

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

**4.00pm 9 OCTOBER 2018**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Mitchell (Chair) Horan (Deputy Chair), Wares (Opposition Spokesperson), Littman (Group Spokesperson), Atkinson, Brown, Miller, Peltzer Dunn, Robins and West

**Other Members present:** Councillors Barnett, Janio and Lewry

**PART ONE**

**21 PROCEDURAL BUSINESS**

**21(a) Declarations of substitutes**

21.1 There were none.

**21(b) Declarations of interest**

21.2 There were none.

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

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

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

**22 MINUTES**

22.1 Councillor Wares requested a factual correction to item 6.28 to reflect that it had not been the press who had reported a suspension to fines incorrectly and the press had reported the Hove MP correctly but it was the MP who was incorrect and contradicted the Administration:

6.28 The Chair clarified that there had been no suspension as reported in the press.

- 22.2 **RESOLVED-** That the minutes of the previous meeting be approved as the correct record subject to the above amendment.

## 23 CHAIRS COMMUNICATIONS

- 23.1 The Chair provided the following communications:

“The School Enforcement report was due to come to this committee, however, at the moment we have only the first two weeks of enforcement data for July from new enforcement officers as it took a while to recruit them so we don't have any more data until recently when the new academic year started.

A report will come to the January committee this will give officers far more data up to November 2018 which will provide a more accurate picture of how things are going. We will also then allow us to include information to be compiled on parking restrictions and also information from the Transport Projects team such as body cams for school patrol officers, how 20mph limit is working outside schools, the schools keep clear considerations and a public transport and school travel plan update.

At the previous meeting, I mentioned that local authority officers from the Swedish government had visited to see what we were doing in relation to cycling. There has actually been a return visit, timed to look at more general transport planning and Martin Harris from Brighton & Hove Bus Company also participated in that and that visit went very well.

Officers have also responded to the government's call for evidence for its forthcoming guidance on the forthcoming document 'Future of Mobility' and in particular, active travel.

Regrettably, we were not successful with our Transforming Cities Fund bid. There were 30 applications for 10 funding awards but we have been encouraged by feedback that our proposals are potentially appropriate for similar future funding opportunities.

As the committee will know, I represent the council on the Transport for the South East and I am know on a sub-group that is looking at potential powers and responsibilities that Transport for the South East may wish to call for when it submits its proposal to central government to become a statutory body.

Transport for the South East have also been undertaking recruitments and as a result, I am afraid to say we will be saying goodbye to Rob Dicken one of our transport senior officers. Rob has been appointed on a two year secondment for the role of Transport Manager at Transport for the South East. He's worked here for twelve years and has led on very many successful bids to further active sustainable travel in the city and of course, he's been heavily involved in the BikeShare scheme that is now successfully expanding. So I am sure the entire committee would like to wish Rob well and we hope to see him back in two years' time”.

## 24 CALL OVER

- 24.1 All items on the agenda were reserved for discussion.

## 25 PUBLIC INVOLVEMENT

### (A) PETITIONS

**(i) Keep Hangelton Park Shelter**

25.1 The Committee considered a petition signed by 44 people requesting the retention and repair of Hangelton Park Shelter.

25.2 The petitioner was unable attend. The Chair read the following response at the meeting:

“Thank you for your petition. I’m pleased that the shelter has served the community well for over 30 years but, unfortunately, is now at the end of its useful life.

I asked officers for a costing to remove and replace it and that came out at nearly £10,000 and so I then asked that a quotation from a Blacksmith be obtained for a repair. This cost would be £3,730 plus VAT. Both of these sums are well beyond the budget set aside for children’s play equipment for which there are very many requests as you can imagine.

I’m afraid that due to the shelter’s very poor condition it will have to be removed for safety reasons.

Perhaps the community could investigate other, external sources of funding and fund raising”.

25.3 **RESOLVED-** That the Committee note the petition.

**26 ITEMS REFERRED FROM COUNCIL****(A) PETITIONS****(i) George Street Mural**

26.1 The Committee considered a petition referred from the meeting of Full Council held on 19 July and signed by 114 requesting for renovation of the Mural which linked George Street and Haddington Street.

26.2 The Chair provided the following response:

“Brighton and Hove City Council is responsible for removing graffiti from public buildings, council owned highway structures.

However, we are always happy to help local communities where possible to deal with the graffiti issues they experience.

Upon inspection our graffiti specialist made a sample removal and established that applying chemicals we currently use to the surface could lead to the damage of the mural that has been placed.

We are liaising with our Chemical supplier to further investigate of possible safe ways to remove the tags from the mural without causing irreversible harm to the painted surface.

Finally, on the 11th and 12th of October a Graffiti conference take place in Brighton and Hove where representative from other Local Authorities, private cleansing contractors and Graffiti Removal Chemicals manufacturers will discuss the Policies and good practices used across the country aiming to reduce the negative effect that graffiti has on the neighbourhoods and City centres and we have already managed to secure one of the businesses to see if they could help preserving the mural for the future”.

26.3 **RESOLVED-** That the Committee note the petition.

**(ii) St John's Church recycling bring point**

26.4 The Committee considered a petition referred from the meeting of Full Council held on 19 July and signed by 208 requesting changes to the public space outside St John's Church, Church Road to include possible re-siting of the recycling point.

26.5 The Chair provided the following response:

"Thank you for your petition.

The St John's Street recycling point is a large recycling bring site, it is extremely well used and serves several hundred properties.

A site visit to discuss the possibility of moving it to another location has been carried out with local residents and ward councillors but a decision to move the location of the site has not been made as yet.

City Clean managers are looking into the options with colleagues in Highways and Planning and will continue to involve residents until a suitable resolution is found".

26.6 **RESOLVED-** That the Committee note the petition.

**(iii) Cityclean Missed Collections**

26.7 The Committee considered a petition referred from the meeting of Full Council held on 19 July and signed by 769 people requesting an investigation into missed refuse, recycling and garden waste collections.

26.8 The Chair provided the following response:

"Thank you for your petition.

As you may be aware, there is a report on today's agenda the committee will discuss the matters raised in your petition during its discussion of that report.

I would like to apologise that some residents have not provided the standard of refuse and recycling collection services that they should have had and for the inconvenience that this has caused.

We are very aware that there have been some significant issues for some residents with the refuse and recycling services and there are a number of reasons for this. A report is being presented this evening which sets out in some detail the reasons for the council's poor performance in some areas of the city and what we are doing to put this right".

**(iv) Regency Square & i360**

26.9 See minute item 28.

**27 MEMBER INVOLVEMENT****(A) PETITIONS****(i) New road layout around Blatchington Windmill- Councillors Janio, Barnett and Lewry**

27.1 The Committee considered a petition signed by 132 people requesting a new traffic layout in the Blatchington Windmill area to alleviate traffic problems.

27.2 The Chair provided the following response:

“Thank you for your petition. As you probably know, additional road systems and markings were installed in the area about 3 years ago following a similar request. The most recent 3 year road traffic injury accident record for Holmes Avenue is relatively good with 1 collision recorded in Windmill Close.

This in itself would not warrant diverting funding for engineering interventions from other locations where we know collision rates are higher. I will ask officers to contact you with a view to further discussions if you feel this will be helpful”.

27.3 **RESOLVED-** That the Committee note the petition.

**(ii) Traffic around Hangleton Primary School- Councillors Janio, Barnett and Lewry**

27.4 The Committee considered a petition signed by 125 people requesting urgent action to reduce dangerous traffic situations at school pick-up and drop-off times at Hangleton Primary School.

27.5 The Chair provided the following response:

“Officers are currently consulting on a Safer Routes to School Scheme for the Hangleton area including the roads and streets serving Hangleton Primary School, intended to improve walking and cycling journeys to and from schools in Hangleton, reduce car journeys and also consider perceived and actual road safety issues.

The outcome of the consultation exercise is intended to be reported to this Committee at its meeting in November 2018 and will provide the opportunity to make changes to the roads and streets in the area where necessary

The potential use of CCTV and PSPO's will be covered in a report coming to January 2019 ETS Committee”.

27.6 **RESOLVED-** That the Committee note the petition.

**(iii) Traffic around Goldstone School- Councillors Janio, Barnett and Lewry**

27.7 The Committee considered a petition signed by 186 people requesting urgent action to reduce dangerous traffic situations at school pick-up and drop-off times at Goldstone School.

27.8 The Chair provided the following response:

“Road Safety Officers have investigated the concerns expressed in the petition and have further reviewed the recent Road Safety history of roads near to Goldstone School including Laburnum Avenue.

Officers have found no accidents or incidents recorded in roads near the School and therefore the traffic situation could not be considered dangerous or warrant road safety engineering intervention.

The Council encourages the adoption of school travel plans developed by the schools themselves to support safer and more sustainable travel to and from school and will continue to seek engagement from Goldstone School.

A further School Parking Enforcement report will be presented to this Committee in January 2019 that will further address items raised in this petition relating to the possibility of using Close Circuit Television (CCTV) and Public Spaces Protection Orders (PSPOs)".

27.9 **RESOLVED-** That the Committee note the petition.

**(B) WRITTEN QUESTIONS**

**(i) Hazeldene Meads and The Beeches- Councillor Taylor**

27.10 Councillor Taylor was unable to attend the meeting therefore, Councillor Wares put the following question on his behalf:

"Residents wish to know when they may expect a plan to provide the much needed protection for Hazeldene Meads and The Beeches following the indications given at the meeting of the 28th November 2017."

27.11 The Chair provided the following response:

"As outlined at a previous meeting in November 2017 a parking scheme consultation timetable was agreed where it was recognised there is a considerable demand for resident parking scheme consultations in the City.

It was outlined then that the Council would require stronger representation about concerns of further vehicle displacement from the wider area east of Dyke Road Avenue to enable consideration of Hazeldene Meads and The Beeches in any future plans. If this representation comes forward then we can look to include this area in a further report on a parking scheme timetable update which will be presented to the ETS Committee next year".

27.12 Councillor Wares stated that there was a unique issue in that Hazeldene Meads and The Beeches was an enclosed area and therefore asked if percentage figures of support for parking controls could be rather than the number of households.

27.13 The Chair stated suggested that Councillor Taylor speak directly to council officers to explore how the issue could be resolved.

**(D) NOTICES OF MOTION**

**(i) Cityclean**

27.14 The Committee considered a Notice of Motion referred from the Full Council meeting of 19 July 2018 requesting a report be brought to the Committee providing information on a number of issues relating to the Cityclean service.

27.15 The Chair provided the following response:

“Members will see from the agenda that we have a Notice of Motion passed at the most recent meeting of Full Council requesting this committee receive a report covering a number of issues.

That report is on today’s agenda and I suggest we discuss the matter further during our consideration of that item”.

27.16 **RESOLVED-** That the Committee note the Notice of Motion.

**(ii) Charter for Cleaner Air**

27.17 The Committee considered a Notice of Motion that proposed signing Oxford City Council’s Charter for Cleaner Air, writing to the city’s three MP’s seeking their endorsement and writing to the Secretary of State for Environment, Food and Rural Affairs to inform them the Council had signed the Charter and requesting a response.

27.18 Introducing the motion, Councillor Horan stated that air pollution was now recognised as the largest environmental danger to public health and the severity of the issue had not been acknowledged by central government. Councillor Horan noted that such delay meant that in cities such as Brighton & Hove, residents would have to wait until 2028 for pollution levels to reduce to legal levels. Councillor Horan stated that it was imperative that the council request the government to undertake the actions set out in the Charter. Councillor Horan highlighted that central government had changed its approach for air quality meter readings from local authority information to national assessment results meaning Brighton & Hove was categorised with Littlehampton and Worthing on air quality assessments was not an accurate reflection of its air quality. Councillor Horan supplemented that the council had continued to use meter readings from locations in North Street and Lewes Road and had offered to submit those readings to government but this request had been ignored. Councillor Horan surmised that the council had a duty to its residents to do all that it could to improve air quality in the city and signing the Charter would be a small step toward that.

27.19 The Chair formally seconded the motion stating that it was the earliest point at which a motion could be brought before a council meeting and relayed that Southampton City Council had signed the Charter the previous day.

27.20 On behalf of the Green Group, Councillor Littman moved a motion to add a recommendation as shown in bold italics below:

**4) *Explore related actions that are within the remit of the local authority with a view to implementing local solutions, as far as budget allows***

27.21 Introducing the motion, Councillor Littman agreed that central government had abdicated its responsibilities on air quality but in his view, there was a lot more local authorities could do. Councillor Littman noted that under the Green administration, air pollution levels had lowered and this administration had failed to consider wider measures such as extension of the low emission zone and the vehicles covered, a clean air day, car free dates and an air management policy board.

27.22 Councillor West formally seconded the motion and noted that it had been known for a long time that the city had illegal air pollution levels. Councillor West stated that the

Green administration and introduced measures such as the low emission zone however, the current administration had not taken any further concrete action. Councillor West explained that he agreed the council should sign the Charter however, there needed to be acknowledgement that a lot more could be done at a local level.

27.23 Councillor Wares stated his support for the Motion and the amendment however; he believed that the issue of air quality couldn't be passed off on to the government. Councillor Wares noted that actions could have been taken by the administration such as an extension of the low emission zone and a clean air day. Councillor Wares highlighted that fees and charges for low emission vehicles had recently been raised by the current administration by 50% and welcomed the recent award of £300,000 to the city by central government to install electric vehicle charging points.

27.24 The Chair stated that the purpose of Oxford City Council's Charter was recognising that individual councils were at different levels of action on air quality and all council's needed more regulatory and financial help from central government. Due to the location of the air quality monitoring points, this council was at an automatic disadvantage when applying for funding and signing the Charter would be another means by which to push the issue with the Secretary of State for Environment, Food and Rural Affairs.

27.25 Councillor Littman agreed with the Chair that the positioning of the air quality monitoring points was very poor and the city suffered as a result.

27.26 The Chair then put the amendment to the vote that passed.

27.27 The Chair then put the Notice of Motion, as amended to the vote that passed.

27.28 **RESOLVED-** This Committee resolves to:

- 1) Sign Oxford City Council's Charter for Cleaner Air calling on Government to adopt ten crucial actions to put the health of communities first
- 2) Request the Chief Executive write to the city's three MP's to inform them that the Council has signed the Charter and seek their endorsement
- 3) Request the Chief Executive write to the Secretary of State for Environment, Food and Rural Affairs to inform them that the Council has signed the Charter and requesting a response
- 4) Explore related actions that are within the remit of the local authority with a view to implementing local solutions, as far as budget allows

## **28 REGENCY SQUARE & I360**

28.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that outlined the response to a petition concerning a range of traffic and public realm impacts within Regency Square relating to the growth of visitors to the Bai360.

28.2 On behalf of the Green Group, Councillor Littman moved a motion to amend recommendation 2.1 as shown in bold italics below:



2.1 That the Committee note the progress with solutions outlined in 3.4 to 3.8 to deliver on the requests outlined in 3.1 to 3.3 ***and request that the permit review, referred to in paragraph 3.5, also includes the consideration of advertising a Traffic Regulation Order extending double yellow lines the full length of the eastern carriageway on the western side of Regency Square.***

28.3 Introducing the motion, Councillor Littman stated that problems were caused by the length of the double yellow lines in Regency Square that meant that cars were unable to pass queues for the car park, compounding traffic issues. Councillor Littman explained that the motion requested an extension of the double yellow lines on the western side of Regency Square to address the issue.

28.4 Councillor West formally seconded the motion.

28.5 The Chair put the motion to the vote that passed.

28.6 The Chair then put the recommendations, as amended to the vote that passed.

28.7 **RESOLVED-**

1) That the Committee note the progress with solutions outlined in 3.4 to 3.8 to deliver on the requests outlined in 3.1 to 3.3 and request that the permit review, referred to in paragraph 3.5, also includes the consideration of advertising a Traffic Regulation Order extending double yellow lines the full length of the eastern carriageway on the western side of Regency Square.

2) That the Committee note the ongoing work being undertaken with the Regency Square Community Steering Group to determine and agree priorities that could be taken forward should funding become available from BAi360 ticket revenue or bid funding.

## **29 CITY ENVIRONMENTAL MANAGEMENT - MODERNISATION PROGRAMME UPDATE**

29.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out a response to the Notice of Motion passed by Full Council on 19 July 2018 and provided an update on the City Environment Modernisation Programme.

29.2 Councillor Atkinson asked how increases in housing were factored into forward planning.

29.3 The Assistant Director- City Environment clarified that increases in housing and changes to parking regulation were typically made ad-hoc and that was a demonstration as to why a collection route restructure was required. The Assistant Director- City Environment added that going forward, systems would be brought into place to ensure the collection routes were constantly reviewed and resourced.

29.4 On behalf of the Conservative Group, Councillor Wares moved a motion to add a recommendation 2.5 as shown in bold italics below:

**2.5 That a report updating progress on all matters be brought to the 22<sup>nd</sup> January 2019 Environment, Transport & Sustainability Committee.**

- 29.5 Councillor Peltzer Dunn formally seconded the motion.
- 29.6 Councillor Wares welcomed a report he found to be open, honest and frank. Councillor Wares stated that the report underlined a long list of failures by the current administration and a catalogue of systemic failure such as a trade and green waste system 'set up to fail' and that no attention had been paid to staff or the Depot facility. Councillor Wares added that he welcomed the modernisation plan however; it should not have taken so long to identify and take action. Councillor Wares highlighted that issues around pay and staff relations were well established and that a huge amount of inefficiency was caused by the lack of a central point of customer service and a lack of clarity of who to contact. That issue was made only worse by the fact drivers could not be contacted during rounds. Councillor Wares expressed his disbelief that 1,000 garden waste customers had not been charged as inadequate systems were in place to renew subscriptions meaning that a service introduced for income generation had instead become expenditure to the council. Councillor Wares detailed several issues that were not addressed in the report including the over-storage of bins at the depot, a lack of detail on potential locations for communal recycling outside of the city centre, the amount of grit stored outside leading to wastage during rainfall and the absence of proposals on waste disposal for small business and sole traders. Councillor Wares surmised that whilst he welcomed the openness of the report, it made apparent enormous problems that should never had occurred and he believed the administration had fundamentally failed.
- 29.7 The Chair stated that whilst all services had absorbed the enormity of government cuts, the environmental services had taken a disproportionate level in all areas.
- 29.8 Councillor Wares stated that it was incorrect to place blame for the issue on government cuts the issues concerned related to not collecting revenue. Councillor Wares added that he understood the enforcement framework would be presented to a future meeting and he believed that report should not be revenue focussed and rather, should provide a workable plan for the entire city including its outskirts.
- 29.9 Councillor Brown stated that the biggest problem in the Cityclean service was the absence of a reliable and effective method of communication. In reference to paragraph 3.50, Councillor Brown noted her surprise that there was a lack of a clear framework for environmental enforcement.
- 29.10 The Chair stated that whilst the current environmental enforcement procedures were correct and legal, it had become clear that a unique framework was necessary to ensure the service worked for the entire city.
- 29.11 Councillor Miller stated that the committee had presented an account of a service in a very poor state and he hoped things could be made right quickly. In reference to paragraph 3.1, Councillor Miller stated that he hoped there was sufficient capacity in existing staff rather than use agency staff and furthermore, that the basics of the service should be in order before expanding the trade waste service. Councillor Miller supplemented that he would like to see an expanded roll-out of communal bins as that

method of refuse and recycling collection was more efficient in some areas and because an increase in recycling rates would generate income and capacity at the Newhaven Incinerator that the council could then lease.

- 29.12 Councillor Littman stated that he agreed with most of the comments made adding that much of ward councillor's time was spent on resident's complaints about missed collections or enforcement. Councillor Littman added that he was pleased the roll out of recycling wheeled bins was being audited as the issue had been particularly problematic in his ward. Councillor Littman observed that the current administration had made a ten-point contract in their 2015 election campaign material and the first of those points was a commitment to directly oversee the refuse and recycling service.
- 29.13 The Chair replied that it was not the duty of any Member to micro-manage with senior officers responsible for operational management of services.
- 29.14 Councillor West stated that the administration had made a pledge to the electorate that had not been fulfilled and that should be accountable. Councillor West stated that residents had suffered from an ineffective service which he believed was down to a withdrawal of service funding that should now be put back. Councillor West added that the previous administration had resolved a pay and allowances dispute, started and completed a number of good initiatives and the fact that the refuse and recycling service was now effectively in special measures, was a demonstration of failure on behalf of the administration.
- 29.15 Councillor Horan observed that the election result of 2015 clearly showed that there was a lack of faith in the previous administration. Councillor Horan acknowledged there were systemic failures within the Cityclean service however, that applied to a longer period than the previous two years. Councillor Horan added that the current administration had made a manifesto pledge to resolve the recycling and refuse service. A public apology had been made for not delivering that pledge and for service disruption and the report before committee demonstrated the administration's commitment to rectifying the issue.
- 29.16 Councillor Robins stated that he could not understand some of the comments made by other committee members when evidence showed that local authorities had lost 60p in every £1 of funding due to cuts in the period between 2010 and 2020.
- 29.17 Councillor Miller stated that other councils had made the same budget reductions without diminishing services.
- 29.18 Councillor Atkinson thanked officers for a comprehensive and wide-ranging report that looked forward on several issues such as how to improve communications, training and long-term plans. Councillor Atkinson noted that it was very important that staff and unions be fully consulted on changes and that was clearly set out in the document.
- 29.19 Councillor Wares stated that it was wholly unnecessary and inaccurate to blame budget cuts as the report detailed at some length how money had been wasted due to a failure of operational oversight. Councillor Wares stated that the council needed to help residents and staff and modernise the service and the administration needed to admit its errors.

29.20 The Chair stated that the former Chancellor of the Exchequer had stated that all council's should become self-financing by selling services at the same time as capping tax council and enforcing severe cuts to local authority budgets meaning councils were forced into a dire financial position. The Chair stated that there was absolutely no excuse for setting up income generating services incorrectly. However, when councils were attempting set up that type of service to protect jobs at the same time as making harsh budget cuts and attempting to continue providing its basic services in that context, it was not unusual that the type of situation being discussed by the committee would occur.

29.21 Councillor Littman stated that it was a unique situation whereby refuse was building up on the street as was currently the case, without there being strike action. Councillor Littman agreed that there had been eight years of cuts however, four of those had been under the previous administration and that predicament had received little sympathy or support at the time from the current administration.

29.22 Councillor Peltzer Dunn stated that given the history of the issue, he believed the committee should receive a report on the matter every second meeting and the fact that the situation had reached this point was indictment on the council and all political groups. Councillor Peltzer Dunn commended officers and the administration for bringing forward such an open and honest report and stated that focus should now be put forward to ensuring the modernisation plan was enacted and the service improved for residents.

29.23 The Chair then put the motion to the vote that passed.

29.24 The Chair then put the recommendations, as amended to the vote that passed.

29.25 **RESOVLED-**

- 1) That the Environment, Transport & Sustainability Committee notes the response to the Notice of Motion.
- 2) That the Environment, Transport & Sustainability Committee agrees that the garden waste service can operate at a surplus. The surplus will be ring-fenced to City Environment and invested back into waste and recycling services.
- 3) That the Environment, Transport & Sustainability Committee notes the business model for commercial services outlined in Appendix 2 and agrees to the continued development of commercial services through the creation of a dedicated Commercial Team, following staff and trade union consultation, with the aim of improving the delivery of the trade and garden waste service.
- 4) That the Environment, Transport & Sustainability Committee delegates authority to the Executive Director Economy, Environment & Culture (following consultation with the Executive Director Finance & Resources) to revise the commercial waste collection prices in response to the prevailing market prices for the services provided at least annually.

- 5) That a report updating progress on all matters be brought to the 22<sup>nd</sup> January 2019 Environment, Transport & Sustainability Committee.

The Committee adjourned at 6pm and reconvened at 6.10pm.

### **30 VALLEY GARDENS PHASE 3 - (ROYAL PAVILION TO SEAFRONT) APPROVAL OF PREFERRED OPTION FOR CONSULTATION AND FURTHER DEVELOPMENT**

- 30.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that presented the results of the Valley Gardens Phase 3 project options appraisal study, recommending a single, preferred option for public consultation.
- 30.2 Councillor West asked if it was intended to install a contraflow cycle path on Madeira Drive if it was made one-way and if the north-south cycle track would be segregated.
- 30.3 The Head of Transport Policy & Strategy clarified that careful consideration could be given to contraflow cycling on Madeira Drive however; a road safety audit would need to be undertaken as cyclists would be travelling in the direction of a live junction. In relation to the query raised on segregated cycle paths, the Head of Transport Policy & Strategy answered that where the path ran adjacent to the carriageway, the path would need to be segregated. On shared areas, there was unlikely to be any kerbed segregation but there would be clear markings as with the cycle path along the seafront.
- 30.4 Councillor Miller noted that the proposed cycle path in front of the Royal Pavilion moved across one side of the pavement to the other and queried whether it would link better to Phases 1 & 2 if it was positioned only on the eastern side. Furthermore, Councillor Miller asked if for Option 4, traffic modelling had been undertaken with the roundabout in its current form. In addition, Councillor Miller observed that Option 4 had two signalised junctions, one at the bottom of North Street and one just past the War Memorial in an easterly direction whereas those junctions had been removed for the preferred option. Councillor Miller asked why Option 4 had not tested the removal of those signalised junctions for Option 4.
- 30.5 A consultant from Mott MacDonald explained that with reference to the cycle lane, space was restricted in the area due to the positioning of the Pavilion fence and mature elm trees in the area. An equalities impact assessment had been undertaken and a possible option under consideration was to keep the carriageway, cycle lane and highway area clearly separated and that would be explored during the design refinement stage. With regard to the assessment of the various options, the consultant explained it was clear from an early stage of modelling that the signalised junctions worked better in terms of capacity and journey times than the existing roundabout.
- 30.6 Councillor Miller asked whether the existing roundabout shape had been traffic modelled in addition to the T-junction, oblong roundabout and hybrid options.
- 30.7 The consultant clarified that the shape of the roundabout had no impact from a traffic modelling perspective.
- 30.8 Councillor Peltzer-Dunn asked if traffic modelling had been carried out on the potential impact the scheme would have upon Madeira Drive and what consideration had been

given to the ability to cars to turn on Madeira Drive and details of any studies into the impact on the Dukes Mound access point.

- 30.9 In reference to the proposed changes to the entry point of Madeira Drive, the Head of Transport Policy & Strategy explained that the remainder of the road beyond the access point was proposed to remain two-way but there would be further design work to ensure all movements in the area could be accommodated. The Head of Transport Policy & Strategy supplemented that the junction at Dukes Mound had been considered as part of the preliminary work in relation to the waterfront development and the additional demand that any venue would create meant that there would likely be a need to make changes to the junction including a possible need for a signalised junction. The Head of Transport Policy & Strategy added that the turning counts carried out in 2018 indicated that the traffic movements on Dukes Mound could be accommodated within the current design and complied with road safety.
- 30.10 Councillor Peltzer Dunn noted that many coaches parked at the Palace Pier end of Madeira Drive and therefore, would need to turn around and that could not be justified in road safety terms. Furthermore, any coaches turning left out of the Dukes Mound junction would require the entire carriageway space to do so. Councillor Peltzer Dunn stated that traffic movements based on 2018 data were not applicable as there would be no exit traffic in a westerly direction from Madeira Drive under the current proposal.
- 30.11 The Head of Transport Policy & Strategy replied that there was already a requirement during events for vehicles to exit on to the A259 and access Madeira Drive via the Dukes Mound junction and to do so correctly and safely. The Head of Transport Policy & Strategy added that there was an action plan for events held citywide including on Madeira Drive which required marshalling or stewarding for events.
- 30.12 Councillor Peltzer Dunn stated that approximately thirty special events were held on Madeira Drive each year and therefore there would no marshalling arrangements in place for the majority of the year.
- 30.13 The Head of Transport Policy & Strategy stated that on the basis of road safety audits and the geometry of the road, officers were of the opinion that there was sufficient space to exit and enter the junction safely.
- 30.14 Councillor West asked why no modelling had been conducted on pedestrian movements and cycling flows.
- 30.15 The Assistant Director- City Transport answered that it was very difficult to simulate pedestrian and cycle movements as there were many more complex factors involved than in traffic movements. The Assistant Director- City Transport stated that priority on safety was implicitly included within each of the options.
- 30.16 Councillor Miller sought assurance that changes could be facilitated within the designs to the junction at Dukes Mound if it was deemed required. Furthermore, Councillor Miller asked if the proposed rapid transport system to Black Rock and the Marina could also be facilitated in the current designs.

- 30.17 The Head of Transport Policy & Strategy clarified that modifications could be made to the junction at Dukes Mound if needed to ensure it operated efficiently and safely. The Head of Transport Policy & Strategy noted that the rapid transport system was referenced in City Plan Party One as a longer term strategic aspiration and with no set design, so if it was implemented it would be based on the road layout of the time.
- 30.18 Councillor Atkinson welcomed the proposals adding that he was shocked to see the current collision and casualty figures for the area concerned and that demonstrated the need for road safety improvements. Councillor Atkinson stated that the proposal was exciting and imaginative and he hoped all interested parties and residents would contribute to the consultation.
- 30.19 Councillor Peltzer Dunn asked what traffic usage at peak times currently was and the forecast for the use of Dukes Mound if there was no exit in a westerly direction from Madeira Drive.
- 30.20 The Principal Transport Planner replied that Dukes Mound was currently outside the traffic modelling for the scheme.
- 30.21 Councillor Peltzer Dunn expressed surprise that no modelling had been undertaken in an area that was a key part of the scope of the scheme. Councillor Peltzer Dunn noted his disappointment that no officers would be present at the exhibition hosted in Hove Town Hall as it was extremely complex scheme and residents would benefit from technical advice if required.
- 30.22 The Chair agreed with the point made regarding staffing the Hove Town Hall exhibition stating that some arrangement to do so could be made.
- 30.23 Councillor Miller welcomed the £7m funding provided by central government for the scheme for an area that needed improvement. Councillor Miller stated that the additional public space proposals were very good however; he felt the removal of the aquarium roundabout would be a disastrous decision for the connectivity of the city and the proposals for Dukes Mound were unworkable and therefore he could not support the recommendations.
- 30.24 On behalf of the Green Group, Councillor West moved a motion to amend recommendation 2.1 as shown in bold italics below:
- 2.1 That the Committee agrees the preferred design option (Option 1), as described in paragraph 3.7 and illustrated in Appendix 1 of this report, and requests that officers undertake further technical development of that option ***including exploration of a continuous north-south cycle lane, and the provision of cycle lane connections to North Street.***
- 30.25 Councillor West stated that the scheme was a critical decision on the future connectivity of the city and a one-time opportunity and focus on sustainable and active travel should have played and much more prominent role in the proposals. Councillor West stated that he was disappointed that modelling had not been undertaken for pedestrian and cycle movements and some cycle lanes were unclear. Councillor West added that it was disappointing that deadlines for agreement meant that the proposals needed to be

agreed quickly and expressed his belief that the administration had not scheduled deadlines effectively leading to a design that appeared rushed. On that basis, Councillor West hoped that all residents and stakeholders would be given full opportunity to contribute to the consultation and those views would be taken on.

- 30.26 Councillor Littman formally seconded the motion. Councillor Littman stated that whilst he appreciated that further work would be undertaken on the design, he believed it essential that proposals did not require cyclists to dismount and that all shared spaces only existed where they were safe for all users. Councillor Littman stated that in 2015, proposals were brought forward that would have seen the completion of the Valley Gardens project in 2015. Unfortunately, that process had been stalled by the current administration, in opposition at the time which had led to the rush for approval for this phase. Councillor Littman cited minutes from a previous meeting of the committee held in 2014 that demonstrated each political group aside from the Green Group had changed their views on the scheme, specifically the decision to keep or remove the aquarium roundabout.
- 30.27 The Chair stated that it was worth reminding the committee that the delay was necessary to update the model used for the original proposals that had in turn caused delay to Phases 1 & 2 and was now a scheme that was workable and up to date.
- 30.28 Councillor Wares acknowledged the great deal of work that had gone into a scheme that was not easy to design due to the confinement of space. Councillor Wares stated that he was overall supportive of the scheme and his comments would be based specifically upon the recommendations put to the committee. Councillor Wares stated that the information provided in Appendix 3 was very subjective and because of the complex technical detail, a small change could have a big impact. Councillor Wares noted that reservations and concerns had been expressed by the Transport Partnership and whilst he understood that the consultation phase was intended to resolve and accommodate views, if they could not be accommodated, there was a risk that the scheme could be made worse. Councillor Wares acknowledged that the project was about compromise and balance for each individual, stakeholder and user group however, he had two major concerns. Firstly, the proposals for Madeira Drive would severely restrict the council's options going forward and was not adequately future-proof for any potential development at the Marina and the significant increase in traffic flow that would bring. Councillor Wares noted that there was no reference in the report that Option 1 would slow traffic on the A259 by 40 seconds which would have a knock-on effect toward Rottingdean and that needed to be adequately explained to residents and stakeholders. Councillor Wares stated that he did not believe the other options had been sufficiently explored, specifically Option 4. For those reasons, Councillor Wares stated that he could not support the preferred Option 1 put forward.
- 30.29 The Chair then put the motion to the vote which passed.
- 30.30 The Chair then put the recommendations, as amended to the vote which passed.
- 30.31 **RESOLVED-**
- 1) That the Committee agrees the preferred design option (Option 1), as described in paragraph 3.7 and illustrated in Appendix 1 of this report, and requests that officers



undertake further technical development of that option including exploration of a continuous north-south cycle lane, and the provision of cycle lane connections to North Street.

- 2) That the Committee authorises officers to undertake public consultation on the proposed, preferred design option, in line with the activities and timetable set out in Appendix 2 of this report.
- 3) That the Committee requests that the results of the public consultation on the proposed, preferred design option (Option 1) are reported to the January 2019 meeting of this committee.

### **31 PARKING ANNUAL REPORT 2017-18**

- 31.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested approval of the publication of the Parking Annual Report 2017-18 for submission to the Department for Transport, Traffic Penalty Tribunal and for general publication under the provisions of the Traffic Management Act 2004.
- 31.2 Councillor Atkinson noted that 70% of penalty charge appeal cases were won and asked if there were lessons to be learned by the council.
- 31.3 The Parking Strategy & Contracts Manager replied that the overall number of appeals received to Penalty Charge Notices (PCN's) was very low at 1% and at a similar level to other local authorities. In relation to the number of successful appeals, the Parking Strategy & Contracts Manager explained that the council requested evidence at the point of issuing PCN's however, appellants often submitted this evidence at a very late stage in the appeals process.
- 31.4 Councillor Miller noted that there had been an increase in Controlled Parking Zones during 2017-18 and queried how this had led to a drop of the issuing of PCN's by 8% when an increase could be expected. Furthermore, Councillor Miller asked why Car Club permits were decreasing year on year, what dispensation notices were, whether the annual charge for Norton Road car park should be increased given the capacity rate and whether charges for Rottingdean West Street could be increased for 3 hours stay but decreased for 1 and 2 hours stay to encourage use of the High Street.
- 31.5 The Parking Strategy & Contracts Manager clarified that extreme weather conditions such as during the winter of 2017/18 were a contributing factor to the decrease in PCN's as it obscured signage, meant residents and visitors couldn't access their vehicles and meant Civil Enforcement Officers (CEO's) were unable to carry out enforcement. Further factors to the decline were the delays in implementation of one CPZ and the work conducted to make it as easy as possible to pay to park meaning compliance was improving. Dispensations were offered to traffic engineers, council staff that needed to park on double yellow lines for emergency purposes and other services that required them. In relation to the increasing and decreasing of charges, the Parking Strategy & Contracts Manager explained that this was set annually under the Fees & Charges report received by the committee.

- 31.6 Councillor Littman stated that he was pleased to see the introduction of a CEO to keep bus routes free from problematic parking and asked if a similar CEO could be introduced for problematic parking in cycle lanes.
- 31.7 The Parking Strategy & Contracts Manager clarified that the CEO for bus lanes was funded by Brighton & Hove Bus Company and any determination on a CEO for cycle lanes would need to be determined by Members and the wider committee.
- 31.8 Councillor Brown noted that there were three CEO's conducting enforcement at schools in the city and asked if those officers conducted enforcement outside of school hours.
- 31.9 The Parking Strategy & Contracts Manager explained that the three CEO's did carry out enforcement outside CPZ's in areas where requests were made to the council by residents to do so.
- 31.10 Councillor Wares suggested several amendments to the content of the report for the purposes of accuracy. Councillor Wares welcomed the allocation of the £2.3m surplus to highway maintenance but queried who had made the decision to do so as the committee may have determined alternative uses.
- 31.11 In relation the £2.3m surplus, the Assistant Director- City Transport explained that there were strict legal criteria for use of the surplus. That criterion was very detailed so a written briefing could be provided subsequent to the meeting.
- 31.12 Councillor West stated that he strongly supported the proposal for a CEO for cycle lanes and asked how effective the three CEO's for schools had been and how many PCN's had been issued. Councillor West stated that more physical enforcement measures should be introduced such as bollards to prevent anti-social and illegal parking outside schools.
- 31.13 The Chair stated that many of the issues raised by Councillor West would be detailed in the January report to be received by committee on the matter of enforcement.

31.14 **RESOLVED-**

- 1) That the Environment Transport and Sustainability Committee endorses the publication of the Parking Annual Report for 2017/18 under the provisions of the Traffic Management Act 2004.
- 2) That the Environment Transport and Sustainability Committee authorises the Head of Parking Services to produce and publish the report, which will be made available on the Council's website and to stakeholders.

**32 POWERED TWO WHEELERS IN LEWES ROAD BUS LANES - EXPERIMENTAL TRO REPORT**

- 32.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the results of the Experimental Traffic Regulation Order (ETRO) that allows powered two wheelers to access and utilise bus lanes on Lewes Road and requested authorisation to make the ETRO permanent.

- 32.2 Councillor Wares welcomed the report and congratulated Councillor Janio for originally championing the issue. Councillor Wares hoped other areas would be looked at given the widespread support for the issue.
- 32.3 Councillor Peltzer Dunn asked if powered three wheelers would be permitted in bus lanes.
- 32.4 The Senior Project Manager explained that the Lewes Road bus lane was relatively wide so could accommodate powered two wheelers. Powered three wheelers were a different category of vehicle under the TRO Act. The Senior Project Manager stated that each bus lane had a challenge in terms of use by powered two wheelers and each would be considered on a case by case basis going forward.
- 32.5 **RESOLVED-** That the Committee authorises making permanent the Experimental Traffic Regulation Order that allows solo powered two wheelers including mopeds and scooters to make use of the bus lanes on the Lewes Road between the Vogue Gyratory and the City boundary at Falmer.

### 33 PROVISION OF HIGHWAY MIRRORS

- 33.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval from the committee to adopt a formal policy for the provision of highway mirrors.
- 33.2 Councillor Wares asked how the fee and ongoing charge was set, by whom and when. Furthermore, Councillor Wares enquired as to the expected demand and therefore resource required.
- 33.3 The Chair clarified that the fees and charges would be set out in the usual report considered by the committee in January and that fee could be revised in the event demand exceeded the resource available.
- 33.4 Councillor Peltzer Dunn asked how the policy could determine highway mirrors when the mirrors themselves would be positioned outside the highway.
- 33.5 The Assistant Director- City Transport clarified that the policy concerned movements and manoeuvres on or off the highway and did also apply to private land.
- 33.6 **RESOLVED-**
- 1) That the Committee approve the policy to only allow the use of highway mirrors in limited circumstances
  - 2) That the Committee grants delegated authority to the Executive Director for Economy, Environment & Culture to grant licences for highway mirrors and to take enforcement action to remove unlicensed mirrors as appropriate.

### 34 ITEMS REFERRED FOR FULL COUNCIL

34.1 No items were referred to Full Council for information.

The meeting concluded at 7.50pm