace, Friends of Palmeira and Adelaide, East Brunswick Residents, Association, Dudley Mews/Brunswick St. West Residents Association, The Hove Civic Society and Brighton Society, Montpelier & Clifton Hill, Regency Square and Kingscliffe Society

- Unique to Brighton
 - National Federation of the Blind
 - Impetus
 - Friends of Brunswick
 - East Brunswick Residents Association
 - Brighton and Hove Low Vision Committee
 - Rottingdean Traders Association
 - Lansdowne Area Residents Association
 - Over 20 private residents of Brighton and Hove
- 2.5 Using the information provided by those giving evidence a list of site visits was developed. Each member visited a different area of the city, with the Chair visiting all areas; sites were chosen to ensure that examples of different types of obstruction were viewed and a reasonable geographic spread covered.
- 2.6 Site visits took place to Washington Street, Scotland Street, Jersey Street, St. James's Street, Wakefield Road, Lewes Road, Western Road, Little Preston Street, Regency Square, Church Rd, George Street, Blatchington Road, Goldstone Villas, Sackville Road and Boundary Road.
- 2.7 Photographic evidence was obtained during the site visits and from a number of members of the public whom send in photos of their local area. The photos obtained have been used throughout the report to illustrate access issues around the city.
- 2.8 The following council policy documents were obtained:
- Communal Container Siting Guidelines³
 - Commercial Waste – Council Policy⁴
 - Traders' Items Licensing Policy⁵
 - Draft Streetscape Design Guidelines
 - HP 4-6 Provision of Traffic Signs and Roadmarkings
 - HP 4-8 Provision of Traffic Signs – Direction Signs
 - HP 4-9 Provision of Traffic Signs – Warning Signs
 - HP 4-10 Provision of Traffic Signs – Regulatory Signs
 - HP 4-12 Provision of Traffic Signs – Private and Tourist Signs
 - HP 8-9 Charity or Event Signs on the Highway
 - HP 8-8 Transport Abandoned on the Highway
 - HP 8-7 Provision of Highway Bollards
 - HP – Pavement Parking
 - HP 4-15 Resident Parking Schemes Assessment
- 2.9 It was agreed that the panel would seek to be flexible as to the issues covered and respond to evidence received.

³ Appendix 8, Volume 2

⁴ Appendix 9, Volume 2

⁵ Appendix 7, Volume 2

- 2.10 The evidence received from residents and residents groups, members and interested organisations meant the focus of this review has been:
- Traders' items – most notably A boards and tables and chairs
 - Flyparked bicycles
 - Commercial and communal bins
- 2.11 This is perhaps unsurprising given publicity and interest in A boards and other traders' items including articles and letters in the Argus such as *'Brighton traders fear street furniture ban'*.⁶
- 2.12 A short comparative study looking at the approach taken in other local authorities towards aspects of street accessibility was undertaken.⁷
- 2.13 From all of the evidence obtained 16 recommendations have been produced.

3. GENERAL PRINCIPLES

- 3.1 The foreword to the Legibility Study 'Public Space, Public Life' states streets should enable residents and visitors to move safely, quickly and easily around the city. It also sets out twelve key criteria common to well functioning public spaces one of which, Opportunities to Walk, includes the need for no obstacles and accessibility for everyone.⁸ It continues that this must include children, adults, the elderly and people with special needs and highlights that at some point everyone is a pedestrian.⁹
- 3.2 This review has received submissions of evidence from individuals, groups and organisations for whom this is clearly an emotive and important issue. Of the wide number of possible issues that this review could have looked at A boards and other traders' item have time and time again been raised as the issue that most affects residents ability to move around the city.
- 3.3 The competing needs of the different groups of users were very apparent in the evidence received. However also apparent was a willingness to engage with the scrutiny process and seek a compromise solution to the issues. This is to be welcomed.
- 3.4 Whilst items placed upon the highway can be an obstacle to everyone those experiencing reduced mobility or sight are disproportionately disadvantaged, something clearly shown in evidence from the RNIB and Federation of Disabled People and others. In its recommendations

⁶ Appendix 6i, Volume 2

⁷ Appendix 11, Volume 2

⁸ Legibility Study. Page 9

⁹ Legibility Study. Page 42

the panel has been aware that often these groups are already at risk of exclusion and has sought to reflect this in its approach.¹⁰

- 3.5 Evidence from charities supporting partially sighted individuals highlighted the fact the many of the objects licensed are movable in nature and therefore cause significant problems.¹¹
- 3.6 Navigation of the highway by partially sighted people is aided by fixed landmarks which can be learnt and therefore help in the understanding of exact location. Having items on the highway that move on a day-to-day basis is therefore a double problem in that they represent a collision hazard but also distort the mental map that has been memorized.
- 3.7 Paradoxically if traders items were to be of a more fixed location they would actually aid the passage of partially sighted individuals around the city adding to the mental map of the area.
- 3.8 These basic needs however should to be balanced with the needs other users of the highway. Businesses throughout the city have indicated throughout the review that use of the highway is integral to their survival. The city has developed a vibrant out doors café culture that necessitates some encroachment onto the pavement by traders.

Recommendation 1

In regulating and licensing the use of public highways the council should seek to strike a balance between the needs of competing interests. However this should be based on the premise that there should be free, unfettered access for all to public highways in Brighton and Hove.

TRADERS ITEMS BACKGROUND

- 3.9 Items placed upon the public highway by traders are monitored by the Highway Enforcement Team; these items include shop displays such as fruit and vegetables, advertising boards (A boards) and tables and chairs.
- 3.10 The law states that some items placed upon the highway must be licensed e.g. skips and scaffolds. Other items placed upon the highway can be tolerated; local circumstance and highway usage dictating what is acceptable.
- 3.11 Brighton and Hove is currently split into two zones, one licensed and one not. Licenses are required in the following areas.
 - The Lanes
 - The North Laines

¹⁰ Appendix 4b, Volume 2

¹¹ Appendix 4b, Volume 2

- George Street, Hove
 - Rottingdean Village Centre
 - St. James Street area of Kemptown
 - Stretches of Western Road
- 3.12 All traders wishing to place items on the highway in these areas must apply for a licence. The licence specifies where items can be placed and the maximum area to be taken up. The licence is similar in appearance to a tax disc and must be displayed in the shop window.
- 3.13 Positions licensed for objects to be placed aim to produce the best compromise possible between the competing highway users. Photos illustrating the approach taken by the Highways Enforcement Team presented to the Overview and Scrutiny Commission are attached as Appendix 3.
- 3.14 Traders may place items on the highway in areas outside the licensed zone without the need for a license. If complaints are made to the council cases are looked at on an individual basis.
- 3.15 The council's current policy regarding traders' items was agreed at the meeting of Licensing Committee on 24th April 2009. The policy states that:
- A. That no licensed traders' items should be permitted to reduce the width of a footway to less than 1.3 meters except where:
 - i) A formal pedestrian zone has been established in a road by Traffic Order and the whole of the carriageway is kept clear for pedestrian use;
 - ii) A road is closed to vehicular traffic by virtue of a temporary Traffic Order and the whole of the carriageway is kept clear for pedestrian use;
 - iii) A road is considered to be shared space and the whole carriageway is generally available for pedestrian use.
 - B. That where a footway is reduced to a width of 1.3 meters (or less) by objects (whether these objects be traders' items of fixed street furniture such as lamp posts, bins etc.) 'turning areas' for manual wheelchair users and guide dogs must be established at regular intervals. These turning areas shall not be less than two meters in length and shall be the full width of the footway. Such areas must be maintained at intervals of no more than six meters along the length of any restricted footway.
 - C. That, except in the case of items within large, waiter-serviced sitting-out areas, no traders' item shall be permitted to be placed more than 5 meters from the licensed premises. All objects must

be within sight from a window or door of said premises or in clear visual range of CCTV camera(s) monitored from within the licensed premises. This provision will mainly affect advertising boards.

- D. That where an application is refused by Officers, an applicant may appeal to the Licensing Sub-Committee (the Licensing Panel).
- E. That applications for A-Boards shall be restricted to 1 per premises (excluding those situated on private land), but that:
 - i) Special consideration will be given to those premises situated in twittens and alleyways regarding this policy.

Recommendation 2

The panel supports the use of licensing zones for trader's items in specific areas of the city. Subject to its other recommendations, the panel endorses the policy regarding traders' items that was agreed at the meeting of Licensing Committee (Non Licensing Act 2003 Functions), Friday, 24 April, 2009 (Agenda Item 33).

ADVERTISING BOARDS

- 3.16 A number of business organisations submitted written evidence to the panel and the North Laines Traders Association and the Western and Church Road Traders Association gave evidence directly to the panel. All of the businesses represented were unequivocal regarding the importance A boards to their businesses¹² and that they represent a cost effect manner in which to attract passing trade being relatively cheap to purchase.
- 3.17 The question was raised that during a period of economic uncertainty should the council be looking to limit the ability of businesses to attract customers. Whilst the Panel were presented with this anecdotal evidence it has not been possible to find any solid independent evidence that assesses the impact of having A boards on businesses.
- 3.18 Members were concerned that rather than A boards adding value to individual businesses there exists an advertising 'arms race' scenario where businesses only require an A boards because competing businesses have them. It is not however possible to stop the arms race as so many A boards are on private land.
- 3.19 There was also debate as to whether larger chain businesses need to advertise utilising A boards. In the case of small scale independent retailers, there is an argument to be made for an A Board advertising what exactly the retailer has on offer, or in the case of restaurants the daily specials.

¹² Appendix 4c and 4d, Volume 2

- 3.20 However the question must be asked does a large major retailer need to advertise their products in the form of an A board, for example a number of supermarkets in the city centre have a boards outside their premises even though there products and services are well known. Also related to this argument is the need for businesses located in twittens to be able to advertise their presence. This is rightly reflected in current council policy.
- 3.21 The expertise of the street enforcement team was obvious throughout this enquiry and the panel were appreciative of their efforts in dealing with what is clearly a complex issue.
- 3.22 It became evident during the review the many of the items considered to be causing obstruction of the pavement are located on what is actually private land or at the very least disputed land with no clear owner. During site visits with officers from the enforcement team the complex nature of identifying what is private land and what is public land were highlighted to the Panel Chair; this issue is well highlighted in the original report to the Overview and Scrutiny Commission.¹³
- 3.23 Whilst in some cases differences in the appearance of the pavement indicates the boundary between private and public land in many instances this isn't the case. The council has very few powers regarding items placed on private land and therefore the recommendations and focus of this report are on the public highway.
- 3.24 The evidence put forward by those campaigning for an increase in the minimum gap required to 2meters, and a reduction in general street clutter, is fairly compelling that movable items placed upon pavement do have a detrimental impact upon the ability of people to navigate around the city. This is especially the case for those with visual impairments or mobility problems. Figure 1 below highlights how poorly placed A boards can obstruct the highway.
- 3.25 In considering a move towards a total ban, 2 meter gap, or an increase in the 1.3 meter provision, the panel were mindful of the number of areas were pavements aren't of that width to begin with and what impact such as draconian approach would have. There was also concern amongst panel members that the current policy has yet to be fully bed-down with support from a strong enforcement regime.
- 3.26 Having debated the arguments put forward the panel has decided that the current policy as agreed at the Licensing Committee is logical, represents a good balance and therefore endorses much of the approach. The Panel also took into account that the enforcement of the policy to date has been sporadic to date, through no fault of officers, rather a series of circumstances have meant a consistent enforcement

¹³ Appendix 3, Volume 2

regime has been difficult to implement. The Panel have however sought to make some focused changes.



Figure 1 – Badly Placed Advertising Boards

- 3.27 It is worth noting that the original policy was developed following consultation with a large number of groups listed under section 4 of the original report.¹⁴
- 3.28 The panel considered asking businesses to develop a short business case to explain why they require an A board, however it was felt this would be very subjective and overly bureaucratic. The panel did however agree that businesses should evidence that there is no space for the A board on their private curtilage.
- 3.29 The panel also supported the licence requirement for A boards to be of a standard size between 0.75m and 1.2m high and between 0.5m and 1.1m wide only.
- 3.30 Discussion on marking the location of items placed on the highway recognised that there may be opposition to this as it will mean occasions where the marks are visible during non-trading hours. The Panel however felt marking the pavement would make enforcement easier and that it could then be undertaken by a larger number of officers. Please see enforcement section below.
- 3.31 Having A boards in fixed positions should also make the pavements easier to navigate for the partially sighted. Evidence from the RNIB and

¹⁴ Appendix 3, Volume 2

others showed how fixed items enable mental maps of an area to be learnt to aid navigation.

- 3.32 The panel briefly investigated alternative forms of advertising some of which are attached to this report as appendix 10. Business representatives were open to exploring further the suitability of different options available to them.
- 3.33 Some of the different types of advertising available could become quite iconic in themselves and dovetail well with the reputation of the City. The panel felt this was best taken forward by the businesses themselves along with representatives from disability groups, supported by council officers. (See Recommendation 15 below).

Recommendation 3

In addition to the licensing criteria businesses seeking to place an A Board on public land should be required to:

- a. **Evidence that there is insufficient private curtilage for A board to be kept off the public highway**
- b. **Commit to ensure the A board will be placed on an agreed area on the pavement marked by the Council.**

- 3.34 A number of witnesses highlighted the fact that it is often clusters of items placed on highway that create a problem. This can often be the case in areas such as the Lanes, at the entrance to twittens or near side streets, as shown in figure 2 below.
- 3.35 The Panel believes these hot spots can best be tackled by a joint A board for all businesses in the alley/street/twitten. These could be developed in a single city-wide livery complementing information signage.



Figure 2 – Multiple Advertising Boards

Recommendation 4

Where there are 'clusters' of A boards they should be combined into a single standard advertising board. The Council should provide these in a single City-wide design livery that can be added to by individual retailers.

OTHER TRADERS' ITEMS

- 3.36 The rationale for having tables and chairs on the highway is more obvious than A boards as the value they bring to a business can be seen in increased capacity and as a part of the vibrant 'café culture' that the city enjoys. This view was prominently reinforced by business representatives as well as the Head of Culture and Economy at the council.¹⁵
- 3.37 There is however a strong argument that a clear, clean streetscape is more attractive to customers and will therefore increase trade. A number of witnesses also pointed out the importance of attracting disabled visitors to the City and the spending power this group would bring, the Federation of Disabled People highlighted that fact that nationally spending power of disabled people is £80bn.¹⁶
- 3.38 More space for pedestrians on our pavements is desirable and would encourage greater usage and footfall. The Legibility Strategy: Public Space Public Life advocates some good principles of urban design particularly in terms of decluttering public spaces.
- 3.39 As with A boards the panel endorsed the council's agreed policy position with however only two changes as in recommendations 5 and 6 below.
- 3.40 Marking the space designated for tables, chairs and the display of goods should help to prevent these items taking over the pavement and will allow easier enforcement, will be easier for businesses to adhere to and facilitate the passage of all highway users.
- 3.41 Following some debate it was agreed to recommend that tables and chairs on the highway should be required to be partitioned as in figure 3 below. This is to clearly demarcate the area set aside and prevent customers from moving items around as they utilise them. The design of the partition's feet needs to be a low profile to ensure they do not create a trip hazard. Barriers can themselves cause a problem if the feet are badly designed and stick out across the highway and as such the council should provide guidelines for businesses.

¹⁵ Appendix 4d, Volume 2

¹⁶ Appendix 4b, Volume 2

- 3.42 The panel were of the opinion that if there is not enough room for the partitions, then there probably isn't enough room for the tables and chairs in the first place.



Figure 3 – Partitioned Seating Area

- 3.44 The Panel acknowledge that partitions will add additional cost to businesses but feel barriers are necessary to prevent encroachment across the whole pavement and reduce trip hazards.

Recommendation 5

Businesses with tables and chairs on the public highway should be required to partition their external seating from the footway. Areas licensed for tables and chairs should be marked.

Recommendation 6.

The council should provide compulsory guidance on the most appropriate design of partition to prevent them from causing an obstruction.

5. BIKES, BINS AND PARKING

Flyparked Bikes

- 4.1 A number of witnesses highlighted that the widespread practice of chaining bicycles to items of street furniture, 'flyparking', can seriously affect the accessibility of some streets,¹⁷ especially when the bicycle falls over.

- 4.2 In line with the desire to increase the number of people cycling and with the award of Cycling Town status in 2005 the panel has taken the approach of recommending increased provision for secure cycle

¹⁷ Appendix 4 , Volume 2

storage, rather than a more vigorous and heavy-handed campaign against inconsiderately secured bicycles. The highway enforcement team do have powers to remove abandoned bicycles, there is however an exhaustive process to be gone through.

4.3 The Legibility Study highlights that 'a lack of proper cycle parking leads to bicycles parked in appropriate places.'¹⁸ The council's own website acknowledges the problem of flyparking of bicycles that can reduce accessibility. The council has embarked upon a programme of increasing the number of Pedal Cycle Parking Places (PCPPs) around the city with 13 priority sites identified as below, to be completed in early 2010. Each PCPP holds five Sheffield Stands and 10 bicycles as seen in figure 4 below.

- Beaconsfield Road
- Farm Road
- George Street
- Kemp Street
- Kensington Place
- Lansdowne Place
- Lansdowne Street
- Norfolk Road
- Norfolk Square
- North Road
- St George's Road
- Sussex Square
- Tidy Street

6.4 The panel welcomed the approach taken in prioritising PCPPs and the ability of residents to request their installation. It was felt this should be more widely publicised, both directly to the public, but also to Members.



Figure 4 – Pedal Cycle Parking Place

¹⁸ Page 45, Legibility Study

- 4.4 Increasing the amount of secure cycle storage available, especially in areas of high occupancy housing and in areas where residents have highlighted this as a problem should reduce the amount of flyparking.
- 4.5 The panel support increasing the amount of secure bicycle storage available across the city as a whole. Individual and multiple Sheffield Stands as shown above should be installed at more points across the city; however when selecting the location of the stands care should be taken not to impede highway accessibility.
- 4.6 Site visits to Hanover showed that it is not only central areas that suffer from flyparked bicycles and could benefit from more cycle parking.
- 4.7 The panel were of the opinion that in areas of significant pedestrian movement PCPPs should be installed in the road, rather than the pavement; the inclusion of on-road cycle parking within future controlled parking zones is a welcome development.
- 4.8 Whilst the panel would like to see an increase in the number of PCPPs there was recognition that this will require additional resources. However the cost of a PCPP is only around £5000, a modest increase in funding in this area could therefore have a significant effect.



Figure 5 – Fallen Cycle

- 4.9 The council is currently in the process of developing Street Design Guidelines that are relevant to much of content of this review. It is hoped that the recommendations within this report are taken forward in this guidance. The guidance relates specifically to those items placed on the highway by the council.

Recommendation 7

Bicycles secured to inappropriate street furniture present a challenge to many people moving around the city. Investment in more on-street cycle storage should be prioritised.

Commercial Bins

- 4.10 A number of members of the public highlighted commercial bin storage as an issue impacting on their ability to access certain streets, areas identified were typically city centre areas, often near food establishments.
- 4.11 The Regency Square Area Society provided photographic evidence of the issue and their dealings with the council in trying to resolve the matter.¹⁹ Figure



Figure 6 – Commercial Waste on the Pavement

- 4.12 The Panel are supportive of current council policy in that it seeks to limit the number of businesses that are allowed to store waste on the highway.²⁰ However they would like officers to investigate those instances where currently businesses are allowed to store waste on the highway and see if other options are available.
- 4.13 There was some debate within the panel that seeking to change refuse storage could result in a return to black sacks being torn open by seagulls and the resulting mess this creates. However it was felt that asking officer to look at the issue again would provide an avenue to resolve the issue without being prescriptive as to the outcome.

¹⁹ Appendix 6h, Volume 2

²⁰ Appendix 9, Volume 2

Recommendation 8

Commercial bin storage on the highway should in general not be tolerated:

- a. No new planning permissions should be granted that do not include on-site waste storage**
- b. Business that fail to utilise on-site storage facilities should be prosecuted quickly**
- c. Council officers should investigate alternative arrangements where businesses are already trading and do not currently have on-site waste storage facilities**

Communal Bins

4.14 The placement of communal bins was raised as an issue of some concern. Evidence was presented highlighting bins placed on pavements that made accessibility hard.

4.15 The siting guidelines contain within them limits to as to how the width of available pavement can be reduced as below:

***Containers may be sited on pavements.** Where it is not operationally possible to site containers directly on the highway, they may be sited on pavements providing they do not reduce the available pavement width to below the legal requirement. After seeking advice from Brighton & Hove's Walking & Cycling Officer at the start of this process back in 2004, the distances used was a recommended minimum width (after the placement of a container) of no less than 1.2m and an absolute minimum width of no less than 1.0m²¹*

4.16 Whilst supportive of the general thrust of the policy in terms of accessibility the panel felt the limits should be the same as those prescribed to traders in the licensing policy; namely a limit of 1.3 meters. It was felt by the panel that a standard limit on pavement width was required and having different rules for traders and the council was inequitable. Indeed if 1.3 meters is being treated as the minimum for all officer issued licenses then this should be considered as the minimum for all items the council places on the highway too.

4.17 Discussions with officers responsible for communal bin placement highlighted a number of issues that the panel considered in making this recommendation. Increasing the limit to 1.3 may actually have detrimental impact on accessibility. Forcing the removal of some communal bins which reduced the usable pavement to less than 1.3 meters may result in rubbish being left on the highway in an indiscriminate manner; this could mean that the amount of usable pavement actually decreases and the risk of needle sticks and glass injuries will increase.

²¹Appendix 8, Volume 2

- 4.18 However in making their recommendation the panel felt that a consistent line was required for all items that may cause obstruction.

Recommendation 9

Communal bins should not be permitted to obstruct public highway to less than 1.3 meters (as per the minimum agreed in recommendation 2). Where this is the case communal bins should be relocated. Accessibility of the public highway should be of greater importance when deciding where to locate communal bins.

Parking

- 4.19 A number of residents raised parking on pavements as an issue and figure 7 below supports this view. The Panel however felt there was insufficient time to properly evaluate parking as an issue given its complexity.



Figure 7 – Photo of Wakefield Road

Recommendation 10

Whilst parking was raised a number of times throughout the review members felt that this was too big an issue for this panel

to look at. It is however recommended that where changes are made to parking regulations accessibility issues are considered as part of consultations.

5. ENFORCEMENT

- 5.1 As highlighted earlier the Scrutiny Panel were generally supportive of the balance struck by the existing council policy with regard to licensing traders' items. However there is currently a gap between council policy and enforcement action taken.
- 5.2 Enforcement action on highway obstructions needs to be consistent and members of the public assured that when an issue is raised it receives sufficient attention.
- 5.3 Officers within the Highway Enforcement Team are responsible for a number of different types of licensing. Quite rightly they have prioritised limited resources to focus on those items that represent the most danger to the public such as scaffolding and abandoned cars.
- 5.4 The current Highway Enforcement Team are overstretched for the current areas of responsibility required of them. Given the number of different council officers, other public servants and enforcement officers that are patrolling the central areas of the city the panel are of the opinion there is merit in closer working between the different agencies and indeed within the council.
- 5.5 Marking the pavement for the position of items placed on the pavement with a minimal amount of paint should help businesses ensure they are locating items in the correct place. All members of staff within a business can easily identify where the items should be placed. This will have two benefits; it will allow for easier, quicker enforcement and by ensuring items are in the right place will ease passage for the visually impaired.
- 5.6 The panel would also like to build upon the manner in which these issues are coordinated across the council. There is a Public Space Public Life Strategy Group which facilitates a degree of coordination of work. The Panel however would like to go further and give named responsibility for access issues to a single officer.

Recommendation 11

The panel considers a robust, consistent enforcement regime of street access issues vital. Consideration should be given to utilising additional staff resource in monitoring and enforcing the streetscape. There should be given increased cross directorate/team working with officers able to undertake multiple enforcement regimes. This could include consideration of the use of civil enforcement officers, cityclean officers and PCSOs.

Recommendation 12

Communication and coordination between officers undertaking work that affects the street-scene needs to improve. There appears to be a lack of coordination between different parts of the council the place items on the highway, license items to be placed on the highway and use items placed upon the highway. Overall responsibility for highway accessibility should be given to a named officer.

- 5.7 The panel were happy to support existing powers with regard to the confiscation of items in breach of licensing agreements.

Recommendation 13

Where traders' items are in breach of license condition two written warnings should be issued. Upon the third occasion of breach of license immediate confiscation by council officers should be undertaken.

6. UTILITIES

- 6.1 The panel heard evidence from Openreach, part of the BT group. They are responsible for installing and upgrading communication infrastructure and do place items on the highway.
- 6.2 Whilst highlighting that the myriad of subterranean obstacles do limit where some items can be placed on the highway Openreach were happy to work with the council where access 'hotspots' are identified. This would enable the group to consider moving infrastructure as part of routine maintenance/upgrading work.

Recommendation 14

The panel welcomes the willingness of Openreach to work with the council on the siting of utility boxes and supports the idea of creating a list of 'hotspots' where the re-siting of an existing box would be beneficial. The panel believes this could be usefully extended to other utility providers that locate items on the pavement.

7. ALTERNATIVE ADVERTISING AND MOVING FORWARD

- 7.1 A number of innovative forms of advertising were shown to the panel which could be used as alternatives to A boards. In many cases these would require businesses to collaborate, however the panel believes this could be accomplished through groups such as the North Laine Traders Association.

- 7.2 The panel believes there is also a useful dialogue to begin between the city's business community and those representing disability groups. Clearly issues such as cost implications are best considered by businesses themselves.

Recommendation 15

Considerable good will and a desire to work together was evident from traders and disability group representatives. The panel believes this should be acted upon and the Council should facilitate on-going dialogue between different groups to review:

- a. **Alternative forms of advertising that will reduce the impact on street accessibility and could become part of the City's culture**
- b. **How the City's café culture can meet the needs of mobility impaired residents and visitors**

8. MONITORING

- 8.1 As with any scrutiny review once a response to its recommendations has been received monitoring of any agreed actions will be paramount to achieving success. The Panel will be asking for OSC to monitor these recommendations after 6 and 12 months.
- 8.2 The panel did debate linking the size of accessible gap required on highways to the level of footfall in any given area. Whilst not recommending this approach they were in agreement that if these recommendations do not help alleviate the problem then this should be considered in future.

Recommendation 16

Implementation of recommendations arising from the scrutiny review should be monitored by OSC after six and twelve months with an invitation extended to those involved in this review to comment upon any impact.

9. CONCLUSIONS

- 9.1 This review has led to the development of the 16 recommendations outlined below. Whilst these are broadly supportive of current policy they do highlight the need for an increased focus on enforcement measures.
- 9.2 The panel is asking for the various interest groups who gave evidence to be involved the monitoring of improvements to street accessibility. If it becomes apparent that the recommendations do not improve the situation further measures may have to be considered such as linking the width of gap required to footfall in an area, or a standard increase in the size of the gap from 1.3meters.
- 9.3 In conclusion therefore the Panel recommends:

General Principles

1. In regulating and licensing the use of public highways the council should seek to strike a balance between the needs of competing interests. However this should be based on the premise that there should be free, unfettered access for all to public highways in Brighton and Hove.

Traders' Items

2. The panel supports the use of licensing zones for traders' items in specific areas of the city. Subject to its other recommendations, the panel endorses the policy regarding traders' items that was agreed at the meeting of Licensing Committee (Non Licensing Act 2003 Functions), Friday, 24 April, 2009 (Agenda Item 33), namely:
 - A. That no licensed traders' items should be permitted to reduce the width of a footway to less than 1.3 meters except where:
 - i) A formal pedestrian zone has been established in a road by Traffic Order and the whole of the carriageway is kept clear for pedestrian use;
 - ii) A road is closed to vehicular traffic by virtue of a temporary Traffic Order and the whole of the carriageway is kept clear for pedestrian use;
 - iii) A road is considered to be shared space and the whole carriageway is generally available for pedestrian use.
 - B. That where a footway is reduced to a width of 1.3 meters (or less) by objects (whether these objects be traders' items of fixed street furniture such as lamp posts, bins etc.) 'turning areas' for manual wheelchair users and guide dogs must be established at regular intervals. These turning areas shall not be less than two meters in length and shall be the full width of the footway. Such areas must be maintained at intervals of no more than six meters along the length of any restricted footway.
 - C. That, except in the case of items within large, waiter-serviced sitting-out areas, no traders' item shall be permitted to be placed more than 5 meters from the licensed premises. All objects must be within sight from a window or door of said premises or in clear visual range of CCTV camera(s) monitored from within the licensed premises. This provision will mainly affect advertising boards.
 - D. That where an application is refused by Officers, an applicant may appeal to the Licensing Sub-Committee (the Licensing Panel).

- E. That applications for A-Boards shall be restricted to 1 per premises (excluding those situated on private land), but that:
 - i) Special consideration will be given to those premises situated in twittens and alleyways regarding this policy.
- 3. In addition to the licensing criteria above businesses seeking to place an A Board on public land should be required to:
 - a. Evidence that there is insufficient private curtilage for A board to be kept off the public highway
 - b. Commit to ensure the A board will be placed on an agreed area on the pavement marked by the council.
- 4. Clusters of A boards should be combined into a single standard advertising board. The council should provide these in a single City-wide design livery that can be added to by individual retailers.
- 5. Businesses with tables and chairs on the public highway should be required to partition their external seating from the footway. Areas licensed for tables and chairs should be marked.
- 6. The council should provide compulsory guidance on the most appropriate design of partition to prevent them from causing an obstruction.

Bikes, Bins and Parking

- 7. Bicycles secured to inappropriate street furniture present a challenge to many people moving around the city. Investment in more on-street cycle storage should be prioritised.
- 8. Commercial bin storage on the highway should in general not be tolerated:
 - d. No new planning permissions should be granted that do not include on-site waste storage
 - e. Business that fail to utilise on-site storage facilities should be prosecuted quickly
 - f. Council officers should investigate alternative arrangements where businesses are already trading and do not currently have on-site waste storage facilities
- 9. Communal bins should not be permitted to obstruct public highway to less than 1.3 meters (as per the minimum agreed in recommendation 2). Where this is the case communal bins should be relocated. Accessibility of the public highway should be of greater importance when deciding where to locate a communal bin.
- 10. Whilst parking was raised a number of times throughout the review members felt that this was too big an issue for this panel to look at. It is however recommended that where changes are made to parking regulations accessibility issues are considered as part of consultations.

Enforcement

11. The panel considers a robust, consistent enforcement regime of street access issues vital. Consideration should be given to utilising additional staff resource in monitoring and enforcing the streetscape. There should be given increased cross directorate/team working with officers able to undertake multiple enforcement regimes. This could include consideration of the use of civil enforcement officers, cityclean officers and PCSOs.
12. Communication and coordination between officers undertaking work that affects the street-scene needs to improve. There appears to be a lack of coordination between different parts of the council that place items on the highway, license items to be placed on the highway and use items placed upon the highway. Overall responsibility for highway accessibility should be given to a named officer.
13. Where traders' items are in breach of license condition two written warnings should be issued. Upon the third occasion of breach of license immediate confiscation by council officers should be undertaken.
14. The panel welcomes the willingness of Openreach to work with the council on the siting of utility boxes and supports the idea of creating a list of 'hotspots' where the re-siting of an existing box would be beneficial. The panel believes this could be usefully extended to other utility providers that locate items on the pavement.
15. Considerable good will and a desire to work together was evident from traders and disability group representatives. The panel believes this should be acted upon and the council should facilitate on-going dialogue between different groups to review:
 - c. Alternative forms of advertising that will reduce the impact on street accessibility and could become part of the city's culture
 - d. How the city's café culture can meet the needs of mobility impaired residents and visitors
16. Implementation of recommendations arising from the scrutiny review should be monitored by OSC after six and twelve months with an invitation extended to those involved in this review to comment upon any impact.

ENVIRONMENT CABINET MEMBER MEETING

Agenda Item 29

Brighton & Hove City Council

Subject:	Response to the report of the Environment & Community Safety Overview & Scrutiny Committee on 'The Winter Service Plan Review'		
Date of Meeting:	26 July 2010		
Report of:	Director of Environment		
Contact Officer:	Name:	Christina Liassides	Tel: 29-2036
	E-mail:	Christina.liassides@brighton-hove.gov.uk	
Key Decision:	Yes	Forward Plan No: ENV17082	
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 The winter of 2009/10 was the coldest in 30 years with two major snow events during December and January. The council's Highways' team activated their winter service plan throughout the cold season as did other council services and partner agencies. However, the extreme events, particularly in the difficult December conditions, gave rise to a high level of complaints. As part of their response during the severe weather, council services and partner agencies introduced new ways of working which provided a good basis for future planning. There was recognition within the council that there would be benefits from reviewing how the council and its partners responded, lessons learnt and whether good practice from other authorities could be replicated. It was therefore agreed at the Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) to undertake a short scrutiny review of the Winter Service Plan.
- 1.2 The full report (Appendix 2) which describes the scrutiny process and summarises evidence, findings and recommendations has been considered by officers with lead roles in the council's winter service provision. The Scrutiny report has been welcomed and this report sums up the executive response to the Scrutiny Panel's recommendations.

2. RECOMMENDATIONS:

- 2.1 That the Cabinet Member notes the evidence, findings and recommendations of the Environment & Community Safety Overview & Scrutiny Committee and its scrutiny panel in relation to the Winter Service Plan Review.
- 2.2 That the Cabinet Member agrees the actions detailed in the officer response to Scrutiny's recommendations with particular regard to timescales and any constraints identified.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Each year, in accordance with the Highway Maintenance Code of Practice, the council produces a highway Winter Service Plan which lays out how the winter service will operate between 1 November and mid March. The Winter Service Plan for 2009-10 was consulted upon with relevant council sections, agencies and lead councillors and approved at Environment Cabinet Member meeting on 5 November 2009.
- 3.2 The Plan was put into operation on 1 November 2009 at the start of the winter season and provided a good service during the cold months which brought frost, ice and heavy rainfall. However, as a result of officer and public experiences during the worst snowfalls in Brighton & Hove for many years, a Scrutiny Panel was convened to examine the existing Plan alongside comparative data from other authorities and suggestions and representations from residents, council staff and partner agencies.
- 3.3 This gave an ideal opportunity to see if Brighton & Hove was broadly comparable in its actions to other councils and with a Winter Service Plan fit for purpose whilst also building on the experiences of delivering the service under extreme conditions.
- 3.4 It is important to note that the Winter Service Plan relates to highway responsibilities only, although Environment staff worked very closely during the snow event with other sections such as Adult Social Care, the Communications team and the Civil Contingencies Officer, and with external partner agencies such as the NHS and bus company. The Plan will be revised in the light of officer experience and recommendations to provide a more flexible and enhanced response, including services such as Communications were appropriate. However, as the recommendations identify, other council services will also need to review their resilience plans.
- 3.5 The Highways Winter Service is an additional responsibility for staff drawn from existing Sustainable Transport Network Management teams, all with their own operational "day job." Staff capacity to include additional project work is limited. During difficult winter conditions (including ice or freezing rain, not just snow), the officers involved prioritise winter service over their usual work and the impact on other operational work needs to be mitigated as best as possible. Therefore in order to progress the majority of practical issues, and in line with the report's acknowledgement that adequate staff time must be given to researching the best ways forward, a winter project officer will be appointed on a temporary six month basis with the project work overseen by lead officers.
- 3.6 The recommendations are welcome and officers are in agreement that they are useful additions to the current winter service. However, it must be accepted that not all the recommendations can be achieved by the start of the winter service in November 2010. This is particularly the case with salt storage which relies on long-term redevelopment and capital investment or vehicle replacement where market testing is a vital initial step and where EU procurement timescales can be quite lengthy. This may also be the case if partners request a major change in routes which would require considerable investment in time, planning, IT and other resources as well as further agreement at member level.

4. CONSULTATION

- 4.1 It was decided to hold a single day session in order to ensure recommendations were made in good time for any necessary changes before next winter. The Scrutiny Panel meeting on 17 March 2010 was advertised and held as a public meeting. Prior to the meeting a range of organisations and individuals were invited to submit written evidence which was included within the meeting's report. During the session, individuals and representatives of various organisations were invited to give evidence and to respond to questions from panel members.
- 4.2 Internal council sections and partner agencies were consulted on the 2009-10 Winter Service Plan prior to presentation at Environment Cabinet Member meeting in November 2009.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The costs of providing the winter maintenance service are covered by a revenue budget of £331,710.
- 5.2 Any underspend in the revenue budget is carried over into the Winter Maintenance Reserve, as contingency for periods of extreme weather. This fund is then used to provide operatives, gritter fuel, gritter maintenance, and other costs associated with an ongoing major operation. In 2009-10 £242,780 of the reserve was used owing to the extreme bad weather.
- 5.3 There is a capital budget of £2,500,000 in 2010-11 to purchase new vehicles. This includes 7 replacement gritters, as well as replacement refuse collection vehicles, and waste and parks vehicles.

Finance Officer Consulted: Karen Brookshaw

Date: 03/06/10

Legal Implications:

- 5.4 The Council as highway authority has a statutory duty to maintain publicly adopted highways. Since October 2003 this statutory duty has included a duty to ensure, so far as is reasonably practicable, that safe passage along a highway is not endangered by snow or ice (s41.(1A) Highways Act 1980 as amended by the Railways and Transport Safety Act 2003). Reference to "highway" includes both carriageway and pavements. The actions detailed in the Officer Response in Appendix 1 to this Report will assist in demonstrating that the Council will be in a position to comply with its statutory duty.

Lawyer Consulted: Hilary Woodward

Date: 04/06/10

Equalities Implications:

- 5.5 Whilst there are no direct equalities implications, the issues raised in the report do highlight that some residents may suffer disproportionately when severe cold weather events occur and some of the recommendations seek to address this

e.g. good public communication about how people can prepare in advance for snow events.

Sustainability Implications:

- 5.6 The Scrutiny Panel on Climate Change Adaptation will look further into severe weather events and may inform in the future how to evaluate and prepare for these.
- 5.7 Salt and grit can have a negative environmental impact in terms of entering the drainage and water system. Therefore resources are carefully deployed to provide a balance between network usability and detriment to the local environment. e.g. by only carrying out treatment when the weather forecast indicates this is required.

Crime & Disorder Implications:

- 5.8 There are no direct crime and disorder implications arising from this report.

Risk and Opportunity Management Implications:

- 5.9 There are a number of risks associated with this type of severe weather. The overall purpose of the scrutiny report is to identify how the council can best manage risk, expectation and opportunity in providing a winter service during extreme weather events.

Corporate / Citywide Implications:

- 5.10 The council needs to consider the recommendations at corporate level as all council services are affected. Although the scrutiny focused on the council's highway Winter Service Plan the recommendations include the need for all council services to review their resilience plans as part of the council's desired response to extreme cold weather situations.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 The full submission of analysis reports and evidence by the scrutiny panel facilitated consideration of options in how to address the issues raised. The recommendations proposed by the panel are the final outcome of the options considered.
- 6.2 Officers have considered all the recommendations and subject to timescale/capacity issues feel the options provide a useful way forward in winter planning. The alternative is to not introduce any changes or improvements.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The recommendations for which consideration and approval are sought are as a result of scrutiny. Considerable supporting evidence was provided to inform the process from the start.

SUPPORTING DOCUMENTATION

Appendices:

1. Recommendations
2. ECSOSC Winter Service Plan Review 17 March 2010

Documents In Members' Rooms

None

Background Documents

1. ECSOSC 8 February 2010
2. ECSOSC 21 June 2010
3. Volume 2 of ECSOSC Scrutiny Panel into Winter Service Plan

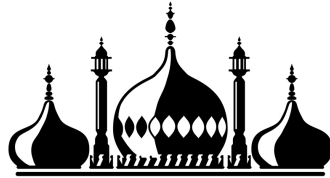
Rec #	Recommendation	Comments	Date
1	<p>Greater coordination within the council and between partners is required, building upon examples of good practice. The WSP should be developed with input from partner organisations.</p>	<p>Agreed. Can use the Brighton and Hove Resilience Forum to do this. This group contains all category 1 responders and major local employers.</p>	<p>Meeting to be arranged summer 2010</p>
	<p>All relevant services should have regularly updated snow resilience plans that feed into the WSP.</p>	<p>Agreed. Will form part of the Business Continuity review now being carried out which will specify high risks</p>	<p>In progress</p>
3	<p>A review of gritting routes is made on an annual basis. This review should be undertaken with partners and take into account the needs of priority services. This review should also take into account health statistics to identify problem areas not already on gritting routes.</p>	<p>Agreed. Will utilise information from the Resilience Forum and will also engage with specific partners on more complex issues e.g. health statistics or how best to service outlying bus routes that may need alternative routing during extreme conditions.</p>	<p>Hoping to appoint a project officer by mid June to lead on this work. Consultation complete by 1 November but if major changes to gritting routes are required this will require introduction of additional resources including staff time, route re-mapping, IT/GPS technology and possibly additional vehicles. Therefore timescales for actual change may be longer</p>

4	<p>Building upon action taken during the severe weather events policies and procedures regarding the temporary transfer of staff to support specific services in the event of snow should be agreed across the council and wider public sector. Lists of staff available to support other services should be compiled, for example call centre capacity needs to be enlarged during periods of prolonged snowfall to deal with the</p>	<p>Agree in principle although further work needed corporately across the council. This is already being investigated within Sustainable Transport, Cityclean and Cityparks. Bringing in additional staff across the council will require a greater level of co-ordination and may need HR involvement & Communications to make arrangements with unions, etc. To preplan staff redeployment during severe winter weather will require a strategic corporate decision. Will also need to</p>	<p>In progress - being undertaken within existing resources for council teams with lead roles in winter e.g. Environment, Business Continuity and Adult Social Care.</p>
5	<p>Schools closure policy in the event of snow should be clarified and then communicated to all parents.</p>	<p>Schools have been issued with guidance on emergency closure and been provided with a model letter to send to parents if snow/closure is likely.</p>	<p>Completed</p>
6	<p>Consideration needs to be given to communication with the public both during and prior to snow events:</p>	<p>Agreed. Please see the evidence submitted to the scrutiny investigation on communications.</p>	

6a)	Regular updates during periods of severe weather are required, thought needs to be given as to how this occurs if staff cannot reach their place of work.	Agreed - we are already doing this regularly this and the communications team was congratulated verbally during the scrutiny review more than once for its regular internal updates. Work in the future will fundamentally involve the use of regular 'bulletins' on the Wave and website but will also include an email issued to all managers to cascade to their teams. The Emergency Staff Advice Line can also be put in use. <i>Communications for staff who are not able to access</i>	Ongoing
6b)	Use of social media should be expanded as it allows for frequent updates to reach large numbers of people. People should be directed towards the website for information.	Agreed - we are already doing this with considerable success. Indeed the council's use of social media during the recent snow crises was highlighted as best practice in I&DeA's recent 'Local by Social' report and Socitm's "Twitter Gritter" report. It was also praised by the national Government. In the future, we will make full use of the major social media technologies, including interacting with well-read blogs, posting information on <i>micro-blogging sites and social networking sites and</i>	Ongoing
6c)	City News in the autumn should contain information of what to do during severe cold weather.	Agreed. We will publish a winter service special informing residents how the local public sector is preparing and how residents and businesses can also make preparations in advance of any cold weather.	Autumn 2010

6d)	Clear legal advice regarding liability for clearing snow from the pavement should made widely available.	Agreed - we will deploy the 'Shovel, Sweep, Salt' message again as part of a mini-campaign <i>well in advance</i> of any predictions of severe weather. Note: during the last weather crisis, this message appeared in the headline of the front page of the city's major news medium, the Argus - which is the ultimate goal of media message placement during an emergency.	Prior to any forecast of severe cold weather
6e)	Discussions should be held with the CVSF and other third sector organisations so that information could be passed on to residents prior to or during severe weather to reassure, inform and mobilise them.	Agreed.	By 1 November 2010
7	There is a need to support local residents in being able to grit roads not on gritting routes. Gritting points should be established and marked where grit will be dropped off by the council when required. The panel felt investing in extra gritting bins would not be cost-effective.	Agreed - but with additional clarification that this will only take place where severe and prolonged snowfall is expected rather than for snowfall which is predicted to melt rapidly or is fairly light.	By 1 November 2010

8	<p>A new fleet of gritting vehicles is required and the panel support the agreed allocation of funds for this; in future vehicles should be replaced on a rolling-programme and reviewed more frequently than every 10 years. Adequate staff time should be given to research the best available vehicles.</p>	<p>Agreed. Market research into new gritting vehicles currently in progress. Due to research requirements and procurement timescales, not possible to have new vehicles in place by beginning of this winter season but work will proceed as quickly as possible. Any fleet replacement across the council should look at increasing the number of 4 wheel drive vehicles. Will also investigate purchase of a machine for pavement gritting.</p>	<p>Replacement gritter fleet by 1 November 2011. Other vehicle replacement as and when required within individual services</p>
9	<p>A covered salt barn at the Hollingdean Depot would be of benefit. This should be prioritised as part of any future upgrades to the Depot.</p>	<p>Agreed. Discussions regarding redevelopment for Hollingdean Depot are due to start soon and the winter service requirements are already logged for consideration. In the meantime, Network Management are exploring the possibility of utilising some space at one of West Sussex County Council's depot but salt would only be covered by tarpulin and would still therefore have a limited storage life.</p>	<p>Long term - dependant on Depot redevelopment timescales</p>
10	<p>There should be investment in relatively inexpensive equipment such as shoe adaptors for priority council staff to enable them to work during severe snow events.</p>	<p>Managers of services that require staff to work outside in such conditions should include this in any business continuity reviews.</p>	<p>In progress for Network Management & Cityclean</p>



Brighton & Hove City Council

Report of the Winter Service Plan Review Scrutiny Panel

March 2010

Winter Service Plan Review

DRAFT ONE

Volume One

Panel Members

**Councillor Warren Morgan (Chair)
Councillor Tony Janio
Councillor Sven Rufus
Councillor David Watkins**

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Volume Two contains all of the Evidence and Appendices

Chairs Foreword

Following the extensive disruption caused by the severe snow and ice over the Christmas and New Year period, a cross-party scrutiny panel of councillors have reviewed how the council and other partners responded using the Winter Service Plan as a starting point.

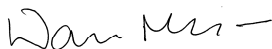
We have made a number of recommendations as to how working practices can be improved, often building-upon and formalising changes that were implemented between the two snow events. We have also made recommendations on how the council might better prepare and equip itself in terms of resources, finances permitting. It will be up to the Administration to judge what further expenditure is essential, affordable or proportionate to the risk of further significant winter weather events occurring.

Whilst everything may not have been perfect, recognition needs to be given to the council officers and others who worked long hours in often very difficult conditions to try and keep the city moving.

We have not sought to criticise the response, rather suggest positive service developments that will mean the council and our partners are better prepared for events of a similar nature in the future. The preparedness for, and response to, events such as this should be kept under review and compared to that of other comparable authorities.

I would urge that in addition to this report the council take note of any recommendations arising from the LGA "Snow Summit" hosted by Essex County Council on 26th March.

Particular thanks are offered to the witnesses who gave their expertise to the panel, and especially to the Head of Network Management and her team for their advice. Finally I would like to thank my scrutiny colleagues Councillors Tony Janio, Sven Rufus and David Watkins for working on this scrutiny review panel.



Councillor Warren Morgan
Winter Service Plan Review Panel Chair

Introduction

- 1.1 The Met Office announced the winter of 2009/2010 to have been the coldest in 30 years, punctuated by severe snow events during 16-21 December 2009 and 6-13 January 2010.¹ High levels of snowfall during the Christmas period caused severe disruption across both Brighton & Hove and the country as a whole.
- 1.2 Deposits of up to 15cm of snow fell across the city throughout the evening of Thursday 17 December and early morning of Friday 18 December 2009. This was followed by an unusually prolonged period of day time temperatures consistently below freezing. The resulting impacted frozen snow and ice resulted in very difficult driving and walking conditions throughout the city on treated and untreated roads alike, including footways. This in turn led to criticism that the Council didn't meet its service obligations, in spite of 'gritting' and pavement clearance operations undertaken in accordance with normal 'Winter Service' procedures.
- 1.3 Accumulations of snow of up to 10cm on higher ground were experienced from the 6 January 2010. There were repeated snowfalls from 6 through to 9 January and again on the 12 & 13 January, with each snowfall bringing anywhere between 2 – 10cm of additional accumulation. There were accompanying strong winds leading to significant snow drifts on outlying roads such as Falmer Road. Less ice was formed than during December, however repeated snowfalls meant gritting was needed continually on the same routes after each snowfall.
- 1.4 Despite significant improvements in the response provided between the two snowfalls there was recognition within the council that there would be benefits from reviewing how the council and its partners responded, lessons learnt and whether good practice from other authorities could be replicated. It was therefore agreed at the Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) to undertake a short scrutiny review of the Winter Service Plan.
- 1.5 The council received large number of complaints regarding the support offered to residents during the snow. A summary of these is available as Appendix G. A constant theme was that residents felt isolated, their area had been forgotten and that insufficient gritting had been carried out across the city. The remit of this panel was not to examine or make judgements on any individual incidents or cases; those were for the appropriate departments and legal processes within the council to deal with in the usual way.
- 1.6 The recommendations in this report put forward suggestions for improved working practices within the council and its partners to

¹ <http://www.metoffice.gov.uk/corporate/pressoffice/2010/pr20100301.html>

consider as part of the Winter Service Plan (WSP). In many cases these seek to formalise and build upon changes in service that were introduced between the two snowfalls, in this respect it is encouraging to note that the council can quickly identify and positively respond to challenges to its services.

- 1.7 The WSP details the actions the council will undertake to 'prevent or remove accumulations of ice and snow from the Public Highway'. It was prepared in accordance with LGA's Code of Good Practice for Highway Maintenance and Winter Maintenance Supplement and further Best Value Code of Practice.
- 1.8 The requirement to prepare a WSP stems from legal obligations on the Highway Authority from the 1980 Highways Act, the Railways & Transport Act 2003 and Traffic Management Act 2004 that requires removal of snow and ice on the public highway as far as is reasonably practicable. This is to permit the safe movement of traffic on designated roads and to minimise accidents and delays brought about by adverse weather conditions. The Council treats 40% of its highway network exceeding the Audit Commission Target of 24 – 38%. The current Winter Service Plan was approved with no objections at the Environment Cabinet Member meeting on 5 November 2009.
- 1.9 The Winter Service is undertaken from November to March encompassing the predicted coldest temperatures and, through its operational plan, treats a priority network of approximately 250km of the council's 630km of public highway with rock salt and grit using vehicle mounted spreaders or 'gritters'.
- 1.10 The priority network of roads encompasses all 'A', 'B' and 'C' roads, all bus routes as well as key strategic destinations such as hospitals and premises related to emergency services.
- 1.11 Pavements are cleared and treated in exceptional circumstances such as severe and prolonged snowfall and arrangements exist with highway subcontractors to undertake this in specified areas in the Winter Service Plan. There are also 350 grit bins located across the City.

Methodology

- 2.1 Chaired by Councillor Warren Morgan the cross-party panel consisted of Councillors Tony Janio, Sven Rufus and David Watkins. Unlike most previous scrutiny panels, the panel was set up as a one-off meeting. It was agreed at Environment & Community Safety Overview & Scrutiny Committee (ECSOSC) on 8 February 2010 to supplement the extensive report and discussion undertaken at that meeting, with the view to report back to its parent committee with recommendations by the early summer. Agenda Item 46 of the 8 February ECSOSC meeting agreed the terms of reference as:
- The council's Highways Winter Service Plan
 - The predicted regularity of severe winter weather
 - The council's response to the initial snowfall
 - Changes to the council's response at the time of the second snowfall
 - Suggestions for alterations to service provision
 - Comparative information available from other local authorities
 - Financial implications of any service modifications²
- 2.2 In order to address the terms of reference, the panel issued invitations to council officers and representatives of organisations throughout the city who had involvement or experience of the severe winter weather.
- 2.3 Primarily, the panel wanted to hear from the Highways and Cityclean departments, as they oversaw the running of the Winter Service Plan. In addition it was felt necessary to hear from both frontline council services that were affected by the snowfall (in particular Adult Social Care) and teams that deal with future planning and preparation for severe weather and the impact of climate change; namely Sustainability & Environmental Policy and Civil Contingencies.
- 2.4 As the WSP relates to public highways and thus all agencies/ services have (or should have) emergency/contingency plans in place for severe disruptive events, the panel also took evidence from organisations in the city that had their services affected by the severe weather. These included Sussex Police, East Sussex Fire Authority, the PCT and the Brighton & Hove Bus Company. Additionally the panel wished to hear from community associations, the business community and the community voluntary sector.
- 2.5 Other local authorities were sent a questionnaire about their WSPs. Information collected from 9 authorities is contained within Appendix L.
- 2.6 Finally, the panel sent out a press release inviting members of the public who wished to, "contribute innovative ideas or constructive views

² See Appendix F, 3.8

on how the council could improve its policy in response to severe weather in the future”³.

2.7 On the day of the meeting, the panel heard evidence from:

- Councillor Geoffrey Theobald, Environment Cabinet Member
- Thurstan Crockett, Head of Sustainability and Environmental Policy
- Mark Prior, Assistant Director, Sustainable Transport
- Christina Liassides, Head of Network Management
- Gillian Marston, Assistant Director, Cityclean & Cityparks
- Paul Martin, General Manager, Adult Social Care
- Sally Howard, Director of Operations, Brighton & Sussex University Hospitals Trust
- Juliet Warburton, Head of Primary and Community care, PCT
- Mike Best, Operations Director, Brighton & Hove Buses Company Ltd
- Lynne Henshaw, GMB Representative
- 3 members of the public

2.8 Additional evidence was received from a number of different council departments, organisations and individuals including:

- Councillor Pete West
- Councillor Bill Randall
- Robin Humphries, Civil Contingencies Manager
- Brighton & Hove City Council Legal Services
- Brighton & Hove Economic Partnership
- Brighton & Hove Older People’s Forum
- Community Voluntary Sector Forum
- East Sussex Fire Authority
- Sussex Police
- Hangleton & Knoll 50+ Steering Group
- North Moulsecoomb Tenants and Resident’s Association
- Chair of Governors, Carden Primary School
- 2 members of the public
- 9 local authorities

2.9 From all the evidence obtained 11 recommendations have been produced.

³ See Appendix I

FINDINGS AND RECOMMENDATIONS

- 3.1 During the course of a 'normal' winter the WSP has proved sufficient for ensuring the city remains free of ice and snow, so much so it was agreed at the November Environment Cabinet Member Meeting without any significant debate.⁴ The WSP can therefore be seen as fit for purpose during the normal course of events.
- 3.2 However over the Christmas and New Year period events threw the response of the council to the severe weather into the spotlight and attracted considerable criticism.⁵ This review has focused on what needs to happen to ensure the WSP is capable of withstanding abnormally severe winter weather. The findings below are based upon the evidence presented to the panel, and many of the recommendations build upon improvements in response which were developed between the two snow events.
- 3.3 In making recommendations the panel have been acutely aware that a balance needs to be struck between being sufficiently prepared to cope with severe winter weather, and the need to be proportionate in allocating resources to cope with eventualities that happen only infrequently. For example there are 3,880 roads in Brighton and Hove; it is not possible to grit them all without diverting funds from other essential council activities. Nor is it feasible in terms of practical effectiveness within reasonable timescales.
- 3.4 Key to deciding how much resource to commit is an understanding of the probable frequency of such severe winter weather. During questioning the Head of Sustainability highlighted that it is 'difficult and dangerous to predict weather beyond the short term'.⁶ A scrutiny review is currently being undertaken on climate change adaptation, a recommendation of which will be the allocation of resources to help the council and partners better understand future climatic trends, including through the Local Climate Impacts Profile (LCLIP). It is however possible to predict that severe weather events will probably occur more frequently in the future.⁷ The panel are supportive of future work being undertaken to allow the city to better understand future climatic patterns.

Partnership Working

- 3.5 A lot of the evidence heard by the panel related to the manner in which service providers across the city worked together, and how effective this was. The issues can be broken down into two main areas:

⁴ See Appendix B

⁵ See Appendix G

⁶ See Appendix M, p.133

⁷ Ibid. p.135

- Understanding each others priorities and how these can be mutually supported and resourced.
 - Actual lines of communication during the snow fall.
- 3.6 Evidence presented to the panel highlighted that there was good partnership working between the council and the Brighton and Hove Bus Company (BHBC).⁸ Buses are used by a large number of people to get to work and so keeping them moving is vital to keeping the city moving. Additionally, heavy vehicles such as buses are very useful in ensuring the salt and grit is properly spread and worked into the road surface.
- 3.7 There were clear and regular communications between the BHBC and the council as to which routes were gritted and when, and which needed further treatment. The council was praised for, amongst other things, allowing the buses to continue running by opening up its Traffic Control Centre to the BHBC. Representatives of the BHBC and the council agreed that there should be greater co-ordination with regards to clearing bus stops of snow and ice in the future. Relationships with other partners would do well to emulate this level of cooperation.
- 3.8 The PCT recommended the creation of a joint 'communications hub' where agencies could feed back proactive messages to residents, hospitals and other partners that severe weather was coming.⁹ It was felt, especially during conversations with the health services during the meeting, that people should know who to turn to and who to call within each partner organisation. To some extent the health services had practiced this with their conference calls but its scope could be extended.
- 3.9 It was apparent from evidence given during the review that there is a general lack of understanding of the (sometimes) limited effects of gritting as a way of ridding highways of ice and snow. This is particularly true of instances where the temperature drops below a certain level and remains there throughout a period of several days and nights with no intervening thaw. As a result some partners and the public were under the assumption that the highways had not been fully gritted, when in fact they had.
- 3.10 The use of a more streamlined chain of command during severe weather was deemed necessary to avoid the problem officers faced where all partners were on the same high alertness level, when some partners may have been able to cope adequately e.g. Adult Social Care (ASC) compared to the Sussex Health during December. It was pointed out that the Sussex Resilience Forum had a similar set-up and it was warned that if the chain of command is escalated too high then it is moved too far from the operations level.

⁸ See Appendix L, p.95-96 & Appendix M, p.145-147

⁹ See Appendix M, p.142

- 3.11 Evidence from health partners showed that there was good communication within the health sectors to keep bed spaces open to treat the high number of fall victims. Regular conference calls between health partners ensured resources were coordinated and so bed spaces were kept open for emergencies.
- 3.12 There was a considerable discussion within the panel regarding the notion of prioritising support for partners' services during severe weather; namely that all partners (PCT, East Sussex Fire Service, Brighton & Hove Bus Company etc.) could consider themselves a priority and in most need of support from the highways team. This was recognised as being unsustainable on the grounds that:
- The Highways Team could not clearly differentiate between partners as to who to prioritise and who was most affected.
 - No contingencies are made by the Audit Commission for additional salt supplies to anything other than the highways during severe weather.
 - Clearing small roads, forecourts, cemeteries etc. means that main routes are invariably neglected.
- 3.13 It was proposed that each partner should provide the council with a snow resilience plan, laying out what their own responsibilities would be and under what circumstances they would need support and to what extent it would be needed. The Highways Team could then prioritise them accordingly. The snow resilience plan should be extended to internal departments such as ASC who require assistance during severe weather.
- 3.14 The panel also discussed that supporting partner organisations in prioritising gritting routes may necessitate exploring the viability of partners providing additional resource. It was mentioned by a panel member that Durham PCT had paid the County Council £1 million to such ends.
- 3.15 Other coordination of resources was discussed and the panel were supportive of following up the PCT's idea of a transport hub¹⁰ to co-ordinate the purchasing and distribution of 4x4 vehicles amongst partners.¹¹ It was mentioned that the Civil Contingencies Team would be best placed to co-ordinate such an initiative. This idea was to be discussed at the PCT's Brighton & Hove Winter Planning Review seminar.
- 1) Greater coordination within the council and between partners is required, building upon examples of good practice. The WSP should be developed with input from partner organisations.**

¹¹ See Appendix M, p.143

- 2) **All relevant services should have regularly updated snow resilience plans that feed into the WSP.**

Gritting Routes

- 3.16 A review of gritting routes is undertaken on an annual basis. The current gritting routes already covers all bus routes and main roads. The WSP sets out a priority network of approximately 250km of the Council's 630km of Public Highway with rock salt and grit using vehicle mounted spreaders or 'gritters'.
- 3.17 The priority network of roads encompasses all 'A', 'B', and 'C' roads, all bus routes as well as key strategic destinations such as hospitals and premises related to Emergency Services.
- 3.18 Pavements are only cleared and treated in exceptional circumstances such as severe and prolonged snowfall, and arrangements exists with highway subcontractors to undertake this in specified areas in the WSP. The panel was supportive of the prioritisation approach taken in the WSP; however there was debate as to increased importance being place upon treatment for pavements.
- 3.19 Staff were drafted in to assist with snow clearance from other teams within the council, for example Cityparks. This was a welcome and necessary step which should be formalised and extended to increase the resource available.
- 3.20 During the severe weather there were competing demands for routes to be gritted with various organisations contacting the council requesting specific roads be prioritised. Gritting routes are developed to cover those roads that are deemed most important to priority services in allowing them to continue operating. Future reviews of gritting routes should ensure that partners feed their priority service requirements into the review of gritting routes. A similar scheme was carried out for the WSP in 2009-10 whereby the plan was sent to all emergency services, the NHS, some internal sections and the Bus Company with invitation to comment and update. Following recent experiences, this procedure can now be refined.
- 3.21 It was suggested by the Adult Social Care team and the PCT that relaying information of accident black spots to the Highways team for post-treatment. Health statistics (to the extent they were available) showed most pedestrian falls to have occurred on areas that were already prioritised for footpath post-treatment – for example North Laines and Churchill Square.¹² However because only post-treatment is currently viable as an option, there would always be a time lag between the formation of snow and ice and its removal. Moreover,

¹² See Appendix E

post-treatment is only viable itself if the footfall is high enough to allow the grit and salt to work, it is labour intensive and has sustainability implications. **Nevertheless, health statistics could be a useful tool for reviewing gritting routes in the future.**

- 3.22 It was also discussed that partners of BHCC could aid the Highways team in their job of clearing the road network. Then BHCC in turn could extend its help to its partners. The BHBC was particularly keen to do this, wanting to see more snow and ice clearance at bus stops and improved turnaround points for its fleet and offering to expand the use of buses as heavyweight vehicles to aid the gritting process.¹³ It was also suggested that snow ploughs could be used by vehicles owned by partners such as Churchill Square, although the suitability of snow ploughs was questioned.
- 3) **A review of gritting routes is made on an annual basis. This review should explicitly ask partners whether existing gritting routes support their priority services. This review should also take into account health statistics available regarding accidents during the severe weather.**

Cross Team Working

- 3.23 It was clear from the evidence presented to the panel that a large number of council staff worked extremely hard during what were clearly challenging conditions. Staff in a number of teams were overstretched and demand for information, support and services outstripped capacity to deliver.
- 3.24 The panel were presented with a number of good examples of staff being drafted in from other areas of the council to support various services.¹⁴ The panel feel that the council should formalise the ad hoc practice of drafting in extra staff from other departments such as Cityparks and parking attendants to help the Highways team.
- 3.25 The ability to do this should be set out in the WSP, with lists of staff available to cover specific roles established. By necessity however it will need to remain an operational decision as to whether staff will be needed or kept on standby. Clearly decisions of this nature can have significant training, financial and health & safety at work implications. Discussions with unions will need to be held in order to take this recommendation forward.
- 3.26 A very clear example of where this approach would have benefits can be seen in that call centre capacity was exceeded during the snowfall. Other departments could cover calls during future spikes in call traffic. A list of staff prepared to answer diverted calls could be provided up

¹³ See Appendix M, p.145-147

¹⁴ See Appendix D, p.30-38 & Appendix M, p.136-141

front and the necessary procedures and technical steps necessary should be put in place.

- 4) **Building upon action taken during the severe weather events, policies and procedures regarding the temporary transfer of staff to support specific services in the event of snow should be agreed across the council and wider public sector. Lists of staff available to support other services should be compiled, for example call centre capacity needs to be enlarged during periods of prolonged snowfall to deal with the increased volume of calls.**

Schools

- 3.27 Evidence was presented to show that greater clarification as to when and why schools would be closed is needed, and that this should be communicated clearly to parents.
- 3.28 There was clearly an underlying frustration apparent that some schools remained open whilst others closed. In a number of cases this was due to staff being unable to journey to work, the location of staff therefore being more important than the location of the school.
- 3.29 The panel decided that the CYPT should be asked to work with schools to produce clear guidance to headteachers on school closures that can be communicated to staff and parents.

- 5) **Schools closure policy in the event of snow should be clarified and then communicated to all school heads and parents.**

Communication

- 3.30 Much of the feedback the council received following the initial snowfall indicated that there was a need for improved communications across a variety of topics, such as which roads were being gritted, advice on clearing snow, which schools were likely to be open and changes to waste collection.
- 3.31 The panel noted that the levels of communication offered by the council improved greatly between the first and second snow falls. There are, however, a number of learning points.
- 3.32 It was agreed that, as in January, the initial message to people should be, "all information is on the website" as a means of streamlining the council's response to the public's queries.
- 3.33 However the panel noted that the website could not be updated on weekends because staff were unable to get into work to do so. This problem was acknowledged by the Communications Team and is something that needs to be addressed.

- 3.34 The use of social media as way of quickly and conveniently communicating with residents was supported. However more traditional media also need to be used to ensure all residents have access to the necessary information.
- 3.35 It was agreed that information should be published in Citynews in the autumn offering advice to people on what to do during severe weather and how to obtain information from the council.¹⁵
- 3.36 BHBC explained how their RealTime bus signs would soon be able to update residents on route alterations once their software was updated later in 2010.¹⁶ This is to be welcomed.
- 3.37 There was also a clear need for advice as to liability for snow removal. An urban myth was in evidence that residents clearing snow from the pavement outside their property would be liable should any accidents occur.
- 3.38 Legal clarification was published between the snow events which stated 'the claimant would have to show that:
- The way the householder tried to clear the ice created or made the situation worse
 - The injury sustained was the result of the actions of the householder and not just snow/ice
 - The actions of the householder were not what one would expect a reasonable householder to have undertaken
 - It was reasonably foreseeable that their action would cause damage or injury to passers by
- "It is therefore unlikely that any such claims would succeed."¹⁷
- 3.39 Had this been communicated to residents earlier it seems likely that a greater number would have cleared the pavements, the cumulative affect of which would be to substantially increase the accessibility of the city.
- 3.40 It was discussed during the meeting how residents tended to understand and support council decisions (such as buses terminating at earlier points on their routes) if they were communicated to them. It was recommended that links should be established with the CVSF, LATs, Older Peoples' Councils, Residents Associations and shopkeepers to help disseminate information and mobilise communities to help their neighbours and vulnerable people during severe weather or similar emergencies.

6) Consideration needs to be given to communication with the public both during and prior to snow events:

¹⁵ See Appendix M, p.133

¹⁶ Ibid. p.147

¹⁷ See Appendix K, p.90

- a) **Regular updates during periods of severe weather are required, thought needs to be given as to how this occurs if staff cannot reach their place of work.**
- b) **Use of social media should be expanded as it allows for frequent updates to reach large numbers of people. People should be directed towards the website for information, but that every effort should be made to maintain a sufficient call centre capacity to deal with calls from people who do not have internet access.**
- c) **City News in the autumn should contain information on what to do during severe cold weather.**
- d) **Clear legal advice regarding liability for clearing snow from the pavement should made widely available.**
- e) **Discussions should be held with the CVSF and other third sector organisations so that information could be passed on to residents prior to or during severe weather to reassure, inform and mobilise them.**

Supporting Residents

- 3.41 The panel received a suggestion regarding the purchase of a large number of plastic shovels for use by communities in the event of significant snowfall where people were unlikely to be able to store their own.¹⁸ Community sheds as a depot for such shovels were also mentioned but were deemed unadvisable due to the possibility of vandalism. The panel were however supportive that the council has a role in encouraging local communities to have the capacity and resources to take independent local action during severe weather events. Further discussions should be held through LATs as to the best way to support local communities in this regard.
- 3.42 Over 450 requests for grit bins have been made following the snowfall. There are already 350 bins in the city located in areas off gritting routes, precisely to allow residents to grit their local area. They are however comparatively expensive to stock, taking around 10 days to replenish the existing network, and are often the subject of complaints by resident associations as eyesores and the target for vandalism. This has resulted in a significant number being removed in recent years.
- 3.43 A strong desire was voiced by many residents, both directly to the panel and in much of the social media commentary that accompanied the snow, that whilst they didn't expect the council to grit everywhere they wanted support in being able to grit their own areas.¹⁹
- 3.44 The panel has chosen to recommend that instead of installing a significant number of new bins, gritting stations should be established with a discreet sign saying "gritting point". These would be locations

¹⁸ See Appendix J, p.70

¹⁹ See Appendix L, p.123-127 & Appendix M, p.150-152

where grit will be deposited by the council immediately prior to expected severe snow/ice. Further research will need to be carried out by officers as to the best way to integrate this into the WSP.

- 7) **There is a need to support local residents in being able to clear and grit roads not on gritting routes. Gritting points should be established and marked where grit will be dropped off by the council when required. The panel felt investing in extra gritting bins would not be cost-effective. The purchase of a stock of low cost shovels made of plastic or other environmentally sustainable material should not be ruled out.**

Capital Investment

- 3.45 The replacement of the current fleet of gritting vehicles was agreed as part of the capital budget for 2010/11 and the need for acquisition of a new fleet was clearly illustrated to the panel. The current gritting vehicles are 10 years old less effective than modern vehicles, especially post-snowfall, therefore a complete replacement of the fleet is needed and whilst a staggered purchase programme has some advantages this would eventually leave the fleet with some vehicles up to 15 years old.
- 3.46 Therefore the panel were supportive of the purchase of a new gritting fleet. However they were also of the opinion that in future a rolling programme of replacement should be timetabled to avoid the requirement for such large one-off capital purchase.
- 3.47 The exact type and specification of vehicles to be purchased is being investigated and the panel is concerned that officers are given sufficient time to research and market test the best options. The possibility of multi-purpose vehicles that could be used for other roles in Cityclean and Cityparks was discussed, creating a more flexible fleet and the panel felt this was worth further investigation.
- 3.48 The panel discussed investment in additional vehicles such as snow ploughs. However, they were dissuaded from recommending this course of action following advice that the topography of Brighton and Hove makes them ineffective and that whilst they can aid the passage of cars by depositing snow to the side of roads they negatively impact bus travel and pedestrian access.
- 3.49 It was agreed that a covered salt barn would provide both environmental storage and cost benefits to the council. The shelf life of uncovered salt can be seriously reduced compared to covered salt. This is because moisture, e.g. from heavy rainfall, affects the consistency of the salt over time. It was also agreed that a covered salt barn would need to be in the centre of the city to maximise the efficiency of the gritting machines' routes. However recognising

constrained resources a covered salt barn would be considered an aspirational recommendation due to its high cost.

- 3.50 It was agreed that the suggestion by the GMB of providing Highways, and possibly ASC, staff with studded shoe attachments would be beneficial in the event of further prolonged freezing of footways. Other winter clothing was considered adequate.
- 8) **A new fleet of gritting vehicles is required and the panel support the agreed allocation of funds for this; in future vehicles should be replaced on a rolling programme and reviewed more frequently than every 10 years. Adequate staff time should be given to research the best available vehicles. This should include adaptations to existing pavement sweeping vehicles to enable them to clear snow if appropriate.**
- 9) **A covered salt barn at the Hollingdean Depot would be of benefit. This should be prioritised as part of any future upgrades to the Depot.**
- 10) **There should be immediate investment in relatively inexpensive equipment such as shoe adaptors for priority council staff to enable them to work during severe snow events.**

