

BRIGHTON & HOVE CITY COUNCIL

ENVIRONMENT, TRANSPORT & SUSTAINABILITY URGENCY SUB-COMMITTEE

4.00pm 16 FEBRUARY 2015

COUNCIL CHAMBER, HOVE TOWN HALL

MINUTES

Present: Councillors Davey (Chair), Cox and Mitchell

PART ONE

1 PROCEDURAL BUSINESS

1(a) Declarations of substitutes

1.1 There were none.

1(b) Declarations of interest

1.2 There were none.

1(c) Exclusion of press and public

1.3 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).

1.4 **RESOLVED-** That the press and public not be excluded

2 COAST TO CAPITAL LOCAL TRANSPORT BODY MEETING - 18 FEBRUARY 2015

2.1 The Sub-Committee considered a report of the Executive Director Environment, Development & Housing that asked Members to make a decision on the council’s position with respect to decisions to be made at the Local Transport Board meeting to be held on 18 February 2015. Councillor Davey was the nominated Brighton & Hove City Council representative to the Board.

2.2 Councillor Mitchell requested several points of clarification to the report. Councillor Mitchell noted that Point 10 at page 22 of the report stated that the matched contribution

from the Local Authority would be £2.126m however; the briefing paper she had received stated that this amount would be £1.36m. Councillor Mitchell added that Point 11 stated that the Council would have to cover any cost increases from their own resources and asked if this posed significant risk to the authority. Furthermore, Councillor Mitchell relayed her concern that Point 3.3.2 on page 37 of the report that stated “the business case states that future consultation will not have a meaningful impact upon its conclusions”. Councillor Mitchell expressed her concern that Point 3.5.5 had specifically queried whether the council needed to make a more formal commitment to covering funding gaps. Councillor Mitchell noted that officers had been asked about the 3% optimisation bias for the scheme and had confirmed it had been set at this level due to the straightforward nature of scheme delivery. Councillor Mitchell noted that DfT guidance recommended that a 3% optimisation bias be given to schemes that had full approval. As this scheme had not yet acquired full approval, Councillor Mitchell asked for assurance on this point. Councillor Mitchell noted that Point 3.5.8 on Page 38 stated that the reviewer had asked whether consideration had been given to a traffic management plan to which officers clarified that a plan had not been conducted prior to the review of the business case but would be carried out under scheme development following LTB approval and that no traffic management issues were anticipated. Councillor Mitchell stated that she found this response to be problematic as traffic management was a fundamental part of the scheme and asked for clarification on the response. Councillor Mitchell noted her further concern that an increase in local property prices had been listed as an advantage as the authority was under significant pressures to provide more affordable housing in the city. Councillor Mitchell requested clarification on Point 3.12.1 on Page 43 of the agenda that stated that the majority of the DfT’s requirements for transport business cases had been fulfilled but there were a number that had not been completed. Councillor Mitchell added that the proposals proposed planting a significant number of new trees. Councillor Mitchell stated that she was mindful Budget Council were being recommended to discontinue the planting of new trees as there was no longer a budget to maintain their upkeep. Councillor Mitchell asked how it was intended to continue maintenance for trees to be planted in Valley Gardens.

- 2.3 In response to the questions and queries raised the Senior Project Manager and Head of Transport Strategy & Projects provided the following information. The Senior Project Manager stated that the higher matched contribution figure included S106 contributions and allocations from previous years whereas the briefing note focussed on ongoing funding requirements from the Local Transport Plan, assuming alternative funding sources (such as additional S106) were not identified in the meantime. The Senior Project Manager continued that significant consultation had already been conducted on the scheme included in the Business Plan by the time the Business Plan was submitted and therefore further consultation was unlikely to result in significant changes to that scheme. Rather further consultation was likely to focus on detailing rather than fundamental changes that would impact on the project’s business case. The Senior Project Manager stated that an optimization bias of 3% had been provided on the basis that the scheme, although large in scale, had many straightforward component parts and was working to the existing carriageway rather than creating a completely new layout. The Senior Project Manager added that the scheme did have a large contingency in the event of unexpected problems and the technical design stage would assist officers in further refining scheme costs. The Senior Project Manager stated that a traffic management plan would be developed for Members to consider ahead of any

works commencing, but that at this stage in the project timeline, it was too early to develop a meaningful traffic management strategy. The Senior Project Manager agreed that growth in property prices was a debateable benefit and that whilst this was an automatic output of the Valuing Urban Realm toolkit, forecast rises in property values had been excluded from the project's Value for Money assessment for that reason. The Senior Project Manager said that whilst the LEP Business Case format was based on the DfT model, there were some differences, which likely explain why elements required by the DfT were not included in the LEP Business Case. The Senior Project Manager added that the cost of the new trees was included in the scheme budget but more work was needed to identify details of ongoing maintenance. The objective was to make the scheme self-funding. The Head of Transport Strategy & Projects confirmed that Coast to Capital colleagues had confirmed that the optimization bias set was in accordance with DfT guidance, and that the project was at the 'full approval' stage.

- 2.4 Councillor Mitchell enquired as to the contingency built into the scheme.
- 2.5 The Senior Project Manager clarified that the project contingency was currently 20% which was on the side of caution but reviewed on an ongoing basis. The Senior Project Manager added that detailed costs would become clearer once the construction contract had been procured. Permission for construction, including full costings, would be submitted to the Environment, Transport & Sustainability Committee meeting in July.
- 2.6 Councillor Cox noted that Members were being asked to request £8m funding to proceed with the scheme and enquired as to where that funding would be assigned should the meeting not agree.
- 2.7 The Head of Transport Strategy & Projects clarified that they had enquired on this matter previously and had been informed by Coast to Capital and the Local Transport Board that the funding would very likely either be re-distributed to somewhere else in the region or central government may decide to allocate the allotted amount elsewhere in the country.
- 2.8 Councillor Cox asked if the Aquarium Roundabout would form part of Phase 3 of the scheme.
- 2.9 The Senior Project Manager confirmed that it would and that only the concept scheme for Phase 3 had been considered by the Committee until now. A further application to the Local Enterprise Partnership for Phase 3 would be prepared and submitted subject to agreement.
- 2.10 Councillor Mitchell noted that £6m had been earmarked for Phase 3 of the scheme and asked how long that funding would be assigned for that specific purpose.
- 2.11 The Head of Transport Strategy & Projects stated that the funding had been identified in the Local Growth Fund and would be provided over two years. The Head of Transport Strategy & Projects added that ideally, Phase 3 would carry on concurrently from Phase 1 and 2 and overall completion sought for 2020/21.
- 2.12 Councillor Mitchell thanked officers for their clarification on the points raised. Councillor Mitchell stated that she was still of the view that she could not support the

recommendations as more assurances and a more developed scheme was needed. Councillor Mitchell stated that the scheme entailed long-term proposals with an open-ended funding commitment that put the city at risk in times of dwindling financial capability. Councillor Mitchell noted that she had expressed her concern that in its current form, the level of risk around the Valley Gardens scheme was too high and the lack of high-end corporate buy-in a formal letter to the Chief Executive. Councillor Mitchell stated that she would be supporting the other report recommendations.

2.13 Councillor Davey stated his support for the proposals adding that improvement to Valley Gardens was a long term aspiration of the city, through successive administrations and he was delighted that an opportunity had arisen to finally act on that aspiration. Councillor Davey praised the work of the Senior Project Manager in bringing forward a transformative project, conducting thorough consultation and producing a robust business case that had ensured the project ranked top of all the schemes put to the Local Transport Board. Councillor Davey supplemented that improvements to Valley Gardens would have a positive knock on effect on regeneration in London, the recently improved Level and St Peters Church. Councillor Davey expressed his hope that the scheme would also extend to the seafront securing huge improvements in the heart of the city.

2.14 **RESOLVED-**

- 1) That the Urgency Sub-Committee welcomes the positive recommendation being made to the Coast to Capital Local Transport Board [LTB] about Valley Gardens (Phases 1 & 2) and thanks the Local Enterprise Partnership Board, the members of the LTB and their respective officers for the work that has been undertaken in considering, prioritising and proposing the Valley Gardens project for funding.
- 2)
 - (i) That the Urgency Sub-Committee agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council fully supports the proposed recommendations on the Valley Gardens scheme and therefore agrees that the £8 million funding for the scheme should be released from 2015/16 onwards.
 - ii) That the Urgency Sub-Committee endorses the bids made by the council for funding from the Sustainability & Resilience Programme and agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council:-
 - a) notes the progress that has been made on developing the programme following receipt of first round bids for 2015/16, but regrets that decisions on allocating funding will be delayed until March 2015;
 - b) agrees that a second round of bidding should commence in February 2015 and that bids should be received in September 2015; and
 - c) agrees to the discussion and production of further guidance on the assessment of bids for Sustainability & Resilience projects by the LTB.

- (iii) That the Urgency Sub-Committee agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council supports the principles of the proposed recommendations being made to the LTB regarding the request for increased funding for the A284 Lyminster Bypass, and therefore agrees that :-
- a) additional funds should not be diverted to the scheme on this occasion, but this decision could be revisited in the future; and
 - b) accepts that the LTB's Assurance Framework allows for such requests to be considered on their merits and therefore agrees that the framework should not be altered.
- iv) That the Urgency Sub-Committee agrees that the council's Lead Member for Transport can advise the Coast to Capital Local Transport Board [LTB] that the city council agrees to the spending programme for the five Major Schemes approved in 2013, as proposed in Appendix 1 (LTB Process Meeting - Agenda Item 5) of this report;

and in relation to the recommendations set out in this paragraph 2.2 i - iv authorises the Lead Member for Transport to vote accordingly.

- 3) That the Urgency Sub-Committee authorises that the council's Lead Member for Transport can use his discretion in considering any minor variations tabled to proposed recommendations made in reports to the LTB, should it decide to propose or agree to consider such alternative, tabled recommendations.
- 4) That the Urgency Sub-Committee agrees that if an alternative (or new) recommendation is tabled during the LTB meeting which varies significantly from the original recommendation, that the Lead Member for Transport should not vote on behalf of the city council, but should seek a further decision from the Urgency Sub-Committee if such a decision would alter the overall decision of the LTB, or that the council wishes its position to be clearly established and recorded with the LTB process.

The meeting concluded at 4.30pm

Signed

Chair

Dated this

day of