



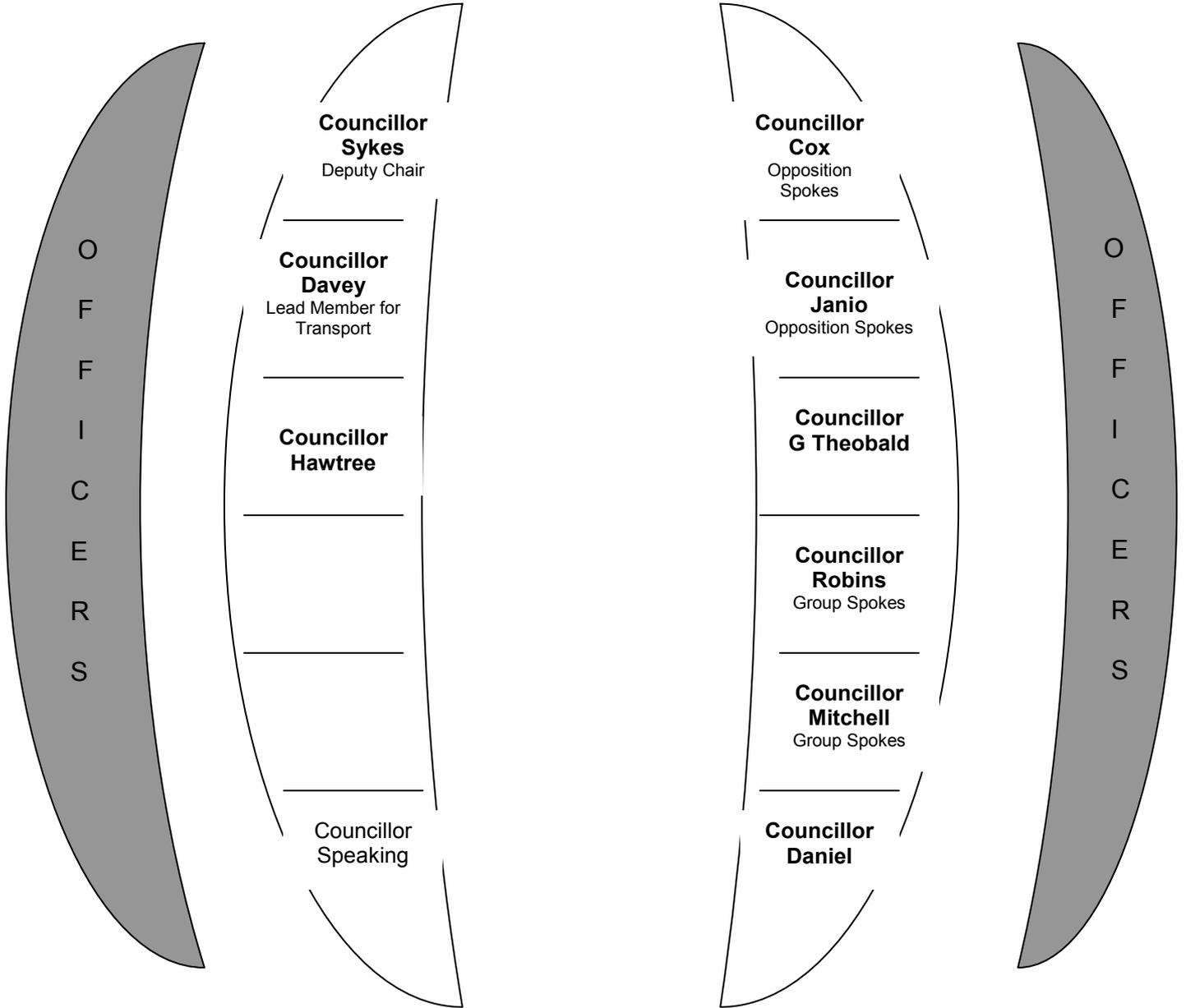
**Brighton & Hove  
City Council**

# Environment, Transport & Sustainability Committee

Title:	<b>Environment, Transport &amp; Sustainability Committee</b>
Date:	<b>14 January 2014</b>
Time:	<b>4.00pm</b>
Venue	<b>Council Chamber, Hove Town Hall</b>
Members:	<b>Councillors:</b> West (Chair), Sykes (Deputy Chair), Cox (Opposition Spokesperson), Janio (Opposition Spokesperson), Mitchell (Group Spokesperson), Robins (Group Spokesperson), Daniel, Davey, Hawtree and G Theobald
Contact:	<b>John Peel</b> Democratic Services Officer 01273 29-1058 john.peel@brighton-hove.gov.uk
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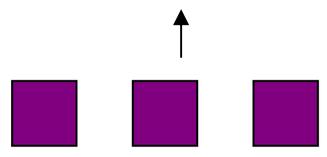
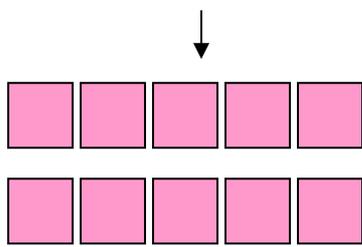
# Democratic Services: Environment, Transport & Sustainability Committee

Legal Officer	Executive Director Environment, Development & Housing	<b>Councillor West</b> Chair	Democratic Services Officer
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Public Speaker	Public Speaker
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Public Seating



Press

AGENDA

PART ONE

Page

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**59. 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.*

**60. MINUTES**

**1 - 12**

To consider the minutes of the meetings held on 26 November 2013 (copy attached) and 11 December 2013 (copy to follow).

Contact Officer: John Peel

Tel: 29-1058

## TRANSPORT COMMITTEE

### 61. MINUTES OF THE PREVIOUS MEETING OF THE CITY SUSTAINABILITY PARTNERSHIP (FOR INFORMATION) 13 - 18

Minutes of the previous meeting held on 21 November 2013 (copy attached).

### 62. CHAIRS COMMUNICATIONS

### 63. CALL OVER

- (a) Items (67 – 76) 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.

### 64. 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.
  - (i) Coach parking Roedean- Victor Mower
- (b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 6 January 2014.
- (c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 6 January 2014.

### 65. ITEMS REFERRED FROM COUNCIL 21 - 22

Item referred from the last meeting of Full Council held on 12 December 2013 (copy attached).

- (a) **Petitions:** To receive any petitions referred from Full Council
  - (i) 20mph limit on Medina Terrace, Kings Esplanade and St Aubyn's South- Councillor Hawtree
  - (ii) Parking in Grenadier, Hangleton- Councillor Janio

### 66. MEMBER INVOLVEMENT 23 - 24

To consider the following matters raised by Members:

## TRANSPORT COMMITTEE

- (a) **Petitions:** To receive any petitions referred from Full Council or submitted directly to the Committee;
- (b) **Written Questions:** To consider any written questions;
  - (i) Driving and parking on the pavement- Councillor Cox
  - (ii) Road Safety at the junction of Church Road, New Church Road, Sackville Road and Hove Street- Councillor Hawtree
- (c) **Letters:** To consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

### 67. FEES AND CHARGES 2014/15 25 - 44

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Ward Affected: All Wards*

## TRANSPORT & PUBLIC REALM MATTERS

### 68. LOW EMISSION ZONE - CENTRAL BRIGHTON 45 - 58

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Paul Nicholls*

*Tel: 29-3287*

*Ward Affected: All Wards*

### 69. OLD TOWN TRANSPORT PLAN 59 - 66

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Tom Campbell*

*Tel: 29-3328*

*Ward Affected: Regency*

### 70. 'THE COMMON ROOM' (ANN STREET/PROVIDENCE PLACE) – RESULTS OF PUBLIC CONSULTATION AND NEXT STAGES 67 - 94

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Alan Buck*

*Tel: 29-2287*

*Ward Affected: St Peter's & North Laine*

## TRANSPORT COMMITTEE

### 71. SURREY STREET LOADING BAY TRAFFIC REGULATION ORDER 95 - 100

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Tom Campbell Tel: 29-3328*  
*Ward Affected: St Peter's & North Laine*

### 72. VOGUE GYRATORY IMPROVEMENTS 101 - 112

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Robin Reed Tel: 29-3856*  
*Ward Affected: Hanover & Elm Grove;*  
*Hollingdean & Stanmer;*  
*Moulsecoomb &*  
*Bevendean; Preston*  
*Park; St Peter's & North*  
*Laine*

## ENVIRONMENT & SUSTAINABILITY MATTERS

### 73. STANMER PARK – PERMISSION TO CONSULT ON MASTER PLAN IN PREPARATION FOR HERITAGE LOTTERY FUND GRANT APPLICATION 113 - 120

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Jan Jonker Tel: 29-4722*

### 74. EAST BRIGHTON PARK PROPOSALS FOR A CONTROLLED PARKING SCHEME 121 - 132

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Jan Jonker Tel: 29-4722*  
*Ward Affected: East Brighton*

### 75. INTRODUCTION OF LICENSE SCHEME WITH CHARGES FOR FITNESS TRAINERS USING PUBLIC GREEN SPACES 133 - 156

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Jan Jonker Tel: 29-4722*

## TRANSPORT COMMITTEE

*Ward Affected: All Wards*

**76. BRIGHTON MARINA TO RIVER ADUR FLOOD AND COASTAL EROSION RISK MANAGEMENT STRATEGY** **157 - 172**

Report of the Executive Director of Environment, Development & Housing (copy attached).

*Contact Officer: Martin Eade*

*Tel: 294568*

*Ward Affected: All Wards*

**77. ITEMS REFERRED FOR FULL COUNCIL**

To consider items to be submitted to the 30 January 2014 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](http://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 29-1058, email [john.peel@brighton-hove.gov.uk](mailto:john.peel@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

Date of Publication - Monday, 6 January 2014



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

**4.00pm 26 NOVEMBER 2013**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors West (Chair) Sykes (Deputy Chair), Cox (Opposition Spokesperson), Janio (Opposition Spokesperson), Mitchell (Group Spokesperson), Robins (Group Spokesperson), Daniel, Davey, Hawtree and G Theobald

**Also in attendance:** Councillor Wealls

**PART ONE**

**40. PROCEDURAL BUSINESS**

**40(a) Declarations of substitutes**

40.1 There were none.

**40(b) Declarations of interest**

40.2 There were none.

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

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

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

**41. MINUTES**

41.1 **RESOLVED-** That the minutes of the previous meeting held on 8 October 2013 be approved and signed as the correct record.

**42. MINUTES OF THE PREVIOUS MEETING OF THE CITY SUSTAINABILITY PARTNERSHIP (FOR INFORMATION)**

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

**43. CHAIRS COMMUNICATIONS**

- 43.1 The Chair provided the following communications:

“Along with members of the council’s Sustainability Team I recently joined a study visit to Eindhoven in the Netherlands. The EU funded visit was organised through the CASCADE program and brought together representatives of medium sized “Euro-cities” to consider renewable energy opportunities. Eindhoven is the research and development capital of the Netherlands and we were impressed by a range of initiatives we saw which are contributing not only to economic prosperity but also building a zero carbon future for the city. We visited a biomass combined heat and power plant fuelled by locally produced wood chips that is providing energy to industrial areas and 2000 homes. We also saw an innovative application storing energy as heat within an aquifer. I was also particularly impressed by a software application the city has developed which uses satellite images to calculate the solar power potential of every single roof in the city. This powerful tool offers residents and businesses the opportunity to check for themselves how much they could be earning from a solar installation on their roof.

Eindhoven hopes this will unlock the massive solar potential of the city and I am keen we look closely at this possibility for Brighton & Hove too.

I’m very pleased to say that two of our schools, Carden Primary and Downs Infants have been awarded Eco-school Green Flags for their work on sustainability. We now have 14 Eco-schools with the hope more will joining the fold soon.

I’m also very pleased to welcome the new community composting scheme that has just been launched at Stoneham Park. This is the 26<sup>th</sup> community composting scheme in the city, which together are now supporting low carbon local food waste composting for hundreds of households in the city.

I also wish to celebrate another outstanding achievement by the Brighton Energy Co-op which has raised more than £200,000 in just 3 weeks for their new project to install solar on 7 buildings in Brighton & Hove and realising more than 500 KWhr of new solar PV capacity. This will substantially add to the BECs existing installations in the city, trebling the size of their operation. They aim to raise £616,000 to fund these systems by selling shares in the project.

And finally, as Christmas approaches and we all start thinking about what gifts we might be giving; I would like to give a plug to Fair Trade Christmas Shopping Day which will be happening this Saturday 30 November. Shoppers are being offered the opportunity to hunt for their perfect Christmas gifts at six Fair Trade venues across the city. There will be refreshments, raffle prizes and the launch of Fair Trade Brighton & Hove’s film ‘A Fair Trade Journey: India to Brighton’. I hope we will all wish to support this”.

**44. CALL OVER**

44.1 The Chair informed the meeting that Item 49 on the agenda 'Brighton & Hove 20mph limit phase 2- results of public consultation' had been deferred to a special meeting of the Committee to be held on 11 December 2013.

44.2 All items on the agenda were reserved for discussion.

## 45. PUBLIC INVOLVEMENT

### (a) Petitions

#### (i) Park Crescent/Park Terrace CPZ- Sarah Smith

45.1 The Committee considered a petition signed by 156 people requesting that Park Crescent and Park Crescent Terrace be included in CPZ Zone Y as a matter of urgency.

45.2 The Chair provided the following response:

"Thank you for your Petition and for bringing this to our attention. I understand that you have met with officers and Councillor Davey, Lead Councillor for Transport, to discuss this matter and I confirm that your views will be taken into consideration.

There will be a consultation in Spring next year with residents in your area on the detailed design of new parking scheme proposals. You and other residents along with your Ward Councillors will then have the opportunity to outline support or concerns with the proposals".

45.3 **RESOLVED-** That the petition be noted.

#### (ii) Vehicle access to Oxford Street from London Road- Ann Townsend

45.4 The petitioner was not present at the meeting therefore a formal response was provided in writing as follows:

"Thank you for your petition. For clarity, the existing, albeit trial arrangement does already restrict the left turn for motorists and delivery vehicles from London Road into Oxford Street.

This trial arrangement is long established and dates back to decisions of previous administrations. It was recently discovered that the trial arrangements had never been formalised by a traffic regulation order.

The proposed traffic order was advertised to enable the Council to obtain the views of interested parties and determine whether to formalise the existing "trial" arrangements or introduce amendments to it.

I am very glad that we have had a clear response which has demonstrated that there is support for not formalising the left turn from London Road into Oxford Street, and so the officer's recommendation to committee is now not to formalize the prohibition of left turns from London Road into Oxford Street.

The matter will be fully considered today by Members under item 51 of the agenda".

45.5 **RESOLVED-** That the petition be noted.

**(c) Deputations****(i) Pedestrian crossings in South Portslade- Rae Powers/Road Safety St Peter's School- Councillor Alan Robins**

- 45.6 The Chair stated that due to their similar subject matter, he intended to receive both of the above items consecutively and provide one response addressing both.
- 45.7 The Committee considered a Deputation that requested urgent pedestrian infrastructure improvements to the South Portslade area to improve safety issues in the area.
- 45.8 The Committee considered a letter from Councillor Robins that requested urgent improvements to the crossing facilities for St Peter's School.
- 45.9 The Chair provided the following response:

"I hope I can say I speak for all members of the committee when I acknowledge the concerns of parents and teachers over road safety on routes serving St Peter's School in Portslade. This concern I know is very much shared by officers of the Council too. At the last meeting of the Environment, Transport & Sustainability Committee in October, as Chair I received and acknowledged the 800+ strong petition from parents, teachers and governors, requesting crossing facilities or a school crossing patrol for Church Road near its junctions with North Street and St Peter's Road.

Following a verbal address to that meeting by Ms Powers, the petition spokesperson, I responded that I had met with officers from the road safety team and ward members to look at the situation. I also pointed out that the council assesses over 100 sites each year, many of them in response to residents concerns about road safety, and they are each considered carefully. I also said that Ms Powers request would be assessed too. Surveys of crossing movements had been undertaken in June 2013, following which detailed analysis had been carried out in accordance with the Council's formal assessment criteria, previously approved by the Council, in line with nationally recognised guidelines published by the Department for Transport. This is not a tick box exercise, but ensures we use resources effectively and fairly where they are most needed.

That analysis had indicated that there was insufficient crossing activity to support either a formal crossing facility or a School Crossing Patrol. However, despite this, and in appreciation of what had been said about rising numbers of pupils, I agreed that officers would revisit the site and carry out further surveys and analysis to assess the levels of road safety risk and to determine whether conditions had altered sufficiently for these criteria to be met.

It is important to note that the opportunity to introduce infrastructure measures in support of safer walking routes to St Peter's arose as a result of contributions made possible by planning gain following the expansion of St Peter's School to accommodate more pupils.

These funds were in the sum of £20,316 and during the summer the Council's road safety team installed 8 x sets of dropped kerbs on roads in the vicinity of the school; provided a section of pedestrian guardrail outside the entrance to the school on Brambledean Road; installed a calendar controlled electronic school warning sign located on Church Road (on its northbound side near the junction with the A259) and

constructed an additional pedestrian refuge on Station Road near its junction with Seaford Road.

The funds were not sufficient to cover the design and construction costs of all these measures and the shortfall of £5465 was met from the Council's Safer Routes to School project for 2013-14 bringing the total sum spent on safer routes to schools measures in the St Peter's school catchment area to £25,781.

I consider that these measures in conjunction with an updated School Travel Plan from the school go some way towards improving the walking environment. The results of further surveys, analysis will be reported at the January meeting of this Committee.

45.10 **RESOLVED-** That the items be noted.

45.11 The Chair stated that due to their similar subject matter, he intended to receive all three Deputations on parking in Preston Park North area consecutively and provide one response addressing all three.

**(ii) Residents Parking Scheme in Preston Park Station North area- James May**

45.12 The Committee considered a Deputation presented by James May that conveyed support for the proposed residents parking scheme in the Preston Park Station north area.

**(iii) Inclusion of Hazeldene Meads and The Beeches in the Resident Parking Scheme in Preston Park Station**

45.13 The Committee considered a Deputation presented by Pat Drake that requested the Hazeldene Meads and The Beeches be included in the proposed Resident Parking Scheme due to their concerns that they would be adversely affected should the scheme be implemented.

**(iv) Preston Park Station north area parking consultation- James Thompson**

45.14 The Committee considered a Deputation that requested deferral of any decision on the proposed Residents Parking Scheme in favour of a new consultation as there was no mandate to do so from the consultation results and the report recommended minor amendments that had not been consulted on.

45.15 The Chair provided the following response:

"Thank you all for your Deputations. These matters have been heard by the Committee and officers and will inform the discussion when report on this matter is discussed later in the meeting".

45.16 **RESOLVED-** That the Deputations be noted.

**46. ITEMS REFERRED FROM COUNCIL**

**(a) Petitions**

**(i) Sheep grazing on Ladies Mile Local Nature Reserve- Mrs Harvey-Verenne**

46.1 The Committee received a petition referred from Full Council signed by 90 people that expressed their opposition to sheep grazing on Ladies Mile Local Nature Reserve.

46.2 The Chair provided the following response:

“We are currently consulting on the future management of Ladies Mile Local Nature Reserve.

Along with historical and archaeological interest, the nature reserve also contains an important area of ancient chalk-grassland, which is a European priority habitat. Chalk grassland around the fringe of the city has been deteriorating over many decades, since grazing ceased in the 1930s, and it is important to manage the advance of encroaching scrub. Grazing has been proposed as we have found that this works really well on similar sites around the city and has proved popular with the public.

Early results from the consultation show that grazing would also be popular at Ladies Mile.

In a letter accompanying the petition, the petitioner has objected to grazing as dogs would not be able to be exercised off lead for 365 days a year. It is anticipated that most of the year there will be no sheep on site but when there are it will be grazed in sections. This means that there will always be half the site with no sheep on where dogs can be exercised off lead and the areas will be clearly signed.

I do not believe therefore that it will seriously compromise the suitability of the site for dog walking but it will increase the amount of rare downland flowers which will improve most people’s enjoyment of the site as well our conserve our natural heritage.”

46.3 **RESOLVED-** That the petition be noted.

**(ii) Removal of double yellow lines on Goodwood Way- Kristaps Aizupietis**

46.4 The petitioner was not present at the meeting to hear the response therefore, it was provided in written and is set out below:

“Thank you for your petition. Officers will investigate and assess this request and report back with their findings and recommendations to the next Environment, Transport & Sustainability committee”

46.5 **RESOLVED-** That the petition be noted.

**47. MEMBER INVOLVEMENT****(a) Petitions****(i) Kingsway taxi rank outside King Alfred- Councillor Wealls**

47.1 Councillor Wealls presented a petition signed by 12 people requesting the removal of the taxi rank positioned outside the King Alfred centre which was underused and was leading to inconsiderate parking.

47.2 The Chair provided the following response:

“Thank you for your petition and for bringing this to our attention. I also visited the site recently with officers to see the situation for myself  
Officers have consulted with the taxi trade and they have confirmed that this taxi rank is still required particularly if there are any new developments in this area.  
There is also pressure on the Council for rank space to avoid over-ranking and congestion. It has been outlined by the Licensing team that we need more ranks rather than less so as to help taxis and their passengers.  
Council officers will continue to monitor this taxi rank and if it is still not being used over the next six months we will consider making changes in the spring traffic amendment order”.

47.3 **RESOLVED-** That the petition be noted.

#### 48. SURFACE WATER MANAGEMENT PLAN

48.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that requested approval of the Surface Water Management Plan which would then be used to develop schemes to reduce the risk of flooding in the city. The Plan would also form part of the Local Flood Risk Management Strategy that the authority has a statutory duty to prepare.

48.2 Councillor Theobald stated that the risk of flooding was very high in his ward Patcham. Councillor Theobald noted that the dangers of flooding would only be removed by increasing pipe size or a pipe with an outlet to the sea and that proposals should be drawn up in the chance that funding became available in the future.

48.3 Councillor Mitchell noted the figures from revenue funding allocated to this point and asked which of the seven high risk locations identified were likely to require capital funding. Furthermore, Councillor Mitchell noted that many drains had appeared blocked during recent heavy rain and asked if gully and drain emptying was continuing.

48.4 The Head of Transport clarified there was a national standard of gully and drain clearance that the local authority had to adhere to. He supplemented that the current in-house arrangement required review which would be undertaken in the near future. The Transport Officer replied that use of the accrued revenue budget would be informed by the authorities discussions with the Environment Agency when bidding to draw down capital funding to support the schemes and that Members would be kept regularly updated.

48.5 Councillor Sykes asked if more passive measures of flood prevention were encouraged such as sustainable drainage.

48.6 The Transport Officer confirmed that passive measures were being used such as permeable paving, promotion of sustainable drainage and, from April 2014 planning applications will need to demonstrate how the development will manage surface water run-off to assist flood prevention.

48.7 **RESOLVED-** .

- 1) That Committee approves the Surface Water Management Plan to coincide with the publication of updated flood risk maps by the Environment Agency in December 2013.
- 2) That Committee authorises the Executive Director Environment, Development and Housing to commence local consultation on options for reducing flood risk at the locations identified in the Surface Water Management Plan as being at highest risk of flooding.

#### **49. DYKE ROAD PED & CYCLE FACILITIES: CONSULTATION RESULTS & PERMISSION TRO**

- 49.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that provided the consultation results regarding the introduction of walking and cycling facilities at Dyke Road between the junctions of Old Shoreham Road and The Upper Drive and sought permission to proceed with development of the proposals to the detailed design stage and advertising the necessary Traffic Regulation Orders.
- 49.2 Councillor Theobald stated that he was pleased the cycle route going northwards would go through the park and therefore minimise loss of parking space. Councillor Theobald requested officers monitor parking in the area to ensure parking capacity could be maximised.
- 49.3 Councillor Hawtree welcomed the proposals that he hoped would increase use of sustainable transport in the area and the gradual creation of a coherent cycle network.
- 49.4 Councillor Davey stated that although the proposals represented a small area, he welcomed the opportunity to create a safer cycling environment in a location close to Dyke Park, Cardinal Newman School and BHASVIC.
- 49.5 Councillor Mitchell stated her support for the proposals and hope that dialogue could progress with the local school and adjacent housing complex regarding parking issues.

#### **49.6 RESOLVED-**

- 1) That the committee notes the results of the informal consultation showing that 65% of those who responded to the consultation were in favour of the proposals overall and that 64% supported the introduction of cycle lanes/tracks.
- 2) That the committee grants officers permission to proceed with detailed design of the proposals and to advertise TROs required for scheme implementation.

#### **50. AREA A (PRESTON PARK STATION NORTH) RESIDENT PARKING SCHEME EXTENSION**

- 50.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that set out the results of the recent public consultation for a

proposed extension to the Area A Residents Parking Scheme and sought permission to proceed to the final design stage including the advertising of the relevant Traffic Regulation Orders of a stand alone Monday to Friday scheme.

- 50.2 In response to the public representations presented to the meeting, the Parking Infrastructure Manger clarified that the consideration of the scheme had been considerably thorough. There had been a high response to the consultation which had resulted in 50% of respondents in favour of the scheme and 50% of respondents against the scheme. The Parking Infrastructure Manager relayed that further analysis of the responses had clearly demonstrated that respondents both in favour and against the proposals had concerns about restrictions being applied at the weekend. On that basis, officers were proposing a stand alone Monday to Friday scheme to be advertised as a traffic order to allow further comments from residents. This proposal was supported by the ward councillors. The Parking Infrastructure Manager added that leaflets would also be sent to all residents making them aware of the proposals and the opportunity to respond to the traffic order.
- 50.3 Councillor Cox moved the following additional recommendation as shown in bold italics below:
- (d) That within 3 months of the implementation of the scheme, a formal review is undertaken to assess its impact in the Beeches, Hazeldene Meads, Withdean Road and Withdean Avenue, and bring back a report to the next Committee meeting thereafter.***
- 50.4 The Chair put the motion to a vote which was unanimously agreed.
- 50.5 Councillor Robins asked if the enforcement would be between 9am and 8pm, if new schemes would be offered similar options and if there was a chance residents in areas with existing parking controls may ask for a retrospective review of tariffs in their zones.
- 50.6 The Parking Infrastructure Manager confirmed that enforcement would be between 9am and 8pm.
- 50.7 The Chair added that members of the public could request a review of their parking scheme at any time and that Preston Park Triangle was currently being consulted on a similar scheme of options for a CPZ in their area.
- 50.8 Councillor Theobald asked if those living in Tivoli Crescent would be able to use their permits in Woodside Avenue.
- 50.9 The Parking Infrastructure Manager confirmed that residents would be able to do so.
- 50.10 Councillor Cox stated that this was a difficult decision for the Committee as the consultation had provided a 50/50 split in favour and against. Councillor Cox added that the compelling point of the consultation and proposals was that the ward councillors were in favour and they, ultimately, were the Members directly accountable in that area. Councillor Cox supplemented that the proposals were innovative however; he was concerned about the possibility of associated problem parking arising in Hazeldene Meads and believed that should be monitored carefully.

- 50.11 Councillor Davey stated his support for the proposals that he believed was a intelligent and considered response to those with concerns. Councillor Davey added that the proposals would also address parking in the cycle lane on Dyke Road which had been a problem for many years.
- 50.12 Councillor Hawtree stated his support for the proposals and that offered flexibility for residents.
- 50.13 Councillor Mitchell stated her support for the proposals and that special circumstances had been taken into account. Councillor Mitchell hoped that such an approach might be applied to other areas in future schemes.
- 50.14 **RESOLVED-** That the Transport Committee authorises the Executive Director Environment, Development & Housing to implement the following proposals:
- (a) That a new stand alone Monday to Friday Residents Parking Scheme in the Preston Park Station north area be progressed to the final design with the Traffic Order advertised to allow further comment.
  - (b) That double yellow lines in Withdean Road and Withdean Avenue be progressed to the final design with the Traffic Order advertised to allow further comment.
  - (c) That an order be placed for any required pay and display equipment to ensure implementation of the new proposed parking scheme (if agreed at a further committee meeting) is undertaken as programmed.
  - (d) That within 3 months of the implementation of the scheme, a formal review is undertaken to assess its impact in the Beeches, Hazeldene Meads, Withdean Road and Withdean Avenue, and bring back a report to the next Committee meeting thereafter.

## 51. OXFORD STREET TRAFFIC REGULATION ORDER

- 51.1 The Committee considered a report of the Executive Director of Environment, Development & Housing that addressed the comments and objections made in response to the advertising of a proposed Traffic Regulation Order in Oxford Street, Brighton.
- 51.2 Councillor Theobald enquired as to the level of opposition or support for the proposed prohibition of right turns into Oxford Street from London Road.
- 51.3 The Senior Project Manager said that relatively few responses related to this aspect of the Traffic Order – the primary concern amongst the local community was the restriction on left turn movements. On that basis, there was no strong reason to change the existing right turn restriction.
- 51.4 Councillor Davey welcomed the proposals and expressed his hope that it would hopefully see an improvement in the poor air quality standard in the area and the transport links in the area as a whole.

- 1) That, having taken account of all duly made representations and objections, the Environment, Transport and Sustainability Committee approves as advertised the Brighton & Hove (Oxford Street) (Bus Lane & Prohibited Turns) Order 201\* subject to the following amendment:

Delete Schedule 2, item 2 (prohibition of left turn from London Road into Oxford Street).

**52. ITEMS REFERRED FOR FULL COUNCIL**

- 52.1 No items were referred to Full Council for information.

The meeting concluded at 6.10pm

Signed

Chair

Dated this

day of



## **Notes of City Sustainability Partnership Meeting – 21 November 2013**

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

### **Present:**

#### *Public Services:*

Alistair Hill, (AH)

Phil Belden, South Downs National Park Authority (PB)

Zoe Osmond, University of Brighton (ZO)

#### *Community and Voluntary Sector:*

Chris Todd, Chair (CT)

Mark Strong, CVSF (MS)

Roger Carter, Brighton & Hove Wildlife Forum (RC)

Jess Crocker, Harvest Brighton & Hove (JC) – sub for Vic Borrill (Food Partnership)

#### *Business Sector:*

No attendees.

#### *Brighton & Hove City Council:*

Councillor Ollie Sykes (OS)

Councillor Pete West (PW)

Dean Austyn, Performance Analyst (DA)

Nick Hibberd, Head of City Regeneration (NH)

Thurstan Crockett, partnership manager (TC)

Sarah Jones, administrator and note taker (SJ)

#### *Observers*

Helen Walker, University of Brighton (HW)

Les Gunbie, Brighton Peace & Environment Centre (LG)

Peter Friedman, Fair Trade Steering Group (PF)

## **1. Introductions and Apologies**

1.1 Apologies were received from Cat Fletcher, CVSF; Danni Craker, Brighton & Hove Chamber of Commerce; Councillors Gill Mitchell and Tony Janio, Brighton & Hove City Council; Damian Tow, Brighton Energy Co-op; Geoff Raw, Brighton & Hove City Council; Mark Brunet, Blatchington Mill School.

Vic Borrill of the Brighton & Hove Food Partnership was represented by Jess Crocker of Harvest Brighton & Hove; Christine Gent of Fair Trade Brighton & Hove Steering Group was represented by Peter Friedman.

## **2 Minutes and Actions from last meeting**

2.1 The Minutes of the last meeting on 26 September 2013 were approved.

2.2 The Chair went through updates on the following actions from the last meeting.

- 5.3 Sustainable Transport feedback to the Food Strategy Action Plan had been awaited, and GR was to chase this. TC had been advised that a survey of households on shopping areas re. the Lewes Road scheme had been undertaken. MS raised the issue of freight deliveries in the city centre which he believed was a major issue, with an impact on local business. He asked that the Transport Partnership be kept informed.
- 5.4 All partners to consider joining the Food Partnership and to promote membership to their networks: this action had been noted and members were advised that it was an ongoing commitment.
- 5.7 VB had met Ian Parks of Coast 2 Capital LEP to discuss focus work on food production across Greater Brighton.
- 7.3.1 Proposed reconsideration of Wild Park designation: TC advised that the council was in the process of resolving the issue. PB asked for an update on this. Chair agreed that this would be given when PW arrived at the meeting.
- 8.3 Waste House presentation had been arranged for the next meeting in January 2014.
- 8.5 Green Deal delivery partner for Sussex presentation had been arranged for the next meeting in January 2014.
- 8.6 Suggestions for agenda items: Chair advised members that this was an ongoing invitation.

2.3 PW arrived at the meeting.

### **3 Coast 2 Capital European Funding Programme 2014-20 Consultation**

- 3.1 NH gave members a presentation on the Coast 2 Capital European Funding Programme 2014-20. He advised members that he was providing an overview of the Coast to Capital Local Enterprise Partnership's draft strategy for the funding programme, which formed part of the government's programme for economic growth. The presentation would be made available on the City Sustainability Partnership page on the council website.
- 3.2 NH drew members' attention to the fact that the Local Enterprise Partnership would not fund adaptation, environmental protection or sustainable transport, as these had not been prioritised by the Government.
- 3.3 In response to PB's request for clarification, NH advised that the LEP was consulting with area partners to respond to government.
- 3.4 MS questioned whether CVSF had been included in the consultation with area partners. NH confirmed that the decision had been made not to, due to the patchy CVSF representation across the partnership areas. MS voiced his concern about this and NH agreed to take this to the LEP. **Action: NH to**

**advise LEP members of CSP's concern at the decision not to include CVSF representation in the consultation with area partners.**

- 3.5 In response to a question from PW, NH confirmed that Low Carbon had a minimum 20% of ERDF allocation, totalling £5.6m over six years, with the potential to increase the allocation over the 6 year period.
- 3.6 HW made the point that Environmental Industries within the low carbon economy should be linked to the skills agenda.
- 3.7 PB was concerned that the rural economy would be dominated by commercial concerns within the Coast 2 Capital LEP due to the presence of the Gatwick Diamond within the partnership area.
- 3.8 NH recommended that the CSP responded to the consultation to raise their issues and concerns. He assured members that the council would feed back to the LEP all issues raised at the meeting. **Action: NH to feed back to the LEP all issues raised at the meeting.**
- 3.9 NH left the meeting.
- 3.10 **Action: TC to draft CSP response to LEP consultation. PB, JC, CT, OS, and HW to feed into the draft response to TC; and CT to submit it.**
- 3.11 DA arrived at the meeting.

**4 Green Growth Platform update - presentation**

- 4.1 ZO gave members a presentation to update them on the progress of the Green Growth Platform (GGP). The presentation would be made available on the City Sustainability Partnership page on the council website.
- 4.2 PW advised that ideas for projects for the GGP could be taken from his recent study trip to Eindhoven, where projects included satellite mapping the city's solar potential roof by roof, with an online search facility for individual roof PV potential and payback. The project cost 20,000 euros and had small business growth potential for local solar traders.
- 4.3 MS left the meeting.

**5 Renewable Energy Study Visit to Eindhoven**

- 5.1 TC updated the members on his recent study trip with PW and DT. He had circulated an update report to members before the meeting and this was available on the City Sustainability Partnership page on the council website.

5.2 Aquifer Thermal Energy storage project was identified as having potential for the local area. **Action: ZO would ask University colleagues for an update on the University of Brighton's project.**

5.3 ZO left the meeting.

## **6 Updates and Information**

### **6.1 Zero Carbon Behaviour Change Campaign**

6.1.1 TC advised that IO:IO and BPEC had been asked to submit a fresh proposal with a view to commissioning this, following the completion of the tender process, which saw no one awarded the work.

### **6.2 One Planet Living Leads and Board Meetings October 2013**

6.2.1 Notes of these meetings had been circulated to members before the meeting and were available on the City Sustainability Partnership page of the council website.

6.2.2 The Board Meeting had focused on the Zero Carbon Behaviour Change Campaign and the Leads Meeting had looked at successes in the SAP so far and identified that more communications was needed; this would be the focus of the next six months.

6.2.3 CT highlighted that a number of projects given red status in the RAG rating were process-led and therefore there were fewer projects failing outright than might be apparent. He did however warn that the city may well miss its CO<sub>2</sub> emissions targets next year.

6.2.4 PW recommended that the CSP remind council leadership to maintain their current focus on One Planet Living Sustainability Action Plan; ask them to make a statement of congratulations on the successes so far and urge that the momentum be maintained; ask them to get other parties to commit. PB & PF Fairtrade requested evidence of successes to target before agreeing to this. **Action: DA and TC to present performance against KPIs** at a following meeting.

### **6.3 Fairtrade Steering Group**

6.3.1 PF advised members that Ruth England had accompanied the Secretary of State for International Development to Cottesmore School to see the Fair Trade City film that Ruth had worked on with the school pupils.

6.3.2 PF told members about the Fairtrade Christmas Shopping Day on 30 November.

## **7 Any Other Business**

- 7.1 PB asked for an update on Wild Park from PW, who advised that following the convened panel meeting failing to follow clear guidance on Wildlife Site designation, its position on Wild Park was being overturned.
- 7.2 CT confirmed that funding was being sought for the Biosphere while UNESCO's decision was awaited and that the Partnership was developing project ideas for both before and after the decision.
- 7.3 LG advised members that all were welcome at the Hanover Action for Sustainable Living's AGM at 7.30pm that evening in The Hanover pub and community centre.
- 7.4 PB advised members that Defra was approving the recommendation to make Beachy Head West, the chalk shelf lying offshore between Eastbourne and Brighton, a Marine Conservation Zone (MCZ). He clarified that the estuaries of the Ouse and Cuckmere were not included in the MCZ.
- 7.5 Next meeting: **22 January 2014, 5pm-7pm in Committee Room 1, Brighton Town Hall.**



**Subject:** Petitions  
**Date of Meeting:** 14 January 2014  
**Report of:** Monitoring Officer  
**Contact Officer:** Name: John Peel Tel: 29-1058  
E-mail: john.peel@brighton-hove.gov.uk  
**Wards Affected:** Various

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 To receive 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) Coach parking Roedean- Victor Mower**

To receive the following petition signed by 159 people:

*We the undersigned request the council take urgent action to protect the residential streets of Roedean to include The Cliff, Cliff Road, Cliff Approach, Roedean Crescent, Roedean Way, Roedean Vale and Roedean heights by implementing a Traffic Regulation Order banning coaches and HGV's except for access. As local residents we are extremely concerned about the health and safety implications of coaches overspilling from their current unofficial parking on Roedean Road into our residential streets which are totally unsuitable for such*

*traffic. We recognise there is a wider debate about coach parking for the city however we urge the council to act now with this specific TRO to protect our streets before it is too late and a major incident occurs”*

**Subject:** Items referred from 12 December 2013 Full Council meeting- Petitions

**Date:** 14 January 2014

**Report of:** Monitoring Officer

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

**Wards Affected:** Various

**FOR GENERAL RELEASE**

**1. SUMMARY AND POLICY CONTEXT:**

1.1 To receive any petitions referred from the Full Council meeting of 12 December 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) 20mph limit on Medina Terrace, King's Esplanade and St Aubyn's South- Councillor Hawtree**

To receive the following petition referred from the meeting of Full Council on 12 December 2013 and signed by 121 people:

*"We the undersigned request the Council to set about making Medina Terrace, King's Esplanade and St Aubyn's South 20mph forthwith in order to increase road safety in itself and also improve their alignment with several cycle path junctions"*

**3. (ii) Parking in Grenadier, Hangleton- Councillor Janio**

To receive the following petition referred from the meeting of Full Council on 12 December and signed by 140 people:

*“We the undersigned have suffered far too long from the shambolic parking system in operation in the Grenadier area of Hangleton and support our Councillors Dawn Barnett and Tony Janio in their task of requesting council officers to design and implement a more robust solution to the traffic chaos”*

14 January 2014

Brighton & Hove City Council

**WRITTEN QUESTIONS**

**(i) Councillor Cox- Driving and parking on the pavement**

*“Ward councillors continue to receive complaints about cars being driven and parked on the pavement –in particular outside St Peter’s Church in Portland Road, and on the Kingsway outside the front of the King Alfred. This practice causes fear amongst vulnerable people using the footpath, and damages the pavement itself, causing trip hazards and expense to the Council.*

*It is widely believed parking and driving on the pavement is illegal. The Police advise that enforcement action can only be taken by parking wardens. The Council Parking Service advise that enforcement action can only be taken by the Police.*

*What action do the Council intend to take to deal with this matter?”*

**(ii) Councillor Hawtree- Safety on the junction of Church Road/New Church Road and Sackville Road/Hove Street**

*“Over Christmas, there was another collision- and terrible injury- at the junction of Church/New Church Road and Sackville Road/Hove Street.*

*This junction has long been problematic. It is neither an easy one for pedestrians in general nor for drivers who are turning right.*

*In the latter case, some make a bolt for it in that interval while the light is amber returning to red.*

*As councillor for one of the wards which meet at this junction, I should like this to be studied as part of the next Local Transport Plan, popularly know as LTP4, which will run from 2015, with preliminary work undertaken this year”*



<b>Subject:</b>	<b>Fees and Charges 2014/15</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Strategic Director, Environment Housing &amp; Development</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Steven Bedford</b>	<b>Tel: 29-3047</b>
	<b>Email:</b>	<b>Steven.Bedford@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

## **FOR GENERAL RELEASE**

### **1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is set out the proposed 2014/15 fees and charges for the service areas covered by the Environment, Transport and Sustainability Committee in accordance with corporate financial regulations and policy.

### **2. RECOMMENDATIONS:**

- 2.1 That Committee approves the proposed fees and charges for 2014/15 as set out within the report and its appendices.

### **3.1 CONTEXT/ BACKGROUND INFORMATION**

- 3.1.1 The Council's Corporate Fees & Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by either: the standard rate of inflation, statutory increases, or actual increased in the costs of providing the service as applicable.
- 3.1.2 The Budget Update and Process 2014/15 report approved at Policy and Resource Committee in July specified the assumption of a standard inflation increase in fees and charges of 2.5%. The council's Standard Financial Procedures states that service Committees will receive a report from Executive Directors on fees and charges variations above or below the corporately applied rate of inflation.
- 3.1.3 It is not always possible when amending fees and charges to increase by the exact inflation figure due to rounding issues. Therefore some fees and charges are rounded to the nearest round figure for ease of payment and administration.

### **3.2 CITY INFRASTRUCTURE**

#### **3.2.1 Allotments**

It is proposed to increase the charges for allotments rates by the standard inflation rate.

### 3.2.2 City Parks

The intention of charges in relation to dedicated benches and trees is to recover costs. It is proposed to increase charges at the standard inflation rate.

### 3.2.3 Sports Bookings

It is proposed to increase sports bookings fees and charges by the standard inflation rate with the exception of charges for cycling facilities at Preston Park. The current charges for these facilities do not cover the running costs of provision and it is proposed to increase fees by 100% as detailed in appendix 1. The proposed fees will still not cover the running costs of the facility, however the increase is considered to be appropriate so as not to have a significant impact on current service users.

The pavilions at The Level were restored as part of the restoration project and now offer two accessible community spaces which can be hired by the public. It is proposed to apply a slightly higher rent for these rooms compared to other pavilions the council rent out to reflect that they are higher quality, high demand and superior setting. The hire cost also need to cover cleaning and ongoing maintenance. The proposed hire charges for community use, in comparison to the charges for the sports pavilions are set out below. Booking arrangements for the rooms will be managed by the Sports Bookings team.

#### **Proposed Hire Rates for Community Use**

<b>Sports Pavilion</b>	<b>Elm Room</b>	<b>MacLaren Room</b>
£30.60 evening meeting	£15 per hour	£30 per hour
£102 per day	£75 per day	£149 per day

\*The Elm Room is smaller than the MacLaren Room reflecting the lower charge.

It is also proposed to apply a higher rate for commercial organisations wishing to hire the rooms.

#### **Proposed Hire Rates for Commercial Use**

<b>Sports Pavilion</b>	<b>Elm Room</b>	<b>MacLaren Room</b>
£30.60 evening meeting	£30 per hour	£60 per hour
£102 per day	£150 per day	£298 per day

### 3.2.4 Leafleting Licenses

It is proposed to increase the charges for leafleting licences by the standard inflation rate.

### 3.2.5 Preston Park Parking

It is proposed to keep the level of charges for parking at Preston Park at the current 2013/14 levels in accordance with the assumptions made for other parking charges. Any surplus income is transferred to an earmarked reserve specifically to fund future works in Preston Park.

## **3.3 PLANNING AND PUBLIC PROTECTION**

### 3.3.1 Building Control

Building Control charges should relate to the costs of carrying out the building regulations chargeable service as specified in the Building (Local Authority

Charges) Regulations 2010. It is proposed that 2014/15 fees and charges are increased by the inflationary figure of 2.5% and that a review will be undertaken prior to the 2015/16 budget setting process in accordance with the appropriate regulation to ensure that cost recovery will not be exceeded by inflationary increases.

### 3.3.2 Development Control

Development Control charges for planning applications, the fee levels for which are set by central government. Fees were increased by 15 per cent in November 2012 and it is expected that there will be no fee increases during the 2014-15 financial year.

### 3.3.3 Environmental Health

The majority of fees and charges will increase in line with the corporate rate of inflation with the following exceptions. A schedule of fees and charges is attached at Appendix 2.

- The charges in relation to Local Authority Pollution Prevention and Control are specified by Defra and are intended to recover the local authority's cost in undertaking the regulatory functions. The 2014/15 charges have not yet been provided.
- Most charges for dog regulation and fixed penalties are set externally. It is proposed to increase the charge for a dog breeding license from £45 to £200 to bring in line with comparable charges which require a similar amount of council officer time to administer.

### 3.3.4 Trading Standards

The majority of fees and charges will increase in line with the corporate rate of inflation. The exceptions to this are licences for explosives which are set by legislation. The quantity of explosives stored will determine whether the premises register with us or whether they require a license. These are reviewed annually by the Health and Safety Executive and may be subject to change at a later date. Other charges, such as Weights and Measures verification fees, are compared with nearest neighbours to ensure that there is consistency for businesses.

The fees in relation to Motor Salvage have been superseded by the new Scrap Metal Dealers Act, the levels of fees for which were approved at Licensing Committee on 21 November 2013.

A schedule of fees and charges is attached at Appendix 2.

## 3.4 **TRANSPORT**

### 3.4.1 Highways

A schedule of proposed fees and charges is attached at Appendix 3. The majority of fees and charges are proposed to rise in line with the corporate inflationary increase to the nearest rounded figures with the exceptions set out below. Overall this is expected to generate additional income of £20k. This is included as a savings proposal in the budget strategy presented to Policy & Resources Committee in December.

- Scaffolds: Brighton & Hove City Council fees are currently below the national average. It is therefore proposed to raise fees for scaffold placements by 9.1% which will bring these charges more in line with

neighbouring authorities and closer to the national average. For larger placements, it is proposed to raise the fees in line with inflation but to the nearest rounded figure.

- Skips: Although Highway charges are currently below the national average, there are additional charges for skips within areas of the city, such as the cost of parking bay suspensions. The figures have therefore been raised in line with inflation but to the nearest rounded figures.
- Hoardings: It is proposed to change the system for licensing hoardings, to simplify the process. The proposals bring hoarding licensing in line with the scaffolding system, as the two are often used on the same sites. The charge is therefore proposed for an initial 6 weeks rather than 8 weeks, with a further renewal period of 8 weeks instead of 12 weeks. The proposal also includes the removal of the two-tier charging system, to charge according to the area of highway occupied by the hoarding.
- Builders Materials: There has been a marked increase in builders' materials on street. If not adequately contained and monitored, these can pose a safety risk. It is therefore proposed to raise the fee by a greater amount, to reflect the increased level of licensing and enforcement required for these items.
- Tables & Chairs, A-boards and shop display: Comparisons between authorities are difficult because – not being a statutory duty – most local authorities have different systems for fees, control and management of such placements. The city has seen a steady increase in the amount of licences issued for café placements and for A-boards, despite tighter controls arising out of the Scrutiny recommendations. The proposed increases reflect the increased enforcement required to monitor these placements and also help encourage businesses to explore other options for on-street advertising. Prior to 2010, these fees had not risen for several years.
- Traffic Regulation Orders (TROs) for new parking restrictions outside parking schemes: This charge is for individuals or organisations requesting new parking restrictions such as double yellow lines outside of parking schemes and was a new charge introduced in 2013-14. It is not proposed to raise this fee for 2014-15.

### 3.4.2 Parking

Significant work has been put into setting parking tariffs in recent years and the current levels broadly reflect the administration's traffic management objectives. The Budget Update and Savings 2014/15 report to December 2013 Policy and Resources Committee assumes that parking charges are planned to remain at 2013/14 levels with the below exceptions. This includes Penalty Charge Notices (PCNs) where the levels of fines are set by government and cannot be changed independently. A schedule of fees and charges is attached at Appendix 4.

- It has been agreed at December Policy and Resources Committee to lower the Sunday parking tariffs at London Road car park so that they match the existing weekday rate from 29<sup>th</sup> December 2013 onwards.
- An amendment to current car park overnight rates between 16:00 and 11:00 is proposed to resolve a technical issue. The current evening and overnight rates overlap and the pay machines are not able to calculate certain stays accurately. It is proposed to introduce a new night period of midnight-11:00 to resolve this issue. The proposed rate will result in a

combined cost of evening and night rates being slightly less expensive than the current overnight rate.

- Due to spare capacity at Regency Square car park it is proposed that the current higher rate weekend tariffs revert to the lower weekday rate. It is expected that an increase in use will partially offset the reduced tariff. An approximately 16% volume increase would be required to generate the current level of income.

#### **4 ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The proposed fees and charges in this report have been prepared in accordance with the council's fees and charges policy and form part of the proposed budget strategy. They take account of the requirement to increase by the corporate inflation rate of 2.5% (unless otherwise stated) and consideration has been given to other factors such as statutory requirements, cost recovery and prices charged by competitor / comparator organisations.

#### **5 COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 No specific consultation was undertaken in relation to this report.

#### **6. CONCLUSION**

- 6.1 Fees and charges are a very important source of income to the council and represent approximately 1/3<sup>rd</sup> of total General Fund resources, enabling important services to be sustained and provided. A wide range of services are funded or part funded by fees and charges including those detailed in this report. The overall budget strategy aims to ensure that fees and charges are maintained or increased as a proportion of gross expenditure through identifying income generating opportunities, ensuring that charges for discretionary services or trading accounts cover costs (e.g. Building Control and licensing) and ensuring that fees and charges keep pace with price inflation and / or competitor and comparator rates.

- 6.2 In recent years the Consumer Price Index has been increasing by over 3% per annum whilst the council had applied a standard rate of 2% and over time this difference has been harder to sustain. Therefore as part of the overall strategy fees and charges budgets for 2014/15 are assumed to increase by a standard inflation rate of 2.5% with the exception of parking charges which are set according to traffic management objectives and are planned to remain at 2013/14 levels, and penalty charge notices (parking fines) where levels of fines are set by government and cannot be changed independently.

- 6.3 The Council's Corporate Fees & Charges Policy requires that all fees and charges are reviewed at least annually and should normally be increased by either: the standard rate of inflation, statutory increases or increases in the costs of providing the services as applicable. The strategy in recent years and going forward focuses on benchmarking fees and charges with comparable public or private sector provision to ensure services maintain or improve value for money.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The fees and charges have been reviewed in line with the corporate fees and charge policy and in line with the budget assumptions approved at Policy and Resource Committee in July and December.

The expected 2014/15 budgets for fees and charges areas covered by this report are set out below:

<b>Fees and Charges Area</b>	<b>£</b>
Allotments	103,000
City Parks	35,000
Sports Bookings	244,000
Leafleting Licences	27,000
Preston Park Parking	30,000
Building Control	795,000
Development Control	1,139,000
Environmental Health & Licensing	975,000
Trading Standards	16,000
Highways	552,000
Parking Services	26,103,000
<b>Total</b>	<b>30,019,000</b>

There will be costs associated to advertising Traffic Regulation Orders (TRO's) for changes to charges within the Transport service which will be met from existing revenue budgets.

*Finance Officer Consulted: Steven Bedford*

*Date: 16/12/13*

### Legal Implications:

- 7.2 The council needs to establish for each of the charges imposed both the power to levy charges of that type and, where applicable, the power to set the charge at a particular level. In some cases the amount of the charges is set by Government. In other cases where a figure is not prescribed, the amount that can be charged is in general restricted to costs recovery, but special provisions apply in the case of parking charges which are set out below. In all cases the council must act reasonably and ensure that any statutory formalities which govern the particular charge are complied with.
- 7.3 The Council is entitled to set parking charges at levels that will enable it to meet its traffic management objectives by e.g. managing supply and demand for parking. Under section 55 of the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004, the Council must keep an account of all parking income and expenditure in designated (i.e. on-street) parking spaces which are in a Civil Enforcement Area, and of their income and expenditure related to their functions as an enforcement authority. Regulations and guidance confirm that in respect of off-street parking places, the term "income and expenditure as enforcement authorities" includes that related to the issue of PCNs. It does not, for example, include pay and display or permit/season ticket income or the direct expenditure relating to collecting that income. The use of

any surplus income from civil parking enforcement is governed by section 55 of the Road Traffic Regulation Act 1984 as amended. This allows any surplus to be used for transport and highways related projects and expenditure such as supported bus services, concessionary fares and Local transport Plan projects.

*Lawyer Consulted:*

*Carl Hearsom*

*Date: 17/12/13*

Equalities Implications:

- 7.4 Management of fees and charges is fundamental to achievement of Council priorities. Council fees and charges policy aims to increase the proportion of costs met by the service user. Charges, where not set externally, are raised by corporate inflation rate unless there are legitimate anti-poverty considerations.

Sustainability Implications:

- 7.5 There are no direct sustainability implication arising from this report.

Crime & Disorder Implications:

- 7.6 There are no direct crime and disorder implication arising from this report.

Risk and Opportunity Management Implications:

- 7.7 There are no direct risk or opportunity management implications arising from this report.

Public Health Implications:

- 7.8 There are no direct public health implications arising from this report.

Corporate / Citywide Implications:

- 7.9 The Councils financial position impacts on levels of Council tax and service levels which are considered as part of the wider budget setting process.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Proposed City Infrastructure Fees and Charges 2014-15
2. Proposed Environmental Health and Trading Standards Fees and Charges 2014-15
3. Proposed Highways Fees and Charges 2014-15
4. Proposed Parking Services Fees and Charges 2014-15

### **Documents in Members' Rooms**

1. None

CITY INFRASTRUCTURE FEES & CHARGES 2014-15			
	2013-14	2014-15	
	Actual Charge	Proposed Charge	Change
	£	£	%
	Prices include VAT unless stated		
<b>CITY PARKS</b>			
Allotments Rents per square metre - 25~% discount to allotment rent for senior citizens, full-time students, unemployed, disabled and community groups	0.29	0.30	2.5%
Dedicated Benches	940.29	963.80	2.5%
Plaques for dedicated benches - includes engraving of 50 letters. Any additional engraving costs 85p+VAT per letter.	118.32	121.28	2.5%
New Tree Planting - dedicate a tree	288.00	295.20	2.5%
Copy of Tree preservation order (TPO)	30.00	30.75	2.5%
<b>BASEBALL</b>			
Per pitch (Adults & Juniors)	58.65	60.12	2.5%
<b>BOWLS</b>			
Per person per hour - Casual	2.80	2.87	2.5%
Concessionary per hour - Compass Card, Over 65s, unemployed (casual)	1.85	1.90	2.5%
Club session - Outside area club	4.10	4.20	2.5%
Club concessionary session - Compass Card, Over 65s, unemployed, outside area club	3.15	3.23	2.5%
Season ticket - adult attended green	86.70	88.87	2.5%
Season ticket - adult unattended green	75.48	77.37	2.5%
Season ticket - junior	54.06	55.41	2.5%
Hire of woods	2.80	2.87	2.5%
Pavilion - evening committee meetings	30.60	31.37	2.5%
<b>CRICKET</b>			
Adult per match (changing)	58.40	59.86	2.5%
Adult (wicket only)	49.98	51.23	2.5%
Junior (changing)	31.62	32.41	2.5%
Changing facilities	30.60	31.37	2.5%
Junior (wicket only)	26.52	27.18	2.5%
Changing facilities	30.60	31.37	2.5%
Training strip - Aldrington	15.81	16.21	2.5%
Net hire per session (+£20 deposit)	23.97	24.57	2.5%
Nets block booking (charge/occasion) we erect nets [VAT exempt]	14.33	14.69	2.5%
Nets block booking (charge/occasion) they erect nets [VAT exempt]	9.69	9.93	2.5%
<b>STALLBALL, SOFTBALL &amp; ROUNDERS</b>			
First match booked	24.05	24.65	
Subsequent matches	14.69	15.06	2.5%
<b>NETBALL</b>			
Per match (no changing)	19.38	19.86	2.5%
block booking charge per occasion	11.53	11.82	2.5%
<b>CYCLING</b>			
Preston Park Velodrome Cycle Track per hour	2.19	4.38	100.0%
Club season (once a week 2.5hrs for 3 months) [VAT exempt]	79.56	159.12	100.0%
<b>TENNIS</b>			
Adult court per hour	7.30	7.48	2.5%
Junior court per hour (under 18's)	3.80	3.90	2.5%
Concessionary court per hour Compass Card, Over 65s, unemployed	6.80	6.97	2.5%
Junior court per hour weekday before 5 (including summer holidays)	1.90	1.95	2.5%
Concessionary court per hour weekday before 5 (including summer holidays)	3.30	3.38	2.5%
Season ticket	87.21	89.39	2.5%
Junior season ticket	13.26	13.59	2.5%
Club season ticket	29.58	30.32	2.5%
<b>FOOTBALL</b>			
Adult (pitch only)	51.46	52.75	2.5%
Changing facilities	30.60	31.37	2.5%
Junior (pitch only)	14.69	15.06	2.5%
Changing facilities	30.60	31.37	2.5%
Junior training, no requirements	13.75	14.09	2.5%
Full day Junior training with toilets	28.34	29.05	2.5%
5/7-a-side @Preston/Waterhall (per pitch)	41.52	42.56	2.5%
<b>ASTROTURF</b>			
Adults full size (lit)	46.82	47.99	2.5%
Adults full size (unlit)	32.13	32.93	2.5%
Adults 5-a-side (lit)	31.21	31.99	2.5%
Adults 5-a-side (unlit)	22.34	22.90	2.5%
Adults mini (lit)	16.32	16.73	2.5%
Adults mini (unlit)	11.48	11.77	2.5%
Juniors full size (lit)	28.56	29.27	2.5%
Juniors full size (unlit)	19.79	20.28	2.5%

CITY INFRASTRUCTURE FEES & CHARGES 2014-15			
	2013-14	2014-15	
	Actual Charge £	Proposed Charge £	Change %
	Prices include VAT unless stated		
Juniors 5-a-side (lit)	21.02	21.55	2.5%
Juniors 5-a-side (unlit)	14.99	15.36	2.5%
Juniors mini (lit)	14.28	14.64	2.5%
Juniors mini (unlit)	10.20	10.46	2.5%
<b>PAVILIONS</b>			
Pavilion -Casual per day	102.00	104.55	2.5%
Play group Mile Oak per half day [always VAT exempt]	13.77	14.11	2.5%
Table Tennis Mile Oak per evening [VAT exempt]	22.87	23.44	2.5%
Dolphin Playgroup per day [always VAT exempt]	45.64	46.78	2.5%
Table Tennis Hollingbury/Preston Park per evening [VAT exempt]	21.44	21.98	2.5%
<b>RENTS</b>			
Waterhall [Brighton Rugby Club VAT exempt]	3,725.04	3,818.17	2.5%
Patcham Utd (Horsdean pitch + pavilion season)	1,780.92	1,825.44	2.5%
Queens Park tennis club (Clubhouse + Courts)	8,806.68	9,026.85	2.5%
Brighton & Hove Cricket Club - Pitch	687.23	704.41	2.5%
Brighton & Hove Cricket Club - Clubroom	687.23	704.41	2.5%
Rottingdean croquet club	1,041.11	1,067.14	2.5%
<b>MISCELLANEOUS</b>			
Hot Air Ballooning (flat year rate)	281.83	288.88	2.5%
Cross Country (flat rate, no facilities)	31.82	32.62	2.5%
School Sports (Initial 8x100m) [VAT exempt]	65.45	67.09	2.5%
School Sports (overmarking) [VAT exempt]	24.23	24.84	2.5%

## REGULATORY SERVICES FEES &amp; CHARGES 2014-15

	2013-14		2014-15	
	Actual Charge		Proposed Charge	Change
	£		£	%
<b>TRADING STANDARDS</b>				
Buy with Confidence (1-5 Employees)		124.00	127.00	2.4%
Buy with Confidence (6-20 Employees)		187.00	192.00	2.7%
Buy with Confidence (over 21 Employees)		250.00	256.00	2.4%
Explosive annual licence		500.00	500.00	0.0%
Explosives new registration		105.00	105.00	0.0%
Explosives renewed registration		52.00	52.00	0.0%
Explosives new licence		178.00	178.00	0.0%
Explosives renewed licence		83.00	83.00	0.0%
Poisons initial registration		35.00	36.00	2.9%
Poisons re registration		20.00	21.00	5.0%
Poisons change of details		10.00	10.00	0.0%
Motor Salvage operator sole trader		44.00	deleted	N/A
Motor Salvage operator partnership		54.00	deleted	N/A
Motor Salvage operator limited company		75.00	deleted	N/A
Weights and Measures verification fees officer time per hour		69.00	71.00	2.9%
Weights and Measures verification fees NAWI under 1 tonne		55.00	56.00	1.8%
Weights and Measures verification fees weights over 5kg under 500mg		8.00	8.00	0.0%
Weights and Measures verification fees other weights		6.00	6.00	0.0%
Weights and Measures verification fees liquid fuel first nozzle		111.00	114.00	2.7%
Weights and Measures verifications fees liquid fuel additional nozzle		68.00	70.00	2.9%
<b>LOCAL AUTHORITY POLLUTION PREVENTION AND CONTROL</b>				
Application Fee:				
Standard process (includes solvent emission activities)		1,579.00	TBA	N/A
Additional fee for operating without a permit		1,137.00	TBA	N/A
PVRI, SWOBs and Dry Cleaners		148.00	TBA	N/A
PVR I and II combined		246.00	TBA	N/A
VRs and other Reduced Fee Activities		346.00	TBA	N/A
Reduced fee activates: Additional fee for operating without a permit		68.00	TBA	N/A
Mobile plant**		1,579.00	TBA	N/A
for the third to seventh applications		943.00	TBA	N/A
for the eight and subsequent applications		477.00	TBA	N/A
<i>Note: where an application for any of the above is for combined Part B and waste application, add an extra £297 to the above amounts</i>				
Annual Subsistence Charge:				
Standard process Low		739 (+£99)*	TBA	N/A
Standard process Medium		1,111 (+£149)*	TBA	N/A
Standard process High		1,672 (+£198)*	TBA	N/A
Reduced fee activities Low/Medium/High	76	151	227	TBA
PVR I & II combined	108	216	326	TBA
Vehicle refinishers Low/Medium/High	218	349	524	TBA
Mobile plant, for the first and second permits Low/Medium/High	618	989	1,484	TBA
for the third to seventh applications Low/Medium/High	368	590	884	TBA
eighth and subsequent permits Low/Medium/High	189	302	453	TBA
Late Payment Fee		50.00	TBA	N/A
* the additional amounts in brackets must be charged where a permit is for a combined Part B and waste installation				
Where a Part B installation is subject to reporting under the E-PRTR Regulation, add an extra £99 to the above amounts				
Transfer and Surrender:				
Standard process transfer		162.00	TBA	N/A
Standard process partial transfer		476.00	TBA	N/A
New Operator at low risk reduced fee activity (extra one-off subsistence charge - see Art 15 (2) of charging scheme)		75.00	TBA	N/A
Surrender: all Part B activities		0.00	TBA	N/A
Reduced fee activities: transfer		0.00	TBA	N/A
Reduced fee activities: partial transfer		45.00	TBA	N/A
Temporary transfer for mobiles:				
First transfer		51.00	TBA	N/A
repeat following enforcement or warning		51.00	TBA	N/A
Substantial Change:				
Standard process		1,005.00	TBA	N/A
Standard process where the substantial change results in a new PPC activity		1,579.00	TBA	N/A
Reduced fee activities		98.00	TBA	N/A
<b>OTHER FEES</b>				
Language school inspection		77.00	79.00	2.6%
Information to solicitors		133.00	136.00	2.3%
<b>FOOD PREMISES REGISTER</b>				
Signal page copy		5.40	6.00	11.1%
Copy containing information regarding particular category (by hand)		81.00	83.00	2.5%
Copy containing information regarding particular category (by post)		135.00	138.00	2.2%
Full copy of register (by hand)		251.00	257.00	2.4%
Full copy of register (by post)		267.00	274.00	2.6%
<b>ANIMAL WELFARE</b>				
Collection of reclaimed dogs:				
Statutory charge		25.00	25.00	0.0%
dog warden charges (includes VAT)		23.00	24.00	4.3%
kennelling per day (includes VAT)		23.00	24.00	4.3%
administration charge (includes VAT)		13.00	13.00	0.0%
Vaccination (includes VAT)		21.00	22.00	4.8%

## REGULATORY SERVICES FEES &amp; CHARGES 2014-15

	2013-14	2014-15	
	Actual Charge	Proposed Charge	Change
	£	£	%
Dog Control Fixed penalty	80.00	80.00	0.0%
Noise Pollution - Domestic - Fixed Penalty	100.00	100.00	0.0%
Noise Pollution - Commercial - Fixed Penalty	500.00	500.00	0.0%
Animal Boarding	180.00	185.00	2.8%
Dangerous Wild Animals	215.00	220.00	2.3%
Dog Breeding	45.00	200.00	344.4%
Export Licences	54.00	55.00	1.9%
Pet Shops	119.00	122.00	2.5%
Performing Animals	122.00	125.00	2.5%
Riding Establishments	283.00	290.00	2.5%
Zoo	4,776.00	4,895.00	2.5%
Zoo (with dispensation)	2,653.00	2,719.00	2.5%
<b>HEALTH PROMOTION / EDUCATION</b>			
Training Courses:			
Food Safety Level 2 (previously Basic Food Hygiene)	62.00	63.50	2.4%
Basic Health & Safety	48.00	49.00	2.1%
Assured Safe Catering	20.00	21.00	5.0%
2 hour Food Hygiene	20.00	21.00	5.0%
Advanced Food Hygiene	581.00	596.00	2.6%
Intermediate Food Hygiene	125.00	128.00	2.4%
Food Safety Level 2 retake of exam	20.50	21.00	2.4%
Level 1 course for 10 people	390.00	400.00	2.6%
Level 1 course for 15 people	445.00	456.00	2.5%
<b>ENVIRONMENTAL HEALTH</b>			
Officer attendance at Exhumations- hourly rate	50.00	51.00	2.0%
<b>WID DEFAULT CHARGES</b>			
Environmental Health Manager	82.00	84.00	2.4%
Senior EHO per hour	75.00	77.00	2.7%
EHO/Senior Technical Officer	67.00	69.00	3.0%
Technical Officer per hour	62.00	64.00	3.2%
Admin staff per hour	36.00	37.00	2.8%
<b>POLLUTION MANAGEMENT</b>			
New flat rate for provision of information (incl. VAT)	120.00	123.00	2.5%
<b>PEST CONTROL</b>			
Call out charge for pest control	25.00	26.00	4.0%
Rats ( 1-2 Bedroom property) - residential	51.00	52.00	2.0%
Rats ( 3-4 Bedroom property) - residential	51.00	52.00	2.0%
Rats ( 5+ Bedroom property) - residential	51.00	52.00	2.0%
Mice ( 1-2 Bedroom property) - residential	51.00	52.00	2.0%
Mice ( 3-4 Bedroom property) - residential	51.00	52.00	2.0%
Mice ( 5+ Bedroom property) - residential	51.00	52.00	2.0%
Wasps ( 1-2 Bedroom property) - residential	54.00	55.00	1.9%
Wasps ( 3-4 Bedroom property) - residential	54.00	55.00	1.9%
Wasps ( 5+ Bedroom property) - residential	54.00	55.00	1.9%
Fleas ( 1-2 Bedroom property) - residential	65.00	67.00	3.1%
Fleas ( 3-4 Bedroom property) - residential	86.00	88.00	2.3%
Fleas ( 5+ Bedroom property) - residential	118.00	121.00	2.5%
Cockroaches ( 1-2 Bedroom property) - residential	162.00	166.00	2.5%
Cockroaches ( 3-4 Bedroom property) - residential	216.00	221.00	2.3%
Cockroaches ( 5+ Bedroom property) - residential	271.00	278.00	2.6%
Rats and Mice – Commercial – per visit	50.00	51.00	2.0%

HIGHWAYS FEES & CHARGES 2014-15			
	2013-14	2014-15	
	Actual Charge £	Proposed Charge £	Change %
<b>HIGHWAYS</b>			
Vehicle Crossing Inspection - First inspection	12.00	12.00	0.0%
Vehicle Crossing Inspection - Proceeding to works	82.00	84.00	2.4%
Private Road Opening Licences (new)	321.00	329.00	2.5%
Private Road Opening Licences (Existing)	209.00	214.00	2.4%
S50 Road Opening Charge – Existing Plant/Road	316.00	324.00	2.5%
S50 Road Opening Charge – new Plant/Road	418.00	428.00	2.4%
Works on the Highway (installation of ramps etc)	107.00	110.00	2.8%
Temporary Traffic Lights (application and approval of changes to traffic light junctions)	107.00	110.00	2.8%
Oversailing (Permission to move materials/build temporary structures over the public highway)	107.00	110.00	2.8%
Officer time ( When needed on site checking traffic management or traffic signals)	43.00	44.00	2.3%
<b>ADDITIONAL SEARCH ENQUIRIES</b>			
Solicitors and other agency queries per question	36.00	37.00	2.8%
<b>TRAFFIC REGULATION ORDERS - PLANNED (TEMP OR PERMANENT)</b>			
Administration & advertising costs	1,632.00	1,673.00	2.5%
<b>TRAFFIC REGULATION ORDERS - NOTICES (TEMP - EMERGENCY)</b>			
Administration fee & officer time	306.00	314.00	2.6%
<b>SCAFFOLD LICENCE</b>			
Initial 6 weeks	55.00	60.00	9.1%
Renewal subsequent 8 weeks	55.00	60.00	9.1%
Initial 6 weeks for 12m. length along the Public Highway	170.00	175.00	2.9%
Renewal subsequent 8 weeks for 12m. length along Public Highway	170.00	175.00	2.9%
<b>SKIP LICENCE</b>			
Returnable Deposit	55.00	60.00	9.1%
Deposit Processing Fees	16.00	16.00	0.0%
1 day licence Standard Skip	5.50	6.00	9.1%
7 day licence Standard skip	22.00	23.00	4.5%
28 day licence Standard Skip	44.00	45.00	2.3%
1 day licence Large Skip	22.00	23.00	4.5%
7 day licence Large Skip	44.00	45.00	2.3%
28 day licence Large Skip	88.00	90.00	2.3%
<b>HOARDING</b>			
Area of hoarding less than 10 square metres of ground plan - Initial 8 weeks	55.00	Deleted	N/A
Renewal subsequent 12 weeks per square metre	55.00	Deleted	N/A
Area of hoarding 10 square meters or more of ground plan - 12 weeks per square metre	19.00	Deleted	N/A
Area of Hoarding per sq metre initial 6 week application	New	20.00	N/A
Area of Hoarding per sq metre renewal 8 week application	New	20.00	N/A
<b>BUILDING MATERIALS</b>			
Per week	22.00	25.00	13.6%
Secure Hazardous Waste, Lockable Storage Containers, Temporary offices, Welfare facilities and Asbestos removal decontamination units. Per square metre	19.00	20.00	5.3%
<b>OBJECTS ON THE HIGHWAY</b>			
<b>TABLES AND CHAIRS, SHOP DISPLAY ETC</b>			
Initial application less than 5 square metres	153.00	160.00	4.6%
Initial application 5 square metres or greater	311.00	325.00	4.5%
Annual renewal fee per square metre	20.00	21.00	5.0%
<b>A-BOARD LICENCE</b>			
new application first year	87.00	100.00	14.9%
Annual renewal fee	61.00	70.00	14.8%
<b>OTHER FEES</b>			
Highway Licence detail changes	26.00	25.00	-3.8%
One off promotions per square metre	21.00	25.00	19.0%
<b>SIGNS</b>			
Brown Tourist signs	167.00	171.00	2.4%
Neighbourhood watch signs	34.00	35.00	2.9%
<b>LINING</b>			
Access Protection White Lines (per metre)	10.00	10.00	0.0%
Replacing lining after crossover work (per metre)	10.00	10.00	0.0%
<b>TRO FOR NEW PARKING RESTRICTIONS O/S PARKING SCHEMES</b>			
Administration, advertising costs, officer site visits, signing and lining costs	2,000.00	2,000.00	0.0%
<b>DISABLED BAYS</b>			
Application fee	10.00	10.00	0.0%
<b>CULTIVATION LICENCE</b>			
Licence for individuals who wish to cultivate a highway verge or other highway green space adjacent to their property.	30.00	31.00	3.3%



## PARKING FEES &amp; CHARGES 2014-15

	2013-14	2014-15	
	Actual Charge £	Proposed Charge £	Change %
<b>CAR PARKING</b>			
<b>THE LANES</b>			
1 hour	1.00	1.00	0.0%
2 hours	5.00	5.00	0.0%
4 hours	13.00	13.00	0.0%
9 hours	20.00	20.00	0.0%
24 hours / lost ticket	23.00	23.00	0.0%
Weekend - 1 hour	4.00	4.00	0.0%
Weekend - 2 hours	8.00	8.00	0.0%
Weekend - 4 hours	15.00	15.00	0.0%
Weekend - 9 hours	20.00	20.00	0.0%
Weekend - 24 hours / lost ticket	25.00	25.00	0.0%
Evening Rate 18:00 – 24:00	4.50	4.50	N/A
Night Rate 16:00 - 11:00	10.00	Remove	N/A
Night Rate 24:00 – 11:00	New	5.00	N/A
Lost ticket admin fee	5.00	5.00	0.0%
Annual season ticket	2,500.00	2,500.00	0.0%
Residents permit waiting list 16:00 - 11:00 Mon-Fri (Zone Z only)	1,500.00	1,500.00	0.0%
<b>LONDON ROAD</b>			
1 hour	1.00	1.00	0.0%
2 hours	3.00	3.00	0.0%
4 hours	5.00	5.00	0.0%
9 hours	8.00	8.00	0.0%
24 hours / lost ticket	15.00	15.00	0.0%
Weekend - 1 hour	2.00	Remove	N/A
Weekend - 2 hours	4.00	Remove	N/A
Weekend - 4 hours	6.00	Remove	N/A
Weekend - 9 hours	8.00	Remove	N/A
Weekend - 24 hours / lost ticket	17.50	Remove	N/A
Saturday - 1 hour	New	2.00	N/A
Saturday - 2 hours	New	4.00	N/A
Saturday - 4 hours	New	6.00	N/A
Saturday - 9 hours	New	8.00	N/A
Saturday - 24 hours / lost ticket	New	17.50	N/A
Sunday - 1 hour	New	1.00	N/A
Sunday - 2 hours	New	3.00	N/A
Sunday - 4 hours	New	5.00	N/A
Sunday - 9 hours	New	8.00	N/A
Sunday - 24 hours / lost ticket	New	15.00	N/A
Evening Rate 18:00 – 24:00	4.50	4.50	N/A
Night Rate 16:00 - 11:00	8.00	Remove	N/A
Night Rate 24:00 – 11:00	New	5.00	N/A
Lost ticket admin fee	5.00	5.00	0.0%
Annual season ticket	1,000.00	1,000.00	0.0%
Annual season ticket - reduced rate	750.00	750.00	0.0%
Weekly	50.00	50.00	0.0%
Residents permit waiting list 16:00 - 11:00 Mon-Fri (Zone Y only)	400.00	400.00	0.0%
<b>REGENCY SQUARE</b>			
1 hour	1.00	1.00	0.0%
2 hours	5.00	5.00	0.0%
4 hours	12.00	12.00	0.0%
9 hours	17.00	17.00	0.0%
24 hours / lost ticket	20.00	20.00	0.0%
Weekend - 1 hour	3.00	Remove	N/A
Weekend - 2 hours	7.00	Remove	N/A
Weekend - 4 hours	14.00	Remove	N/A
Weekend - 9 hours	18.00	Remove	N/A
Weekend - 24 hours / lost ticket	22.00	Remove	N/A
Evening Rate 18:00 – 24:00	4.50	4.50	N/A
Night Rate 16:00 - 11:00	10.00	Remove	N/A
Night Rate 24:00 – 11:00	New	5.00	N/A
Lost ticket admin fee	5.00	5.00	0.0%
Quarterly season ticket	650.00	650.00	0.0%
Annual season ticket	2,000.00	2,000.00	0.0%
Residents permit waiting list 16:00 -11:00 Mon-Fri (Zone M only)	750.00	750.00	0.0%
<b>TRAFALGAR STEEET</b>			
1 hour	1.00	1.00	0.0%
2 hours	3.50	3.50	0.0%
4 hours	6.00	6.00	0.0%
6 hours	8.00	8.00	0.0%

## PARKING FEES &amp; CHARGES 2014-15

	2013-14	2014-15	
	Actual Charge £	Proposed Charge £	Change %
9 hours	10.00	10.00	0.0%
24 hours / lost ticket	15.00	15.00	0.0%
Weekend - 1 hour	2.00	2.00	0.0%
Weekend - 2 hours	4.00	4.00	0.0%
Weekend - 4 hours	6.00	6.00	0.0%
Weekend - 6 hours	9.00	9.00	0.0%
Weekend - 9 hours	11.00	11.00	0.0%
Weekend - 24 hours / lost ticket	17.50	17.50	0.0%
Evening Rate 18:00 – 24:00	4.50	4.50	N/A
Night Rate 16:00 - 11:00	10.00	Remove	N/A
Night Rate 24:00 – 11:00	New	5.00	N/A
Lost ticket admin fee	5.00	5.00	0.0%
Quarterly season ticket	1,000.00	1,000.00	0.0%
Annual season ticket	2,000.00	2,000.00	0.0%
Residents permit waiting list 16:00 - 11:00 Mon-Fri (Zone Y only)	800.00	800.00	0.0%
<b>CARLTON HILL</b>			
2 hours	4.00	4.00	0.0%
4 hours	8.00	8.00	0.0%
9 hours	10.00	10.00	0.0%
24 hours	17.50	17.50	0.0%
Quarterly season ticket	750.00	750.00	0.0%
<b>HIGH STREET</b>			
2 hours	4.00	4.00	0.0%
4 hours	8.00	8.00	0.0%
9 hours	10.00	10.00	0.0%
24 hours	17.50	17.50	0.0%
Quarterly season ticket	750.00	750.00	0.0%
Annual season ticket	2,000.00	2,000.00	0.0%
<b>OXFORD COURT</b>			
2 hours	4.00	4.00	0.0%
4 hours	8.00	8.00	0.0%
9 hours	10.00	10.00	0.0%
24 hours	17.50	17.50	0.0%
Quarterly season ticket	750.00	750.00	0.0%
<b>NORTON ROAD</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
5 hours	4.00	4.00	0.0%
9 hours	4.50	4.50	0.0%
12 hours	5.00	5.00	0.0%
Annual season ticket	750.00	750.00	0.0%
<b>KING ALFRED</b>			
1 hour	1.50	1.50	0.0%
2 hours	2.00	2.00	0.0%
3 hours	2.50	2.50	0.0%
4 hours	3.00	3.00	0.0%
<b>ROTTINGDEAN WEST STREET</b>			
1 hour	1.00	1.00	0.0%
2 hours	1.50	1.50	0.0%
3 hours	2.50	2.50	0.0%
<b>ROTTINGDEAN MARINE CLIFFS</b>			
1 hour	1.00	1.00	0.0%
2 hours	1.50	1.50	0.0%
11 hours	2.50	2.50	0.0%
Quarterly season ticket	50.00	50.00	0.0%
<b>HADDINGTON STREET</b>			
1 hour	1.50	1.50	0.0%
2 hours	2.00	2.00	0.0%
3 hours	2.50	2.50	0.0%
<b>BLACK ROCK</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
3 hours	3.00	3.00	0.0%
4 hours	4.00	4.00	0.0%
9 hours	5.00	5.00	0.0%
<b>MADERIA DRIVE COACH PARK</b>			
8 hours	15.00	15.00	0.0%

PARKING FEES & CHARGES 2014-15			
	2013-14	2014-15	
	Actual Charge £	Proposed Charge £	Change %
<b>ON STREET PAY &amp; DISPLAY</b>			
<b>HIGH ZONE</b>			
<b>ZONE Y - CENTRAL BRIGHTON NORTH</b>			
1 hour	3.50	3.50	0.0%
2 hours	6.00	6.00	0.0%
4 hours	10.00	10.00	0.0%
<b>ZONE Z - CENTRAL BRIGHTON SOUTH</b>			
1 hour	3.50	3.50	0.0%
2 hours	6.00	6.00	0.0%
4 hours	10.00	10.00	0.0%
<b>SEAFRONT INNER - MADERIA DRIVE: WEST OF MADERIA LIFT (1 Mar - 31 Oct)</b>			
1 hour	3.00	3.00	0.0%
2 hours	5.00	5.00	0.0%
4 hours	10.00	10.00	0.0%
11 hours	15.00	15.00	0.0%
<b>SEAFRONT INNER - MARINE DRIVE: WEST OF BURLINGTON STREET</b>			
1 hour	3.00	3.00	0.0%
2 hours	5.00	5.00	0.0%
4 hours	10.00	10.00	0.0%
11 hours	15.00	15.00	0.0%
<b>SEAFRONT INNER - KINGS ROAD</b>			
1 hour	3.00	3.00	0.0%
2 hours	5.00	5.00	0.0%
4 hours	10.00	10.00	0.0%
11 hours	15.00	15.00	0.0%
<b>MEDIUM ZONE</b>			
<b>SEAFRONT INNER - KINGSWAY: EAST OF FOURTH AVENUE</b>			
1 hour	2.00	2.00	0.0%
2 hours	4.00	4.00	0.0%
4 hours	6.00	6.00	0.0%
11 hours	10.00	10.00	0.0%
<b>ZONE Y - CENTAL BRIGHTON NORTH: CHEAPSIDE &amp; THE LEVEL</b>			
1 hour	2.00	2.00	0.0%
2 hours	4.00	4.00	0.0%
4 hours	6.00	6.00	0.0%
<b>SEAFRONT INNER - NEW STEINE</b>			
1 hour	2.00	2.00	0.0%
2 hours	4.00	4.00	0.0%
4 hours	6.00	6.00	0.0%
11 hours	10.00	10.00	0.0%
<b>LOW ZONE</b>			
<b>SEAFRONT OUTER - KINGSWAY: WEST OF HOVE STREET</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>SEAFRONT OUTER - MADERIA DRIVE: EAST OF MADERIA LIFT</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	4.00	4.00	0.0%
11 hours	7.00	7.00	0.0%
<b>SEAFRONT INNER - MADERIA DRIVE: WEST OF MADERIA LIFT (1 Nov - 28/29 Feb)</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	4.00	4.00	0.0%
11 hours	7.00	7.00	0.0%
<b>ROTTINGDEAN HIGH STREET</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
<b>ZONE A - PRESTON PARK STATION</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%

## PARKING FEES &amp; CHARGES 2014-15

	2013-14	2014-15	
	Actual Charge £	Proposed Charge £	Change %
<b>ZONE C - QUEEN'S PARK</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE H - KEMP TOWN</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE J - LONDON ROAD STATION</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE M - BRUNSWICK</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE N - CENTRAL HOVE</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE O - GOLDSMITH</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE Q - PRESTONVILLE</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE R - WESTBOURNE</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%
<b>ZONE T - HOVE STATION AREA</b>			
1 hour	1.00	1.00	0.0%
2 hours	2.00	2.00	0.0%
4 hours	3.00	3.00	0.0%
11 hours	5.00	5.00	0.0%

<b>PARKING FEES &amp; CHARGES 2014-15</b>			
	<b>2013-14</b>	<b>2014-15</b>	
	<b>Actual Charge £</b>	<b>Proposed Charge £</b>	<b>Change %</b>
<b>PERMITS</b>			
<b>RESIDENTS PERMITS</b>			
1 year (full scheme)	120.00	120.00	0.0%
3 months (full scheme)	40.00	40.00	0.0%
1 year (light touch)	90.00	90.00	0.0%
6 months (light touch)	55.00	55.00	0.0%
1 year (full scheme) - low emission	60.00	60.00	0.0%
3 months (full scheme) - low emission	20.00	20.00	0.0%
1 year (light touch) - low emission	45.00	45.00	0.0%
6 months (light touch) - low emission	27.50	27.50	0.0%
Resident zone change (admin fee)	10.00	10.00	0.0%
Refunded permit (admin fee)	10.00	10.00	0.0%
Resident change of vehicle (admin fee)	10.00	10.00	0.0%
Replacement resident permit (admin fee)	10.00	10.00	0.0%
Blue Badge resident permit	10.00	10.00	0.0%
Blue Badge resident permit (light touch)	10.00	10.00	0.0%
<b>VISITORS PERMITS</b>			
Full scheme - per permit	2.60	2.60	0.0%
Light touch- per permit	1.60	1.60	0.0%
<b>HOTEL PERMITS</b>			
Area C (24 hours)	7.50	7.50	0.0%
Area N (1 day)	3.00	3.00	0.0%
<b>TRADERS PERMITS</b>			
1 year	600.00	600.00	0.0%
3 months	160.00	160.00	0.0%
1 year - low emission	300.00	300.00	0.0%
3 months - low emission	80.00	80.00	0.0%
Refunded permit (admin fee)	10.00	10.00	0.0%
Change of vehicle permit (admin fee)	10.00	10.00	0.0%
Replacement traders permit (admin fee)	10.00	10.00	0.0%
<b>BUSINESS PERMITS</b>			
1 year	300.00	300.00	0.0%
3 months	85.00	85.00	0.0%
1 year - low emission	150.00	150.00	0.0%
3 months - low emission	42.50	42.50	0.0%
Business zone change (admin fee)	10.00	10.00	0.0%
Refunded permit (admin fee)	10.00	10.00	0.0%
Change of vehicle permit (admin fee)	10.00	10.00	0.0%
Replacement business permit (admin fee)	10.00	10.00	0.0%
<b>SCHOOL PERMITS</b>			
1 year	120.00	120.00	0.0%
3 months	40.00	40.00	0.0%
<b>OTHER PERMITS</b>			
Doctors Permits (per bay)	85.00	85.00	0.0%
Carers Permit (not professional)	0.00	0.00	N/A
<b>SUSPENSIONS</b>			
Suspensions (1st 8 weeks)	40.00	40.00	0.0%
Suspensions (Over 8 weeks)	20.00	20.00	0.0%
<b>BLUE BADGE (3 years)</b>	10.00	10.00	0.0%
<b>CAR CLUB (1 year)</b>	20.00	20.00	0.0%
<b>WAIVERS (1 day)</b>	10.00	10.00	0.0%
<b>PROFESSIONAL CARERS (1 year)</b>	25.00	25.00	0.0%
<b>DISPENSATIONS</b>	30.00	30.00	0.0%



<b>Subject:</b>	<b>Low Emission Zone – Central Brighton</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Paul Nicholls</b>	<b>Tel: 29-3287</b>
	<b>Email:</b>	<b>paul.nicholls@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 On 9<sup>th</sup> July 2013 Environment Transport and Sustainability Committee carried a resolution to instruct officers to investigate the development of a Low Emission Zone in the central city area and, after discussion with partners, report back to Committee later in the year on the feasibility of introducing a zone to improve air quality. This report explains the outcome of investigations into how a Low Emission Zone might operate most effectively following discussions with bus companies serving in Brighton and Hove and other partners.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee declares a Low Emission Zone in Castle Square, North Street and Western Road as far as the junction with Holland Road, with the aim of ensuring that all Public Service Vehicles to meet, as a minimum the Euro 5 emissions standard by 1 January 2015, with only licensed exemptions to this requirement as set out in this report.
- 2.2 That officers are authorised to further consult with bus operators, DEFRA and the Department for Transport with a view to making an application to the Traffic Commissioner for a Traffic Regulation Condition to establish the regulatory framework for the Low Emission Zone
- 2.3 That the Committee notes that officers will consult with taxi drivers on a range of specific proposals and initiatives to reduce taxi emissions for the consideration of the Licensing Committee.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Levels of nitrogen dioxide continue to exceed national and EU limits in parts of the city covered by the revised Air Quality Management Area and have shown little sign of improvement over the past 10 years. Within the city, road transport is the primary cause of breaches in the outdoor nitrogen dioxide limit. It is estimated that man made air pollution shortens life expectancy in the UK by 8 months

- 3.2 There are over 21km of road within the city where nitrogen dioxide limits are exceeded in the Air Quality Management Area. It is estimated this includes more than two thousand roadside residential dwellings. Different types of vehicle are responsible for exceeding limits depending on the location. In North Street buses are the main source of these tailpipe emissions whereas in Viaduct road with no bus routes, diesel cars and goods vehicles are the main reason for limits being breached. A number of taxi ranks reside in areas that exceed limits, at these locations it is a priority to avoid engine idling while stationary. Different action plan measures are recommended in each of these situations and can include policies on engine idling, changes to traffic flow, low emission engines, alternative fuels, planning policies etc. The council encourages the purchase of low emission vehicles by providing electric vehicle charging points, allowing a 50% discount on a low emission permit and other measures.
- 3.3 Emission standards for new vehicles including heavy duty diesel and bus engines are set by the European Union. All new vehicles purchased after an agreed date have to comply with the new standard. Euro 1 standard was introduced in 1992 with the latest Euro 6 standard introduced on 1 January 2014.
- 3.4 A growing number of cities such as Oxford, Norwich and London have implemented Low Emission Zones to prevent the most polluting vehicles from entering the area and setting conditions on vehicles permitted to enter to reduce engine idling whilst in the zone. The London scheme cost £40m to introduce. It covers most of the capital, applies to most vehicle types and is enforced by CCTV with penalties for non compliance. The Oxford and Norwich schemes only allow buses licensed to a minimum Euro emissions standards. This standard can be achieved either by confirming the purchase date of the vehicle or through 'retrofitting' the vehicle engine so that it meets the equivalent standard.
- 3.5 Many vehicles would enter the Low Emission Zone on a relatively infrequent basis such as once per week for deliveries carried out with the engine switched off or even less frequently. As such any improvement in the emissions standard to a vehicle would have a relatively small impact on roadside levels of nitrogen dioxide recorded within the zone. A greater impact on these concentrations is likely to be achieved by improving the emission standards of buses which enter the zone every couple of minutes.
- 3.6 Bus operators in Brighton and Hove have used a range of methods to reduce vehicle emissions. These include 'eco-driver training' to improve fuel consumption and reduce emissions. 'Smart key' apps and online ticketing to reduce passenger boarding time, the use of bus marshals to help relieve congestion at the busiest areas.
- 3.7 Bus services are regulated by the Traffic Commissioner and the emission standard of buses can be legally enforced through introducing a Traffic Regulation Condition which is enforceable by the Traffic Commissioner. In practice the council would be responsible for monitoring compliance and liaising with the bus companies to resolve any difficulties relating to compliance with the Traffic Regulation Condition. In the event of persistent non-compliance the

council could report the bus operator to the Traffic Commissioner for enforcement action by means of fines.

- 3.8 The council would be responsible for licensing any permitted exemptions to the declared Euro 5 Low Emission Zone. These would be negotiable with the bus operators in advance of the application to the Traffic Commissioner for a Traffic Regulation Condition, which would formalise the agreement. The proposed exemptions have been based on the Oxford scheme and are likely to include
- A licensed exemption for buses that would not normally meet the standard but that have been retrofitted to meet the equivalent emissions standard
  - A licensed exemption for low frequency services which enter the zone less frequently than 25 times per week
  - A temporary licensed exemption for a replacement bus due for example to a bus breakdown
  - A temporary licensed exemption for buses that do not meet the standard as at 1 January 2015 but that have an agreed replacement date with a new or retrofitted bus that meets the emission standards
- 3.9 It is proposed that the Traffic Regulation Condition includes a requirement for buses to switch off their engine if they anticipate that they will be stationary for more than one minute and guidelines would be produced to explain how this would operate in practice in consultation with bus operators.
- 3.10 In June 2011 Cabinet resolved to ensure that the council policy on vehicle replacement worked to reduce vehicle emissions. As such all council vehicles entering the zone should be of at least the equivalent Euro standard.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The option of not declaring a Low Emission Zone has been considered. The council will be renewing the Air Quality Action Plan in 2014 anyway and a Low Emission Strategy forms part of the Local Transport Plan and joint working with Sussex partner organisations to highlight best practice in planning strategies. Annual average levels of nitrogen dioxide are however over 50% above limits in some streets as has been the case for the past ten years. It is felt that implementing a zone in line with the recommendations would be a cost effective means of improving air quality citywide within a relatively short timescale and help raise awareness of the issue.
- 4.2 Consideration has been given to using the Quality Bus Partnership as a means of voluntarily agreeing improvements to emissions standards as an alternative to a regulatory scheme. All bus operators in the partnership have demonstrated a willingness to adopt measures to reduce emissions over many years. The introduction of a Low Emission Zone would establish a transparent enforceable standard applicable to all bus operators when operating services in the city.
- 4.3 A range of options were considered in terms of the geographical area of the zone. By limiting the proposed zone to the North Street / Western Road corridor bus operators unable to meet the standard within the required timescales would have the option of re-routing the service to either run along the seafront or stop

at the Old Steine where air quality is within legal limits. Any such change would reduce emissions within the Low Emission Zone and help with capacity issues along this busy corridor. Over 95% of bus movements pass through North Street / Western Road so benefits in cleaner bus emissions made to permit entry to the Low Emissions Zone would still be realised citywide. The boundaries of the Low Emission Zone could be amended at a later time and consideration has been given to initially declaring a zone to cover all or a larger part of the Air Quality Management Area.

- 4.4 Options for limiting access to the Low Emission Zone for heavy goods vehicles to below an agreed emissions standard have been considered, as applied in the London scheme. The cost of retrofitting a filter to meet the emission standard for a lorry is around £4,000 which would mainly have to be met by small businesses with many only needing to access to the zone on an infrequent basis.
- 4.5 Most supermarkets and operators of larger vehicles already have compliant vehicles. The majority of delivery vehicles switch off their engines whilst unloading takes place. Imposing a ban on lorries with poor emissions standards entering the zone could lead to problems with unloading in surrounding residential streets. As such the type of vehicles being used for deliveries within the Low Emission Zone will be monitored to assess their impact on emissions, with advice available on how to reduce emissions and fuel costs. It is not proposed to exclude heavy goods vehicles from the Low Emission Zone initially although this position will be reviewed in reports back to Committee on the operation of the scheme and progress in meeting emissions limits.
- 4.6 Consideration was given to setting emissions standards for minibuses to enter the Low Emission Zone. Although some services are registered with the Traffic Commissioner, minibuses are comparatively infrequent users of the zone and their impact on emissions is therefore small. Many are also operated by voluntary groups or charities and the proposal is to not to impose emissions standards on this class of vehicle.
- 4.7 Limiting private vehicle access (cars, vans and motorcycles) to the zone to low emission vehicles was considered, as is the case with the London scheme. The number of private vehicles entering the proposed low Emission Zone is already very restricted within the proposed zone due to the bus lane. A further reduction of 30% in private vehicle traffic going down North Street is projected if the proposed reversal of Ship Street is accepted by Committee. Enforcement of such a scheme would be expensive to set up both for the council and for car owners to meet the requirements. It would have a relatively small impact on emissions within the zone. As such the proposal is to not to initially impose emissions standards on this class of vehicle

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Bus operators have been consulted as part of this report and their responses are included in appendix 2 of this report.
- 5.2 Taxi drivers are being consulted on a range of measures to reduce vehicle emissions and the result of this consultation will be reported back to Licensing

Committee in March. Taxi drivers have been informed of these proposals through the taxi forum. Initiatives such as engine idling policies and fleet diversification whilst not directly linked to the Low Emission Zone should help to reduce emissions and raise awareness of the problem. Most taxis will be euro 5 & 6 standard by January 2015 with most taxi drivers are deploying catalytic converters to reduce emissions. They are reporting their findings back to the forum to share best practice with their colleagues.

### **5.3 Principles for appointing and revoking ranks by Traffic Regulation Order**

Change of use that introduces residential units adjacent to taxi ranks (or vice versa) risks creating new noise and air quality issues.

Change of land use in the vicinity of taxi ranks in favour of commercial, retail or catering could be beneficial for the taxi business and their trade and is less likely to compromise serenity or risk residential complaints for noise, fumes and air quality. Larger developments should explore scope for new taxi ranking close to retail, commercial, catering & transport links but avoid rank provision under or adjacent to residential dwellings.

A similar thread should be promoted for bus stops and loading bays. When bus halts are to be introduced or varied consideration should be given re the distance to the residential building line and the proximity to ground and first floor flats within enclosed streets. Planning should be aware of the implications of change of use for example new residential within a few metres of existing bus stops, taxi ranks and loading bays.

## **6. CONCLUSION**

6.1 The introduction of a bus based Low Emission Zone as outlined in this report would provide a cost effective tool to improve the emission standard of buses in the city in a planned and transparent way. The operation of the Low Emission Zone would be reviewed and reported back to Committee 18 months after the start of the scheme by which time tailpipe emissions data should be available for the first full year. The council will use an evidence based approach working with the bus operators to introduce or further develop measures to improve air quality throughout the city. The measures outlined in this report should help further improve the credentials of public transport as a sustainable transport choice.

6.2 The report does not recommend excluding other vehicle types from the proposed Low Emission Zone because of the practical considerations outlined in the report. A range of initiatives are under consultation with taxi drivers to improve emission levels at taxi ranks and citywide through for example relaxing licensing requirements to allow the use of low emission vehicles. The Air Quality Management Plan compliments this approach and targeted initiatives based on the specific nature of the problem in each street are being considered.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

7.1 It is anticipated that costs of officer time, consultation and application to the Traffic Commissioner for Traffic Regulation Condition will be met from within

existing Transport revenue budgets. The ongoing cost of enforcement will be largely officer time which is expected to be funded from existing revenue budgets.

There is potential for a public inquiry on the Traffic Regulation Condition which will require additional costs of officer resource, legal and technical advice for the council's representation.

At present areas of the city exceed national and EU limits for levels of nitrogen dioxide and there is potential for the council to be fined for non compliance with these limits in the future. The introduction of the proposed scheme will therefore reduce the likelihood of non compliance fines.

It is acknowledged that the introduction of emission standards may increase the councils cost of supporting bus services. The proposed Traffic Regulation Condition allows for cost effective compliance measures such as retrofitting of existing buses as well as temporary licenses and exemptions. The council has also received confirmation of DfT Clean Bus Technology Fund grant of £750,000 modification of fifty buses to reduce emissions of nitrogen dioxide and therefore improving compliance with European Union Air Quality Standards.

Finance Officer Consulted Steven Bedford

*Date: 12/12/2013*

#### Legal Implications:

- 7.2 The Council has power under sections 7 to 9 of the Transport Act 1985 to apply to the Traffic Commissioner for a Traffic Regulation Condition to regulate bus emissions in order to reduce or limit air pollution. The Condition would be attached to the operator's Public Service Vehicle Operator's Licence. If an operator of an affected service requests it, a public inquiry must be held before the Condition is made.

*Lawyer Consulted: Carl Hearsurn*

*Date: 13/12/13*

#### Equalities Implications:

- 7.3 There is a small risk that these proposals could adversely affect the provision of infrequently used bus services in outer areas such as those already in receipt of a subsidy by making them less profitable due to the cost of meeting the emission standards, which could have a negative impact on the elderly and disabled. The proposals contain features to minimise this risk, for example the size of the zone is small to allow alternative routes and there is a temporary exemption to allow bus operators time to reach the required standard over a number of years.

#### Public Health Implications:

- 7.4 The Brighton and Hove Joint Strategic Needs Assessment 2013 includes a chapter on Air Quality in Brighton and Hove and the impact of vehicle emissions on residents and estimated that there are between 2,000 and 2,500 dwellings exposed to outdoor levels above EU limits. The main risks relate to pulmonary and cardiovascular illness and initiatives to reduce transport emissions will be of benefit to this group as well as residents and visitors as a whole.

#### Any Other Significant Implications:

- 7.5 There is a risk of a public inquiry if objections are received from the bus companies to the Traffic Regulation Condition advertised by the Traffic Commissioner. The bus operators have been fully consulted on the development of the Low Emission Zone and related conditions to reduce this risk as far as possible. Discussion are planned to continue should the recommendations be approved.
- 7.6 There is a risk that member states of the European Union could be fined if insufficient progress has been made in reducing emission standards to the required limits. Client Earth are a third party that are taking legal action against UK cities for failure of legally binding EU & UK air quality limits. Any fines could be passed on to councils if they are unable to demonstrate that they have acted to address the issue or have through their actions make matters worse.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Nitrogen Dioxide levels Middle North Street
2. Responses to consultation with bus operators

### **Documents in Members' Rooms**

1. None

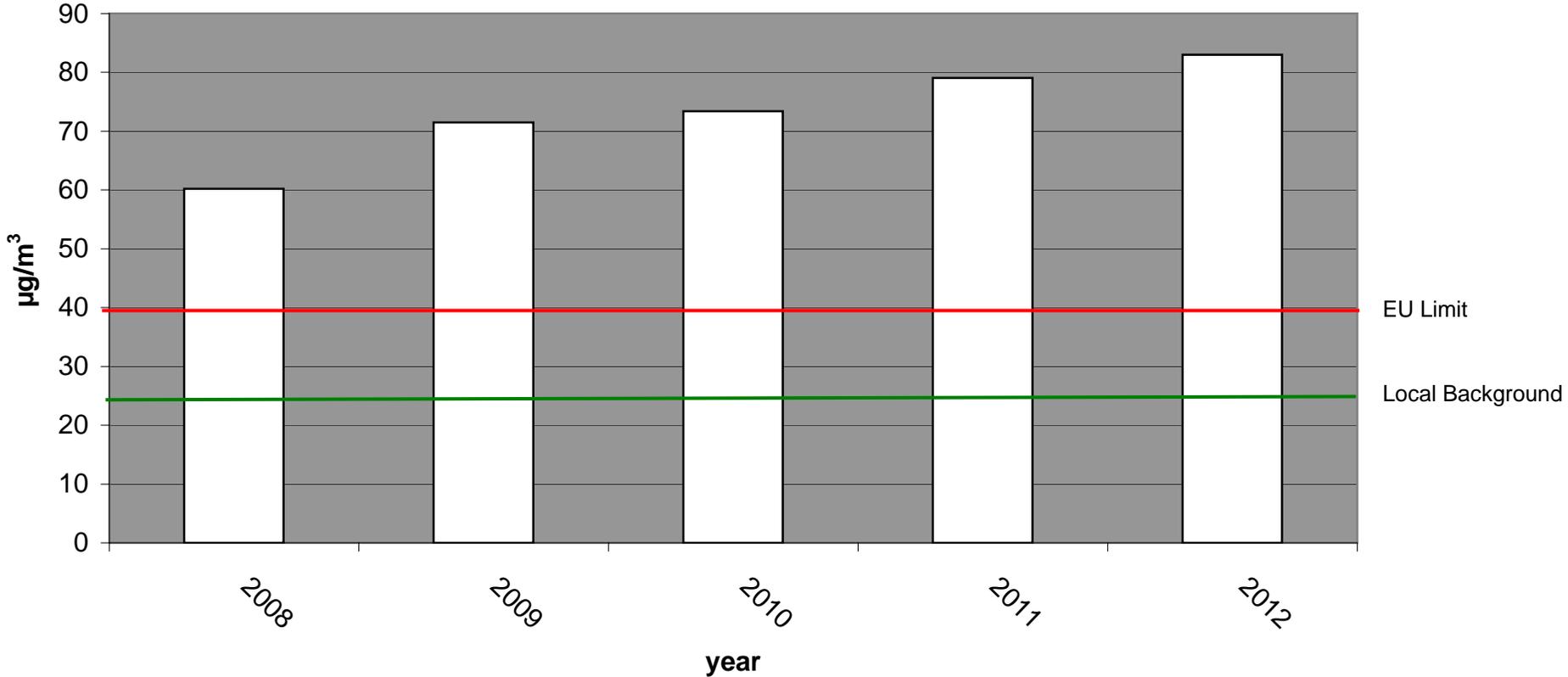
### **Background Documents**

1. The Brighton and Hove Joint Strategic Needs Assessment 2013 (6.4.9 Air Quality)
2. Minutes from 9<sup>th</sup> July 2013 Environment Transport and Sustainability Committee



# Nitrogen Dioxide Middle North Street Brighton

□ Central 11





## Appendix 2

### Responses to consultation with bus operators

<b>Bus operator and whether the proposed low frequency exemption would apply</b>	<b>Comment from bus operators to proposals</b>
<p>Big Lemon</p> <p>Low frequency service – proposed exempt</p>	<p>The below looks good. [proposals]</p> <p>Ref the exemptions, I think hourly or less would be a suitable cut-off. With breakdown cover buses would there be a maximum number of occurrences each week/month and presumably they would be notified within 24 hours of the use (impossible to pre-notify due to the nature of breakdowns...)</p> <p>In answer to your question about how many journeys we operate/expect to operate in the zone, we currently operate two morning journeys and one evening journey to Brighton Station on the 52 service at approx. 7am, 8.30am and 7pm and expect to be doing the same in a year's time. This service runs 6 days per week so the total weekly occurrences would be 18. These journeys are run with buses retrofitted to Euro 4 standard and I do not expect that we will be able to afford to have them retrofitted to Euro 5, although I would love that to be possible!</p>
<p>Brighton &amp; Hove Buses</p> <p>Not exempt</p>	<p>The date of 1 January 2015 is just one year away and gives us significantly less time to prepare than the Oxford scheme upon which it is based.</p> <p>In principle we support the scheme but the shorter the lead time the more flexibility on exemptions we would need.</p> <p>We are comfortable with Euro 2 buses not being allowed in the LEZ.</p> <p>Excluding the SCRT conversions we have 53 Euro 3 buses. Of these, 20 are due to be replaced in July 2014 which leaves 33 in service at 1.1.15.</p> <p>We need to be certain that these converted buses are categorised as "Euro 5" in the scheme and are allowed to operate freely in the LEZ area and would be grateful if the City Council could provide us with an absolute assurance on this point.</p> <p>The earliest we could replace these 33 buses would be in our financial years 2015/16 and 2016/17, where we would plan to purchase 20 new buses each year. Therefore we could comply with no Euro 3 buses by 1.1.17.</p> <p>We currently have 56 Euro 4 buses. The earliest we could replace these would be in financial years 2016/17 (the balance of 7 from the Euro 3s above), 2017/18 (20), 2018/19 (20) with the final ones (9) in 2019/20, thus we could comply with no Euro 4 buses by 1.1.20.</p> <p>We therefore need a minimum of a 2 year exemption for Euro 3 buses and a 5 year exemption for Euro 4 buses, which actually reflects the difference in lead time between this scheme and the Oxford scheme.</p>

	<p>If another funding stream becomes available and we are successful then we would commit to discussing revised exemption criteria based on the number of buses that could be converted.</p> <p>Should significantly adverse pressures on costs or revenues occur (for example a significant reduction in bus priority or a significant reduction in funding) then we would need to renegotiate the deadlines. Conversely, should operating and economic conditions become more favourable for the bus network it may be possible to advance the rate of investment.</p> <p>We are comfortable with implementing a 1 minute switch engine off policy that is similar to the Oxford scheme.</p> <p>We would be committing to a significant long term investment programme to meet the LEZ criteria and whilst we support the LEZ objectives it is our belief that the data provided by the City Council demonstrates that the biggest improvements can be realised where traffic can be made to flow well.</p> <p>One of the roads with the highest readings is Viaduct Road which has few buses but very slow moving traffic. We would therefore expect a commitment from the city council to target traffic congestion “hot spots” and improve traffic flow as an effective way of reducing emissions.</p> <p>We would also expect that other fleets of diesel vehicles in the city centre are studied and targeted for emissions reductions.</p> <p>We are committed to a number of other measures to improve air quality, including employing a team of people at Churchill Square to improve the flow of buses and minimise waiting time; we have already introduced a policy of switching off engines when a bus is expected to be stationary for three minutes; we have fitted all our buses with telematics to improve fuel efficiency through smooth driving; we are working with Ricardo in Shoreham to optimise engine performance and we are looking at ways of rationalising bus stops in the city centre area to improve traffic flow.</p>
<p>Community Transport (B&amp;H Area)</p> <p>Low frequency service – proposed exempt</p>	<p>You advised that the City Council’s proposals for Low Emission Zones in Brighton are to apply a Euro V vehicle standard, but for this to apply only to local bus services registered as such with the Traffic Commissioner, and that enforcement will use the provision for the Traffic Commissioner to impose an appropriate Traffic Regulation Condition on the local services in question. You also advised that there would be an exemption from the LEZ regulations for low frequency services.</p> <p>In the light of the fact that Community Transport currently operates only one local service in central Brighton (Bus 130), which is a low frequency service (one journey per day in each direction, Mondays to Fridays), I am satisfied that we will not, in practice, be affected by the LEZ. This leads me to recognise that many of the questions I raised in my earlier e-mail are no longer relevant.</p> <p>I also confirm that, should the scheme be introduced as described, we will be prepared to instruct our drivers to switch off the engine, should the vehicle be stationary for one minute or more within the LEZ. This is likely to apply in practice only when the vehicle is at its terminal point at Bus Stop D at the northern end of Queens Road.</p>

<p>Compass Travel</p> <p>Not exempt</p>	<p>Thank you for this update on the proposed Brighton LEZ. I can confirm that all our buses that normally use this zone are already Euro 5 compliant. The only exception would be the very occasional emergency use of an older bus to cover for a breakdown. I understand that there would be an exemption for this but I am interested to know how that would work? [clarification provided in response to this question to which the following reply was provided by compass travel] I'm sure something like this could work with just a simple notification if an older vehicle ever had to be used – which as you say should only happen very rarely</p> <p>We normally have six buses that would use this LEZ which operate on an hourly basis in each direction giving 12 buses an hour (Mon-Sat). On Sundays (and public holidays) we also have a route which enters the LEZ 5 times during the day and a second route which operates twice a day into the LEZ – and both these routes would have Euro 5 buses.</p> <p>I am happy with this LEZ scheme as proposed – and would only potentially have a problem if it was extended further outside this central area.</p>
<p>The Sussex Bus Co</p> <p>Routes 33 and 40X do not enter zone</p> <p>Route 40 not exempt</p>	<p>We currently run three services into Brighton: 33, 40 &amp; 40X, each service operating one return journey into Brighton per hour.</p> <p>The current dedicated fleet operating these services are 20% Euro4, 65% Euro3 and 15% Euro 2. However we are currently upgrading our fleet further and by Jan 2014 would consider that our fleet would be 50% Euro 3 / 50%Euro4.</p> <p>We will probably by then still have some Euro2 engined vehicles on the fleet as back up vehicles which may occasionally be operated into Brighton.</p> <p>Would need a long term temporary exemption before we could meet Euro 5 standard</p> <p>We would be comfortable with introducing an engine switch off policy for vehicles waiting more than one minute at a bus stop.</p>
<p>Stagecoach</p> <p>Not exempt</p>	<p>All vehicles require to operate on the 700 service corridor are all to Euro 5 standard , and are either Exhaust Gas Recirculation or Selective Catalytic Reduction (SCR)</p> <p>On the 17 Horsham Brighton service the vehicles scheduled to operate are to Euro 4 standard SCR</p> <p>Within our Worthing fleet we do have vehicles that are to Euro 3 standard but these would only find them selves on any of the other routes should a problem occur</p> <p>For the Future</p> <p>We may well consider operating the 700 Service Littlehampton to Brighton with 30 D/D all at Euro 5 EGR specification.</p>

	<p>A breakdown of our current fleet available to operate the 700 and 17 service is attached the 5 x Euro 4 vehicles are highlighted in green</p> <p>We feel that the 1 minute switch off policy should be dependant on operating experience in relation to adverse engine warning systems due to problems at times caused by congestion.</p>
<p>Cuckmere Community Bus</p> <p>Low frequency service – proposed exempt</p>	<p>We are a minor player in your consideration, providing just 2 journeys a month into central Brighton from the small villages between Lewes and Polegate (service 38). None of our vehicles complies with the current London LEZ requirements, and as we go there very infrequently, it would not be cost effective to comply. The same will apply to our Brighton service at present, and it remains to be seen whether or not we can afford to acquire new or newer compliant vehicles within the timescale you mention. If it is possible for a non-compliant vehicle to enter the area on payment of a fee, we may do this, but it will depend upon the level of that fee and the number of passengers travelling. If that is not possible, we may have to withdraw the service.</p> <p>[clarification provided in relation to low frequency services exemption to which the following response was received - I think the remarks in my earlier e-mail stand, although I have now seen the Oxford guidance, thank you. Whilst I agree with the general thrust of what the Council seeks to achieve, I do not think we will be able to comply, even in 2 years time. Once we have identified a suitable replacement bus, our priority will be to put that to work on a regular headway service, such as in Hailsham or Seaford, rather than the occasional run, which our Brighton service 38 is. We run two days a month, one journey each day and would therefore hope that the City Council could agree an exemption on the grounds of very low frequency. If we do proceed with the conversion of one of our fleet to run on Pure Plant Oil (zero emissions) this might be used on the Brighton service. The problem with that is the cost of the oil, which currently is over £2.00 a litre, and therefore does not make economic sense!]</p>

<b>Subject:</b>	<b>Old Town Transport Plan</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tom Campbell</b>	<b>Tel: 29-3328</b>
	<b>Email:</b>	<b>Tom.Campbell@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>Regency</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 This report summarises the report of the Planning Inspectorate that was received following a Public Inquiry into the Old Town Transport Plan proposals and outlines the recommended actions to move the project forward.

**2. RECOMMENDATIONS:**

- 2.1 That, the Committee requests the Executive Director Environment, Development & Housing re-advertise the following Order with the modifications described in section 3 of this report:

- BRIGHTON & HOVE (EAST STREET)(PROHIBITION OF DRIVING) ORDER 20\*\*

and that the Committee notes that any representations or objections will be brought back for consideration to a future Committee.

- 2.2 That the Executive Director Environment, Development & Housing reviews the following Order:

- BRIGHTON & HOVE (PRINCE ALBERT STREET)(PROHIBITION OF DRIVING) ORDER 20\*\*

after the implementation of the Ship Street / North Street closure Order (referred to at recommendation 2.3) and brings back any proposals in relation to this Prince Albert Street Order to a future Committee.

- 2.3 That, having taken account of all duly made representations and objections, the Committee approves the following Order and authorises the Executive Director Environment, Development & Housing to request the authorisation of the Secretary of State:

- BRIGHTON & HOVE (SHIP STREET)(PROHIBITION OF DRIVING AND ONE-WAY TRAFFIC) ORDER 20\*\*

2.4 That, having taken account of all duly made representations and objections, the Committee approves the following Order and authorises the Executive Director Environment, Development & Housing to request the authorisation of the Secretary of State:

- BRIGHTON & HOVE (OLD TOWN)(WEIGHT RESTRICTION) ORDER 20\*\*

### **3. CONTEXT/ BACKGROUND INFORMATION**

3.1 The Old Town Transport Plan is a continuation of the council's Walking Network programme.

3.2 The proposal for a Walking Network was initially agreed by Policy & Resources Committee as part of a package of capital schemes in the previous Local Transport Plan 2006/7-2010/11.

3.3 The first phase focussed on King's Road between Middle Street and Black Lion Street and was implemented in early 2009. The second phase involved closing the southern end of East Street to traffic and installing a new pedestrian crossing across the A259. It was implemented in Spring 2012.

3.4 In September 2009 Cabinet approved *'the commencement of feasibility, design and consultation of a Phase 3 which will examine the potential of further measures in the East Street area.'* Through early feasibility work it became apparent that any changes to traffic management in East Street would have significant implications for the surrounding area. Therefore it was felt that the scheme needed to consider traffic management in the Old Town as a whole.

3.5 In October 2012 Transport Committee approved the Old Town Transport Plan in principle and authorised officers to advertise the relevant Traffic Regulation Orders. Copies of all objections and representations received in relation to the advertisement of the Order are available to view in Members' Rooms.

3.6 The law states that a public inquiry must be held if there is an unresolved objection to a Traffic Regulation Order that would have the effect of prohibiting loading or unloading of vehicles of any class (i) at all times, (ii) before 07:00 hours, (iii) between 10:00 and 16:00, or (iv) after 19:00, or if the passage of public service vehicles would be restricted and there is an objection from an operator of an affected service.

3.7 With the Old Town orders, the orders relating to Brills Lane, East Street, Prince Albert Street and Ship Street all fulfilled the above criteria and therefore a Public Inquiry was held on 17-19 May 2013.

3.8 Following the Inquiry the Inspector's Report was received in October and a summary of its findings is outlined below. A full version is attached as Appendix 1.

### 3.9 Inquiry findings

The following paragraphs summarise the main findings of the report for each traffic Order that the Inquiry considered and the recommended actions for each element:

#### 3.10 **BRIGHTON & HOVE (BRILLS LANE)(PROHIBITION OF DRIVING) ORDER 20\*\***

3.11 The effect of this Order would be to prevent vehicles travelling along Brills Lane or the southern end of East Street between 11am and 7pm each day.

3.12 The Inspector's main concern was the effect on local business due to loss of loading facilities and, to a lesser degree, the loss of parking spaces for local residents. He felt that the advantages of reduced traffic in the area would be relatively small and that they would not outweigh the disadvantages.

3.13 It would be possible to address the Inspector's concerns to some degree by providing further alternative loading or parking provision. However it would not be possible to eradicate these issues entirely and doubt would remain as to whether the advantages could be considered to outweigh the disadvantages. Therefore it is not recommended to proceed with this Order.

#### 3.14 **BRIGHTON & HOVE (EAST STREET)(PROHIBITION OF DRIVING) ORDER 20\*\***

3.15 The effect of this Order would be to prevent vehicles travelling along East Street between 11am and 7pm each day.

3.16 The Inspector felt that the proposals would benefit the area by moderately improving road safety, implementing the aims of Local Policy TR9 (pedestrian priority measures in the Old Town), and helping local businesses. However the report also raised concerns that the impact on Little East Street of re-directed traffic during the hours that East Street was closed had not been sufficiently examined. In particular he highlighted:

- The risk to pedestrians that will exist as a result of increased traffic flows
- The possible reduction in amenity outside Northern Lights (concerning tables and chairs)
- The emergence into traffic of pedestrians leaving Dr Brighton's
- The scheme not providing a loading bay offset from the main carriageway alignment, risking loading and unloading activities interrupting the free flow of traffic
- The fact that no formal safety review had been carried out at that point.
- The Inspector also noted that the Order had been advertised with an error in that it stated that the closure would extend as only as far as King's Road rather than Grand Junction Road. He stated that a modification to correct this error would amount to a substantial change to the Order and that affected parties had not been given the opportunity to comment on such a change.

- 3.17 Given that the Inspector recognised the benefits of the proposal it is possible to proceed with the Order. However the council must take into account the findings and recommendations of the Inspector as detailed above. In order to address the issues raised by the Inspector it is proposed to:-
- Redesign Little East Street to remove the road safety issues identified above, to allow loading to occur where it will not impede traffic, and to accommodate tables and chairs licensed areas.
  - Consult with local businesses on the re-design.
  - Ensure that the re-design is assessed via a full Road Safety Audit in accordance with the Design manual for Roads and Bridges.
  - Re-advertise the Order with the correct road names and with details of the re-design of Little East Street.
- 3.18 The Inspector also noted that the Order had been advertised with an error in that it stated that the closure would extend only as far as King's Road, rather than Grand Junction Road. He stated that a modification to correct this error would amount to a substantial change to the Order and that affected parties had not been given the opportunity to comment on such a change.
- 3.19 The Road Safety team have carried out an audit of the area and a draft design has been produced that mitigates the road safety risks in this area. The design will be consulted on with local businesses and will be submitted to an independent Road Safety auditor for comment and, subject to the outcome of those processes it is recommended that a notice of the modified proposals is advertised to ensure that all affected parties have a full opportunity to comment on the proposed changes. Any objections would be brought back to a further meeting of the Committee.
- 3.20 **BRIGHTON & HOVE (PRINCE ALBERT STREET)(PROHIBITION OF DRIVING) ORDER 20\*\***
- 3.21 This Order would prohibit vehicles from entering the section of Prince Albert Street between Ship Street and Black Lion Street.
- 3.22 The Inspector felt that this Order would be beneficial by facilitating the passage of pedestrians, improving the visibility of shopfronts and enhancing the shopping environment for pedestrians. The reduction in vehicular traffic would reduce the associated environmental impacts to some extent and the scheme would increase the potential for other amenity improvements such as further use of outside seating for cafes. However the Inspector did state that in his opinion the closure of Prince Albert Street would be unlikely to reduce west-east traffic in any material way. It is proposed to obtain further evidence/data on this issue through traffic counts following the closure of Ship Street.
- 3.23 The Inspector was concerned about the effect on the operation of the Friends Meeting House and other local businesses due to the removal of a loading bay, and about how access to the Wooley Bevis Diplock car park would be retained.
- 3.24 Since the Inquiry officers have met with the Friends Meeting House and have agreed in principle a re-design that would accommodate a loading bay in the new scheme. An amendment to the order has also been drafted that would allow vehicles access to the Wooley Bevis Diplock car park.

- 3.25 It is recommended that this Order is reviewed following implementation of the Ship Street closure Order. This will allow the impact of the Ship Street closure on traffic flow in Prince Albert Street to be assessed and further consultation with the Friends Meeting House and other affected businesses to take place.
- 3.26 **BRIGHTON & HOVE (SHIP STREET)(PROHIBITION OF DRIVING AND ONE-WAY TRAFFIC) ORDER 20\*\***
- 3.27 This Order concerns the section of Ship Street between Duke Street and North Street. It would reverse the one-way flow from southbound to northbound, impose an 'access only' restriction, and close the road to all vehicles before 8am and after 11am each day.
- 3.28 The Inspector agreed that this measure would significantly reduce rat running through the Old Town and that this reduction in traffic would facilitate the passage of pedestrians, improve the visibility of shopfronts and enhance the shopping environment for pedestrians. The reduction in vehicular traffic would reduce the associated environmental impacts in the Old Town to some extent and the scheme would increase the potential for other amenity improvements such as further use of outside seating for cafes.
- 3.29 The proposed daily hours of closure would have the effect of preventing access to premises by vehicles for more than 8 hours in a 24 hour period. Therefore it is necessary to seek the formal approval of the Secretary of State before implementation. It is therefore recommended that officers are requested to seek the Secretary of State's approval and implement the measure once approval has been granted.
- 3.30 **BRIGHTON & HOVE (OLD TOWN)(WEIGHT RESTRICTION) ORDER 20\*\***
- 3.31 This Order would ban HGVs from the Old town after 11am each day.
- 3.32 The Inspector noted that HGVs were not well suited to the Old Town, due to the narrow streets and historical character of the area. He felt they were unduly dominant, giving rise to a number of problems, including: blocked commercial frontages, which causes lost trade; and, passing traffic being forced to encroach onto footways in order to pass, to the detriment of pedestrian safety.
- 3.33 The proposed daily hours of closure would have the effect of preventing access to premises by vehicles of the specified class (HGVs) for more than 8 hours in a 24 hour period. It is therefore necessary to seek the formal approval of the Secretary of State before implementation. It is therefore recommended that officers are requested to seek the Secretary of State's approval and implement the measure once approval has been granted.
- 3.34 Timescale  
Were the Committee to approve the report's recommendations the expected timescale for implementation would be as follows:

14 Jan 2014	ETS Committee Meeting.
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15 Jan 2014	Submission made to Secretary of State for authorisation to implement Ship Street / North Street closure.
Feb 2014	Secretary of State decision.  If authorisation granted, implement Ship Street / North street closure.  HGV ban implemented.
March 2014	Review Prince Albert Street following implementation of Ship Street / North Street closure.
29 April 2014	ETS Committee Meeting to consider: <ul style="list-style-type: none"> <li>• Result of Prince Albert Street review.</li> <li>• East Street TRO and Little East Street safety scheme.</li> </ul>
May / June 2014	If applicable, implement Prince Albert Street and East Street.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 If the council were to consider any option other than following the recommendations of the Inspector it would lead it open to potential legal challenge.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The Old Town project has been through extensive public consultation detailed in previous reports. The Public Inquiry was the culmination of consultation on the scheme and details of all consultation feedback is contained within the Inspector's Report attached as Appendix 1.

#### **6. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 6.1 These will be funded from the Local Transport Plan (LTP) capital budget. Within this there is an allocation of £80,000 for the Walking Networks Programme for 2013/14.

*Finance Officer Consulted: Jeff Coates*

*Date: 12/12/13*

### Legal Implications:

6.2 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. Procedural regulations require public notice of orders to be given and any person may object to the making of an order.

Where the Council proposes to make an Order with modifications that appear to it to make a substantial change to the Order, it must give anyone affected a chance to comment on the modifications and ensure that those comments are taken into account when reaching a decision.

A public inquiry must be held if there is an unresolved objection to a TRO that would have the effect of prohibiting loading or unloading of vehicles of any class (i) at all times, (ii) before 07:00 hours, (iii) between 10:00 and 16:00, or (iv) after 19:00, or if the passage of public service vehicles would be restricted and there is an objection from an operator of an affected service.

The Council is obliged to take into account the Inspector's report and any objections and comments made to it when reaching a decision on whether an Order should be made. The Council is not bound to follow the Inspector's recommendations, but it must give them due and proper consideration and any departure from them must be supported by proper evidence and reasons.

Orders that would have the effect of preventing access to premises by vehicles for more than 8 hours out of any period of 24 hours must be submitted to the Secretary of State for Transport for consent to their making if the owners and occupiers of premises on the road have objected.

The Council is under a duty to exercise its powers under the Act secure the safe and convenient movement of traffic and the provision of adequate on and offstreet parking facilities. It must also take into account any implications that orders would have for access to premises, local amenity, air quality, public transport provision and any other relevant matters.

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.

The Council is under a legal duty as a public authority to consider the human rights implications of its actions. Parking and traffic restrictions have the potential to affect the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them where this is necessary, proportionate and for a legitimate aim.

*Lawyer Consulted:*

*Carl Hearsom*

*Date: 17/12/13*

### Equalities Implications:

6.3 Equalities implications formed a consideration of the Inspector and therefore no negative equalities implications are deemed to arise from the recommendations following the Public Inquiry.

### Sustainability Implications:

- 6.4 The Old Town Transport Plan is part of the council's sustainable transport strategy and will help to encourage the use of sustainable transport and reduce the negative effects of vehicles within the old Town area.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Old Town Transport Plan – Planning Inspectorate's Report

#### **Documents available in Members' rooms:**

1. Copies of objections and representations made to advertisement of Traffic Orders

#### **Background Documents**

1. Transport Committee minutes, 15 Jan 2013
2. Transport Committee minutes, 2 Oct 2012

<b>Subject:</b>	<b>London Road: Ann Street and Providence Place area improvements</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Alan Buck</b>	<b>Tel: 292287</b>
	<b>Email:</b>	<a href="mailto:alan.buck@brighton-hove.gov.uk">alan.buck@brighton-hove.gov.uk</a>	
<b>Ward(s) affected:</b>	<b>St Peter's and North Laine</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The committee is being informed of the results of the public consultation exercise and is requested to approve the revised plans for permanent public realm and environmental improvements to the Ann Street/Providence Place area near London Road.
- 1.2 The committee's approval is required to endorse the plans and allow appropriate measures to be undertaken for the permanent works to go ahead. Such measures would include any traffic orders or further consultations that need to be undertaken to restrict HGV movements in the project area, reallocate on-street parking spaces and undertake any works to the carriageway to enable the pedestrian-focussed improvements to be realised.

**2. RECOMMENDATIONS:**

- 2.1 That the committee notes the results of the public consultation and resulting revisions to the plans for permanent improvements to Ann Street/Providence Place.
- 2.2 That the committee approves the Ann Street/Providence Place Implementation Plans (appendix 2 of this report) as forming the basis for realising a phased series of improvements to the area, commencing later this year.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The plans for permanent improvements to Ann Street and Providence Place are based on the 'Common Room' scheme (the winning entry to the INTERREG IVB-assisted Lively Cities project that was successfully piloted over two weeks in October 2012). The Ann Street/Providence Place improvements are part of a longer-term and ongoing process to regenerate London Road, as established in the council's London Road Central Masterplan (adopted as a Supplementary Planning Document in 2009). The masterplan's objectives are currently being realised through a wide range of projects and developments in the area that

include the Open Market redevelopment, the Level restoration, the redevelopment of the former Co-op department store for student accommodation and retail units, the development of Site J in the New England Quarter, the 'Fusebox' project in New England House (a workspace resource to encourage entrepreneurial and innovative design projects), initiatives stemming from Portas Pilot funding on London Road and forthcoming public realm improvements along and around London Road.

3.2 At its meeting on 8 October 2013 this committee approved draft plans for developing the Common Room concept as a permanent scheme, for the purpose of a six week public consultation exercise that was subsequently held between October – November.

3.3 The plans set out a range of physical works to improve the appearance of the area and the way that it is used, in order to provide a much needed 'oasis' for relaxation, rest and informal recreation on the edge of the high street shopping area and an improved environment on this important pedestrian route between the rear entrance of Brighton Station and London Road, the Level and beyond. These works include:

- 'opening-up' and making better public usage of Providence Place Gardens (the green space opposite St Bartholomew's Church) through the removal of fencing and the introduction of steps, public seating and lighting;
- reconfiguring the bottom end of Ann Street (adjacent to London Road) into a mini pedestrian 'square', with public seating;
- removing on-street car parking spaces (and reallocating them to nearby locations) to make space for the public realm pedestrian-focussed improvements;
- limiting movements of HGVs above 7.5 tonnes through the project area (this will allow necessary deliveries within the project area to be carried out but prevent unnecessary through movements);
- providing a 'shared-surface' treatment to Ann Street and part of Providence Place (that would operate in a similar manner to Brighton's New Road) that – in conjunction with nearby Fenchurch Walk and the Site J plaza and station steps (currently-under-construction) to the west - will serve as an important outlying element of the proposed Brighton Station Northern Gateway project;
- securing a range of other environmental improvements collectively aimed at widening the 'sphere of influence' and environment of the park into the surrounding streets and public realm, making the area more attractive and welcoming, providing for the needs of the existing local communities as well as helping to encourage regeneration and the creation of new street frontage along Providence Place and investment and economic growth in the London Road town centre shops and local area.

3.4 The comments received during the public consultation exercise have been carefully considered and have helped the plans to be refined and modified where

appropriate. Overall the most popular areas of support (or suggestions for improving the proposed design) included:

- illuminating the trees and the church after dark with LED sustainable energy lighting, whilst minimising light pollution;
- using high quality, long lasting, maintenance-friendly, sustainable materials - particularly for the terraced steps;
- clearly demarking the shared-space zone and ensuring parking restrictions are enforced;
- increasing the proposed level of greening across the project area (with particular support expressed for the proposed green wall and requests for hanging baskets, trees, planting, wild flowers and raised beds);
- providing for the free movement of cyclists and people with disabilities across the site;
- providing an increased number of well-spaced Sheffield cycle stands across the site, in particular close to London Road;
- realigning the proposed street furniture in Ann Street 'pocket square' to release more space for pedestrians and cyclists
- encouraging new uses along with the proposed new frontages to the existing rear elevations of buildings around the edge of the project area, to provide cafes, bars, art gallery and new entrances to London Road shops; and
- ensuring that the proposed waste bins are attractive, colourful, compact and to consider making them the subject of a design competition

3.5 The full range of comments received is set out in appendix 1 of this report, with the proposed final version of the plans for the physical changes to the project area forming appendix 2.

3.6 An implementation and phasing plan is being prepared in order to ensure the most important physical elements of the project are prioritised and secured within the funding streams that are currently available or that are likely to become available in the near future. Phase 1 would commence in the spring and – as a minimum - comprise removal of the park railings, construction of the park steps, provision of park seating and the introduction of restrictions to HGV movements through the project area. This phase would be funded from financial sources that have already been secured. It is hoped that the creation of the Ann Street mini-square can also be secured in Phase 1, with the following Phase (or phases) securing the elements that will provide the shared carriageway and other elements of the overall package.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 A wide range of alternative options for the area were considered in 2012 at the LICl competition stage for a temporary two week pilot project. The 'Common Room' proposal was unanimously considered by the judges to best meet the requirements of the competition brief, which itself had been informed by the results of considerable analysis of the project area, undertaken in 2011.

4.2 The 'Common Room' concept was tested on-site as a two week pilot in October 2012. The current proposal for a permanent scheme is the result of refining and developing the successful elements of the pilot and improving on, or abandoning, the less successful elements.

## 5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Over the course of its life since 2011 the project has involved extensive public consultation. Prior to the most recent consultation between October – November 2013 this has included:

- the establishment of a local stakeholder forum that has met on a number of occasions to be kept abreast of events and to input into the project;
- the involvement of local stakeholders and professionals in the 2012 pilot project competition, along with a public consultation exercise on the short-listed entries that included three days exhibiting the plans in the project area and a virtual online exhibition for the duration of the consultation period;
- the use of a range of media to advertise progress on the project and involve the public where appropriate including Facebook, YouTube, Twitter, newsletters and more;
- two detailed survey exercises, assisted by a team of community fieldworkers who collected a wide range of data, including people's views on the area and observations and analysis on how the area was being used – the first in the autumn on 2011 and the second during the two week pilot test in the autumn of 2012. The 2011 exercise provided the basis for the competition brief and the 2012 exercise was used to assess the various aspects of the two week pilot and to inform the details of the proposed permanent scheme.

5.2 The most recent public consultation (between October – November 2013) concerned the proposed permanent scheme and included a three day open air public exhibition in Providence Place Gardens and a virtual online exhibition for the duration of the six week consultation period. A meeting of the stakeholder forum was held during the consultation period. The consultation exercise generated 68 responses. These, along with the views expressed at the stakeholder forum, have been noted and carefully considered in refining the permanent plans.

5.3 The response from the consultation has been largely supportive of the various elements of the plans for permanent changes to the area. Of the 68 responses received, 67 supported the overall objectives of the proposal, with only one (unidentified) respondent requesting that the scheme should not go ahead. The opening-up of the park via the removal of fencing, construction of steps and introduction of public seating, along with the creation of a mini 'square' at the bottom of Ann Street all received particularly strong support. This support may well have been aided by the fact that these elements had previously been physically demonstrated and successfully piloted in 2012. Many visitors to the exhibition recalled the two week pilot and commented that they felt it had greatly improved the area, made it accessible to a wide range of people and had considerably reduced incidences of social nuisance for its duration. Indeed, many questioned why and expressed disappointment that the council had removed all the physical improvements after only two weeks.

- 5.4 The principle of applying the 'New Road' shared-carriageway approach to the sections of Ann Street and Providence Place that fall within the project area received support from many, although some were concerned that this could pose a danger to school children from St Bartholomew's Primary School. The safety of all road users – and in particular the local schoolchildren – will be paramount considerations in the detailed design of any shared-surface treatment or similar that is prepared.
- 5.5 St Bartholomew's Church representatives have expressed concern the any changes need to accommodate the occasional parking of large vehicles connected with concerts or broadcasts from the church. This is being accommodated through the integration of removable street furniture at the bottom of Ann Street.

## 6. CONCLUSION

- 6.1 The recommendation should be approved to endorse the implementation of the improvement plans and to allow any necessary traffic orders to be advertised.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

- 7.1 Preparation of the detailed implementation plan is being funded by a mixture of existing staff resources, INTERREG IVB and the Local Transport Plan (LTP). The permanent scheme is currently being costed but implementation of all phases is likely to be in the region of £650,000. This is expected to be funded from a variety of sources, which could include a mixture of INTERREG IVB, Section 106 contributions, the LTP and other potential future external funding sources (e.g. via possible access to funding under a future City Deal arrangement).

*Finance Officer Consulted: Jeff Coates*

*Date: 12/12/13*

### Legal Implications:

- 7.2 Any infrastructure to be provided as part of the permanent implementation plan may fall within the definition of "development" under the Town and Country Planning Act 1990 and will therefore require planning permission, unless permitted development rights apply. The traffic measures outlined will require traffic regulation orders which will need to be advertised in accordance with the relevant legislation, following approval of the detailed implementation plan by Environment, Transport & Sustainability Committee.

*Lawyer Consulted: Hilary Woodward*

*Date: 12/12/13*

### Equalities Implications:

- 7.3 The project seeks to implement an element of SP10, for which an equalities impact assessment was undertaken. Equalities implications have informed the

data collection process to date. Identified equalities issues have been taken into account in developing a detailed implementation plan, including issues of access for all. An equalities impact assessment has been undertaken in respect of the draft implementation plan.

#### Sustainability Implications:

- 7.4 The project seeks to implement an element of SP10 for which a sustainability assessment was undertaken. The project seeks to provide a greatly improved environment and public realm that will be a valued community asset, encourage walking, cycling, outdoor play and recreation and assist in the physical and economic regeneration of London Road, an important inner city area in recognised need of improvement.

#### Any Other Significant Implications

- 7.5 The reallocation of on-street car parking spaces connected with this project will be undertaken as part of a wider rationalisation exercise that is planned in the locality.
- 7.6 A risk assessment will be undertaken in respect of pedestrian safety to inform the detailed design of any shared surface treatment to the roads within the project area.
- 7.7 The project has identified and seeks to tackle a range of public safety issues including anti-social behaviour, graffiti, street drinking, drug dealing and general perceptions and fear of crime.
- 7.8 The improved environment should have a positive impact on physical and mental health. The new seating and other works from the permanent scheme will provide a setting conducive to a range of informal recreational opportunities. The overall works will provide an environment conducive to formal and informal after-school play sessions, as tested during the pilot exercise in 2012 and at further sessions that took place in 2013. A permanent table tennis table in the park that was installed last May forms part of the project for the area and should become even more widely used as a result of the improvements.

### **SUPPORTING DOCUMENTATION**

#### **Appendices:**

1. Ann Street and Providence Place Area Improvements: Results of public consultation (Oct-Nov 2013)
2. Ann Street and Providence Place Area Improvements: Implementation Plan

#### **Background Documents**

1. Ann Street/Providence Place Gardens – Common Room Site Assessment Report 2012

Compiled by the Planning Projects and  
Environment Initiatives Teams  
at Brighton & Hove City Council

# INTERREG IVB Lively Cities Project

## **Ann Street / Providence Place Gardens**

### **Consultation on long-term proposals**

December 2013

**Printing advice:**

*For optimum results, this document should be printed back to back. This is because information provided in the even pages has been designed to be complemented by*



## About this report

**This report provides an overview of the community response to the consultation on proposals for long-term improvements to the Ann Street and Providence Place area, close to the London Road shopping centre in Brighton.**

The consultation took place between 9 October and 24 November 2013.

This report contains a summary of 68 responses from people who filled in the feedback forms made available online and during the three-day public exhibition held in the area and two written responses from representatives of Brighton & Hove Friends of the Earth and Bricycles.

**An implementation plan for the revised proposals based on consultation responses is provided in a separate report.**

This work is part of the INTERREG IVB-assisted 'Lively Cities' (LICI) programme - a four-year project aimed at strengthening communities by reclaiming public space for public use.

The lead partner for the project is the Belgian-based AMCV. The partner authorities participating in the project (along with Brighton & Hove) are Aberdeen (Scotland), Lille (France), Eindhoven (the Netherlands) and Tournai, La Louvière and Liege (all in Belgium). Academic institutions observing the project as part of their research include (Åbo Akademi University in Finland, Univeristé du Luxembourg, Wageningen University in the Netherlands and North West University in South Africa).

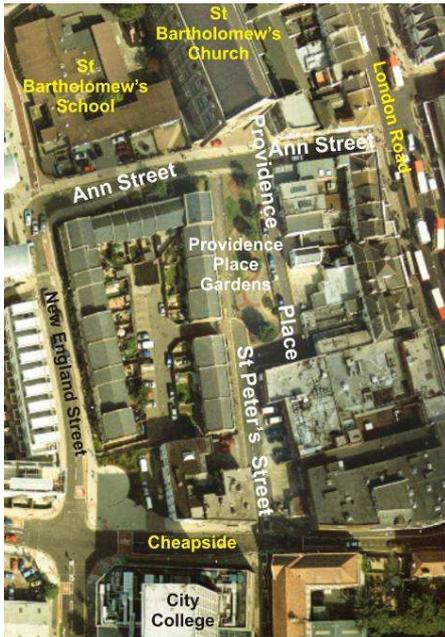
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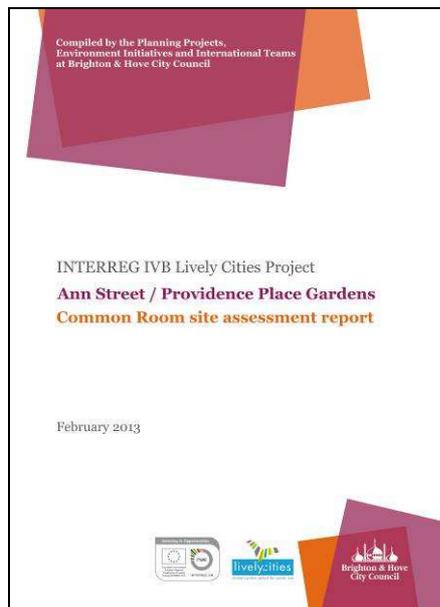


*Aerial view of the project area e during the Common Room pilot.*

# 1. The project brief



Aerial view of Ann Street / Providence Place Gardens area off the east side of the London Road shopping area. The LIC Competition project area encompassed the spaces indicated in white letters.



Above: 2012 Common Room report (see also appendices).

Below: Officer workshop to support preparation of proposals for public consultation.

Between 1 and 14 October 2012, the winning Lively Cities competition entry - 'The Common Room' - was piloted in the Ann Street / Providence Place area of Brighton.

Full details of the two week pilot scheme and user response to the temporary changes are summarised in the Common Room site assessment report issued by the council in February 2013.

Between March and September council officers drew up proposals to take forward and refine the successful elements of the 'Common Room'.

It was considered important that the long-term proposals for the project area included the following elements:

- § A public realm design that can be implemented in phases (as funding streams become available).
- § A plan to help guide the social and economic 'place-making' aspects of The Common Room that addresses and supports the objectives of the council's London Road Central Masterplan and the various existing and emerging projects in the vicinity.
- § A transport plan that minimises on-street parking in the project area and re-provides and reallocates residents' on-street parking and blue badge spaces at appropriate locations elsewhere in the vicinity.

A series of meetings and a workshop were held to inform the proposals. This meant the proposals benefited from a wide range of expert advice from council officers, local councillors and the consultants (Plan Projects and Luis Trevino Architects) that conceived and designed the 'Common Room' pilot scheme.

The proposals submitted for public consultation are detailed in pages 9 and 10 of this report.



## 2. The consultation

The public consultation ran from 9 October until 24 November 2013.

It comprised a staffed, three-day public exhibition in Providence Place Gardens (10-12 October 2013), a dedicated workshop for the Providence Place Forum (16 October 2013) and an online exhibition available throughout the consultation period.

The exhibition comprised four display panels - two summarising the findings of the 2012 two-temporary trial and two detailing the plans (see pages 5-8).

A standard feedback form (see 5.1) was made available online and during the public exhibition to gauge people's responses.

Notes taken during the Providence Place Forum meeting and a letter submitted by Brighton & Hove Friends of the Earth were also considered as part of the findings outlined in this report. The Providence Place Forum was set up in 2011 to help guide the project and is formed by a group of stakeholders who represent a range of interest in the project site and the wider London Road community.

The responses gathered via each of these means of communication are reported in more detail in 5.2 – 5.6 of this report.

Images of the consultation panels, a summary of findings arising from the feedback received are provided below.



*Public exhibition in Providence Place Gardens (10-12 October 2013).*



*Providence Place Forum workshop (16 October 2013).*

*Below and over: An online exhibition and feedback form were posted on the council's consultation portal for a six week period.*

The screenshot shows the Brighton & Hove City Council Consultation Portal. At the top, there is a navigation bar with the council logo, the title 'Consultation Portal', and links for 'Accessibility', 'Privacy', 'Brighton & Hove City Council Home', and 'Contact Us'. Below this is a search bar and utility links for 'Login / Register', 'Who Said What?', 'Help', and 'Print'. The main content area features a breadcrumb trail: 'Consultation Home > Brighton & Hove CC > Environment > Planning > Lively Cities > Lively Cities long-term scheme consultation'. The title is 'Lively Cities long-term scheme consultation'. The text below explains that in October 2012, the Ann Street / Providence Place Gardens area was transformed into the 'Common Room', a pedestrian-friendly area with various physical changes and environmental improvements. It mentions that proposals for a permanent transformation have been drawn up, and a questionnaire is available for users to view and make comments on the proposed changes. A deadline of 24 November 2013 is set for completing the questionnaire. A 'View and Comment' button is prominently displayed. Below this is an 'Event Information' box containing the following details:

- Access:** No login required
- Status:** open (From 09/10/13 09:00 to 24/11/13 23:59)
- Privacy:** If you take part, your name will not be shown, your answers will not be shown, your town/city will not be shown
- Description:** To register feedback on long-term proposals for a new design for the Ann Street / Providence Place area of Brighton.
- Organisation:** Brighton & Hove City Council
- Contact Name:** Planning Projects
- Contact Email:** planningprojects@brighton-hove.gov.uk
- Contact Telephone:** 01273292352
- Subject:** Parks and gardens, Planning (town and country), Public Realm
- Organisation:** Brighton & Hove City Council
- Ward:** St Peters and North Laine

# Ann Street / Providence Place Gardens

Consultation on proposed changes



## 2012 Common Room trial

In October 2012 the Ann Street / Providence Place Gardens area was temporarily transformed for two weeks into the 'Common Room', a pedestrian-friendly area providing a variety of opportunities for people to relax, play and enjoy the area.

The changes included:

- removal of the park railings and introduction of terraced steps;
- fixed and movable seating;
- activities such as table tennis, after school-play and food trading;
- lighting of trees in the evening;
- stage and art wall (on Providence Place);
- free large capacity Wi-Fi; and
- ban on Heavy Good Vehicles.

At the bottom of Ann Street, a small 'square' was created with tables and chairs and providing flexible space for events.

With the help of community volunteers, the council monitored and gathered public response to the temporary changes. This work indicated that during the trial:

- there was a **noticeable increase in the use of the area as people** made use of the new facilities and activities;
- the changes **attracted a wider range of ages** than usual with a significant increase in young adults, teens, children and seniors using the area, and
- **people visited the area more often** than usual and **stayed for longer** periods of time.



### Most successful changes

**Removal of railings, introduction of steps between the park and Providence Place and seating in the park** were the most popular physical changes introduced as part of the Common Room.

The removal of the railings and presence of the steps acted as an open invitation for people to enter and spend time in the park.

Along with the removal of parked cars, they also unexpectedly resulted in Providence Place being treated as a shared space - similar to Brighton's New Road, where pedestrians and vehicles all share the same road area.



Exhibition panel 1.

# Ann Street / Providence Place Gardens

## Table tennis, after-school play and other activities

Table tennis and after-school play were the most popular activities introduced as part of the Common Room. People of all ages played table tennis (some even in the rain) and after-school play turned the park into a space that children and parents could enjoy. Some impromptu activities took place during the Common Room trial. Nobody who was there will forget the evening the Brazilian dance troupe came to practice. Such unplanned events revealed the potential of the park as a flexible space where a diverse range of activities could take place!



## Ann Street 'pocket' square

Tables and chairs invited people to take a break and spend time in the area while allowing space for events to take place and still allowing access for delivery vehicles.



## Tree lighting and HGV ban

Lighting-up the trees helped to make the park look beautiful and feel safer after dark. The HGV ban proved largely effective and resulted in a much safer and quieter environment.



## Mixed fortunes

Food trading had mixed fortunes and appeared to be dependent on a variety of factors including weather, range of products on sale and price.



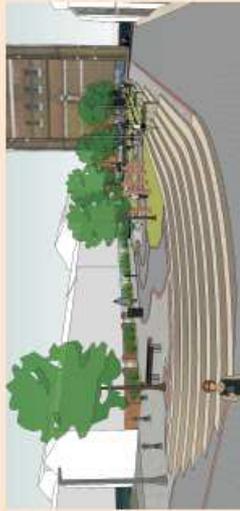
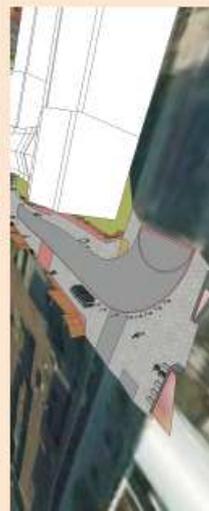
## Least successful changes

Stage  
This was arguably the least successful of the changes and was at no time used for its intended purpose of providing for impromptu performances.





# Ann Street / Providence Place Gardens



## What happens next?

Help us improve the proposed plans by filling in the feedback form and posting it in the box available in this exhibition.

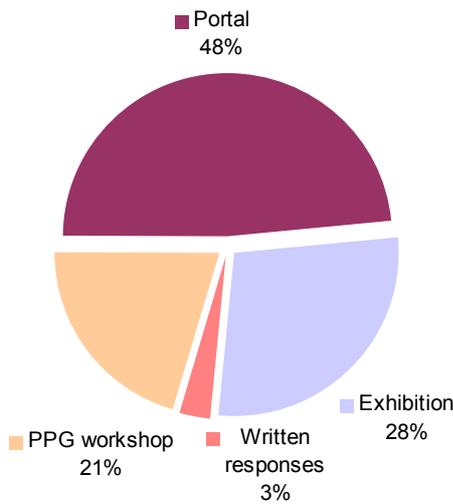
You can also view the plans and fill in the feedback form online at [www.brighton-hove.gov.uk/livelycities](http://www.brighton-hove.gov.uk/livelycities) by 24 November 2013.

Feedback from the consultation will help to inform the permanent scheme which will be agreed by the council next year following a formal consultation on replacement parking facilities.

A large part of the necessary funding has already been secured for the scheme. A phasing plan will ensure that construction work on the key elements of the project commences next Spring, for completion later in 2014.

Exhibition panel 4

### 3. Summary of findings



Response by type

Responses were received from 68 individuals and/or organisations.

The vast majority of respondents (52) used the standard feedback form to express their views on the proposals. This included:

- § 33 who used the online version posted in the council’s Consultation Portal;
- § 18 who used the printed forms provided during the three-day exhibition in Providence Place Gardens; and
- § 1 who send the form by post.

Two written responses were received from representatives from Friends of the Earth and Bricycles.

Views expressed by the 14 members of the public, representatives of organisations and local ward councillors who attended the Providence Place Forum were also recorded and considered as part of the consultation.

Transcripts of all responses received are detailed in the longer version of this document.

#### 3.1 General overview

Overall the most popular areas of support (or suggestions for improving the proposed design) included:

- illuminating the trees and the church after dark with LED sustainable energy lighting, whilst minimising light pollution;
- using high quality, long lasting, maintenance-friendly, sustainable materials - particularly for the terraced steps;
- clearly demarking the shared-space zone and ensuring parking restrictions are enforced;
- increasing the proposed level of greening across the project area (with particular support expressed for the proposed green wall and requests for hanging baskets, trees, planting, wild flowers and raised beds);
- providing for the free movement of cyclists and people with disabilities across the site;
- providing an increased number of well-spaced Sheffield cycle stands across the site, in particular close to London Road;
- realigning the proposed street furniture in Ann Street ‘pocket square’ to release more space for pedestrians and cyclists
- encouraging new uses along with the proposed new frontages to the existing rear elevations of buildings around the edge of the project area, to provide cafes, bars, art gallery and new entrances to London Road shops; and
- ensuring that the proposed waste bins are attractive, colourful, compact and to consider making them the subject of a design competition

### 3.2 Standard feedback form responses

The majority of these respondents:

- § live near the project site (56%) and/or in Brighton (85%);
- § had visited the area during the 2012 pilot (78%); and
- § do not use existing car parking facilities in the area (65%).

The feedback forms asked how the plans could be improved, but nearly half of all respondents (48%) chose not to make suggestions in this respect..

Of those who made suggestions, the graph on the right indicates the aspects of the scheme that attracted most comments.

Only one respondent objected to the proposed plans, on the basis that “the council is ‘short of money [and] it [would be] imprudent to spend any money on a scheme like this ... [and commit to its] maintenance’.

Respondents’ suggestions are summarised below.

#### Terraced steps:

- § Should be comfortable and built with quality, long lasting, easy to maintain materials
- § Should incorporate lighting to improve visibility and dimensioned to accommodate traffic flow
- § Planters should be replaced with rails or should be made more attractive through lighting or sculpture

#### Shared space:

- § Entrances to zone should be clearly marked, kerb and road should be levelled and and similar materials to New Road should be used
- § Free movement of cyclists and disabled people should be provided
- § More trees and seating should be provided, in particular along Ann Street
- § Children must be educated to use shared space.

#### Street furniture:

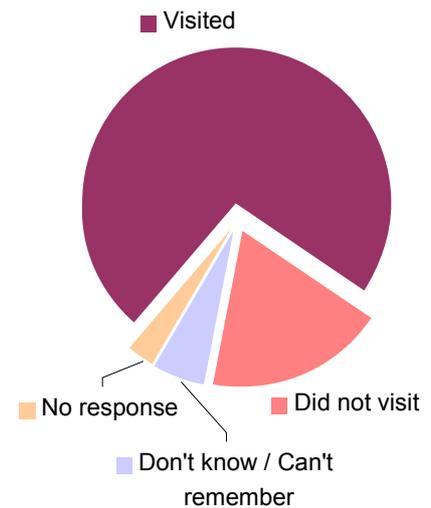
- § Provide more cycle stands, in particular near London Road
- § Illuminate trees and church, using sustainable LEDs, whilst avoiding light pollution
- § Provide more greening of the area (green wall, baskets)

#### Design guidance for developing plots at rear of London Road properties

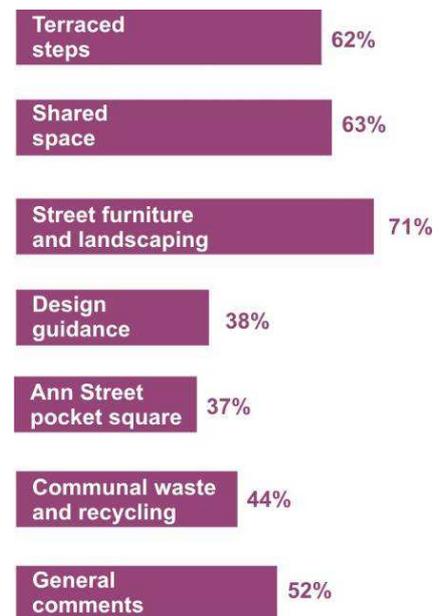
- § Encourage cafes, bars, art gallery and entrances to London Road shops
- § Improve existing facades

#### Ann Street pocket square

- § Provide more greenery (trees, raised flower beds, grass)
- § Realign proposed layout of street furniture in Ann Street pocket square to release more space for pedestrians and ensure cycle parking provides Sheffield stands.



Respondents who visited site during 2012 pilot



Share of respondents who made suggestions per consultation topic.

### **Communal waste**

- § Ensure bins are visually attractive (colourful, small/compact, bury them underground/screen them, hold a design competition)
- § Relocate bins elsewhere in London Road area

### **General comments**

- § Ensure high quality sustainable materials that require minimal maintenance
- § Ensure cycle routes are safe and clearly marked

### **Relocation of disabled and parking bays**

The proposed changes will require the relocation of four disabled parking bays currently provided at the bottom of Ann Street and seven resident parking bays located in Providence Place (along the eastern edge of the park). Respondents were asked to suggest nearby areas where these could be relocated.

The majority of respondents (65%) said they did not use the parking facilities in the area and 80% that they did not hold either a Blue Badge or resident parking permit needed to use the parking facilities in the area.

Among those who said they use parking facilities only half currently hold a Blue Badge (1 respondent) or resident parking permit for the zone Y (9 respondents).

In order to accurately reflect the views of users of current parking facilities, in this report only the views of the permit holders who responded to the consultation will be considered. This would suggest that the preferred options are as follows:

- § the disabled parking bays to be relocated to London Road and Oxford Street; and
- § the resident parking bays to be largely relocated to the streets south of Cheapside and some to the streets near London Road car park.

## **3.3 Written responses**

Feedback received from Brighton & Hove Friends of the Earth and Bricycles indicated broad support for the proposals, in particular HGV restrictions, the green wall and shared space approach. Suggestions made to improve the proposals included :

### **Brighton & Hove Friends of the Earth**

- § Increase number of cycle stands across site and, if possible, replace and increase number of stands outside Sainsbury's (design faults make these difficult to use)
- § Realign proposed arrangement of cycle stands, benches and other street furniture in the Ann Street pocket square to increase space for pedestrians and provide bollards at the western end of cycle stands at the top of the 'square' to protect parked bikees from delivery vehicles using the nearby loading space
- § Introduce trees in Ann Street to make it more attractive.

### **Brighton & Hove Bricycles**

- § Ensure a clear, coherent, and convenient demarked two-way route on the carriageway which takes account of cyclist desire lines and avoids traffic conflicts;
- § Ensure Providence Place shared space is not obstructed by displays from shops and mobile street furniture, if motor vehicle traffic is excluded at any time;
- § Provide plenty of suitably spaced cycle parking, in particular near cyclist destinations such as London Road
- § Ensure plateau style steps and movable furniture in Ann Street pocket square do not lead to a loss of space for cyclists and others and create potential pedestrian/cyclist conflicts

- § Introduce handrails on terraced steps to aid people with mobility impairment, visual impairment and many older people, as planters are too low to assist older people and inadequate for the purpose of enabling people to hold on to them.

### **3.4 Providence Place Forum workshop**

There was general support for the proposals, in particular the potential to strengthen the physical links between the park and the church through treatment of the public realm.

The following issues were raised by various attendees:

- § Allow for occasional HGV access for deliveries and events in St. Bartholomew's Church
- § Prioritise resident off-street parking when relocating bays, using parking audit carried out by residents from the North Laine (NLRA) when considering options for relocating bays
- § Clearly mark shared space to signal user priority and avoid possible accidents from speeding cars and work closely with school to make sure children are educated about how shared space works
- § Audit implementation of shared space to make the necessary adjustments if/when needed
- § Design should minimise risk of people coming down the steps and walking into oncoming traffic
- § Reintroduce tables used during pilot in the Ann Street pocket park and get local businesses to manage them
- § Extend sponsored graffiti initiative in Elder Place to LICl project area and talk to children about graffiti as an art form as distinctive from tagging

Compiled by the Planning Projects and  
Environment Initiatives Teams  
at Brighton & Hove City Council

# INTERREG IVB Lively Cities Project

## Ann Street / Providence Place Gardens

### Long-term implementation plan

December 2013

**Printing advice:**

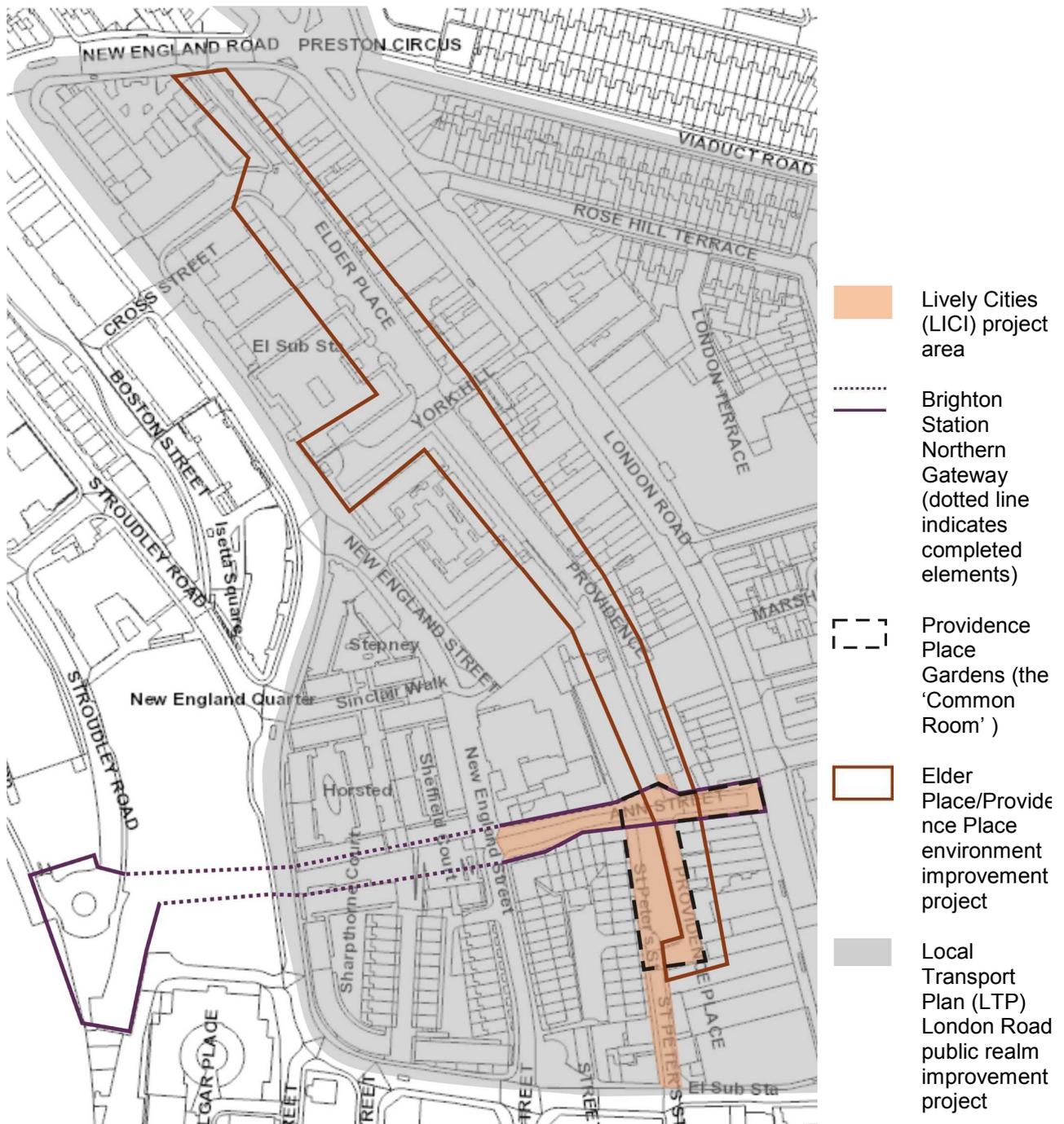
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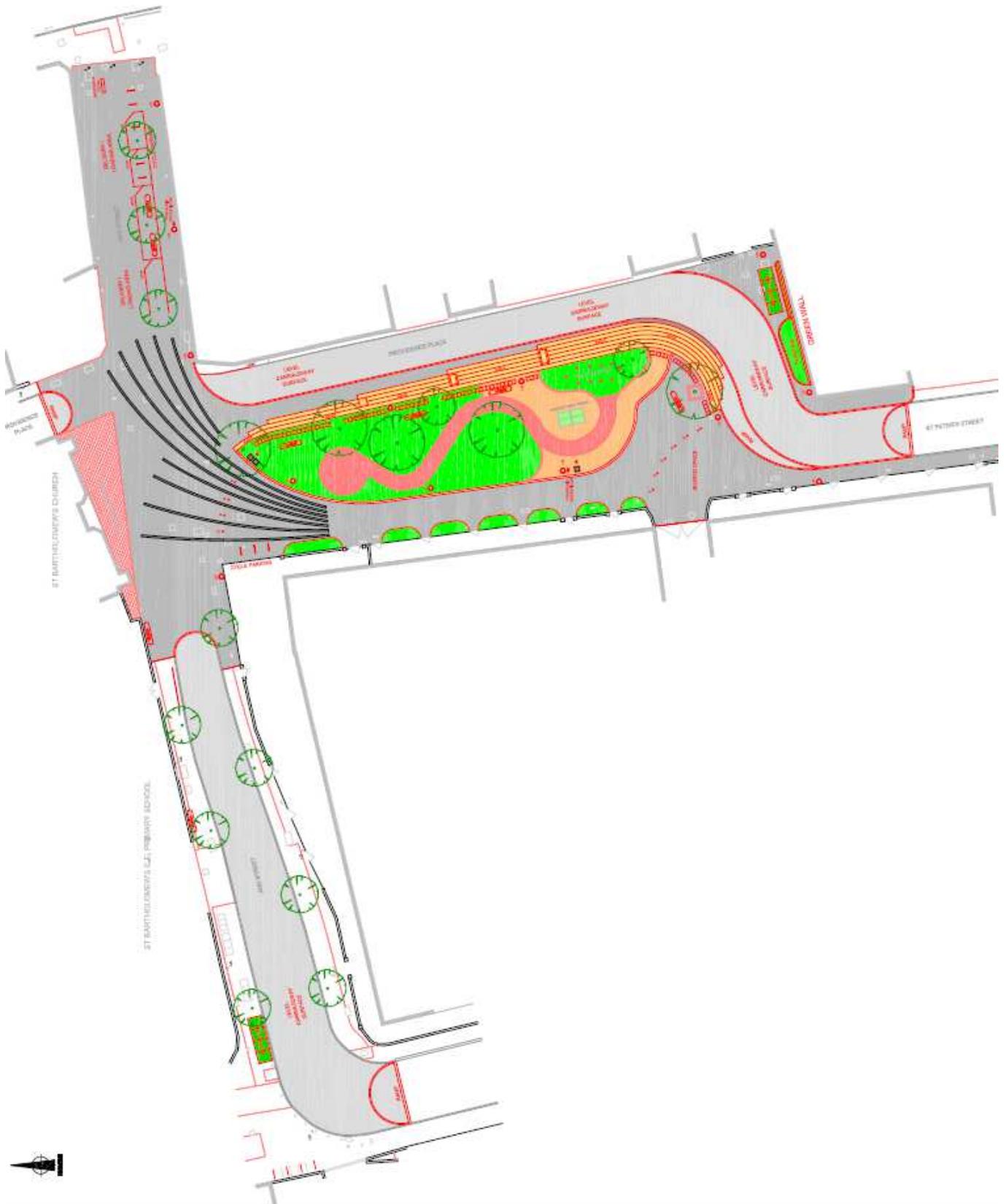
# Implementation plan

This document focuses on how long-term proposals for the Ann Street/Providence Place area of Brighton, known as the Lively Cities (LIC) project will be implemented.

The map below shows how the improvements relate to and overlap with other public realm improvement projects being currently carried out in the London Road / Brighton Station area. This overlap allows the improvements to be financed from a variety of funding streams.



The revised long-term plans following the 2013 consultation are detailed below.



## Artist's impression of Providence Place Gardens





Artist's impression of upper Ann Street and pocket square

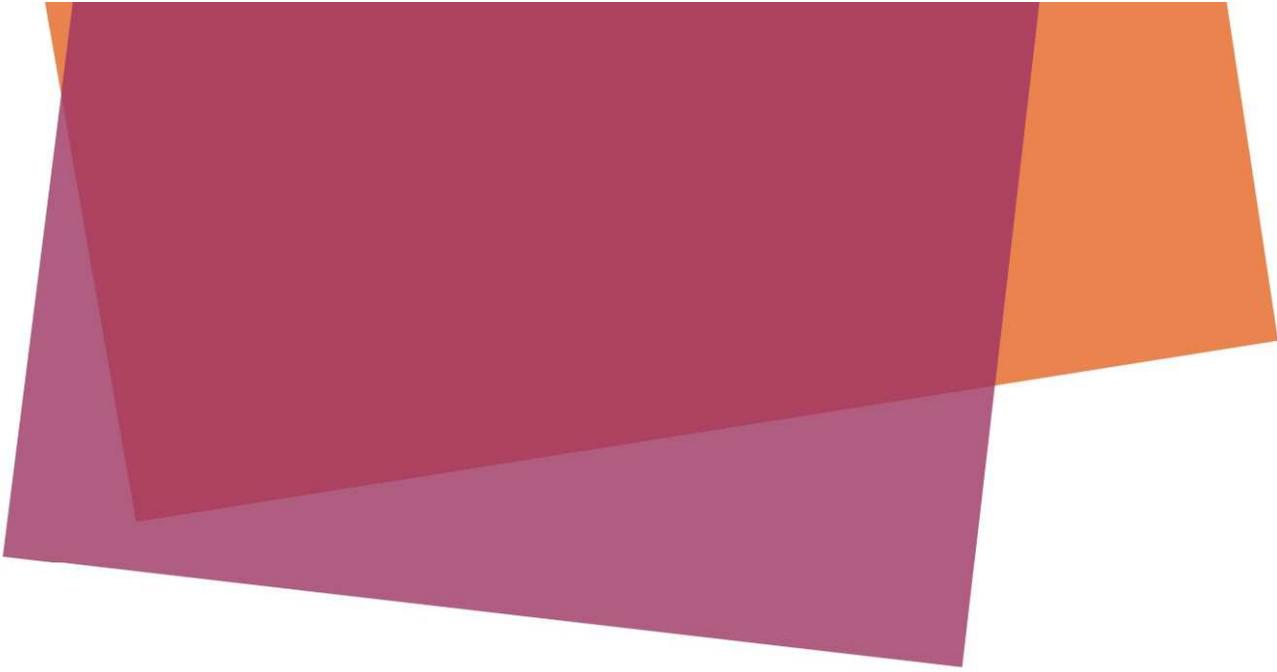




The implementation plan below provides an estimated timetable for implementation of long-term proposals for the Ann Street / Providence Place Gardens area of Brighton. It will be regularly assessed and monitored.

	Project	Details	Partners	Funding mechanisms	Timescale
Providence Place Gardens	Terraced steps and landscape improvements to park area	Formal consultation on Traffic Orders (TO) on relocation of resident parking and introduction of HGV access restrictions <hr/> Detailed design for implementation	Council, City College (terraced steps), St Bartholome w's School (pedestrian education training)	LICI, LTP and Section 106 (secured)	Short term
	Providence Place shared space	Formal consultation on TOs and other regulatory framework requirements to regulate shared space <hr/> Detailed design for implementation		LTP and Section 106 (to be identified)	Medium term (dependent on funding being secured)
Ann Street	Pocket square (bottom of Ann Street)	Formal consultation on TOs on relocation of disabled parking <hr/> Detailed design for implementation	Council	LICI, LTP and Section 106 (Brighton Station Gateway)	Short term
	Share space linking St Bartholomew's Church to park	Formal consultation on TOs and other regulatory framework requirements to regulate shared space <hr/> Detailed design for implementation	Council		Medium term
	Share space top of Ann Street	Formal consultation on TOs and other regulatory framework requirements to regulate shared space <hr/> Detailed design for implementation	Council, Sainsburys (cycle stands)		





<b>Subject:</b>	<b>Surrey Street Loading Bay Traffic Regulation Order</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Tom Campbell</b>	<b>Tel: 29-3328</b>
	<b>Email:</b>	<b>Tom.Campbell@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>St Peter's &amp; North Laine</b>		

**FOR GENERAL RELEASE**

**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 To consider objections received to the advertising of a Traffic Regulation Order to introduce a loading bay to Surrey Street.

**2. RECOMMENDATIONS:**

- 2.1 That, having taken account of all duly made objections and representations, the Committee approves the following order:

- Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No.X 201X

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 This Traffic Order (TRO) seeks to introduce a loading bay to the southern end of Surrey Street as part of the Brighton Station Gateway project.
- 3.2 Given its city centre location there is relatively little loading activity on Surrey Street. Currently loading occurs on double yellow lines at the side of the road. Under the new scheme the footway will be widened, meaning that vehicles will no longer be able to park on the carriageway without disrupting the flow of traffic.
- 3.3 The TRO seeks to formalise existing loading behaviour and allow it to continue under the new scheme. The loading bay will be located partially on the footway and partially on the carriageway and will be sited outside the Evening Star pub as this is where the majority of larger-vehicle loading occurs.

**4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The alternative is not to approve the new loading bay.

As part of the approved Brighton Station Gateway scheme the footway on Surrey Street is due to be widened. Were the loading bay not to be installed there would likely be increased congestion on Surrey Street caused by delivery vehicles parking in the carriageway. By siting the loading bay partially on the footway this TRO will avoid creating congestion.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The proposed Traffic Regulation Order was advertised on 8 November 2013 with the closing date for comments and objections on 29 November 2013.
- 5.2 Detailed plans and the draft traffic Regulation Orders were available to view at Bartholomew House, Hove Town Hall, Brighton Jubilee library and Hove Central Library.
- 5.3 The documents were also available to view and to respond to directly on the council's website.
- 5.4 3 objections were received from Southern Taxis, Streamline Taxis and a member of the public. All 3 objections stated that the TRO was premature as it was part of the Brighton Station Gateway project and plans for the Surrey Street element of the project had not been finalised.

## **6. CONCLUSION**

- 6.1 The major concept of the Surrey Street element consists of widening the footway, installing the loading bay, and introducing greenery where possible.
- 6.2 The objectors suggested that the Brighton Station Gateway, and in particular the Surrey street element, has not been finalised or properly consulted on. However the Surrey Street design, which was approved in principle by the Transport Committee in April 2013, has been well considered and the loading bay is an important part of the scheme as it will allow essential loading activity to continue without causing unnecessary congestion. The plans were fully consulted on in a process that was outlined in the report to Committee in April of this year. No substantive reasons have been put forward by any of the objectors as to why the loading bay should not be sited in this location.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The costs of this will be met from the Local Transport plan capital budget. Within this there is a sum of £400k included in 2013/14 for the overall Brighton Station Gateway Project.

*Finance Officer Consulted: Name Jeff Coates*

*Date: 03/12/2013*

Legal Implications:

- 7.2 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. Procedural regulations require public notice of orders to be given and any person may object to the making of an order. Any unresolved objections to an order must be considered by the Transport Committee before it can be made.

The Council is under a duty to exercise its powers under the Act secure the safe and convenient movement of traffic and the provision of adequate on and offstreet parking facilities. It must also take into account any implications that orders would have for access to premises, local amenity, air quality, public transport provision and any other relevant matters.

*Lawyer Consulted:*

*Carl Hearsom*

*Date: 11/12/2013*

Equalities Implications:

- 7.2 The loading bay has been designed to ensure the minimum required footway space is available at all times (including when the bay is in use) to ensure the area is accessible to those with wheelchairs and buggies.

Sustainability Implications:

- 7.3 None identified

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Proposed Traffic Regulation Order

**Background Documents**

1. Minutes of Transport Committee 30 April 2013



**BRIGHTON & HOVE CITY COUNCIL  
ROAD TRAFFIC REGULATION ACT 1984**

**Brighton & Hove Various Controlled Parking Zones Consolidation Order  
2008 Amendment Order No.X 201X**

Brighton & Hove City Council (“the Council”) in exercise of its powers under Sections 1, 2, 3, 4, 19, 32, 35, 35A, 43, 44, 45, 46, 46A, 47, 49, 51, 53, 55, 61, 63, 63A, 66, 117 and 124 (1) (c) & (d) to the Road Traffic Regulation Act 1984 (“the 1984 Act”) as amended and Part 6 of the Traffic Management Act 2004 and of all other enabling powers after consultation with the Chief Officer of Police in accordance with Part III of Schedule 9 to the 1984 Act hereby makes the following Order.

1. This Order may be cited as The Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 Amendment Order No. X 201X and shall come into operation on the        day of        2013.
2. The Brighton & Hove Various Controlled Parking Zones Consolidation Order 2008 is amended as follows:

**SCHEDULE I AMENDMENTS**  
**Controlled Parking Zone Y**

**Part 12.1 Loading Only At Any Time**

Add new item 11 Surrey Street – East Side – From a point 1.7 metres north of the southern boundary of the Evening Star pub northwards for 11.5 metres.

**MADE UNDER THE COMMON SEAL OF  
BRIGHTON & HOVE CITY COUNCIL**

this ..... day of ..... 20

**THE COMMON SEAL OF BRIGHTON & HOVE CITY  
COUNCIL** was affixed to this Order in the presence of

.....

Authorised Officer



<b>Subject:</b>	<b>Vogue Gyratory Improvements</b>		
<b>Date of Meeting:</b>	<b>14<sup>th</sup> January 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Robin Reed</b>	<b>Tel: 293856</b>
	<b>Email:</b>	<b>Robin.reed@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>St Peters &amp; North Laine, Hollingdean &amp; Stanmer</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to outline revised proposals for improvements to the Vogue Gyratory. Initial proposals developed as part of the Lewes Road Improvement Scheme were supported through public consultation but subsequently not taken forward due to concerns over the likely negative impact on journey times for buses and general traffic.
- 1.2 The Lewes Road Scheme gained cross-party support at the Transport Committee meeting on 2<sup>nd</sup> October 2012 and has subsequently been implemented. The committee agreed that officers should develop alternative proposals for the Vogue Gyratory for consideration at a future meeting.
- 1.3 The revised proposals detailed in this report incorporate feedback received during the earlier consultation processes while maintaining sufficient capacity for buses and general traffic to ensure journey times will not be adversely affected.

**2. RECOMMENDATIONS:**

- 2.1 That the committee notes the results of the 2012 public consultation reported at the Transport Committee meeting on 2<sup>nd</sup> October 2012 and approves the revised improvements to the Vogue Gyratory.
- 2.2 That committee authorises officers to proceed with advertising the formal Traffic Regulation Order (TRO) for changes to the Vogue Gyratory. Should any objections be raised then they will be heard at a future meeting of the Environment, Transport and Sustainability Committee where final approval would need to be given to proceed with implementation.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 In July 2011 the City Council was successful in bidding for £4.2m funding for the Lewes Road Corridor through the government's Local Sustainable Transport Fund (LSTF). The funding is being used to implement infrastructure measures on Lewes Road and in the surrounding residential areas, as well as a range of

initiatives to encourage people to travel more sustainably. A further £2.25m has been committed to the overall project by local partners including Brighton & Hove Bus Company, Brighton & Sussex Universities and Brighton & Hove PCT.

- 3.2 Following award of the funding and after extensive initial engagement with local residents and businesses, detailed proposals for Lewes Road and the Vogue Gyratory were developed which comprised of the following two key elements:
  - 1) Bus & Cycle Lanes in both directions on the dual carriageway section of Lewes Road between The Vogue Gyratory and the A27 at Falmer.
  - 2) On-road 2 metre northbound cycle lane through The Vogue Gyratory with improved pedestrian facilities and more efficient traffic lights to aid the flow of traffic. The existing southbound cycle lane would also be widened to 2 metres through the gyratory system. Plan included at **Appendix A**.
- 3.3 Both schemes were subject to extensive public consultation in April / May 2012 where a majority of respondents were supportive of the proposals. Further details of the consultations are included in section 5 below.
- 3.4 Following the consultations and during the subsequent detailed design process, the citywide transport model was utilised to fully understand the wider impacts of both schemes and to predict the impact on journey times for general traffic and buses. The results of this modelling suggested that introducing the bus and cycle lane scheme on Lewes Road would not result in significant increases in journey times for general traffic. The Lewes Road scheme was subsequently approved by committee in November 2012 and has now been implemented in full. Early monitoring results suggest that the scheme has improved bus journey times and that the impacts on general traffic have been minimised.
- 3.5 However, the detailed modelling undertaken on the Vogue Gyratory proposals suggested an unacceptable level of additional delay would likely occur for northbound traffic on Lewes Road south of the Vogue Gyratory. This is particularly relevant as there is insufficient space to provide any form of bus priority in this location and therefore bus journey times would be severely affected, negating the improvements implemented on the dual carriageway section to the north.
- 3.6 Officers therefore recommended that further design work was required, in conjunction with key stakeholders, to ensure that the desired benefits for buses, cyclists and pedestrians do not create unreasonable disbenefits for other users. Traffic Orders and detailed plans for the Vogue Gyratory were therefore not taken forward and it was agreed that revised proposals will be presented at a future meeting of the Committee before Traffic Regulation Orders are published.

### **Revised Scheme**

- 3.7 The further design work has now taken place and a revised proposal developed which aims to retain key elements of the original proposal while still maintaining sufficient capacity. A plan of the revised proposal is included at **Appendix B**.

3.8 The key elements of the revised proposal include the following:

Simplification of the existing complex layout, making the junction safer and more legible for all users

Continuous 2 metre wide northbound cycle lane through the Gyratory system

Improvements to the Sainsbury's bus stop through introduction of a 'floating bus stop' and larger bus shelter as successfully used in the Lewes Road Scheme. This will allow Service 25 bendy buses to call at this stop where currently they are unable to

Pedestrian improvements across the Sainsbury's car park entrance in the form of a raised area to give pedestrians priority over traffic emerging from the car park

Changes to the kerb alignments at the entrance and exits to the Gyratory in order to provide adequate space for cyclists and vehicles to move through the junction without coming into conflict or causing delay

Improved and simplified pedestrian crossings

Replacement traffic signals to improve efficiency and traffic flow

Advanced green phases for cyclists at traffic lights, providing a 3 second head start to reduce conflict

3.9 The key difference between the revised proposal and the original is the omission of the cycle priority traffic signals at the left turn into Hollingdean Road for northbound traffic. The transport modelling suggested that this element, in conjunction with the required reduction in carriageway and revised signal timings, was the key factor in reducing capacity and therefore the predicted increase in journey times for buses and general traffic. Removal of this element means that a possible conflict point remains for cyclists and general traffic at this location but that the overall capacity of the junction would be maintained at a reasonable level. This conflict point exists under the current layout and through good design and use of coloured surfacing and clear road markings it is considered that the conflict can be managed under the new proposal. The accident record for this location will need to be monitored following implementation to ensure there are no specific issues.

3.10 Despite the omission of the cycle priority traffic signals outlined above, the improvements still represent a significant improvement for cyclists, general traffic and buses. Reductions in the number of accidents taking place can be expected as well as further increases in the number of people cycling due to the vastly improved conditions that would result.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

4.1 The consultation process outlined in this report has allowed for local people and key stakeholders to be fully engaged in the development of proposals for the

Vogue Gyratory. It is considered therefore that the proposal is a reflection of the wishes of the local community as a whole and this is demonstrated by the high level of support.

- 4.2 The initial proposal presented to committee on 2<sup>nd</sup> October 2012 has been deemed unworkable due to the negative impact on capacity and journey times for general traffic and buses. The revised proposal is considered the best solution available within the existing fixed constraints.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 An initial public consultation was held over a 6 week period in November and December 2011 to inform people about the award of the funding and gather local opinion on the transport issues that exist in the area. Further, more detailed public consultation was then undertaken over a further 6 week period in April 2012 on plans for the Vogue Gyratory and Lewes Road which involved as many local partners and stakeholders as possible. Information leaflets and questionnaires were mailed to 31,190 residential and business addresses and a further 1000 consultation packs were sent to random city-wide addresses. 2069 packs were delivered to Brighton University who have sites and Halls of Residence in the area and similarly 3356 were delivered to Sussex University.

- 5.2 In addition to the direct mail-out, numerous exhibitions were held in local community centres and other venues throughout April and May 2012 and a further four exhibitions were held at University sites.

- 5.3 4166 responses to the consultation were received in total. A significant majority of respondents were local residents (82%), while 16% indicated they work in the area and 7% were students. 65% (3534) of respondents supported the proposed changes to the Vogue Gyratory.

- 5.4 The results of the consultation suggest a clear majority of respondents are in favour of the original proposals for the Vogue Gyratory. Given that the plans have not changed significantly, and the issues raised by local people in relation to the existing layout still exist, it is considered that the results of the previous consultation are applicable to this revised proposal.

- 5.5 A further period of consultation will be undertaken when the Traffic Regulation Orders are released, giving people a further opportunity to comment on the proposals if necessary.

## **6. CONCLUSION**

- 6.1 This report outlines revised proposals for improvements to the Vogue Gyratory following the decision not to proceed with the original scheme due to concerns over the likely negative impact on journey times for buses and general traffic.
- 6.2 The revised proposals detailed in this report incorporate feedback received during the earlier consultation processes while maintaining sufficient capacity for buses and general traffic to ensure journey times will not be adversely affected.

- 6.3 It is therefore recommended that the committee notes the results of the 2012 public consultation and approves the revised improvements to the Vogue Gyrotory. The next stage of development will be for officers to proceed with formal consultation as part of the Traffic Regulation Order process. Should any objections be raised then they will be heard at a future meeting of the Environment, Transport and Sustainability Committee where final approval would need to be given to proceed with implementation.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 Detailed costings have not yet been prepared but will be completed in time for the next report following TRO consultation (if objections received). Based on similar schemes, costs are expected to be in the region of £500k. It is planned to meet these from the Local Transport Plan (LTP) capital budget for 2014/15 but other potential external funding sources will also be explored. The LTP allocations will be subject to final approval as part of the overall budget setting process.

*Finance Officer Consulted: Jeff Coates*

*Date: 12/12/13*

### Legal Implications:

- 7.2 The Council's powers and duties under the Road Traffic Regulation Act 1984 ("the Act") must be exercised to secure the expeditious, convenient and safe movement of all types of traffic including cyclists and pedestrians. As far as is practicable, the Council should have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles; securing the safety and convenience of users; any other matters that appear relevant to the Council.
- 7.3 The Council has to follow the rules on consultation set out by the government and the courts. The Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time must be given to allow intelligent consideration and responses and that results are properly taken into account in finalising the proposals.
- 7.4 After the proposals are formally advertised, the Council can, in the light of objections / representations received, decide to re-consult either widely or specifically when it believes that it would be appropriate before deciding the final composition of any associated orders. Where there are unresolved objections to the traffic orders, then the matter is required to return to Environment, Transport and Sustainability Committee for a decision.
- 7.5 The Council is under a legal duty as a public authority to consider the human rights implications of its actions. Parking and traffic restrictions have the potential to affect the right to respect for family and private life and the right to protection of property. These are qualified rights and therefore there can be interference with them where this is necessary, proportionate and for a legitimate aim.

Equalities Implications:

- 7.6 The scheme will be designed in line with industry best practice and guidance to ensure all facilities are fully accessible to all members of society.

Sustainability Implications:

- 7.7 The measures outlined in this report will assist in meeting One Planet Living objectives by promoting and encouraging greater use of sustainable transport, and particularly overcome current barriers to walking, cycling, and bus use. It is predicted that significant reductions in travel by private car would result from implementation of the scheme, with people instead choosing to travel by walking, cycling or bus due to their increased attractiveness and viability made possible through the improvements identified. The scheme will seek to enhance health by encouraging active travel amongst local people and reducing the causes of air pollution in the area, namely excessive levels of motorised traffic.

Risk and Opportunity Management Implications:

- 7.8 The main risk associated with the next stage of the process relates to the potential for unresolved objections to the TRO consultation. Should this be the case then such objections would have to be heard by the Committee therefore delaying construction. Longer term risks include the potential for the project costs to exceed the available budget and the risk of any identified enhancements having unforeseen negative consequences when implemented. The latter risk has been mitigated by a careful design process in the first instance, and thorough extensive consultation with end users.

Public Health Implications:

- 7.9 Increasing the number of pedestrians and cyclists and encouraging greater use of public transport will directly lead to improved public health through increasing the use of active modes and therefore the amount of exercise undertaken by local people. Reducing the number of people travelling by private vehicle will also lead to an improvement in air quality which in turn will improve public health.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Plan showing Original Vogue Gyrotory Proposals
2. Plan showing Revised Vogue Gyrotory Proposals

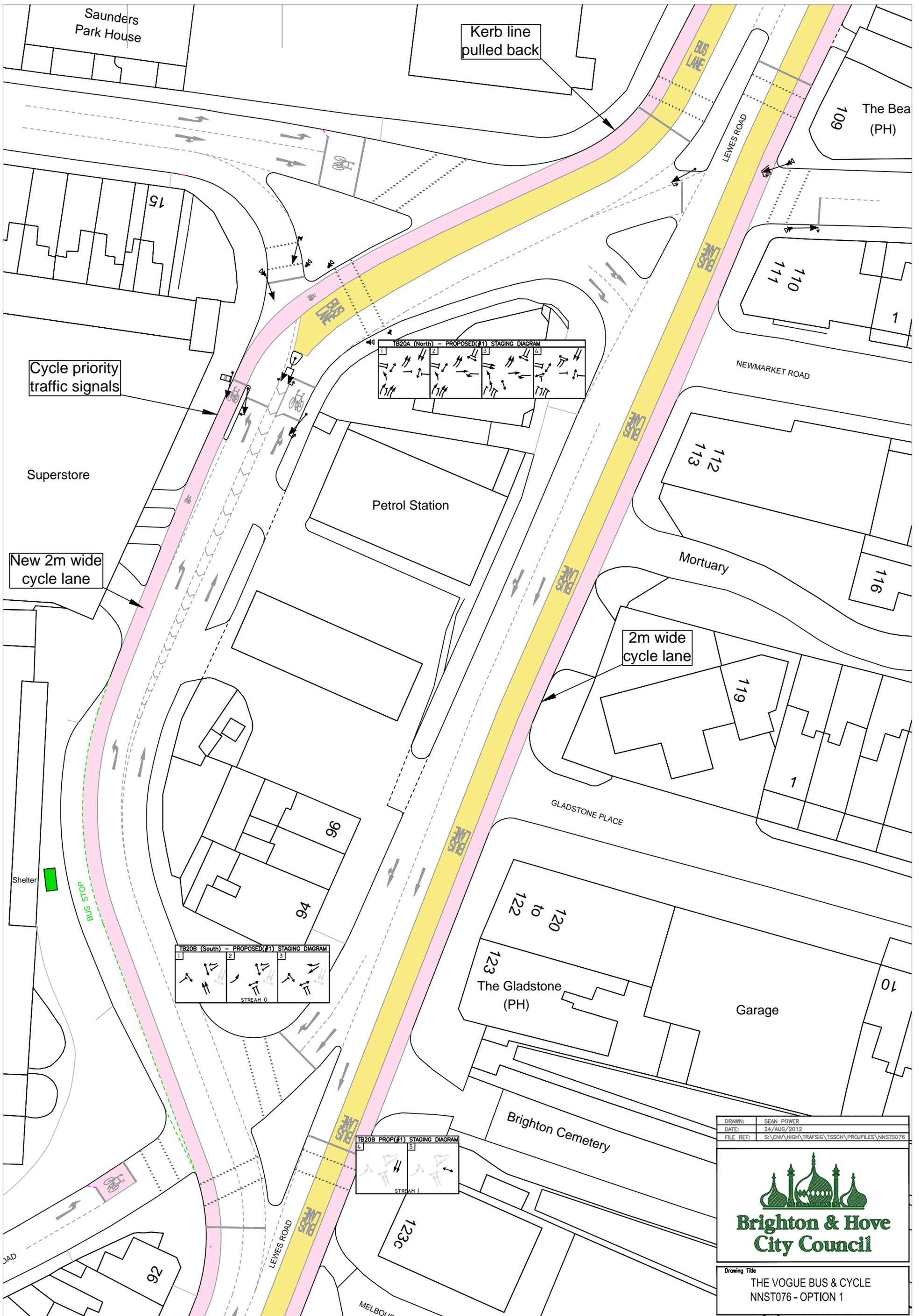
### **Documents in Members' Rooms**

None

### **Background Documents**

1. Lewes Road LSTF Project – Consultation Results and Way Forward. Transport Committee report, 2<sup>nd</sup> October 2012
2. Lewes Road Transport Improvements - Formal TRO Consultation. Transport Committee report, 27th November 2012



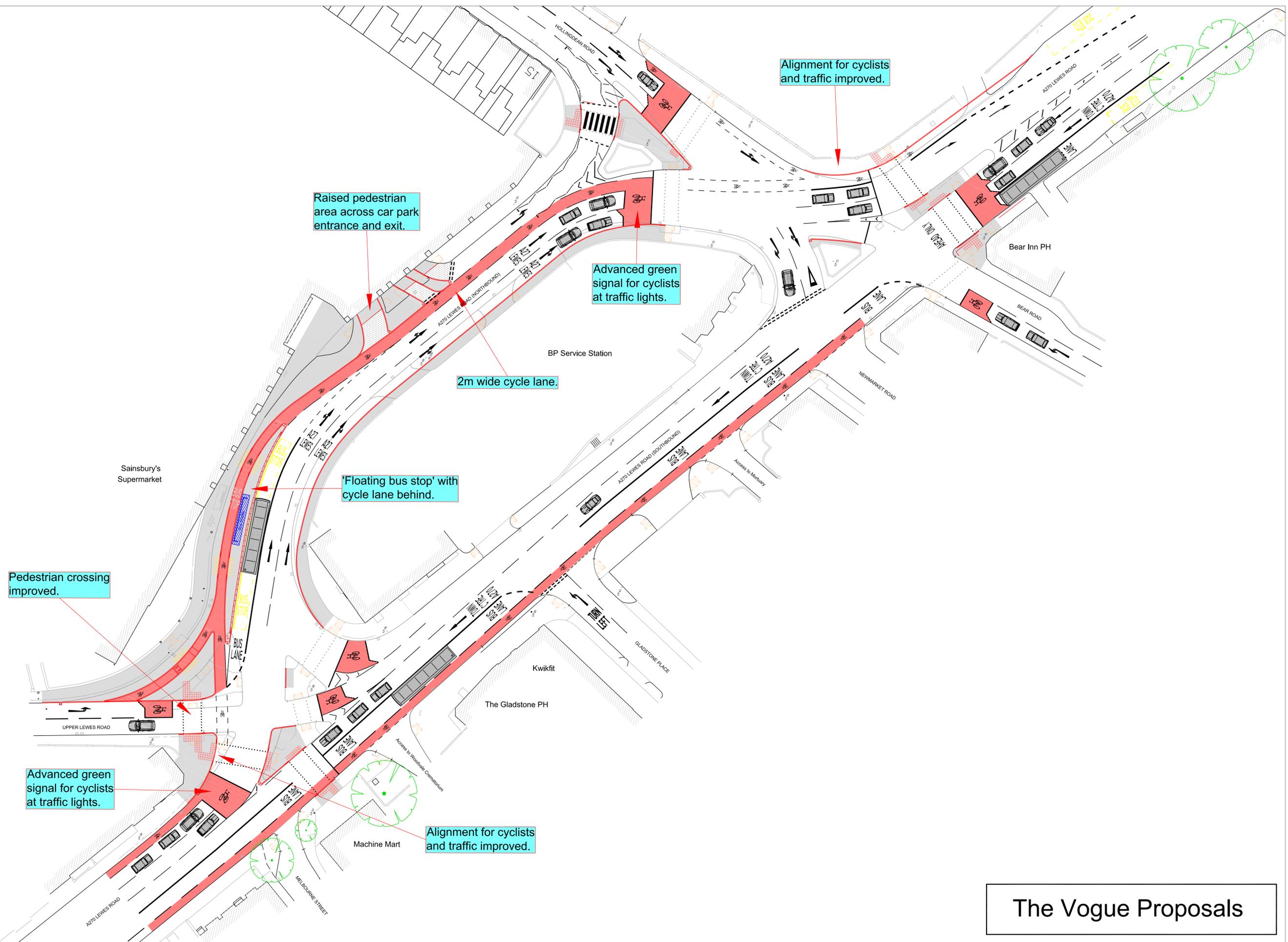


DRAWN:	SEAN POWER
DATE:	24/AUG/2012
FILE REF:	S:\ENV\HIGH\TRAFFSIG\TSSCH\PROFILES\NNST076



Drawing Title  
**THE VOGUE BUS & CYCLE  
 NNST076 - OPTION 1**





Raised pedestrian area across car park entrance and exit.

Advanced green signal for cyclists at traffic lights.

Alignment for cyclists and traffic improved.

2m wide cycle lane.

'Floating bus stop' with cycle lane behind.

Pedestrian crossing improved.

Advanced green signal for cyclists at traffic lights.

Alignment for cyclists and traffic improved.

# The Vogue Proposals



<b>Subject:</b>	<b>Stanmer Park – Permission to Consult on Master Plan in Preparation for Heritage Lottery Fund Grant Application</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Executive Director of Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

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

- 1.1 Stanmer Estate and Country Park is an important 18<sup>th</sup> century landscape with many historical features and buildings. It is used for recreation, sport and leisure space as well as land for food growing. It is home to residents in Stanmer Village and is an operational base for a number of businesses and organisations. It lies within the National Park, has significant conservation value and is home to three Scheduled Ancient Monuments and ten Archaeologically Sensitive Areas.
- 1.2 The land was purchased by the Brighton Corporation (now BHCC) in 1947 principally to protect the aquifer water supply.
- 1.3 The Council is working with the South Downs National Park Authority (SDNPA) in partnership with other stakeholders on a Master Plan for the park to help prioritise restoration and improvement works in the estate over the next 10 years. The proposals will include restoration of the council owned, Grade II Listed Home Farm buildings for a number of uses potentially including a SDNPA area office and a visitor centre.
- 1.4 It is proposed to submit a Heritage Lottery Fund (HLF) grant to help deliver the Master Plan once finalised. This report summarises the progress made to date on the project, sets out proposed governance arrangements to oversee its delivery and seeks permission to consult on the Master Plan.
- 1.5 On completion of the consultation, the proposed final Master Plan will be brought back to this committee for sign off and for final approval to submit the HLF bid. If the bid is successful the time-scale to start of works on site would run to 2017.

**2. RECOMMENDATIONS:**

- 2.1 That Committee notes the progress made to date on the Stanmer project
- 2.2 That Committee grants permission to consult on a Master Plan for Stanmer Park

2.3 That Committee approves the proposed governance arrangements for the management of the project through to submission of the funding bid.

**3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:**

3.1 Stanmer Park is a popular public country park and a nationally significant eighteenth century Grade II landscape. It also forms the setting for the Grade I listed Stanmer House, Grade II\* Stable Block and 16 other Grade II listed buildings. Situated in the South Downs National Park, Stanmer Park's beautiful woodland walks and extensive open land provides an important area for residents across the city and visitors, with many using it for walking, enjoying nature, sports and other leisure activities. It also hosts a number of events through the year.

3.2 Stanmer Park is a working landscape accommodating farming, grazing and food growing. It is home to residents in Stanmer Village and cottages around the estate. It is positioned over part of the aquifer which provides water for the city.

3.3 Stanmer Park has significant potential to encourage eco-tourism, promote sustainable growth, encourage people to access the countryside and improve health and well being and create new jobs tying in with the council's objectives as the lead partner in the Biosphere project. It is one of the key gateways to the Downs linking it to the city and the sea.

3.4 There is no long-term plan for the Estate and different aspects of it are managed by different departments or organisations. Without a coherent plan and management arrangements the park's full potential can not be realized and it risks going into further decline. Stanmer Conservation Area, the farm buildings (Home Farm) and the park is on English Heritage's 'Heritage At Risk' register, which include historically important sites which are suffering from neglect, decay or inappropriate change. The At Risk designation means that the SDNPA as the planning authority or English Heritage can serve notice on the council to put measures in place to prevent further deterioration.

3.5 In April 2012 Cabinet approved a recommendation for a project team to look into the feasibility of refurbishing the Home Farm traditional agricultural buildings as a focal point and visitor attraction for the park and gateway to the Downs. The Cabinet report also confirmed that work had commenced on a Master Plan for the Stanmer Park to ensure a holistic approach to any development proposals and that the use of the buildings are considered in the context of their wider environment.

3.6 Substantial progress has been made which is summarised in the paragraphs below.

3.7 In August 2012 Land Use Consultants produced a Landscape Vision for Stanmer Park. The study included an analysis of the strengths, weaknesses, opportunities and threats for the future of the park and set out a vision based on present usage and on research and previous studies regarding its history and evolution. The report was produced in consultation with key stakeholders. A copy of the report is available in Members Rooms.

- 3.8 In June 2013 the Parks Projects Team undertook an information gathering exercise to determine how people used Stanmer Park, what was important to them, what they liked about the park and what they would like to see changed. A copy of the main findings of this work is attached as Appendix 1.
- 3.9 In August 2013 the Development Appraisal for the Home Farm complex was completed, funded jointly by BHCC and SDNPA. The report identifies the opportunity to bring the Home Farm complex back in to use as a vibrant and successful scheme at the heart of Stanmer Village forming the main attraction to the estate, a major gateway to the National Park and a facility for benefit of the public and local community. It could include retail use including a local food outlet, workshops, offices and community space. The SDNPA currently have an Area Office close to Stanmer Village in a portacabin shared with the council's Animal Welfare and Pest Control Teams. This building is in a poor state of repair and the SDNPA have expressed an interest in locating the future office and visitor centre within the Home Farm complex following its restoration.
- 3.10 *Preparation of Master Plan and Submission of HLF Application*
- 3.11 There is now a significant evidence base to inform a Master Plan for the park. The Plan is being developed by the Council (City Parks and Property & Design) together with the South Downs National Park Authority (SDNPA). Stakeholders including the Stanmer Preservation Society are closely engaged in the process. The aims of the plan are to restore and protect its historic buildings and landscape, enhance its natural features and address issues such parking and improving accessibility. This report seeks permission to consult on the Master Plan in March and April 2014. An outline of the proposed consultation plan is attached as Appendix 2.
- 3.12 On completion of the consultation the final Master Plan will be brought back to this Committee for sign off and to seek approval for its submission to the Heritage Lottery Fund as part of a Parks for People grant application. That report will include an outline business plan for the park (on going resource requirements and potential income) should the bid be successful and it will consider any alternatives should the bid not be successful.
- 3.13 The key mile-stones for the project from now until the start of redevelopment works assuming the bid is successful are outlined in the table below. The time-scales are largely driven by the amount of work involved in preparing a high quality HLF funding bid, which is a two stage process, and by the limited windows of opportunity for submitting applications.

<b>Task</b>	<b>Date</b>
Consultation on Stanmer Master Plan Proposals	Mar – April 14
Finalise Master Plan	May 14
Committee approval to submit HLF Funding Bid	Jun 14
Submission of Stage 1 Bid	Aug 14
HLF decision on Stage 1 Bid	Dec 14
Submission of Stage 2 (Final) Bid	Aug 15
HLF decision	Dec 15
Preparation for Construction	Jan 16 to Dec 16

### 3.14 Project Governance

3.15 The time-scales detailed above are very tight given the amount of work and consultation and engagement that is involved in the preparation of a strong funding bid. Currently there are numerous stakeholders involved in the management of Stanmer Park and the preparation of the bid, the main ones being Property & Design, City Parks, and the SDNPA. Effective governance is a key to ensuring project deadlines are met. Integrated governance arrangements also need to be put in place for the future management of the park to demonstrate a cohesive management approach part of the bid submission.

3.16 The project would be managed under the council's Major Project Governance process amended to reflect the partnership with the SDNPA. The proposed governance arrangements are summarised in the table below.

<b>Body</b>	<b>Membership</b>	<b>Responsibility</b>
Decision making Committees	BHCC Council Committees (Environment, Transport & Sustainability and Policy and Resources as appropriate) SDNPA Committees – Planning and Policy and Program	Responsible for strategic and commercial decisions
Member Board	Elected Members from BHCC and SDNPA	To receive updates, and opportunity for councillors to input in to project direction.
Project Sponsors & BHCC Major Projects Programme Board	Director of Environment, Development & Housing (BHCC) Director of Operations (SDNPA)	Responsible for championing the project and accountable for delivery
Project Board	Interim Head of City Infrastructure/ Head of Projects & Strategy (BHCC), Head of Property & Design (BHCC) Area Manager and Estates Manager (SDNPA) Supported officers involved in the delivery of the project Administered by BHCC	Overseeing project progress and reacting to any strategic issues
Project Managers	Led by: City Parks Project Manager (BHCC) Estates Manager (BHCC) Area Manager and Cultural Heritage Strategy Lead (SDNPA)	Responsible for delivering the Master Plan and associated proposals. Team will engage more widely as appropriate with specialist officers, partners and organisations
Stanmer Stakeholder Board	Consisting of key stakeholders including the Stanmer Preservation Society	To have an overview of progress and feed in to design discussions before

		proposals are taken to public consultation.
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**4. COMMUNITY ENGAGEMENT AND CONSULTATION**

- 4.1 This report seeks permission to consult on proposals for the Stanmer Master Plan. The consultation would consist of direct mail out of questionnaires to 6,000 residents across the city, a number of exhibitions, site based surveys of park users and meetings with key stakeholders. An outline of the consultation plan is attached as Appendix 2.
- 4.2 The findings of the consultation would be brought back to this committee for consideration.

**5. FINANCIAL & OTHER IMPLICATIONS:**

Financial Implications:

- 5.1 The remaining work to complete the consultation and produce the Management Plan to a standard suitable for the first stage HLF application is approximately £60,000. Match funding to prepare the second stage bid, if the first stage is successful, would be in the order of an additional £120,000. This would be funded from existing Parks Project revenue budget.

Developing the Master Plan for Stanmer Park will support the Heritage Lottery Fund grant submission for the restoration and improvement works at the park. Resource implications in terms of match funding for the bid and future maintenance of the park will be considered in a future report seeking sign off on the Master Plan and approval for submission of the bid.

*Finance Officer Consulted: Steven Bedford Date: 10/12/13*

Legal Implications:

- 5.2 As the SDNPA is the local planning authority for Stanmer Park, any planning permissions or listed building consents required as a result of the Master Plan's proposals would fall to be determined by that Authority. The Council as freehold owner of much of the Stanmer Estate has granted a number of leases in the Estate. It will be important to ensure that the proposed consultation captures the views of those affected.

*Lawyer Consulted: Elizabeth Culbert Date: 10/12/13*

Equalities Implications:

- 5.3 The proposed consultation will ensure that under represented groups are proactively contacted to respond to the consultation. The Master Plan itself will be subject to an equalities impact assessment. Improving access to the Estate and providing inclusive activities will be one of the key objectives.

Sustainability Implications:

- 5.4 The proposed development of the farm buildings at Stanmer and the development of the Stanmer Park Master Plan fit with the Downland Estate policy, Biosphere objectives to encourage conservation, sustainable social and economic development, tourism and education and research to enhance the natural environment.

Crime & Disorder Implications:

- 5.5 The proposals to develop Home Farm will reduce the risk of vandalism, squatting and trespass.

Risk and Opportunity Management Implications:

- 5.6 The project risks are low at this stage. If the grant application to the Heritage Lottery Fund is unsuccessful alternative sources of funding for delivery of the master plan will be explored. Preparation of the Master Plan and funding bid will require joint working and resources from Property & Design, City Parks and the SDNPA.

Public Health Implications:

- 5.7 The proposals support healthy lifestyles by promoting access to Stanmer Park and the Downs and encouraging outdoor activity associated with their use and enjoyment.

Corporate / Citywide Implications:

- 5.8 The proposals support the Corporate Plan and Sustainable Community Strategy by creating a more sustainable city and enhancing the environment. The proposals will contribute to local Eco tourism, a stronger visitor experience between the city and the South Downs, local food production, sustainable transport solutions, protection and enhancement of the city's natural environment including support for the Downland Estate policy and Biosphere Reserve bid. In addition the proposed services will promote learning, healthy lifestyles and support community cohesion.

**6. EVALUATION OF ANY ALTERNATIVE OPTION(S):**

- 6.1 HLF funding is considered to be the most appropriate fund to apply for given the nature of the project. Match funding opportunities are being explored as well as alternative funding streams should the bid be unsuccessful.

**7. REASONS FOR REPORT RECOMMENDATIONS**

- 7.1 The proposed Master Plan and restoration of Home Farm will contribute to the objectives of the refreshed Downland Estate policy developed in partnership with the SDNPA to provide a range of services and accommodation to attract visitors to Stanmer, improve their enjoyment of the park and provide a gateway to the Downs that fits within the developing Master Plan for the Park.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Results of Information Gathering
2. Consultation Plan

**Documents In Members Rooms**

1. Landscape Vision for Stanmer Park
2. Development Appraisal for Home Farm



<b>Subject:</b>	<b>East Brighton Park – Proposals For a Controlled Parking Scheme</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>East Brighton</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 Car parking in East Brighton Park is currently uncontrolled. This is resulting in long-stay parking by residents, commuters and van dwellers. The number of vehicles is causing access problems in particular for the emergency services (the Air Ambulance uses East Brighton Park as a landing area) customers to the campsite which is accessed to the park and other users. The volume of traffic is also affecting the fabric of the park and has a detrimental visual impact on the park
- 1.2 Because of the access problems it is proposed that a scheme to control the parking is introduced. This report explains how the proposed scheme will work and seeks permission to consult on how it would be implemented.
- 1.3 The findings of the consultation will be reported back to this committee together with any recommendations based on the outcome of the consultation. Implementation of the scheme would be subject to the statutory consultation process for Traffic Regulation Orders.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee authorises the Executive Director Environment, Development & Housing to consult on proposals to implement a controlled parking scheme in East Brighton Park.

**3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 East Brighton Park is located to the east of Kemptown along Wilsons Avenue. It is a popular park used for a range of activities. The road that runs through the park also provides access to the Brighton Caravan Club site, Brighton College, East Brighton Café and Whitehawk Football Club. Because of its proximity to the hospital the park is also used as a landing base for the air ambulance.

- 3.2 There are no parking restrictions within the park which is used for long term parking by residents, commuters and van dwellers. The residential area to the west of the park is part of a Controlled Parking Zone H increasing parking pressure on the park itself. The parking is resulting in:
- Access problems, in particular for ambulances needing to transfer patients from the air ambulance, coaches accessing the college and customers for the caravan site. The extent of the problem is preventing some visitors from returning to the caravan site
  - Visual impact on the park (See photos Appendix 1)
  - Degradation of park infrastructure because of the high volume of traffic.
- 3.3 A survey was carried out in November to assess the number of cars accessing the park and the length of stay. The survey was carried out on a weekday and a Sunday (generally the busiest day with sports fixtures) provides a snapshot of parking patterns:
- During the week 20% of vehicles (32) were in the park for 7-12 hours most of which are likely to be commuters, none of which are likely to be genuine park users. This number was halved on Sunday (10%, 16 vehicles)
  - There were 40 vehicles in the park overnight on the weekday and 37 on Sunday
  - There were 15-19 lived in vehicles in the park during the survey period
- 3.4 In response to these issues it is proposed to implement parking controls similar to those introduced in Preston Park with the objective to:
- Limit parking to the areas shown on the plan attached as Appendix 2
  - Prevent long-term parking by non park users to ensure the remaining spaces are available to genuine park users
  - Ensuring the park is accessible to vehicles, cyclists and pedestrians.
- 3.5 As part of the proposed scheme there would be space for up to 62 cars along certain areas of the road which are wide enough to accommodate parking and in the area to the east of the tennis courts by the café. There would be dedicated blue badge bays outside the café. Based on the survey referred to above this is expected to provide sufficient capacity for genuine park users most of the time if the controls are put in place.
- 3.6 In order to cover the cost of implementing and enforcing the controls it is proposed to introduce parking charges and limit the maximum length of stay based on the Preston Park scheme. The charges would be significantly lower than on street parking and are set out in the table below be as follows:

Period	East Brighton Park	Adjacent Zone H CPZ On Street Charges
Up to 1 hour	£0.50	£1.00
Up to 2 hours	£1.00	£2.00
Up to 4 hours	£2.00	£3.00
Up to 6 hours	£3.00	-
Up to 11 hours	-	£5.00

- 3.7 The charges would apply 9am – 4pm Monday – Friday and 2pm – 6pm Saturday and Sunday. The maximum length of stay would be six hours. The scheme is anticipated to raise approximately £12,000 per year and the costs of implementation would be covered within three years.
- 3.8 Any surplus parking income after the costs have been recovered would be ring-fenced to improvements to the park. Decisions on how the money is used would be informed through consultation with park users, again following a similar model to the Preston Park scheme.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Doing nothing is not considered to be an option because the access issues to the park have to be addressed in particular in relation to the air ambulance and the caravan site.
- 4.2 Charges are proposed as part of the scheme to cover the cost of its implementation and on-going enforcement.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 This report seeks permission to consult on the proposals. The consultation will consist of information sharing with park users and businesses and organisations operating in the park explaining why restrictions have to be put in place and to seek comments on the proposals.

#### **6. CONCLUSION**

- 6.1 Unrestricted parking in East Brighton Park is resulting in long-term parking by non park users. The lack of restrictions is causing access problems to the park for businesses and the emergency services. It also has an adverse visual impact and is accelerating degradation of the park infrastructure.
- 6.2 To address these concerns it is proposed to implement parking controls. The implementation of the controls would be funded through parking charges. Any surplus income would be ring-fenced to the park.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 7.1 The cost of officer time and consultation associated to the introduction of the scheme will be funded from existing Parks Projects and Parking revenue budgets.

The financial implications of the scheme will be reported to Committee following the results of the proposed consultation. It is anticipated that any surplus income after costs have been recovered will be transferred to an earmarked reserve specifically to fund improvement works at East Brighton Park.

*Finance Officer Consulted: Steven Bedford*

*Date: 13/12/13*

### Legal Implications:

- 7.2 The Council's powers and duties under the Road Traffic Regulation Act 1984 ("the Act") must be exercised to secure the expeditious, convenient and safe movement of all types of traffic including cyclists and pedestrians. As far as is practicable, the Council should have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles; securing the safety and convenience of users; any other matters that appear relevant to the Council.
- 7.3 Under sections 32 and 35 of the Act, there is power to provide off-street parking places and regulate their use for the purpose of relieving or preventing congestion.
- 7.4 The Council has to follow the rules on consultation set out by the government and the courts. The Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time must be given to allow intelligent consideration and responses and that results are properly taken into account in finalising the proposals.
- 7.5 After the proposals are formally advertised, the Council can, in the light of objections / representations received, decide to re-consult either widely or specifically when it believes that it would be appropriate before deciding the final composition of any associated orders. Where there are unresolved objections to the traffic orders, then the matter is required to return to Transport Committee for a decision.
- 7.6 Under section 55 of the Road Traffic Regulation Act 1984, as amended by the Traffic Management Act 2004, the Council must keep an account of all parking income and expenditure in designated (i.e. on-street) parking spaces which are in a Civil Enforcement Area, and of their income and expenditure related to their functions as an enforcement authority. Regulations and guidance confirm that in respect of off-street parking places, the term "income and expenditure as enforcement authorities" includes that related to the issue of PCNs. It does not, for example, include pay and display or permit/season ticket income or the direct expenditure relating to collecting that income.
- 7.7 Relevant Human Rights to which the Council should have regard are the right to respect for family and private life and the right to protection of property. These are qualified rights and there can be interference with them in appropriate circumstances.

*Lawyer Consulted:*

*Carl Hearsom*

*Date: 16/12/13*

### Equalities Implications:

- 7.8 If implemented the scheme will improve access for all to East Brighton Park. The proposals include dedicated parking bays for blue badge holders.

### Crime & Disorder Implications:

7.9 There are no crime and disorder implications

Risk and Opportunity Management Implications:

7.10 The current lack of parking restrictions and associated access problems present a risk, in particular to the emergency services and affect organisations operating along the access road, in particular the Caravan site. The introduction of parking restrictions will reduce these risks

Public Health Implications:

7.11 There are no direct public health implications. With restrictions in place the park will be more accessible to park users including blue badge holders.

Sustainability Implications:

7.12 The proposals will prevent long term parking by non-park users and improve the quality of the environment.

Any Other Significant Implications:

7.13 The controls will address access issues which are particularly affecting the emergency services, with air ambulance occasionally landing in the park, and the caravan site. The current access problems are putting some visitors off from returning to the campsite.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Plan showing proposed parking areas
2. Photographs showing extent of current vehicle parking



## Appendix 1 Photographs Showing Current Parking Issues

Image 1 Access Road



Image 2 Lived In Vehicles Along Access Road



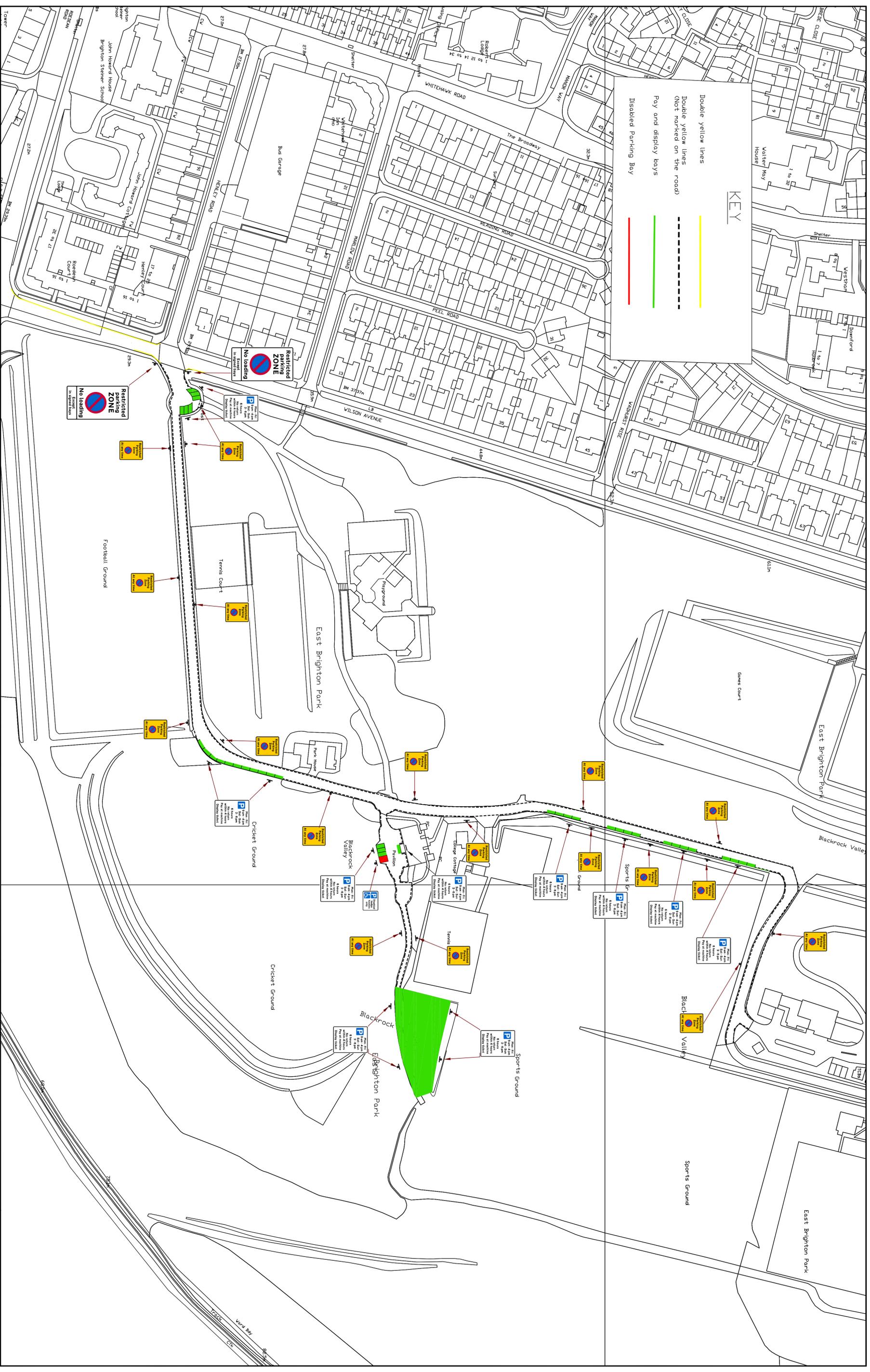
## Appendix 2 Plan Showing Proposed Parking Areas





**KEY**

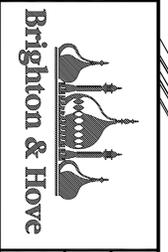
- Double yellow lines
- Double yellow lines (Not marked on the road)
- Pay and display bays
- Disabled Parking Bay



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Client	CITY INFRASTRUCTURE
Job title	PARKING INFRASTRUCTURE
<b>East Brighton Park</b>	

Drawing Title	September 2013 -
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Scale	NTS	Original dwg. size	A1	Date	-
Drawn	RM	Checked	-	Approved	-
Drawing status	-	Drawing Number	B&H 1	Rev	-



<b>Subject:</b>	<b>Introduction of Licensing Scheme For Fitness Trainers Using Public Green Spaces</b>		
<b>Date of Meeting:</b>	<b>14 January 2014</b>		
<b>Report of:</b>	<b>Executive Director Environment, Development &amp; Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Jan Jonker</b>	<b>Tel: 29-4722</b>
	<b>Email:</b>	<b>jan.jonker@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>All</b>		

**FOR GENERAL RELEASE****1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 In recent years outdoor personal fitness classes and 'boot camps' are increasingly popular in the city's parks and green spaces. These groups are increasing in number and some can be groups of up to 30 or more people training in a number of classes at one time. The rise in outdoor fitness is good for the health and well being of residents in the city.
- 1.2 The increase in popularity of outdoor fitness raises a number of issues:
- It is not easy to determine whether a fitness trainer is reputable, for example whether they are trained and qualified, hold appropriate insurances, follow best practice in respect of safety measures and DBS (Disclosure and Barring Service checks - previously CRB)
  - Fitness classes, especially larger ones can have an impact on the fabric of the park and on other users.
- 1.3 This report sets out proposals for a voluntary registration scheme for commercial businesses providing outdoor fitness classes. Revenue raised through the scheme would be ring fenced to the maintenance of the parks which host the classes.

**2. RECOMMENDATIONS:**

That the Committee –

- 2.1 Agrees the introduction of a licence scheme, effective from 1<sup>st</sup> April 2014, for commercial fitness trainers that use public green spaces owned or managed by the council, as specified in paragraph 3.5 and in accordance with the main conditions set out in Appendix 1.

- 2.2 Authorises the Executive Director Environment, Development & Housing to implement the scheme and, as and when required, revise the scheme to ensure it continues to operate effectively, efficiently and lawfully.
- 2.3 Approves the licence charges for the scheme, as set out in Appendix 2.
- 2.4 Instructs the Executive Director Environment, Development & Housing to review the scheme licence charges annually and to submit any proposal for amendment to the Committee for approval.

### **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 Officers know of approximately ten personal fitness training companies operating in Brighton & Hove and it is estimated that another ten or so individual trainers use parks and green spaces to work with clients. Some groups are national organisations such as British Military Fitness which hold 18 classes across three public parks (Preston Park, Hove Lawns and Hove Park). There are also local groups such as Spartan Fit, Bfit Bootcamp and HAVIT Bootcamp.
- 3.2 This report seeks to establish a voluntary scheme that fitness operators can join to address two issues associated with their operations, namely (i) to encourage them to register with a recognised body to provide assurances regarding the quality of their training and (ii) to introduce a charging mechanism to recover some of the costs associated with the wear and tear to the fabric of the parks. These are discussed below.

#### *Registration with Professional Body*

- 3.3 Unless operators are registered with a recognised scheme, customers have no way of assessing the quality of the service provider, for example whether they have the appropriate fitness qualifications, risk assessments, insurance certificates, DBS checks etc. To address this need, a number of registration schemes exist which include UKActive (formerly the Fitness Industry Association) and the Register of Exercise Professionals (REPS). In addition to the submission of evidence to achieve registered status, UKActive operate a mystery shopping scheme. The cost of registration varies. For UKActive, the cost is £170 for the first two years, reducing to £130 for re-registering once the first two years have expired. The cost of registration with REPS is £38 per year. Registration is voluntary. The Code of Practice for UKActive and Code of Conduct for REPS are attached as Appendix 3a and 3b respectively.

#### *Recovery of Costs Towards Park Maintenance*

- 3.4 Personal trainers are commercial operators charging customers for their services yet make no contribution to the up-keep of the green space facilities essential for their business. This is in contrast to other sports such as football and cricket for which the teams use defined areas of the park and need to book and pay for the use of facilities maintained for that sport.
- 3.5 A licence scheme is proposed to address these issues. As part of the licensing process, operators would have to register with REPS or UKActive and pay a charge towards the maintenance of the green spaces they use for their business. The proposed level of charges is set out in Appendix 2.

- 3.6 The scheme would be voluntary. Fitness trainers that join such a scheme will be able to show customers that they have the appropriate assurances in place. Consultation with businesses operating in the city show that many would sign up for the scheme to set them apart from less reputable operators. Many other councils operate similar schemes and more detailed discussions have taken place with Guilford Borough Council and London Borough of Hammersmith and Fulham. One of the larger operators in the city has been asking for a scheme to be set up for some time.
- 3.7 The intention is to balance the different uses of the parks by encouraging personal trainers, particularly larger groups, to consider the location and timing of their activities to minimise the impact on other users. For example, Hove Park is a very popular park and a large personal training session taking place on a Saturday afternoon in the summer is likely to be very disruptive.
- 3.8 Introducing a licence scheme for fitness trainers that wish to use parks and green spaces in the city which requires signing up to the UKactive or REPS registration scheme will provide members of the public the information to check fitness trainers credentials before paying for classes. It will also allow the council to introduce a level of charges for personal trainers to cover the council's cost of operating the scheme and as a contribution towards the upkeep of the public green spaces where the classes take place. If adopted, it is estimated that the scheme would raise between £5,000 and £8,000 revenue ring-fenced to parks maintenance. The scheme will be voluntary and the council will advertise those registered members.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The recommendations have been drawn up based on research into schemes operated by other local authorities and informed by consultation with a number of fitness groups.
- 4.2 The alternatives to the proposals are (i) not to implement the scheme and leave things as they are or (ii) introduce a compulsory scheme which would require a change to the council's byelaws. Based on the consultation with groups there is support for a voluntary scheme, with operators seeing the benefits for their business. The cost and practicalities of policing a compulsory scheme would outweigh any benefit; consequently, this option was not consulted upon and is not recommended..

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 The fitness training organisations listed below have been contacted as part of the consultation. They were invited to attend a meeting to discuss the proposals.
- Spartan Fit
  - Bfit Bootcamp
  - Bfit Bikini
  - Twisted Fitness
  - Stride Fit
  - Ultimate Fitness Weekends
  - Fit Bitch Bootcamp
  - HAVIT Bootcamp

- Somfit
- Park Fit Outdoor Fitness
- Max Strength
- Primal Fit

5.2 Six took up the offer of a meeting, and a seventh, British Military Fitness confirmed in writing that they were in agreement with the proposals. Of the six companies that attended a meeting, five were generally supportive of the proposals. Their responses are summarised in Appendix 4. Overall, the consultees could see the benefits to a voluntary scheme.

## 6. CONCLUSION

6.1 There are an increasing number of fitness classes operating in the City's parks and open spaces. A voluntary scheme to license operators is proposed to help customers identify reputable operators and to raise some revenue ring-fenced to the up-keep of parks where the classes take place.

## 7. FINANCIAL & OTHER IMPLICATIONS:

### Financial Implications:

7.1 The cost of consultation and officer time associated with the implementation of the scheme will be met from existing revenue budgets.

The proposed charges have been set in accordance with the council's corporate fees and charges policy and will be reviewed, as a minimum, annually as part of the budget and service planning process.

Income from the scheme is expected to be approximately £5,000 to £8,000 annually and will be ring fenced to the cost of grounds maintenance arising from the scheme.

*Finance Officer Consulted: Steven Bedford*

*Date: 25/11/13*

### Legal Implications:

7.2 The council's general power of competence given by section 1 of the Localism Act 2011 allows the council (subject to certain limitations) to charge for providing a discretionary service. The key requirement is that "taking one financial year with another, the income from charges ... does not exceed the cost of provision." (section 3(3) of the Act). The council's proposed licence scheme is consistent with this requirement as the charge would only reflect the cost of administration, supervision, and grounds maintenance arising from the scheme. If the income exceeded the cost of provision, the council would have to provide the service through a company.

7.3 The terms and conditions for the licence require applicants to meet the following criteria:

(a) All trainers to be registered with either REPS (Register of Exercise Professionals) Level 3 Fitness qualification or UKActive. This means that those persons will –

- a. have met agreed national occupational standards regarding knowledge, competence and skills of good practice;
- b. hold recognised and approved qualifications
- c. be competent in the workplace
- d. be committed to their on-going professional development
- e. be covered by appropriate insurance

(b) Irrespective of any “appropriate insurance” maintained under the REPS qualification or UKActive, all trainers must carry public liability insurance of no less than £5 million.

(c) All organisations signing up for the scheme must indemnify the council against liabilities, damages and costs caused by any breach of the terms and conditions of the scheme.

- 7.4 Requiring trainers participating in the scheme to comply with UKActive’s Outdoor Code of Practice should mitigate the risk of a negligence claim against the council because of provisions in the Code relating to health & safety and professional standards.
- 7.5 Once a fitness operator has signed up to the proposed scheme, non-compliance could amount to breach of contract and, in serious cases, lead to a registrant being struck off the council’s register.
- 7.6 At present the scheme would have to be voluntary because there is currently no law preventing a fitness instructor from holding a class on the council’s green spaces or parks. It would be possible to amend the council’s byelaws to make it an offence to hold a fitness class on such land without the council’s consent, but the procedure is lengthy and bureaucratic, and the proposed change would require confirmation by the Secretary of State.
- 7.7 Under a voluntary scheme, a training organisation that was not a member but held classes on council land would not be committing an offence. However, the council would seek to identify such bodies, make them aware of the scheme and highlight its benefits, with a view to enrolling them.

*Lawyer Consulted: Oliver Dixon*

*Date: 02/12/13*

Equalities Implications:

- 7.8 There are a wide range of individuals and groups taking part in activities in public green spaces. By introducing a licence scheme which requires fitness trainers to also register with the UKActive will be provide more assurances to all members of the public about the qualification of the trainers, safety measures, CRB checks and insurance cover.
- 7.9 Fitness trainers charge commercial rates for their services and the council intends to charge for a licence to cover the costs of administering the scheme

and for the upkeep of the parks used by these groups. These charges will be equitable for all groups.

Sustainability Implications:

- 7.10 Public green spaces are valued open spaces enjoyed by residents and visitors to the city. In some cases they are the only access to green space and provide a valuable 'green lung' for the city. Receiving a contribution from fitness trainers for the upkeep of the green spaces they use will allow the council to ensure the quality of green spaces is conserved for all users of the parks.

Any Other Significant Implications:

Risk and Opportunity Management Implications:

- 7.11 Introducing a licence scheme for fitness trainers provides some assurance to members of the public about the qualifications, safety precautions and insurance cover of trainers, enabling them to make better informed decisions as to whom to use. The licence scheme will allow the reputable fitness trainers to be highlighted and promoted. In addition, the proposed licence scheme reduces risks and liabilities to the council as outlined in 7.2, legal implications.
- 7.12 A similar licence scheme for fitness trainers operates well in the London Borough of Hammersmith and Fulham albeit they operate to different byelaws for parks. Consultation with the larger fitness trainers shows that the majority support the scheme and they wish to take part.

Public Health Implications:

- 7.13 The Joint Strategic Needs Assessment for 2012 which is agreed by the Council provides a high-level overview of Brighton & Hove's population, and its health & wellbeing needs. The Assessment reveals that being physically active outside is good for health, reduces the risk of developing conditions such as diabetes & heart disease, tackles obesity and supports recovery after illness. It also supports good mental health & emotional wellbeing. Only 27% of adults are physically active enough to achieve the recommended 150 minutes of moderate activity per week and 22% of adults do no 30 minute sessions of moderate activity in an average month. For these reasons developing and provide opportunities for sport and physical activity is important and this includes utilising green space and targeting the least active.
- 7.14 The intention of the licence scheme is not to restrict sporting activity which is actively encouraged but ensure responsible fitness trainers are easily identifiable by members of the public and that a contribution is made to administering the scheme and the maintenance of the green spaces used by those groups, for the benefit of all park users.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Proposed Licence Conditions for Outdoor Fitness Groups

- 2. Proposed Licence Charges
- 3a UKActive Code of Practice
- 3b REPS Code of Ethical Conduct
- 4 Response to Consultation

<b>Appendix 1</b>
<b>Proposed Licence Terms</b>
<b>Terms and Conditions</b>
<b>1. Definitions</b>
1.1. In these terms and conditions the following terms shall have the following meanings:
"Council" means Brighton & Hove City Council
"Parks" means open spaces as the Council may agree in writing;
"Registrant" means the individual or organisation to be Registered as named in the Registration Application Form;
"Registration" means registration by the Council as permitted to carry out Training Sessions in the Parks during the Registration Period and "Registered" shall be interpreted accordingly;
"Registration Application Form" means the application form to which these terms and conditions are attached.
"Registration Fee" means the registration fee payable by the Registrant;
"Registration Period" means the period from 1 April 2014 (or such other date as shall be agreed with the Council) to 31 March 2015;
"Sports Bookings" means the Council's sport bookings department;
"Trainer" means an individual who is to carry out Training Sessions in accordance with the Registration;
"Training Session" means a training session carried out by a Trainer for which a charge is made to the client.
<b>2. Registration</b>
2.1. All Trainers, or the Registrant who engages them, must be Registered with the Council in order to carry out Training Sessions in the Parks.
2.2. In order to be Registered, the Registrant must:
2.2.1. complete the Registration Application Form;
2.2.2. pay the Registration Fee; and
2.2.3. where the Registrant is an individual Trainer,
2.2.3.1. have a current REPS Level 3 Fitness qualification and /or be registered with UK Active
2.2.3.2. Evidence of this should be presented with the Registration Application Form;

2.2.3.3. be able to demonstrate that (s)he complies with the insurance requirements set out in paragraph 6;
2.2.3.4. provide 2 recent passport sized photographs with the Registration Application.
2.3. Where the Registrant is an organisation, it must:
2.3.1. ensure that all its Trainers have a current REPS Level 3 Fitness qualification or are UK Active registered
2.3.2. comply with the insurance requirements set out in paragraph 6 and ensure that all its Trainers are covered by such insurance;
2.3.3. provide evidence of its compliance with paragraphs 2.3.1 and 2.3.2 to the Council upon request.
2.4. For the avoidance of doubt, failure to comply with the provisions of paragraph 2.3 shall entitle the Council to terminate this Agreement in accordance with paragraph 8.1.
2.5. The Council shall be under no obligation to accept an application from a Registrant to be Registered.
2.6. The Council reserves the right, when granting the Registration, or at any time during the Registration Period by giving written notice to the Registrant, to limit the Registration to named Parks.
2.7. Upon Registration the Council will provide the Registrant with an identification card(s) which the Trainer(s) must carry at all times whilst carrying out Training Sessions in the Parks and produce upon request by any officer or agent of the Council. It is the Registrant's responsibility to ensure that its Trainers carry the identification card(s) issued at all times whilst carrying out Training Sessions under this Agreement.
2.8. Following Registration the Registrant/its Trainers may carrying out Training Sessions in any of the Parks during normal opening hours as shall be agreed between the Trainer and the Council and notified to the Trainer by the Council in writing.
2.9. The Registrant acknowledges that:
2.9.1. Registration does not guarantee that the Park will open or that there will be space in the Park for Trainer(s) to carry out Training Sessions.
2.9.2. Registration does not grant a Trainer priority over any other lawful user of the Park and that any pitch bookings or booked group activities will take priority over Training Sessions and the Trainer is expected to relocate if a conflict of interest occurs.
<b>3. Registration Fee</b>
3.1. The Registration Fee payable by the

Registrant shall be:  
 3.1.1. Dependent on the size class and number of classes scheduled per week:

Frequency	Number of people per session	Annual charge (inclusive of VAT)
Once a week	3-15	£200
2-4 times a week	3-15	£325
5-7 times a week	3-15	£550
Once a week	16-35	£400
2-4 times a week	16-35	£650
5-7 times a week	16-35	£1100

3.2. Where the Trainer is Registered after 1 April 2014 the Registration Fee shall be reduced on a pro-rata monthly basis. The Trainer should contact Sports Bookings to determine the amount of the Registration Fee payable.

**4. Duration**

4.1. Subject to paragraph 8.1, this Agreement shall continue until the end of the Registration Period. Upon expiry of this Agreement the Registrant may reapply to the Council for re-registration

**5. Registrant's Obligations**

5.1. The Registrant shall, and shall ensure that its Trainers shall at all times exercise the rights and duties under this Agreement in a proper and responsible way, having regard to the safety of users and other third parties. Any incidents, accidents or health and safety issues must be reported to Sports Bookings immediately and the relevant accident/incident forms completed.

5.2. Any equipment used or activities undertaken must not be detrimental to the Park, its trees and plants, the park furniture or any of the wildlife.

5.3. The Registrant must not, and shall ensure that its Trainers do not, leave any equipment and rubbish in the Park following a Training Session and shall ensure that the Park is left in the same condition as it was found. The Council reserves the right to charge the Registrant the cost of reinstating the Park to its original condition where substantial damage is caused as a result of the Training Sessions held by the Registrant or its Trainer(s).

5.4. The Registrant shall, and shall ensure that its Trainer(s), observe and perform all reasonable requirements of the Council relating to this Agreement.

**6. Insurance and Liability**

6.1. The Registrant shall, throughout the Registration Period maintain public liability insurance of not less than five million pounds (£5,000,000). Copies of the insurance documents shall be presented to the Council upon request.

6.2. The Registrant shall be liable for and indemnify and keep indemnified the Council against all liabilities, damages, costs, losses, claims, demands or proceedings whatsoever, whether in tort or contract or otherwise arising from or in connection with this Agreement, or caused by a breach by the Registrant or its Trainer(s), its employees and agents of the terms and conditions of this Agreement.

6.3. The Council accepts no liability to the Registrant, Trainer or to any third party for

any costs, claims, damages or losses other than for personal injury or death caused by the Council's negligence.
<b>7. Assessment and Monitoring</b>
7.1. The Council may carry out assessments of the Registrant and/or its Trainers' ability at mutually agreed times throughout the Registration Period. Spot checks may also occur throughout the Registration Period. The Registrant is required to keep a record of any complaints made to him/her concerning or in connection with any Training Sessions held in the parks under this Agreement and must immediately notify Sports Bookings of any such complaint and keep the record of complaints available for inspection.
<b>8. Termination of Agreement</b>
8.1. The Council may revoke the Registrant's Registration and terminate this Agreement with immediate effect where the Registrant and/or its Trainer(s):
8.1.1. is in breach of its obligations under this Agreement and, where the breach is capable of remedy, fails to remedy such breach within 7 calendar days of receipt of written notice to remedy the breach
8.1.2. becomes incapable for any reason of efficiently performing as a competent and qualified personal trainer.
8.1.3. acts in any way that is likely to bring the Council into disrepute or damage its reputation or interests.
8.2. The Council may terminate this Agreement giving one week's written notice.
8.3. Where the Council terminates this Agreement under paragraph 8.1 the Registrant shall not be entitled to receive any refund of the Registration Fee.
8.4. Where the Council terminates this Agreement under paragraph 8.2, the Council shall reimburse the Registration Fee on a pro-rata basis for the remaining duration of the Registration Period.
8.5. For the avoidance of doubt, following termination of this Agreement by either Party, the Registrant, and its Trainers shall no longer be Registered
<b>9. General</b>
9.1. Nothing in this Agreement shall render or be deemed to render the Registrant or any Trainer an employee or agent of the Council.
9.2. Neither Party shall be liable for any delay in the delivery in performing any of its obligations under this Agreement if any such delay is caused by circumstances beyond the reasonable control of the Party so delaying.
9.3. This Agreement contains the entire understanding and agreement between the

parties and supersedes all prior representations, documents, negotiations or understandings. The Registrant acknowledges that it has not entered into this Agreement in reliance upon any representation by the Council or anyone acting on its behalf.
9.4. Pursuant to the Freedom of Information Act 2000 the Council is subject to certain legal obligations in relation to public disclosure of information. The Registrant shall cooperate with and assist the Council with any requests for disclosure which the Council receives under the Freedom of Information Act 2000 which relate to this Agreement.
9.5. Nothing in this Agreement shall be taken to confer any benefit on any person who is not a party to it and the parties hereby agree that the Contracts (Rights of Third Parties) Act 1999 does not apply hereto.
9.6. Nothing in these terms and conditions shall fetter the Council in the exercise or discharge of its functions, powers and duties as a local authority (including, without limitation, the power to close all or part of any Park either on a permanent or temporary basis.)
9.7. Nothing in this Agreement shall create any tenancy in favour of the Trainer.
<b>10. Disputes</b>
10.1. In the event that any dispute arises between the parties in connection with this Agreement, the parties shall, in the first instance, use their reasonable endeavours to resolve it amicably between themselves.
10.2. Disputes remaining unresolved following such endeavours shall, if the parties agree (and such agreement shall not be unreasonably withheld) be referred to nonbinding mediation.
10.3. In the event that the parties do not agree to non-binding mediation pursuant to Clause 10.2 or if the dispute remains unresolved, the dispute shall be referred to the exclusive jurisdiction of the Courts of England pursuant to clause 11 below.
<b>11. Law and Jurisdiction</b>
11.1. This Agreement shall be governed by and construed in accordance with English Law and the Council and the Registrant hereby submit to the exclusive jurisdiction of the English Courts.

## Appendix 2 Proposed Table of Charges

Frequency	Number of people per session	Annual charge
Once a week	3-15	£200
2-4 times a week	3-15	£325
5-7 times a week	3-15	£550
Once a week	16-35	£400
2-4 times a week	16-35	£650
5-7 times a week	16-35	£1100

## Appendix 3a UKActive Code of Practice

Ukactive's mission is to continually raise standards, promote and represent the health and fitness sector in the pursuit of a more physically active and healthier nation. The ukactive Outdoor Code of Practice defines the minimum performance criteria for fitness instructors delivering exercise in outdoor spaces, to ensure that customers are provided with a safe environment in which to engage with leisure activities.

There has been a proliferation of both group exercise classes and personal training sessions being conducted within public spaces and most notably Urban Parks. It is our hope that the Code of Practice compliments current licensing arrangements for urban parks and managed rural areas, whereby local councils adopt the Code as a pre-requisite for licenses.

The Code does not create a new law or act as a substitute for any existing regulations. The

Code covers:

- »»Health and safety
- »»Professionals
- »»Customer care

The text in orange represents the requirement of providers, whereas the grey boxed-out text suggests the evidence needed to prove commitment to the requirement.

For further information contact Olivier Smith on 020 7420 8577 or email [oliviersmith@ukactive.org.uk](mailto:oliviersmith@ukactive.org.uk)

### 1. Health and safety

#### 1.1 Operational procedures

In organisations comprising a number of instructors operational procedures are a way of ensuring that all instructors are aware of what is expected of them. An operational procedure should cover:

- »»who can run sessions - reference should be made to what qualifications or ratification of competence is required of the person leading the session;
- »»what they are expected to do under normal conditions and circumstances;
- »»what they are expected to do in the event of an incident, accident or unusual group or event;
- »»what site specific hazards may be encountered over and above the norm that may be expected for that activity;

#### 1.2 Health and safety

Organisations must ensure that minimum legal requirements with regards to "Health & Safety at Work etc Act 1974" (HASWA) and the "Management of Health & Safety at Work Regulations 1999" (MHSWR). Organisations must have an up to date health & safety policy signed by a responsible director that supports the organisations aim to have a planned and systematic approach to the continuous improvement of its health and safety management system.

#### 1.3 Risk assessment

A risk assessment is the record of balance between the hazards that may be encountered and the measures that are taken to safeguard against them. Much of a risk

assessment will be influenced by the age and ability of the participants and the experience and competence of the instructors. Risk assessments can take many forms. A standard Health and Safety Executive '5-Steps to Risk Assessment' is only one approach. Risk assessments may include:

- »»site specific assessment – risks associated with exercising in a particular stretch of Victoria Park, taking into account land ownership and rights of way;
- »»activity specific assessment – risks associated with the specific activity, such as forms of resistance training;
- »»generic – the risks associated with all forms of exercise training, as with the above this will likely be covered within instructor training. This would include time and date specific risk assessments;
- »»operational – relating to the procedure for instance what is the instructor to participant ratio, or whether the instructor should always carry a mobile phone;
- »»environmental – assessing and minimising the risk of potential damage to the environment.

#### Outdoor Code of Practice

- »»a written operational procedure should be maintained for all activities.
- »»A copy of the Health and Safety Policy statement – signed by senior management or director;
- »»Health and Safety Law poster completed and displayed in staff areas;
- »»Employer Liability Insurance certificate displayed;
- »»individual instructors must hold Public Liability and Professional Indemnity insurance;
- »»instructors should know where these items are located.

It is not the risk assessment which drives safety but the outcome. What counts is how the operational procedures take account of the assessment of the risks involved in the activities. Organisations must conduct a suitable and sufficient risk assessments in accordance with the Health and Safety Executive's "Five steps to Risk Assessment". The risk assessment must in turn be integral within the operational procedure and staff training. It will be desirable for separate risk assessments to be conducted for each activity and each significant venue.

#### 1.4 Staff

All staff must be competent in all health and safety aspects of their work relating to safety policy, safe working procedures and action to be taken in the event of an emergency situation.

#### 1.5 Incident, accident and emergency procedures

These written procedures should not be seen as a substitute for training, but as an accompaniment, or induction check list. You can't expect to cover everything.

One approach is to address both ends of the scale:

- »»provide guidance for those minor situations which are comparatively common and therefore quite likely to occur, such as transport failing to arrive (or breaks down) or what to do if someone sprains or twists an ankle;
- »»provide guidance for the more serious or worst case scenario such as a serious or fatal accident. Some of these solutions will be applicable anywhere; others will be very site specific. Furthermore, organisations should have a meaningful system of recording incidents. Reviewing significant 'incidents' as well as accidents is an important way of trying to make sure it doesn't happen again. Trends identified as part of this regular

review should be acted upon and risk assessments and working practices amended as a result. Once there has been a serious accident or a particularly 'dangerous' occurrence, there are legal requirements to report it to the appropriate Health and Safety Executive or Local Authority Environmental Health Department ('enforcement agencies'). In some cases this may not include those situations where you send someone to hospital to check if there is, for instance, a broken bone and where the diagnosis in hospital is that there is only a minor injury such as bruising.

#### Outdoor Code of Practice

- »»Health and Safety standard outlining the procedures for risk assessment
- »»copies of the most recent risk assessments
- »»evidence of a formal risk assessment review within the time frames stated in the above standard (within the last 3 years or following any significant change)
- »»safe systems or work/procedural guidelines
- »»there should be a documented induction process that includes specific health and safety training for all staff
- »»Health and Safety training records for all staff in Normal Operating Procedures and Emergency Action Plans
- »»ensure that the risk assessment process is formally reviewed on annual basis to ensure the safety of classes is improving

#### Outdoor Code of Practice

Reporting requirements are more stringent in the area where a member of the public (and this includes activity participants) as opposed to an 'employee' is injured. There is a useful leaflet about the Reporting of Injuries, Diseases and Dangerous Occurrences Regulations (RIDDOR) available from the Health and Safety Executive (HSE Books) on (01787).881165.

Organisations must have proper documentation advising on action to be taken in the event of an emergency situation is in place. Significant incidents and accidents are reported internally and all 'RIDDOR' incidents are reported to the appropriate Health and Safety Executive or Local

#### Authority office.

##### 1.6 Modification of activity or venue

In contrast to traditional gym or leisure centre based activities, outdoor exercise is subject to a range of factors including the weather which may mean that it would be ill-advised to allow an event to take place or to allow one that has started to continue. Organisers need to consider 'worst case scenarios' in the early stages of planning. In particular, procedures need to be in place for responding to really bad weather, or an equally disruptive occurrence.

In particular, the problems of communicating changes of plan to participants at the last minute, or during the event, need to be identified in the risk assessment stage and appropriate safety measures instituted.

Organisations must have procedures for cancelling events, including proper points during the planning process for the cancellation of events and notifying participants.

##### 1.7 First aid

In the event of an accident, a good supply of basic first aid equipment should be readily (within a minute or so) available. For off-site activities, leaders will need to carry first aid kits in rucksacks, canoes, safety boats etc. This will also be necessary 'on-site' where

base resources are more than a quick sprint away. Who supplies the equipment, and on what basis, should be defined within operational procedures.

Organisations should comply with the “Health and Safety Regulations 1981” to provide first aid provision at all times taking into account staff and users needs, type, quantity and location of equipment and number of qualified first aiders.

»»view of the emergency operating plan

»»view of the record keeping process

»»cancellation/change of venue procedure

»»adequate first aid equipment available for use

»»procedures to ensure that there are enough competent persons at all times to cover for temporary and exceptional absences of trained first aiders

»»copies of staff first aid training recorded and certificates retained

»»minimum requirement HSE approved first aid person per site throughout the operating hours will be required according to risk assessment

»»accident and RIDDOR reporting procedures in place

»»evidence that there are an appropriate number of staff qualified in First Aid

»»method of communicating the need for further medical assistance

## Outdoor Code of Practice

### 1.8 Use of equipment

If equipment is provided, it should be serviceable. Furthermore, there should be sufficient quantities and range of equipment to supply the maximum potential number of participants, with some spare in case of damage or defect, otherwise arrangements will have to be made to split groups into smaller units which can be accommodated with existing supplies. If organisations or individuals ‘hire in’ equipment (as opposed to owning it), it does not change the responsibility which the organisation has, of ensuring that it is safe, functional and in good order.

Instructors check equipment before setting out. Organisations identify and assess risks arising from the use of machinery or equipment. If fitness equipment is used (bands, balls, weights) the organisation must maintain the equipment in accordance with manufacturers’ service schedules and conduct checks of equipment as per the manufacturers’ guidelines.

### 1.9 Criminal Records Bureau

All employees who have direct contact with children and vulnerable adults have been checked through a standards or enhanced disclosure via the Criminal Records Bureau.

### 1.10 System audit and review

External audits of performance in all areas of operational procedure are essential in order to guarantee that organisations continue to progress.

Organisations must conduct periodic external audits to establish that management arrangements, adequate risk control systems and workplace precautions are in place.

Must conduct periodic reviews of health and safety performance and make decisions about improving performance based on information from ‘measuring’ and auditing’ activities.

## 2. Professionals

Outdoor Exercise Instructors could include instructors whose 'contractual' arrangements might be described in one, several or all of the following ways:

- »»permanent/semi-permanent employee;
- »»freelance, self employed instructor. Regardless the instructor's role is to prepare exercise sessions in advance and manage the session to ensure that every client or group is able to exercise effectively and safely.
- »»copies of statutory certificates and records
- »»fitness equipment inspections checks recorded in accordance with operations manual/manufacturers' maintenance schedule
- »»evidence of routine maintenance checks and records
- »»evidence of Criminal Records Bureau checks are in place where required
- »»documented periodic reviews of health and safety performance in place
- »»action plans in place to rectify corrective actions identified above.

## Outdoor Code of Practice

### 2.1 Staff qualifications

The competence and integrity of activity leaders is probably the single most important factor for assuring safety and good practice. Competence in this field is a mix of experience, certification (qualifications) and the ability to work with people. Mere technical ability, though vitally important from a safety point of view, is not likely to be sufficient in itself. You will also have to satisfy yourself that the people who run activity sessions have the other necessary attributes as well as technical competence. Must ensure that staff have the relevant level of nationally recognised qualification for the environment/terrain in which they teach and for the fitness/health levels of the participants of every session.

### 2.2 Specialist staff

Ensure staff instructing in specialist areas hold an appropriate nationally recognised qualification for that discipline, such as pre/post natal or Exercising with Older Adults.

## 3. Customer care

This section outlines the requirement to ensure that on joining the organisation or exercise session, customers are aware of the standard terms and conditions that apply to their taking part in activity and if applicable membership.

### 3.1 Terms and conditions

The purchasing arrangements for outdoor exercise may differ between organisations and in certain instances customers may be able to purchase single sessions, nevertheless should contracts be involved the customer must be aware of all terms and conditions.

Ensure that on joining the organisation or session customers are made aware of the standard terms and conditions that apply to their membership.

### 3.2 Consultation agreement

Members must be made aware of any contractual arrangement they are signing.

### 3.3 Consultation environment

The environment in which this dialogue takes place must be conducive to allowing free expression and questioning by the client.

- »»copies of all fitness staff certificates and evidence of suitable continual professional development
- »»copies of all fitness staff certificates and evidence of suitable continual professional development
- »»membership terms and conditions documentation
- »»view of sign-up process
- »»membership sales/HCS process documentation
- »»evidence of a conducive environment for membership consultation

#### Outdoor Code of Practice

#### 3.4 Office of Fair Trading

Ensure that any written contracts for members are in accordance with Office of Fair Trading's Guidelines.

#### 4.1 Medical pre-screening

Prior to administering any exercise instructors must ensure that participants are suitably able to undertake such exercise, this is best done through a medical pre-screening method.

Organisations and instructors must ensure users to in a medical pre-screening document before undertaking physical activity.

#### 4.2 Users

Ensure that a record of all users is kept.

#### 4.3 Induction

Ensure that all users understand the session, what is expected of them, and how to use any featured equipment.

#### 5.1 Customer perception of operational performance

Ensure that customer complaints are acknowledged and direct communication is maintained with the customer while seeking to resolve the matter.

#### 6.1 Equality

Demonstrate a commitment to the Equality Act 2010

- »»membership terms and conditions documentation
- »»use of a medical pre-screening tool such as the PARQ, HCS, or PARMEDex
- »»records for all users with contact details for next of kin for emergency situations
- »»documented system in place
- »»evidence of a pre-activity screening process
- »»evidence of an induction process
- »»a complaints feedback procedure
- »»evidence of response and action
- »»evidence of an action plan

## **Appendix 3b REPS Code of Ethical Conduct**

As part of its objectives REPs aims to ensure that exercise professionals who are registered on REPs should both establish and maintain proper standards of ethical and professional conduct when providing services in fitness instruction.

As such, those registered with REPs are expected to adhere to the Code of Ethical Conduct.

Physical activity and exercise can contribute positively to the development of individuals. It is a vehicle for physical, mental, personal, social and emotional development. Such development is enhanced if the individual is guided by an informed, thinking, aspiring and enlightened exercise professional operating within an accepted ethical framework as a professional.

The role of an exercise professional is to:

- Identify and meet the needs of individuals
- Improve performance or fitness through programmes of safe, effective and enjoyable exercise
- Create an environment in which individuals are motivated to maintain participation and improve performance or fitness
- Conform to a Code of Ethical Conduct in a number of areas – rights, relationships, personal responsibilities, professional standards, safe working practise

This Code of Ethical Conduct (the Code) defines good practice for professionals in the fitness industry by reflecting on the core values of rights, relationships, responsibilities, standards and safety. The term 'professional' is used in a qualitative context in this Code and does not necessarily imply a paid position or person. The Code applies to both employed and self employed professionals but where professionals are employed the Register accepts that employed exercise professionals will be subject to the codes of practice and employment rules of their employers and will, in determining compliance with this Code of Ethical Conduct, have careful regard to any such employment rules and in particular whether or not, in the case of any complaint being made the professional concerned has or will be subject to any internal investigation by his or her employers. With that in mind any complaint will be referred to the employer.

Exercise professionals on REPs accept their responsibility to people who participate in exercise; to other exercise professionals and colleagues; to their respective fitness associations, professional bodies and institutes; to their employer; and to society. When practising, registrants must also hold adequate liability insurance.

There are five principles to the REPs Code of Ethical Conduct.

#### Principle 1: Rights

'Exercise professionals should deal openly and in a transparent manner with their clients. They should at all times adopt the highest degree of professionalism in dealing with their clients' needs.'

Compliance with this principle requires exercise professionals to maintain a standard of professional conduct appropriate to their dealings with all client groups and to responsibly demonstrate:

- Respect for individual difference and diversity.
- Good practice in challenging discrimination and unfairness.
- Discretion in dealing with confidential client disclosure.

As part of these principles members registered with REPs should seek to ensure that the contractual arrangements they have with their client are clear, transparent and unambiguous. Although REPs cannot and will not seek to adjudicate or deal with private contractual disputes (which should be dealt with by members and their clients) REPs will nevertheless seek to ensure that Exercise Professionals do maintain a proper regard to dealing with and addressing concerns raised by their clients. If a dispute shall arise between a member of the public and member registered with REPS the member of the public shall in the first instance seek to resolve that dispute with the REPs member. Only if that matter cannot be resolved or the dispute reveals a lack of proper professional conduct would REPs seek to intervene to correct any lack of professionalism shown. REPs itself has no jurisdiction to actually resolve such a dispute.

#### Principle 2: Relationships

'Exercise professionals will seek to nurture healthy relationships with their customers and other health professionals'

Compliance with this principle requires exercise professionals to develop and maintain a relationship with customers based on openness, honesty, mutual trust and respect and to responsibly demonstrate:

- Awareness of the requirement to place the customer's needs as a priority and promote their welfare and best interests first when planning an appropriate training programme.
- Clarity in all forms of communication with customers, professional colleagues and medical practitioners, ensuring honesty, accuracy and cooperation when

seeking agreements and avoiding misrepresentation or any conflict of interest arising between customers' and own professional obligations.

- Integrity as an exercise professional and recognition of the position of trust dictated by that role, ensuring avoidance of inappropriate behaviour in customer relationships. Any consensual relationship between persons of full age would not, however, be considered inappropriate.

### Principle 3: Personal Responsibilities

Exercise professionals will demonstrate and promote a responsible lifestyle and conduct'

Compliance with this principle requires exercise professionals to conduct proper personal behaviour at all times and to responsibly demonstrate:

- The high standards of professional conduct appropriate to their dealings with all their client groups and which reflect the particular image and expectations relevant to the role of the exercise professional working in the fitness industry.
- An understanding of their legal responsibilities and accountability when dealing with the public and awareness of the need for honesty and accuracy in substantiating their claims of authenticity when promoting their services in the public domain.
- An absolute duty of care to be aware of their working environment and to be able to deal with all reasonably foreseeable accidents and emergencies – and to protect themselves, their colleagues and clients.

### Principle 4: Professional Standards

'Exercise professionals will seek to adopt the highest level of professional standards in their work and the development of their career'

Compliance with this principle requires exercise professionals to commit to the attainment of appropriate qualifications and ongoing training to responsibly demonstrate:

- Engagement in actively seeking to update knowledge and improve their professional skills in order to maintain a quality standard of service, reflecting on their own practice, identifying development needs and undertaking relevant development activities.
- Willingness to accept responsibility and be accountable for professional decisions or actions, welcome evaluation of their work and recognise the need when appropriate to refer to another professional specialist.

- A personal responsibility to maintain their own effectiveness and confine themselves to practice those activities for which their training and competence is recognised by the Register.

#### Principle 5: Safe Working Practise

‘Exercise professionals will systematically prepare for all activities ensuring the safety of their clients is of paramount consideration’

Compliance with this principle requires exercise professionals to maintain a safe exercise environment for all clients and at all times and to responsibly demonstrate:

- A responsible attitude to the care and safety of client participants within the training environment and in planned activities ensuring that both are appropriate to the needs of the clients.
- An appropriate ratio of instructors to clients within any group sessions to ensure that at all times the safety of all clients is paramount.
- All clients have been systematically prepared for the activity in terms of safety including the safe use of equipment.

#### Disciplinary Measures

In the event that either The Fitness to Practice Committee shall find that a person registered shall be guilty of a breach of The Code, The Fitness to Practice Committee or, as the case may be, The Trustees of REPS may take Disciplinary action.

Any alleged professional mis-conduct or avoidance of compliance with the terms of membership of the Register will be referred to the Fitness to Practice Committee which will consider any need for sanctions against an individual instructor, coach, trainer or teacher. The appropriate authority(ies) will deal with any criminal allegations.

In terms of any disciplinary action taken REPs may after due inquiry:-

- a. Suspend or terminate the membership of any member;
- b. Reprimand or issue a formal warning; or
- c. Take such other action as REPs consider an appropriate and proportionate to the issues raised.

In the event that any party to an alleged mis-conduct is dissatisfied with a decision of The Fitness to Practice Committee he or she may lodge an appeal in writing against this decision to a nominated Trustee of SkillsActive. Any such appeal must be lodged within 21 days of a decision of The Fitness to Practice Committee. In the event of any appeal, the Trustees of REPs shall acknowledge that appeal as soon as practicable and, in any

event, a final decision will be reached at their next quarterly meeting. An appeal will be acknowledged within 28 days of its receipt

## Appendix 4 Response to Consultation With Fitness Groups

**We are proposing to use UKActiv standards, are you already a member? If you know their standards are they sensible ones to use?**

Twisted Fitness:	Not familiar with UK active. Is a member of FIA. Take away C of P from Activ. Majority are 1:1 fitness.
Rob Stride Fit:	Go to Reps rather than UK Activ, look at Reps. Will read C of P. UK Activ member, annual subscription including PL insurance.
Bfit:	Own code of practice not familiar with UK Activ. Reps code of practice national standard. £120 per years membership. PL to members and trainers.
Fit Bitch:	Has heard of them, will look at C of P maybe Reps. Continued personal development. Would be good for reputation.
Jo Dines Training:	Rep's 3 personal level 4
Spartan Fitness:	Reps cash generator, UK Activ not heard of. Reps most commonly referred. See all documentation when quals [qualify]. Expected to keep upgrading quals. Trying to create B.S.

### Q2

**Do you experience clashes with other park users when you train?**

Twisted Fitness:	Have heard about turf wars, they seem to have settled into slots. Have places on principally on seafront in sections. Whitehawk and Moulsecoombe - no service captive audience.
Rob Stride Fit:	Doesn't restrict access, clashes with other groups but not directly. Would like to legitimise use of park. Armbands in Royal parks.
Bfit:	Preston Park -Hove Lawns. BMF sometimes runs across groups, may incite clashes.
Fit Bitch:	6am startmean very few clashes. 5yrs don't have any clashes apart from one at skate Hove Lagoon.
Jo Dines Training:	No, 1 to 1 very rarely get in anyone elses way. 6:30am or 5:30pm work near clients homes.
Spartan Fitness:	Does not encounter problems with winter as there is ample space. Summer sometimes there is a problem putting cones out, as people disperse in the lawns. Dogs that are loose and urinate on equipment -only cross words that have been said. Fitness groups clash.

### Q3

**Do you see any advantage to being on a council approved list?**

Twisted Fitness:	FB and Twitter, but not council website. Doesn't see the benefit of a council website. FB/Twitter ability to access notices on social media. Pobably not any advatage, advertising has not worked at all, customers gained by recommendation.
Rob Stride Fit:	Yes, definitely on council page 'outdoor fitness'.
Bfit:	Might be an advantage. Perhaps - like to think it would an advantage. Defined area would be a benefit.
Fit Bitch:	Difficulty in governing not sure if people go to council to find fitness groups. Word of mouth recommendations. Could accept other organisers C of P. Quite high end.
Jo Dines Training:	Good to say you are insured, trained etc, extra reassurance for public. Yes, legitimise use.
Spartan Fitness:	Have not needed this in the past. Do not particularly see any advantage, but would legitimise use of the park.

### Q4

**What is your view to charging. If you agree what do you think of the proposed charges.**

Twisted Fitness:	Impractical and unpalatable to charge 1to1's. Not unreasonable to charge the larger groups, they do ruin the grass.3-5 people are individual trainers, 12-15 people not individual.
Rob Stride Fit:	Restrictive to expanding business. Wouldn't mind paying. Payment would make me feel comfortable and legitimised.
Bfit:	Varies with attendance. Can of worms - impossible policing. Discount for council workers. Parking at Preston Park. Not good money [made] and trying to promote fitness - and now you want to shut us down.
Fit Bitch:	Good for quality and coaching. Have concerns about policing. Metabolic solutions. Move around to various locations. Starts 6am, finishes at 8 - so parking charges. Good if it creates better quality and assures coaches are qualified.
Jo Dines Training:	Charges should be seasonal. This is a way control uninsured and unsuitably trained coaches. Charges don't look massive or outrageous. I have expected it to come. 3-15 size groups. Charges could be seasonal, March - October, might be better. A good idea in principal. Good to discourage non reputable trainers.
Spartan Fitness:	Looks ok, 3 - 15. Would like enforcement. Have no issue with charging. Fees needs to be realistic.

**Any other points you would like to raise:**

Twisted Fitness:	If brought in for 1 to 1's there are 100's, we would struggle to control. Lewes wanted to charge £35 an hour 4-60, moved to Peacehaven. Make groups 3-15. £7 an hour in Sports Park Peacehaven indoors, £10 an hour on the Dell.
Rob Stride Fit:	Would there be any restrictions 'no cones' etc dragging tyres? Signage flag 'Not to be restricted', certificate, mark of approval and legitimise being in the park. This could restrict investment in own company. Work is dead in winter.
Bfit:	Hove Park is saturated with fitness groups. BMF don't always respect football boots/soccer schools cause damage. Have a marked out area. Rubbish clearance. Germany - £250 for 10year license. A lot of groups start up and then disappear. It is not black and white on how many people turn up after booking, the numbers drop in winter, when it is really hot and during school holidays. BMF may have 4 groups on at the same time and charge you x4. Parking van costs. Hove Park Charlotte. Unfair that footballers are not charged.
Fit Bitch:	3 - 5 group size. Some would pay others wouldn't. Why would I pay for 6am slot when nobody is about. But there are no clashes or conflict for space, so there would be no benefit for me.
Jo Dines Training:	Seasonal charging: March to Sept/Oct. Good idea, would give quality control and stop people getting hurt. Repts points need to be refreshed. This will discourage any misuse.
Spartan Fitness:	Exclusivity to space.

<b>Subject:</b>	<b>Brighton Marina to River Adur flood and coastal erosion risk management strategy</b>		
<b>Date of Meeting:</b>	<b>14<sup>th</sup> January 2014</b>		
<b>Report of:</b>	<b>Executive Director for Environment, Development and Housing</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Martin Eade</b>	<b>Tel: 294568</b>
	<b>Email:</b>	<b>martin.eade@brighton-hove.gov.uk</b>	
<b>Ward(s) affected:</b>	<b>South Portslade, Wish, Westbourne, Central Hove, Brunswick &amp; Adelaide, Regency, Queen's Park, East Brighton, Rottingdean Coastal.</b>		

## FOR GENERAL RELEASE

### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The city council is a Coast Protection Authority taking its powers from the Coast Protection Act 1949. The Act defines coast protection as the prevention of erosion and encroachment by the sea and allows authorities to apply to the Secretary of State for funding towards the cost of schemes and studies.
- 1.2 Strategies are one stage in the process of establishing a business case for funding towards the building of coast defences. Initially a regional Shoreline Management Plan [SMP] is prepared which sets policies for coast defence. For Brighton & Hove, the Selsey Bill to Beachy Head SMP has set a policy of holding the currently defended line. The SMP and its policies were adopted by the council's Environment Committee on 14 September 2006, and part of the SMP's action plan is to prepare coastal strategies.
- 1.3 It is essential that the council has a risk-based management strategy for coast defence in order to ensure that the city's coastline is not adversely affected by coastal erosion and sea flooding. Such strategies are encouraged by the government department DEFRA (Department for Environment, Food & Rural Affairs), and funded through the Environment Agency.
- 1.4 Addressing flooding issues is a key component of the City Deal proposals for the Greater Brighton City Region. In particular, the role and resilience of Shoreham Port in those proposals is significant and mitigating the effects of coastal flooding will be an important factor in maintaining its effective operation and securing its economic contribution to the local area, and enabling development proposals to come forward. The council is jointly seeking funding through City Deal towards delivering flood defences to unlock private sector investment in the Shoreham Harbour area.
- 1.5 The results of consultation on a long list of options for protecting the city's coastline are set out in this report and have informed the proposed shortlist of

options. The committee's agreement is sought for a further round of public consultation to inform the management strategy of the coast defence between the Marina and the western City boundary. This will enable a preferred option to be considered and agreed at a future committee meeting.

## **2. RECOMMENDATIONS:**

- 2.1 That the Committee notes the results of the recent public consultation on a long list of options for the Brighton Marina to River Adur flood and coastal erosion risk management strategy.
- 2.2 That the Committee agrees that a further round of public consultation is carried out on the proposed, preferred options for the Brighton Marina to River Adur flood and coastal erosion risk management strategy, set out in Appendix 2, and the results reported back to a future committee meeting in early 2014 for consideration and agreement.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The coast between Brighton Marina and the River Adur is defended by a range of structures: groynes, sea walls and shingle beaches. As the climate changes so these defences also need to change so that the city is adequately protected from sea level rises and the worst effects of storms at sea.
- 3.2 Maintenance of the existing defences is undertaken but from time to time a strategic assessment is needed to see how the defences should be adapted and the coast managed so as to accommodate future change. This risk management strategy looks at the coast in detail and the pressures on it, and how those pressures are likely to change in the future. It then develops options for coastal management for the next 100 years in accordance with the Environment Agency's requirements. Once finalised the strategy is then submitted to the Environment Agency for agreement. Individual applications can then be made to the Environment Agency for grant aid to build and adapt defences, as recommended in the strategy.
- 3.3 The preparation of a draft strategy, known formally as the 'Brighton Marina to River Adur - Flood and Coastal Erosion Risk Management Strategy', began last year with the gathering of information and data. It is being carried out in partnership with Worthing & Adur Councils. A further informal information gathering exercise has been undertaken to help inform and shape the development of a long list of proposed management options for protecting the coast. These options apply to three distinct sections of the coastline within the city, and are referred to as :-
  - Unit 1 – Locked section at Shoreham Port
  - Unit 2 – Open coast (mouth of the Adur to Brighton Marina western arm)
  - Unit 3 – Brighton Marina.
- 3.4 Although the protection of all three units is important to the city, only Unit 2 is of direct relevance to the city council as the Coast Protection Authority. The

defence of Unit 1 is the responsibility of Shoreham Port Authority and of Unit 3 the responsibility of the Brighton Marina Company. Both organisations plan and fund their own programmes of works for maintenance, renewal and improvement. The consultation that is programmed to begin on 24<sup>th</sup> January will canvass opinion on the options for all three units.

- 3.5 It is not possible to eliminate all the risks that the sea presents but these options will enable the management of risk along the coastline over the next 100 years (the period of time that the Environment Agency requires the long-term strategy to be planned for). The council's Policy & Resources Committee agreed to public consultation on a long list of potential coast defence options in May 2013.
- 3.6 The draft strategy is due to be finalised in 2014 when it will be reported back to committee for approval prior to being submitted to the Environment Agency. In order to reach that point, a further round of public consultation is proposed to seek views on the proposed, preferred options. These will be outlined in a consultation document (draft extracts are illustrated in Appendix 1) and are set out in a more detailed, summary table of the programme of works in Appendix 2 of this report.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 The public consultation on a long list of proposals for managing the coast enables consideration of a number of alternative options. This recognises that the city's coastline could be defended to any standard; coast defence standards are rated according to the severity of storm that they would provide protection against. In the case of large urban areas such as Brighton & Hove, a level of defence capable of resisting a 1 in 200-year storm event is considered appropriate, which is an accepted standard for an urban area within the UK. The options to be consulted on will provide that level of defence and the strategy as a whole would sustain that level of protection over its 100-year timescale.
- 4.2 The strategy process includes an examination of a wide range of alternatives for managing the coast. These are:
1. *No active intervention*: abandoning the defences and undertaking no further maintenance or repair.
  2. *Do minimum*: only undertaking work where there is a breach in the seawall or a physical collapse of part of the defences.
  3. *Maintain*: repairing and replacing defences to the current standard. This would result in increasing flood risk over time as the standard of defence declines in the face of climate change.
  4. *Sustain*: constructing new defences where necessary to reflect sea level rise and so keeping pace with change and maintaining the standard of defence.
  5. *Improve*: construct new defences to increase erosion and flood protection over and above what is necessary to keep pace with climate change.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 An Engagement and Communications Plan was developed at the beginning of work on the strategy to help guide the council's engagement with stakeholders during the process. It identifies the council and external consultees that have been, and will continue to be, involved in the consultation for the options and the Strategic Environmental Assessment [SEA]. These include Parish Councils, MPs, councillors, local resident and interest groups and members of the public. The consultation took place between May and July 2013, and included published and on-line material and public exhibitions.
- 5.2 A total of 15 responses were received, which are summarised in Appendix 3.

## **6. CONCLUSION**

- 6.1 It is important that the public and local stakeholders have the opportunity to be directly engaged in the development of long term policies for the protection of the city's coast. Once the results of the consultation on the shortlist have been fully evaluated the coast defence management proposals will be finalised along, with cost estimates, and reported back to Committee for final approval prior to submission to the Environment Agency. This consultation period will result in a defined programme of works to sustain the city's defences for the next 100 years.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 Work on the preparation of the strategy will be 100% grant-aided by DEFRA through the Environment Agency. The cost of any work that is not grant eligible (such as some elements of the consultation process) will be met from the council's coast protection revenue budget.
- 7.2 The total cost of the works required for epoch 1 is in the region of £7m and the works are detailed in Appendix 2. It should be noted that this figure is a broad estimate at this stage. The strategy as currently proposed consists of three elements:
- The capital works shown in the table in Appendix 2
  - Annual movement of shingle from Kemp Town back to the beaches at the western end towards the river
  - The continued maintenance of the existing groynes and seawalls.
- 7.3 Funding arrangements for coast protection works vary from year to year so it is not possible to say exactly how much the council might receive in grant. However the Agency's funding regime always requires some degree of stakeholder contribution. The council has an existing revenue budget of approximately £200,000 which covers the costs of the third bullet point above and it is currently anticipated that this would constitute the council's contribution. Therefore at this stage it is expected that the council will be submitting a bid for approximately £6.8 million of grant funding to cover the costs of the first two bullet points above.

- 7.4 Updated details of costs and the funding arrangements will be detailed in a subsequent report to committee when approval for the final strategy is sought.

*Finance Officer Consulted: Jeff Coates*

*Date: 13/12/13*

Legal Implications:

- 7.5 The Council takes its coast defence powers from the Coast Protection Act 1949. The Act confers permissive powers on coast protection authorities such as Brighton & Hove. This means that the council has the power to take the action set out in the report but there is no legal requirement for the council to defend the coast nor any right to defence by occupiers of the coastal zone or commercial interests, as there is in some European countries. The Act also gives authorities the power to submit applications for grant aid towards coast defence works to the Secretary of State. The Flood and Water Management Act 2010 requires a lead local flood authority to develop, maintain, apply and monitor a strategy for local flood risk management in its area, which is consistent with the recommendations in the report.

*Lawyer Consulted:*

*Elizabeth Culbert*

*Date: 13/12/13*

Equalities Implications:

- 7.1 There are no immediate equalities implications resulting from the consultation process. All consultation material will comply with the council's guidance and standards. The primary aim of the strategy itself is to manage and reduce the risk of coastal erosion, and this will therefore ensure that access to the seafront and coastline is maintained for all. This is reflected in those options that have been consulted on and those which are now being proposed as preferred.

Sustainability Implications:

- 7.2 A strategic study of this kind is essential if the city is to be protected from the potential effects of climate change. The project is also supported and informed by a Strategic Environmental Assessment [SEA]. This document will also be consulted on, alongside the preferred options, and will be made available to key consultees including the Environment Agency.

Crime & Disorder Implications:

- 7.3 There are no implications for crime and disorder.

Risk and Opportunity Management Implications:

- 7.4 There are no immediate implications for risk and opportunity management resulting from the consultation process, but the primary aim of the strategy itself is to manage and reduce the risk of coastal erosion, and this is reflected in those options that have been consulted on and those which are now being proposed as preferred.

Public Health Implications:

- 7.5 There are no immediate implications for public health resulting from the consultation process, but the primary aim of the strategy itself is to manage and reduce the risk of coastal erosion. This in turn protects access to, and the use of, the city's seafront and beaches for recreational and relaxation activities, thereby contributing to improving people's health, wellbeing and quality of life. For example, data taken from a permanent counter on the Undercliff Walk at the Marina showed a total 2-way flow of pedestrians and cycles of over 14,000 in February this year.

Corporate / Citywide Implications:

- 7.6 The city's beaches and seafront play an important role in the city's economy and, although difficult to quantify, it supports the economic value that commercial and other activities on the seafront provide for the city. This is recognised in the City Deal proposals submitted for the Greater Brighton City Region, as outlined in section 1 of this report.
- 7.7 The preparation of the Coastal Defence Strategy will also inform and support the development of the council's Seafront Strategy. Although the SMP is based on the next 100 years, it will ensure that as far as possible it reflects the aspirations of local interests.

## **SUPPORTING DOCUMENTATION**

### **Appendices :**

1. Extracts from Draft Consultation Document
2. Works programme and cost estimate
3. Report on the outcome of the first round of public consultation

### **Documents in Members' Rooms :**

None

### **Background documents:**

1. Policy & Resources Committee report – May 2013

## THE COAST BETWEEN BRIGHTON MARINA AND THE RIVER ADUR

Brighton & Hove City, and Adur and Worthing Councils are developing a 100-year strategy for the management of the coast between Brighton Marina and the River Adur - *the Brighton Marina to River Adur Flood and Coastal Erosion Risk Management Strategy*.

### What is the Brighton Marina to River Adur Flood and Coastal Erosion Risk Management Strategy?

The aim of the Strategy is to establish a plan for the management of flood and coastal erosion risk for the next 100 years. With climate changing, sea levels rising and the increased frequency and intensity of storms, our existing coast defences are under increasing threat from the elements. The Strategy considers the risks and impacts of coastal erosion and flooding to communities and the environment, both now and in the future.

### What area does it cover?

The area covered by the Strategy is defined by a western boundary at the lock gates at Shoreham, (including the east basin) the coast from the mouth of the River Adur to Brighton Marina and Brighton Marina itself (see map below). Similar studies cover the coast to the east and west.



### What have we done so far?

We have undertaken a series of investigations to improve our understanding of the area. We developed a long list of options which we have consulted on and appraised against key criteria to provide a short list.

Following economic, technical and environmental appraisal of the short list options we have identified the Preferred Option for flood and coastal erosion management for each Unit.

This newsletter presents the Preferred Options for consultation.

## What are the short listed options?

For each of the three units a number of appropriate options were shortlisted for further analysis, these were then considered in terms of:

- Flood and erosion risk to people and property,
- Climate change and predicted sea level rise,
- Cost of the option and value of protected assets,
- Impact on the natural environment.

The following sections outline the short-listed options for each unit. The preferred option for each unit has been highlighted in blue.

## Unit 2 Open Coast



<p><b>No Active Intervention</b></p>	<p>No further works or repairs would be undertaken and beach recycling and beach bypassing operations would be stopped. The defences would be left to deteriorate and fail over time.</p> <p>Beaches along the Shoreham frontage would erode, resulting in the loss of properties and land including industries at Shoreham Port. Open water conditions in the locked section would result in collapse of the north bank of the basin with further loss of properties and the A259. Failure of beach control structures along the open coast would result in beach loss and increased wave overtopping along most of the frontage. However, material released from beaches will result in wider beaches to the east of the pier.</p>
<p><b>Do Minimum</b></p>	<p>As the No Active Intervention Option, except that reactive repair works to the seawalls and some beach recycling to protect vulnerable seawall sections in the short term will delay deterioration and the failure of defences.</p> <p>This option would result in the loss of properties and the A259 at Shoreham and increased flood damages to properties along the open coast.</p>
<p><b>Maintain</b></p>	<p>Existing groynes, seawalls and other defences will be repaired and replaced, as required. Beach material will be recycled from Kemp Town to Shoreham, and beach bypassing operations from Shoreham will continue.</p> <p>Flood risk to properties and amenities along the frontage will increase in the long term as sea levels rise.</p>
<p><b>Improve A – Wall Raising</b></p>	<p>Wall raising at Shoreham along the coast between the lock gates and the eastern limit of the Sewage Treatment Works combined with the upgrading of existing groynes with higher and/or longer groynes to increase the size of the beaches, where required, along the rest of the open coast frontage will improve the standard of protection. Groynes, seawalls and other defences will be refurbished and repaired as required. Beach material will be recycled from Kemp Town to Shoreham, and beach bypassing operations from Shoreham will continue.</p> <p>Consideration of a range of standards of protection has been undertaken.</p> <p>Flood risk to properties and amenities along the frontage would be reduced.</p>
<p><b>Improve B – Beach Widening</b></p>	<p>Existing groynes will be upgraded with higher and/or longer groynes to increase the size of the beaches to improve the standard of protection, where required, along the entire open coast frontage. Groynes, seawalls and other defences will be refurbished and repaired as required. Beach material will be recycled from Kemp Town to Shoreham, and beach bypassing operations from Shoreham will continue.</p> <p>Consideration of a range of standards of protection has been undertaken.</p> <p>Flood risk to properties and amenities along the frontage would be reduced.</p>

**Option 'Improve A'** has been selected because the existing level of protection from wave overtopping is low in some parts of the frontage. It is the leading economic and environmental solution.

## Have your say

We want to know what you think. Your opinions on the leading options are important:

- Do you support the leading options?
- Do you have ideas for improvements?
- Do you have any other comments?

Please let us have your views on the options listed via the online questionnaire at [www.brighton-hove.gov.uk/coastalstudy](http://www.brighton-hove.gov.uk/coastalstudy) or send your comments by post or email to:

**Joanna Walker,**  
CH2MHill, Elms House, 43 Brook Green, London W6 7EF  
**Walkerej@halcrow.com**

## What happens next?

We will be holding public exhibitions at Brighton Jubilee Library, Hove Town Hall, King Alfred Leisure Centre and Adur Civic Centre from January to April 2014.

Dates and times will be advertised in advance by the council and in the local media.

Following consultation, the preferred options will be considered by the councils and then included within the Strategy Review documents and submitted for approval to the Environment Agency. If approved, the implementation of the preferred options will then depend upon the funding available from a number of different sources. The cost of coast defence work is met from a combination of government grant and local contributions, and the proportions of those amounts will be calculated using the government funding guidelines that are current at the time.

**Appendix 2**  
**Works programme and cost estimate**

**Brighton Marina to River Adur coastal strategy – preferred strategy – Capital Works Marina to Seaside Villas**

To establish and maintain coast defences appropriate to a large urban area such as Brighton & Hove for the next 100 years (given current climate change predictions) the following programme of works will be required (in addition to general maintenance). The current practice of moving shingle from Kemp Town and Shoreham Beach onto the beaches at the western end would also need to continue. The works shown would generally be carried out during the first 2 years of each epoch with maintenance and annual shingle movement continuing.

Works to the Port's defences and the defences in front of the private terrace to the west of the Hove Deep Sea Anglers' clubhouse are also required but not shown here.

Strategy periods	Defence structure	Location	Work Required	Comments	Cost estimate
Epoch 1 – years 1 to 29	B8 Dalton's groynes B9 New Steine groynes	First groyne east of Brighton Pier Second groyne east of Brighton Pier	Lengthen by 10m, raise height and recharge beach		£7m
	Groynes H10 to H16	Courtenay Gate flats to the King Alfred	Lengthen by 15m, raise height and recharge beach		
	H31 Baxter's groyne H30	East side of the Deep Sea Anglers' clubhouse Lagoon outfall Oppo east end of Hove Lagoon	Lengthen by 10m, raise height and recharge beach – alterations also required to Hove Lagoon outfall	Only required if work on the private beaches to the west is carried out.	
Epoch 2 – years 30 to 79	B5 Grand hotel B1 Norfolk groyne B6 East St groyne	Oppo Grand Hotel First groyne east of the Peace Statue Oppo East St	Lengthen by 10m, raise height and recharge beach		
	Groynes H10 to H16 H31 Baxter's groyne H30	Courtenay Gate flats to the King Alfred East side of the Deep Sea Anglers' clubhouse Oppo east end of Hove Lagoon	Lengthen by 5m, raise height and recharge beach – alterations also required to Hove Lagoon outfall	Only required if work on the private beaches to the west is carried out.	
	Groynes H1 to H9	First 9 groynes west of the Peace Statue	Lengthen by 10m, raise height and recharge beach		
Epoch 4 – Years 83 to 84	B8 Dalton's groyne B9 New Steine groyne	First groyne east of Brighton Pier Second groyne east of Brighton Pier	Lengthen by 5m, raise height and recharge beach		
Epoch 5 – Years 85 to 100					

## **Appendix 3**

### **Report on the outcome of the first round of public consultation**

Over 150 people were contacted directly using an established database for this study, there was a press release by both Adur and BHCC and an article in the Evening Argus.

There were 15 responses, either written (as detailed below) or via the consultation portal response form on the council's website. Both sets of responses are summarised in Table 1 (below) and cover only Unit 2 (Open Coast), as Units 1 and 3 are outside the council's responsibilities for coast protection.

#### **Natural England**

- Noted that features of interest along the coast often require natural coastal processes (such as movement of shingle, cliff erosion and avoidance of coastal squeeze) to be maintained.
- Key designated sites are Adur Estuary SSSI, Brighton to Newhaven Cliffs SSSI and proposed Marine Conservation Zone Beachy Head West.
- Unit 1 (Shoreham Port) – potential impacts on River Adur SSSI. Identified a need to understand whether sustaining or increasing the defences affect volume or movement of water entering the estuary and, if so, what the potential impacts on River Adur SSSI may be.
- Unit 2 (open coast) – the sustaining or improving options could have impacts, depending on where the shingle is sourced. Operations involving only recycling within the area are unlikely to cause impacts on designated sites. Other impacts may arise at the deposition site and if there are structural changes to the coastal defences that influence shingle movement and coastal processes, possibly affecting habitats at the mouth of the River Adur or within the SSSI.
- Unit 3 (Brighton Marina) – options have potential to affect Brighton to Newhaven SSSI and Beachy Head West pMCZ. For example, impacts on the chalk reef (SSSI and pMCZ) from extending any structure or impacts from work to the inner wall on the pMCZ.
- Further assessment will be required as the options are progressed. NE is happy to advise on potential impacts and solutions to avoid or mitigate potential impacts.

#### **Adur and Worthing Councils (Planning, Regeneration and Well-being)**

- Comments relate to Shoreham Harbour area.
- Regeneration aims for the harbour are set out in the Draft Adur Local Plan.
- A Joint Action Plan is also being developed (Adur District Council, Brighton and Hove City Council and West Sussex County Council) for revitalisation of the area, working with Shoreham Port Authority, to bring back vacant and underused sites into use (new employment and housing developments, raising the quality of the local environment and waterfront access).
- Development Briefs for the Western Harbour Arm (to south of railway, from new footbridge to Kingston Beach) and South Portslade Industrial Estate and Aldrington Basin are being finalised. Further details on <http://w4ww.adur-worthing.gov.uk/shoreham-harbour-regeneration> .
- A Flood Risk management Technical Guide with a Design Code is also being developed by the Shoreham Harbour Regeneration Partnership. This may provide information to the current strategy. The Regeneration Partnership is also seeking external funds. There may be potential to work together to deliver aspects of the current strategy.
- Key aspirations for Shoreham Harbour are presented.
- Unit 1 – Option 4, Sustain and Option 5, Improve are most appropriate. Option 5 would be preferred, but could be expensive and technically difficult. Options 1 to 3 conflict with Port future operating capacity, due to increased flood risk.
- Unit 2 – Notes that none of the options refer to public realm improvements or reductions on height of seawall defences. Would like to see removal of the (tall) wall along Basin Road South, or provision of pedestrian /cycle route on seaward side or reduction in its scale. Options 1 to 5 would result in increased flood risk and therefore not considered appropriate (for businesses, residents and image of area as a tourist destination). Option 6 would maintain current standard of defence

and increase size of beaches (recreational benefit). Option 8 would be similar but also raise level of protection. These two are the preferred options. Option 7 would provide similar protection to Option 6, but without increasing beach size. Option 9 would be similar to Option 7, except with increased levels of protection. These two options are considered acceptable but less preferable to Options 6 and 8. The impact of the offshore breakwaters of Option 10 could result in a negative impact on recreation and visual attraction, and the impact of rock revetment of Option 11 on public access and visual amenity is considered negative. These two options are therefore considered less attractive options. Option 12 is also likely to result in negative impacts on recreation and visual amenity and is also, therefore, considered a less attractive option.

#### **Environment Agency, Partnership and Strategic Overview East Sussex**

- Raised a number of technical queries in terms of how the benefits of the strategy would be calculated for the three areas.
- Unit 1 – Suggested that a wall along the open coast should be considered
- Unit 2 – Suggested that it is unlikely that the volume of shingle under Option 4 would remain constant and that it would therefore require input from another source. Suggested an alternative option for Option 5, similar to Option 3 except movement of shingle from Kemp Town to further west than Shoreham, with continued by-passing of Shoreham Port. Suggested a further option to realign the seawall to remove protrusions (such as at the King Alfred complex) as development proposals arise. Queried whether there could be any options where the spacing between groynes is increased.
- Unit 3 - Suggested that an alternative to increase the height of the defences and water-resistant building is considered.

#### **Local resident 1**

- The No Active Intervention option is not feasible and reactive work is not considered sustainable for any area.
- Unit 1 – Options 4 and 5 considered most suitable as sea level rises are accommodated. Option 5 preferred.
- Unit 2 – Despite some reservations, the offshore breakwaters of Option 10 are considered beneficial due to reduction of wave energy and control of long-shore drift of sediment to help maintain beaches and provide habitat for marine life (including fish). The down-drift effect of retention of sediment, however, could be negative.
- Unit 3 – Considered Option 4 the most appropriate despite minor temporary adverse impacts during any works

#### **Local resident 2**

- Stated that the final decision should be based on a social cost-benefit analysis taking environmental consequences into account, but suggested that the no active intervention and do minimum options would be unacceptable for an urban service and industrial economy environment, whilst the maintain/ sustain options are likely to be better options and the improve option less acceptable in social cost-benefit terms.
- Suggested direct consultation with Brighton and Hove Geological Society, all local schools, tertiary colleges and university departments of environmental studies and geology

#### **Dr Uwe Dornbusch (Environment Agency)**

- Provided electronic link to sediment budget reports produced for the South East Coast Beach Management Plan Project

#### **Local fishing club**

- Comprising a club with over 1,300 members, located directly on promenade at Hove, considers the premises to be extremely vulnerable to coastal erosion and wave damage
- Commented only on Unit 2 (open coast)
- Options 1 to 5 considered unacceptable as they would result in increased flood risk.

- Options 6 and 7 not favoured due to no improvement to flood risk, movement of shingle (environmental impact) and ongoing annual cost and consequential vulnerability to future budget squeeze
- Options 8 and 9 would reduce the flooding risk but retain the ongoing environmental and cost impacts and would not provide any other 'added value'
- Option 10 would reduce the risk of flooding without requiring annual shingle movements, thereby eliminating those environmental and cost impacts. Assuming that it would be based on the same concept as trialled at Sea Palling in Norfolk, which protects and enhances the beach and coastline, creating a series of sheltered beaches ideal for all forms of water activities, a boost to the Brighton and Hove tourist economy
- Options 11 and 12 would reduce the risk of flooding. However the loss of beaches and difficult access to the water would affect waterborne activity, including the sea anglers club. It would be a disaster for tourism and would probably reduce the appeal of the city as a place to live, so hitting house prices and the economy as a whole.
- In summary, Hove Deep Sea Anglers advocates Option 10 and requests that it is implemented, at least along that section of the coast, in the very near future.

**Anonymous** (local resident)

- Concerned to protect Central Hove from flooding as sea level rises, and suggests that a longer time frame than 100 years should be examined.
- Concerned that as sea levels rise houses near the seafront will become very vulnerable to flooding. Also concerned about damage to listed buildings, the need to maintain public access to sea for leisure, including cycle route access along its length and the need to maintain the existing beaches, Shoreham Harbour and Brighton Marina in their current state.

**Table 1**

Unit 2 – Open Coast												
	1	2	3	4	5	6	7	8	9	10	11	12
A&WDC	-	-	-	-	-	1	2	1	2	3	3	3
NE	No preference stated											
EA	No preference stated											
Local resident 1	No preference stated											
Local resident 2	No preference stated											
U Dornbusch	No preference stated											
Local fishing club	-	-	-	-	-	2	2	2	2	1	3	3
Anonymous	No preference stated											
General Public Response 1	No preference stated											
General Public Response 2	-	-	-	-	-	-	-	1	1	2	2	-
General Public Response 3	-	-	1	2	1	2	2	2	2	-	-	-
General Public Response 4											1	
General Public Response 5	-	-	-	-	-	2	2	1	1	1	1	1
General Public Response 6			1									
General Public Response 7								1	1	1	1	1

