





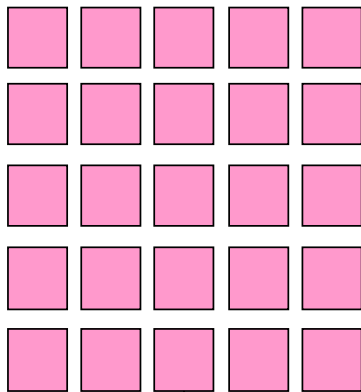
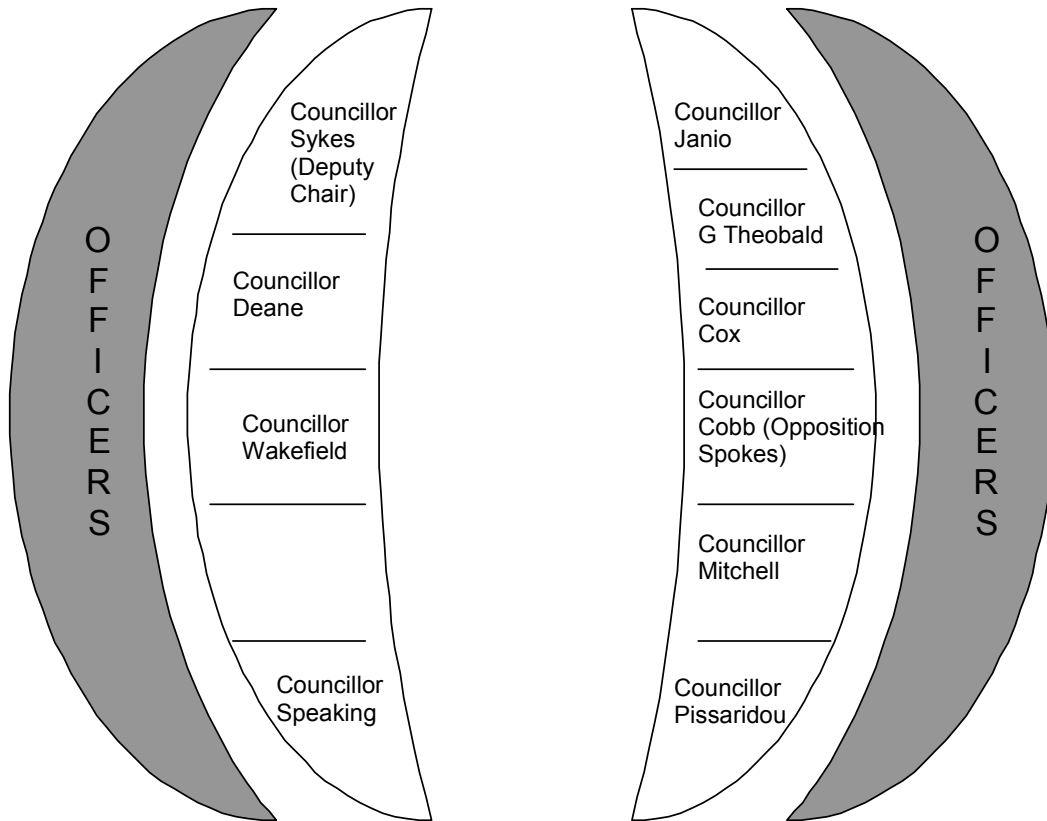
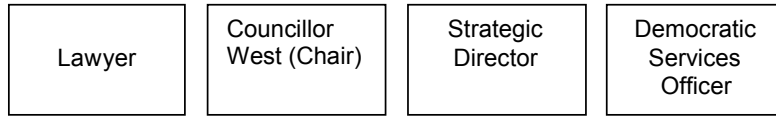
**Brighton & Hove
City Council**

Environment & Sustainability Committee

Title:	Environment & Sustainability Committee
Date:	27 March 2013
Time:	4.00pm
Venue	Council Chamber, Hove Town Hall
Members:	Councillors: West (Chair), Sykes (Deputy Chair), Janio (Opposition Spokesperson), Mitchell (Opposition Spokesperson), Cobb, Cox, Deane, Pissaridou, G Theobald and Wakefield
Contact:	John Peel Democratic Services Officer 01273 291058 john.peel@brighton-hove.gov.uk

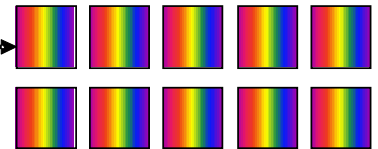
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Democratic Services: Meeting Layout



Public Seating

Members in Attendance



Press



AGENDA

53. PROCEDURAL BUSINESS

- (a) **Declarations of Substitutes:** Where councillors are unable to attend a meeting, a substitute Member from the same political group may attend, speak and vote in their place for that meeting.
- (b) **Declarations of Interest:**
 - (a) Disclosable pecuniary interests not registered on the register of interests;
 - (b) Any other interests required to be registered under the local code;
 - (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

- (c) **Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

Note: Any item appearing in Part Two of the agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the press and public.

A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls and on-line in the Constitution at part 7.1.

54. MINUTES

1 - 10

To consider the minutes of the meeting held on 6 February 2013 (copy attached).

Contact Officer: John Peel

Tel: 29-1058

55. MINUTES OF THE PREVIOUS CITY SUSTAINABLE PARTNERSHIP MEETING- FOR INFORMATION **11 - 18**

Minutes of the previous meeting held on 6 March 2013 (copy attached).

56. CHAIR'S COMMUNICATIONS

57. CALL OVER

- (a) Items (60-62) will be read out at the meeting and Members invited to reserve the items for consideration.
- (b) Those items not reserved will be taken as having been received and the reports' recommendations agreed.

58. PUBLIC INVOLVEMENT **19 - 20**

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

- (a) **Petitions:**
To receive any petitions presented by members of the public to the full Council or at the meeting itself.
 - (i) Stop fencing in Tenantry Down for Grazing- Sue Grimstone
 - (ii) Allotment plot chopping in Brighton & Hove- Gary Johnson
- (b) **Written Questions:**
To receive any questions submitted by the due date of 12 noon on the 20 March 2013.
- (c) **Deputations:**
To receive any deputations submitted by the due date of 12 noon on the 20 March 2013.

59. ITEMS REFERRED FROM FULL COUNCIL **21 - 22**

To consider matters referred from the Full Council meeting of 31 January 2013.

- (a) **Petitions:**
 - (i) Street Lighting Nevill Close- Councillor Bennett

60. MEMBER INVOLVEMENT

To consider the following matters raised by Councillors:

- (a) **Petitions:** To receive any petitions submitted to the full Council or at the meeting itself;

- (b) **Written Questions:** To consider any written questions;
- (c) **Letters:** To consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

61. OFFICIAL FEED AND FOOD CONTROLS SERVICE PLAN 2013/2014 23 - 48

Report of the Strategic Director, Place (copy attached).

Contact Officer: Nick Wilmot Tel: 29-2157
Ward Affected: All Wards

62. QUIET AREAS REPORT 49 - 150

Report of the Strategic Director, Place (copy attached).

Contact Officer: Tim Nichols Tel: 29-2163
Ward Affected: All Wards

63. COMMUNAL REFUSE COLLECTION IN HANOVER, ELM GROVE 151 - 154

Report of the Strategic Director, Place (copy attached).

Contact Officer: Jan Jonker Tel: 29-4722
Ward Affected: Hanover & Elm Grove

64. ITEMS REFERRED FOR COUNCIL

To consider items to be submitted to the 9 May 2013 Council meeting for information.

In accordance with Procedure Rule 24.3a, the Committee may determine that any item is to be included in its report to Council. In addition, any Group may specify one further item to be included by notifying the Chief Executive no later than 10am on the eighth working day before the Council meeting at which the report is to be made, or if the Committee meeting take place after this deadline, immediately at the conclusion of the Committee meeting

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 John Peel, (01273 291058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Tuesday, 19 March 2013

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT & SUSTAINABILITY COMMITTEE

4.00pm 6 FEBRUARY 2013

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillor West (Chair)

Also in attendance: Councillor Sykes (Deputy Chair), Janio (Opposition Spokesperson), Mitchell, Cobb, Cox, Deane, Pissaridou, G Theobald and Wakefield

Other Members present: Councillor Hawtree

PART ONE

39. PROCEDURAL BUSINESS

39(a) Declarations of Substitutes

39.1 There were none.

39(b) Declarations of Interest

39.2 There were none.

39(c) Exclusion of press and public

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

39.4 **RESOLVED-** That the press and public not be excluded.

40. MINUTES

40.1 Councillor Cox commented that the final sentence of minute item 33.12 should instead read “one opposition party had received a briefing and the other had not”.

40.2 **RESOLVED-** That, subject to the above amendment, the minutes of the previous meeting held on 28 November 2012 be approved and signed as the correct record.

41. MINUTES OF THE PREVIOUS CITY SUSTAINABLE PARTNERSHIP MEETING- FOR INFORMATION

41.1 **RESOLVED-** That the minutes of the previous City Sustainability Partnership meeting be noted.

42. CHAIR'S COMMUNICATIONS

42.1 The Chair provided the following Communications:

“Last week, Councillor Janio and I were among 60 representatives gathered at Hollingbury Hill Fort to support the launch of the public consultation for Brighton & Hove and Lewes Downs to become an international Biosphere Reserve. The public is being asked to back the Biosphere bid and have their say on the Biosphere Partnership’s draft management strategy through the project website. A roadshow of further events will be travelling around the proposed Biosphere area over the next three months to meet people and display a stunning photographic exhibition of natural images of our area. May I ask all members to please help spread the word – as we need a large expression of public support for this important project.

I am pleased to report that the Warm Homes Healthy People Programme, a partnership between the City Council, the NHS and the local voluntary and community sector, has successfully secured a Department of Health grant of £122,314. This grant will be spent tackling cold homes and fuel poverty to address their impacts on health. This will include training for front line workers; financial inclusion checks; free energy assessments and advice; an emergency response service and emergency grants.

I am also delighted to say we have been successful in receiving funding for the Green Deal Pioneer Places pilot scheme. The council is leading a partnership with Brighton & Hove 10:10, Low Carbon Trust and the Green Building Partnership to offer 10 households the opportunity to win up to £10,000 worth of home-energy improvements each. There’s also the chance for 100 households to get a free, no obligation Green Deal Assessment worth up to £150. Residents need to book an assessment by 11 February to qualify. More details are on the Brighton & Hove City Council website.

The council has also secured EU funding from the Cascade programme for a study visit on sustainable energy generation to Eindhoven in early March. I will be joined by Damian Tow, who chairs the City’s Sustainable Energy Working Group, and officers working on city energy options and infrastructure.

Since the last meeting of this Committee I am happy to report that the final list of sites put forward for QEII Fields in Trust nomination consists of: Blakers Park; Carden Park; Hangleton Park; Horsdean Recreation Ground; Kingsway Bowls Club; St Nicholas Play Area and Woodingdean Central Park and Woodingdean Bowls Club.

I would like to thank the community representatives for putting their sites forward. The applications and plans were submitted to Fields in Trust who have confirmed all have been accepted. The final legal processes are expected to be completed by the end of this month. Each site will receive a plaque and a Royal Oak. Groups will also receive a toolkit to help them organise a launch event.

And finally, I am pleased to announce that the final funding for the exciting new skate park at The Level is now in place - thanks to a £150,000 Olympic legacy grant from Sport England.

Work on the skatepark has now started and should be complete together with the rest of the Level rebuilding works by July of this year”.

43. CALL OVER

43.1 **RESOLVED-** That all items on the agenda be reserved for discussion.

44. PUBLIC INVOLVEMENT

44.1 No items were received.

45. MEMBER INVOLVEMENT

45.1 No items were received.

46. FEES AND CHARGES 2013/14

46.1 The Committee considered a report of the Strategic Director, Place that set out the proposed fees and charges for Regulatory Services (Environmental Health & Licensing and Trading Standards) for 2013/14.

46.2 Councillor Janio asked for further information on the removal of the Underage Sales Training charge as set out in paragraph 3.6 of the report.

46.3 The Head of Regulatory Services clarified that in previous years an Underage Sales Training programme had been offered to businesses for free to encourage compliance with age restricted sales and licensing legislation. There had been a good take up of the programme until 2011/12 when a fee had been introduced. Unfortunately, this reduced demand to nil which did not support helping business compliance or work of alcohol programme board so officers were requesting reversal back to no charge.

46.4 Councillor Mitchell commented that there was a £25 call out charge for pest control. She enquired whether this was added to the set fee for pest control treatment.

- 46.5 The Head of Regulatory Services replied that this was just a call out fee and was subsumed into the main charge for pest control. He stressed that the charge only applied in cases of no access to the premises.
- 46.6 Councillor Sykes stated that he welcomed the report which highlighted some of the important services provided by the council. He added that he believed there were problems in authorities where these services were provided by the private sector alone. Councillor Sykes supplemented that he welcomed the re-introduction of free training for underage sales.
- 46.7 Councillor Deane stated that she too welcomed the report and that these services were still provided by the public sector in particular pest control.
- 46.8 Councillor Pissaridou asked if the services made a profit via the fees charged.
- 46.9 The Head of Regulatory Services clarified that no surplus was made. The primary focus of the service was to cover costs via fee setting and where a surplus was found to be made, this fee was reduced. In addition, some fees were set to cover significant losses in other areas. The Head of Regulatory Services provided wasp treatment as an example which had significantly lower take up than forecast due to falling numbers of call outs related to a smaller wasp population.
- 46.10 **RESOLVED-** That the proposed fees and charges for 2013/14 as set out in the report are agreed.

47. PRESTON PARK PARKING REVIEW

- 47.1 The Committee considered a report of the Strategic Director, Place that set out the findings of the review into parking controls at Preston Park.
- 47.2 Councillor Sykes asked if it was likely that the revised scheme would simply lead to people predominately using the car park in the hours that it was free of charge resulting in previous problems re-appearing.
- 47.3 The Head of Projects and Strategy replied that now the scheme had been operational for six months, officers were in a position to make projections based on the patterns of parking. They were confident that parking would not be used only when it was free.
- 47.4 Councillor Pissaridou asked why parking charges were not allocated to the transport budget as normally occurred.
- 47.5 The Head of Projects and Strategy clarified that income from penalty notices issued were allocated to the transport budget whereas parking charges at the park were ring-fenced for re-investment in the park.
- 47.6 The Principal Solicitor explained that the legal basis for this was further outlined in paragraph 8.5 of the report.

- 47.7 Councillor Theobald thanked the Head of Projects and Strategy for his detailed briefings on what was a complex matter. He added that he had been confident a surplus would be made and he was pleased that there would now be more periods of free parking
- 47.8 Councillor Cox welcomed the report asking if specific attention could be paid in using the surplus for investment in the cycle track and cycle club. He explained that the track was potentially a high standard facility and would provide real benefit with the next closest cycle track based in Southampton.
- 47.9 The Chair thanked Councillor Cox for his input. He agreed that there was huge potential in the cycle track and the Committee should look to facilitate this.
- 47.10 Councillor Mitchell relayed her thanks to the Head of Projects and Strategy for his briefings adding that it had been a good idea to review the progress of parking in Preston Park.
- 47.11 The Head of Projects and Strategy informed the Committee should the recommendations of the report be accepted, and objections to the necessary Traffic Regulation Order process would be reported to the Transport Committee as this was within its remit.

47.12 **RESOLVED-**

1. That Committee notes the outcome of the review.
2. That Committee approves the proposal to reduce the times parking charges apply from the current position of 9am – 6pm Monday to Sunday, to 9am – 4pm Monday to Friday and 2pm – 6pm Saturday and Sunday. The change would be subject to the statutory consultation process for Traffic Regulation Orders.
3. That Committee instructs officers to advertise the associated Traffic Regulation Orders. Any unresolved objections will be brought back to the Council's Transport Committee.
4. That the revised scheme is reviewed again formally 12 months after implementation with a report brought back to committee to assess the performance of the scheme and the improvements made to the park with the surplus funds.

48. CITY CENTRE COMMUNAL RECYCLING - PERMISSION TO CONSULT

- 48.1 The Committee considered a report of the Strategic Director, Place that sought permission to consult on introducing communal recycling in the city centre.
- 48.2 The Chair stated that the trial of communal recycling in Brunswick and Adelaide had proven a great success. Residents there greatly preferred the communal bins to having to store black boxes in their homes. The Chair stated that the streets were now cleaner, and recycling rates were up 70%, benefitting the environment and reducing cost. The Chair added that the council had also been successful in their funding bid to government, who have granted £840,000 to the scheme so the council were now able to offer the benefits of communal recycling to all 29,000 residents across the city centre.

The proposed scheme included provision of 12 new recycling points on the seafront, which will be a great help combating litter problems on hot summer days

The Chair supplemented that he was particularly keen on the proposed incentive schemes that had been developed to support take up, and he was very grateful for the enthusiastic support the whole initiative has received from the Tourism Alliance.

- 48.3 Councillor Mitchell stated that she fully supported consultation and hoped for a good response. Councillor Mitchell commented that the proposed number of parking spaces to be lost under the scheme would be quite high and she hoped this could be re-evaluated as it would potentially have a knock-on effect on resident parking permit waiting lists.
- 48.4 The Head of Projects and Strategy replied that the proposals had been considered thoroughly with the Transport Team however, he would re-visit the parking space figures. Whilst the percentage of parking spaces lost would be low citywide, he agreed that this could create pressures in certain areas.
- 48.5 The Chair stated that he agreed that loss of parking should be kept to a minimum and he hoped the fuller scheme would confirm this. The Chair commented that initial concerns about loss of parking in the Brunswick & Adelaide ward prior to the trial had been allayed when the scheme commenced. The Chair reminded the Committee that their primary focus should be the benefits of communal recycling and not the loss of parking related to the scheme.
- 48.6 Councillor Theobald noted that he had written to the Secretary of State in support of funding and he was pleased that this had been received from central government. Councillor Theobald agreed that the loss of 271 parking spaces was very high and he felt this needed to be re-examined.
- 48.7 As ward councillor for the area, Councillor Sykes stated that Brunswick and Adelaide had lost 30 spaces out of 1300 for the trial which equated to approximately 3%. Recycling rates during the trial had increased steadily and that initial concerns about loss of parking and been allayed when the scheme was in practice.
- 48.8 Councillor Pissaridou asked that the number of parking spaces lost be prominent in the consultation documents.
- 48.9 The Head of Projects and Strategy replied that the proposals covered a very large area so the consultation documents would list the number of spaces lost specifically in each area.
- 48.10 Councillor Cox commented that the opportunity to remove the black box recycling containers was positive. He asked Councillor Sykes if the communal recycling trial had improved street cleanliness in Brunswick & Adelaide.
- 48.11 Councillor Sykes clarified that it had been significantly popular particularly as Brunswick & Adelaide had very narrow streets. This point had been made both formally in the consultation and informally to him by residents of his ward. It had also removed obstacles that presented difficulties to those that had sight or mobility issues.

- 48.12 Councillor Janio stated that he agreed with the reservations made about the loss of parking. He stated that the consultation documents should address this with total numbers for each controlled parking zone.
- 48.13 The Chair replayed that he would take particular interest in the issue to ensure that the consultation documents were clear and concise with regard to effects on parking.
- 48.14 Councillor Janio noted his disagreement with the collection of demographic information in the consultation process which he found to be overly bureaucratic.
- 48.15 The Strategic Director, Place clarified that the procedures for collecting demographic information was set out in the council's consultation framework. It would be necessary for the Committee to receive a report on the matter to amend the framework.
- 48.16 **RESOLVED-** That Committee gives permission to consult all households in the city centre communal refuse area on proposals to also introduce communal recycling and that a report is brought back to committee with the outcome of the consultation to inform any decision on extending communal recycling.

49. COMMUNAL REFUSE COLLECTION IN HANOVER, ELM GROVE AND THE TRIANGLE AREAS

- 49.1 The Committee considered a report of the Strategic Director, Place regarding the results of the consultation on communal refuse collection in the Hanover, Elm Grove and Triangle areas and proposed recommendations based on the results.
- 49.2 The Chair stated that the benefits of communal refuse for improving street cleanliness and reducing pavement clutter were well accepted.
The results from the Hanover consultation were inconclusive, and ward members had agreed to hold a public meeting to hear views on revised proposals
Residents of the Lewes Road Triangle had given a clear indication in support of a scheme, and the proposal was to go ahead with a scheme but not including Park Crescent and Park Crescent Terrace.
As a ward Councillor for the Triangle he was very pleased with the proposal as a way forward on reducing the impact of waste had been sought for many years.
- 49.3 Councillor Mitchell asked if a public meeting would be an appropriate forum to gather sufficient feedback.
- 49.4 The Head of Projects and Strategy replied this would not be known until the meeting was held. He added that there was some confusion over the location of bins and the next course which he hoped would be resolved.
- 49.5 The Chair supplemented that the meeting would assist in potentially finding better locations for communal refuse bins. Ward councilors for the area had also been eager to hold a public meeting.

- 49.6 Councillor Pissaridou noted that this was the fourth consultation undertaken in the Hanover area and each one had created some element of confusion. She stated her concern that the council's consultation process was not robust enough.
- 49.7 The Chair replied that the council had a good record on consultations in general and this was constantly improving.
- 49.8 Councillor Deane stated that she welcomed the report and the flexibility therein which took account that a 'one size fits all' approach could not be applied.
- 49.9 As ward councillor for the Hanover area, Councillor Wakefield noted that the consultations had been very close. She believed it was fair to hold a public meeting on the issue and that rubbish and clutter had become a serious concern.

49.10 RESOLVED-

1. That the Committee notes the outcome of the consultation in the Hanover area which is inconclusive. Recommendations for this scheme will be brought to a later committee meeting pending the outcome of a public meeting.
2. That the Committee approves the implementation of communal refuse collection in the Lewes Road Triangle area as set out in Appendix 3, with the exception of Park Crescent and Park Crescent Terrace.

50. ADOPTION OF LOCAL BIODIVERSITY ACTION PLAN

- 50.1 The Committee considered a report of the Strategic Director, Place that presented the results of the recently completed consultation on a draft Local Biodiversity Action Plan (LBAP) for Brighton & Hove and sought its adoption as council policy. The report was supplemented with a presentation by the Ecologist officer.
- 50.2 Councillor Deane asked if improvements in residential gardens could have an impact upon biodiversity.
- 50.3 The Ecologist officer clarified that research by Sheffield University had demonstrated that this could be of significant benefit.
- 50.4 Councillor Janio praised the project and noted the important role of the physics of the natural environment in enhancing mental well-being.
- 50.5 Councillor Wakefield praised the presentation for focussing on the positive improvement of biodiversity on children. She had extensive experience of this improvement, particularly with regard to behavioural issues.
- 50.6 Councillor Mitchell thanked the Ecologist officer for his presentation but also the 'Friends Of' groups who put some much work in across the city.
- 50.7 **RESOLVED-** That the Committee approves the adoption of the draft LBAP for Brighton and Hove as council policy.

51. LSTF JOINT BID - SUSTAINABLE TRANSPORT SOLUTIONS FOR ENGLAND'S TWO NEWEST NATIONAL PARKS

- 50.1 The Committee considered a report of the Strategic Director, Place that provided a summary of the Sustainable Transport Solutions for South Downs and New Forest National Parks and made recommendations to forward the project. The report was supplemented by a presentation.
- 50.2 The Chair stated that the report focussed on the successful partnership bid made with neighbouring local transport authorities that share a footprint in the two national parks, for funding from Local Sustainable Transport Fund.
The Chair commended the proposals to enhance sustainable access to the parks, through supporting better cycle and walking access from rail stations, supporting our Breeze Buses and through offering information on sustainable travel choices to visitors ahead of arrival.
The Chair added that with 85% of visitors to the South Downs national park currently arriving by car, this investment in sustainable travel is vital to achieving not only a reduction in car travel, but in improving access to the countryside for those who didn't own a car.
- 50.3 Councillor Mitchell stated that Stanmer Park was a key gateway in the city and asked if improvements were planned for this area.
- 50.4 The Transport Planner replied that there was a Stanmer park masterplan and the Transport team would seek to assist with that project.
- 50.5 The Chair supplemented that investment for Stanmer Village and Stanmer Park were being worked on. He added that recent investment in the Lewes Road transport links would help.
- 50.6 **RESOLVED-**
1. That the committee:
 - (a) Notes the success of the Sustainable Transport Solutions for England's Two Newest National Parks bid and support its continued development.
 - 2 . Agrees:
 - (a) That the Council should continue to work in partnership with Hampshire County Council and six other partner authorities: East Sussex County Council, West Sussex County Council, Surrey County Council, Wiltshire County Council and the New Forest & South Downs National Park Authority to deliver the objectives outlined in the bid;
 - (b) Authorises the Strategic Director of Place to sign a formal partnership Joint Working Agreement with the other authorities confirming the detail of the joint working arrangements. A copy of the proposed partnership agreement is appended to this report (Appendix 3).

52. ITEMS REFERRED FOR COUNCIL

52.1 No items were referred to Full Council for information.

The meeting concluded at 6.00pm

Signed

Chair

Dated this

day of

Notes of City Sustainability Partnership Meeting – 06 March 2013

Committee Room 1, Brighton Town Hall, Bartholomew Square, Brighton, BN1 1JA

Present:

Public Services:

Becky Ritchie – Sussex Community NHS Trust (BR)
Councillor Ollie Sykes – Brighton & Hove City Council (OS)
Councillor Pete West – Brighton & Hove City Council (PW)
Councillor Tony Janio, Brighton & Hove City Council (TJ)
Dan Danahar - Dorothy Stringer School (DD)
Zoe Osmond - University of Brighton (ZO)

Community and Voluntary Sector:

Chris Todd – CVSF Environmental Rep – **Chair** (CT)
Christine Gent – Brighton & Hove Fairtrade Steering Group (CG)
Roger Carter – Brighton & Hove's Wildlife Forum (RC)
Vic Borrill – Brighton & Hove Food Partnership – **Vice Chair** (VB)

Brighton & Hove City Council:

Dean Austyn – Performance Analyst (DA)
Matthew Thomas – Council Ecologist (MT)
Nick Hibberd - Head of City Regeneration – representing **Partnership Manager** (NH)
Rich Howorth – Biosphere Reserve Project Officer (RH)
Sarah Jones – Senior Support Officer – **Meeting notes** (SJ)
Shelaine Siepel – Sustainability Consultant (SS)
Steve Foster – Project Manager, One Planet Living (SF)

Observers included:

Jon Patmore – Ecologically

1. Apologies

1.1 Apologies were received from Councillor Denise Cobb, Councillor Gill Mitchell, and Geoff Raw of Brighton & Hove City Council; Cat Fletcher, Mark Strong and Ruth England of CVSF; Alistair Hill of Brighton & Hove Primary Care Trust; Will Clark, Sussex Community NHS Trust; Patrick Pica, University of Sussex; Mark Brunet, Blatchington Mill School; Damian Tow, Sustainable Energy Working Group; and Danni Craker, Brighton & Hove Chamber of Commerce. Thurstan Crockett, Partnership Manager was represented by Nick Hibberd of Brighton & Hove City Council. Vice-Chair Vic Borrill was to leave at 6pm.

2. Actions and matters arising from last meeting

2.1 Chair requested updates on the following actions from the last meeting.

6.2.1 SJ had received additions from members for Sussex

sustainability organisations document. **Action: SJ will make final version available on CSP webpage.**

- 2.6.2.4 Work Programme Group had had its first meeting in February and had submitted a written update to the meeting.
- 3.2 City Energy Study workshop date had been announced.
- 3.3 Link to AECOM's study had been circulated.
- 5.2 SJ to circulate draft Economic Strategy to partners after its release following the 15 January 2013 workshop: there was to be an update item later in the meeting.
- 9.4 Link to Seafront Strategy had been circulated to members.
- 9.7 City Plan consultation responses had been circulated.
- 2.2 ZO advised that this point should be amended to show that Brighton & Hove 10:10 were one of the partners to secure DECC funding for Green Deal Pioneers scheme. **Action: SJ to amend minutes to reflect this.**
- 2.3 Chair announced a new order for the Agenda. The first two items were to be Draft Economic Strategy refresh & consultation and Sustainability Action Plan update. The rest of the items would then follow as on the published Agenda.
- 3. Draft Economic Strategy Refresh and Consultation – update**
- 3.1 NH briefed the members on the background to the Economic Strategy refresh. He advised that Adur and Lewes District Councils, Worthing Borough Council and Brighton & Hove City Council are currently in negotiation phase until the autumn with government re Greater Brighton City Deal initiative. The Economic Strategy will need to be aligned with our City Deal proposals.
- 3.2 NH advised members of the consultation event scheduled for 07.03.13, invited them to attend and asked for their input to the review.
- 3.3 VB expressed concern that the draft strategy had presented a high growth city in opposition to a sustainable city and Chair agreed that this was a naïve interpretation of the city's potential. NH advised that debate at the last consultation event had concluded that the city's sustainable economic growth should not be at the expense of its character. ZO's feedback from the event was that these were seen as complementary, and VB reiterated this on behalf of CSP.
- 3.4 VB was also concerned that no further information had been provided after the first consultation event and that there had been

no opportunity to comment on the refresh. She therefore felt unqualified to attend the next meeting, although she would attend on behalf of the CSP. **Action: VB to feed back and request input from members after the event.**

- 3.5 NH stated that there was now a need to realign the Economic Strategy with the Sustainability Action Plan and allow more time for CSP and others to feed into process. NH reassured partners that there would be a further opportunity to comment on the draft following the event on 7 March 2013.
- 3.6 ZO asked for the strategy to emphasise the benefits of green growth and retrofit.

4. One Planet Living Sustainability Action Plan update

- 4.1 SF advised members that the Plan would go to Policy & Resources Committee 21 March. If approved, the Plan would then go to the Brighton & Hove Strategic Partnership on 25 June followed by submission to BioRegional for accreditation as the first One Planet City. Deadline for comments was 8 March 2013.
- 4.2 Next steps are to develop governance, project management, performance measurement and high level indicators; links will be made to the Sustainable Community Strategy when it is reviewed.
- 4.3 Phil Belden joined the meeting.
- 4.4 JP asked why there was no One Planet Council section in the Land Use and Wildlife chapter. SF advised that this is because all the actions are seen as city-wide. He also confirmed that the SAP is merged with the Local Biodiversity Action Plan.
- 4.5 VB wanted a forum for internal leads and external leads to get together and requested CSP to recommend this. NH confirmed that the new Chief Executive had made a commitment to this at the One Planet Living Board on 1 March 2013.
- 4.7 CT expressed concern at the Transport chapter, which had been written without discussion with the Transport Partnership or any other city partners. He found it disappointing and highly lacking in ambition and he has requested that this be addressed. SF reassured members that the issues raised by CT were being considered by transport colleagues.

5. Biosphere Management Strategy update

- 5.1 RH gave a presentation to members on the Biosphere Management Strategy.

- 5.2 RH asked members to promote the consultation to their networks. They had received 200 submissions online and 200 on paper. They required a minimum of 2,000 responses to demonstrate a robust process to the nomination panel.
- 5.3 CT asked members to promote the consultation to their networks. ZO requested RH send regular email updates for forwarding to networks.
- 5.4 VB left the meeting.

6. Local Biosphere Action Plan update

- 6.1 MP updated members on the revised Local Biosphere Action Plan (LBAP). He asked that members adopt the plan and presented it as their key to sustainable development in the city.
- 6.2 RC, PB and JP expressed their concern that the comments of the Brighton & Hove Wildlife Forum (BHWF) had not been included in the revised LBAP. They found the plan uninspiring, with few objectives to improve number of species, an emphasis on non-native plants, and no reference to geology, geomorphology or local features. They believed it was not fit for purpose, especially as a supporting document in the Biosphere Reserve bid.
- 6.3 MT advised that the LBAP has been revised as a scientific document to underpin the Biosphere Reserve bid, as required by Unesco. Its objectives have therefore changed since the start of the LBAP consultation.
- 6.4 Regarding the criticism regarding species: MT had avoided detailed lists of species and not included species that were dealt with in existing action plans. He had not included geology: as an ecologist he felt unqualified to approach this, and also felt that the LBAP was a forum to address species, not geology. Non-natives plants had been included on the basis of their high profile and popularity in the city; Rampion, he believed, was dealt with efficiently in the Chalk Grassland plan.
- 6.5 PB was concerned at the low number of responses to the consultation (13 in all) and that there was no response from key regional and national partners. MT confirmed that he had received input from South Downs National Park Authority; Natural England, Sussex Wildlife Trust and RSPB and as far as he was aware they were happy with the LBAP. As a partner, RSPB did not respond formally but MT offered to forward the relevant emails if necessary. Nevertheless, partners remained concerned that in its current form the LBAP was not accessible to a wider audience. PW advised that a presentation on the LBAP had been delivered to the Environment & Sustainability Committee which was in a more accessible format. MT was asked to ensure that the LBAP was presented in a more accessible way during the delivery phase.

- 6.6 Chair recommended CSP adopt the LBAP as partnership policy, but that it was not appropriate for the CSP to take the LBAP to the Brighton & Hove Strategic Partnership for adoption in its current form. This was agreed.

7. Big Nature Centre presentation

- 7.1 DD presented to members on the planned Big Nature Centre at Dorothy Stringer School.
- 7.2 In answer to questions from members, DD confirmed that £5m was required to fund the project; that it would take 3 years to build; that they had trustees in place and were starting a dialogue with potential partners.
- 7.3 PB said it was good to have a centre located in the city; citing its accessibility to local schools and the general public. ZO questioned the siting of a set of buildings and wildflower meadows on an intensive sports space. Would there be a conflict of land uses? DD confirmed that the Surrenden campus already has 6000 visitors per day and that quite a few schools have already demonstrated the ability to walk to the campus. The site is equidistant from the centre of town to the downs; Planners see no great problems associated with its use for such a venue; and the project fits with the idea of developing the campus into a biodiversity park.
- 7.4 PB suggested the Field Studies Council as a potential partner, and advised of the need to work in a complementary fashion with other providers (Sussex Wildlife Trust; RSPB, Pulborough Brooks; Railway Land, Lewes; other educational trusts / providers) to optimise the range, depth and quality of provision, and target the diversity of audiences. DD agreed that the FSC would be interesting partners and because the project is in its infancy, such a partnership is a real possibility.

8. Brighton & Hove Wildlife Forum priorities

- 8.1 RC drew members' attention to the minutes of the last BHWF meeting that had been circulated before the meeting. He confirmed that the forum's priorities were biodiversity, the LBAP, the Biosphere. He confirmed that their main concern was with the LBAP, as set out in section 6 of these minutes.

9. Updates and Information

9.1 Health & Sustainability Working Group

- 9.1.1 BR advised members that the group had had its first meeting on 27 February 2013 and referred them to the minutes that had been circulated before the meeting. The group is developing a

routemap for sustainable healthcare in Brighton & Hove. The group agreed that their focus would be on carbon and the use of resources.

9.2 Work Programme Group

9.2.1 CT advised that the group had had its first meeting, to look at the work programme for the CSP for 2013. They agreed three main priorities for the year: Zero Carbon, particularly retrofit; securing Biosphere Reserve status; and Better Business, a programme focused on local business. The theme of the May meeting was to be Equity and Local Economy, which would help in developing the CSP's third priority.

9.2.2 NH noted that this focus on Better business would be helpful to address the concerns raised in point 3.3 of these minutes, regarding the Economic Strategy. Members agreed with this.

9.2.3 The Group wanted members to identify what resources they can allocate to the agreed priorities. **Action: Chair asked members to respond on this in time for the next CSP meeting on 16 May.**

9.2.4 The group also requested a report on performance and indicators at the next CSP meeting in May, which DA agreed to prepare. **Action: TC/SJ to liaise with DA to bring this report to the meeting on 16 May.**

9.3 Fair Trade Steering Group

9.3.1 CG updated members on the activities that had been taking place during Fairtrade Fortnight.

9.3.2 The Group has developed a lesson plan for primary schools in the city, on how fairtrade engages with Brighton & Hove.

9.4 Waste and Materials Group

9.4.1 This is a new group and has not had its first meeting yet.

9.5 Sustainable Energy Working Group

9.5.1 The group had been working on the Zero Carbon chapter of the SAP.

10. Any Other Business

10.1 Members agreed to try and mitigate in the conflict over the removal of an old elm tree as part of the Seven Dials road improvement scheme. PW advised that the Transport Committee had approved the removal of the tree for reasons of safety and equality. Members

planned to look at options such as building a raised plot for the tree and the possibility of a shared space development.

- 10.2 CT advised partners that the Rampion resubmitted their plans for a development consent order on 01.03.12. This would be followed by a 28 day consultation period.

Date of next meeting: 16 May, 5pm-7pm, Conference Room 1, Brighton Town Hall, Bartholomew Square, Brighton BN1 1JA.

Subject: Petitions
Date of Meeting: 27 March 2013
Report of: Monitoring Officer
Contact Officer: Name: John Peel Tel: 29-1058
E-mail: john.peel@brighton-hove.gov.uk
Key Decision: No
Wards Affected: Various

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

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

2. RECOMMENDATIONS:

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

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

3. PETITIONS

3. (i) Stop fencing in Tenantry Down for Grazing- Sue Grimstone

To receive the following E-Petition signed by 12 people:

"We the undersigned petition the council to leave Tenantry Down unfenced. This area is part of the Race Ground given to the people of Brighton in 1822 for recreation. If it was fenced public access would be restricted, not only by the fencing, but by the sheep being in it for several months of the year. It would also look unsightly. We would like to see the

return of conservation mowing and collection to help maintain the wild flowers that already grow there and the wildlife that uses it. The public were not consulted about fencing in this area and grazing sheep”.

(ii) Allotment plot chopping in Brighton and Hove- Gary Johnson

To receive the following E-Petition signed by 29 people:

“We the undersigned petition the council to postpone the current chopping in half of all existing ten rod plots, until after the current allotment strategy review of allotments has been completed. The current plot chopping is damaging to allotment life”

Subject: Items referred from 31 January 2013 Full Council meeting- Petitions

15 January 27 March 2013

Report of: Monitoring Officer

Contact Officer: Name: John Peel Tel: 29-1058
E-mail: john.peel@brighton-hove.gov.uk

Key Decision: No

Wards Affected: Various

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive any petitions referred from the Full Council meeting of 31 January 2013.

2. RECOMMENDATIONS:

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

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

3. PETITIONS

3. (i) Street lighting Nevill Close- Councillor Bennett

To receive the following petition referred from the meeting of Full Council on 31 January 2013 and signed by 8 people:

"We, the undersigned, request another streetlight in Nevill Close for our security. The existing light, if it is working, does not give us enough light".

Subject:	Official Feed and Food Controls Service Plan 2013/14		
Date of Meeting:	27th March 2013		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Nick Wilmot	Tel: 292157
	Email:	nick.wilmot@brighton-hove.gov.uk	
Key Decision:	No		
Ward(s) affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 To agree the Official Feed and Food Controls Service Plan previously known as Food Law Enforcement Service Plan required by the Food Standards Agency.

2. RECOMMENDATIONS:

- 2.1 That the committee agrees the Official Feed and Food Controls Service Plan 2013/2014 set out in the appendix to this report and recommends it to Full Council for approval.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Food Standards Agency's Framework Agreement on Local Authority Food Law Enforcement requires the production and publication of a service plan. Every local authority is required to develop an annual food enforcement service plan, which provides the basis on which local authorities are monitored and audited by the Food Standards Agency.
- 3.2 To ensure local transparency and accountability, it is a requirement that the Official Feed and Food Controls Service Plan is submitted to the relevant member forum for approval.
- 3.3 The attached plan (Appendix A) is an integral part of the organisation of Regulatory Services within Planning and Public Protection.
- 3.4 In accordance with the Standard outlined in the Framework Agreement the food service is a mix of enforcement, intelligence based work, investigation and education. It is planned that a performance targets of completion of 98% of programmed food safety interventions and 90% of service requests responded to within 5 days.

- 3.5 In addition, areas of current good practice, and opportunities for further improvement, have been identified, both in Food Safety and Food Standards, in section 6.3 of the Service Plan. The targeting of resources to these areas of work aims to provide a balanced mix of services, which is most likely to benefit the business sector, consumers and other stakeholders. The service will continue to focus enforcement action on the poorer performing businesses.
- 3.6 The service has built on the partnership work of the Healthy Choice Awards referred to in 3.7.1 to work on a number of healthy eating initiatives with the Director of Public Health. Initiatives such as promotion of reduced salt, portion size and use of Trans fats as part of National Chip Week 18th to 24th February 2013 and the reduction of Monosodium Glutamate in Chinese restaurant and takeaway cooking are planned.

4. COMMUNITY ENGAGEMENT AND CONSULTATION

- 4.1 Brighton & Hove Food Partnership were consulted during the drafting of this plan

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The proposed 2013/14 budget for food Safety is £564k. The cost of functions detailed within this report will be met from within this budget.

Finance Officer Consulted: Jeff Coates

Date: 6th February 2013

Legal Implications:

- 5.2 The Food Standards Agency places a requirement on local authorities to develop and submit a service plan. Local authorities are audited and assessed by the Food Standards Agency on the basis of their food law enforcement service as provided for in their Service Plans. The Food Safety Act 1990 (Code of Practice) places a requirement on local authorities to operate an inspection rating scheme, which determines frequency of intervention of food premises. The Official Feed and Food Controls Service Plan 2013/14 identifies the planned number of interventions for that period.
- 5.3 The Council's Constitution requires the adoption of the Official Feed and Food Controls Service Plan to be reserved to full Council. It is for the Environment & Sustainability Committee, following consultation with relevant stakeholders and overview and scrutiny, to formulate the Service Plan for submission to full Council for approval.

Lawyer consulted: Elizabeth Culbert

Date: 31st January 2013

Equalities Implications:

- 5.4 An Equalities Impact Assessment has been undertaken. See 2.4.5 of appendix 1 for profile of food premises registering with the food service during the year 2011/2012. The service is mindful of the greater assistance food business operators require where their first language is not English. Written information, translation and interpreting

services are employed where necessary to assist businesses to comply with regulatory requirements.

Sustainability Implications:

5.5 None.

Crime & Disorder Implications:

5.6 None

Risk and Opportunity Management Implications:

5.7 SMART targets for the food safety service is 98% of due food safety interventions achieved and 85 % of food businesses deemed to be 'broadly compliant'.

Public Health Implications:

5.8 The Food and Feed Service Plan is seen as key to protecting public health in the City. It is in line with the stated outcome to 'reduce health inequalities and long standing public health issues' as part of the priority of tackling inequalities which states that 'we will continue with high profile enforcement of food and health and safety rules, maintaining our excellent record of environmental health improvements.'

Corporate / Citywide Implications:

5.9 See 1.2 of appendix 1

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 There is no legal alternative to the statutory service plan.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 In order to comply with the Food Standard Agency Code of Practice.

SUPPORTING DOCUMENTATION

Appendices:

1. Draft Official Feed and Food Controls Service Plan 2013/2014.

Documents in Members' Rooms

1. None

Background Documents

1. None

Appendix1

Brighton & Hove City Council

Official Feed and Food Controls Service Plan 2013/2014

1. Service Aims and Objectives

1.1 Aims and Objectives

- 1.1.1 The food service function of Brighton & Hove City Council is enforced by Environmental Health and Trading Standards staff within Regulatory Services under the Head of Planning and Public Protection who reports to the Executive Director of Environment, Development & Housing.
- 1.1.2 Environmental Health & Licensing staff are primarily concerned with protecting and improving public health and the environment across the City. Within this service food safety officers work to ensure that food prepared and sold from local establishments is safe. This is achieved by carrying out a programme of interventions at food businesses, sampling and responding to service requests. Wherever practicable links are formed with the business community and all relevant professional groups with the objective of increasing and promoting food safety awareness.
- 1.1.3 The overall objective of the service is to provide a comprehensive food safety service to benefit consumers and the business community, with a considered balance between enforcement, investigation, advice and education.
- 1.1.4 Trading Standards officers aim to provide a comprehensive range of enforcement and advisory services to the community within a statutory framework. Its goal is to contribute, in conjunction with other agencies, to the development of a safe, fair and equitable trading environment for all consumers, by means of advice, information, education and enforcement.

The core aims being to ensure: -

- § Accurate and informative labelling of food; and
- § That compositional standards of food are maintained.

The objectives being: -

- § To carry out risk-based and intelligence led activities;
- § To undertake screen testing and food sampling to reflect identified areas of concern;
- § To respond appropriately to food complaints and initiate proportionate action;
- § Respond to trader requests in a timely manner; and
- § To educate the public on compositional and labelling issues to improve eating habits.

1.2 Links to Corporate Objectives and Plans

1.2.1 In December 2012 the new Chief Executive posted the City Council's purpose, ambitions and values with the four priorities of:-

- § Tackling inequalities
- § Creating a more sustainable city
- § Engaging people who live and work in the city
- § Responsible and empowering employer

1.2.2 The service has strong links with these priorities. In particular the outcome to reduce health inequalities and long standing public health issues as part of the priority of tackling inequalities. This includes the desire to continue with high profile enforcement of food safety rules and maintaining an excellent record of environmental health improvements.

1.2.3 The Official Food and Food Control Service Plan is part of the corporate annual planning and development process.

1.2.4 The service has a published Enforcement Policy. This policy is a cornerstone for fair and open enforcement.

1.2.5 The service continually monitors business opinion through satisfaction surveys. This fits in with the priority of engaging people who work in the city. The findings help to ensure that the service meets the requirements of local businesses, residents and visitors and provides a service the city deserves.

2. Background

2.1 Profile of the Local Authority

2.1.1 Brighton & Hove is a unitary authority on the south coast of England. It is approximately 50 miles from London. Bounded by the English Channel to the south and the South Downs to the north, it covers an eight-mile stretch of seafront and extends inland for approximately five miles.

2.1.2 Demographic information is available from online Brighton & Hove Local Information Service <http://www.bhlis.org/> .

Resident Population by Ethnic Group Estimated in 2009

White British, Irish, mixed and other	227,000
Asian or Asian British	12,500
Black or Black British	5,900
Chinese	2,400
Indian, Pakistani or Bangladeshi	10,900

2.1.3 Tourism plays a major part in the local economy. Figures from the VisitBrighton Strategic Partnership 2010 estimate that 15% to 20% of jobs in the city are tourism related and eight million visitors bring £400 million into the local economy. The city boasts 4293 bedrooms, offering a bed stock of approximately 10,000. There is a large variety of hotels, food retailers and over 400 restaurants serving cuisine from around the world. The VisitBrighton Visitor Survey 2007 identified that 70% of visitors put going to a restaurant or place to eat as one of the most popular activities to do in Brighton & Hove.

2.2 Organisational Structure

2.2.1 Brighton & Hove City Council has operated a committee system model since May 2012. Responsibility for the food safety and standards services is delegates to the Environment & Sustainability Committee.

2.3 Scope of the Feed and Food Service

2.3.1 A specialist Food Safety Team within Environmental Health carries out the food safety function. The work of the team includes:-

- § Inspecting food premises:-
- § The investigation of food safety complaints;
- § Food poisoning investigations when linked to a premises;
- § Investigating infectious disease notifications;
- § Microbiological food sampling;
- § Food safety training;
- § Responding to requests for advice;
- § Initiatives relating to working with the community and businesses;
- § Taking appropriate steps to publicise and act upon national food alerts;
- § Publicising the food hygiene standards of local businesses.

2.3.2 The food standards function is carried out by Trading Standards Officers in the Business Support Team. The work of the team includes the following: -

- § Risk based enforcement activity;
- § Complaint investigation;
- § Food analysis and investigation;
- § Service Requests from businesses;
- § Education programmes;
- § Reacting to Food Alerts.

2.3.3 Food Standards work is undertaken in conjunction with work on other areas of Trading Standards law. For instance, a programmed food visit will also include giving advice about other matters such as prices, business names and weights and measures. In this way, a comprehensive visit is under taken so as to minimise any inconvenience caused to the general day-to-day running of the business.

2.3.4 Trading Standards Officers are responsible for enforcing relevant legislation in respect of imported feedstuff, whilst the Food Safety team enforces relevant legislation controlling imported food of non-animal origin and products of animal origin.

2.4 Demands on the Feed and Food Service

Food Safety

2.4.1 As at January 2013, there are 3230 food businesses registered. These premises are broken down into the following profile:-

2	Primary Producers
41	Manufacturers/Processors
2	Packers
5	Importers/Exporters
30	Distributors/Transporters
629	Retailers
2519	Restaurants and other Caterers
2	Manufacturers Selling Mainly by Retail
3230	TOTAL

2.4.2 Three food businesses are approved under Regulation (EC) 853/2004 for specific dairy, fish and meat products processing.

2.4.3 The nature of the city causes a considerable seasonal variation in the department's workload. Some businesses only open during spring, summer or school holidays, the intervention programme has to be tailored to meet these service needs. There is a dramatic increase in the number of visitors in the spring and summer and this increases the volume of requests for service, enquiries and other reactive work. Outdoor events such as music events, festivals, specialist markets, farmers' markets, open-air concerts and funfairs also add to the seasonality of the workload.

Food Standards

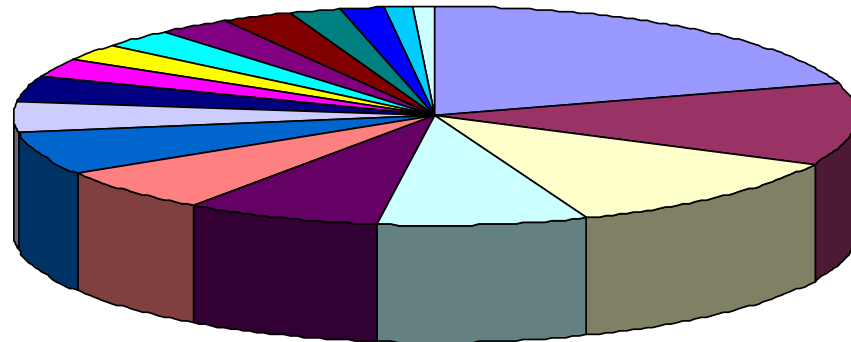
2.4.4 Premises data is captured on Uniform and therefore the premises profile is the same but as the risk assessment is based on the LGR scheme the individual premises have a different inspection frequency for Food Standards. As of the 7 January 2013, 2378 premises were considered to have an 'inspectable risk' for Food Standards work. It has been noted that there is a high turnover of new premises requiring food standards advice.

Access to services

2.4.5 As part of the drive for continued improvement and dialogue with businesses, all establishments are requested to complete feedback questionnaires following inspections. The questionnaires request

information on the ethnic origins of the business owners. Of the questionnaires returned between April 2011 and March 2012 65.2% of the respondents identified themselves as White British. The ethnicity of the remaining was as below.

Ethnicity of Food Businesses Where Notified 2011/2012



- 20.2% White Other
- 11.9% Chinese
- 11.9% Other
- 8.3% Asian or Asian British-Indian
- 7.3% Turkish
- 6.4% Asian or Asian British-Bangladeshi
- 6.4% Other Asian Background
- 4.6% White Irish
- 3.7% Arab
- 2.7% Mixed White & Black Caribbean
- 2.7% Mixed White & Black African
- 2.7% Mixed Other
- 2.7% Polish
- 2.7% Sudanese
- 1.8% Black or Black British-Caribbean
- 1.8% Asian or Asian British-Pakistani
- 0.9% Mixed White & Asian
- 0.9% Black or Black British-African

2.4.6 In addition to having a number of key food safety advice leaflets in a variety of languages, the service has the capacity to have any leaflet, letter or other document translated as required. Wherever possible, opportunities are taken to provide information about services to ethnic communities. Where necessary, interpreters accompany officers on planned interventions. Where necessary, officers can access The Big Word On-Call Language Service by telephone when carrying out visits.

2.4.7 Access to the service is provided by:

- § Visiting either Bartholomew House or Hove Town Hall Customer Services Centres, opening hours 8:45am to 4:30pm on weekdays;
- § Self-help points across the city including all the main council offices, libraries, leisure centres and some schools;
- § General telephone calls to the Call Contact Centre on (01273) 292161;
- § Advice can also be accessed via the council's website, www.brighton-hove.gov.uk;
- § Email to ehl.food@brighton-hove.gov.uk.

- 2.4.8 Food Standards complaints are initially received by Citizens Advice Consumer Service. There is a referral protocol regarding food issues requiring enquiries to be sent to Trading Standards within 24 hours.
- 2.4.9 The food safety team operates a hotline where businesses and consumers can obtain immediate advice from a food safety officer, during office hours. Senior food competent environmental health staff provide cover for an out of hours service to respond to food safety emergencies and incidents.
- 2.4.10 New food businesses registering with the service are provided with access to a wide range of online documents hard copies can be provided on request to assist compliance with food safety legislation.

2.5 Regulation Policy

- 2.5.1 The Council has a Corporate Enforcement Policy in line with the national Regulators Compliance Code for Enforcers. The enforcement policy is grounded in better regulation principles of proportionality, accountability, consistency, transparency and targeting.
- 2.5.2 Any breaches of food law noted in businesses where Brighton & Hove City Council has an interest, either as proprietor or responsibility for structural repair, are brought to the attention of the Chief Executive without delay.

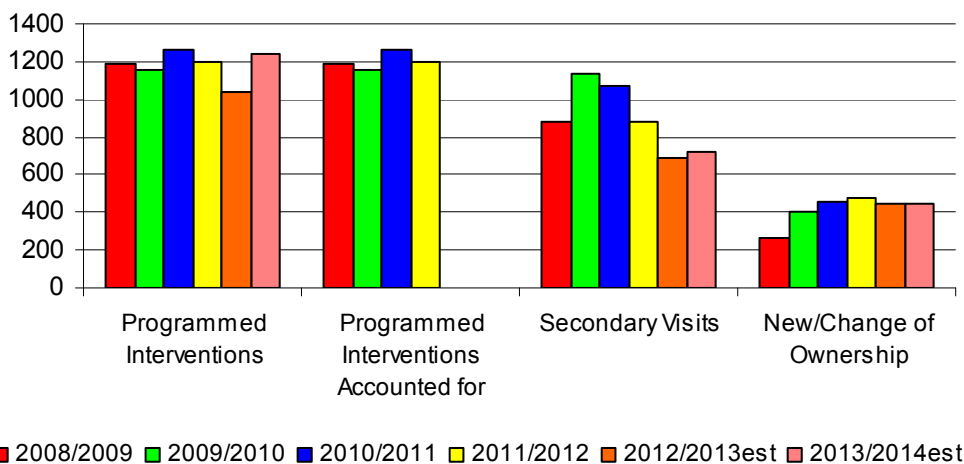
3 Service Delivery

3.1 Interventions at Food and Feedingstuffs Establishments

Food Safety

- 3.1.1 This section details the planned risk based food safety intervention programme for 2013/2014. The level of achievement in food safety intervention based activity over the past four years is shown in the chart below along with estimates for completion of the current year and 2013/2014.
- 3.1.2 Inspection intervals are calculated on a risk-based approach. The service sets a target of 98% compliance with the annual programme. Table 3.1.1 estimates the number of planned interventions for the current year and 2013/2014. The target takes account of possible service or operational problems such as a turnover of staff at the end of the year, emergencies or difficulties contacting seasonal businesses or home caterers. In reality, compliance approaches 100%.

Chart of Intervention-Based Activity 2008-2014



See tables 3.1.1 and 3.1.3 for further details.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
Programmed Interventions	1193	1159	1262	1197	1043	1246
Accounted for	1188	1156	1262	1197		
Target %	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D	98 A-D
Achieved%	99.6 A-D	99.7 A-D	100 A-D	100 A-D		

Table 3.1.1 Achievement of Planned Food Safety Inspection/Intervention Programme 2008-14.

3.1.3 The Food Safety Code of Practice contains a mechanism for risk rating each businesses based on factors such as:- if unwrapped high risk-food is handled, prepared or cooked; size of the business; any high-risk operations are undertaken; number of customers; vulnerability of the customers to food-borne illness; standards of hygiene; condition of the structure and confidence in management. By scoring all of these factors, an overall risk rating of A to E is arrived at. Category A premises are the highest risk and E the lowest.

3.1.4 As category E businesses tend to present a minimal risk due to the limited types of food they handle and/or they cater for a limited number of people. Since 2007 the service has operated an alternative enforcement strategy to maintain surveillance of these low risk businesses. This strategy enables the service to provide greater focus on higher risk category A to D establishments. Migration to the national Food Hygiene Rating Scheme (FHRS) for publishing food hygiene standards in March 2012 required an increase in validation inspections of category E businesses.

3.1.5 The alternative surveillance of low-risk businesses follows a structured documented procedure: postal questionnaires, sample inspections to check the validity of the information gained and follow up inspections.

3.1.6 Migration to FHRS has resulted in the need for a greater level of surveillance. The service therefore proposes to alternate between a

questionnaire and intervention on the usual frequency for category E establishments. This generated an additional 68 interventions between April and December 2012. An estimate of the number of interventions for 2012/13 and 2013/14 has been included into table 3.1.2.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
Questionnaires	243	188	277	175	185	296
Interventions	-	-	-	-	126	72

Table 3.1.2.Premises dealt with under alternative strategy or inspected.

3.1.7 Planned food safety interventions programme for the year 2013/2014 as at January 2013 is:-

Risk Category of Premises	Number of Interventions Due
A	6
B	75
C	769
D	396
Total	1246

Low-risk premises due for intervention 368

3.1.8 The target is to achieve a minimum of 98% of the annual inspection programme. The three product-specific premises approved under Regulation (EC) 853/2004 will receive interventions within the risk rated programme as necessary.

3.1.9 The Food Safety Code of Practice encourages food enforcement services to provide greater focus on the outcomes of activities rather than the traditional approach of reporting on activity alone. Local authority performance is monitored by the Food Standards Agency through the Local Authority Enforcement Monitoring System (LAEMS).

3.1.10 A further target is to ensure that at least 85% of food establishments are 'broadly compliant'.

3.1.11 As at December 2012 the level of broadly compliant establishments rated in the FHRS scheme stood at 91.4%. This level of compliance protects public health, the local economy and reputation of the council as a responsible regulator.

3.1.12 **Secondary Interventions** - The main purpose of secondary interventions is to monitor food businesses that fail to comply with significant statutory food safety requirements, or where directly required by Regulation. Failure could include:-

- § Failure to comply with a single requirement that compromises food safety, public health or prejudices consumers;
- § Failure to comply with a number of requirements that, taken together, indicate ineffective management; or
- § Service of a Hygiene Emergency Prohibition Notice or Order.

3.1.13 When considering both the need for and timing of a secondary intervention, consideration is given to the seriousness of any failing, history of the business, confidence in management and the likely effectiveness of this action when compared to any other enforcement option.

3.1.14 Safeguard measures associated with the FHSR permits any food business that does not attain the top rating of five to request a rescore once any necessary issues have been resolved. The revisit must be unannounced and made no sooner than three months after the initial intervention and within three months of the request being made.

3.1.15 Other secondary interventions are categorised as those that are not primary interventions but include:-

- § Additional interventions of establishments that are subject to product-specific food hygiene regulations;
- § Sampling visits;
- § Visits to check on the progress of measures required after a previous intervention;
- § Visits to investigate food and food premises complaints;
- § Visits to discuss implementation of Hazard Analysis of Critical Control Points based system;
- § Visits involving training of food handlers;
- § Inspections of premises to assess a licence.

3.1.16 **Interventions at New Businesses/Change of Ownership** - Where the service becomes aware that ownership of a food business has changed or a new business has commenced, it aims to undertake an intervention within 28 days of the business starting trading.

3.1.17 The purpose of the intervention is to establish the scope of the business, gather and record information, determine if food sampling or swabbing is necessary, identify food safety breaches, determine relevant enforcement action to be taken by the food service, communicate this to the business and determine a risk rating score. Based on the last five years' data, it is predicted that there will be 450 new businesses or changes of ownership in 2013/2014.

3.1.18 **Monitoring of Vacant Premises** – The service aims to inspect all new food businesses within 28 days of opening. Food safety law does not require prior approval.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
Secondary inspections	879	1131	1072	885	687	720
New Premises or Change in Ownership	267	398	461	475	450	450

Table 3.1.3 Estimate for 2013/2014 based on data since 2008.

3.1.19 It is estimated that the number of staff required to carry out the programme of inspections plus other visits is 8.5 full time equivalents.

Resources required to undertake secondary visits generated by complaints, enquiries or to undertake sampling are included in the appropriate part of this plan.

Food Standards

- 3.1.20 The LGR system requires high-risk premises to be visited each year, medium risk every two years and the low risk every five years. This means that all 65 high risk, 50% of the 736 medium risk and 20% of the 1553 low risk premises should be visited each year.
- 3.1.21 The target for 2012-13 was to visit 65 high-risk and 368 medium risk premises liable to inspection. Similar targets will remain in place for 2013/14.
- 3.1.22 There is no commitment to visit low risk premises but in 2012-13, 197 low risk premises were visited up to mid Jan 2013 as a result of project work, complaints and other routine inspections.
- 3.1.23 Approximately 5% of inspections require a follow-up visit. Officers do not work exclusively on the food function. Follow up visits will be made to all premises when a non-compliance is detected and formal action is contemplated.
- 3.1.24 One full time and currently two part time posts make up the Food Team. This equates to 1.4 FTE. About 80% of their time is spent on the food function. Another officer has recently passed the food qualification exam and will be looking to develop her competence.
- 3.1.25 **New Businesses** – Trading Standards Officers aim to assess new food businesses within 56 days.
- 3.1.26 **High Risk Premises** - Premises with good management control, no history of contraventions or complaints will be subject to a minimum intervention approach and will only be inspected if they change their product range or complaints are received.
- 3.1.27 **Poorer performing High Risk Premises** -These premises will be inspected every year but may be the subject of additional interventions depending on their compliance. Nationally and locally most food fraud has concerned misdescribed alcoholic drink of unknown provenance.
- 3.1.28 **Medium Risk Premises** - These premises will receive an intervention at two yearly intervals. These interventions will alternate between comprehensive inspections, and a mix of sampling visits, complaint visits or other monitoring or surveillance. At least 50% of the premises liable to an inspection will be subject to a comprehensive visit.

3.1.29 **Low Risk Premises** - A programme of interventions will be based on the intelligence received about the individual premises or where the business requests support/advice.

3.2 Feed and Food Complaints

Food Safety

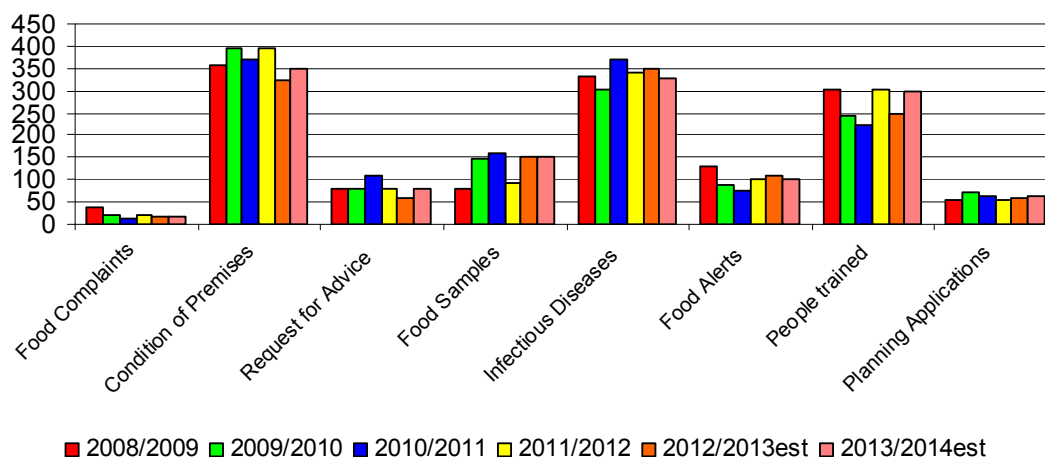
3.2.1 It is the policy of this authority to respond promptly to all requests for advice from business. It is the target of the service to respond to 90% of planning application consultations within 10 working days, and all other demand driven work within 5 days.

Year	08/09	09/10	10/11	11/12
Within target %	96.6	97.7	98.8	97.3

Table 3.2 Percentage of Demand Driven Work within Target Response Time

3.2.2 All food complaints received are investigated in accordance with the council's Enforcement Policy and documented procedures. See below for a chart showing the pattern of demand driven work since April 2008 and estimates for the current year and 2013/2014. The source figures for this chart are contained in tables within the relevant part of the plan.

Chart of Demand Driven Work 2008-2014



See tables 3.2.1, 3.4.1, 3.4.3, 3.5.1, 3.6 and 3.8 for the source of data.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
Food Complaints	36	20	12	20	15	18
Condition of Premises	357	394	371	394	325	350

Table 3.2.1 Number of complaints for current year and 2013/2014 based on data from 2008 onwards.

3.2.3 It is estimated that 1.5 Full Time Equivalent officers will be required to meet this level of service requests.

Food Standards

3.2.4 It is the policy of this authority to respond promptly to all food complaints and to carry out enquiries in accordance with the complaints

procedure. The following figures show a final estimate for 2012/13 as the report is generated before the end of the calculated year.

Year	07/08	08/09	09/10	10/11	11/12	12/13 est
Number of Complaints	253	295	279	185	104	130

3.3 Home Authority Principle and Primary Authority Principle

3.3.1 Brighton & Hove City Council fully supports the Home Authority principle, and has entered into six formal and 22 informal arrangements with businesses whose operational activity extends outside of the city. Currently there are no primary authority food businesses in the city.

3.4 Advice to Businesses

Food Safety

3.4.1 Advice is given during inspections, by hotline, website, newsletter and as part of the planning application process.

Year	08/09	09/10	10/11	11/12	12/13 est	13/14 est
No of Requests	80	82	109	79	60	80
Planning Applications	53	70	64	56	60	65

Table3.4.1 Requests received since 2008 and estimates for the current year and 2013/2014

3.4.2 It is estimated that 0.5 Full Time Equivalent Officer is required to meet this estimated demand.

Food Standards

3.4.3 There was a significant increase in the number of requests for advice in 2007 compared to previous years and this level has remained reasonably constant since then. The following shows requests up until beginning of Jan 2013.

Level of Service Requests					
07/08	08/09	09/10	10/11	11/12est	12/13est
150	192	151	188	158	137

3.5 Feed and Food Sampling

Food Safety

3.5.1 A formal arrangement is in place with the Health Protection Agency's Food Water & Environment laboratory based at Porton Down for the analysis of samples that require microbiological examination.

3.5.2 The service participates in national microbiological sampling initiatives coordinated by the Health Protection Agency (HPA), countywide programmes co-ordinated by the Chartered Institute of Environmental

Health (CIEH) Sussex Food Liaison Group and locally devised surveys. Samples of food and swabs of food-contact surfaces may also be taken as part of routine work and when investigating specific issues at food premises.

3.5.3 During 2012/2013, the service took part in national food sampling programmes:-

- § Study 48 – Pâté study: comparison of ‘in-house’ produced and large-scale produced offal-based pâté.
- § Study 49 – Ready to eat pies from catering and retail premises.

3.5.4 In addition to these nationally agreed programmes, the service took part in Sussex-wide microbiological sampling programme monitoring cleanliness in catering establishments. To identify potential issues with cleaning in premises where there is a low confidence in management. The project to be used to reinforce required standards and educate catering staff.

3.5.5 Sampling is also carried out during routine food hygiene inspections to aid officers in the assessment of practices carried out within commercial kitchens and identify any issues. Where any unsatisfactory results were found, corrective action was put in place to ensure the quality of food products.

3.5.6 As at December 2012 national and the CIEH Sussex Food Liaison Group sampling plans had yet to be finalised.

3.5.7 An Environmental Health Officer within the Food Safety Team is responsible for organising and co-ordinating food safety sampling. It is estimated 0.25 Full Time Equivalent officer will be required for this service.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
No. of samples	82	146	160	94	150	150

Table 3.4.3 Food Safety Samples Submitted 2008-2012 & estimate for the current year and 2013/2014.

3.5.8 Arrangements are in place with the Health Protection Agency laboratory at Porton Down for the analysis of samples that require microbiological examination. The allotted cost for sampling for the financial year 2012/2013 was £11,429.

3.5.9 As at December 2012, the allocation for the year 2013/2014 had not been confirmed.

Food standards

3.5.10 The Public Analyst contract was awarded to Worcestershire Scientific Services. A new contract is currently out to tender. The current allocation of budget for sampling analysis is £5,500. The focus of the contract remains composition, labelling and chemical contamination.

3.5.11 Inspections, investigations and advice for 2012/13 equated to approximately 1.4FTE.

3.5.12 A budget of £ 5,500 was allocated in 2012/13 and 13/14 to facilitate the contract with the appointed Public Analyst for the purposes of food analysis. Sampling programmes are informed by FSA initiatives, TSSE regional and local intelligence.

Food Sampling Work undertaken in 2012/2013

MONTH	PROJECT
August	Gluten Free
August	Melamin in contact with Food
Year long	Spirits Sampling as a part of the inspection programme
Year long	Home Authority Sampling
Year long	Foreign language labelling
Year long	Complaints/Officer initiative

3.5.13 The national initiative is fully funded and takes account of potential problems requiring further investigation. The cost for the regional and local projects will be set to allow for contingencies, such as complaints and reacting to food alerts.

3.5.14 During 2012/13 large quantities of illicit alcohol were found in the City. Whilst some of this was smuggled and non duty paid alcohol, a quantity had been found that was not of the nature substance or quality demanded. As this is deemed to be an emerging potential food fraud, officers have given this priority and the sampling programme will take this into account. It is likely that this will continue to be the case in 2013/14.

3.5.15 **Control and Investigation of Outbreaks and Food-related Infectious Disease** - Specific infectious diseases are notifiable to the local authority. The department investigates these cases in an attempt to identify the cause of illness and any practical measures to control potential outbreaks. See below for the number of cases investigated from 2008 to 2012 and an estimate of the numbers expected for the current year and 2013/2014. Investigations of outbreaks must commence as soon as practical. In individual notifications, the investigation has to commence within 5 days. It is estimated that 0.5 FTE officer will be required to meet this level of complaints.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
No. of reports	333	304	369	339	350	330

Table 3.5.1 Notifications for 2012/2013 & 2013/2014 based on data from 2008 onwards.

3.5.16 The number of notifications included in table 3.5.1 has been corrected to discount those illnesses not associated with food such as mumps, measles and hepatitis. The estimate of the total notifications for the

current year has been increased due to the effect of a slight increase in the number of *Cryptosporidium Enteritis* cases.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
Campylobacter	202	125	222	198	210	200
Salmonella	34	60	33	35	35	35

Table 3.5.2 Estimate of Number of specific notifications for 2012/2013 & 2013/2014

3.5.17 Food-borne illness can be contracted as a result of a number of reasons including poor food handling in the home or foreign travel. It is therefore difficult to attribute any increase or reduction to one source.

3.6 Feed/Food Safety Incidents

3.6.1 An out of hours emergency service is staffed by senior staff who are suitably authorised to carry out the full range of food safety functions including responding to emergency food safety incidents.

3.6.2 Information regarding national food safety alerts, such as product recalls from the FSA, is received during office hours via the national alert system.

3.6.3 The Environmental Health Manager (Food Safety) and senior staff within the Food Safety Team are registered on the rapid alert system to receive food alerts through a text message scheme direct to their mobile phones. The information contained in the food incidents is distributed and acted on as deemed necessary.

Year	08/09	09/10	10/11	11/12	12/13est	13/14est
Food Alerts	130	88	76	102	110	100

Table 3.6 Food Alerts for the current year and 2013/14 based on data from 2008 onwards.

3.7 Liaison with Other Organisations

Food Safety

3.7.1 There are a number of arrangements in place with other professions and local authorities to promote consistency, provide joint projects and develop services: -

- § The Environmental Health Manager attends the Sussex Food Liaison Group which develops common approaches to regulation across Sussex.
- § An Environmental Health Officer attends the Chartered Institute of Environmental Health's Sussex Food Study Group which develops joint procedures and practices.
- § Regular liaison meetings with Children's Services and school caterers.
- § The Health Development team develops initiatives such as promoting breastfeeding or making it easier for mothers to breastfeed their babies while in restaurants.

- § The service works with nutritional advisers via the Brighton & Hove Food Partnership on the Healthy Choice Award initiative to promote healthy menu options. They cover a wider range of food businesses, including children's nurseries and school breakfast clubs. As at January 2013, 48 gold level awards have been issued, 12 silver and 2 bronze. There are currently another 13 applications pending for assessment. Nine awards have also been given under the Healthy Early Years scheme where provision is limited to snacks only.
- § District Control of Infection Committee, Community Consultant in Disease Control reviews procedures and agrees communicable disease outbreak and food poisoning control measures.
- § The authority is a member of the Brighton & Hove Food Partnership. The partnership includes representatives from local businesses and community groups, community workers and members of the Sustainability Commission. The Partnership raises awareness of food producers in supporting health, the economy and the environment increasing access to nutritious, safe, affordable food and providing a network for information exchange.
- § A liaison arrangement is in place with Sussex Career Services and local schools to enable teachers and students from Brighton & Hove to gain work experience.
- § Head of Regulatory Services sits on the Healthy Weight programme board

This work is accounted for in the reactive work estimate of resources required.

Food Standards

3.7.2 The team works closely with 18 other Trading Standards Services in the southeast that together make up Trading Standards South East (TSSE). Activities include liaison on all trading standards issues, co-ordinated activities, sampling and advice projects and sharing of information via the TSSE intranet.

3.8 Feed and Food Safety and Standards Promotional Work, and Other Non-Official Controls Interventions

3.8.1 The service has built on the partnership work of the Healthy Choice Awards referred to in 3.7.1 to work on a number of healthy eating initiatives with the Director of Public Health. Planned initiatives are promotion of reduced salt, portion size and use of Trans fats as part of National Chip Week 18th to 24th February 2013 and the reduction of Monosodium Glutamate in Chinese restaurant and takeaway cooking.

3.8.2 The service organises a number of food hygiene training courses per year. The food safety training activity April 2011 to March 2012 and total numbers of people trained are given below. The level 1 award is a half day awareness course whilst the level 2 course is a full day course aimed at food handlers.

3.8.3 Type of Course	Number of Delegates
CIEH Level1 Award in Food Safety in Catering Awareness	35
CIEH Level 2 Award in Food Safety in Catering	268
TOTAL	303

Year	2008/09	2009/2010	2010/2011	2011/2012	2012/13est	2013/14est
Trained	301	245	225	303	250	300

Table3.8 Total Training Undertaken Since 2008

3.8.4 Nine Level 2 Awards in Food Safety in Catering courses have already been scheduled for 2013/14. The service also offers the CIEH Level 3.

3.8.5 Food Safety Week took place from 11-17 June 2012 and a variety of activities were staged at venues across the city, including children's centres and day centres for adults.

3.8.6 In 2012 the Food Safety Team organised their third annual Curry Chef of the Year competition. It is planned to continue this as an annual event.

4. Resources

4.1 Financial Allocation

Food Safety

4.1.1 As at beginning of January 2013 the 2013/14 budget for the Food Safety Service has yet to be finalised. The agreed budget for 2012/2013 was as below.

Staffing	£524,460
Transport	£ 13,870
Supplies and Services	£ 18,930
Total	£ 557,260

Food Standards

4.1.2 It is difficult to detail the time spent on the food standards function as it is carried out during a comprehensive inspection. Time monitoring is not currently used to apportion time to the food function. Cost of the food standards function in 2012/13 was as follows based on the percentage of time officers spend on the food function outlined above and below:

Staffing Inspection, complaints and advice	
Management/Support	£ 3,200
Food Team	£42,170
Total	£45,370

Purchases	£ 500
Analysis	£ 5,500
Total	£ 6,000
Total	£ 57,370

The budget has not yet been set for 2013/14 but similar funding levels are envisaged as 2012/13.

4.2 Staffing Allocation

Food Safety

4.2.1 Establishment of the Food Safety Team for the year 2013/2014 is 11.45 full time equivalent field officers plus two full time equivalent administrative support staff and management, broken down as follows:-

- 1 x Environmental Health Manager
- 2 x Senior Environmental Health Officers
- 3.85 x Environmental Health Officers
- 4.6 x Senior Technical Officers

4.2.2 All enforcement staff comply with strict guidelines governing qualifications and competencies before they are permitted to undertake food safety duties. All Senior Technical Officers hold Higher Certificates in Food Premises Inspection and are able to inspect all risk categories of food businesses. All Environmental Health Officers are qualified to undertake inspections of all risk categories of food businesses.

4.2.3 Six officers within the other Environmental Health & Licensing Teams retain competencies to undertake food safety inspections. All food competent officers must undergo a minimum of 10 hours food safety training per year to retain their authorisation to undertake food safety inspections. In addition to the competencies and qualifications required by the Food Safety Code of Practice, officers engaged in food safety inspections must have undergone additional 'Food Hygiene Rating Scheme' consistency training.

Food Standards

4.2.4 The Inspection and Sampling Team is responsible for Food Standards Inspection. The proportion of time allocated to this function in 2012/13 was estimated as follows:-

Support	0.05
Management	0.05
Food Staff	1.4
Total	1.5 FTE

4.3 Staff Development Plan

- 4.3.1 The Authority has a structured appraisal and development system. During staff appraisals, individual training needs and any gaps in competence are identified. The information is used to produce individual training and development plans for each officer for the coming year. Brighton & Hove City Council was awarded accreditation to Investors in People in early 2009.
- 4.3.2 Through this system, the service ensures that all food competent officers receive sufficient good quality focused food safety training to comply with relevant Codes of Practice and professional membership schemes.
- 4.3.3 The service currently has three staff undergoing part time or distance learning to become Environmental Health Officers.

5.0 Quality Assessment

5.1 Quality Assessment and Internal Monitoring

Food Safety

- 5.1.1 The service has a documented procedure relating to food safety duties. Internal audits are carried out to ensure compliance with these procedures. The service is accredited to ISO 9001 and externally audited by the British Standards Institute.
- 5.1.2 The service actively seeks the views of businesses by giving out post-inspection questionnaires to traders inspected. In 2011/2012, 347 questionnaires were returned. The key findings of these returns were:-
- § 98% of respondents were either very satisfied or satisfied that Brighton & Hove City Council had done all that it could to help deal with their premises inspection.
 - § 99% of respondents understood the purpose of the visit to their premises.
 - § 97% found the information given to them by the visiting officer easy or very easy to understand.

Similar high levels of satisfaction were recorded from questionnaires returned in the previous five years.

Food Standards

- 5.1.3 We aim to continually improve the level of service provided. Procedures are implemented and reviewed where necessary to incorporate identified improvements.

6. Review

6.1 Review Against the Service Plan.

Food Safety

- 6.1.1 In addition to the quality checks detailed in 5.1, performance is reviewed against the Service Plan by comparing the number of interventions achieved against the number programmed. Monthly statistical reports are produced so that performance can be closely monitored and managed through the year. Any problems are promptly identified and resolved through management reviews, team meetings and monthly one to ones between field staff and their line manager.
- 6.1.2 Official Food and Food Controls Service Plans are produced and reviewed on an annual basis by management review and consideration by elected members through the committee structure and Full Council.
- 6.1.3 In the year 2011/2012, 100% of the due food safety interventions were accounted for. This included interventions carried out and businesses that ceased trading before they could receive their planned intervention. 475 interventions were undertaken of new businesses or premises that had changed ownership.
- 6.1.4 At December 2012, 91.4% of the food businesses in the city were deemed to be 'broadly compliant', or better.
- 6.1.5 The 2012/2013 Service Plan predicted that a total of 1076 food safety interventions would take place in this year. To the end of December 2012, 317 inspections of new businesses were undertaken and the service is on target to achieve the goal of carrying out interventions in at least 98% of the businesses due.
- 6.1.6 From April 2012 to the end of December 2012, the Food Safety Team served 73 Hygiene Improvement Notices, accepted seven voluntary closure of an establishment, served one Hygiene Emergency Prohibition and undertook one successful prosecutions and one simple caution. The prosecution attracted total fines of £12,000 and costs of £2,000. As at the end of December a further four potential prosecution cases were being processed.
- 6.1.7 Charts in Section 3 give a detailed breakdown of service activity from April 2008 to March 2012 and an estimation of the activity for the remainder of the current and coming year.

Food Standards

- 6.1.8 Service reviews are carried out on a monthly basis to check that the inspection programme is on target and to ensure that projects are being completed in the agreed timescale.

- 6.1.9 The Service Reviews indicate that the service is on target to achieve the interventions programme.
- 6.1.10 During staff one-to-one's each officer's performance is monitored, to identify good performance and any areas of improvement.
- 6.1.11 Complaints are responded to within the stated timescales.

6.2 Identification of Any Variation from the Service Plan

Food Safety

6.2.1 Reviewing the final outcome of 2011/2012 and the current prediction, as at end of January 2013, for 2012/13 against last year's Service Plan shows four probable areas of variation.

§ The 2012/13 Service Plan estimated that there would be 1076 programmed food hygiene interventions to undertake for the year. This estimate was made in January 2012. At the start of April 2012 this number had dropped to 1043. This was due to a combination of a number of businesses improving, and so having the frequency of intervention reduced and others ceasing trading.

§ The 2012/13 Service Plan estimated that there would be an additional 56 interventions of category E businesses as a result of migration to the FHRS. An updated estimate made in January 2013 indicates that 70 additional interventions will be required on top of this estimate.

§ The concern raised in 3.1.16 of the 2012/13 plan that there would be an estimated 80 to 100 FHRS rescore interventions requested in the initial period with an additional 20-25 per quarter thereafter did not occur. To the end of January 2013 a total of 22 requests had been received since February 2012.

§ The number of complaints about the condition of premises had risen from an estimate of 340 for 2011/12 to an actual number of 394 in that year.

Food Standards

6.2.2 There was no significant variation from the plan.

6.3 Areas of Improvement

Food Safety

6.3.1 Current possible areas of improvement for the future are that it is hoped that migration to the national FHRS from the local Scores on the Doors scheme in March 2012 will continue to have a positive effect on

standards of hygiene. The continued improvement in standards can be demonstrated by comparing the rankings of businesses on migration to those in January 2013. Table 6.1 demonstrates the improvement over the eight months.

FHRS rating	April 2012	Jan 2013
0	6	3
1	114	113
2	86	92
3	284	265
4	508	589
5	1311	1377
Total	2309	2624

Table 6.1. Number of food businesses in each FHRS Rating

6.3.2 The FSA produce national performance data for local authority food services based on information received in annual returns. It is pleasing to note that when compared to the other English local authorities:

- § The authority accounted for 100% of the planned interventions in 2011/12 against a national average of 83.2% due interventions achieved.
- § Also at March 2012 89.1% of the City's establishments were deemed 'broadly compliant or better' against a national average of 85.3%.

Food Standards

6.3.3 Advancements have been made in the delivery of food law enforcement. There are many examples of joined up working and co-operation where co-ordinated sampling programmes and officer training feature highly. However, there are still areas for improvement. They are as follows:

- § Targeting beer, wines and spirits misdescription and traceability, this work links in with the Licensing Authority function and Alcohol Project Board.
- § Improved use of the Environmental Health newsletter to provide businesses with information.
- § Increasing the number of voluntary contacts by businesses
- § Developing the access to on-line business advice.
- § Better publicity for the healthy eating education message.
- § Developing links with schools
- § Increasing and maintaining the competency and professional development of food officers.
- § Establishing consumer concerns and reflect this in local activity.

Subject:	Quiet Areas Report		
Date of Meeting:	27 March 2013		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Tim Nichols	Tel: 292163
	Email:	Tim.nichols@brighton-hove.gov.uk	
Ward(s) affected:	All		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 Under the Environmental Noise Directive 2002/49/EC the Environmental Noise (England) Regulations 2006 were introduced. These required the Department for Environment, Food and Rural Affairs (DEFRA), as the 'competent authority' to carry out noise mapping of certain areas and these maps were then intended to be the baseline information for the production of Noise Action Plans.
- 1.2 In March 2010 the Secretary of State for Environment, Food and Rural Affairs formally adopted Noise Action Plans for 23 agglomerations (large urban areas), major roads, and major railways in England. Brighton was chosen as one of those agglomerations. This Action Plan covers the noise issues arising from road, railway, aviation and industrial sources (as described in the Directive) that affect the Brighton agglomeration. Nothing in this Action Plan affects the management of noise from any other noise source. The Brighton Agglomeration Noise Action Plan is in Appendix A
- 1.3 While DEFRA were producing the Action Plan the City Council trialled a 'Noise Action Plan Support Tool' and reported the findings to DEFRA.
- 1.4 The Action Plans set out a process for identifying and aiming to protect 'Quiet Areas' from an increase in noise in the 23 agglomerations.
- 1.5 There is no guidance or statutory definition for defining or assessing Quiet Areas. In Dec 2011 Brighton and Hove City Council were approached by Environmental Protection UK (EPUK) and DEFRA to trial a public engagement approach to identifying Quiet Areas, within urban locations, supported by an assessment method to benchmark the public view. A project was conducted to trial a method for identification and designation of quiet areas. This was undertaken in the context of national and local policy in relation to this area of work.
- 1.6 The research undertaken by Brighton and Hove City Council and EP UK has demonstrated that many factors influence people's use of open spaces. Considering the information collected it would be fair to consider areas that users perceive as being peaceful/quiet/tranquil as those that should be considered as being designated as quiet spaces.

- The Quiet Garden
- Kipling Gardens
- St Ann's Well – Sensory Garden
- Royal Pavilion Garden

2. RECOMMENDATIONS:

That the Environment and Sustainability Committee –

- 2.1. Note the findings of the Noise Action Plan produced by DEFRA for Brighton Agglomeration and dated March 2010 (Appendix 1)
- 2.2 Note the findings of the Brighton and Hove City Council report identifying proposed designation of quiet areas, which was undertaken in parallel with work for DEFRA and Environmental Protection UK. (Appendix 2)
- 2.3 Note that the protection and enhancement of quiet open spaces will be explored during the preparation of the City Plan Part 2 and where appropriate a criteria based policy will be included within Part 2 of the City Plan and through designation of Local Green Spaces in Neighbourhood Plans
- 2.4 Instructs the Strategic Director, Place-
 - I. To propose to DEFRA, as competent authority, that the open spaces identified in paragraph 4.6 designated as Quiet Areas in accordance with the Environmental Noise (England) Regulations 2006
 - II. To ensure that quiet areas and preservation of such areas will be included considered within the next local planning policy document
 - III. To use DEFRA's Noise Action Plan is included within the Local Transport Plan and is used to inform relevant decisions, for example regarding barriers, planting, road surfaces and bids for DEFRA funding

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 The Government intends that the Environmental Noise Directive Action Plans will assist the management of environmental noise in the context of Government policy on sustainable development. Within this policy context, this Noise Action Plan aims to promote good health and good quality of life.
- 3.2 The Government recognises that open spaces contribute to the quality of urban life. The Government also recognises that good management of open spaces, including well designed and implemented planning policies for open space are therefore fundamental to delivering broader Government objectives
- 3.3 Local authorities will be expected to adopt policies to manage the local noise environment so as to protect the quietness of these open spaces and avoid

increases in noise from those sources of noise covered by the Action Plans. This will include reviewing their approach to the management of the open spaces concerned in the course of the normal development and implementation of their open space policies.

3.4 Noise Policy Statement for England

The Noise Policy Statement for England provides three aims to support the long term vision of 'Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.' The third aim seeks to improve health and quality of life through pro-active management of noise while considering sustainable development principles. This aim specifically relates to quiet areas stating 'protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim.'

3.5 The Natural Environment White Paper

The white paper titled The Natural Choice – securing the value of nature (DEFRA 2011) provides a series of commitments from the authors. It is recognised that for many people, a sense of tranquillity contributes to their enjoyment of the natural environment. The following commitment is detailed in the document and specifically relates to quiet areas:

We will work with local authorities to establish mechanisms for formally identifying and protecting urban Quiet Areas, so that people living in cities can benefit from access to areas of relative quiet for relaxation and contemplation.

3.6 National Planning Policy Framework

The Department for Communities and Local Government state that planning policies and decisions should aim to identify and protect areas of tranquillity. Areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. It should also be noted that the National Planning Policy Framework also includes the provision for designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. The Council's current Local Plan and the proposed open space policy in the Submission City Plan Part 1 seek the protection of open space and better, more effective and appropriate use of these spaces. Where possible new open space sites will be allocated within the City Plan Part 2. The designation of Local Green Space will also be considered through the City Plan Part 2 and the Neighbourhood Planning process. Therefore the protection and enhancement of quiet open spaces will be explored and where appropriate a criteria based policy will be included in the City Plan Part 2

3.7 Public Health Outcomes Framework

The Department of Health (2012) document provides a series of indicators for public health. Noise is considered as one of these being identified as a 'placeholder' indicator – having regards to the number of complaints received per local authority and the proportion of the population exposed to transport noise levels.

3.8 Public Health White Paper

This paper Healthy Lives, Healthy People: Our strategy for public health in England (Department of Health 2010) comments that the quality of the

environment around us also affects any community. The paper makes reference to the importance of noise and the availability of green and open spaces, amongst other factors, as influencing the health and wellbeing of the local population.

- 3.9 Joint Strategic Needs Assessment – Brighton and Hove City Council
Section 6.4.10, titled Noise Pollution, of the Joint Strategic Needs Assessment Summary 2012 states:
'The Noise Action Plan for the Brighton Agglomeration was produced by DEFRA in 2010. This identifies priority areas for action. The City Council have trialled a "Noise Action Plan Support Tool" & reported the findings to DEFRA.. In response to the noise maps, the City Council are currently working with Environmental Protection UK & DEFRA advisors on designating some local open spaces as 'quiet areas'.'
- 3.10 The UK Noise Association made a presentation on 19th January 2010 as part of the evidence gathered by Environment and Community Safety Overview and Scrutiny Committee work, explaining the relationship between speed and sound levels.

4 Defining Quiet Areas

- 4.1 The 23 Action Plans produced by DEFRA set out a process for identifying and aiming to protect 'Quiet Areas' from an increase in noise. There is no guidance or statutory definition for defining or assessing 'Quiet Areas' so in December 2011 Brighton and Hove City Council and EPUK were commissioned by DEFRA to trial a method for identification and designation of these areas. Following a thorough literature on research in this field it was proposed to initially look at 9 areas across the City. These were identified geographically with the assistance of the project group and the Parks and Countryside Manager at Brighton and Hove City Council. A variety of areas were purposely selected to provide some very urban areas and others more rural.
- 4.2 The following open spaces were initially selected across the Brighton Agglomeration (as defined in the Action Plan):
1. Duke's Mound – opposite Volks railway stop
 2. Easthill Park Portslade – walled garden – Green Flag
 3. Kipling Gardens – Green Flag
 4. Preston Park – walled garden – Green Flag
 5. Queens Park – quiet garden
 6. Royal Pavilion Gardens – bench near to New Road (mixed use space)
 7. Saunders Park – community garden area
 8. St Nicholas Church Gardens – play park and community garden section
 9. Withdean Park – bog garden
- 4.3 Following assessment of the online survey two further spaces were identified for assessment.
10. Preston Park – rose garden – Green Flag
 11. St Ann's Well – sensory garden – Green Flag

- 4.4 To assess and measure the soundscape it was decided to adopt the triangulation method of assessment established by Botteldooren in 2012. This covered three dimensions mental, sensory and physical. Three methods were selected.
- *Online survey* – an online survey was developed by Environmental Protection UK using Survey Monkey with input from all other project partners. The aims of the survey were to find out why people in Brighton and Hove visit open spaces, which open spaces visitors and people living and working in the city visit for quiet and their views on quiet space in the city. Questions were linked as much as possible to the face-to-face surveys as well as to the policy relating to the research.
 - *Face-to-face survey/interviews* – the face-to-face survey was developed by project partners using surveys previously used in research on quiet areas – including a ‘Value of Quiet’ survey that was used in Westminster. Adjustments were made following a small trial. It was developed having regard to the fact that the majority of the surveyors were volunteers. The survey aimed to determine people’s reasons for visiting a particular open space, how they perceived any noise and sound affecting it, and how this impacted on their enjoyment of the space.
 - *Noise monitoring* (including soundscape assessment) – static measurements to provide a level within the area and a walk round monitoring route to give an understanding of the levels that users may be exposed to when approaching the area. The main purpose of the measurements was to benchmark the subjective findings from public surveys. During static monitoring constant note taking of the soundscape heard was recorded.
- 4.5 Appendix B of this Committee Report details the results of this research
- 4.6 The research established that the areas that would be most suitable to be designated as quiet areas, having regard to all the information available would be
- Queens Park – Quiet Garden,
 - St Ann’s Well Gardens
 - Kipling Gardens
 - Royal Pavilion Gardens.
- 4.7 The research also concluded that having regards to the triangulation method identified by Botteldooren (2012) it is fair to comment that the assessment methods selected fit within this method. This method provides a good overall measurement procedure taking into account both subjective and acoustic measurement.
- 4.8 This method could be implemented by other local authorities, and taking into account the limitations of the project, could be successfully implemented to identify and possibly determine quiet areas.
- 4.9 Acoustic measurements alone would not be suitable for identifying and assessing quiet areas.

- 4.10 Public engagement is essential to ensure that areas selected for investigation are used frequently.
- 4.11 Areas that may be acoustically quiet are not necessarily the ones that open space users visit for quiet.
- 4.12 The public engagement aspects of the project have led to a large amount of data that has been required to be interpreted, however, some of this has proved invaluable to the project.
- 4.13 The majority of respondents want to see a reduction in traffic noise affected the open spaces that were investigated.
- 4.14 Quiet areas may not be the most suitable name to use for these open spaces, the definition provided in the Environmental Noise Directive is not suitable.

5. COMMUNITY ENGAGEMENT AND CONSULTATION

- 5.1 A partnership and public engagement approach was adopted. This included engagement of relevant teams across the local authority including noise specialists, strategic planning, environmental improvement, parks and open space and seafront teams. Environmental Protection UK was a key partner with this work and in particular delivering the Quiet Areas report to DEFRA.
- 5.2 Local knowledge of the project partners were used to inform the initial selection of publicly accessible open spaces managed by the local authority. A city wide online survey was undertaken to canvass wider views of users and relevant community groups on quiet open spaces across the City. Site specific survey work consisting of acoustic measurements and interviews with park users was also carried out
- 5.3 Engagement with organisations and agencies undertaking linked work has been important and included The Noise Abatement Society working on their Soundscape project (looking to address street noise), the outcomes of which should be complimentary to quiet areas work. The South Downs National Park recognises the importance of tranquil places (a number of spaces that fall in the park boundary were identified by residents)
- 5.4 In accordance with the Action Plan Lewes, Worthing, Adur and Arun District Council officers were consulted and appear to be supportive with the approach of applying the European Noise Directive 2002/49/EC and DEFRA 's Noise Action Plan

6 Financial and other Implications

Financial Implications

- 6.1 There are no additional financial implications arising from the recommendations in this report.

Finance Officer Consulted: Jeff Coates

Date 27/02/2013

Legal implications

- 6.2 All relevant legislative provisions are referred to in the body of the report. For the purposes of this report, the principal piece of legislation is The Environmental Noise (England) Regulations 2006 (SI 2006/2238).

The Regulations apply to environmental noise to which humans are exposed in particular in built-up areas, in public parks or other quiet areas in an agglomeration, near schools, hospitals and other noise-sensitive buildings and areas.

They do not apply to noise that is caused by the exposed person himself, noise from domestic activities, noise created by neighbours, noise at work places or noise inside means of transport or due to military activities in military areas.

Lawyer consulted: Oliver Dixon

Date: 28/02/13

6.3 Equalities Implications

Quiet areas policy can also be linked to BHCC's Equality and Inclusion Policy which replaces the Single Equality Scheme which intends to provide better access to public spaces.

6.4 Sustainability Implications

The Quiet Spaces proposals support the Council's biosphere project, the City Plan and bio diversity policy (CP10), the Brighton and Hove Local Bio Diversity Action Plan, and the Open Spaces Strategy.

6.5 Crime and Disorder Implications

None arising from this report

6.6 Risk and Opportunity management Implications

None arising from this report

6.7 Public Health Implications

Links to the Joint Strategic Needs Assessment (JSNA) are described in para. The JSNA also encourages the public to make better use of their local environment with a focus on hard to reach groups, those who are less active, and residents in areas with most deprived access to green space.

6.8 Corporate and City Wide Implications

Open spaces are an vital city resource

6.9 Evaluation of any Alternative Options

Officers considered it worth while to develop a Quiet Spaces policy and to support DEFRA's Noise Action Plan. The Council, like many others, is behind the noise action planning process timetable for quiet areas. Publishing formally identified Quiet Areas and ongoing management and protection will achieve compliance

6.10 Reasons for Report Recommendations

This is an opportunity to link to corporate policies inc the Local Transport Plan, City Plan and Bio Diversity Plans.

SUPPORTING DOCUMENTATION

Background Papers

1. Environmental Noise Directive 2002/49/EC
2. Environmental Noise (England) Regulations 2006 (as amended)

Appendices

1. Appendix A : Noise Action Plan Brighton Agglomeration
2. Appendix B : Brighton and Hove Council Quiet Areas Report 2012

Noise Action Plan

Brighton Agglomeration

Environmental Noise (England) Regulations 2006, as amended

March 2010

Formal Adoption

I formally adopt this Noise Action Plan covering the Brighton agglomeration as required by the Environmental Noise (England) Regulations 2006 (as amended)¹



.....
Rt Hon Hilary Benn MP, Secretary of State for Environment, Food and Rural Affairs

15th March 2010

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¹ The Environmental Noise (England) Regulations 2006 (as amended) transpose Directive 2002/49/EC relating to the assessment and management of environmental noise.

	Contents	Page
Part A	Introduction and General Issues	5
1	Introduction	6
2	General Issues	8
Part B	Noise from Road Traffic	10
3	Current approach to noise management	11
4	Summary of results of noise mapping	15
5	Identification of problems and situations to be investigated	17
6	Noise reduction measures already in force and any projects in preparation	21
7	Actions the Competent Authority intends to take	23
8	Long term strategy for noise from road traffic	29
Part C	Noise from Railways	31
9	Current approach to noise management	32
10	Summary of results of noise mapping	37
11	Identification of problems and situations to be investigated	39
12	Noise reduction measures already in force and any projects in preparation	44
13	Actions the Competent Authority intends to take	45
14	Long term strategy for noise from railways	50
Part D	Noise from Industry	52
15	The management of noise from industrial sources in the Brighton agglomeration	53
Part E	Quiet Areas	55
16	The protection of quiet areas in the Brighton agglomeration	56
Part F	Noise from Aircraft	60
17	The management of the impact of aircraft noise in the Brighton agglomeration	61
Part G	Consultation	63
18	Informal and formal consultation	64

Appendices		65
Appendix A	Glossary of acoustic and technical terms	66
Appendix B	List of Local Authorities wholly or partly within this agglomeration	67
Appendix C	Process Flow Diagrams	68

Part A

Introduction & General Issues

1 Introduction

- 1.01 This Noise Action Plan (hereafter referred to as an 'Action Plan') is designed to address the management of noise issues and effects in the Brighton agglomeration under the terms of the Environmental Noise (England) Regulations 2006² as amended (the "Regulations"). These Regulations transpose Directive 2002/49/EC relating to the Assessment and Management of Environmental Noise. This directive is commonly referred to as the Environmental Noise Directive or END³.
- 1.02 In particular, this Action Plan covers the noise issues arising from road, railway, aviation and industrial sources (as described in the Directive) that affect the Brighton agglomeration. The management of noise issues and effects from major roads, major railways and major airports that are located outside first round agglomerations are addressed within the Action Plans for those sources.
- 1.03 It is recognised that the scope of this Action Plan is confined to the noise sources mentioned above. Nothing in this Action Plan affects the management of noise from any other noise source.
- 1.04 The Government intends that the END Action Plans will assist the management of environmental noise in the context of Government policy on sustainable development. Within this policy context, this Noise Action Plan aims to promote good health and good quality of life.
- 1.05 The END and the Regulations require that Action Plans apply in particular to the most important areas as established by the strategic noise maps.
- 1.06 When identifying possible actions, account should be taken of the principles that already exist in current legislation and guidance. Consequently, this Action Plan has been developed in the context of the existing regulatory background.
- 1.07 In the longer term, the Government intends that the action planning process should contribute to delivering the vision and aims of the Noise Policy Statement for England.
- 1.08 This Action Plan is in seven parts. Part A provides an introduction, Part B addresses noise from road traffic, Part C - noise from railways, Part D - noise from industry, Part E – quiet areas Part F –, noise from aircraft, where relevant and Part G – consultation. A glossary of acoustical and technical terms can be found at Appendix A. A list of local authorities wholly or partly within the Brighton agglomeration can be found at Appendix B. Process flow diagrams can be found in Appendix C.

² S.I.2006/2238. This was amended by S.I. 2008/375 and S.I. 2009/1610

³ For further information see

http://eur-lex.europa.eu/pri/en/oj/dat/2002/l_189/l_18920020718en00120025.pdf

- 1.09 The Competent Authority intends to issue guidance to assist with the implementation of this Action Plan.
- 1.10 A flow chart showing the general process can be found in Appendix C1.

2 General Issues

Scope of Action Plan

2.01 The first round agglomeration⁴ (Brighton) covered by this Action Plan is that identified in the Environmental Noise (Identification of Noise Sources) (England) Regulations 2007⁵, and, in particular, Regulation 3.

The authority responsible

2.02 The competent authority for preparing this Action Plan is the Secretary of State for Environment, Food and Rural Affairs (the “Competent Authority”).

The legal context

2.03 Regulation 16 of the Regulations confirms that the Secretary of State is the Competent Authority for preparing this Action Plan⁶.

2.04 The management of noise in this agglomeration rests with various authorities. These include:

- for road traffic sources – the relevant highway authority and the Department for Transport;
- for railway sources – the relevant rail authorities and the Department for Transport;
- for aviation sources (where relevant) – the airport operator, the Civil Aviation Authority, NATS (formerly National Air Traffic Services) and the Department for Transport;
- for industrial sources – the relevant industrial operator, the Environment Agency, Defra and the relevant local authority;
- for land use planning – the relevant planning authorities and the Department for Communities and Local Government;
- for transport planning – the relevant transport planning authorities and the Department for Transport; and
- for the protection of quiet areas – the relevant local planning authority, the relevant authorities that are responsible for the sources of noise covered by this Action Plan, Defra, the Department for

⁴ A first round agglomeration has been defined as a large urban area with a population of over 250,000 and a population density of more than 500 persons per square kilometre. The locations of all the 23 first round agglomerations that have been mapped can be seen on the Defra website at: <http://www.defra.gov.uk/environment/quality/noise/ambient.htm>

⁵ SI 2007/415

⁶ SI 2006/2238

Transport and the Department for Communities and Local Government.

Financial information

- 2.05 The Competent Authority will monitor that any identified action is evaluated to check that the benefit to be accrued justifies the cost and that the expected benefit is achieved, in the context of the objective set out in paragraph 1.04 above.

Monitoring

- 2.06 The Competent Authority will monitor the progress of this Action Plan through liaison with the relevant authorities. The Competent Authority will provide periodic updates on progress.

Outcome

- 2.07 The analysis described in this Action Plan has identified the approximate number of dwellings and locations in this agglomeration to be investigated to determine what measures, if any, might be taken in order to assist the management of environmental noise in the context of Government policy on sustainable development. Given the extensive noise management that already exists in the larger urban areas of England, it is expected that not all of the dwellings and locations that are investigated will require further action.
- 2.08 In addition local authorities in this agglomeration are encouraged to consider their approach to the management of open spaces and whether any existing quiet open spaces should attract particular attention with the aim of protecting them from an increase in noise.
- 2.09 The Competent Authority intends to identify a co-ordinator to act as a focal point for the implementation of this Action Plan within this agglomeration.

Part B

Noise from Road Traffic

3 Noise from road traffic in the Brighton agglomeration: current approach to noise management

- 3.01 This Action Plan covers noise from all roads mapped in this agglomeration. The management of the roads covered by this Action Plan rests with the relevant highway authority through the implementation of the Highways Act 1980 (as amended). This includes the Highways Agency, which is responsible for motorways and other trunk⁷ roads. The remaining roads are the responsibility of local highway authorities either as part of a County Council or as part of a Unitary Authority. In some agglomerations these responsibilities may be devolved further.
- 3.02 There are currently several approaches taken to control the impact of noise from road traffic:
- control of noise at source;
 - planning controls – through the operation of the national, regional and local transport and land use planning system;
 - compensation and insulation - in the case of a new or improved highway;
 - maintenance;
 - specific initiatives; and
 - limit values.

A brief summary of the current approach follows.

Control of noise at source

- 3.03 Noise from individual vehicles is controlled under mandatory EU noise emission standards which apply to all new road vehicles. These have been implemented in regulations made under the Road Traffic Acts. These requirements must be met by all models, or in the case of heavier vehicles, by engine types, before vehicles are permitted to enter into service. In addition, once in service, silencers and exhaust systems are required to be maintained in good condition and not altered so as to increase noise. Noise made by the contact of tyres with road surfaces when in motion is also controlled through an EU directive which since 2005 has mandated noise limits that all tyres fitted to newly manufactured vehicles have to meet. This directive has also been implemented in regulations made under the Road Traffic Acts. By 2011 through a phased introduction, all replacement tyres will have to meet the same noise limits as tyres fitted to newly manufactured

⁷ As defined in the Highways Act 1980

vehicles. Further reductions in tyre noise limits will take effect from 2016 under new legislation⁸.

Planning controls

- 3.04 When proposing the construction of a new road, or an additional carriageway to an existing road, a noise impact assessment must be carried out. For large scale projects, an Environmental Impact Assessment is required by law, which normally include a noise impact assessment. In addition, the Highways Agency requires a noise impact assessment to be undertaken if there is an expected increase of 1 dB L_{A10,18h} as a result of any works it carries out on its network, including maintenance. The process which tends to be followed is set out in the Design Manual for Roads and Bridges⁹. Mitigation such as optimising the route alignment and the use of noise barriers, either through landscaping or purpose built walls or fences, is included in the design to minimise any adverse noise impact. This process also has regard to the protection of tranquil areas in general through consideration of the impact on landscape.
- 3.05 Once the basic data regarding the potential impact of the proposals has been obtained (including predicting the noise from the new network), an estimate of the likely numbers of people to be affected is made. In addition, through the Transport Appraisal Guidance¹⁰, the noise impact is monetised as a means of evaluating the overall merits of the proposal.
- 3.06 Through the operation of the land use planning system, a noise assessment would normally be carried out for any proposed residential development that may be affected by road traffic noise. Planning Policy Guidance 24¹¹ provides guidance regarding the suitability or otherwise of the site for such development. Guidance is also given about the type of mitigation that might be needed in order to achieve appropriate internal noise levels within homes. The approaches used to achieve these levels include designing appropriate façade insulation or optimising the proposed layout of the buildings.
- 3.07 Similarly, British Standard 8233:1999¹² (BS8233) provides design advice for various buildings, including dwellings and offices in order to mitigate the effects of noise from road traffic. Advice is provided on what constitutes a

⁸ Directive 2001/43/EC. Relating to tyres for motor vehicles and their trailers and to their fitting.

⁹ Design Manual for Roads and Bridges, Vol 11, Section 3, HA 213/08 (August 2008)

¹⁰ Department for Transport, Transport Analysis Guidance, Unit 3.3.2 Noise Sub-Objective (November 2006)

¹¹ Planning Policy Guidance 24: Planning and Noise (1994)

¹² BS8233:1999, Sound insulation and noise reduction in buildings – Code of Practice

reasonable or good standard in terms of the internal noise levels and on what mitigation might be used to achieve those levels.

- 3.08 Building Bulletin 93¹³ (BB93), provides guidance on acoustics in schools, including target noise levels for the indoor and outdoor environment in order to secure an appropriate acoustic environment for teaching. Following the guidance in BB93 is one way of ensuring that new schools comply with the requirements of the Building Regulations 2000 (as amended 2003).

Compensation and insulation

- 3.09 For new or improved highways, the Land Compensation Act 1973¹⁴ allowed regulations to be promulgated to provide compensation for dwellings affected by increased noise. These regulations are the Noise Insulation Regulations 1975, as amended 1988¹⁵. If certain criteria are met, the highway authority must offer secondary glazing and alternative ventilation for habitable rooms of dwellings so affected.
- 3.10 In addition, Part 1 of the Land Compensation Act¹⁶ provides for monetary compensation to those home owners affected by the new or improved highway recognising any loss in value of the home that has occurred by the opening of the new or improved highway. This assessment is purely subjective, carried out by surveyors, and claims have to be made within a certain time period.

Maintenance

- 3.11 It is the Highways Agency's current policy that when a length of highway requires a replacement road surface (due to wear and tear) the opportunity is often taken to lay a low noise road surface, one that assists in reducing the noise generated by the tyre/road interface. Other highway authorities adopt a similar policy to varying extents.

Specific initiatives

- 3.12 From time to time a highway authority will undertake a specific noise abatement initiative. Arguably the most notable example is the work being carried out by the Highways Agency, where it is addressing sites on the motorway and trunk road network that have been identified as having the most pressing noise problems. Around 60 sites across that network have benefited from additional noise mitigation either through the application of low noise road surfaces or by the use of noise barriers since around 1999/2000. Additional sites are already under consideration for noise abatement works during the next few years.

¹³ BB93 Acoustics Design of Schools, A design guide, (2003)

¹⁴ 1973, c.26.

¹⁵, SI 1975/1763 as amended The Noise Insulation (Amendment) Regulations 1988. SI 1988/2000,

¹⁶ 1973, c. 26.

Limit values

- 3.13 There are no relevant formal noise limit values in force in England with regard to environmental noise from roads. However, the Noise Insulation Regulations 1975, as amended in 1988¹⁷ define a threshold level as part of the eligibility criteria. Furthermore, there are guideline levels to be found in Planning Policy Guidance 24¹⁸ that provides guidance on land use with respect to noise from road traffic.

General policy

- 3.14 More recently, the Department for Transport has published the sustainable transport strategy – “Delivering a Sustainable Transport System” in November 2008¹⁹ which sets clear goals to take full account of transport’s wider impact on climate change, health, quality of life and the natural environment.

¹⁷ SI 1975/1763, as amended The Noise Insulation (Amendment) Regulations 1988. SI 1988/2000,

¹⁸ As footnote 9

¹⁹ Department for Transport, Delivering a Sustainable Transport System, 2008

4. **Noise from road traffic in the Brighton agglomeration: a summary of the results of the noise mapping, including an evaluation of the estimated number of people exposed to noise**

4.01 The Regulations required that noise level information be determined in terms of several noise indicators²⁰. These include:

- L_{den}
- L_{night} ; and
- $L_{A10,18h}$.

4.02 The estimated number of people²¹ and dwellings (rounded to the nearest thousand) exposed above various noise levels²² from the strategic mapping of road traffic noise in this agglomeration are shown in Tables 4.1 to 4.3 below²³:

Table 4.1
Estimated number of people and dwellings above various noise levels due to road traffic noise, L_{den}

Noise Level (L_{den}) (dB)	Number of Dwellings	Number of People
≥55	184,000	398,000
≥60	150,000	325,000
≥65	33,000	67,000
≥70	10,000	20,000
≥75	2,000	3,000

²⁰ The Environmental Noise (England) Regulations 2006, Regulation 4 (2) and Schedule 3 (2)

²¹ The number of people has been determined by assigning population information from the 2001 census to residential building locations and has been rounded to the nearest 1,000

²² The noise levels throughout this document refer to free-field levels at a height of 4m at the facades of the dwellings.

²³ Some of the statistics presented in this Action Plan have been produced from updated information and may differ to those previously published elsewhere.

Table 4.2
Estimated number of people and dwellings above various noise levels
due to road traffic noise, L_{night}

Noise Level (L_{night}) (dB)	Number of Dwellings	Number of People
≥50	159,000	344,000
≥55	47,000	99,000
≥60	11,000	22,000
≥65	2,000	3,000
≥70	<500	<500

Table 4.3
Estimated number of people and dwellings above various noise levels
due to road traffic noise, $L_{A10,18h}$

Noise Level ($L_{A10,18h}$) (dB)	Number of Dwellings	Number of People
≥55	184,000	399,000
≥60	156,000	338,000
≥65	55,000	116,000
≥70	12,000	24,000
≥75	4,000	7,000

5. **Noise from road traffic in the Brighton agglomeration: identification of problems and situations that need to be investigated**

5.01 This Action Plan has been designed to manage noise issues and effects, including noise reduction if necessary.²⁴ The following process is being adopted with regard to the results of the noise mapping of road traffic sources in this agglomeration:

- Is there scope for implementing additional noise management measures in the context of Government policy on sustainable development?
- If the answer is yes, then further assessment is required.

5.02 The Regulations require that this Action Plan should

“apply in particular to the most important areas as established by strategic noise maps”²⁵.

To fulfil this requirement, attention has been focused on those most exposed to noise (according to the results of the strategic noise mapping) from those roads mapped in this agglomeration.

5.03 Furthermore, the Secretary of State requires that any action taken will assist the management of environmental noise in the context of Government policy on sustainable development.

Identification of Important Areas

5.04 The publication “Calculation of Road Traffic Noise”²⁶ describes the calculation method used for generating the strategic noise maps, produces results in terms of the $L_{A10,18h}$ noise indicator. The results were adapted²⁷ to produce the other noise indicators shown in 4.01 above. Furthermore, this indicator is used as the main means of assessing the impact of road traffic noise in England and also as the basis for the criteria used to determine compensation under the Noise Insulation Regulations (see Section 3). The Competent Authority has decided, therefore, to use the $L_{A10,18h}$ indicator as the basis for identifying important areas to be investigated for potential action.

5.05 The Competent Authority undertook an Impact Assessment which considered a number of options for identifying Important Areas. The selected option helps to deliver the vision and aims of the Noise Policy Statement for England.

²⁴ SI 2006/2238 Regulations 15 (1) (b)

²⁵ SI 2006/2238 Regulations 15 (1) (e)

²⁶ Calculation of Road Traffic Noise, 1988 HMSO ISBN 0 11 550847 3

²⁷ SI 2006/2238 Regulations, Schedule 2 (2)

- 5.06 It has been decided that the important areas with respect to road traffic noise in this agglomeration will be where the 1% of the population²⁸ that are affected by the highest noise levels from those roads mapped in this agglomeration are located according to the results of the strategic noise mapping²⁹ (“Important Areas”). This approach has been taken because the population at these locations in this agglomeration are likely to be at the greatest risk of experiencing a significant adverse impact to health and quality of life as a result of their exposure to road traffic noise.
- 5.07 In addition, those locations where the $L_{A10,18h}$ is at least 76 dB according to the results of the strategic noise mapping have been identified as First Priority Locations (“First Priority Locations”). It is envisaged that in general the highways authorities will investigate as a priority the Important Areas that contain First Priority Locations. This threshold value should only be used for the purposes of identifying First Priority Locations for investigation in the context of this Noise Action Plan and should not be used for any other purpose or in any other policy context.
- 5.08 The $L_{A10,18h}$ indicator describes only the noise that occurs between the hours of 0600 and 2400 and doesn’t cover the night period. Even so, the identification of Important Areas has been based solely on the $L_{A10,18h}$ value. This reflects the fact that for the first round of mapping the L_{night} values had to be derived (as mentioned in Paragraph 5.04 above). Furthermore, implementing many of the potential actions available to manage noise issues and effects would not only address the noise as measured by the $L_{A10,18h}$ indicator but also the noise that occurs at night.

²⁸ The population is the total number of people living in this agglomeration according to the 2001 census.

²⁹ In some agglomerations there may be an opportunity to investigate beyond the top 1% of the population but there is no requirement to investigate those dwellings where the $L_{A10,18h}$ is below 65 dB according to the results of the strategic noise mapping.

Important Areas

5.09 Table 5.1 below shows the approximate number of dwellings and associated population to be investigated for potential action with respect to road traffic noise in this agglomeration for any relevant local authority³⁰ that is wholly or partly within this agglomeration:

Table 5.1
Approximate number of dwellings (and associated population) per local authority to be investigated due to noise from those roads mapped in this agglomeration

Local Authority	Number of Dwellings	Associated Population
Brighton & Hove City Council	2,250	4,100
Adur District Council	550	1,200
Arun District Council	50	100
Worthing Borough Council	700	1,300
TOTAL	3,600	6,700

Note to Table 5.1:

- The number of dwellings has been rounded to the nearest 50, except when the number of dwellings is greater than zero but less than 50, in which case the total has been shown as "<50".
- The associated population has been rounded to the nearest 100, except when the associated population is greater than zero but less than 100, in which case the total has been shown as "<100".
- The totals may not appear to add up due to rounding.
- The 1% of the population has been identified based on the resolution available from the strategic noise mapping and in practice will be slightly greater than 1%.
- The figures quoted only relate to that part of the Local Authority area that falls within the agglomeration boundary.

³⁰ This information has been provided by Local Authority as a convenient way of describing the geographical distribution of locations. This does not necessarily imply any current or future responsibility for actions.

First Priority Locations

5.10 Table 5.2 below shows the approximate number of dwellings and associated population in this agglomeration that have been identified as First Priority Locations with respect to road traffic noise for any relevant local authority³¹ that is wholly or partly within this agglomeration:

Table 5.2
Approximate number of dwellings (and associated population) per local authority to be investigated as a first priority due to noise from those roads mapped in this agglomeration

Local Authority	Number of Dwellings	Associated Population
Brighton & Hove City Council	1,400	2,600
Adur District Council	250	600
Arun District Council	< 50	< 100
Worthing Borough Council	450	800
TOTAL	2,150	3,900

Note to Table 5.2:

- The number of dwellings has been rounded to the nearest 50, except when the number of dwellings is greater than zero but less than 50, in which case the total has been shown as "<50".
- The associated population has been rounded to the nearest 100, except when the associated population is greater than zero but less than 100, in which case the total has been shown as "<100".
- The totals may not appear to add up due to rounding
- The figures quoted only relate to that part of the Local Authority area that falls within the agglomeration boundary.

5.11 It is envisaged that the highways authorities will investigate as a priority the Important Areas that contain First Priority Locations whilst having regard to any ongoing noise mitigation initiatives, schemes and plans. The highway authorities, however, may use their discretion when deciding on the investigation priority.

³¹ This information has been provided by Local Authority as a convenient way of describing the geographical distribution of locations. This does not necessarily imply any current or future responsibility for actions.

6. **Noise from road traffic in the Brighton agglomeration: noise reduction measures already in force and any projects in preparation**

6.01 Section 3 describes in general terms the noise reduction and mitigation measures that are already in use regarding road traffic noise in this agglomeration.

6.02 For any particular location, there is a wide range of measures that can be implemented to provide improved management of the road traffic and/or noise reduction. Some of these measures are described below:

Façade insulation

6.03 Securing an appropriate standard of internal acoustic conditions is often achieved by the careful design of the sound insulation provided by the building envelope. This can either occur at the design stage of a new structure or by improving the insulation of an existing building. Where necessary, alternative ventilation is provided so that windows can be kept closed but with ventilation still available.

Noise barriers or other similar methods

6.04 The use of barriers to reduce the propagation of noise from a road to a sensitive receptor is widespread in England. At its simplest, purpose built barriers can be found alongside many roads. In addition, or alternatively, landscaping and the built environment itself may be used to provide similar mitigation.

6.05 The design of the layout of a development is also used such that less sensitive buildings are used as barrier blocks to protect more sensitive structures elsewhere.

Source levels

6.06 Over recent years, the use of low noise roads surfaces has become increasingly widespread. These surfaces are now routinely used for new strategic roads, and are generally used when the road surface has to be replaced due to wear and tear.

6.07 Other techniques that have been implemented that effectively reduce noise at source include traffic management schemes. These can manifest themselves in several ways:

- the re-routing of traffic away from sensitive receptors;
- restrictions on the type of traffic (e.g. heavy vehicles) that can use certain roads at certain times of day; and
- the design and building of new roads to provide an alternative route away from noise sensitive premises.

- 6.08 Other source related measures that are available include imposing speed restrictions directly or as a consequence of congestion management schemes.
- 6.09 For all these potential measures, the overall cost and benefit needs to be considered (e.g. see paragraph 3.05). For example, establishing a speed restriction along a length of road may assist in reducing the noise, but that benefit must be off-set against the costs that arise from any increased journey times.

7. **Noise from road traffic in the Brighton agglomeration: actions which the Competent Authority intends to take in the next five years**
- 7.01 The implementation of the part of this Action Plan concerned with road traffic noise in this agglomeration will be a continuous process commencing from the adoption of the plan. As required by the Regulations, this Action Plan will be reviewed at least once every five years³².
- 7.02 The Competent Authority will liaise with the relevant highway authorities that are responsible for roads that are generating noise at those Important Areas identified in Section 5 above, and these authorities will be provided with information based on the strategic noise maps about those locations.
- 7.03 Concurrently, relevant local authorities, in whose areas the Important Areas fall, will be provided with similar information. It is expected that this information would go to the departments with planning and environmental health responsibilities. This will enable the local authorities to participate in the detailed identification of any measures.
- 7.04 The Competent Authority will liaise with the relevant local authorities so that the relevant departments are involved in the process.
- 7.05 The relevant highway authorities will be asked to examine initially the Important Areas containing First Priority Locations and in due course the other Important Areas, and form a view about what measures, if any, might be taken in order to assist the management of environmental noise in the context of Government policy on sustainable development at those locations. If it is found that identified locations are affected by noise from more than one source of transport noise the relevant authorities will liaise, as necessary, with the assistance of the Competent Authority so that any action identified is the most appropriate.
- 7.06 The Competent Authority will work with the relevant highway authorities to facilitate the carrying out of this task.
- 7.07 The assessment by the relevant highway authorities will be as follows:

³² SI 2006/2238 Regulation 17(3)(b).

Consideration of possible actions

- 7.08 For each Important Area the relevant highway authority will consider what, if any, actions might be taken. This will include, but not be limited to, exploring the scope for (in no particular order):
- erecting noise barriers;
 - installing low noise road surfaces;
 - local traffic management measures; or
 - improving the sound insulation.
- 7.09 If a certain length of highway is associated with several Important Areas, the relevant highway authority should consider measures that could address the noise issues at all the locations concurrently. This might include, for example, the development of a highway scheme to provide an alternative route.
- 7.10 The highway authority should also take account of any existing plans (e.g. any local transport plans or land-use plans) or any specific noise mitigation schemes that are already in preparation that may affect the Important Areas.
- 7.11 For each Important Area, the highway authority will identify proposed actions that will meet the objective set out in paragraphs 1.04 and 5.03 above, or state why, in their view, no further action can or needs to be taken in order to meet this objective.
- 7.12 In forming their view about possible action, the relevant highway authority should take account of any benefit that might also be achieved for any other noise sensitive premises in the vicinity of the Important Area being investigated. In addition, the relevant highway authority should take account of any impacts that might occur for any other noise sensitive premises or locations. Furthermore, consideration should be given to integrating noise management actions at an Important Area with the concurrent implementation of other environmental or related initiatives.
- 7.13 It is expected that these deliberations will result in four general outcomes:
- a) It is possible to be able to implement an action and there are financial resources immediately available to do so;
 - b) It is possible to be able to implement an action but there are no immediately available financial resources to do so;
 - c) It is not possible to implement any action because there is no scope for doing so (e.g. reasonable sound insulation already exists at the affected dwelling, or a noise barrier at its optimum size and location already exists), or there is some overriding technical issue that prevents

implementation (e.g. ground conditions do not allow a barrier to be erected); or

- d) It is not possible to implement any action because there would be large adverse non-acoustics effects that could not be accommodated by the proposed measure. Such non acoustic effects could include an adverse effect on safety, or a significant adverse air pollution impact, or an unacceptable increase in congestion or journey times.

7.14 For each of these outcomes the following action will occur:

7.15 **Outcome (a): - It is possible to be able to implement and there are financial resources immediately available to do so**

If it is clear that the proposed action will provide the expected benefit, then the highway authority will determine a timetable for implementation.

7.16 **Outcome (b): - It is possible to be able to implement but there are no immediately available financial resources to do so**

The highway authority will make arrangements to secure financial resources to carry out this work in future financial years. This might be achieved by either:

- securing new resources for this work; or
- re-prioritising existing budgets to enable the funds for the action to become available.

Once the budget has been secured, the highway authority will determine a timetable for implementation.

7.17 **Outcome (c) - It is not possible to implement any action because there is no scope for doing so or there is some overriding technical issue that prevents implementation**

The highway authority will inform the Competent Authority that this is the case, appropriately justified.

7.18 **Outcome (d) - it is not possible to implement any action because there would be large adverse non-acoustics effects that could not be accommodated by the proposed measure**

The highway authority will inform the Competent Authority that this is the case, appropriately justified.

7.19 When an Important Area is affected by roads which are the responsibility of more than one highway authority, the relevant highway authorities should work together to determine the appropriate action.

Liaison with relevant local authorities

7.20 At appropriate times during the consideration of possible actions, the relevant highway authority will liaise with the relevant local authorities about progress and, in the end, the outcomes. This liaison should cover:

- information about the proposed schedule of investigation of Important Areas; and
- information about the proposed timing of any implementation of possible actions.

7.21 The relevant local authority may separately identify locations that have not currently been identified as Important Areas for possible further noise management actions and request that consideration be given by the relevant highway authority to including them in the action planning schedule.

7.22 Given that one of the obligations regarding Action Plans for agglomerations is the aim to protect formally identified Quiet Areas in first round agglomerations, a highway authority will need to consider whether any element of the proposed measures might conflict with the Quiet Area objectives within this Action Plan³³. In order to avoid any such conflict arising, the highway authority should liaise with the relevant local authorities and the Competent Authority to agree the best way forward. For further information, see Part E.

³³ The protection of Quiet Areas in an agglomeration should not automatically take precedence over the protection of quiet open spaces (and other areas where environmental noise quality is good) outside an agglomeration.

Liaison with the Public

- 7.23 The relevant highway authority should, at the appropriate time, liaise with those members of the public who are likely to be most affected by any proposed new noise management proposal.

Reporting and consultation

- 7.24 The Competent Authority will liaise with the relevant highway authorities to prepare documentation setting out the results of these investigations, including the timetable for any proposed actions. The Competent Authority in conjunction with the relevant highway authorities will consult with the relevant local authorities and any other relevant stakeholders on these results.
- 7.25 The Competent Authority will liaise with the relevant highway authorities and consider the responses to that consultation and with the highway authorities make any alterations to the proposals as they see fit.
- 7.26 The Competent Authority will liaise with the relevant highway authorities to finalise the documentation described in paragraph 7.24 including information about the consultation described in paragraph 7.24.

Implementation

- 7.27 Regulation 21 of the Regulations states that any actions identified during this process are regarded as forming part of the policy of the relevant public authority, and hence need to be implemented as indicated.

Timetable

7.28 The outline timetable for this process is shown in Table 7.1:

**Table 7.1
Outline Timetable**

Action	Date
Competent Authority identifies Important Areas (IAs) and First Priority Locations (FPLs)	2009/2010
Competent Authority liaises with relevant highway authorities	April 2010 onwards
Competent Authority issues guidance regarding the process for investigating IAs	July 2010
Local highway authorities (other than the Highways Agency) investigate IAs (giving priority to those containing FPLs)	July 2010 – June 2011
Highways Agency investigate IAs (giving priority to those containing FPLs)	April 2010 – October 2011
Relevant highway authorities implement any actions or secure budget for actions	April 2011 onwards
Relevant highway authorities investigate remaining IAs and implement any actions or secure budget for actions	April 2012 onwards
Competent Authority undertakes second round of noise mapping	During 2012

7.29 The flowchart for this process can be found in Appendix C2.

**8. Noise from road traffic in the Brighton agglomeration:
long term strategy**

- 8.01 The Competent Authority will continue to work with the Department for Transport, Highways Agency and highway authorities to establish a clear framework of responsibility so that noise from road traffic is not only properly managed in the context of Government policy on sustainable development, but that the process is also clearly understood by the public.
- 8.02 The Competent Authority recognises the need for a robust and reliable system of data collection, management and control to enable the strategic noise mapping to take fully into account all the input variables that affect the resulting noise levels generated. Consequently, the Competent Authority will liaise with the relevant bodies to improve data quality and coverage for future road noise mapping.
- 8.03 The Competent Authority has recognised that it was possible in the current round of noise mapping to gain no more than an indication of the night noise impact from road traffic. In connection with the undertaking in the paragraph above, the Competent Authority will concentrate on establishing a mechanism that secures robust data regarding traffic flow and associated information for the night period (23.00 – 07.00). In addition, the Competent Authority will work with the Highways Agency and others, as appropriate, to develop a robust prediction methodology for night noise from road traffic. This will enable a greater focus to be made on the management of night time road traffic noise given the increasing emphasis being put on the effects of night noise by the World Health Organisation.
- 8.04 The Competent Authority will continue to engage pro-actively with the European Commission and other relevant organisations on initiatives that seek to reduce the noise from road traffic at source and with the development of measures that are designed in general to manage the impact of noise from road traffic.
- 8.05 The Competent Authority will encourage future land use planning policies at a national, regional and local level to reflect the processes set out in this Action Plan.
- 8.06 The Competent Authority will liaise with relevant national and local policy making bodies to encourage proper consideration of noise management issues in policy development. Furthermore, the Competent Authority will work with relevant Government departments to put forward proposals, where necessary, for relevant legislative or other regulatory changes to

enable the identified actions to proceed (e.g. altering the scope and application of the Noise Insulation Regulations³⁴).

- 8.07 The Competent Authority will liaise with the Department for Transport and highway authorities to explore the possibility of setting up a robust and easily accessible complaints handling system for road traffic noise issues.
- 8.08 The Competent Authority will check that the detailed noise actions identified by the highway authorities recognise wider national and local government policy objectives.
- 8.09 The Competent Authority will work with the relevant Government bodies to assist with any future revisions of Calculation of Road Traffic Noise.
- 8.10 The Competent Authority will continue to encourage and support the development of low noise road surfaces, and research into improved building envelope sound insulation and related ventilation issues.
- 8.11 The Competent Authority will encourage all highway authorities to consider adopting the good practice that is promulgated by the Highways Agency in the assessment and management of road traffic noise.
- 8.12 The Competent Authority will consider and evaluate the implications of moving towards a greater use of L_{den} and L_{Aeq} indicators in general as a means of understanding the effects of noise from road traffic.
- 8.13 The Competent Authority will keep under review the definition of Important Areas used in this Action Plan.
- 8.14 The Competent Authority will develop, agree and disseminate good practice approaches and methodologies through the Interdepartmental Group on Costs and Benefits noise subject group (IGCB(N)) to support the policy appraisal of noise. Further information is available from www.defra.gov.uk/evidence/economics/igcb.
- 8.15 The Competent Authority will keep under review the issues raised in this Section and will publish a progress report in 2012.

³⁴ SI 1975/1763 as amended by The Noise Insulation (Amendment) Regulations 1988 (SI 1988/2000).

Part C

Noise from Railways

9. Noise from railway sources in the Brighton agglomeration: current approach to noise management

- 9.01 This Action Plan covers noise from all railways mapped in this agglomeration. The management structure of the railway industry post white paper³⁵ is complex with many bodies having various roles and responsibilities. With regard to noise management, this features in the Office of Rail Regulation (“ORR”) Sustainable Development and Environmental Duties document, which includes an undertaking to address the management of operational noise from train services.³⁶
- 9.02 There are currently several approaches taken to control the impact of noise from rail traffic:
- control of noise at source;
 - planning controls – through the operation of the national, regional and local transport and land use planning system;
 - compensation and insulation - in the case of a new, additional or altered works;
 - maintenance;
 - general policy;
 - specific initiatives; and
 - limit values.

A brief summary of the current approach follows.

Control of noise at source

- 9.03 Noise from individual railway vehicles is increasingly being controlled through legislation. The European Commission (EC) introduced a Technical Specification for Interoperability (TSI) to provide limits for noise emission from rail vehicles. Limits from rail plant and equipment are provided by Directive 2000/14/EC, which relates to noise emissions in the environment from equipment used outdoors.
- 9.04 The EC adopted a Technical Specification for Interoperability relating to rolling stock noise for conventional rolling stock in 2006 (Decision 2006/66/EC). This TSI states in its implementation section (Chapter 7) that the Commission will consider options for retrofitting of existing freight wagons for noise reduction with stakeholders and the rail industry. The possibility of such an initiative is also reflected in the more recent Commission Communication on rail noise abatement (COM(2008)432). In

³⁵ The Future of Rail (July 2004)

³⁶ ORR – Sustainable Development and Environmental Duties, para 3.3 (h)

this Communication, the Commission proposes a combination of measures including noise-differentiated access charges for freight vehicles and noise emissions limits for all vehicles. The Commission proposes to implement the access aspects through a future recast of Directive 2001/14/EC, which provides for general requirements on access to and charging for the use of railway infrastructure. The TSIs (on conventional and high speed rolling stock) include noise limits for starting noise, noise from stationary vehicles and pass-by noise. Many vehicles have already been introduced that meet these limits.

- 9.05 Further research managed by the Rail Safety and Standards Board has produced a long term trend line for the United Kingdom rail fleet in terms of its noise outputs, measured using the TSI criteria³⁷. Both of the TSIs (covering conventional and high speed rolling stock) adopt a two-step approach to reduce the noise emissions limits over time. Furthermore, quieter disc brakes or composite brake block (as opposed to the noisier cast iron brake blocks) have been installed on many passenger vehicles and freight vehicles. Presently, the Noise TSI is under revision. The limits for start-up, pass-by and stationary noise are not expected to change. However, the methods used to determine how these limits are met will be revised to extend the test options available to stakeholders.

Planning controls

- 9.06 When proposing the construction of a new railway, or additional lines to an existing rail corridor, a noise impact assessment must be carried out. The process to be followed is set out in relevant Environmental Impact Assessment Regulations³⁸. Mitigation such as optimising the track construction and the use of noise barriers, either through landscaping or purpose built walls or fences, are included in the design to minimise any adverse noise impact.
- 9.07 Once the basic data regarding the potential impact of the proposals has been obtained (including predicting the noise from the new or altered railway), an estimate of the likely numbers of people to be affected is made. In addition, through the Transport Appraisal Guidance³⁹, the noise impact can be monetised as a means of evaluating the overall merits of the proposal.
- 9.08 Through land use planning, a noise assessment would normally be carried out for any proposed residential development that may be affected by

³⁷ T835 Trends in GB rolling stock noise levels
(www.rssb.co.uk/research/rail_industry_research_programme.asp)

³⁸ For example, The Transport and Works (Assessment of Environmental Effects) Regulations 2006

³⁹ More information on WebTAG is available at <http://www.webtag.org.uk/>

railway noise. Planning Policy Guidance 24⁴⁰ provides guidance regarding the suitability or otherwise of the site for such development. Guidance is also given about the type of mitigation that might be needed in order to achieve appropriate internal noise levels within homes. The approaches used to achieve these levels include designing appropriate façade insulation or optimising the proposed layout of the buildings.

- 9.09 Similarly, British Standard 8233:1999⁴¹ (BS8233) provides design advice for various buildings, including dwellings and offices in order to mitigate the effects of noise from railways. Advice is provided on what constitutes a reasonable or good standard in terms of the internal noise levels and on what mitigation might be used to achieve those levels.
- 9.10 Building Bulletin 93⁴² (BB93), provides guidance on acoustics in schools, including target noise levels for the indoor and outdoor environment in order to secure an appropriate acoustic environment for teaching. Following the guidance in BB93 is one way of ensuring that new schools comply with the requirements of the Building Regulations 2000 (as amended 2003).

Compensation and insulation

- 9.11 For new, additional or altered works to a railway system, the Land Compensation Act 1973 allowed regulations to be promulgated to provide compensation for dwellings affected by increased noise. These regulations are the Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996⁴³. If certain criteria are met, the promoter of the scheme must offer secondary glazing and alternative ventilation for habitable rooms of dwellings so affected.
- 9.12 In addition, Part 1 of the Land Compensation Act provides for monetary compensation to those home owners affected by the new or altered railway recognising any loss in value of the home that has occurred by the opening of the new or improved railway. This assessment is purely subjective, carried out by surveyors, and claims have to be made within a certain time period.

Maintenance

- 9.13 Railhead grinding, an inherently noisy process, occurs as part of the general maintenance of the track. Such grinding, provided it is regularly repeated, has been found to reduce maintenance costs, extend rail life and reduce the noise emitted from the wheel/railhead interface. Consequently, this process

⁴⁰ Planning Policy Guidance 24: Planning and Noise (1994)

⁴¹ BS8233:1999, Sound insulation and noise reduction in buildings – Code of practice

⁴² BB93 Acoustics Design of Schools, A design guide, (2003)

⁴³ Statutory Instrument 1996 No. 428 -The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996

has the benefits of providing noise reduction at the wheel/rail interface and through reduced railway maintenance activities involving rail replacement. The Competent Authority commissioned research to understand the potential acoustics benefits of railhead grinding, so that, if appropriate, it might be considered as part of an Action Plan⁴⁴. In addition, track renewals are often carried out using continuous welded rail, which produces less running noise than short sections of jointed rail and reduces the need for maintenance activity involving the replacement of damaged rail joints.

General policy

- 9.14 The ORR has adopted as part of its sustainable development and environmental duties an undertaking to address the issue of the management of operational noise from train services. Furthermore, the Department for Transport published the sustainable transport strategy – “Delivering a Sustainable Transport System” in November 2008⁴⁵ which sets clear goals to take full account of transport’s wider impact on climate change, health, quality of life and the natural environment. In particular, it notes that measures, that include encouraging a modal shift to public transport, are likely to make a positive contribution to economic growth, reducing greenhouse gas emissions and enhancing the local environment as well as improving public and personal health.

Specific initiatives

- 9.15 The use of continuously welded rail has been found to help reduce operational noise although switch and crossing noise cannot be eliminated by continuous welding.
- 9.16 Although not directly related to operational noise, the noise from train horns has been addressed over recent years. The national Railway Group Standard for horns now specifies a maximum noise level (in addition to a minimum level). Furthermore, the Rule Book has been amended to reduce the number of occasions on which the sounding of the horn is mandatory.
- 9.17 In a similar vein, there has been improved management of the noise from station Public Address systems, with the sound level of these announcements being deliberately reduced and with the number of announcements in the early morning being reduced.
- 9.18 The Network Rail National Helpline is operated 24 hours a day, every day, to answer questions from the public and to assist with any issues arising from the operation of the railway, including noise. The Helpline number is

⁴⁴ “Rail and wheel roughness – implications for noise mapping based on the Calculation of Railway Noise procedure” (DEFRA, March 2004)

⁴⁵ Department for Transport, Delivering a Sustainable Transport System, 2008

08457 11 41 41. Alternatively, the helpline can be reached via:
www.networkrail.co.uk.

Limit values

- 9.19 There are no relevant formal limit values in force in England with regard to environmental noise from railways. However, the Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996⁴⁶ define a threshold level as part of the eligibility criteria. Furthermore, there are guideline levels to be found in Planning Policy Guidance 24⁴⁷ that provides guidance on land use with respect to noise from railways. Technical Specifications for Interoperability (TSIs) include limit values at source for railway vehicles, and occupational noise limits apply through general Health & Safety legislation for workplaces.

⁴⁶ Statutory Instrument 1996 No. 428 -The Noise Insulation (Railways and Other Guided Transport Systems) Regulations 1996

⁴⁷ Planning Policy Guidance 24: Planning and Noise (1994)

10. Noise from railway sources in the Brighton agglomeration: summary of the results of the noise mapping, including an evaluation of the estimated number of people exposed to noise

10.01 The Regulations required that noise level information be determined in terms of several noise indicators⁴⁸. These include:

- L_{den}
- L_{night} ; and
- $L_{Aeq,18h}$.

10.02 The estimated number of people⁴⁹ and dwellings (rounded to the nearest thousand) exposed above various noise levels⁵⁰ from the strategic mapping of railway noise in this agglomeration are shown in Tables 10.1 – 10.3 below:

**Table 10.1
Estimated number of people and dwellings above various noise levels due to railway noise, L_{den}**

Noise Level (L_{den}) (dB)	Number of Dwellings	Number of People
≥55	6,000	13,000
≥60	3,000	7,000
≥65	1,000	3,000
≥70	<500	<500
≥75	0	0

⁴⁸ The Environmental Noise (England) Regulations 2006, Regulation 4 (2) and Schedule 3 (2)

⁴⁹ The number of people has been determined by assigning population information from the 2001 census to residential building locations and rounded to the nearest 1,000

⁵⁰ The noise levels throughout this document refer to free-field levels at a height of 4m at the facades of the dwellings.

Table 10.2
Estimated number of people and dwellings above various noise levels
due to railway noise, L_{night}

Noise Level (L_{night}) (dB)	Number of Dwellings	Number of People
≥50	4,000	9,000
≥55	2,000	4,000
≥60	<500	<500
≥65	0	0
≥70	0	0

Table 10.3
Estimated number of people and dwellings above various noise levels
due to railway noise, $L_{Aeq,18h}$

Noise Level ($L_{Aeq,18h}$) (dB)	Number of Dwellings	Number of People
≥55	5,000	10,000
≥60	2,000	5,000
≥65	1,000	1,000
≥70	<500	<500
≥75	0	0

11. Noise from railway sources in the Brighton agglomeration: identification of problems and situations that need to be investigated

11.01 This Action Plan has been designed to manage noise issues and effects, including noise reduction if necessary.⁵¹ Generically the following process is being adopted with regard to the results of the noise mapping of railway sources in this agglomeration:

- is there scope for implementing additional noise management measures in the context of Government policy on sustainable development?
- if the answer is yes, then further assessment is required.

11.02 The Regulations require that this Action Plan should

“apply in particular to the most important areas as established by the strategic noise maps”⁵².

To fulfil this requirement, attention has been focused on those most exposed to noise (according to the results from the strategic noise mapping) from railway sources in this agglomeration.

11.03 Furthermore, the Secretary of State requires that any action promulgated will assist the management of environmental noise in the context of Government policy on sustainable development.

Identification of Important Areas

11.04 The Noise Insulation (Railways and Other Guided Transport Systems) Regulations include in their definition of criteria for eligibility a noise level expressed as $L_{Aeq,18h}$. The Competent Authority has decided, therefore, to use the $L_{Aeq,18h}$ indicator as the basis for identifying Important Areas to be investigated for potential action.

11.05 The Competent Authority undertook an Impact Assessment which considered a number of options for identifying Important Areas, The selected option helps to deliver the vision and aims of the Noise Policy Statement for England.

11.06 It has been decided that the Important Areas with respect to noise from railway sources in this agglomeration will be where the 1% of the population⁵³ that are affected by the highest noise levels from the railway sources mapped in this agglomeration are located according to the results of the strategic noise mapping⁵⁴. This approach has been taken because

⁵¹ SI 2006/2238 Regulations 15 (1) (b)

⁵² SI 2006/2238 Regulations 15 (1) (e)

⁵³ The population is the number of people in this agglomeration who are within the 50 dB(A), $L_{Aeq,18h}$ contour due to noise from the railway sources that have been mapped in this agglomeration.

⁵⁴ In some agglomerations, the noise exposure that corresponds with the top 1% falls below the level of 65 dB $L_{Aeq,18h}$. There is no requirement to investigate those dwellings where the

the population at these locations in this agglomeration are likely to be at the greatest risk of experiencing a significant adverse impact to health and quality of life as a result of their exposure to rail traffic noise.

- 11.07 In addition, those locations where the $L_{Aeq,18h}$ is at least 73 dB according to the results of the strategic noise mapping have been identified as First Priority Locations (“First Priority Locations”). It is envisaged that in general the relevant rail authorities will investigate as a priority the Important Areas that contain First Priority Locations. This threshold value should only be used for the purposes of identifying First Priority Locations for investigation in the context of this Noise Action Plan and should not be used for any other purpose or in any other policy context.
- 11.08 The $L_{Aeq,18h}$ indicator describes only the noise that occurs between the hours of 0600 and 2400 and doesn’t cover the night period. Even so, the identification of Important Areas has been based solely on the $L_{Aeq,18h}$ value. This reflects the fact that for the first round of mapping the L_{night} values had to be based on a range of assumptions that, while perfectly adequate for strategic noise mapping, do not provide a robust basis for developing detailed actions. Furthermore, implementing many of the potential actions available to manage noise issues and effects would not only address the noise as measured by the $L_{Aeq,18h}$ indicator but also the noise that occurs at night.

$L_{Aeq,18h}$ is below 65 dB according to the results of the strategic noise mapping. Furthermore, in some agglomerations there may be an opportunity to investigate beyond the top 1% of the population but, again, there is no requirement to investigate those dwellings where the $L_{Aeq,18h}$ is below 65 dB according to the results of the strategic noise mapping.

Important Areas

11.09 Table 11.1 below shows the approximate number of dwellings and associated population to be investigated for potential action with respect to noise from railway sources in this agglomeration for any relevant local authority⁵⁵ that is wholly or partly within this agglomeration:

Table 11.1
Approximate number of dwellings (and associated population) per local authority to be investigated due to noise from railways in this agglomeration

Local Authority	Number of Dwellings	Associated Population
Brighton & Hove City Council	< 50	< 100
Adur District Council	< 50	< 100
Arun District Council	< 50	< 100
Worthing Borough Council	< 50	< 100
TOTAL	100	200

Note to Table 11.1:

- The number of dwellings has been rounded to the nearest 50, except when the number of dwellings is greater than zero but less than 50, in which case the total has been shown as "<50".
- The associated population has been rounded to the nearest 100, except when the associated population is greater than zero but less than 100, in which case the total has been shown as "<100".
- The totals may not appear to add up due to rounding.
- The 1% of the population has been identified based on the resolution available from the strategic noise mapping and in practice will be slightly greater than 1%.
- The figures quoted only relate to that part of the Local Authority area that falls within the agglomeration boundary.

⁵⁵ This information has been provided by Local Authority as a convenient way of describing the geographical distribution of locations. This does not necessarily imply any current or future responsibility for actions.

First Priority Locations

11.10 Table 11.2 below shows the approximate number of dwellings and associated population in this agglomeration that have been identified as First Priority Locations with respect to railway noise for any relevant local authority⁵⁶ that is wholly or partly within this agglomeration:

Table 11.2
Approximate number of dwellings (and associated population) per local authority to be investigated as a first priority due to noise from those railways mapped in this agglomeration (≥ 73 dB $L_{Aeq,18h}$)

Local Authority	Number of Dwellings	Associated Population
TOTAL	0	0

Note to Table 11.2:

- The number of dwellings has been rounded to the nearest 50, except when the number of dwellings is greater than zero but less than 50, in which case the total has been shown as "<50".
 - The figures quoted only relate to that part of the Local Authority area that falls within the agglomeration boundary
- 11.11 It is envisaged that the relevant rail authorities will investigate as a priority the Important Areas that contain First Priority Locations whilst having regard to any ongoing noise mitigation initiatives, schemes and plans. The relevant rail authorities, however, may use their discretion when deciding on the investigation priority.
- 11.12 For the purposes of noise action planning in England, the relevant rail authorities are the Department for Transport and the Office of Rail Regulation. In developing plans for managing rail related noise, the relevant rail authorities will consult and be advised by a cross-industry group. This group will be facilitated by the Rail Safety and Standards Board ("RSSB") and involve Network Rail, the Association of Train Operating Companies ("ATOC"), train owners, the rail supply industry and passenger and freight operators.

⁵⁶ This information has been provided by Local Authority as a convenient way of describing the geographical distribution of locations. This does not necessarily imply any current or future responsibility for actions.

12. Noise from railway sources in the Brighton agglomeration: noise reduction measures already in force and any projects in preparation

12.01 Section 9 describes in general terms the noise reduction and mitigation measures that are already in use regarding railways in this agglomeration.

12.02 For any particular location, there is a wide range of measures that can be implemented to provide improved management of the railway noise and/or noise reduction. Some of these measures are described below:

Façade insulation

12.03 Securing an appropriate standard of internal acoustic conditions is often achieved by the careful design of the sound insulation provided by the building envelope. This can either occur at the design stage of a new structure or by improving the insulation of an existing building. Where necessary, alternative ventilation is provided so that windows can be kept closed but with ventilation still available.

Noise barriers or other similar methods

12.04 The use of barriers to reduce the propagation of noise from a railway to a sensitive receptor is used, where appropriate.

12.05 The design of the layout of a development is also used such that less sensitive buildings are used as barrier blocks to protect more sensitive structures elsewhere.

Source levels

12.06 Routinely, railhead grinding occurs as part of the general maintenance of the track. Such grinding has been found to reduce the noise emitted from the wheel/railhead interface and, hence, has the benefit of providing noise reduction.

12.07 Other techniques that have been implemented that effectively reduce noise at source include the design of the track mounting system, the use of slab track designs and the replacement of tread brakes by disc brakes on rolling stock.

12.08 In addition, the continued implementation of the TSI standards for new rolling stock will reduce the source noise from rail vehicles.

12.09 For all these potential measures, the overall cost and benefit needs to be considered (e.g. see paragraph 9.07).

13. Noise from railway sources in the Brighton agglomeration: actions which the Competent Authority intends to take in the next five years

- 13.01 The implementation of those parts of this Action Plan concerned with railway noise in this agglomeration will be a continuous process commencing from the adoption of the plan. As required by the Regulations, this Action Plan will be reviewed at least once every five years.
- 13.02 The Competent Authority will liaise with the relevant rail authorities that are responsible for railways that are generating noise at those Important Areas identified in Section 11 above, and these authorities will be provided with information regarding the whereabouts of those locations.
- 13.03 Concurrently, relevant local authorities in whose areas the Important Areas fall that meet the threshold set out in Section 11 above, will be provided with similar information. It is expected that this information would go to the departments with planning and environmental health responsibilities. This will enable the local authorities to participate in the detailed identification of any measures.
- 13.04 The Competent Authority will liaise with the relevant local authorities so that the relevant departments are involved in the process.
- 13.05 The relevant rail authorities will be asked to examine initially the Important Areas containing First Priority Locations and in due course the other Important Areas and form a view about what measures, if any, might be taken in order to assist the management of environmental noise in the context of Government policy on sustainable development. If it is found that identified locations are affected by noise from more than one source of transport noise the relevant authorities will liaise, as necessary, with the assistance of the Competent Authority so that any action identified is the most appropriate.
- 13.06 The Competent Authority will work with the relevant rail authorities to facilitate the carrying out of this task.
- 13.07 The assessment by the relevant rail authorities will be as follows:

Consideration of Possible Actions

- 13.08 For each Important Area, the relevant rail authorities will consider what, if any, actions might be taken. This will include, but not be limited to, exploring the scope for (in no particular order):
- increasing the frequency and nature of railhead grinding and the profiling of rolling stock wheels to reduce the presence of wheel flats on the rail network;

- altering the type of rolling stock that uses the particular rail corridor;
 - changing how traffic is managed (for example, to reduce engine noise from starting and accelerating and braking noise from frequent stopping;
 - greasing rails on tight corners, and activities as part of a normal maintenance regime, and reducing the number of wheel profiles in use on the network to improve the contact conditions at the wheel / rail interface;
 - erecting noise barriers; or
 - improving the sound insulation.
- 13.09 If a certain length of railway is associated with several Important Areas the relevant rail authorities should consider measures that could address the noise issues at all the locations concurrently.
- 13.10 The relevant rail authorities should also take account of any existing plans (e.g. any local transport plans or land-use plans) or any specific noise mitigation schemes that are already in preparation may affect the Important Areas.
- 13.11 For each Important Area, the relevant rail authorities will identify proposed actions that will meet the objective set out in paragraphs 1.04 and 11.03 above, or state why, in their view, no further action can or needs to be taken in order to meet this objective.
- 13.12 In forming their view about possible action, the relevant rail authority should take account of any benefit that might also be achieved for any other noise sensitive premises in the vicinity of the Important Area being investigated. In addition, the relevant rail authority should take account of any impacts that might occur for any other noise sensitive premises or locations. Furthermore, consideration should be given to integrating noise management actions at an Important Area with the concurrent implementation of other environmental or related initiatives.
- 13.13 It is expected that these deliberations will result in four general outcomes:
- a. It is possible to be able to implement and there are financial resources immediately available to do so;
 - b. It is possible to be able to implement but there are no immediately available financial resources to do so;
 - c. It is not possible to implement any action because there is no scope for doing so (e.g. reasonable sound insulation already exists at the affected dwelling, or a noise barrier at its optimum size and location already exists), or there is some overriding technical issue that prevents

implementation (e.g. ground conditions do not allow a barrier to be erected); or

- d. It is not possible to implement any action because there would be large adverse non-acoustics effects that could not be accommodated by the proposed measure. Such non acoustic effects could include an adverse effect on safety, or a significant adverse air pollution impact, or an unacceptable increase in congestion or journey times.

13.14 For each of these outcomes the following action will occur:

13.15 Outcome (a): - It is possible to be able to implement and there are financial resources immediately available to do so

If it is clear that the proposed action will provide the expected benefit, then the relevant rail authorities will determine a timetable for implementation.

13.16 Outcome (b): - It is possible to be able to implement but there are no immediately available financial resources to do so

The relevant rail authorities will make arrangements to secure financial resources to carry out this work in future financial years. This might be achieved by either:

- securing new resources for this work; or
- re-prioritising existing budgets to enable the funds for the action to become available

Once the budget has been secured, the relevant rail authorities will determine a timetable for implementation.

13.17 Outcome (c) - It is not possible to implement any action because there is no scope for doing so or there is some overriding technical issue that prevents implementation

The relevant rail authorities will inform the Competent Authority that this is the case, appropriately justified.

13.18 Outcome (d) - it is not possible to implement any action because there would be large adverse non-acoustics effects that could not be accommodated by the proposed measure

The relevant rail authorities will inform the Competent Authority that this is the case, appropriately justified.

13.19 When an Important Area is affected by noise from a railway which is the responsibility of more than one rail authority, the relevant rail authorities should work together to determine the appropriate action.

Liaison with relevant local authorities

13.20 At appropriate times during the consideration of possible actions, the relevant rail authorities will liaise with the relevant local authorities about progress and, in the end, the outcomes. This liaison should cover

- information about the proposed schedule of investigation of Important Areas; and
- information about the proposed timing of any implementation of possible actions.

13.21 The relevant local authority may separately identify locations that have not currently been identified as Important Areas for possible further noise management actions and request that consideration be given by the relevant rail authorities to including them in the action planning schedule.

13.22 Given that one of the obligations regarding Action Plans for agglomerations is the aim to protect formally identified Quiet Areas in first round agglomerations, the relevant rail authorities will need to consider whether any element of the proposed measures might conflict with the Quiet Area objectives within this Action Plan⁵⁷. In order to avoid any such conflict arising, the relevant rail authorities should liaise with the relevant local authorities and the Competent Authority to agree the best way forward. For further on Quiet Areas, see Part E.

Liaison with the Public

13.23 The relevant rail authorities should, at the appropriate time, liaise with those members of the public who are likely to be most affected by any proposed new noise management proposal.

Reporting and consultation

13.24 The Competent Authority will liaise with the relevant rail authorities to prepare documentation setting out the results of these investigations, including the timetable for any proposed actions. The Competent Authority in conjunction with the relevant rail authorities will consult with the relevant local authorities and any other relevant stakeholders on these results.

⁵⁷ The protection of Quiet Areas in an agglomeration should not automatically take precedence over the protection of quiet open spaces (and other areas where environmental noise quality is good) outside an agglomeration.

13.25 The Competent Authority will liaise with the relevant rail authorities and consider the responses to that consultation and with the rail authorities make any alterations to the proposals as they see fit.

13.26 The Competent Authority will liaise with the relevant rail authorities to finalise the documentation described in paragraph 13.24 including information about the consultation described in paragraph 13.24.

Implementation

13.27 Regulation 21 of the Regulations states that any actions identified during this process are regarded as forming part of the policy of the relevant rail authorities, and hence need to be implemented as indicated.

Timetable

13.28 The outline timetable for this process is shown in Table 13.1:

**Table 13.1
Outline Timetable**

Action	Date
Competent Authority identifies Important Areas (IAs)	2009/2010
Competent Authority liaises with relevant rail authorities	April 2010
Competent Authority issues guidance regarding the process for investigating IAs	July 2010
Relevant rail authorities investigate IAs (giving priority to those containing FPLs)	April 2010 – October 2011
Relevant rail authorities implement any actions or secure budget for actions	April 2011 onwards
Relevant rail authorities investigate remaining IAs and implement any actions or secure budget for actions	April 2012 onwards
Competent Authority undertakes second round of noise mapping	During 2012

13.29 The flowchart for this process can be found in Appendix C3.

14 Noise from railway sources in the Brighton agglomeration: long term strategy

- 14.01 Managing the impact of noise generated by the railways will require action by both the infrastructure provider – Network Rail – and train operators. However, any such action has to be considered within the wider rail planning, regulatory and franchising framework. The Competent Authority will work with the Department for Transport and relevant rail authorities to establish a clear framework of responsibility so that noise from railways is properly managed in the context of Government policy on sustainable development and that the process is clearly understood by the public.
- 14.02 The Competent Authority recognises the need for a robust and reliable system of data collection, management and control is needed to enable the strategic noise mapping to take fully into account all the input variables that affect the resulting noise levels generated. Consequently, the Competent Authority will liaise with the relevant bodies to improve data quality and coverage for future railway noise mapping.
- 14.03 The Competent Authority has recognised that it was possible in the current round of noise mapping to gain no more than an indication of the night noise impact from railways. In connection with the undertaking in the paragraph above, the Competent Authority will liaise with the relevant rail authorities to secure robust data regarding traffic flow and associated information for the night period (23.00 – 07.00). This will enable a greater focus to be made on the management of night time railway noise given the increasing emphasis being put on the effects of night noise by the World Health Organisation.
- 14.04 The Competent Authority will continue to engage pro-actively with the European Commission and other relevant organisations on initiatives that seek to reduce the noise from railways at source and with the development of measures that are designed in general to manage the impact of noise from railways.
- 14.05 The Competent Authority will encourage future land use planning policies at a national, regional and local level to reflect the processes set out in this Action Plan.
- 14.06 The Competent Authority will liaise with relevant national and local policy making bodies to encourage proper consideration of noise management issues in policy development. Furthermore, the Competent Authority will work with relevant Government departments to put forward proposals, where necessary, for relevant legislative or other regulatory changes to enable the identified actions to proceed (e.g. altering the scope and application of the Noise Insulation Regulations).
- 14.07 The Competent Authority will liaise with Network Rail, the Department for Transport and relevant rail authorities to explore the extent to which the

current complaint system operated by Network Rail does provide a robust and easily accessible complaints handling system for railway noise issues.

- 14.08 The Competent Authority will check that the detailed noise actions identified by the relevant rail authorities recognise wider national and local government policy objectives.
- 14.09 The Competent Authority will continue to encourage research into improved building envelope sound insulation and related ventilation issues.
- 14.10 The Competent Authority will liaise with the Department for Transport to explore a range of issues including:
- the current overall community response to railway noise, including whether or not further survey work required;
 - the importance and relevance to people of the potentially quiet gaps between train movements;
 - the role that sound from railways might play as a feature of soundscape.
- 14.11 The Competent Authority will consider and evaluate the implications of moving towards a greater use of the L_{den} indicator in general as a means of understanding the effects of noise from railways.
- 14.12 The Competent Authority will keep under review the definition of Important Areas used in this Action Plan.
- 14.13 The Competent Authority will develop, agree and disseminate good practice approaches and methodologies through the Interdepartmental Group on Costs and Benefits noise subject group (IGCB(N)) to support the policy appraisal of noise. Further information is available from www.defra.gov.uk/evidence/economics/igcb.
- 14.14 The Competent Authority will keep under review the issues raised in this Section and will publish a progress report in 2012.

Part D

Noise from Industry

15 Noise from industrial sources in the Brighton agglomeration: current approach to noise management

15.01 Noise from industrial sources is currently managed through three parallel and complimentary regimes. These are:

- development Control through land use planning;
- control through the Environmental Permitting Regulation process; and
- control through the use of Statutory Nuisance legislation.

Noise from industrial sources in the Brighton agglomeration: summary of the results of the noise mapping, including an evaluation of the estimated number of people exposed to noise

15.02 The Regulations required that noise level information from industrial sources be determined in terms of several noise indicators. These included:

- L_{den} ; and
- L_{night} .⁵⁸

15.03 The estimated number of people and dwellings exposed above various noise levels from the strategic mapping of industrial noise in each agglomeration are available on the interactive maps and charts page of the Defra Noise Mapping England website (<http://www.defra.gov.uk/noisemapping>).

15.04 When inspecting these results, it is very important to bear in mind the limitations of the strategic noise mapping methodology that was followed in order to meet the requirement of the Regulations. Consequently, the results should be treated with caution.

⁵⁸ The Environmental Noise (England) Regulations 2006, Regulation 4 (2) and Schedule 3 (5)

Noise from industrial sources in the Brighton agglomeration: identification of problems and situations that need to be investigated

15.05 It is considered that the existing noise management regime as outlined in 15.01 above provides suitable mechanisms for the proactive and reactive management of noise issues from the industrial sources mapped in this agglomeration.

Noise from industrial sources in the Brighton agglomeration: actions which the Competent Authority intends to take

15.06 It is proposed that the existing noise management regime should continue and no new specific initiatives are to be adopted regarding the management of noise from industrial sources mapped in this agglomeration.

Noise from industrial sources in the Brighton agglomeration: long term strategy

15.07 The Competent Authority will encourage the relevant authorities to review current policy and practice for the management of noise from industrial sources. This would include:

- the procedures for responding to complaints; and
- the arrangements for liaison between the planning and environmental health functions of local authorities and the Environment Agency regarding the noise management of current and new industrial development.

15.08 The Competent Authority will continue to liaise with the Department for Communities and Local Government to consider the need for further guidance on the management of noise from industrial sites within any future revision of PPG24: Planning & Noise.

15.09 The Competent Authority will liaise with BSI to explore whether there is a need for a revision of BS4142: Method for rating industrial noise affecting mixed residential and industrial areas.

15.10 The Competent Authority will continue to monitor community response to noise from industrial sources.

15.11 The Competent Authority will continue to engage pro-actively with the European Commission regarding any review of procedures and requirements concerning the future of industrial noise mapping.

15.12 The Competent Authority will review the issues raised in this Section when the second round of action planning occurs in 2012/2013.

Part E

Quiet Areas

16 Quiet Areas – Brighton Agglomeration

16.01 The Regulations⁵⁹ require that Action Plans for agglomerations include provisions that aim to protect any formally identified Quiet Areas in the agglomeration from an increase in noise⁶⁰.

Identification of Quiet Areas

16.02 The Competent Authority will liaise with local authorities in this agglomeration to obtain information on the open spaces within each local authority and then form a view with them regarding which of these open spaces should attract particular attention taking account of the results of the strategic noise mapping. A list of those local authorities wholly or partly within this agglomeration is included at Appendix B.

16.03 The Competent Authority following consultation with the local authorities in this agglomeration will determine whether any of the open spaces should be formally identified⁶¹ as Quiet Areas. The Competent Authority will publish the identified Quiet Areas in an appropriate form.

16.04 The Competent Authority will only formally identify as Quiet Areas those open spaces which provide significant and important benefits because they are quiet. It is expected that such open spaces will already be regarded as special and that they may already be managed to sustain their quietness. The Competent Authority will consider identifying as a Quiet Area part of an open space as long as it meets the requirements.

16.05 The process through which Quiet Areas are formally identified by the Competent Authority will include consultation with local authorities in this agglomeration and consideration of the key attributes of the open spaces proposed for formal identification. Good practice in open space planning^{62,63} underlines the importance of understanding the key attributes of open spaces, including their multi-functionality. The Competent Authority will pay particular attention to areas where the primary purpose is quiet and how quiet contributes to the overall quality of the open space in its locality.

16.06 The Competent Authority does not intend to set noise thresholds to steer the consideration of proposed Quiet Areas by local authorities within this agglomeration.

⁵⁹ The Environmental Noise (England) Regulations 2006 as amended, Regulation 13 (1) and Regulation 15 (1) (c)

⁶⁰ In this context noise refers only to noise arising from those sources covered by the Environmental Noise Directive

⁶¹ The Environmental Noise (England) Regulations 2006 as amended, Regulation 13 (1)

⁶² Planning Policy Guidance 17: Planning for Open Space, Sport and Recreation (2002) or any successor to it.

⁶³ Assessing needs and opportunities: a companion guide to PPG17 (2002) or any successor to it.

16.07 Pilot and research studies have been undertaken during 2009-10 in order to obtain a better understanding of the issues that may arise.

Management of Quiet Areas

16.08 The Government recognises that open spaces contribute to the quality of urban life. Good management of open spaces, including well designed and implemented planning policies for open space are therefore fundamental to delivering broader Government objectives.

16.09 Through the process described above the status of some of the open spaces in this agglomeration will be enhanced by being formally identified as Quiet Areas. Local authorities will then be expected to adopt policies to manage the local noise environment so as to protect the quietness of these open spaces and avoid increases in noise from those sources of noise covered by this Action Plan. This will include reviewing their approach to the management of the open spaces concerned in the course of the normal development and implementation of their open space policies.

16.10 Local approaches to the management of Quiet Areas should be integrated with wider policies for securing Government policy on sustainable development. The aim should be to realise the benefits of Quiet Areas and their contribution to the quality of life in this agglomeration in ways consistent with meeting community needs for affordable homes, jobs and regeneration. The Competent Authority will liaise with the local authorities to determine how this is best achieved. Any noise thresholds set for the management of individual Quiet Areas will be determined by the Competent Authority in consultation with the relevant local authority.

16.11 In developing policies, local authorities should also have regard to the presence of Quiet Areas in adjacent authorities within this agglomeration, including quiet open spaces on the urban fringe.

Timetable

16.12 The outline timetable for this process is shown in Table 16.1:

**Table 16.1
Outline Timetable**

Action	Date
Competent Authority liaises with local authorities	2009 / 2010
Competent Authority issues guidance regarding the formal identification of Quiet Areas and their subsequent management	July 2010
Opportunity for Local Authorities to decide whether to apply for certain open spaces to be formally identified as Quiet Areas	July 2010 – April 2011
Competent Authority determines whether or not formally to identify certain open spaces as Quiet Areas	April - June 2011
Formally identified Quiet Areas published	By end of June 2011
Further opportunity for Local Authorities to decide whether to apply for certain open spaces to be formally identified as Quiet Areas	April 2011 – March 2012
Competent Authority determines whether or not formally to identify these additional open spaces as Quiet Areas	April – June 2012
Additional formally identified Quiet Areas published	By end of June 2012
Competent Authority undertakes second round of noise mapping	During 2012

16.13 The flowchart for this process can be found in Appendix C4.

Long term strategy for the management of Quiet Areas

- 16.14 The Competent Authority will publish guidance regarding the identification of Quiet Areas in agglomerations to assist the relevant bodies.
- 16.15 The Competent Authority will support research to understand the importance of relatively quiet open spaces that may not be regarded as quiet in absolute terms but which may nevertheless provide an important local resource.
- 16.16 The Competent Authority will keep under review any possible refinement to the noise mapping exercise that would strengthen the contribution of the strategic noise maps in the identification of Quiet Areas.
- 16.17 The Competent Authority will continue to search for opportunities to integrate further the management of quiet into open space, biodiversity and climate change mitigation and adaptation policies and the green infrastructure agenda.

Part F

Noise from Aircraft

17 The management of the impact of aircraft noise in the Brighton agglomeration

- 17.01 This agglomeration is affected by noise from the operations at Shoreham (Brighton City) Airport. According to the requirements set out in the Environmental Noise (England) Regulations 2006 (as amended) (the Regulations), noise mapping must be undertaken and a noise action plan must be developed for this airport.
- 17.02 According to the Regulations, the Airport Operator is the Competent Authority for making the noise maps and developing the action plan for this airport.
- 17.03 The Regulations require that noise level information from aircraft (air noise)⁶⁴ be determined in terms of several noise indicators. These include:
- L_{den} ; and
 - L_{night} .⁶⁵
- 17.04 The estimated total number of people and dwellings exposed above various noise levels from the strategic mapping of noise from aircraft using this airport are available on the interactive maps and charts page of the Defra Noise Mapping England website (<http://www.defra.gov.uk/noisemapping>).
(When inspecting these results it should be noted that not all the people and dwellings shown on the charts necessarily live in this agglomeration because the aircraft noise contours may extend outside the agglomeration boundary).
- 17.05 A draft noise action plan has been developed by the operator of Shoreham (Brighton City) Airport and was published for consultation.
- 17.06 The Airport Operator has reviewed the comments received and has submitted the final draft noise action plan to the Secretary of State for Transport for review and ultimately for adoption by the Secretary of State for Environment, Food and Rural Affairs.

⁶⁴ The Regulations require that only air noise be mapped, that is the noise from the moment that the aircraft is about to move down the runway at take-off (known as start of roll) to the moment after landing and just before it turns off the runway to taxi to the stand.

⁶⁵ The Environmental Noise (England) Regulations 2006, Regulation 4 (2) and Schedule 3 (2)

Noise from aircraft in the Brighton agglomeration: identification of problems and situations that need to be investigated

17.07 Once adopted, the noise action plan for Shoreham (Brighton City) Airport can be found at

<http://www.shorehamairport.co.uk/>

Noise from aircraft in the Brighton agglomeration: actions which the Competent Authority intends to take

17.08 The Secretary of State for Environment, Food and Rural Affairs (SoS Defra) as the Competent Authority responsible for preparing this agglomeration action plan will take account of the interaction between the relevant airport operator and the relevant local authorities and will satisfy himself that the proposed draft noise action plan for the airport takes into account the impact of the aircraft noise from that airport on those living within the agglomeration.

17.09 Furthermore, SoS Defra will continue to liaise with the relevant airport operator and relevant local authorities to seek to avoid any actions proposed by the airport operator from compromising the aim to protect formally identified Quiet Areas in this agglomeration (see Section 16). This reflects the requirement on airport operators to liaise with SoS Defra to agree the best way forward regarding this issue.

17.10 It is intended that any unresolved conflicts between the Airport Action Plan and this Action Plan will be addressed during the implementation of the plans.

Noise from aircraft in the Brighton agglomeration: long term strategy

17.11 SoS Defra will encourage any development of future policy on aviation and sustainable transport to reflect any emerging scientific knowledge or trends in community response to noise from aircraft.

17.12 SoS Defra will continue to liaise with the Department for Transport regarding the establishment of reliable data on the community response to noise from aircraft.

17.13 SoS Defra, in liaison with the Department for Transport, will monitor the implementation of the Noise Action Plan for Shoreham (Brighton City) Airport.

17.14 The Competent Authority will develop, agree and disseminate good practice approaches and methodologies through the Interdepartmental Group on Costs and Benefits noise subject group (IGCB(N)) to support the policy appraisal of noise. Further information is available from www.defra.gov.uk/evidence/economics/igcb.

Part G

Consultation

18. Consultation

Informal consultation

18.01 During the development of this Action Plan, the Competent Authority held informal discussions with various stakeholders including:

- The Highways Agency;
- The Railway Forum;
- Airport Operators;
- The Department for Transport;
- The Department of Communities and Local Government;
- Various individual local authorities;
- The Local Authorities Co-ordinators of Regulatory Services (LACORS); and
- Environmental Protection UK

Formal public consultation

18.02 The formal public consultation on this document commenced on 15 July 2009 and closed on the 4 November 2009.

18.03 The consultation package consisted of a draft noise action plan agglomeration template along with a supporting document which contained statistics regarding the noise impact in this agglomeration and an indication of the numbers of people likely to be affected by the implementation of this action plan.

18.04 During September 2009, the Competent Authority held Stakeholder workshops at five different locations across the country. The purpose of these workshops was to engage with stakeholders, to provide them with information on the proposed action planning process and for them to communicate their initial views. Stakeholders were encouraged to provide feedback and respond to the consultation.

18.05 A total of 137 responses were received from local authorities, professional bodies, industry, NGOs and private individuals. The various responses were reviewed and amendments have been made to this action plan where appropriate. A document has been published summarising the responses to this consultation. It can be found at:
<http://www.defra.gov.uk/corporate/consult/noise-action-plan/index.htm> .

Appendices

Appendix A

Glossary of acoustic and technical terms

Agglomeration	An area having a population in excess of 100,000 persons and a population density equal to or greater than 500 people per km ² and which is considered to be urbanised
First Round Agglomeration	An agglomeration but having a population in excess of 250,000 persons. A schedule of first round agglomerations can be found in Schedule 1 of SI 2007/415 ⁶⁶
dB(A)	A measure of sound pressure level (“A” weighted) in decibels as specified in British Standard BS EN 61672-2:2003
L _{Aeq,T}	The A-weighted equivalent continuous sound pressure level which is a notional continuous level that, at a given position and over the defined time period, T, contains the same sound energy as the actual fluctuating sound that occurred at the given position over the same time period, T
L _{day}	The L _{Aeq} over the period 0700 – 1900, local time (for strategic noise mapping this is an annual average)
L _{evening}	The L _{Aeq} over the period 1900 – 2300, local time (for strategic noise mapping this is an annual average)
L _{night}	The L _{Aeq} over the period 2300 – 0700, local time (for strategic noise mapping this is an annual average)
L _{Aeq,16h}	The L _{Aeq} over the period 0700 – 2300, local time (for strategic noise mapping this is an annual average)
L _{den}	The L _{Aeq} over the period 0000 – 2400, but with the evening values (1900 – 2300) weighted by the addition of 5 dB(A), and the night values (2300 – 0700) weighted by the addition of 10 dB(A) (for strategic noise mapping this is an annual average)
L _{Aeq,18h}	The L _{Aeq} over the period 0600 – 2400, local time (for strategic noise mapping this is an annual average)
L _{Aeq,6h}	The L _{Aeq} over the period 0000 – 0600, local time (for strategic noise mapping this is an annual average)
L _{A10,18h}	The noise level exceeded for 10% of the time averaged hourly over the period 0600-2400.

⁶⁶ SI 2007 No 415 – The Environmental Noise (Identification of Noise Sources) (England) Regulations 2007

Appendix B

List of Local Authorities wholly or partly within this agglomeration

Adur District Council

Arun District Council

Brighton & Hove City Council

Lewes District Council

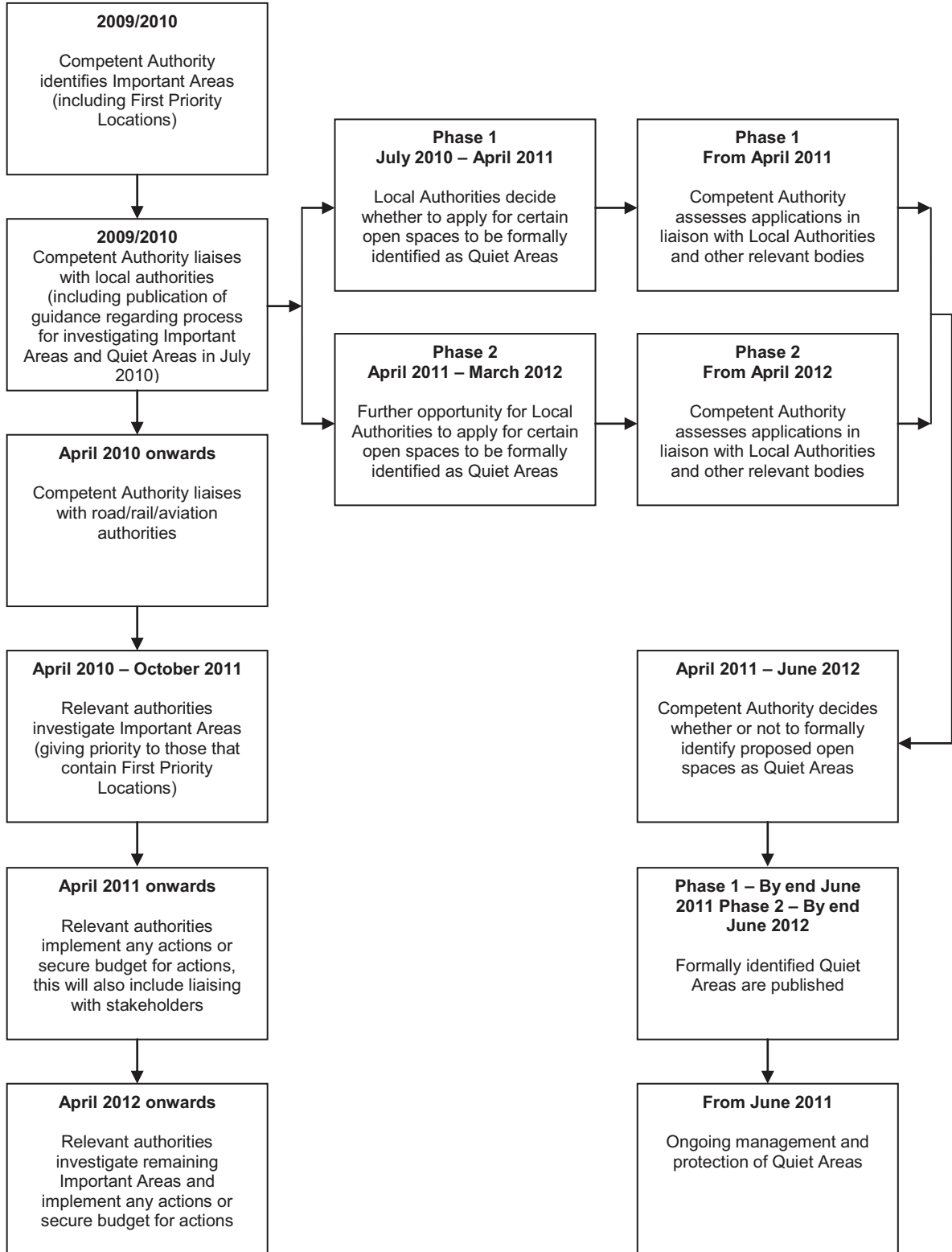
Worthing Borough Council

Appendix C Process Flow Diagrams

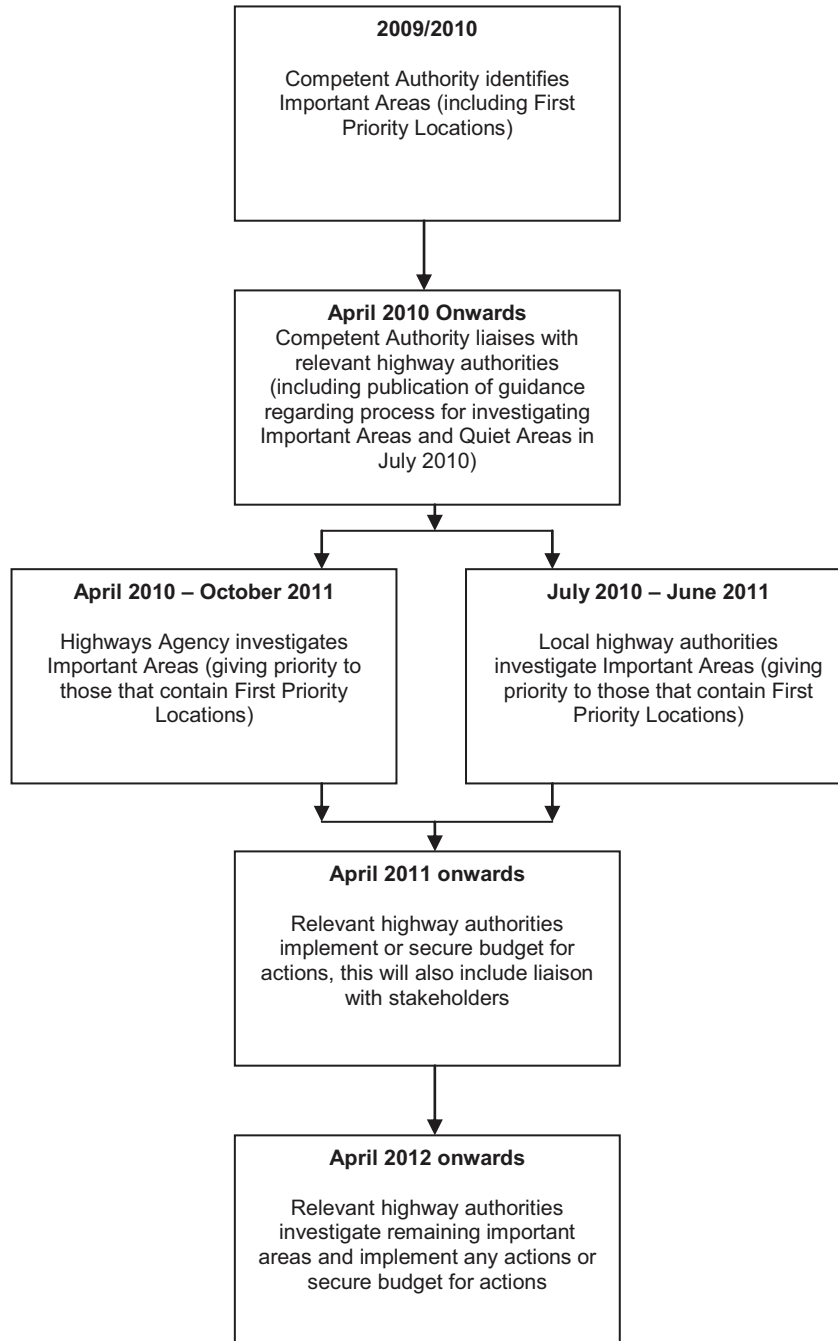
C1	General Process
C2	Process for Roads
C3	Process for Railways
C4	Process for Quiet Areas

Note: These flow charts provide an overview of the envisaged process. Please consult the text of this Noise Action Plan for a full description of the process.

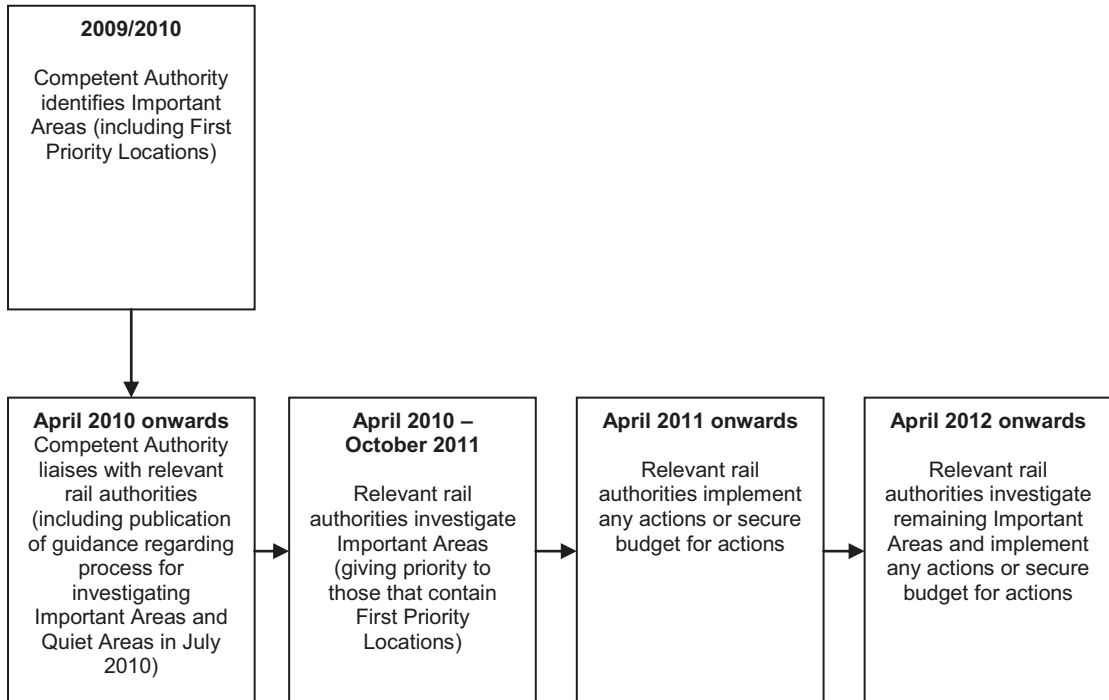
C1 – Flow Diagram of the General Action Planning Process



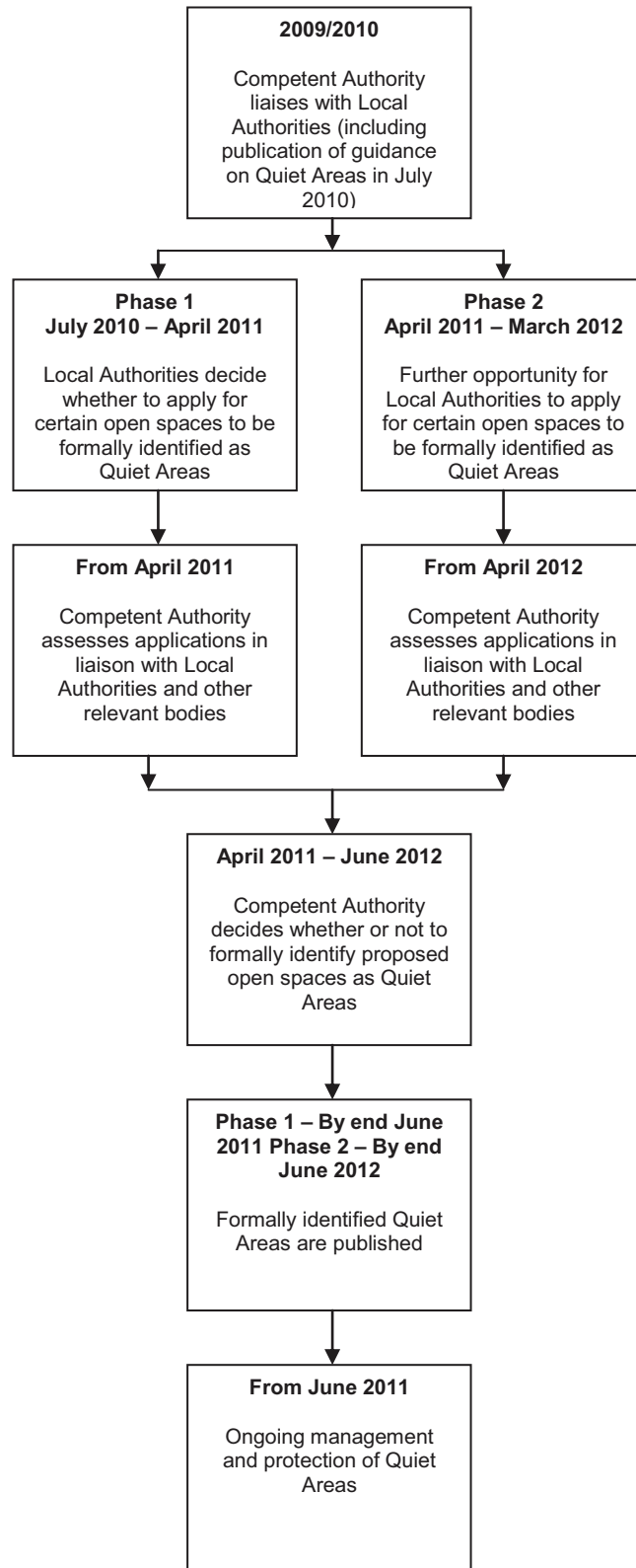
C2 – Flow Diagram of the Action Planning Process for Roads



C3 – Flow Diagram of the Action Planning Process for Railways



C4 – Flow Diagram of the Action Planning Process for Quiet Areas



Designation of 'Quiet Areas'

Under the Environmental Noise Directive 2002/49/EC several responsibilities were introduced that member states were required to adopt. Under the Environmental Noise Directive the Environmental Noise (England) Regulations 2006 were introduced. These require the competent authority, the Secretary of State for Environment, Food and Rural Affairs, to conduct noise mapping of certain urban areas. Noise maps have been produced by the Department for Environment, Food and Rural Affairs (Defra). The purpose of the maps is to monitor the environmental problem of noise and to assess the number of people annoyed and sleep disturbed throughout Europe (EUROPA 2008). The maps are intended to inform the production of Noise Action Plans. The Noise Action Plan for the Brighton agglomeration was produced in March 2010 (Defra) and includes information on identification and management of Quiet Areas and gives a timetable of progress. The Environmental Noise (England) Regulations 2006 as amended, Regulation 13 (1) and Regulation 15 (1) (c) provide the formal legislative basis that require Action Plans include provisions with the intention to protect any formally identified Quiet Areas in the agglomeration from an increase in noise (Defra, 2010).

Brighton and Hove City Council were approached by Environmental Protection UK and Defra in 2011 to develop an assessment method for the identification of Quiet Areas within urban locations. A project was conducted to establish a method for identification and designation of quiet areas. This involved collecting primary data by carrying out noise measurements at 11 identified locations across the Brighton Agglomeration (as defined in the Action Plan) and using supporting data in the form of face to face interviews, an on-line survey and soundscape notations.

Policy context

Environmental Noise Directive (END)

Defra (2005) reported that Local Environmental Quality Minister Ben Bradshaw announced that Defra has commissioned research to map out noise levels along major roads and in over 20 major towns, cities, and regions across England, as part of its Noise Mapping England project, itself a stage in the development of a 'National Ambient Noise Strategy for England'. This essentially was the beginning of noise mapping in England as a result of the Environmental Noise Directive.

The Environmental Noise Directive (END) was implemented by the European Union following the development of a European Union Noise Policy based on the Noise Policy Green Paper from 1996 (Bruel and

Kjaer 2001). Under the terms of the END a programme of actions on noise is set out for member states (Environmental Protection UK 2008).

Directive 2002/49/EC of the European Parliament and of the Council of 25 June 2002 relating to the assessment and management of environmental noise known as the Environmental Noise Directive gives four main objectives:

- Monitoring the environmental problem; by requiring competent authorities in Member States to draw up "strategic noise maps" for major roads, railways, airports and agglomerations, using harmonised noise indicators *Lden* (day-evening-night equivalent level) and *Lnight* (night equivalent level). These maps will be used to assess the number of people annoyed and sleep-disturbed respectively throughout Europe.
- Informing and consulting the public about noise exposure, its effects, and the measures considered to address noise, in line with the principles of the Aarhus Convention.
- Addressing local noise issues by requiring competent authorities to draw up action plans to reduce noise where necessary and maintain environmental noise quality where it is good. The directive does not set any limit value, nor does it prescribe the measures to be used in the action plans, which remain at the discretion of the competent authorities.
- Developing a long-term EU strategy, which includes objectives to reduce the number of people affected by noise in the longer term, and provides a framework for developing existing Community policy on noise reduction from source. With this respect, the Commission has made a declaration concerning the provisions laid down in article 1.2 with regard to the preparation of legislation relating to sources of noise (EUROPA 2008).

The competent authority as referred to above for England is the Secretary of State for Environment, Food and Rural Affairs.

The Environmental Noise Directive (END) aims to complement the EU objectives of *"achieving a high level of protection of the environment and health achieving a common understanding of the noise problem"* within Member States (MS) through an assessment of major noise sources associated with transport and industrial activity, and then through the *"adoption of action plans by Member States"*. In order for this to be achieved, the Directive recognises the need to augment the current *"lack of reliable, comparable data regarding the situation of*

the various noise sources" by undertaking an assessment of environmental noise exposure (Defra, 2005).

European Working Group guidance

The working group guidance (2006) suggests that 'quiet' could be described by a value of L_{den} or by another appropriate noise indicator, which has to be defined by the Member States. As discussed the use of an indicator as an absolute level may not be appropriate and it is necessary to consider other factors. Within appendix 3 the working group recommend that plans to protect quiet areas against noise increase should be included in any action plans produced under the requirements of the END.

European Environment Agency Good Practice Guide

This technical guide (European Environment Agency 2010) is intended to be used by policy makers and competent authorities to meet the requirements of the END. The guide makes specific reference to quiet areas and suggests that perhaps one of the aims of an action plan would be to identify and quantify the number of people who benefit in terms of annoyance or improvement of the quality of the living environment. The development of 'Annoyance Maps' along with noise maps is also suggested as a way of adding a meaningful dimension to any action plan.

END Implementation Report

A small section is presented on quiet areas within the European Commission Implementation Report (2011). The report states that quiet areas make a beneficial contribution to public health, particularly for people living in noisy city areas. The report acknowledges that the END provided discretion to the Member States to produce action plans and introduce specific measures to protect quiet areas. The report recognises that the consequence of this discretion led to very conflicting approaches across the EU. The report states the majority of Member States designated quiet areas in agglomerations, many have not yet done so in open country.

Policy Drivers and Legislative background England

Noise Policy Statement for England

The Noise Policy Statement for England (Defra 2010) provides three aims to support the long term vision of '*Promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development.*' The

third aim seeks to improve health and quality of life through pro-active management of noise while considering sustainable development principles. This aim specifically relates to quiet areas stating *'protection of quiet places and quiet times as well as the enhancement of the acoustic environment will assist with delivering this aim.'*

The Natural Environment White Paper

The white paper titled *The Natural Choice – securing the value of nature* (Defra 2011) provides a series of commitments from the authors. It is recognised that for many people, a sense of tranquillity contributes to their enjoyment of the natural environment. The following commitment is detailed in the document and specifically relates to quiet areas:

- We will work with local authorities to establish mechanisms for formally identifying and protecting urban Quiet Areas, so that people living in cities can benefit from access to areas of relative quiet for relaxation and contemplation.

National Planning Policy Framework

The Department for Communities and Local Government (2012) state that planning policies and decisions should aim to identify and protect areas of tranquillity. Areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason. It should also be noted that the National Planning Policy Framework also includes the provision for designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances. It may be that these two aspects of the framework combined would assist in the identification and designation process of quiet areas.

Public Health Outcomes Framework

The Department of Health (2012) document provides a series of indicators for public health. Noise is considered as one of these being identified as a 'placeholder' indicator – having regards to the number of complaints received per local authority and the proportion of the population exposed to transport noise levels.

Public Health White Paper

This paper *Healthy Lives, Healthy People: Our strategy for public health in England* (Department of Health 2010) comments that the quality of the environment around us also affects any community. The paper makes reference to the importance of noise and the availability of

green and open spaces, amongst other factors, as influencing the health and wellbeing of the local population.

Joint Strategic Needs Assessment - BHCC

Section 6.4.10, titled Noise Pollution, of the Joint Strategic Needs Assessment Summary 2012 states:

'The Noise Action Plan for the Brighton Agglomeration was produced by Defra in 2010. This identifies priority areas for action. The City Council have trialled a "Noise Action Plan Support Tool" & reported the findings to Defra.

In response to the noise maps, the City Council are currently working with Environmental Protection UK & Defra advisors on designating some local open spaces as 'quiet areas'.'

Equality and Inclusion Policy - BHCC

Quiet areas policy can also be linked to BHCC's Equality and Inclusion Policy (2012) which replaces the Single Equality Scheme which intends to provide better access to public spaces.

Quiet Areas

The need for Quiet Areas

In 1996, the European Commission published a Green Paper on Future Noise Policy. The paper claimed that around 20% of the population of the European Union, i.e. 80 million people, suffer from environmental noise levels that health experts and scientists consider unacceptable. A further 170 million people live in so-called grey areas, where noise levels are such as to cause annoyance during daytime (Penn 2002).

With increased traffic levels on roads, rail and in the air some areas are experiencing more noise – which is reaching levels that could affect our quality of life and health. The European Union (EU) adopted legislation which aims to avoid, prevent or reduce, on a prioritised basis, harmful effects due to exposure to environmental noise - the Environmental Noise Directive (END) (Environmental Protection UK 2010).

Nelson (1987) comments that research has consistently shown that transportation noise not only affects the users of transportation systems but also affects the quality of life and activities of people when they are passive observers of the transportation process. By comparing the reactions of people living in different types of noise environments it is found that high transportation noise levels are associated with adverse effects on communities.

Cridland (2007) reports that Environment Minister Jonathan Shaw said “Noise is an inescapable fact of modern life but we need to do what we can to manage it. A great deal has already been done to reduce noise from transport and industry but we need to build on and continue this work. These maps are part of that process and will enable us to better understand noise and deal with it.”

Defining Quiet and Quiet Areas

Research in the UK in defining and identifying quiet areas has principally been conducted to assist with the requirements under the Environmental Noise Directive (Directive 2002/49/EC) which defines quiet areas as being:

"quiet area in an agglomeration" shall mean an area, delimited by the competent authority, for instance which is not exposed to a value of L_{den} or of another appropriate noise indicator greater than a certain value set by the Member State, from any noise source.

"quiet area in open country" shall mean an area, delimited by the competent authority, that is undisturbed by noise from traffic, industry or recreational activities.

This definition is broad and as such has been interpreted by different researches in different ways. In the paper produced by Botteldooren and De Coensel (2006) it is stated that a quiet area is generally defined as an area that is quieter than the surrounding region and has a psychological restoring effect on people visiting it. Although this statement is provided as a general definition by the authors it is also acknowledged that a clear and objective definition of what

constitutes a quiet area and how its quality can be assessed has not been developed.

Morgan et al. (2006) determine that research into defining, identifying and appreciating the benefits of preserving quiet or relatively Quiet Areas in urban areas covers an array of fields including health, physical and psycho-acoustics, environmental psychology. The authors continue to comment that an important aspect of the research carried out into Quiet Areas has been to establish the positive effect natural sounds have on health and well-being.

As identified in the report produced by the Symonds Group in 2003 'quiet' implies the absence of sound indicated by low noise levels and having regard to this it would be fair to assume that it should be possible to describe and define a quiet area using purely acoustic terms and quantities. However, the authors continue to comment that if the purpose of quiet areas is to provide areas that act as peaceful places that are areas for users to relax and enjoy there will be the requirement to consider other environmental qualities, such as land use or visual attractiveness, into the description of the area. The authors summarise by questioning whether a broader concept should be considered in terms of quiet areas and if so the process of defining and assessment such areas would need to encompass other important factors that might contribute to the overall perception of an area.

The URS/Scott Wilson (2011) report provides information on approaches taken to identify quiet areas and separates these into the following four categories:

- Quantitative methods based on noise levels – using measured and/or predicted levels and relate to absolute or relative quiet.
- Quantitative methods based on location or distance from major noise sources
- Subjective methods based on users identification with the use of quiet areas
- Subjective methods based on audibility of acoustic features, natural sounds

Having regard to the above approaches for the purposes of the project URS/Scott Wilson suggest the use of a subjective definition of quiet (as this is often left open to the respondents interpretation) and propose the following key defining points:

The sound quality test – natural sounds are audible and not masked by man-made sounds

The relatively quiet test – the area is noticeably less noisy than its surrounding areas

Potential use – an area users choose to visit due to its quiet nature

Potential use – an area used for quiet activities

In 2008 Scott Wilson, commissioned by Westminster City Council undertook a tranquillity study of 20 open spaces within the area of Westminster. The study developed a tranquillity rating system using both questionnaires and acoustic measurements. Overall no strong correlation between tranquillity score and noise level was seen. Analysis of the findings showed that positive visual factors are of equal or greater importance than noise factors when defining tranquillity. This research reinforces the importance to consider factors other than quiet when assessing and identifying quiet areas.

The European Commission's Working Group – Assessment of Exposure to Noise (WG-AEN) (2006) recommends that, whilst it is recognised that a quiet area in an agglomeration could be determined by an indicator such as Lden, other criteria may need to be used. In addition, it may be that the use of absolute levels, in any indicator, is not appropriate for the assessment of quiet areas. It is apparent that the European Commission acknowledge that acoustic measurements need to be considered in conjunction with other factors.

Selection of suitable areas

Initially 9 areas were selected, these were identified geographically with the assistance of the project group and the Parks and Countryside Manager at BHCC. A variety of areas were purposely selected to provide some very urban areas and others more rural.

The following open spaces were initially selected:

Duke's Mound – opposite Volks railway stop
 Easthill Park Portslade – walled garden – Green Flag
 Kipling Gardens – Green Flag
 Preston Park – walled garden – Green Flag
 Queens Park – quiet garden
 Royal Pavilion Gardens – bench near to New Road (mixed use space)
 Saunders Park – community garden area
 St Nicholas Church Gardens – play park and community garden section
 Withdean Park – bog garden

Following assessment of the online survey two further spaces were identified for assessment.

Preston Park – rose garden – Green Flag
 St Ann's Well – sensory garden – Green Flag

Methodology

Bottledoren (2012) proposes a model of a combination of three dimensions: mental worlds - sensory input – physical world that he names Triangulation to measure soundscape:

- 1- measuring persons - questionnaires, surveys
- 2 -measuring with people in place - analyses of narrative, deep interview
- 3- measuring sound - recording, acoustic measuring

Following recognition both the above method and of previous research methods undertaken in similar studies, three methods were selected.

Online survey – an online survey was developed by Environmental Protection UK using Survey Monkey with input from all other project partners. The aims of the survey were to find out why people in Brighton and Hove visit open spaces, which open spaces visitors and people living and working in the city visit for quiet and their views on quiet space in the city. Questions were linked as much as possible to the face-to-face surveys as well as to the policy relating to the research.

Face-to-face survey/interviews – the face-to-face survey was developed by project partners using surveys previously used in research on quiet areas – including a 'Value of Quiet' survey that was used in Westminster. Adjustments were made following a small trial. It was developed having regard to the fact that the majority of the surveyors were volunteers. The survey aimed to determine people's reasons for visiting a particular open space, how they perceived any noise and sound affecting it, and how this impacted on their enjoyment of the space. A copy of the survey and explanatory notes can be found in appendix 2.

Noise monitoring (including soundscape assessment) – static measurements to provide a level within the area and a walk round monitoring route to give an understanding of the levels that users may be exposed to when approaching the area. The main purpose of the measurements was to benchmark the subjective findings from public surveys. During static monitoring constant note taking of the soundscape heard was recorded.

Results

Online Survey

- There were areas identified by open space users that were not considered in the project

- Three main reasons people visit open spaces in Brighton and Hove are, in descending order of importance:
 1. Exercise/fitness
 2. Connection with nature
 3. Escape hustle and bustle
- Although not identified as one of the main reasons, almost 90% of respondents visit an open space or park in Brighton and Hove to find peace and quiet.
- Some open spaces are considered very special despite small numbers of respondents.
- The top 5 open spaces considered, by respondents, to be the most special are:
 1. Hollingbury and Bursted Woods
 2. Undercliff Walk
 3. St Ann's Well Gardens
 4. Kipling Gardens
 5. Queens Park
- The majority of respondents were female and in the age group 35-50 years
- Most respondents lived within the Brighton Agglomeration area

Face-to-face Surveys

- The most likely reasons of importance for people to visit open spaces are connection with nature, visual appeal and escape from hustle/bustle.
- The most common factors to spoil enjoyment in open spaces are verbal abuse/physical threat, litter and smell.
- Considering all areas together participants generally reside in locations that are quieter than the open space they choose to visit.
- Depending on the source of a noise people will tolerate noise in open spaces for differing durations, ranging from no time at all to 60 minutes.
- Most respondents feel that an area should be quiet for between 50-80 per cent of the time for it to be considered a 'quiet area'.
- Most of those asked regard quiet as being important to them all the time.

Noise Monitoring

- Royal Pavilion Gardens and Withdean Park demonstrate the largest sound level difference (18 dB(A)) between monitoring carried out within and outside of the areas.
- Monitoring carried out within and around Queens Park demonstrates that this area has the smallest change in recorded sound levels.

- Frequency data from all areas shows that a similar frequency range is recorded both within and outside the selected areas.
- The frequency data mainly constitutes low frequency noise likely to be traffic noise in all locations.
- The measurement method selected for the external walk round has been demonstrated to provide a representative measurement.

Soundscape

- In all areas traffic noise was audible
- Sounds specific to certain areas were present
- Seagulls were also heard in most locations

Conclusions

The areas that would be most suitable to be designated as quiet areas, having regard to all the information available would be Queens Park – Quiet Garden, St Ann's Well Gardens and Kipling Gardens as well as the potential for Royal Pavilion Gardens.

Having regards to the triangulation method identified by Botteldooren (2012) it is fair to comment that the assessment methods selected fit within this method. This method provides a good overall measurement procedure taking into account both subjective and acoustic measurement.

The triangulation method of assessment in relation to quiet areas provides a good overall measurement procedure taking into account both subjective and acoustic measurement.

This method could be implemented by other local authorities, and taking into account the limitations of the project, could be successfully implemented to identify and possibly determine quiet areas.

Acoustic measurements alone would not be suitable for identifying and assessing quiet areas.

Public engagement is essential to ensure that areas selected for investigation are used frequently.

Areas that may be acoustically quiet are not necessarily the ones that open space users visit for quiet.

The public engagement aspects of the project have led to a large amount of data that has been required to be interpreted, however, some of this has proved invaluable to the project.

The majority of respondents want to see a reduction in traffic noise affected the open spaces that were investigated.

Following consultation with the planning department at Brighton and Hove City Council it has been confirmed that quiet area and preservation of such areas will be considered within the next local planning policy document.

Quiet areas may not be the most suitable name to use for these open spaces, the definition provided in the END is not suitable.

Proposed areas

The research undertaken has demonstrated that many factors influence people's use of open spaces. Considering the information collected it would be fair to consider areas that users perceive as being peaceful/quiet/tranquil as those that should be considered as being designated as quiet spaces.

Queens Park – Quiet Area

There was confusion over the location of the selected area in Queens Park. The Quiet Garden was a very obvious choice for the project, however, some of the surveys undertaken were not carried out within this area. For this reason for the purposes of discussion it is considered appropriate to take into consideration the park as a whole.

Queens Park itself is made up of several separate areas, there is a playground, a large pond and a wild garden as well as the quiet garden. Ironically the quiet garden is located on the edge of the Queens Park adjacent to a residential road. Although the road is not especially busy, whilst undertaking monitoring and surveys it was noted that traffic noise was audible within the quiet garden. Many people visited the park do so for several reasons and it should be recognised that on several visits to the quiet garden there was a range of users observed including a family with small children and individuals reading books or doing yoga.

Queens Park was considered as the fifth most special area, out of 18 by the respondents of the online survey. This area ranks fairly high and out of the areas that were considered for the project purposes Queens Park is ranked third out of eleven.

The face-to-face survey results demonstrated that 82 per cent of those asked felt that the area was quiet most of the time. This is a high percentage and recognises that those who visit the area are aware of the quiet noise levels within it.

Noise monitoring carried out within and around Queens Park demonstrates that this area has the smallest change in recorded sound levels within and around the park. The level recorded within the area was the second lowest at 49 dB (A) and the external level monitored as 57 dB (A) equal lowest with Easthill Park.

Queens Park is a multifunctional area that can be used by a large range of various people for many different purposes. The quiet garden is already publicised as such and is therefore a place where people go to purposely seek peace and quiet. Considering this aspect and taking into account the above evidence obtained through the differing research methods Queens Park Quiet Garden should be considered for designation as a Quiet Area.

Kipling Gardens

Kipling Gardens are of historical interest and attract visitors for this reason. There are also two schools located nearby and on several occasions visiting the gardens school children and their parents were making use of the space. Kipling Gardens are located in the heart of the village of Rottingdean, on the outskirts of Brighton. The green space management of Kipling Gardens is excellent, having been observed by both surveyors and being mentioned within several survey responses. Kipling Gardens are made up of several areas contributing to the gardens as a whole.

Out of the 18 open spaces provided to online survey participants Kipling Gardens was considered as fourth most special and the second most special of the areas considered for the project. Half of the participants of the online survey considered this area to be very special. This was the highest percentage of all areas that were assessed for the purposes of the project.

Eight out of the 14 persons questioned commented that they are attracted to the area of Kipling Gardens because of quiet. The highest percentage of respondents, 71 per cent rated the sound quality of Kipling Gardens as being very good. One third of respondents felt that the area is quiet all of the time. These factors lead to the belief that quiet is especially important to the visitors of Kipling Gardens.

Kipling Gardens has a low monitored noise level within the open space, 49 dB (A) with a considerable higher external level monitored at 65 dB (A). Showing a fairly significant difference of 16 dB (A). The gardens are located at the centre of a one way system and although fairly low noise levels were recorded the soundscape recorded at the time of visits recognises that traffic noise is regularly noticeable.

Considering this open space is regarded as being particularly special by many participants and having regard to other quiet related aspects, Kipling Gardens is being considered as an open space suitable for designation as a quiet area.

St Ann's Well – Sensory Garden

St Ann's Well Gardens are located within a residential area of Hove, surrounded by domestic properties and minor roads. The council website comments that there is a wide range of native and exotic trees giving the gardens their unique character and providing shelter and tranquillity for wildlife (BHCC ca. 2012). Included in the gardens is a Sensory Garden that was specifically developed and designed for the visually impaired, this area was selected to be assessed.

St Ann's Well was an additional area that was included in the project following the results online survey. The online survey demonstrated that St Ann's Well was the area considered as most special out of the ones that were assessed. 52% of respondents considered the area as being very special. Respondents also identified that the Sensory Garden was particularly special.

Face-to-face survey results demonstrated that Majority of people said they value the park for reasons including natural features, trees and wildlife and recreational usage. The top three importance reasons were provided as escape, rest/relaxation and visual appeal. Of the people asked 87 per cent described the noise and sound environment of St Ann's Well Gardens being very good or good. 75 per cent of respondents felt that the area was quiet most of the time.

Noise monitoring results demonstrated that a difference of 11 dB(A) between levels monitored within and around the gardens. The monitored level within the area was 49 dB(A), comparable to Kipling Gardens and Queens Park. This supports the face-to-face survey results that showed that respondents visited the area for escape and rest/relaxation.

Having regard to the answers and opinions that have been received from respondents of both the online and face-to-face surveys it has

been demonstrated that St Ann's Well Gardens should be designated as a quiet area.

Possible – Royal Pavilion Garden

Royal Pavilion Gardens is a central city open space that houses the Royal Pavilion. As such this area is frequently visited by those who are resident to the City, are employed locally or are tourist. There were a large amount of face-to-face surveys collected for Pavilion Gardens this could indicate several matters – that there are a lot of visitors to the area, that those questioned wanted to participate in the survey or that the surveyors favoured this area over others. Royal Pavilion Gardens scored fairly high on the online survey and was considered to be very special by 37.5%, ranking the area as 9th out of the 18 areas that were provided.

Successful responses to the face-to-face survey were obtained with relative quiet and escape from hustle and bustle both falling within the top three reasons for people to visit the area. The majority of respondents to the face-to-face survey reside in areas that are exposed to higher noise levels than Royal Pavilion Gardens. The majority of those question felt that Royal Pavilion Gardens is quiet most of the time, demonstrating the perception of the quietness of the space.

Noise monitoring results demonstrate that there is a large difference, 18 dB (A) between the noise monitored within the area and the monitored level in the surrounding area. This difference was equal to that of Withdean Park, which is located next to main London Road,

Patcham. This difference supports the fact that respondents visited this area to escape the hustle and bustle of the City. Although the online survey results may not have indicated this for potential designation both the face-to-face survey and noise monitoring suggest otherwise.

Considering all of these factors it has been determined that Royal Pavilion Gardens is visited frequently by many people for them to seek peace and quiet and for this reason it is felt that this area would be suitable for designation as a quiet area.

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Subject:	Communal Refuse Collection in Hanover, Elm Grove		
Date of Meeting:	27th March 2013		
Report of:	Strategic Director, Place		
Contact Officer:	Name:	Jan Jonker	Tel: 29-4722
	Email:	jan.jonker@brighton-hove.gov.uk	
Ward(s) affected:	Hanover & Elm Grove		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 At the previous Committee Meeting on the 6th of February a report was presented detailing the outcome of the consultation on communal refuse bins in the Hanover and Elm Grove Area. The outcome of the consultation was very close and a petition, signed by 414 people, was received against the introduction of communal bins as a result of which a decision on implementation was delayed until after a further public meeting.
- 1.2 The public meeting was held on the 5th of March. Having considered the consultation the petition and the feedback received at the public meeting it is not proposed to change the service. This report sets out the background and is for information only.

2. RECOMMENDATIONS:

- 2.1 That the Committee notes the outcome of the consultation in relation to the proposed communal refuse bins in Hannover and Elm Grove and agrees not to proceed with extending the scheme in this area.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 In Hanover and Elm Grove refuse is collected in black refuse sacks, or to a lesser extent contained in 'Binvelopes'. Most properties do not have storage for a wheelie bin. Refuse sacks are prone to being ripped open by wildlife even when put out on the correct collection day. Split sacks result in litter strewn streets.
- 3.2 Following discussions with Ward Councillors and the local LAT about the problems associated with the lack of refuse containment residents were consulted on proposals to introduce communal refuse collection. The details of the consultation process were presented to committee at the meeting on the 6th February 2013.
- 3.4 44% of residents responded to the consultation and the results were very close with 48% for communal refuse bins and 46% against. In light of these results and the petition received against communal containers a decision on the scheme was deferred until after a public meeting. The meeting was held on the 5th of March where the issues for and against communal containers were discussed. The meeting was well attended with over 100 residents. The majority of people were not in favour of the scheme.
- 3.5 In light of all the information it is proposed that the existing service remains in place. Residents will be written to, to confirm the outcome of the consultation and the decision of the Committee.
- 3.6 The communal containers that were being considered for the scheme are smaller than the bins used elsewhere in the city. They would have been collected using the existing collection vehicles that already collect the black sacks. Therefore there are no implications in terms of capital investment or revenue costs if this area is not included in communal refuse containment and no implications on the viability of the existing communal bin service in the city centre.
- 3.7 Communal containers are in place in Washington Street and Coleman Street as part of a trial. Residents in these streets will be written to and asked whether they want to retain the bins or revert back to black sack collections.

4 FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 4.1 There are no financial implications arising from the recommendation in this report. The proposed scheme would have used existing fleet and therefore retaining the current service has no capital or revenue implications.

Finance Officer Consulted: Jeff Coates

Date: 13/03/2013

Legal Implications:

- 4.2 The proposals in this report recommend no change to the current arrangements following consultation. In carrying out consultation the Council is under a general duty to ensure that any consultation is fair. This means that it must be carried out

when proposals are being formulated, that adequate time and information about proposals must be given to consultees to ensure that they can provide a proper response, and that any consultation responses must be properly considered in reaching the decision.

Lawyer Consulted:

Elizabeth Culbert

Date: 140314

Equalities Implications:

- 4.3 No change is proposed to the service. Residents who have difficulty accessing the refuse collection service will continue to receive assisted collections.

Sustainability Implications:

- 4.4 None - there is no change to the service.

Crime & Disorder Implications:

- 4.5 There are no implications for crime and disorder.

Risk and Opportunity Management Implications:

- 4.6 None - there is no change to the service

Public Health Implications:

- 4.7 None - there is no change to the service

Corporate / Citywide Implications:

- 4.8 None

5. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 5.1 Options for refuse containment in this area are limited. Binvelopes have been trialled but have not been very successful for reasons set out in the body of this report.

6. REASONS FOR REPORT RECOMMENDATIONS

- 6.1 The recommendations are based on the outcome of the consultation.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None