Brighton & Hove City Council

Environment, Transport & Sustainability Committee

Title:	**Environment, Transport & Sustainability Committee**
Date:	**27 November 2018**
Time:	**4.00pm**
Venue	**Council Chamber, Hove Town Hall**
Members:	**Councillors:** Mitchell (Chair), Horan (Deputy Chair), Wares (Opposition Spokesperson), Littman (Group Spokesperson), Atkinson, Brown, Miller, Peltzer Dunn, Robins and West
Contact:	**John Peel** Democratic Services Officer 01273 291058 john.peel@brighton-hove.gov.uk

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AGENDA

PART ONE **Page**

PROCEDURAL MATTERS

35 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;
(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.

36 MINUTES **7 - 26**

To consider the minutes of the meeting held on 9 October 2018.

Contact Officer: John Peel *Tel: 01273 291058*

37 CHAIRS COMMUNICATIONS

38 CALL OVER

(a) Items 42 – 49 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.

39 PUBLIC INVOLVEMENT 27 - 28

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

(a) **Petitions:** To receive any petitions presented by members of the public;

(b) **Written Questions:** To receive any questions submitted by the due date of 12 noon on the 21 November 2018;

(i) Valley Gardens Scheme

(ii) Valley Gardens Scheme

(c) **Deputations:** To receive any deputations submitted by the due date of 12 noon on the 21 November 2018.

40 ITEMS REFERRED FROM COUNCIL 29 - 36

Items referred from the meeting of Full Council held on 18 October 2018:

(a) **Petitions**

(i) Parking in Saxon Road

(ii) Speeding on Falmer Road

(iii) Improve Brighton & Hove's Recycling Scheme

41 MEMBER INVOLVEMENT 37 - 46

To consider the following matters raised by Members:

(a) **Petitions:** To receive any petitions;

(b) **Written Questions:** To consider any written questions;

(i) Parking Surplus- Councillor Wares

(ii) Road and Pavement repairs- Councillor Wares

(c) **Letters:** To consider any letters;

(i) RSCPA, Braypool Lane- Councillor Wares, G Theobald and C Theobald

(ii) Stanmer Heights Refuse and Recycling arrangements- Councillor Wares, G Theobald and C Theobald

(d) **Notices of Motion:** to consider any Notices of Motion referred from Full Council or submitted directly to the Committee.

(i) Grasscrete

(ii) License and Insurance Regulations for Delivery Drivers

TRANSPORT & PUBLIC REALM MATTERS

42 VALLEY GARDENS PHASE 3 - (ROYAL PAVILION TO SEAFRONT) APPROVAL OF BUSINESS CASE **47 - 100**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Oliver Spratley* *Tel: 01273 290390*
Ward Affected: *Queen's Park; Regency; St Peter's & North Laine*

43 PARKING SCHEME UPDATE REPORT **101 - 124**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Catherine Dignan* *Tel: 01273 292235*
Ward Affected: *All Wards*

44 HOVE PARK RESIDENT PARKING SCHEME CONSULTATION **125 - 146**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Catherine Dignan* *Tel: 01273 292235*
Ward Affected: *Hove Park*

45 HANGLETON SAFER ROUTES TO SCHOOL SCHEME **147 - 196**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Matthew Thompson* *Tel: 01273 293705*
Ward Affected: *Hangleton & Knoll; North Portslade; South Portslade*

ENVIRONMENT & SUSTAINABILITY MATTERS

46 IMPROVE BRIGHTON & HOVE'S RECYCLING SCHEME PETITION **197 - 204**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Rachel Chasseaud* *Tel: 01273 290753*
Ward Affected: *All Wards*

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

47 ENVIRONMENTAL ENFORCEMENT POLICY **205 - 228**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Lynsay Cook* *Tel: 01273 291851*
Ward Affected: *All Wards*

48 GRAFFITI STRATEGY **229 - 252**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Rachel Chasseaud* *Tel: 01273 290753*
Ward Affected: *All Wards*

49 RIGHTS OF WAY IMPROVEMENT PLAN **253 - 284**

Report of the Executive Director, Economy, Environment & Culture

Contact Officer: *Robert Walker* *Tel: 01273 294349*
Ward Affected: *All Wards*

50 ITEMS REFERRED FOR FULL COUNCIL

To consider items to be submitted to the 13 December 2018 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

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

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FURTHER INFORMATION
For further details and general enquiries about this meeting contact John Peel, (01273 291058, email john.peel@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

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Date of Publication - Monday, 19 November 2018

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(I) 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 22nd 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 22nd 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

32.1 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.

32.2 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.

32.3 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.

32.4 Councillor Peltzer Dunn asked how the policy could determine highway mirrors when the mirrors themselves would be positioned outside the highway.

32.5 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.

32.6 **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

WRITTEN QUESTIONS

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by a member of the public.

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

The following written questions have been received from members of the public.

(i) Valley Gardens Scheme- David Spafford

"Following the implementation of the 'Old Steine to Palace Pier Proposals' how many bus movement per day will go through the junction where the bottom of St James Street meets Grand Parade, and how will this effect traffic flows?"

(ii) Valley Gardens Scheme- Anne Ackord

"How does this scheme accommodate the need for the pier to accept deliveries that need to be unloaded directly onto our reinforced forecourt, deliveries can number up to thirty per day and include many tons of steel used in our maintenance programme and without which the pier would not be viable. These deliveries cannot be unloaded at a remote location and must come like they do now, straight from the road onto the forecourt"

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 40(a)i Brighton & Hove City Council

Subject:		**Items referred from 18 October 2018 Full Council meeting- Petitions**		
Date:		**27 November 2018**		
Report of:		**Monitoring Officer**		
Contact Officer:	**Name:**	**John Peel**	**Tel:**	**01273 291058**
	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 18 October 2018.

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) Parking on Saxon Road, Hove– Mr Stuart

To receive the following petition referred from the meeting of Full Council and signed by 42 people:

"We, the undersigned call on Brighton & Hove City Council to move Saxon Road, Hove into parking area L"

3. (ii) Speeding on Falmer Road–Lloyd Russell-Moyle

To receive the following petition referred from the meeting of Full Council and signed by 119 people:

"We the undersigned petition Brighton & Hove Council to take action to address the persistent and dangerous speeding along the stretch of Falmer Road between Longhill School and Wilkinson Close"

3. (iii) Improve Brighton & Hove's recycling scheme–Tia Meneghetti

To receive the following petition for debate referred from the meeting of Full Council and signed by 2652 people:

"We demand for the Brighton and Hove council to implement weekly kerbside recycling collection and start recycling a wider variety of plastic and food waste.

We require immediate action from Brighton and Hove Council to improve public recycling services. Currently, the local council does not recycle any food packaging plastics or other plastic waste aside from plastic bottles, and even this is on a fortnightly basis. This is unacceptable: comparable local council areas recycle a far wider range of plastics with similar council budgets".

Note: *A minute extract from the meeting of Full Council and the amendment passed at that meeting can be found overleaf*

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 40(a)iii Brighton & Hove City Council

Subject:		**Improve Brighton & Hove's Recycling Scheme– Petition for Debate:** **Extract from the proceedings of the Council Meeting held on the 18 October 2018**
Date of Meeting:		**27 November 2018**
Report of:		**Executive Lead Officer for Strategy, Governance & Law**
Contact Officer:	Name:	**Mark Wall** **Tel: 01273 291006**
	E-mail:	mark.wall@brighton-hove.gov.uk
Wards Affected:	All	

FOR GENERAL RELEASE

Action Required of the Environment, Transport & Sustainability Committee
To receive the petition referred from the Council for consideration.

Recommendations:

(1) That the petition be noted and referred to the Environment, Transport & Sustainability Committee for consideration at its meeting on the 27th November 2018, with the report to this meeting to include:

- (i) a costed investigation into increasing the range of plastics the Council collects;
- (ii) a costed investigation into the set-up of a food waste collection trial;
- (iii) a costed investigation into an education and information publicity drive, encouraging recycling and explaining how and what can be recycled;
- (iv) a costed investigation into options for a 'Service Guarantee,' allowing residents to know what level of recycling service they can expect the Council to provide;

(2) That with the above investigations to include the exploration of external funding sources e.g. DEFRA, Local Enterprise Partnership, Ministry of Housing, Communities & Local Government and others; and

(3) That for such a report to provide further detail on:

- (i) how the Council may seek to ensure events granted permission in Brighton and Hove are 'single-use plastic free' by 2020;
- (ii) an action plan, including timescales, setting out how the council will contribute to the achievement of the Waste Framework Directive target of 50% recycling by 2020.

Petition: 3,161 Signatures

We demand for the Brighton and Hove council to implement weekly kerbside recycling collection and start recycling a wider variety of plastic and food waste.

We require immediate action from Brighton and Hove Council to improve public recycling services. Currently, the local council does not recycle any food packaging plastics or other plastic waste aside from plastic bottles, and even this is on a fortnightly basis. This is unacceptable: comparable local council areas recycle a far wider range of plastics with similar council budgets.

Lead petitioner: Tea Meneghetti

BRIGHTON & HOVE CITY COUNCIL

COUNCIL

4.30pm 19 JULY 2018

COUNCIL CHAMBER - HOVE TOWN HALL

MINUTES

Present: Councillors Simson (Chair), Phillips (Deputy Chair), Atkinson, Barford, Barnett, Bell, Bennett, Brown, Chapman, Cobb, Daniel, Deane, Druitt, Gibson, Gilbey, Greenbaum, Hamilton, Hill, Horan, Hyde, Inkpin-Leissner, Janio, Knight, Lewry, Littman, Mac Cafferty, Marsh, Meadows, Mears, Miller, Mitchell, Moonan, Morgan, Nemeth, A Norman, K Norman, O'Quinn, Page, Peltzer Dunn, Penn, Platts, Robins, Sykes, C Theobald, G Theobald, Wares, Wealls and Yates.

PART ONE

31 PETITIONS FOR COUNCIL DEBATE

(1) IMPROVE BRIGHTON & HOVE'S RECYLING SCHEME

31.1 The Mayor stated that where a petition secured 1,250 or more signatures it could be debated at the council meeting. She had been made aware of 2 such petitions. She also noted that there was an amendment to the covering report's recommendation for Item 31(1), Improve Brighton & Hove's Recycling Scheme from the Green Group.

31.2 The Mayor then invited Tea Meneghetti and Alizee Staes to come forward and present the first petition.

31.3 The petitioners thanked the Mayor and sated that the petition resulted from the need to improve the council's recycling scheme and to encourage people to recycle a wider range of plastics and to be able to make better use of home composting for food waste. There was a need to provide better information to people so that they could improve their own recycling and to look at how schools could be encouraged to get involved in educating children. M noted that of the 353 councils in the UK, Brighton & Hove was 326th for waste recycling and this needed to improve and could with support from residents, organisations and the council.

31.4 Councillor Mitchell thanked both petitioners for bringing the petition to the council meeting and noted that it was a wide-ranging petition and that the council was already taking some action in relation to the options outlined. She stated that more plastics could be collected, but there was a need for a national approach to this as collections differed across the country. She also noted that reprocessing plants were becoming increasingly selective about the materials they would accept and demand for low-grade materials was falling. A number of authorities had taken steps to change their collections and were not taking low-grade plastics. She stated that there was a need for

a co-ordinated approach and investment in how plastics could be recycled but that had to come from the government at a national level.

31.5 Councillor Littman welcomed the petition and moved an amendment on behalf of the Green Group, which called for a report to the November meeting of the Environment, Transport & Sustainability Committee detailing how matters could be progressed to meet the aims of the petition. He stated that the amendment sought to be constructive and to enable residents to have a clear understanding of what could and could not be recycled. He also suggested that Veolia as the waste contactor would be willing to invest in their equipment to improve the recycling of plastics if the council made steps to improve collections.

31.6 Councillor Littman stated that there had been discussions prior to the meeting and a suggestion that if the three recommendations were taken separately, there could be support for some of them. He therefore queried whether the Mayor would be willing to put each recommendation in the amendment to the vote on an individual basis rather as a whole.

31.7 The Mayor noted the request and stated that given the length of amendment she was minded to take it in its entirety rather than separate out the recommendations.

31.8 Councillor Gibson formally seconded the amendment and stated that it reflected a change in the public's attitude towards recycling and single-use plastics. He noted that current recycling rates were at 29% and the target was 50% by 2020 and stated that there was a need to listen to the community and to improve recycling rates.

31.9 Councillor Wares welcomed the petition and stated that the need to address the issue of the use of plastics was something that had to be addressed by everyone, including the government, manufacturers, and residents. He believed that it would take two years to get back to previous recycling rates and that the frequency of collection rates could not be reduced.

31.10 Councillor Hill stated that there was a need for manufacturers and retailers to look at how goods were packaged and to reduce the use of plastics. She acknowledged that the council had a part to play and would need to look at sustainable options and that residents would also need to support the council with recycling.

31.11 Councillor Mitchell stated that she was not minded to accept the amendment as it would impact on available resources and divert them away from other service considerations that needed to be addressed. She stated that new garden waste customers were being taken on and that there were no plans to reduce household waste collections.

31.12 Councillor Littman stated that he wished to revise the amendment and to remove recommendation 2.1 (iii) so that the Mayor could then put the whole amendment to the vote.

31.13 The Monitoring Officer confirmed that the mover of a motion could either withdraw it or seek to amend it subject to the consent of the council.

31.14 The Mayor noted the request from Councillor Littman to revise the amendment by removing recommendation 2.1 (iii) and put it to the vote, which was carried by 27 votes to 18 with 2 abstentions.

31.15 The Mayor thanked the petitioners for attending the meeting and presenting the petition, and noted that the Green Group's amendment as amended had been approved. She therefore put the revised amendment to the vote which was carried by 28 votes to 19.

31.16 The Mayor then put the recommendations as amended to the vote which was carried by 28 votes to 19.

31.17 **RESOLVED:**

(1) That the petition be noted and referred to the Environment, Transport & Sustainability Committee for consideration at its meeting on the 27th November 2018, with the report to this meeting to include:

(i) a costed investigation into increasing the range of plastics the Council collects;

(ii) a costed investigation into the set-up of a food waste collection trial;

(iii) a costed investigation into an education and information publicity drive, encouraging recycling and explaining how and what can be recycled;

(iv) a costed investigation into options for a 'Service Guarantee,' allowing residents to know what level of recycling service they can expect the Council to provide;

(2) That with the above investigations to include the exploration of external funding sources e.g. DEFRA, Local Enterprise Partnership, Ministry of Housing, Communities & Local Government and others; and

(3) That for such a report to provide further detail on:

(i) how the Council may seek to ensure events granted permission in Brighton and Hove are 'single-use plastic free' by 2020;

(ii) an action plan, including timescales, setting out how the council will contribute to the achievement of the Waste Framework Directive target of 50% recycling by 2020.

WRITTEN QUESTIONS

A period of not more than fifteen minutes shall be allowed at each ordinary meeting for questions submitted by Members.

The question will be answered without discussion. The person who asked the question may ask one relevant supplementary question, which shall be put and answered without discussion. The person to whom a question, or supplementary question, has been put may decline to answer it.

The following written questions have been received from Members:

(i) Parking surplus- Councillor Wares

"At the 9th October 2019 ETS Committee I raised questions regarding the windfall surplus of £2.3m that was identified to be spent on certain highway elements. Officers advised that the answers were complex and a written response would be provided (see para 31.11 of the draft minutes). No such response has been provided. Whilst still requiring a response to the questions raised, I would be grateful if Cllr Mitchell could advise why the allocation of funds, the decision making process, how the monies are reflected in budgets and the expenditure generally are being shrouded in mystery."

(ii) Road and Pavement repairs- Councillor Wares

"With the news that the Government has now given the Council £1.163m on top of the previous £0.189m and when added to the £2.3m windfall banked from parking charges and fines, the Council now has at least £3.652m to spend this year on repairs to pavements and roads; without taking account of monies already allocated in the budget. As a three Cllr Ward, please could Cllr. Mitchell confirm that Patcham and Hollingbury will receive at the very least £203,000 to fixing potholes and repairing pavements?"

Cllr. Lee Wares, Cllr. Geoffrey Theobald &
Cllr. Carol Theobald
Conservative Party Members for Patcham Ward
C/o Hove Town Hall
Norton Road
Hove
BN3 3BQ

Date: 9th November 2018
Phone: 01273 291996
e-mail: lee.wares@brighton-hove.gov.uk

Geoff Raw
Chief Executive
Brighton & Hove City Council
Hove Town Hall
Hove
BN3 3BQ

Dear Geoff,

RSPCA BRIGHTON – BRAYPOOL LANE – COMMERCIAL WASTE

We are submitting this letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 27th November 2018.

RSPCA Brighton in Braypool Lane (RSPCA) is a self-funding charity raising monies from local benefactors and initiatives and does not, regretfully, receive financial support from the "parent" organisation that reportedly receives millions. For years the RSPCA has benefitted from significant waste services provided by the Council on an ex-gratia basis. In recent months the Council has withdrawn all but two of the waste bins previously provided advising that more can be supplied at a cost.

At the same time, the RSPCA has been providing the Council with ex-gratia services by taking in stray dogs from the Council or those taken by the Housing Department. Most of the dogs are eventually transferred to the Council's paid for kennel providers and some dogs are returned to the RSPCA in the hope of finding new owners. The cost of this ex-gratia service to the RSPCA is circa £10,000 per annum. Likewise, the RSPCA has invested in and maintains on public land lighting to improve safety, repairs the Council owned car park, maintains the trees and daily litter picks. They also assist in preventing unauthorised encampments on the land by securing the entrance at night. The RSPCA also support the Council by taking in reptiles and other animals.

RSPCA Brighton cannot operate efficiently with just two bins and is happy to pay for additional ones. However, this seems unreasonable given the Council still wish to benefit from the ex-gratia services the RSPCA is providing. It seems further unnecessary for both the Council and the RSPCA to incur additional administrative costs in billing each other for mutually beneficial services to only continue the relationship both had previously enjoyed; this seems a waste of effort and money to achieve nothing more.

We respectfully enquire therefore if you would support officers in reaching a mutually beneficial arrangement with the RSPCA to avoid this waste of time and money or perhaps

confirm that the Council will no longer rely on the RSPCA because it intends to construct and run a new kennel facility at Hangleton Bottom and now no longer needs the support of the RSPCA.

Yours sincerely

Cllrs. Lee Wares, Geoffrey Theobald and Carol Theobald

Brighton & Hove City Council

Cllr. Lee Wares, Cllr. Geoffrey Theobald & Cllr. Carol Theobald
Conservative Party Members for Patcham Ward
C/o Hove Town Hall
Norton Road
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Geoff Raw
Chief Executive
Brighton & Hove City Council
Hove Town Hall
Hove
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Date: 9th November 2018
Phone: 01273 291996
e-mail: lee.wares@brighton-hove.gov.uk

Dear Geoff

STANMER HEIGHTS REFUSE & RECYCLING ARRANGEMENTS

We are submitting this letter under Council Procedure Rule 23.3 to be included on the agenda for the Environment, Transport & Sustainability Committee meeting of 27th November 2018.

For over a year there have been persistent problems with refuse and recycling arrangements at Stanmer Heights including too few receptacles, damaged and poor quality equipment, missed collections, regular fly-tipping and consequential litter strewn across the streets and grounds.

On a weekly basis we receive complaints generally related to over flowing bins and litter. On a weekly basis officers from Cityclean and Housing attend the location to litter pick. There is now barely a day that goes by when the area is not subject to debris and detritus covering the streets that residents and their children have to walk through and play in. Every week, some residents spend enormous amounts of their time trying to clear up.

We have made numerous requests for improvements and held several meetings with residents and officers to try and find solutions. Some refurbished bins have been provided and limiters installed to prevent the lids blowing open. Those limiters have now been removed due to their ineffectiveness and health and safety reasons because they fall over and pull up the road surface.

Despite the reassurances a permanent solution will be found, none is forthcoming. We have written to Housing & New Homes Committee requesting EDB monies are allocated to help resolve the issue. We would be grateful therefore if you could assist by requesting officers from Cityclean to work with Housing officers to provide a permanent solution that coupled with adequate collection frequencies, will bring an end to the problems residents face every day.

We would hope that you will agree to this reasonable request such that an end can be brought to the constant littering and fly-tipping and that the basic services of refuse and recycling are provided. We would be more than happy to meet with officers to progress this.

Yours sincerely

Cllrs. Lee Wares, Geoffrey Theobald and Carol Theobald

Council	**Agenda Item 34 (3)**
18th October 2018	Brighton & Hove City Council

NOTICE OF MOTION

GRASSCRETE

This Council notes that grass verges add to the aesthetic appeal of numerous neighbourhoods in the city, as well as performing an important role for the city's ecology.

This Council calls on the Chief Executive to bring a report to Environment, Transport & Sustainability Committee to consider; measures that will reduce damage done by vehicles in roadside verges across the city where off road parking is limited. These measures must be considered both environmentally sustainable and hard-wearing in the long term.

This Council also calls on the Chief Executive to write to the Secretary of State, requesting that Brighton & Hove be afforded those powers granted to London Boroughs under the Greater London (General Purposes) Act that prohibit pavement and verge parking.

Council	Agenda Item 34 (4)
18th October 2018	Brighton & Hove City Council

NOTICE OF MOTION

LICENSE AND INSURANCE REGULATIONS FOR DELIVERY DRIVERS

This Council resolves to request a report be presented to Environment, Transport & Sustainability Committee detailing the current regulations governing the use of L-plated motorised scooters for commercial activities, where the police not the council is the enforcing authority. This report could explore whether there is any further action to ensure commercial businesses are acting within the law and with corporate responsibility that the Council and other Authorities can take.

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 42 Brighton & Hove City Council

Subject:		**Valley Gardens Phase 3 (Royal Pavilion to Seafront) – Approval of Business Case**
Date of Meeting:		**27 November 2018**
Report of:		**Executive Director - Economy Environment & Culture**
Contact Officer:	**Name:**	**Oliver Spratley** **Tel: 01273 290390**
	Email:	**oliver.spratley@brighton-hove.gov.uk**
Ward(s) affected:		**St Peter's & North Laine, Queen's Park, Regency**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The council's adopted City Plan Part 1 [CPP1] (2016) identifies the Valley Gardens corridor as a Special Area (Policy SA3). Valley Gardens Phase 3 is also a Local Transport Plan [LTP4] project, planned to complete the final and southern-most section of a strategic sustainable transport corridor that will contribute towards the council's and city's economic growth, regeneration, planning, public realm and transport objectives.

1.2 In June 2018 this committee approved the Phase 3 project development and eight core design objectives, delivery programme, and authorised officers to undertake the development of a Business Case [BC] for Valley Gardens Phase 3. This BC to be prepared for submission to the Coast to Capital [C2C] Local Enterprise Partnership [LEP] for Local Growth Fund [LGF] funding, and for the BC to be reported back to this committee meeting.

1.3 This report sets out the BC within the Government's/HM Treasury's 'Five Case' (Strategic, Economic, Management, Commercial, & Financial) Business Case format, as required by the C2C LEP. Once approved, the BC is required to be submitted to the LEP Board for its formal consideration and decision which is now expected in December 2018. If agreed by the LEP, the council will then have access to £6.0 million of Local Growth Fund [LGF] which has been set aside for the scheme. A formal Funding Agreement [FA] between the council and LEP is also required to be completed, and a condition of the FA will be that the £6.0 million is completely drawn down by end of March 2021, as required by the LEP and the Department for Transport [DfT].

2. RECOMMENDATIONS:

2.1 That the Committee approves the draft Business Case for Valley Gardens Phase 3, as attached at Appendix 2.

2.2 That the Committee grants delegated authority to the Executive Director for Economy, Environment & Culture to:-

a) finalise and submit the Business Case for Valley Gardens Phase 3 to the Coast to Capital Local Enterprise Partnership Board; and
b) negotiate and sign the Business Case Funding Agreement, subject to the Local Enterprise Partnership Board's decision to approve the release of the Local Growth Fund allocation.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 In July 2014, the council approved the submission of the BC to the C2C LEP for Phases 1&2 of Valley Gardens [VG1&2]. The development of the BC for Phase 3 would be prepared for a future tranche of LEP/LGF funding. Later in 2014, the Government confirmed the £8.0m LGF funding for VG1&2 (the northern section) subject to the LEP's Local Transport Body approving the BC and, as part of the C2C's 2015/16-2020/21 Growth Deal. The Government also announced its intention to allocate an additional, provisional £6.0m in funding to enable Phase 3 to start. This was dependent on progressing Phases 1&2 and subject to production, submission and approval of a robust BC to the LEP. In October 2014, this committee agreed to the preparation of the Phase 3 BC, and this commitment was reaffirmed in June this year.

3.2 The BC is structured in accordance with the LEP's LGF Five Case (Strategic, Economic, Commercial, Financial, and Management) Business Case format. This quantifies and qualifies how the preferred design option for Phase 3 can help the area to fulfil its potential within the city centre. The project area includes inefficient and unattractive areas and experiences a high number of collisions (154) and casualties (193) between 2013 and 2017, and has also resulted in the area being underutilised, and perceived as a centre for crime and anti-social behaviour.

3.3 Following the principles established within Phases 1&2, which will help fulfil the CPP1 policy, and the objectives set out within the C2C's 2014 Strategic Economic Plan, Valley Gardens Phase 3 has the potential to bring city-wide benefits to the city by tackling severance and improving connectivity with the city centre and the seafront. To achieve this, the main components of the preferred option include a simpler road layout and the creation of new public spaces. The following paragraphs explain the content of the draft Five Case BC format for Phase 3, and Appendix 1 includes a summary of a number of the outputs from the BC for each case.

The Strategic Case

3.4 This case details how the scheme meets the key stakeholder requirements in policy and strategic terms and sets out why the scheme is needed to deliver a solution that remodels an existing inefficient land use and overly complex road layout; improves poor east-west and north south-connectivity; reduces high levels of congestion and collisions; improves the quality of public realm through place making; rebalances land values; and optimises and sustains economic performance.

3.5 There is strong, strategic alignment with a number of the council's and LEP's major policies. The importance of Valley Gardens as an area within which development should be focussed was clearly stated in the C2C LEP's 2014 Strategic Economic Plan [SEP]. It also acknowledges that the Valley Gardens project (all three phases) could help unlock housing development for 100 homes, deliver 9,000m^2 of employment floor space and create 1,179 new jobs. The LEP's new SEP, Gatwick 360 (2018-2030), published in July 2018, sets out eight key economic priorities which comprise its programme for growth. Valley Gardens Phase 3 directly supports Priority 1 of the SEP which is 'To deliver prosperous urban centres'. It also supports Priority 6 'Promote better transport and mobility'.

3.6 The project has also been assessed against the council's CPP1 Policy SA3 for Valley Gardens and the Local Transport Plan [LTP] objectives. The draft City Plan Part 2 [CPP2] was published for consultation in July 2018 and sets out the detailed development management policies for the city to support CPP1. It also identifies and allocates additional development sites and policies that are relevant to Valley Gardens.

The Economic Case

3.7 The Economic Case includes the options appraisal – which assessed four options - as reported to the October 2018 meeting of this committee. The economic case is further expanded within the BC's Financial Case. It outlines the economic benefits anticipated as a consequence of delivering the recommended option and demonstrates that the preferred option has the potential to result in a number of monetised benefits and costs for residents, visitors and local businesses, which are summarised in the table below and explained further in Appendices 1 and 2.

3.8 The preferred option is anticipated to deliver significant economic benefits resulting from reductions in the number of collisions and casualties; an increase in public space; walking and cycling benefits; increased land values; and through supporting the growth of the city's Knowledge Intensive Business Services [KIBS] sector.

3.9 Following its programmed completion in 2021, the preferred option for the scheme is expected to deliver economic benefits totalling a present value (discounted to 2010 prices) £7.810m over a 20-year period. Against a 2010 present value cost (2010 prices) of £6.609m, this equates to a Benefit Cost Ration (BCR) of 1.2:1 which means that the scheme is expected to deliver £1.20 of benefits for every £1 spent on the project. The preferred option delivers the greatest net benefits of any of the four options and is the only option that would deliver a positive BCR.

Benefit/Cost	**Estimated economic impacts over 20 years (except KIBS=10 years) (figures in £m)**
Collision/casualty reduction benefits	£11.001
Active travel (walking and cycling) benefits	£1.495
Land value uplifts	£4.295
Public realm benefits	£1.893
KIBs sector benefits	£6.168
Journey time (dis)benefits	-£17.042
TOTAL	**£7.810**

3.10 This reflects the option's forecast effects on journey times, such as the increased and reduced journey times for drivers (general traffic) and bus passengers (in the two peak hours) which reflect the proposed changes to the local road layout for people and vehicles, such as the introduction of a safer, managed and controlled traffic signal junction at the A23/A259 Palace Pier junction. It also includes the proposed rebalancing of the area's division of space between different transport users.

3.11 The scheme's anticipated impact on journey times is dependent on the time of day and greater benefits are expected in the AM peak period when the current impact of congestion is highest. The casualty reduction benefits of the scheme are forecast to lead to significant safety improvements for the area, with an anticipated 44% reduction in the number of collisions/casualties over a 60-year period, as assessed using the recommended DfT COBALT (COst and Benefit to Accidents – Light Touch) computer programme. As the COBALT software only offers a 60-year forecast period, a conversion factor has been applied to show only the first 20 years of benefits from the COBALT assessment, for consistency with the other monetised impacts.

3.12 To minimise design risks and to ensure that the scheme integrates with other schemes, developments and priorities in the city, both proposed and those already underway (not least Phases 1&2 of the scheme), the preferred option will be subject to further design development which will include:

- Design of the proposed areas of public space to ensure these generate activity
- Further consideration of the integration of Phase 3 with Phases1&2
- Refinement of cycle lane proposals to provide a facility which is as wide as possible and minimises conflict with pedestrians
- Confirmation of bus stop and bus stand locations and space for waiting and alighting passengers

- Further investigation of car parking requirements and breakdown between different user groups.

The Commercial Case

3.13 The Commercial Case outlines, in accordance with the approach adopted for Phases 1&2, that procurement will be split into four key stages: preliminary design, detailed technical design, construction and operations. This case also outlines how social value will be supported by outcomes driven by two of the key design objectives for the scheme. These are to improve the public realm, and to provide an inclusive and accessible space.

3.14 Currently, the two main public spaces within the Phase 3 area are Steine Gardens, and the area north of the Palace Pier. In addition, the eastern gardens of the Royal Pavilion adjoin the scheme area. The scheme will enhance the quality and accessibility of these existing spaces, and also create new and accessible open spaces and green spaces for the whole community to enjoy - to the south-east of the Royal Pavilion Estate and to the north of the Royal Albion Hotel, for example. These spaces will provide more opportunity for hosting community and city-wide events in the area.

3.15 The scheme also aims to improve identifiable and perceived road safety problems. Furthermore, the council will also take account of social value when procuring and commissioning the future detailed design and construction works, as per the council's Social Value Framework. Both of these tenders will be required to consider social value and have at least one relevant social value outcome included. In turn, suppliers will be scored on how they will measure and verify the social value proposals they offer as part of their tender submissions.

The Financial Case

3.16 The Financial Case is set out in full in Section 5 of the BC in Appendix 2 of this report. The scheme has been costed and will be delivered in distinct sections. Financial sustainability will be assessed through the project's lifecycle using standard project governance principles, and at completion the scheme will transfer over to existing council revenue budgets, for management and maintenance requirements.

3.17 Following its programmed completion in 2021, the preferred option for the scheme is expected to deliver economic benefits totalling a present value (discounted to 2010 prices) £7.810m over a 20-year period. Against a 2010 present value cost (2010 prices) of £6.609m, this equates to a BCR of 1.2:1 which means that the scheme is expected to deliver £1.20 of benefits for every £1 spent on the project. The preferred option delivers the greatest net benefits of any of the four options and is the only option that would deliver a positive BCR.

3.18 This estimated BCR would rate the project in the 'low' value for money (VfM) category, as defined by the DfT. However, it is considered that within the Five Case BC format, the BCR and associated value for money most likely understate the economic benefit of the scheme. For example, the transport user benefits assessment for the LEP's LGF BC does not require the

quantification of the potential vehicle operating cost, air quality and noise benefits, which would be included in a DfT WebTAG (Web-based Transport Appraisal Guidance) approach. Similarly, the value of time has only been included for vehicles (as is standard practice) and understates the benefits to users of other forms of transport. Equally, evidence from other projects that combine movement, place and regeneration objectives, suggest that the place and regeneration impacts are relatively difficult to quantify and therefore the BCR analysis undertaken for this project may under-score their relative benefits. Phase 3 is part of the wider Valley Gardens scheme and therefore the benefits of this phase should not be considered in isolation, but also alongside the strong economic case for Phases 1&2 of the programme, which was based on the DfT's WebTAG approach.

3.19 Alongside the £6.0m worth of LGF, the council has also provisionally confirmed that a local financial contribution of approximately 20% of the total cost of the scheme will be allocated to the capital costs of the project, in order to comply with the original conditions required by the LEP when the LGF funding was first allocated as part of its Growth Deal. This will be factored into the council's Local Transport Plan.

The Management Case

3.20 The Management Case sets out the council's project governance structure for Phase 3 including project programme, project board and management, project assurance, roles and responsibilities, communications and stakeholder management. The project evaluation will be initiated at post-construction stage includes the Benefits Management Plan which will be finalised at a later stage.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Valley Gardens Phases 1&2 has interdependencies with Phase 3 in terms of the overall anticipated benefits to the city centre and therefore 'doing nothing' is not considered to be an option. The provision of funding for Phases 1&2 is predicated on the delivery of all three phases of the Valley Gardens project.

4.2 The results of the Phase 3 project options appraisal were reported to this committee on 9 October 2018. The options appraisal study methodology enabled a significant number of alternative possible options to be identified and assessed using three main evaluation processes. Firstly, an evaluation, using the approved Core Design Objectives; secondly, a traffic modelling assessment using the council's city centre model; and thirdly, a cost estimate comparison to ensure that the options are within the tolerance range of the current budget (£7.25m-£7.84m)

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The preferred option in the business case has been informed by the results of the public survey undertaken earlier in 2018 which were reported to this committee in June 2018. As set out in the project programme agreed in June this year, and as agreed by this committee on 9 October, a second stage of

public consultation commenced on 15 October, which sought to gather ideas and opinion on developing the single recommended option. The feedback from this consultation will, where there is scope to do so, be used to update and revise the preferred option in order to finalise a preliminary design before it is reported back to this committee on 22 January 2019.

5.2 Officers have ensured that the LEP have remained informed of the BC's development and progress and provided it with an early draft on request in order to ensure that it will provide sufficiently robust technical information that will satisfy the LEP's requirements and enable it to make an informed decision about the project and its funding.

5.3 Since the last officer report about this project was considered by this committee, some further engagement on the design has also been undertaken and feedback received. This includes an Equalities design workshop and D:SE (Design South East) Design Review Panel Oct 2018 which both unanimously agreed that the recommended option, as assessed within the BC, represents the best option through which to meet the project's eight Core Design Objectives, and key stakeholder policy/requirements. Workshops have also been undertaken with other key stakeholders such as bus and taxi operators and representatives of road user groups.

6. CONCLUSION

6.1 In overall terms, the BC for Valley Gardens Phase 3 is based on the preliminary design for the preferred option which is being consulted on and is considered to be sufficiently robust to enable the LEP to make a positive funding decision later this year. The Strategic Case fully demonstrates the scheme's alignment to all of the key stakeholders strategic planning, aims and objectives. The 1.2:1 BCR calculated as part of the Economic Case includes a combination of a number of costs and benefits, including those for transport users. However, the delivery of all three phases of Valley Gardens indicate that an overall, very high BCR return for the total LEP LGF investment and council funding contribution is achievable.

7. FINANCIAL & OTHER IMPLICATIONS:

7.1 The current total budget expected to be available for the project to the end of 2020/21 is £7.25m. This is comprised of £6.0m Local Growth Funding grant (subject to the C2C LEP's funding decision expected in December 2018) and a committed local contribution of £1.25m from the Council's Capital Investment Programme. Detailed costs are presented in the Financial Case (Section 5) of Appendix 2. The cost estimate is currently between £7.250m and £7.840m will be revised following the finalisation of the preliminary design to be reported back to this committee in January 2019. The cost estimate will be subject to value engineering and a review of all costs.

7.2 The council's approved, 2018/19 Local Transport Plan [LTP] Capital Programme for Preliminary design is sufficient to cover the cost of this requested continued project investment. This was agreed by the Policy, Resources & Growth Committee on 20 March 2018. The Local Transport

Plan will need to identify resources to support the project through to 2020/21 and further updates of the Local Transport Plans will be presented to Policy, Resources & Growth Committees in this financial year and future financial years following the review of the current cost estimate. The Government have announced indicative allocations up to 2020/21 of capital grants for Integrated Transport Block and Highways Maintenance Block which support the council's Local Transport Plan.

7.3 The BC in Appendix 2 has been developed using the C2C LEP LGF project template. This BC addresses the strategic aims of the C2C's SEP, and its emerging Local Industrial Strategy. The conditions of the LGF grant stipulate that the funding must be fully drawn down and works completed across all Phases (1&2, and 3) by the end of March 2021. This will be outlined fully, subject to the Funding Agreement between the LEP and the council for Phase 3.

7.4 The future maintenance of the highways infrastructure resulting from Valley Gardens Phase 3 will be met from existing highways revenue budgets.

Finance Officer consulted: Rob Allen *Date:* 15/11/2018

Legal Implications:

7.5 The proposed Phase 3 project will be planned and constructed within the existing highway boundary and within land owned by the council. The council's Planning Group will be consulted to determine if planning applications are required. A Design & Access Statement is being produced to support any consequential planning permission requirements should they arise during the next stage of the project through a Feasibility Study and design development work.

7.6 If the LEP approves the LGF allocation of £6.0 million at its December 2018 LEP Board, the council and the LEP will enter into the Business Case Funding Agreement. The council will comply with its Contract Standing Orders and its obligations under the European public procurement regime when it procures consultants and contractors to undertake work on Phase 3.

Lawyer consulted: Elizabeth Culbert *Date:* 06/11/2018

Equalities Implications:

7.7 There are no direct sustainability implications associated with the approval and submission of the BC for this project. However, the project will be supported by an Equalities Impact Assessment.

Sustainability Implications:

7.8 There are no direct sustainability implications associated with the approval and submission of the BC for this project. The scheme is being developed to deliver a sustainable transport corridor.

Other Significant Implications:

Crime & Disorder Implications:

7.9 The BC addresses issues of personal security and outlines how the benefits of the creation of new public space and the enhancement of the existing green space at the Old Steine will be achieved.

Risk and Opportunity Management Implications:

7.10 A risk register is maintained for the project and will be formally appended to the submitted BC, as required by the LEP.

Public Health Implications:

7.11 There are no direct public health implications associated with the approval and submission of the BC for this project. However, the BC includes expected, calculated active travel benefits, and noise and air quality data will be part of the project's evidence base for monitoring outcomes.

SUPPORTING DOCUMENTATION

Appendices:

1. Summary of Business Case outputs
2. Draft Local Growth Fund Business Case: Valley Gardens Phase 3

Documents in Members' Rooms

1. None.

Background Documents

1. Local Transport Plan [LTP4] (2015)
2. City Plan Part 1 (2016)
3. C2C LEP's SEPs (2014 and 2018)
4. Valley Gardens Concept Design (2013)
5. Business Case for Valley Gardens Phases 1&2 (July 2014)
6. Approved Scheme for Valley Gardens Phases 1&2
7. Report to June 2018 ETS Committee - Agenda item 7: *Valley Gardens Phase 3*
8. Valley Gardens Phase 3 - Stage 1 Report : *Preliminary Design Approach* (August 2018)
9. Valley Gardens Phase 3 - Stage 2 Report : *Options Development and Assessment Summary* (Technical Note, Aug 2018)
10. Report to October 2018 ETS Committee – Agenda item 29: *Valley Gardens Phase 3 – (Royal Pavilion to Seafront) Approval of preferred option for consultation and further development*

SUMMARY OF BUSINESS CASE OUTPUTS

Strategic Case

Contribution to Coast to Capital LEP 2018 Strategic Economic Plan Priority 1
• The delivery of high-quality, locally-distinctive mixed-use schemes based on good urban design • Places for people that encourage social interaction and mixed communities • Places connected by highly sustainable transport links with a low carbon footprint and low land usage that allow for more efficient movement of people and goods within and between local areas • Rejuvenated local economies that add vitality and commerce to neighbourhoods, towns and cities, and make high quality landscape, recreation, heritage and culture more accessible
Contribution to adopted BHCC City Plan Part 1 Policy SA3
• To create a vibrant and attractive new public park for the city centre • To reduce the severance impact of traffic on the enjoyment of the public realm through environmental and transport improvements • To create safe and legible links with adjoining areas • To enhance the appearance and setting of historic buildings • To find appropriate new uses for key buildings • To accommodate provision for high quality outdoor events
Contribution to draft BHCC City Plan Part 2 policies
• DM 32 (Royal Pavilion) which seeks to provide a more legible and coherent perimeter treatment, enhance entrances and the 'sense of arrival', improve pedestrian circulation through the estate, enhance key views into and across the estate, improve security and design out anti-social behaviour • DM 33 which supports LTP objectives to provide safe and sustainable transport; • DM 27 (Listed Buildings) and DM28 (Locally Listed Heritage Assets)
Contribution to BHCC Local Transport Plan Objectives
• Ensure that transport contributes to sustainable economic growth • Reduce transport emissions • Create safe and welcoming streets • Create attractive spaces that enhance quality of life and regenerate the city • Create an accessible and inclusive transport system • Encourage healthy and active travel choices.

Economic Case

Summary of estimated economic benefits/costs
• Improved north-south and east-west connectivity for pedestrians, due to widened footways and more direct crossings at the seafront which better service desire lines • Improved north-south connectivity for cyclists, with a continuous cycle lane linking the seafront with the facility already planned as part of Phases 1&2 • Combined walking and cycling (active travel) benefits valued at £1.495m over 20 years • Smoother flows for bus traffic, removing the current bottleneck to the east of the War Memorial and with a more efficient distribution of bus stops • Improved road safety, with anticipated collision and casualty reduction benefits valued at £11.001m over 20 years • The creation of new and extended public spaces, particularly to the south-east of

the Royal Pavilion and the enhancement of a central public space at the Old Steine and Steine Gardens, which will be easily accessible to all users
- improved public realm valued at £1.893m over 20 years
- Increased opportunity for community, charity and commercial events in the scheme area, providing the council with additional income from hiring out event space, valued at £0.1m over 20 years
- An anticipated £4.295m increase in land values in the area immediately surrounding the Phase 3 scheme
- Provision of high quality public realm and upgraded transport infrastructure supporting further growth in Brighton & Hove's important Knowledge Intensive Business Services [KIBS] sector, with an estimated value of £6.168m over 20 years
- Journey time disbenefits for transport users during the AM and PM peak periods based on recommended values of time, totalling -£17.042m over 20 years.

Commercial Case

Procurement Plan
Stage 2: Detailed Design • Publish OJEU notice and issue expression of interest (restricted): January / February 2019 • Issue tender documents: February 2019 • Appoint service provider: March/April 2019 • Work commences: May 2019 Stage 3: Construction • Publish OJEU notice and issue expression of interest (restricted): August 2019 • Issue tender documents: October 2019 • Appoint contractor: February 2020

Financial Case

Projects costs (delete as appropriate)	**Total cost (£)**	**LGF (£)**	**Match funding (£)**
~~Land Acquisition~~	-	-	-
Planning and Feasibility studies	£230,000.00	£176,020.41	£53,979.59
~~Surveys~~	-	-	-
Construction, inc-materials, equipment and labour	£6,272,000.00	£4,800,000.00	£1,472,000.00
Fit out (inc. equipment and furnishings not included in construction)	-	-	-
Project management	£155,000.00	£118,622.45	£36,377.55
Consultancy	£70,000.00	£53,571.43	£16,428.57
Other *(Site supervision)*	£56,000.00	£42,857.14	£13,142.86
Other *(post-completion monitoring)*	£20,000.00	£15,306.12	£4,693.88
Other *(post-completion project management)*	£25,000.00	£19,132.65	£5,867.35
Other *(allowance for tender inflation)*	£203,000.00	£155,357.14	£47,642.86
Contingency* *(Construction risks)*	£338,000.00	£258,673.47	£79,326.53
Contingency* *(Design development risks)*	£471,000.00	£360,459.18	£110,540.82
Total Net Cost	**£7,840,000.00**	**£6,000,000.00**	**£1,840,000.00**
VAT	**Not applicable**	**Not applicable**	**Not applicable**
Total Gross Cost	**£7,840,000.00**	**£6,000,000.00**	**£1,840,000.00**

Management Case

Summary of Monitoring Framework
• Peak period general traffic journey times • Bus journey times • Air quality • Collision data • Pedestrian counts • Cycle counts • Vehicle volumes • Traffic speeds • User perceptions and the use of space
Key project milestones
• Completion of Options identification and sifting - April 2018 to June 2018 • Completion of Options Appraisal and identification of the preferred option/and Outline Business Case - June 2018 to October 2018 • Completion of Preferred Option Feasibility Study - September/October 2018 to January 2019 • Detailed Design of the single option - March 2019 to September 2019 • Construction - February 2020 to March 2021

COAST TO CAPITAL LOCAL GROWTH FUND BUSINESS CASE	
Project Title:	Valley Gardens Phase 3
Lead delivery organisation:	Brighton & Hove City Council
Lead contact name:	Oliver Spratley
Version No:	01 (Draft)
Issue Date:	TBC

This document provides a template for a Business Case (BC) in support of Coast to Capital's investment in a project to be funded through the Local Growth Fund.

The main purpose of the BC is to put forward the case for change and the preferred way forward identified in an internal Strategic Outline Case (SOC); which establishes the option which optimises value for money; outlines the deal and assesses affordability; and demonstrates that the proposed scheme is deliverable.

In practice, you will find this entails updating the strategic case; undertaking investment appraisal within the economic case; and completing the commercial, financial and management cases, with supporting benefits and risk registers.

Please note that this template is for guidance purposes only and should be completed in accordance with any guidance issued by Coast to Capital and the guidelines laid down in HM Treasury's Green Book which can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/220541/green_book_complete.pdf

The OBC should cover the 5 cases – the Strategic case, the Economic case, the Commercial case, the Financial case and the Management case.

Business cases should be robust and well evidenced documents as the Business Case will be evaluated based upon content if called to present.

Coast to Capital Disclaimer

There shall be no expectation of grant payment unless and until a funding agreement is signed by both parties. All the Applicant's costs and charges incurred as a result of making this application shall be for the Applicant's account and cannot be claimed as part of the project except where feasibility funding has been prior awarded.

1. Executive Summary

1.1) Overview of the project including what opportunity or barrier the investment will unlock:

This application is seeking a £6million contribution from the Local Growth Fund to enable the design and construction of a simplified road layout, cycle route and public realm improvements in the southern section of the Valley Gardens area of Brighton.

The location of Valley Gardens is shown in Figures 1 and 2. This application is focused solely on the southern section of Valley Gardens (Phase 3), incorporating the Old Steine and the A23/259 junction / Brighton Palace Pier roundabout ("pier roundabout"). Phase 3 adjoins some of the city's key historic landmarks including the Royal Pavilion and Brighton Palace Pier. Phase 1-2 – which covers the area north of Edward Street and encompasses the area adjacent to St Peter's Church and Victoria Gardens – was the subject of a separate funding application to the Coast to Capital Local Enterprise Partnership (C2C LEP) (submitted in mid-2014) for which it was successfully awarded £8million from the LGF (early 2015). Detailed designs have been approved for Phase 1-2 and construction commenced in 2018.

Figure 1: Context map of Valley Gardens



Figure 2: Map outlining the boundaries of Valley Gardens Phases 1-3. Phases 1 and 2 are shaded in blue. The red shading denotes the area covered by the Phase 3 scheme, which is the focus of this business case.



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Project Scope

Valley Gardens is the geographical centre of Brighton, it has the potential to be a central hub of city-life and Brighton's growing visitor economy, mixing its unique architecture and green spaces with efficient connectivity for vehicles, pedestrians and cyclists to move around the city more effectively. This potential is currently being constrained, however, by inefficient and unattractive placemaking and a poor road layout that prioritises vehicular traffic to the detriment of cyclist and pedestrian movement. This has not only resulted in the Valley Gardens area experiencing high collision rates, but has also resulted in the area being underutilised, perceived as a centre for crime and antisocial behaviour and not fulfilling its economic potential.

Complementing Phase 1-2, and in line with C2C's 2014 Strategic Economic Plan, Valley Gardens Phase 3 has the potential to bring city-wide benefits to Brighton by tackling severance and improving connectivity in the city centre and towards the seafront. To achieve this, the main components of the preferred option include:

- A simpler road layout with all general traffic on the east of Steine Gardens
- Improved crossing alignment for pedestrians
- Better connections to the Lanes and St James's Street
- Creation of a new 350 metre two-way, segregated cycle track
- Creation of new public and event spaces in front of the Royal Pavilion Estate and Royal Albion Hotel
- All existing green space and trees retained
- Planting of up to 30 new trees

Figure 3: Phase 3 preferred option



Benefits for Brighton & Hove

The proposed scheme has the potential to deliver a wide range of benefits for Brighton & Hove's residents, visitors and local businesses, including:

- Enhanced environment and improved north-south and east-west connectivity for pedestrians, thanks to widened footways and more direct crossings at the seafront which better service desire lines
- Enhanced environment and improved north-south connectivity for cyclists, with a continuous cycle lane linking the seafront with the facility already planned as part of Phase 1-2
- Smoother flows for bus traffic, removing the current bottleneck to the east of the war memorial and with a more efficient distribution of bus stops
- Enhancement of a central civic space at the Old Steine, easily accessible to all users

- The creation of new and extended public spaces, particularly to the south-east of the Royal Pavilion, increasing the opportunity for community, charity and commercial events
- Improved road safety, with anticipated collision and accident reductions.

The scheme also has the potential to support the regeneration of the Valley Gardens area and economic growth for Brighton and Hove. A summary of the monetised and economic growth impacts of the Phase 3 scheme is provided in the table below.

Table 1: Summary of economic impacts

Benefit	**Economic impact over 20-year appraisal period (all £m, 2010 prices discounted to 2010)**
Accident reduction benefits	£11.001m
Active travel (walking and cycling) benefits	£1.495m
Land value uplift benefits	£4.295m (1)
Public realm benefits	£1.893m
Supporting growth of the KIBS sector	£6.168m (2)
Journey time (dis)benefits	-£17.042m
TOTAL	**£7.811m**

(1) *Land value uplift is taken as a single one-time uplift in land values.*

(2) *Given the uncertainty in long-term economic forecasting, the forecast period for KIBS benefits in the economic case for Valley Gardens Phase 3 is 10 years (rather than the 20-year period used for other impacts).*

Whilst the scheme is anticipated to deliver significant economic benefits resulting from reductions in the number of accidents, an increase in public space, walking and cycling benefits, increased land values, and through supporting the growth of the KIBS sector in Brighton and Hove, it is clear from the summary table above that the total economic impact of the scheme is suppressed by scheme's impacts on journey times. This reflects the scheme's desire to achieve a greater and fairer balance in the area's division of space between different modes and users. Whilst the overall transport user benefit for the scheme is negative, the scheme's anticipated impact on journey times is dependent on the time of day; benefits are expected in the AM peak period when the current impact of congestion is highest.

Without LGF funding, this project is very unlikely to proceed. This would not only leave Brighton with ongoing congestion and poor public realm a key location on its world-famous seafront but would also undermine the potential benefits of Phases 1 and 2, for which the C2C LEP has already committed significant investment. The successful delivery of Phase 3 is vital to securing the success of the entire Valley Gardens corridor.

1.2) Please choose the theme in which the LGF funding will invest in directly (The project can only fit into one theme so please choose the most appropriate).	Investment in capital expenditure items that promote digital transformation and digital infrastructure ☐ New Innovation and start up business creation ☐ Facilities to provide teaching and research facilities and/or skills based training in digital and innovation areas, across further and higher education sectors in close proximity to the M23, A23 corridor ☐ **Increased capacity in sustainable transport and 'key' arterial routes where there are 'bottlenecks', together with flood resilience and digital infrastructure investment** ☑ Investment in capital projects where there is a demonstrable case that such investment will generate proportionate foreign direct investment and international trade ☐ Regeneration and housing infrastructure projects that ☐

	increase capacity and footfall and unlock new employment space Capital investment to increase high value tourism to the Coast to Capital region ☐

1.3) The fit with Coast to Capital Strategic Economic Plan, the Industrial Strategy Response and Business Plan 17/18

Securing investment to protect and enhance Brighton's built and natural environment and to support its growth as a strong and prosperous city is a key focus of Brighton & Hove City Council's (BHCC) 2016 City Plan Part One. The City Plan Part One includes the objective to make sure Brighton is an attractive city, ensuring that the city's open spaces are well maintained and more accessible to everyone, with Valley Gardens in particular highlighted for becoming 'a more attractive, accessible and usable environment'.

Delivering prosperous urban centres is also identified as a priority in the C2C LEP Strategic Economic Plan (SEP). Enabling the construction and regeneration of the Valley Gardens Phase 3 area closely aligns to this objective, as set out below.

Strategic Economic Plan 2018-2030
The C2C SEP 2018-2030, 'Gatwick 360°', puts London Gatwick airport at the core of its economic plan, highlighting its central position at both the geographical and economic heart of the LEP area. The LEP's vision by 2030 is for 'the towns and cities in the Coast to Capital area to be known around the world as fantastic places to live, to grow and succeed and for the area to become the most dynamic non-city region in England, centred around a highly successful Gatwick Airport.'

As shown by its vision, the LEP's focus on Gatwick Airport does not diminish the importance of the C2C area's towns and villages and their local economies and communities, but instead highlights the importance of connectivity and the important link that Gatwick provides for the region and the towns and cities within it. This is reiterated across the SEP's eight economic priorities for the period up to 2030:

- Priority 1: Deliver prosperous urban centres
- Priority 2: Develop business infrastructure and support
- Priority 3: Invest in sustainable growth
- Priority 4: Create skills for the future
- Priority 5: Pioneer innovation in core strengths
- Priority 6: Promote better transport and mobility
- Priority 7: Improve digital network capability
- Priority 8: Build a strong national and international identity

Brighton & Hove is the LEP's second-most productive local authority district, with a GVA of £7,349m, closely following Croydon's £7,727m. Already a major urban centre, Brighton is home to two universities and growing visitor and knowledge-based economy. The Valley Gardens corridor, however, has been recognised as an underperforming area of the city, which has the potential to bring city-wide benefits. The LEP's commitment to award £8.0m from the LGF to support Phases 1 and 2 of the Valley Gardens project demonstrates the opportunity within the corridor to enhance the city centre's environment and creating a meeting place for residents and visitors. Phase 3 of the project will extend the improvements along the full-length of the corridor down towards Brighton's seafront.

The Phase 3 scheme aligns to the LEP's ambitions under Priority 1 to deliver prosperous urban centres:

Priority 1 ambitions	**Valley Gardens Phase 3 scheme**
Delivery of high-quality, locally-distinctive mixed-use schemes based on good urban design	• Simplified road layout and traffic infrastructure • Improved environment and landscaping
Places for people that encourage social	• Revitalising Valley Gardens as city-centre

interaction and mixed communities	park and destination, increasing the amount of open and green civic space that is easily accessible from surrounding areas
Places connected by highly sustainable transport links with a low carbon footprint and low land usage that allow for more efficient movement of people and goods within and between local areas	• Reducing severance and improving capacity for cyclists and pedestrians • Removing physical and perceived barriers to east-west connectivity
Rejuvenated local economies that add vitality and commerce to neighbourhoods, towns and cities, and make high quality landscape, recreation, heritage and culture more accessible	• Supporting higher value land uses • Reducing fear of crime • Improving pedestrian access to neighbouring cultural landmarks • Creation/enhancement of new and existing amenity spaces providing new opportunities for local businesses

Unlike the LEP's 2014 SEP (now superseded), C2C's new 2018 SEP does not yet include details of specific packages of investment or target development areas. Over the course of 2018/19 the LEP will be creating a more detailed action plan to deliver the SEP. The 2014 SEP, however, had already identified Valley Gardens as an underperforming part of Brighton & Hove and identified the corridor as one of four integrated packages of investment for the city.

Strategic Economic Plan 2014
The importance of Valley Gardens as an area on which development should be focussed was made clear in C2C LEP's 2014 SEP. This included Phases 1, 2 and 3 of the transport scheme: 'Regenerating the Valley Gardens area in an integrated manner that reinforces its strategic significance, emphasises its historic and cultural character, reduces the adverse impact of vehicular traffic, improves local air quality and creates a continuous green boulevard that reconnects the open spa to the surrounding urban realm'.

C2C's 2014 SEP set out the view that the Valley Gardens project (all three phases) would unlock housing development for 100 homes, deliver 9,000m^2 of employment floorspace and create 1,179 new jobs.

1.4) Expected Total Project Cost and source of funding. Please also complete the funding breakdown tab on the supporting spreadsheet. Matched funding must be at least the required percentage of the total project costs. This is 15% for transport projects and 50% for all others. (Please name the source of match funding).

£2018	Amount	% of Total Cost
Total Project Cost	£7.84m	100%
Applicant own funds	£1.84m	23%
Other public funds	-	-
Private sector funds	-	-
Funding requested from Coast to Capital LEP	£6.0m	77%

1.5) Expected tangible core outputs/outcomes: Please also complete the outputs tab of the supporting spreadsheet

Output/outcome	Metric	Number to be delivered
Employment- created and/or safeguarded	No.	Unknown
Businesses assisted- financial and non- financial	No.	Unknown
Skills- new learners and/or apprentices	No.	Unknown
New housing unit completions	Units	0
New floor space constructed/refurbished- learning	Sq mtr	0
New floor space constructed/Refurbished- Commercial	Sq mtr	0
Length of new roads/cycle ways	km	1.5km resurfaced roads 0.35km bi-directional,

		segregated cycle track
Improvement to journey times	Minutes per mile	Dependent on time of day. Benefits expected in AM peak when impact of congestion is highest
Carbon reduction	Tonnes of CO2	Unknown

1.6) Main risks and issues the project will need to manage? Please also submit a full risk register as an annex to this document

A full risk register is included as an annex to this submission. Previous iterations and analysis of risk in this project identified nearly thirty individual risks. The key risk categories into which many of the high and medium level risks fall into are:

Finance and securing best value
A key risk to this project is that this Business Case fails to justify or secure LGF funding, which would mean this project is very unlikely to proceed. No alternative funding source has been identified.

As further described in the Commercial Case in section 4, to secure best value there will be competitive tendering exercises via OJEU to procure the detailed design and construction works. BHCC's current Professional Services Framework Contract expired in September 2018. This framework had been used to procure the works for Valley Gardens Phases 1-2. To mitigate the risk that a replacement contract is not set up in time, the council has identified two alternative procurement routes to procure the Phase 3 detailed design and construction works. The first and preferred option is to use the Eastern Shires Purchasing Organisation (ESPO) Framework. The second route that has been identified is the Orbis Professional and Technical Services Framework.

Design risks, including alignment with other proposed transport schemes and developments in Brighton
As a key corridor in Brighton, the scheme must integrate with other schemes and developments in the city, both proposed and those already underway, and not least the Valley Gardens Phase 1-2 scheme.

Mitigation to address design risks and ensure the scheme integrates with other schemes and developments include:

- Adoption of a competitive two-stage design process
- Workshops and briefings with key stakeholders to inform the design and maintain awareness of concurrent schemes and development projects
- Design subject to two-stage public consultation
- Approval of a preferred design option by BHCC's Environment, Transport and Sustainability Committee.

Stakeholder engagement and support of proposed scheme
Linked to the design risks described above, several risks have been identified which centre around securing stakeholder and public buy-in to the Phase 3 design. Mitigation to address weak stakeholder buy-in include:

- Design subject to two-stage public consultation
- Workshops and briefings with key stakeholders.

Enabling the ongoing use of the Phase 3 area for events
Valley Gardens plays host to some of Brighton's key events which are attended by residents and visitors alike. There is a risk, however, that some events may need to be temporarily relocated to outside of the Phase 3 area during construction works.

Mitigation to enable the continued use of the Phase 3 area for events include:

- Where possible, maintaining access to public spaces for events will be considered in the scheduling and delivery of construction works
- Designs include the creation of new public spaces and enhancement of existing public space which, post-construction, could host existing or additional events for the city.

Safety and security of new public spaces

One of the central benefits of the scheme is the creation of new public space and the enhancement of the existing green space at the Old Steine, to be easily accessible to all users. The scheme also aims to upgrade the quality of the public realm and improve pedestrian access along the rest of the Phase 3 area, which includes the removal of guard rails. The creation of these new and more open spaces may heighten the potential risk for safety or terrorism incidents to occur.

Mitigation to the safety and security risks include:

- Attracting more people to the area may help increase the level of self-surveillance
- The positioning of street furniture will be designed to minimise the potential for such incidents.

There are also a number of safety risks associated with temporary traffic management which may arise during construction works. These include ensuring that footpaths and cycleways are managed and are safe and that contractor and project team staff on site have a safe working environment. The project team are committed to managing these risks, collaborating with key stakeholders where required.

Construction programme and delivery
Risks associated with the construction schedule and delivery are limited. Whilst the scheme is in a very prominent and busy location for Brighton, as with Phases 1 and 2 the component parts of the improvement works themselves are relatively straightforward and fall within the existing highway boundary. To mitigate the potential for any delays associated with planning requirements, however, the council's Planning team is being consulted to determine if planning applications are required. A Design & Access Statement is being produced to meet any planning permission requirements should they arise during the next stage of the project/ through the feasibility study/reporting.

Construction works will be delivered in stages, thereby providing increased flexibility in managing the overall timetable should any delays occur and also enabling the continued use of the corridor by vehicles, cyclists and pedestrians throughout the project duration, albeit at a reduced capacity.

DOCUMENT STATUS

REVISION HISTORY

Revision Date	Version No.	Summary of changes	Author/editor

DOCUMENT AUTHOR

Name	Title	Organisation	E-mail address	Telephone

DOCUMENT OWNER

Name	Title	Organisation	E-mail address	Telephone

DISTRIBUTION LIST

2. The Strategic Case

2.1) Describe the compelling case for change.

Valley Gardens is a major north/south route that serves as a key access point to Brighton's world-famous seafront. The A23 is lined on each side by Georgian buildings and the area contains several green spaces as well as the Royal Pavilion, a major Brighton landmark and tourist attraction. The route plays an important role in establishing the first and last views of many of Brighton's key attractions and seafront to visitors. As the geographical centre of Brighton, Valley Gardens has the potential to become a central hub for city-life and Brighton's visitor economy. At present, however, this key corridor for Brighton is not living up to expectations. Valley Gardens is currently constrained by dysfunctional placemaking and a poor-quality road layout that is restricting the economic performance of the area and which risks damaging the popular view of Brighton as one of the UK's top tourist destinations.

The solution is a major road enhancement scheme aimed at reducing severance and enhancing the public realm along the A23 in the Valley Gardens area. The project is divided into three phases. Phase 1-2 of the Valley Gardens project focus on the northern extent of the Valley Gardens area and set out to enhance the movement of pedestrians, cyclists and vehicular traffic and reduce congestion along the A23 north of Edward Street. Phase 3 – the focus of this Business Case – will complete the project and includes the junction of the A23 and A259 and adjoins some of the city's key historic landmarks including the Royal Pavilion and Brighton Palace Pier.

Brighton, its visitor economy and the role of the Valley Gardens/A23 corridor

Brighton is one of the UK's major tourist resorts, attracting a large number of visitors from across a range of demographic groups. The city has developed a distinct identity through its association with various groups and movements throughout its history, which has resulted in Brighton's unique offer to visitors. Brighton's unique offer combines Regency architecture, of which the Brighton Pavilion is perhaps the most notable example, Victorian piers and buildings, such as the town hall, and a contemporary cultural offer that includes the annual Brighton Festival and an LGBT Pride event of a national scale.

Brighton's role as a major tourist destination for the UK is reflected in its economic performance and visitor numbers. Brighton & Hove has a total population of 287,200[1] and has 137,000 employees[2]. It is estimated that tourism supported almost 21,800 actual jobs (or almost 16,000 FTE jobs)[3] across Brighton & Hove in 2016, which equates to approximately one in six of Brighton and Hove's total employee jobs. The number of people visiting the city is also growing. In 2016, Brighton attracted 11,234,000 visitors, up 6.4% on the previous year[4]. The total amount that visitors are spending in the city also increased to £885.9 million, which represents an increase of 3.2% compared to 2015[5].

Brighton is home to many nationally-significant visitor attractions, most notably, Brighton Palace Pier which was the fourth-most popular visitor attraction in terms of number of visitors in 2016 and one of only two attractions in the top-ten not in London[6]. The pier attracted a total of more than 4.6m visitors in 2016[7] and sits directly opposite the pier roundabout at the terminus of the A23 and Valley Gardens corridor. The A23 is a major access point for many people visiting Brighton, with the road leading from the M25 all the way to the Old Steine and the pier roundabout on the seafront. The Royal Pavilion also sits to the west of the Valley Gardens Phase 3 area and is itself also undergoing a £41.6m capital development project.

While the visitor economy is important to Brighton & Hove, the city also has many people employed in the financial services sector, including at American Express, which has a large base in the city located

[1] Office of National Statistics (ONS), Population Estimates 2016
[2] ONS, Business Register and Employment Survey (BRES) 2016
[3] Tourism South East, The economic impact of tourism in Brighton & Hove 2016
[4] Ibid.
[5] Ibid.
[6] Visit England, 2016 Most Visited Paid Attractions *and* 2016 Most Visited Free Attractions, *both part of the* Annual survey of visits to visitor attractions.
[7] Visit England, 2016 Most Visited Free Attractions, Annual survey of visits to visitor attractions

just to the east of Valley Gardens. Approximately 7% of all jobs in Brighton & Hove are in the financial and insurance services sector, compared to 3% across the south east and 4% nationally[8]. The city also has strong concentrations of people working in higher education, reflecting the importance of the city's two universities to its economy, and specialisms in the information technology and creative sectors[9]. The University of Brighton's Grand Parade Campus is located along the eastern side of the Valley Gardens corridor. The School of Humanities sits directly on the boundary of the Phase 3 scheme area in the Pavilion Parade building. The location of these is shown on the plan provided in Figure 1 (see Section 1.1).

The challenge – why the scheme is needed

Valley Gardens and the surrounding area are of significant strategic importance to Brighton, as both the primary access point and as the geographic centre of the city, key to tourists as well as other businesses, its universities and residents. At present, however, the Valley Gardens area faces several interrelated challenges which are limiting the area's potential. Whilst the construction of Phase 1-2 of the project will go some way to addressing these challenges, many will still apply for the final phase. The main challenges for Phase 3 can be summarised as:

- **Inefficient land uses and overly complex road layout**
  The primary challenge faced by Valley Gardens is centred around the severance caused by inefficient land use and an overly complex road layout that favours vehicular traffic to the detriment of pedestrians and cyclists. The A23 corridor currently forms an overly complex layout of gyratories, dual carriageways and segregated bus lanes with inconsistent stops on each side of the road. These multiple, complex systems cause confusion among drivers and deter pedestrians. The unusual segregated bus lane has mismatched stops on the north and southbound carriageways, in some instances having no stops whatsoever and in others, causing passengers to disembark onto a narrow traffic island. Parking areas are also inefficiently laid out with access roads taking up land that could be used for pedestrian or public space. Approximately 6% of the land can be classified as 'dead space', wholly unusable by anyone, locked up in traffic islands and fenced off areas. In contrast to the perception of the area as a green space, this only accounts for approximately 15% of land.

- **A barrier to east-west connectivity**
  Whilst, proportionately, pedestrians appear to be well catered for with approximately 30% of the area allocated to footways, this is not always in areas of demand or in locations that serve pedestrian desire lines.

  Not only is the road layout along the A23 complex and unsympathetic to the historical area, it is restrictive to pedestrians due to the high density of traffic and the road design which has effectively created a barrier that prevents pedestrian travel between eastern and western parts of the city. The installation of guardrails along much of Valley Gardens has further restricted access across this east/west route. Residents, commuters and visitors are not able to move freely around the area, which is limiting footfall across several major areas and reducing access to key visitor attractions such as the Royal Pavilion.

[8] ONS, Business register and employment survey 2016
[9] Regeneris Consulting, April 2018, Brighton & Hove Economic Strategy: Evidence Base – Executive Summary

Figure 4: Pedestrian route to the Lanes is not legible and obstructed



Figure 5: Severance at Old Steine / Pavilion Parade



Figure 6: Pedestrian routes not following desire lines from Steine Gardens to the Seafront



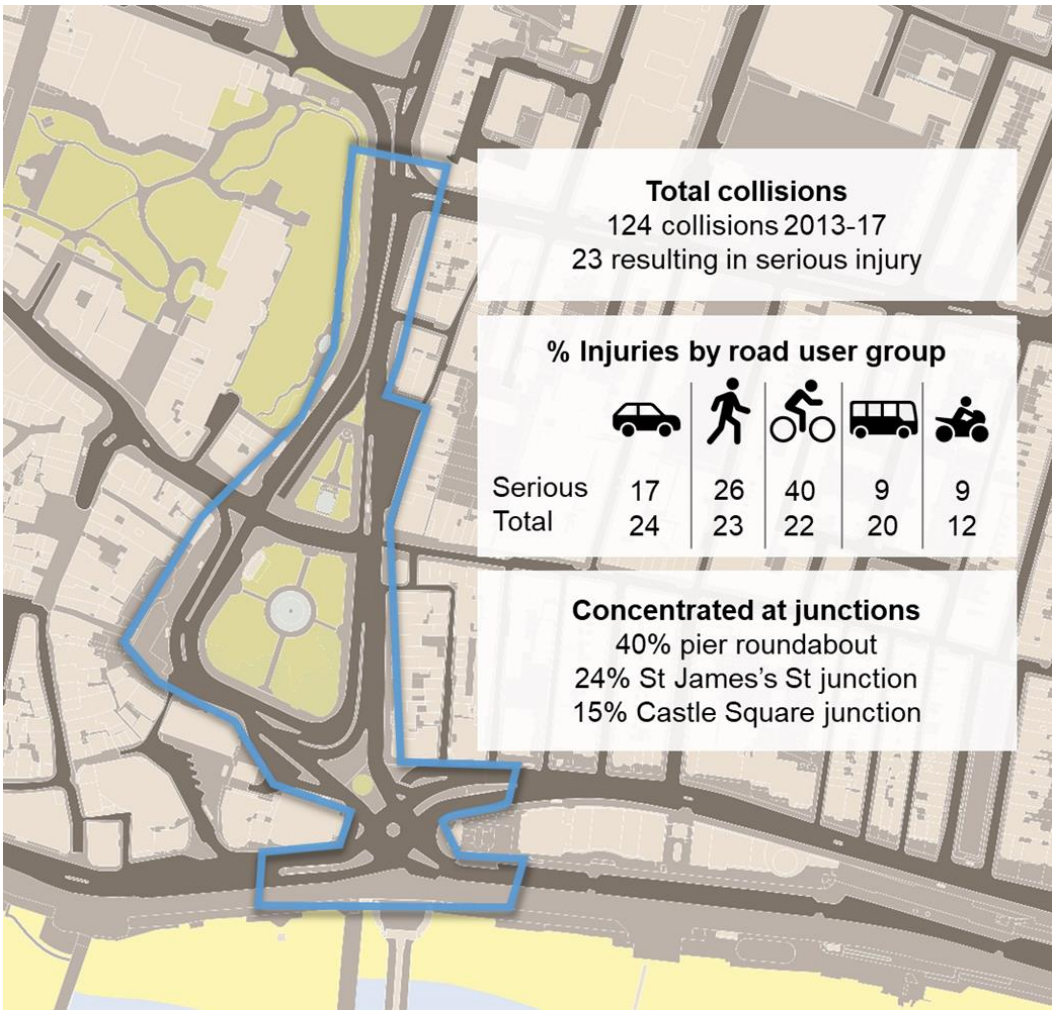
Figure 7: Lack of direct crossing opportunities from St James's St to Steine Gardens



- **High levels of congestion and collisions**
  As a primary access point to the Brighton seafront, the route suffers high levels of congestion. This congestion further impacts upon visitors' perception of the area and is likely to have a negative impact on the popular impression of the city to many visitors.

  In addition, Valley Gardens has experienced a large number of collisions, many resulting in serious casualties. Collision data also indicate the higher risk for vulnerable road user groups, particularly at the A23/A259 junction, as shown in Figure 8.

Figure 8: Summary of collisions in the Phase 3 area between 2013 to 2017



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- **Poor quality public realm and placemaking**
  The location of the Steine and the pier roundabout mean that the area could be a central hub for the city, linking together major areas in the east such as St James's Street and the hotels, bars and visitor attractions along Marine Parade and Madeira Drive to the key areas to the west of Valley Gardens, such as the city's Cultural Quarter and shopping areas including the Lanes, North Laine and Churchill Square shopping centre. Rather than complementing and enhancing the area's architecture and existing attractions, however, the current road layout and cluttered street furniture in the southern section of Valley Gardens fail to impress and instead provide a somewhat underwhelming first impression of Brighton's seafront and tourist attractions to visitors arriving in the city.

  The area is restrained by its dysfunctional placemaking that limits the movement of both vehicles and pedestrians in the Valley Gardens area, reducing access by visitors to areas either side of the A23 as well as increasing congestion. Whilst the Old Steine does play host to some of Brighton's events – such as the Brighton Festival and Fringe events held in May each year – there is greater potential for this green public space to become an attractive and easily accessible destination for the city's residents and visitors alike.

  Despite the central location and historic architecture, Valley Gardens has also become a hotspot for both real and perceived crime and anti-social behaviour, particularly relating to drug dealing. This also tarnishes the view of the city to visitors and demonstrates the scale of the underutilisation of this major thoroughfare that has great potential to be transformed into a vibrant and successful civic space.



Figure 9: Brighton Festival 2018. Public spaces need to be flexible in order to host events. Steine Gardens is better used than green spaces to north but remains detached from adjacent areas.

- **Constrained economic performance and land values**
  Ultimately, the dominance of vehicular traffic, inefficient road layouts and poor quality public realm are imposing limitations on pedestrian and cyclist movement which are, in turn, limiting the amount of time people spend in the area. The impact of this for local businesses, particularly within the visitor economy which relies heavily on visitor footfall, is that businesses are missing out on potential revenue.

  The area's reduced accessibility and dominance of vehicular traffic has resulted in an undervaluation of the land in the Valley Gardens area. Whilst the Phase 3 section of Valley Gardens is predominately bounded by commercial uses, there is relatively little active frontage, with this confined mainly to the corners of the junctions with Castle Square and St James's Street. Furthermore, whilst Valley Gardens is a conservation area, with a large proportion of historic buildings, some of its historic buildings have lower standards of maintenance and there is an opportunity to attract higher value uses.

The Solution – what the scheme comprises

The solution to this challenge is to redevelop the public realm and road layout along Valley Gardens to enhance traffic flows, enable frictionless pedestrian movement across Valley Gardens and enhance the streetscape to make the area more attractive as well as more effective. Figure 10 presents the proposed new layout alongside the current layout.

A simplified road layout will encourage pedestrians and cyclists to use the space and enable the barrier-free access between the eastern and western sides of Valley Gardens, whilst still maintaining vehicle access. Continuing the approach adopted in the northern Phase 1-2 section of Valley Gardens, all general traffic will travel along two northbound and southbound lanes on the eastern side of Steine Gardens, separated by central median; bus routes will encircle Steine Gardens (Figures 11 to 13). A new two-way, segregated cycle lane will also stretch from the Royal Albion Hotel along the eastern side Steine Gardens. The proportion of land designated for pedestrian use will increase from 45% of the scheme area to 64% of scheme area[10].

Together these improvements will re-establish the pedestrian link between Kemptown and the city centre, enabling movement between the two areas and encouraging visitors to move around the city, thereby spreading the benefits of the successful visitor economy, particularly to Valley Gardens itself where there are few bars, cafes or restaurants, unlike much of the rest of the city. The increased footfall will enable the regeneration and continued development of Valley Gardens. The more visitors that can access an area, the more viable sites become for use as public-facing businesses such as those in the visitor economy.

[10] % figures refer to the proportion of land allocated to pedestrian footway, new public space and greenspace.

Figure 10: The current road layout is shown on the left-hand image. The proposed new layout (right) relocates all traffic to the east of the gardens within a dual carriageway layout, except for a northbound loop for buses to the south-west of Steine Gardens. The current pier roundabout at the A23/259 junction will be replaced by a signalised junction. A continuous cycle lane will link the facility planned as part of Phase 1-2 with the seafront. More direct pedestrian crossings will also be provided at the seafront, better serving desire lines and catering for high pedestrian demand. Pedestrian crossings will be introduced on all arms of the junction of Old Steine and St James's Street.



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In addition to the increased pedestrian flows that will enable the redevelopment of the area by attracting businesses to Valley Gardens, the public realm elements of the scheme will enhance the perception of the area. Valley Gardens has the potential to become a major area for visitors to congregate and to develop into a major destination in its own right, making use of the heritage of the area and its central location. The public realm enhancements, particularly the creation of new public spaces in front of the Royal Pavilion Estate and Royal Albion Hotel and the removal of barriers and the cluttered street furniture, will enable a better use of the space for businesses, public events and movement between the eastern and western sides of the city (Figures 14 and 15).

Figures 11 to 13: Preferred Option - Traffic directions. Figure 11 (left) shows the proposed traffic routes and directions for general traffic (dark blue) and buses (red). Figures 12 and 13 (right) show the two northbound and southbound lanes and the central median on eastern side of Steine Gardens from the redesigned A23/259 junction.







Source: Mott MacDonald. Mapping © Crown copyright and database rights (2018) OS (100020999)

Figures 14 and 15: Improvements to the public realm, which include an increase in the amount of public space and widened footways, will increase the opportunity for events and other community activities to be held in Steine Gardens and complement the area's important historical landmarks. Figure 14 (left) shows the new area of public space to be created to the south-east of the Royal Pavilion Estate[11]. Figure 15 (right) shows a bird's-eye view of the re-designed public space and pedestrian footway in front of the pier.



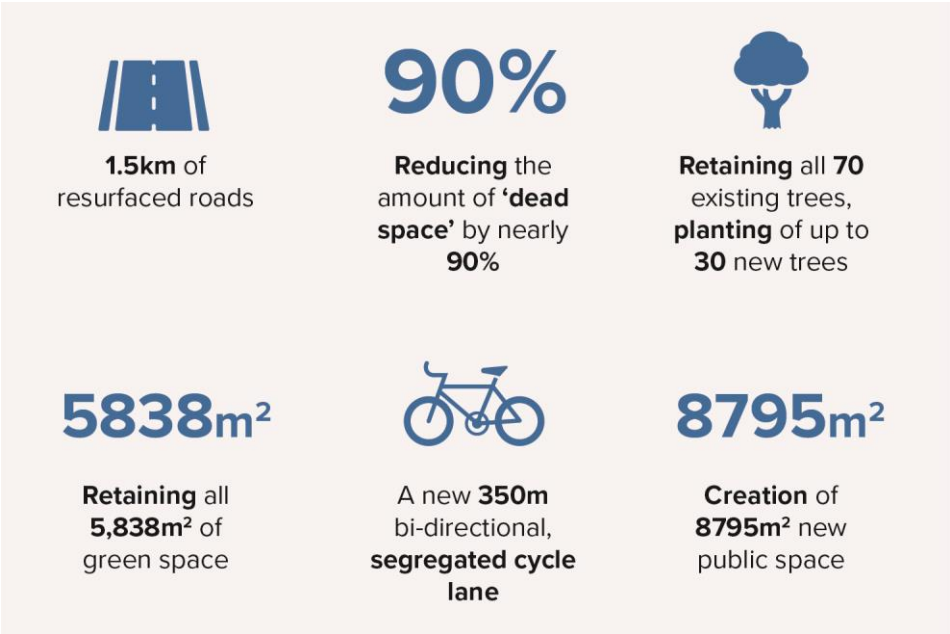


Source: Mott MacDonald.

Figure 15 summarises and quantifies the scheme's improvements to pedestrian, cycling, vehicular, public transport infrastructure and public realm enhancements.

[11] Figure 14 shows re-purposed existing listed bus shelters being uses for retail / catering, creating a potential future revenue source for the council. The re-purposing of the bus shelters is not included within the scope or costings for the Valley Gardens Phase 3 scheme, and would be subject to a separate study and funding and planning applications.

Figure 15: Valley Gardens Phase 3 enhancements



Benefits of the Valley Gardens Phase 3 scheme for Brighton and Hove

This scheme has the potential to deliver a lasting impact on the Valley Gardens area and wider city. A summary of the key user-benefits for residents and visitors of the Valley Gardens Phase 3 proposals, as well as the more tangible economic benefits (which are further presented in Section 3 of this Business Case) include:

- Improved north-south and east-west connectivity for pedestrians, thanks to widened footways and more direct crossings at the seafront which better service desire lines
- Improved north-south connectivity for cyclists, with a continuous cycle lane linking the seafront with the facility already planned as part of Phase 1-2
- Combined walking and cycling (active travel) benefits valued at £1.495m over 20 years
- Smoother flows for bus traffic, removing the current bottleneck to the east of the war memorial and with a more efficient distribution of bus stops
- Improved road safety, with anticipated collision and accident reduction benefits valued at £11.001m over 20 years
- Enhancement of a central civic space at the Old Steine and Steine Gardens, easily accessible to all users
- The creation of new and extended public spaces, particularly to the south-east of the Royal Pavilion, and improved public realm valued at £1.893m over 20 years
- Increased opportunity for community, charity and commercial events in the scheme area, providing the council with additional income from hiring out event space, valued at £0.1m over 20 years
- An anticipated £4.295m increase in land values in the area immediately surrounding the Phase 3 scheme
- Provision of high quality public realm and transport infrastructure supporting further growth in Brighton and Hove's important Knowledge Intensive Business Services (KIBS) sector, with an estimated value of £6.168m over ten years.

Why public funding is required – the impact of not delivering the scheme

Without funding, it is highly unlikely that this scheme will be progressed. No alternative sources of funding have been identified that would enable the full scheme to be implemented with city-wide impact. Valley Gardens is currently constrained by dysfunctional placemaking and a poor-quality road layout that constrains the economic performance of the area and risks damaging the view of Brighton held by visitors who are so important to the local economy. Failure to address this poor road layout and unwelcoming public realm could limit the future growth potential of the areas surrounding the scheme, particularly of the Kemptown area to the east of Valley Gardens which has fewer key attractions than the area to the west of the road.

Furthermore, as Phase 3 forms only a segment of a larger north-south corridor, if the project fails to secure funding from the LEP this could undermine the potential impact of Phases 1-2, for which the C2C LEP has already committed a significant £8million investment and construction commenced in September 2018. The successful delivery of Phase 3 is vital to securing the success of the entire Valley Gardens corridor.

Contribution to the Coast to Capital SEP and other relevant policies

This project shows strong strategic alignment with a number of the C2C LEP's and BHCC's major policies.

The C2C LEP's SEP, launched in July 2018, sets out eight key economic priorities which comprise its programme for growth. Valley Gardens Phase 3 directly supports Priority 1 of the SEP, to deliver prosperous urban centres. In particular, the Phase 3 scheme supports the following ambitions set out under Priority One in the plan, which include:

- The delivery of high-quality, locally-distinctive mixed-use schemes based on good urban design
- Places for people that encourage social interaction and mixed communities
- Places connected by highly sustainable transport links with a low carbon footprint and low land usage that allow for more efficient movement of people and goods within and between local areas
- Rejuvenated local economies that add vitality and commerce to neighbourhoods, towns and cities, and make high quality landscape, recreation, heritage and culture more accessible.

City Plan Part One

BHCC's City Plan (Part One) aligns to the LEP's ambitions for delivering prosperous urban centres and reflects the importance the council places on protecting and enhancing the city's unique built and natural environment whilst ensuring needed homes and jobs are provided, along with the right infrastructure and community facilities to support the city's residents, businesses and visitors. Valley Gardens is identified as Policy Special Area 3 in the City Plan and the council is committed to working with public and private sector partners to deliver regeneration and to enhance Valley Gardens, in line with the specific aims it has identified, these are:

- To create a vibrant and attractive new public park for the city centre
    - To reduce the severance impact of traffic on the enjoyment of the public realm through environmental and transport improvements
    - To create safe and legible links with adjoining areas
    - To enhance the appearance and setting of historic buildings
    - To find appropriate new uses for key buildings
    - To accommodate provision for high quality outdoor events
    - To enhance the biodiversity of the area.

These do not distinguish between Phase 1-2; although further specific priorities are made in relation to the Old Steine as follows:

- Emphasise its role as a visitor destination space
- Enhance the arrival and departure experience for visitors by ensuring simple, safe and comprehensible links to and from the seafront and the Lanes
- Ease the movement of pedestrians and cyclists through recapturing road space and creating direct crossing points, particularly to reconnect St James's Street with the city centre.

Other City Plan policies of particular relevance are SA1 (Seafront) and CP9 (Sustainable Transport). SA1 includes a commitment to improve pedestrian and cycle connections to and along the seafront, as well as to support the regeneration of Madeira Drive and safeguard its role as a key events space. CP9 aims to provide an integrated, safe and sustainable transport system that will accommodate new development, improve accessibility and support the city's role as a regional centre for employment, shopping, tourism and services.

City Plan Part Two

The second part of the City Plan was released by BHCC in draft for consultation in July 2018. This set out the detailed development management policies for the city to support the strategic City Plan Part One. It also identifies and allocates additional development sites. Relevant policies of this emerging

strategy to Valley Gardens are as follows:

- DM 32 (Royal Pavilion) which seeks to provide a more legible and coherent perimeter treatment, enhance entrances and the 'sense of arrival', improve pedestrian circulation through the estate, enhance key views into and across the estate, improve security and design out anti-social behaviour
- DM 33 which supports LTP objectives to provide safe and sustainable transport;
- DM 34 outlining the conditions in which purpose built-interchanges including park and ride and coach parking will be supported
- DM 27 (Listed Buildings) and DM28 (Locally Listed Heritage Assets).

Local Transport Plan 4 (LTP4)
In relation to BHCC's current transport strategy (LTP4), the Valley Gardens Phase 3 scheme also supports a number of its strategic objectives, including to:

- Ensure that transport contributes to sustainable economic growth
- Reduce transport emissions
- Create safe and welcoming streets
- Create attractive spaces that enhance quality of life and regenerate the city
- Create an accessible and inclusive transport system
- Encourage healthy and active travel choices.

The Valley Gardens project is one of the key projects outlined in LTP4 with specific aspirations being to open up the public spaces; to improve routes for all users, including between the Royal Pavilion and seafront; to enhance the public realm; and to improve safety.

Other BHCC Strategies
The **Public Space Public Life Study** and the **LR2 Study** show how Valley Gardens could be developed into a grand civic route into the city and propose the creation of an attractive and inviting 'Green Lung' that would provide environmental benefits to the city through the use of green infrastructure. The **Public Space Public Life Study** proposes the development of the area into a 'Gateway' for the city that is attractive and welcoming and built around the principles of sustainable and environmentally-friendly design. These proposals include the planting of 10,000 trees, the creation of walking and cycling networks, the improvement of connections between districts of the city and the relocation of city centre parking.

The Valley Gardens scheme has the potential to create links with specific identity and character, could become the grand route into the city, reflecting the importance of this historic valley and its connection to the water. On a smaller scale, the east-west route could incorporate several green elements and begin to attract more joggers, cyclists and general recreation.

2.2) Investment Objectives- detail the specific objectives to achieve the anticipated outcomes.

The Valley Gardens Phase 3 scheme design options have been assessed against policies in the City Plan Part One, in particular Policy SA3 Valley Gardens that includes seven overall aims for the corridor. SA3 also sets out specific priorities for improvements to the Old Steine.

It is important that the Phase 3 scheme provides a solution which is coherent with and complements the highway design and public realm improvements that are now under construction as part of Valley Gardens Phases 1-2.

The specific design objectives for Phase 3 are set out below.

Design Objective 1: To improve the quality of the pedestrian experience	A. Improve north-south connections
	B. Improve east-west connections
	C. Maximise pedestrian capacity
	D. Improve connections to green space
	E. Improve connections to the Lanes
Design Objective 2: To improve the quality of the cycling experience	A. Provide a continuous north-south connection
	B. Improve east-west connections
	C. Provision of segregated cycle infrastructure

	D. Improve cycle crossing to seafront cycle route
	E. Opportunities for cycle parking / cycle hire facilities
Design Objective 3: To improve the experience for public transport users	A. Maintain or improve bus journey times
	B. Provide sufficient us stop capacity in appropriate locations
	C. Provide sufficient bus stand / layover capacity
	D. Provide facilities for private coaches
	E. Provide sufficient taxi ranks in appropriate locations
Design Objective 4: To reduce the impact of vehicle congestion	A. Improve north – south general traffic journey times
	B. Improve east – west general traffic journey times
	C. Improve driver legibility / simplify layout
	D. Retain current vehicle movement options
	E. Achieve 'smoother' flow of traffic
Design Objective 5: To improve the public realm	A. Create space for new public realm
	B. Provide connectivity between green / public spaces
	C. Improve setting of and links to the Royal Pavilion
	D. Improve setting of historic buildings on Old Steine
	E. Retain and enhance quality / capacity of event spaces
Design Objective 6: To improve road safety	A. Reduce occurrence and severity of vehicle / P2W collisions
	B. Reduce occurrence and severity of pedestrian collisions
	C. Reduce occurrence and severity of cyclist collisions
	D. Maintain appropriate vehicle speeds by design
	E. Improve perception of safety for all road users
Design Objective 7: To enhance the environment	A. Improve air quality
	B. Reduce noise
	C. Retain mature trees
	D. Contribute to biodiversity
	E. Create space for additional tree planning / landscaping
Design Objective 8: To provide inclusive and accessible space	A. Improve access for mobility impaired users
	B. Improve access for visually impaired users
	C. Provision of wider unobstructed footways
	D. Provide / maintain access to essential services
	E. Provide opportunities for resting / seating

Timescales for the construction of the scheme are set out in Section 5 below.

2.3) Stakeholder Engagement carried out.

A Consultation and Engagement Plan and Stakeholder Management Plan were produced in May /June 2018.

The plans set out a two-stage approach to public consultation:

- Stage 1 (May-June 2018): Initial consultation to understand user issues and thoughts on the scheme area.

- Stage 2 (October-November 2018): 6-week formal consultation on single preferred option.

The following engagement strategies have been employed:

- Online questionnaires on BHCC consultation portal
- Staffed exhibition events
- Hard copies of survey to be made available at events or on request
- Consultation period advertised via social media and council press release
- Posters displayed in public areas including car parks and public transport
- Drive time slot on local radio

In addition to public consultation, there has also been engagement with internal and external stakeholders during the design process. Internal consultation has included lead Members and ward councillors, and officers from a range of the council's service areas. Externally, the Connected City's Transport Partnership has been, and will continue to be, engaged as will user groups and business representatives.

2.4) List the key stakeholders and their interest areas.

Key internal and external stakeholders and stakeholder groups engaged during the design process include:

Stakeholder Group	Interest areas
Department for Transport	• Adherence to regulations • Impact on neighbouring projects
Internal council stakeholders, including officers from City Parks, City Clean, Events, Visit Brighton, Planning / Conservation, the Seafront Office, Museums and Community Safety and transport officers.	Various, including: • That the project can be implemented and links coherently with Phases 1-2 • Provision of high-quality bus infrastructure and bus priority • Protection and maintenance of seafront structures • That designs contribute to managing congestion • Design and operation of on-street parking • Road safety • Management of the seafront • Historic buildings and their setting • Management of parks and green spaces • Compliance with Equality Act • Access for public refuse collection and street cleaning • Increasing visitors and achieving high visitor satisfaction • Improving the setting of the Royal Pavilion Estate and managing its security • Events can continue to operate and improve facilities for enhancing events • Crime reduction
Connected City Transport Partnership	• Forum for discussion and comment on scheme proposals as they emerge
Public transport operators, including Brighton & Hove Bus Company, Big Lemon Compass Bus, Metro Bus and Stagecoach	• Services can run through the scheme area without an adverse impact on current journey times and that sufficient bus stop and bus stand provision is retained
Coach operators, including National Express and operators of visitor coaches	• Services can run through the scheme area without an adverse impact on current journey times • Access to coach station is retained and/or sufficient coach stand capacity is incorporated into designs • Adequate capacity for coach parking is provided across the city and for drop-off in the city centre/ on the seafront
Bike share operator, Hourbike	• Existing hub capacity is retained and ideally extended

Taxi service providers	• Journey times for taxis are not negatively impacted • That adequate taxi rank capacity is provided
Transport user groups	Various, including: • Bus journey times are improved and bus stop facilities upgraded with better routes to them • Provision of high quality cycle routes and addressing missing links • Maintenance of seafront cycle facility during events and congested periods • Designs provide a safer environment for powered two wheelers • Designs improve traffic flow and reduce congestion • That the designs cater for the needs of disabled people and provide improvements on the existing layout • That the scheme accommodates the needs of all users
Residents' groups	• Various with full engagement through the public consultations
Local conservation groups	• The setting of historic buildings is preserved
Emergency services, including Sussex Police, East Sussex Fire and Rescue, Sussex East Coast Ambulance Service	• Continued access for vehicles and maintenance of response times • Community safety
Businesses and Business Groups, including Business Forum, Brighton & Hove Economic Partnership, Brighton & Hove Tourism Alliance, Brighton Pier, Sealife Centre, Events organisers, other local businesses	Various, including: • Scheme helps to encourage additional visitors and supports businesses in the scheme and adjoining areas • Access to frontages and private parking is maintained • Public realm better accommodates visitors • Events can continue as present
Schools, including Carlton Hill Primary School and Middle Street Primary School	• School and parents interested in safer routes to school
National bodies including Historic England and Environment Agency	• The setting of historic buildings is improved • The scheme does not increase vulnerability of the area to flooding
Utility companies	• Maintenance of existing infrastructure and ease of access to this within a future scheme

2.5) What are the strategic issues, risks and constraints that may impact successful delivery of the project?

The seamless integration of the Phase 3 design with the Phase 1-2 scheme is essential to ensure the successful delivery of the project. Detailed designs have been approved for Phase 1-2 with construction having commenced in late summer 2018. The general design principle for Phase 1-2 is to remove the current gyratory system and relocate two-way through traffic to the east side of the gardens. Buses and local access traffic will use the west of the gardens.

The preferred option for Phase 3 has been designed to connect coherently with Phase 1-2, although there may be scope for minor amendments to the southernmost section of the latter during the Phase 3 detailed design stage. Construction of the southern section of the Phase 1-2 area will be last part to be completed. Any delays to the Phase 1-2 programme, could impact on the delivery schedule for the construction of Phase 3.

The Edward Street junction was the subject of a recent redesign and is not formally included in either phase; however, the Phase 3 design process includes this junction to ensure that a coherent link is

provided.

The proposed Phase 3 project will be designed and constructed within the existing highway boundary and within land owned by the council. The council's Planning team is being consulted to determine if planning applications are required. A Design & Access Statement is being produced to meet any planning permission requirements should they arise during the next stage of the project/ through the feasibility study/reporting. The risk posed by failing to secure the necessary permissions and planning consents could cause significant delay to the delivery of the project.

2.6) Project Dependencies

As set out above, the Valley Gardens Phase 3 project is intrinsically connected to Valley Gardens Phases 1-2. The anticipated outcomes for Valley Gardens Phases 1-2 are significantly predicted on the delivery of a coherent Phase 3 scheme to realise the forecast benefits-costs ratio and transport outcomes.

In addition to the Phases 1-2 scheme, other major projects that the Phase 3 project would influence and be affected by are the Waterfront Project and Madeira Drive regeneration.

The Waterfront Project aims to construct a new exhibition venue at Black Rock, to be part funded by the sale and redevelopment of the Brighton Centre and Kingswest complex. This requires an integrated transport strategy to connect the new arena to the city centre and train station with access being via the Valley Gardens Phase 3 scheme area.

Madeira Drive is subject to a number of current and planned projects which aim to restore the historic Madeira Terraces and attract new uses to vacant sites. The regeneration of the Madeira Terraces is currently largely unfunded; however, the wider regeneration of Madeira Drive will be an important consideration in determining future access arrangements as part of the Valley Gardens project.

The Royal Brighton Pavilion Estate which flanks the scheme is also undergoing redevelopment, which includes the restoration of the Royal Pavilion and improvements to the Royal Pavilion Garden. The redevelopment will also see further development of the Brighton Museum and Art Gallery.

2.7) Project disruption

The Valley Gardens A23 corridor is a major north/south route through the centre of Brighton. The Phase 3 area is bounded by two of Brighton's major visitor attractions, the Brighton Palace Pier and Royal Pavilion, and many other residential, business and university premises. Whilst some disturbance and inconvenience to residents, business and visitors is inevitable during the improvement works, the following measures will be deployed to minimise disruption:

- **Staged-delivery and scheduling:** In line with the approach adopted for the construction of Phase 1-2 of the Valley Gardens scheme, the improvement works for Phase 3 will be undertaken in stages to allow for the continued use of the area by vehicular traffic (including emergency services), cyclists, and pedestrians during construction.

- **Temporary traffic management:** Temporary traffic management will be required during the improvement works to divert and manage the flow of traffic around the work area and create a safe working environment for contractors. This may include temporary road closures and relocation of bus stops, leading to short periods of reduced capacity and increased journey times for users. To minimise disruption for users, BHCC will look to schedule any temporary closures outside of peak periods.

- **Communication:** Dates for the improvement works and any road closures will be communicated to residents, businesses, schools and visitors via a monthly newsletter, to be produced by the appointed contractor. Key stakeholders, such as public transport operators, local businesses and emergency services, will be engaged with directly.

- **Access to premises:** Access to all visitor attractions, other commercial and business premises

and residential properties will be maintained throughout the duration of improvement works. Maintenance of access to public spaces for events will also be critical and such events will be considered in the scheduling and delivery of construction works. Some events may need to be temporarily relocated during construction works.

3. The Economic Case

3.1) Please describe the options that have been considered in selecting the project proposal, completing both box 1 and 2.

Box 1:

Option Name:	Description:	Total cost:	Amount requested:	Core outputs (see 1.6)
Do nothing, minimum or status quo	No new significant investment in the southerly section of Valley Gardens. Improvements to the Valley Gardens corridor finish at the terminus of the Phase 1-2 scheme area.	None	None	N/A
Proposed option	**Option 1: All traffic on the east.** The proposed option simplifies the traffic layout by relocating all traffic to the east of the gardens within a dual carriageway layout, apart from a northbound loop for buses to the south-west of Steine Gardens. The proposed option creates a significant additional area of public space to the south-east of the Royal Pavilion with the aim of improving pedestrian movement, creating alternative spaces for events and improving the setting of the Royal Pavilion. The current pier roundabout at the A23/259 junction will be replaced by a signalised junction.	£7.840million (excl. VAT)	£6million	Delivers 1.5km of resurfaced roads and a new 0.35km bi-directional, segregated cycle track. Enables improvements in road safety, with an estimated £11.001m accident reduction benefits. Public realm enhancements valued at £1.893m. Enables an estimated £4.295 increase in local land values. Support growth of KIBS sector, valued at £6.168m.
Alternative options:	**Option 2: Informal roundabouts.** Option 2 removes all conventional traffic signals and replaces these with informal roundabouts in a similar fashion to either Poynton in Cheshire or Frideswide Square in Oxford. NB: Option 2 is not considered to be a viable option because of the likely impacts on traffic	£6.943million (excl. VAT)	£6million	1.8km of resurfaced roads and 0.35km cycle track. Anticipated accident reduction benefits of £18.134m. Public realm enhancements valued at £1.297m. Support growth of KIBS

	congestion and possible accessibility issues (further explanation is provided in Box 2 below).			sector, valued at £6.168m.
	Option 3: Buses on west with signalised junction. Option 3 relocates buses to the western side of the corridor, although southbound buses from North Street would continue to use St James's Street and the eastern side of the Old Steine.	£7.881million (excl. VAT)	£6million	1.8km of resurfaced roads and 0.35km cycle track. Anticipated accident reduction benefits of £10.812m. Public realm enhancements valued at £1.362m. Support growth of KIBS sector, valued at £6.168m.
	Option 4: Buses on west with retention of roundabout on seafront. Option 4 is similar to Option 3, although it retains the roundabout junction at the Palace Pier where the A23 joins the A259.	£8.028million (excl. VAT)	£6million	1.8km of resurfaced roads and 0.35km cycle track. Anticipated accident reduction benefits of £11.424. Public realm enhancements valued at £1.326m. Support growth of KIBS sector, valued at £6.168m.

Box 2:

Option Name:	**Advantages:**	**Disadvantages:**
Do nothing, minimum or status quo	No immediate funding required.	• Fails to address all issues around complex road layout and pedestrian and cyclist access. • Undermines the potential benefits of the Phase 1-2 scheme, for which funding has already been committed and construction commenced. • Fails to deliver the significant public space and urban realm benefits Option 1 will bring.
Proposed option	• Greatest economic benefits. • Greatest potential for increasing the number of community, charity and commercial events. • The most favourable option in terms of journey times for general traffic. • Considered to be the most	• Greater capital cost than option 2. • Accident benefits not as high as Options 2 and 4, however, the benefits are still expected to be substantial.

	accessible option because of the type of crossings proposed and the alignment of these. • Significant benefits for walking and cycling access within and across the Phase 3 area.	
Alternative options:	• Option 2 has a lower capital cost and shows the biggest reduction in the number of accidents. However, it is not considered to be viable for the reasons stated opposite.	• Lower economic benefits. • Options 3 and 4 have a greater capital cost and funding requirement. • All alternative options have a lesser increase in public space, with correspondingly lower monetary benefits. • Traffic modelling has indicated that Option 2 is not viable in traffic capacity terms, with introduction of single lanes expected to result in a 'gridlock' situation. • Option 2 does not provide formal traffic crossings. Whilst this can work in some locations, it is not considered appropriate to the volume of traffic and pedestrians in this location. There is also concern about how inclusive the design would be and its accessibility benefits compared to Option 1. • Option 2 is also not expected to generate the required public and stakeholder support and as such there are questions over its deliverability. • The creation or retention of signalised junctions in Options 3 and 4 provides added complexity. • Options 3 and 4 would allow a lower quality cycle lane to be provided to the north. This will reduce the associated benefits and lead to greater conflict with pedestrians.

3.2) The preferred option

The preferred option is to simplify the layout of the Phase 3 area and readdress the spatial balance between different modes and users by relocating all traffic to the east of the gardens within a dual carriageway layout, with the exception of a northbound loop for buses to the south-west of Steine Gardens.

A key feature of the preferred option is the increase in public space that it provides. The preferred option will see greatest increase in newly created public space, with a significant additional area to be created to the south-east of the Royal Pavilion with the aim of improving pedestrian movement, creating alternative spaces for events and improving the setting of the Royal Pavilion. Further enhancing the pedestrian environment and pedestrian access, the preferred option includes more direct pedestrian crossings to be provided at the seafront than options two to four, better serving desire lines and catering for the high pedestrian demand.

Whilst each of the shortlisted options allow for the introduction of a continuous cycle lane linking the facility planned as part of Phase 1-2 with the seafront, the preferred option also provides a new crossing for cyclists at the seafront to link with the new north-south facility. The preferred option also sees the removal of the signalised junction at North Street and Castle Square.

Overall, the preferred option has been assessed to have the most beneficial impact against the defined

design criteria for the scheme. Whilst Option 2 (which is based on the removal of all conventional traffic signals, replacing them with informal roundabouts in a similar fashion to either Poynton in Cheshire or Frideswide Square in Oxford) is estimated to deliver the greatest benefits in terms of accident reductions (valued at £18.134m over 20 years), traffic modelling for Option 2 resulted in a 'gridlock' situation, suggesting that the reduction in capacity arising from the introduction of single lanes associated with this option is not viable in capacity terms.

The preferred option also has the greatest potential of the four short-listed options to support economic growth for the Valley Gardens area and for the city more widely. A summary of the anticipated economic impacts for the Phase 3 preferred option are summarised below.

Benefit	**Economic impact over 20-year appraisal period (all £m, 2010 prices discounted to 2010)**
Accident reduction benefits	£11.001m
Active travel (walking and cycling) benefits	£1.495m
Land value uplift benefits	£4.295m (1)
Public realm benefits	£1.893m
KIBS sector benefits	£6.168m (2)
Journey time (dis)benefits	-£17.042m
TOTAL	**£7.811m**

If the preferred option is not successful, the following outcomes are anticipated:

- Ongoing AM peak time congestion and poor quality public realm, undermining the potential benefits of Phases 1 and 2. The anticipated outcomes for Valley Gardens Phases 1-2 are significantly predicted on the delivery of a coherent Phase 3 scheme to realise the forecast benefits-costs ratio and transport outcomes. The successful delivery of Phase 3 is vital to securing the success of the entire Valley Gardens corridor.
- 44% more accidents compared to if the scheme goes ahead[12].
- Nearly 6% of land will remain as 'dead space', not able to be used and locked up in traffic islands and fenced off areas.
- Continued dominance of vehicular traffic, to the detriment of cyclists and pedestrians.
- Constrained pedestrian and cyclist connectivity to the proposed exhibition venue at Black Rock, part of the Waterfront Project. The project requires an integrated transport strategy to connect the new arena to the city centre and train station with access being via the Valley Gardens Phase 3 scheme area.
- Land value uplift and public realm benefits estimated at over £6m will not be realised.

3.3) Issues with preferred option.

To select the preferred option, the Council has undertaken a sifting and appraisal exercise to assess each of the options against previously agreed design objectives. The preferred option (Option 1) is expected to offer the greatest all-round benefits and is the best performing in terms of journey times. Whilst it does not provide additional bus priority measures, it is largely consistent with the existing layout in terms of the length of dedicated bus lanes with the exception of the removal of the current segregated bus lane to the east of the war memorial. However, this removes a bottleneck in the current layout, as the segregated bus lane currently results in delays to buses queuing behind stopping services and contributes to a poor passenger environment.

The proposed option creates a significant additional area of public space to the south-east of the Royal Pavilion with the aim of improving pedestrian movement, creating alternative spaces for events and improving the setting of the Royal Pavilion. This area includes existing listed bus shelters, which hold the potential for being re-purposed for retail / catering uses, creating a potential future revenue source for the council (see Figure 14 in Section 2.1). It is important to note, however, that the re-purposing of the bus shelters is not included within the scope or costings for the preferred option and would be subject to a separate study and funding and planning applications.

[12] Based on COBALT analysis over a 60-year forecast period.

3.4) What are the top 5 risks of this option?

Section 1.6 above outlines the main risks and issues with the proposed project, which is based on this preferred option. Here we highlight the top 5 risks of this option. The 5 risks listed below are in addition to the fundamental risk that this Business Case fails to secure LGF funding. As no alternative funding source has been identified, failure to secure LGF funding is a very real risk to the project and could ultimately decide whether the project will go ahead.

Procurement challenges and securing best value
As further described in the Commercial Case in section 4, to secure best value there will be competitive tendering exercises via OJEU to procure the detailed design and construction works. However, BHCC's current Professional Services Framework Contract expired in September 2018. This framework had been used to procure the works for Valley Gardens Phases 1-2. To mitigate the risk that a replacement contract is not set up in time to procure the Phase 3 detailed design and construction works, the council has identified two alternative procurement routes. The first and preferred option is to use the Eastern Shires Purchasing Organisation (ESPO) Framework. The second route that has been identified is the Orbis Professional and Technical Services Framework.

Design risks, including alignment with other proposed transport schemes and developments in Brighton
As a key corridor in Brighton, the scheme must integrate with other schemes and developments in the city, both proposed and those already underway, and not least the Valley Gardens Phase 1-2 scheme. To minimise design risks, the preferred option will be subject to further design development which will include:

- Design of the proposed areas of public space to ensure these generate activity
- Further consideration of the integration of Phase 3 with Phase 1-2
- Refinement of cycle lane proposals to provide a facility which is as wide as possible and minimises conflict with pedestrians
- Confirmation of bus stop and bus stand locations; including any potential to use better use Pool Valley
- Further investigation of car parking requirements and breakdown between different user groups.

The cost estimate for the preferred option which is included in this Business Case also includes a risk allowance/contingency for design development risks, which equates to approximately 7.5% (£471,000) of the building works estimate.

Stakeholder engagement and support of proposed scheme
Linked to the design risks described above, several risks have been identified which centre around securing stakeholder and public buy-in to the preferred option. Mitigation to address weak stakeholder buy-in include:

- Design subject to two-stage public consultation
- Workshops and briefings with key stakeholders.

Enabling the ongoing use of the Phase 3 area for events
Valley Gardens plays host to some of Brighton's key events which are attended by residents and visitors alike. There is a risk, however, that some events may need to be temporarily relocated to outside of the Phase 3 area during construction works.

Mitigation to enable the continued use of the Phase 3 area for events include:

- Where possible, maintaining access to public spaces for events will be considered in the scheduling and delivery of construction works
- Designs include the creation of new public spaces and enhancement of existing public space which, post-construction, could host existing or additional events for the city.

Safety and security of new public spaces
One of the central benefits of the scheme is the creation of new public space and the enhancement of the existing green space at the Old Steine, to be easily accessible to all users. The scheme also aims to upgrade the quality of the public realm and improve pedestrian access along the rest of the Phase 3 area, which includes the removal of guard rails. The preferred option delivers the greatest increase in

public space out of the four shortlisted options. The creation of these new and more open spaces may heighten the potential risk for safety or terrorism incidents to occur.

Mitigation to the safety and security risks include:

- Attracting more people to the area may help increase the level of self-surveillance
- As part of the further design works detailed above, consideration will be given to the need for hostile vehicle mitigation to protect new areas of public space.

Please complete the boxes below, answering only those relevant for the theme of your project, referring to the guidance available. Please also complete the outputs tab of the supporting excel spreadsheet.

3.5) Economic impact

The proposal to simplify the road layout, create a new cycle route and improve the quality of the public realm in the southern section of the Valley Gardens area will yield strategic, social and economic benefits. Whilst these benefits have been assessed individually (as set out below), the benefits are interdependent and will not be realised without addressing the challenges described in section 2.1 of this Business Case. Below is a summary of the monetised benefits which are expected to result from the scheme. A supporting technical note is also included at Appendix A which outlines the methodologies and assumptions which underpin this assessment.

Benefit	Economic impact over 20-year appraisal period (all £m, 2010 prices discounted to 2010)
Accident reduction benefits	£11.001m
Active travel (walking and cycling) benefits	£1.495m
Land value uplift benefits	£4.295m (1)
Public realm benefits	£1.893m
KIBS sector benefits	£6.168m (2)
Journey time (dis)benefits	-£17.042m
TOTAL	**£7.811m**

(1) *Land value uplift is taken as a single one-time uplift in land values.*

(2) *Given the uncertainty in long-term economic forecasting, the forecast period for KIBS benefits in the economic case for Valley Gardens Phase 3 is 10 years (rather than the 20-year period used for other impacts).*

Public realm benefits

The scheme will deliver an increase in public space, helping Valley Gardens to reach its potential as a central hub of city-life and Brighton's growing visitor economy. The benefits of the public realm enhancements have been monetised based on the Ministry of Housing, Communities and Local Government's (MHCLG (formerly DHLG)) guidance on the economic appraisal of regeneration projects, which suggests a willingness-to-pay figure of £1.80 for each household likely to benefit from the enhancements for each hectare of public realm delivered. The increase in, and enhancement to existing, public space will also increase the opportunity for holding commercial, community and charity events in the area, for example in front of the pier, to the south-east of the Royal Pavilion Estate and to the north of the Royal Albion Hotel. Hiring out public land for commercial and charity events will provide a revenue stream for the council.

Active travel benefits

The scheme will contribute to improved accessibility and help increase footfall, which is so important to local business and visitor attractions. The scheme's accessibility and layout improvements are expected to have major benefits for cyclists and pedestrians in particular, by addressing a "missing link" in the cycling network and helping to address severance created by existing traffic flows along Marine Parade and Grand Junction Road. To calculate the associated benefits in terms of cycling and walking interventions, the Department for Transport's Active Mode Appraisal Toolkit (AMAT) has been used.

Accident reduction benefits
The scheme is also anticipated to lead to significant safety improvements for the area, with an anticipated 44% reduction in the number of accidents over a 60-year period[13], as assessed using the DfT's COBALT (COst and Benefit to Accidents – Light Touch) program. As the COBALT software only offers a 60-year forecast period, for consistency with the other monetised impacts, a conversion factor was applied to show only the first 20 years of benefits from the COBALT assessment in the table above.

Land value uplift benefits
Ultimately, by creating a safer, more accessible and more welcoming environment, the targeted transport and public realm improvements are expected to enhance the attractiveness of the area, which is, in turn, anticipated to increase local land values by up to 8%. Assessment of land value uplift focussed on 53 sites identified around Valley Gardens, running from Edward Street in the north to the Aquarium roundabout in the south. This area covers the likely area of influence as this area is the focus of Phase 3 of the Valley Gardens scheme.

KIBS sector benefits
Through its improvements to transport infrastructure and the provision of high quality public realm, the Valley Gardens scheme overall, and Phase 3 specifically, is anticipated to positively support the growth of the Knowledge Intensive Business Services (KIBS) sector in Brighton and Hove.

KIBS represent one of the fastest growing areas of the European economy, and in the UK are driving growth and rebalancing towards the private sector. These services play an increasingly important role in the performance of client sectors and are often considered to be one of the hallmarks of a modern knowledge-based growth economy. Brighton and Hove has particular strengths relative to its size in KIBS sectors. For example, Centre for Cities analysis shows that the city had the highest percentage of private sector growth of any city in the UK in the period from 1999-2008 and HSBC analysis places Brighton & Hove as one of seven UK 'supercities' which will create new types of growth and development in the UK economy.

As the Valley Gardens Phases 1 and 2 Economic Case noted[14], increasing Brighton & Hove's KIBS sectors relies on creating local conditions that encourage private sector investment, such as a high skilled local labour market, proximity to other similar business, processes and networks, and provision of high quality public realm and transport infrastructure. The Valley Gardens scheme overall, and Phase 3 specifically, will help to address the latter factor and therefore it is appropriate to consider the potential contribution of the project to KIBS-related local economic growth.

Transport user / journey time (dis)benefits
As shown in the table above, the positive economic impacts resulting from the increase in public space, land value uplift, accident reductions and growth of the KIBS sector are partially offset by the scheme's transport user impacts, which reflect changes to vehicle journey times. The scheme's anticipated impact on journey times is dependent on the time of day; benefits are expected in the AM peak period when the current impact of congestion is highest. Overall, however, the preferred option reports a negative transport user benefit. The preferred option has the lower negative impact of the four short-listed designs. It is important to consider though that the assessment of the transport-user benefits likely understates the economic impact of the scheme as it does not monetise vehicle operating cost savings, carbon savings or indirect tax revenues resulting from the scheme. This is due to limitations of the outputs of the city centre PARAMICS traffic model which were used in the analysis of the transport user benefits, as further explained in Appendix A.

3.6) Environmental Impact

Enhancing the environment is one of the scheme's eight core design objectives. This includes aims to:

- Improve air quality
- Reduce noise
- Retain mature trees
- Contribute to biodiversity

[13] % reduction based on the number of accidents expected to be saved by the scheme compared to the number of accidents expected to occur without the intervention.
[14] WSP, *Valley Gardens, Brighton, Phases 1 and 2, Full economic case*, 19/06/2014

- Create space for additional tree planting / landscaping

In addition, by providing improved facilities for travel by sustainable modes including walking, cycling and public transport, the scheme will provide more options for travel by means other than private vehicle which in turn aims to manage the associated environmental impacts on the city centre.

The proposed Phase 3 scheme will deliver the following measurable environmental impacts:

- All 70 trees retained
- Up to 30 new trees planted
- Improving facilities for sustainable travel through the creation of a 350 metre north-south segregated cycle track, closing a major missing link in the network and barrier to cycling in the city.

3.7) Social Impact

In addition to its impact on local jobs creation (as set out under '3.5 economic impact' above), the scheme will also deliver social benefits through improvements to the public realm, which includes enhancing the Old Steine as a civic space and location for hosting public events and improving access for all users.

The scheme aims to provide an inclusive and accessible space through:

- Improved access for mobility impaired users
- Improved access for visually impaired users
- Providing connectivity between green / public spaces
- Providing wide unobstructed footways
- Providing / maintaining access to essential services
- Providing opportunities for resting and seating

The scheme also aims to improve community safety through reducing the frequency and severity of vehicle, pedestrian and cyclist collisions. It is anticipated that the scheme will deliver accident benefits worth £11.001m over 20 years. This is based on an anticipated 44% reduction in the number of accidents over 60 years, compared to if the scheme didn't go ahead.

3.8) The number of people and businesses positively impacted by the intervention?

The scheme will positively impact many groups of people living, working in and visiting Valley Gardens, as well as many businesses located within or close to the scheme area. This reflects the diverse stakeholder groups who have an interest in the scheme, as set out in section 2.4 of this Business Case.

Businesses that will be positively impacted by the Phase 3 scheme include those that run or are based around some of the city's most important tourist attractions, including the Royal Pavilion, Brighton Palace Pier, the Sealife Centre and the Royal Albion Hotel. Businesses with active frontages are particularly expected to benefit from the scheme due to the potential for increased footfall in the Phase 3 area. Improvements to the public realm, the widening of pedestrian footways and the introduction of pedestrian crossings that better serve desire lines will all enhance the pedestrian experience and help to make the Old Steine more of a destination for both visitors to the city and for residents.

The safety improvements and accident benefits which are anticipated to result from the intervention are arguably the most wide-reaching in their impact. Improving road safety will not only benefit residents, local schools and visitors to the area, but will also benefit people who are simply travelling through the Valley Gardens corridor or east-west across the A23/259 junction / Brighton Palace Pier roundabout.

3.9) Follow on Investment

N/A

3.10) Skills projects only- Impact on Skills Provision

N/A

3.11) Business and enterprise projects only- Impact on business growth

N/A

3.12) Infrastructure and Regeneration and Housing projects only- Physical and aesthetical impact- Does the project make a positive and lasting contribution to the physical, human and cultural environment?

N/A

3.13) If your project results in service and other improvements then please provide baseline data below.

N/A

Metric	Baseline		What the intervention will achieve	
	Figure	Year	Figure	By when

4. The Commercial Case

4.1) Please provide details of your envisaged procurement route.

In line with the approach adopted for Phases 1 and 2 of the Valley Gardens project, procurement will be split into four key stages: preliminary design, detailed technical design, construction and operations.

Stage 1: Concept Scheme / Preliminary Design
Preliminary design was led by Mott MacDonald, procured through Brighton & Hove City Council's Professional Transport Services Framework. Transport modelling was undertaken by Mott MacDonald as part of the design commission. The council does not have the resource, skills or necessary access to the transport model to undertake this work internally. The company appointed to undertake this specialist support was identified due to their expertise in their given field and evidence of previous experience. A competitive tender exercise was undertaken to appoint the preliminary design consultant, open to all suppliers under the relevant Lot of the council's Professional Transport Services Framework.

Stage 2: Detailed Design
Detailed design related to highways will also be subject to a competitive tender process. As BHCC's Professional Transport Services Framework expired in September 2018, it is currently envisaged that procurement for the detailed design of the scheme will be undertaken using the Eastern Shires Purchasing Organisation's (ESPO) Consultancy Services Framework, which commenced in 2017. It is envisaged that the work will be procured under Lot 5 'Highways, Transport and Logistics' of the ESPO Consultancy Services framework and open to a pre-selected list of consultants. The consultants and service providers listed under Lot 5 that will be eligible to bid for the work have been assessed by ESPO during their own procurement process for their financial stability, track record, experience and professional and technical ability. The Framework is compliant with UK/EU procurement legislation and is available to any public-sector body in the UK, including Local Authorities.

A second alternative procurement route for the detailed design works that has also been identified is the Orbis Professional and Technical Services Framework.

Technical design relating to soft landscaping will be tendered through a standalone procurement process

as required. This element of the work would be expected to fall below OJEU thresholds.

Procurement for this work stage is expected to commence in February 2019, with the work stage due to commence in Spring 2019.

Stage 3: Construction
As above, it is currently envisaged that highways work will be tendered using a suitable ESPO Framework. Procurement is scheduled to commence in Autumn 2019. The work stage will run from February 2020 until March 2021.

Stage 4: Operations
As per Phases 1 and 2, given the nature of the scheme, Brighton & Hove City Council will not need to procure an operational partner. Management and maintenance will be undertaken through existing channels and supported by local stakeholders.

4.2) Involvement of private development partners.

None.

4.3) Procurement plan and timescales.

Indicative timescales for the procurement of the remaining key stages are summarised below.

Stage 2: Detailed Design

- Publish OJEU notice and issue expression of interest (restricted): January / February 2019
- Issue tender documents: February 2019
- Appoint service provider: March/April 2019
- Work commences: May 2019

Stage 3: Construction

- Publish OJEU notice and issue expression of interest (restricted): August 2019
- Issue tender documents: October 2019
- Appoint contractor: February 2020

4.4) How will the project contribute towards social value?

The potential economic impact of this scheme has already been discussed in this submission. However, there is also a wider social value and this is presented here.

As outlined in Section 2.2, two of the key design objectives for the scheme are to improve the public realm and to provide an inclusive and accessible space. Currently, the two main public spaces in the scheme area are Steine Gardens and the area north of Brighton Pier. In addition, the eastern gardens of the Royal Pavilion adjoin the scheme area. Not only will the scheme enhance the quality and accessibility of these existing spaces, it will also create new and accessible open spaces and green spaces for the whole community to enjoy, for example to the south-east of the Royal Pavilion Estate and to the north of the Royal Albion Hotel. These spaces will provide more opportunity for hosting community events in the area. The scheme also aims to improve road safety, both real and perceived, which will benefit both visitors and residents.

Furthermore, BHCC will also take account of social value when procuring and commissioning the future detailed design and construction works, as per the council's Social Value Framework. Both tenders will be required to consider social value and have at least one relevant social value outcome included. In turn, suppliers will be scored on how they will measure and verify the social value proposals they offer as part of their tender submissions.

4.5) State Aid Compliance.

No state aid has been granted to this project.

No advantages have been offered to any service providers and the procurement process has not been distorted in any way.

5. The Financial Case

5.1) what is the estimated total project cost and the amount of LGF being applied for? Please complete the funding breakdown tab in the supporting excel spreadsheet.

Year	Total project cost	LGF
17/18	**£0.00**	**£0.00**
18/19	**£216,276.00**	**£0.00**
19/20	**£2,541,241.00**	**£2,000,000.00**
20/21	**£5,082,483.00**	**£4,000,000.00**
Total	**£7,840,000.00**	**£6,000,000.00**

Note: these figures are based on the latest available forecast estimates, based on 2018 pricing.

5.2) Please set out the project expenditure items – No rounding up please

Please state the date of this estimate - 01/10/2018

Projects costs (delete as appropriate)	Total cost (£)	LGF (£)	Match funding (£)
~~Land Acquisition~~	-	-	-
Planning and Feasibility studies	£230,000.00	£176,020.41	£53,979.59
~~Surveys~~	-	-	-
Construction, inc-materials, equipment and labour	£6,272,000.00	£4,800,000.00	£1,472,000.00
Fit out (inc. equipment and furnishings not included in construction)	-	-	-
Project management	£155,000.00	£118,622.45	£36,377.55
Consultancy	£70,000.00	£53,571.43	£16,428.57
Other *(Site supervision)*	£56,000.00	£42,857.14	£13,142.86
Other *(post-completion monitoring)*	£20,000.00	£15,306.12	£4,693.88
Other *(post-completion project management)*	£25,000.00	£19,132.65	£5,867.35
Other *(allowance for tender inflation)*	£203,000.00	£155,357.14	£47,642.86
Contingency* *(Construction risks)*	£338,000.00	£258,673.47	£79,326.53
Contingency* *(Design development risks)*	£471,000.00	£360,459.18	£110,540.82
Total Net Cost	**£7,840,000.00**	**£6,000,000.00**	**£1,840,000.00**
VAT	**Not applicable**	**Not applicable**	**Not applicable**
Total Gross Cost	**£7,840,000.00**	**£6,000,000.00**	**£1,840,000.00**

Please ensure the matched funding and LGF amount to the total costs and that the LGF requested does not exceed the percentage allowed for the type of project ie. 85% for transport and 50% for all other projects.

5.3) Net Present Value cash flow analysis.

Options	NPV
Do nothing, minimum or status quo	**£0**
Proposed option (Option 12)	**£1.202m**

Please detail your project assumptions and discount rate used-

- Present Value: 2010
- 2010 prices
- Discount rate: 3.5%

5.4) Value for money

Once the scheme is operational, the ongoing management and maintenance costs of the scheme area will be met through existing channels.

Following its completion in 2021, the preferred option for the scheme is expected to deliver economic benefits totalling (discounted to 2010 in 2010 prices) £7~~.811m~~,811,404 over a 20-year period. Against a 2010 present value cost (2010 prices) of £6~~.309m~~,608,603, this equates to a benefit:cost ratio of 1.2:1. The preferred option delivers the greatest net benefits of any option and is the only option to deliver a positive benefit:cost ratio.

A BCR of 1.2 means that the scheme is expected to deliver £1.20 of benefits for every £1 spent on the project. This rates in the 'low' value for money (VfM) category as set out by DfT. However, the BCR and associated value for money likely understate the economic benefit of the scheme. The transport user benefits assessment, for example, does not quantify the potential vehicle operating cost, air quality and noise benefits, as would be standard under a WebTAG approach. Similarly, the value of time has only been included for vehicles (as is standard practice) and understate the benefits to users of other modes. Equally, evidence from other projects that combine movement, place and regeneration objectives suggests that the place and regeneration impacts are relatively difficult to quantify except "ex post" and therefore the analysis undertaken for this project may under-score their relative benefits. Finally, Valley Gardens Phase 3 is part of a wider programme and the benefits of this part of the programme should be considered alongside the strong economic case for phases 1 and 2 of the programme.

5.5) VAT status

All cost and revenue figures in this document exclude tax. The council is able to reclaim VAT in full.

5.6) Financial Sustainability

Alongside the LGF funding that is being requested here, the council has provisionally allocated £1,840,000 to fund the capital costs of the project.

The scheme has been costed and will be delivered in distinct sections. Any cost over-runs will be identified and managed at an early opportunity.

Once the project is complete, the ongoing management and maintenance of the area will be undertaken through existing channels and supported by local stakeholders.

6. The Management Case

6.1) In which financial year do you expect your project to commence?	2019-2020
6.2) In which financial year do you expect your project to complete?	2020-2021

6.3) Please set out the key milestones related to the project

Milestone	Start date	Completion date
Completion of Options	April 2018	June 2018

identification and sifting (BHCC Stage 1)		
Completion of Options Appraisal and identification of the preferred option / and Outline Business Case	June 2018	October 2018
Completion of Preferred Option Feasibility Study	September/October 2018	January 2019
Detailed Design of the single option	March 2019	September 2019
Construction	February 2020	March 2021

6.4) Project management arrangements

Project Management
All aspects of day to day project management are currently overseen by:

Project Manager: Oliver Spratley (Principal Transport Planner), Transport Strategy & Policy

All aspects of the day to day Transport Capital Projects programme are managed through Andrew Renaut (Head of Transport Strategy & Policy) and David Parker (Head of Transport Projects).

Project Assurance
Emma Sheridan (Transport Business Development Manager)

The Project Manager will work within tolerances agreed by the Project Board.

Project Board
The Project Board will meet regularly (monthly or as needed) to support and advise the Project Manager in delivery of the project. Members of the Project Board include the Internal Project Client, representatives from areas most impacted by the project (Transport, Planning and Parks) and the project's Communications Manager/Officer.

6.5) Key project roles and responsibilities

Project Manager: Oliver Spratley (Principal Transport Planner), Transport Strategy & Policy

Transport Capital Projects programme managed through Andrew Renaut (Head of Transport Strategy & Policy) and David Parker (Head of Transport Projects).

Project Assurance: Emma Sheridan (Transport Business Development Manager)

Core Project Board membership comprises:
Internal Project Sponsor: Mark Prior (Head of Transport)
Transport Policy & Strategy: Andrew Renaut (Transport Strategy & Planning Manager)
Planning: (Planning Projects Manager)
Parks: Paul Campbell (City Parks Strategy) and Rob Walker (City Parks Operational Manager)
Communications: Julie Harris (Communications Manager) and Alex Voce (Communications Officer)

In addition, wherever appropriate invitations to attend Project Board meetings will be extended to:
Lead Member for Transport: Councillor Gill Mitchell
Senior Responsible Officer: Nick Hibberd Executive Director - Economy Environment & Culture

Where required, the Project Management Team will be supplemented by officers representing key areas of project governance:
Consultation: Jane Goodenough (Research Officer)
Procurement: James Breen (Category Manager)
Finance: Rob Allen (Principal Accountant)

Legal: Stephanie Stammers (Lawyer)

Support from other council officers will be sought where required.

6.6) Governance, oversight and accountability

Corporate Governance
The Project Manager and Internal Project Sponsor will report to the Senior Responsible Officer, who will in turn report project progress at a corporate level through the existing Executive Leadership Team Corporate Project Governance process.

The Executive Leadership Team (ELT) oversees the progress of the council's most significant infrastructure and service improvement projects. They receive a quarterly report (the Corporate Projects List) which is prepared by the Head of the Programme Management Office (PMO) and outlines the progress of each project and its RAG (red, amber, green) rating. ELT is chaired by the council's Chief Executive and attended by the Executive Directors, Section 151 Officer and Monitoring Officer. Two weeks after the ELT meeting, the Corporate Projects List is presented to the Member Oversight Group. This group is attended by the Chief Executive, Leader of the Council, the two Deputy Leaders and the Head of the PMO. Both groups raise queries and challenge the progress of the projects.

Formal Decision Making
Where required, Formal Decision Making will take place at Brighton & Hove City Council's Environment, Transport & Sustainability Committee. This Committee is responsible for the council's functions relating to parks and green spaces, Gypsies, Roma and Travellers, waste, coast protection, the seafront, highways management, traffic management and transport, parking and sustainability.

Between Committee Meetings the Project Manager will regularly update members of all parties on project progress through quarterly briefings.

6.7) Communications and stakeholder management

A Consultation and Engagement Plan and Stakeholder Management Plan for the Phase 3 scheme was produced in May 2018 and will be updated as the project progresses.

The plans set out a two-stage approach to public consultation:

- Stage 1 (May-June 2018): Initial consultation to understand user issues and thoughts on the scheme area
- Stage 2 (October- November 2018): 6-week formal consultation on single preferred option following Committee approval.

The following engagement strategies have been employed:

- Online questionnaires on BHCC consultation portal
- Staffed exhibition events
- Hard copies of survey made available at events or on request
- Consultation period advertised via social media and council press release
- Posters displayed in public areas and on public transport
- Drive time slot on local radio (Stage 2 only).

In addition to the general public consultation, engagement activities have been undertaken with specific stakeholders during the design process. A summary of key stakeholder groups is provided in Section 2.4 of this Business Case submission.

6.8) Benefits management

The scheme will be subject to post-implementation monitoring to assess the outcomes of the project and the realisation of the anticipated benefits.

A Benefits Realisation Plan will be produced to detail the expected benefits of the scheme, against which benefits realisation will be evaluated at defined points within the project lifecycle, to tie up with reporting to Council Committees, councillors and officers. Anticipated project outcomes and benefits include:

Outcome	Benefit
Safer road layout	Reduce personal injury road traffic accidents, including those resulting in serious injury
Direct and dedicated cycle infrastructure	Increase in cycling through the area
Better walking routes	Increased footfall to and from Steine Gardens and the Seafront attractions, the Lanes and St James's Street
Rationalised bus routing and improvement in bus infrastructure	More reliable bus journey times
Rationalised road layout	More reliable journey times
Increase the amount and quality of public space	Improved user perception and more people using the space
Increase in green space and smoother traffic flow	Contribute to better air quality

The benefits realisation plan and evaluation will help BHCC and other key stakeholders to understand the immediate impacts of the development and its performance with respect to stated objectives. The evaluation will also help BHCC to make appropriate decisions on related investment in the future, particularly for the wider Brighton Waterfront project.

Benefits will be evaluated one year after Phase 3 construction and landscaping works are completed.

6.9) Project evaluation

The purpose of an evaluation is to understand causal links between an intervention and wider change in an area including transport benefits and changes to socio-economic characteristics and human visitor behaviour.

Monitoring and evaluation has been integral to the assessment of public sector policy and project interventions in the UK for many years and the principles are well articulated in a number of key documents relating to appraisal and evaluation[15]. Techniques and approaches developed for monitoring and evaluation can be consistently used across discipline areas. A thorough baseline report and baseline statement is of critical importance in devising an effective monitoring and evaluation framework.

It is anticipated that the evaluation of Valley Gardens Phase 3 should follow a Theory of Change approach recognising causal links for change and reflecting the scheme's multiple and diverse stakeholders, as recommended in HM Treasury Magenta Book guidance and DfT guidance[16].

Items proposed to be included in the monitoring framework for Phase 3 include:

- Peak period general traffic journey times
- Bus journey times
- Air quality
- Collision data
- Pedestrian counts
- Cycle counts
- Vehicle volumes
- Traffic speeds
- User perceptions and the use of space

These monitoring criteria and their respective data sources are intended to reflect the anticipated outcomes and benefits detailed above and enable comprehensive monitoring of them. Post-implementation data will be collected during periods consistent with the original data source following a

[15] These documents include: HM Treasury Green Book, RDA Impact Evaluation Framework, 3Rs Guidance, Additionality Guide and WebTAG.

[16] HM Treasury, Magenta Book, 2011, https://www.gov.uk/government/publications/the-magenta-book; Tavistock Institute and AECOM, 2010, Guidance for transport impact evaluations, https://www.gov.uk/government/publications/transport-impact-evaluations-choosing-an-evaluation-approach-to-achieve-better-attribution

year of operation or at intervals to be agreed between the LEP and BHCC.

At this stage, we anticipate that the findings and conclusions of the project evaluation will be reported through two separate reports:

- A baseline report (setting out the baseline situation before construction commenced on Phase 3)
- One year after report (one year after Phase 3 construction and landscaping works are completed).

Recommendation/ Declaration	
Recommendation- please state clearly the recommended action this business case supports.	
Declaration:	**I certify that the information provided in this Business Case is complete and correct at the time of submission.**
Signature:	
Print Name:	
Title:	
Date:	

Before submitting your Business Case ensure you have all the required supporting documentation:

- **One electronic copy of the business case template, signed and dated**
- **Excel Spreadsheet (both tabs completed)**
- **Full risk register**
- **Any other Supporting documents and evidence required (e.g. letter of support from Area Partnership**
- **Written evidence to the satisfaction of the Coast to Capital Accountable Body from a practicing solicitor / Counsel that the project is compliant with the EU state aid rules.**
- **VAT external advice if applicable.**

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 43 Brighton & Hove City Council

Subject:		**Parking Schemes Update report**	
Date of Meeting:		**27th November 2018**	
Report of:		**Executive Director Environment, Economy & Culture.**	
Contact Officer:	**Name:**	**Catherine Dignan**	**Tel: 01273 292235**
	Email:	**catherine.dignan@brighton-hove.gov.uk**	
Ward(s) affected:		**All**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The purpose of this report is to update Committee on the progress of resident parking scheme consultations as well as various requests which have been received regarding parking schemes.

2. RECOMMENDATIONS:

2.1 That the Committee agrees to advertise a Traffic Regulation Order to propose that Zone U (St Luke's area) becomes integrated in the Zone C (Queens park area) resident parking scheme.

2.2 That the Committee approves the initial consultation areas as shown in Appendix B (Surrenden area) and Appendix C (South Portslade area).

2.3 That the Committee agrees to review the parking scheme priority timetable in light of all recent requests and to bring an update report to this Committee in 2019.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 At the Environment, Transport & Sustainability (ETS) Committee on 15th March 2016 the parking scheme priority timetable was agreed which would require officers commencing work on a number of proposed parking schemes throughout Brighton & Hove. A new resident parking scheme priority timetable was agreed at the ETS Committee on 10th October 2017 (Appendix A).

Area U

3.2 In terms of Zone U (St Luke's Area) the council received a petition from residents asking us to review parking to consider a full scheme for the area. As agreed within the parking scheme priority timetable an initial consultation review took place in Zone U (St Luke's area) in November 2016.

3.3 Full details were presented to the ETS Committee on 27th June 2017 which outlined that 138 (54%) of respondents support the idea of the scheme remaining

as light touch. 119 (46%) of respondents support the idea of changing to a full scheme. From the results it was clear there is a divide between the western side who would prefer to remain a light touch scheme (current hours are 10am-11am & 2pm-3pm) and the eastern side who would prefer to become a full scheme. Therefore, it was agreed at the Committee meeting on 27th June 2017 that a further report be presented to Committee following the implementation of the Hanover & Elm Grove and Craven Vale parking schemes to consider the way forward.

3.4 Due to the results it was proposed that residents in the Bakers Bottom Area were consulted on whether they would like to be an extension to a nearby full scheme (9am-8pm seven days), It was also proposed that the remaining residents are consulted on whether they would like to join the implemented nearby Zone S (Hanover & Elm Grove) and their different hours of restriction of 11am-12 Noon and 6pm-7pm (Monday to Friday).

3.5 It was agreed by the Environment, Transport & Sustainability Committee on 10th October 2017 that a further consultation would take place in the Zone U (St Luke's Area). Following this decision a number of correspondence was received from residents following the introduction of the Hanover & Elm Grove resident parking schemes. Therefore, following discussions with the Queens Park Ward Councillors it was agreed to give residents both options to allow more flexibility.

3.6 A consultation letter was sent out to all households in the Zone U (St Luke's area) in April 2018. The consultation was also advertised on the council's website, via social media and by a press-release to local media.

3.7 66.4% of respondents wanted to join a full touch scheme while 7.2% preferred to join a light touch scheme. 26.4% of respondents wanted to remain as they are. From these respondents 90.9% support joining the existing Zone C (Queens Park) residents parking scheme. It was clear from the results that the majority of respondents favour joining Zone C (Queens Park area). The only exception is Queens Park Rise where 73.3% of respondents want to remain as they are. However, this road is in the middle of the scheme and the majority of respondents in this area favour joining Zone C (Queens park area)

3.8 Following the consultation results it was recommended that at that stage a further detailed design consultation should take place in Zone U (St Luke's area) on joining the Zone C (Queens park area) full resident parking scheme (9am-8pm seven days) which is outlined below.

3.9 The Queens Park Ward Councillors have outlined they are happy to support the recommendations based on the resident's wishes.

Other Schemes

3.10 The Surrenden area and South Portslade area were included in the priority timetable based on requests received but the actual consultation area was to be confirmed.

3.11 In terms of other areas then representations have been received which will be considered.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The main alternative options are doing nothing which would mean that the various parking scheme consultations would not be taken forward or consulting on a different option.

4.2 However, it is the recommendation of officers that the recommendations are proceeded with for the reasons outlined within the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

UPDATES TO CURRENT PARKING SCHEME PRIORITY TIMETABLE

Zone U (St Luke's area)

5.1 Following the results of the initial consultation of Zone U (St Luke's area) the detailed design consultation were sent out on 26th July 2018.

5.2 70.4% of respondents support joining the existing Zone C residents parking scheme as outlined in more detail in Appendix E. Only Queens Park Rise and St Luke's Terrace were against the proposal, however, this needs to be considered as an area and the majority of respondents in this area favour joining Zone C (Queens park area).

5.3 The next stage would be the advertising of the Traffic Regulation Order which would allow any member of the public including residents in Zone C (Queens park area) to comment on the proposals.

Surrenden area

5.4 A Deputation from residents and a written letter from the Withdean Ward Councillors was received at the ETS Committee on 26th June 2018.They requested for a Consultation on a Controlled Parking Zone in the Surrenden Area to be brought forward.

5.5 It was responded to by the Chair who outlined that the concerns of residents were being taken into consideration alongside a number of other areas in a parking scheme priority timetable report. This was agreed by members of this Committee in October last year and the current plan is to start work in the Surrenden area from early 2020.

5.6 At this stage it was outlined we cannot move the Surrenden area consultation forward, however, it was agreed that the deputation will be considered alongside the written letter received by Ward Councillors.

South Portslade area

5.7 A number of petitions and representations have been made to this Committee over the last few months to make the area of South Portslade a resident parking scheme

5.8 It has been outlined that South Portslade has progressively become more difficult to park for residents. This has been escalated with new developments in this area and the neighbouring Wish Ward light touch scheme. The chair explained in her response at Committee that she did appreciate the issues in the South Portslade area and the area to consult would be considered in a further report.

5.9 It was agreed through a priority timetable agreed at this Committee last October that the South Portslade area would be consulted from Autumn 2019.It was also confirmed that we cannot move the South Portslade area consultation forward, however, it was also agreed that the deputations and petitions will be considered.

5.10 Officers attended two recent public meetings earlier in the year and considered the views expressed which clearly outlined the problems being encountered. There seemed to be a clear consensus at the public meetings that an area should be consulted which extended to the West Sussex boundary to the West and the Old Shoreham boundary to the North. It was felt an initial consultation to this whole area outlining whether residents wanted to be consulted further with a full detailed design would be the best option moving forward.

5.11 Both the Surrenden area and the South Portslade area to be consulted is being considered based on the representation received alongside other parking demands in other areas. Following a review of the area we are looking to consider an initial consultation to residents in the area shown in Appendices B and C.

RECENT ADDITIONAL REQUESTS

5.12 Over the last few months a number of areas have come forward to request a consultation on a resident parking scheme in their area.

Coombe Road area

5.13 A Deputation signed by 10 people requesting a consultation on a Controlled Parking Zone in the Coombe Road area was received at the June 2018 ETS Committee. The key and sole focus of this deputation is to strongly request a consultation regarding the implementation of a Controlled Parking Zone in the area using the section 106 money linked to the developments on Preston Barracks is progressed with immediate effect.

5.14 It was also requested that that the residents of Saunders Rise, Bates Estate and southern half of Moulsecoomb are also included in this process. It was outlined that this area is already experiencing the very significant impact of the implementation of the controlled parking zones in the Hanover area and the related additional parking restrictions in roads such as Tenantry Down Road.

5.15 In a response by the Chair of this Committee it was outlined that there is a priority parking scheme timetable which runs up till 2020/21 and this was agreed at the last Environment, Transport and Sustainability Committee in October 2017. This covers areas which have petitioned or shown strong support to the council for a resident parking scheme.

5.16 The area north of Bear Road was not included in the timetable but following the allocation of section 106 funding for a consultation and the correspondence received we are looking to include this consultation alongside the timetable using external support which officers have recently procured. Preparation work on this consultation has begun and we would be looking to send out an initial consultation document by the end of November .It was agreed that officers would look at the area to consult based on a viable geographical boundary and this is shown in Appendix D. This does not include the Southern half of Mouslecoomb as part of that area is within the event day parking scheme which is being reviewed separately while other sections have not come forward to request a parking scheme.

Hangleton & Knoll area south of the Old Shoreham Road

5.17 The June 2018 ETS Committee considered a petition signed by 77 people presented by Cllr Tony Janio requesting a parking consultation to the area of Hangelton & Knoll ward south of the Old Shoreham Road to alleviate displacement caused by the newly introduced parking scheme in Wish ward.

Zone J (London Road Station area) Review

5.18 Residents presented a petition to the ETS Committee in June 2018 as they are concerned about the Controlled Parking Zone (CPZ) Zone J south of the railway line (i.e. between Viaduct Road and Ditchling Rise). It was outlined that the original advantage of the CPZ was that the residents could park during the day, and overnight within reasonable walking distance of their homes. However, it was felt that Zone J has now become to large following extensions to the scheme. Since the extension of Zone J north of the railway line residents have had parking difficulties particularly in the evening.

5.19 Residents would like the Council to take steps either to divide the zone up into smaller areas along the railway line, or use some other method to bring back the benefits of the original smaller zone.

Hazledene Meads

5.20 Questions were outlined to the ETS Committee in November 2017 and October 2018 by Cllr Nick Taylor representing the Hazeldene Meads and The Beeches area.

5.21 Residents wanted to be included in an extension to the proposed Hove Park scheme and also wanted to know when they may expect a plan to provide the much needed protection for Hazeldene Meads and The Beeches.

5.22 It was explained that Hazeldene Meads and The Beeches is in a different Ward (Withdean) and also has links to Withdean Avenue and is more suited to joining the Preston Park Station scheme. These roads were not included in the original Hove Park Ward consultation and need to be treated separately.

5.23 It was outlined 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.

5.24 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.

5.25 An officer also met with Cllr Nick Taylor and resident representative on site to discuss the current situation. It was agreed that in the interim period following any new schemes being implemented in the surrounding area then the area could be reviewed for Double Yellow Lines if vehicle displacement emerged.

Manor Hill

5.26 The October 2017 ETS Committee considered a petition signed by 17 people presented by residents requesting a parking consultation in Manor Hill as an extension to Zone H (Royal Sussex County Hospital area) to alleviate displacement.

5.27 Two public meetings also took place over the last year which officers have attended. These have outlined full public support for a consultation on a resident parking scheme in the Manor Hill and Whitehawk area.

6. CONCLUSION

6.1 The intention is to advertise a Traffic Regulation Order to propose that Zone U (St Luke's area) becomes integrated in the Zone C (Queens park area) resident parking scheme.

6.2 Due to the representations received and the reasons outlined in this report it is felt that the areas shown in Appendix B (Surrenden area) and Appendix C (South Portslade area) should be taken forward as an initial consultation.

6.3 The Chair has responded that although the concerns of residents were appreciated regarding vehicle displacement in different areas the requests up to a certain point were considered in a parking scheme priority timetable report and it was agreed by members of the committee in October 2017 that the timetable would run up to 2020/21. The timetable is based on a number of factors and in particular we need to plan the work to ensure we undergo extensive consultation in the areas agreed which puts a lot of pressure on officers both at a project management and senior level.

6.4 Alongside that we need to consider the logistics of Contractor availability for lining and signing work, Pay & Display machine procurement and adequate enforcement resource. When the schemes are in place this also puts additional pressures on the Parking Service department in terms of correspondence, Penalty Charge Notice appeals, permit applications and permit renewals. We are working on efficiencies in the department to ensure we meet future demand but this is based on a well-considered timetable that has been agreed.

6.5 However, it was agreed to review this timetable in light of all recent requests and to bring an update report to this Committee in 2019. It was advised that Ward

Councillors / resident groups keep surveying their residents and keep in touch with officers and we will be able to consider the areas in the upcoming report.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The costs associated with the report recommendations for further consultation in the Surrenden and South Portslade areas will be included in 2019/20 revenue budgets within the Parking department. The detailed financial implications of the proposed schemes will be included in future committee reports once the final designs of the schemes have been determined.

The costs of integrating the Zone U (St Luke's area) resident parking scheme into Zone C (Queens park area) will be funded from the Parking Infrastructure revenue budget as it is estimated that the costs of the recommendations in this report will be less than 0.015m. The cost of the Traffic Regulation Order will also be met from the current parking revenue budget.

The additional annual income from the integration of the Zone U (St Luke's area) resident parking scheme into Zone C (Queens park area) is estimated to be £0.015m. The recurring financial impact of the scheme will be reflected within the service revenue budget and reviewed as part of the budget monitoring process.

Revenue income generated from on-street parking schemes is first defrayed against relevant costs with any surplus used for qualifying transport and highways related expenditure such as supported bus services, concessionary fares and Local Transport Plan projects.

Parking charges are subject to the Council's Corporate Fees and Charges Policy. As a minimum, charges will be reviewed annually as part of the budget and service planning process.

Finance Officer Consulted: Gemma Jackson Date: 02/11/18

Legal Implications:

7.2 The Traffic Management Act 2004 places a duty on local traffic authorities to manage the road network with a view to securing, as far as reasonably practicable, the expeditious, convenient and safe movement of all types of traffic.

Under the Road Traffic Regulation Act 1984 a traffic authority may make a traffic regulation order prohibiting, restricting or regulating the use of a road, or any part of the width of a road by vehicular traffic. A traffic regulation order may provide for the use as parking places of any part of a road and any charges to be made for vehicles left in the parking places .

The actions recommended in this report will demonstrate that the Council is complying with its duty as traffic authority.

Lawyer Consulted: Stephanie Stammers Date: 01/11/18

Equalities Implications:

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

7.4 The legal blue badge bays will provide parking for the holders of blue badges wanting to use the local facilities

Sustainability Implications:

7.5 Motorcycle bays will encourage more sustainable methods of transport alongside Electric vehicle charging points and Car Club bays.

7.6 Managing parking will increase turnover and parking opportunities for all.

Any Other Significant Implications:

7.7 None Identified

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A –Parking Timetable
2. Appendix B – Map of Proposed Surrenden Area
3. Appendix C – Map of Proposed South Portslade Area
4. Appendix D – Map of Proposed North of Bear Road Area
5. Appendix E – Zone U Consultation Results

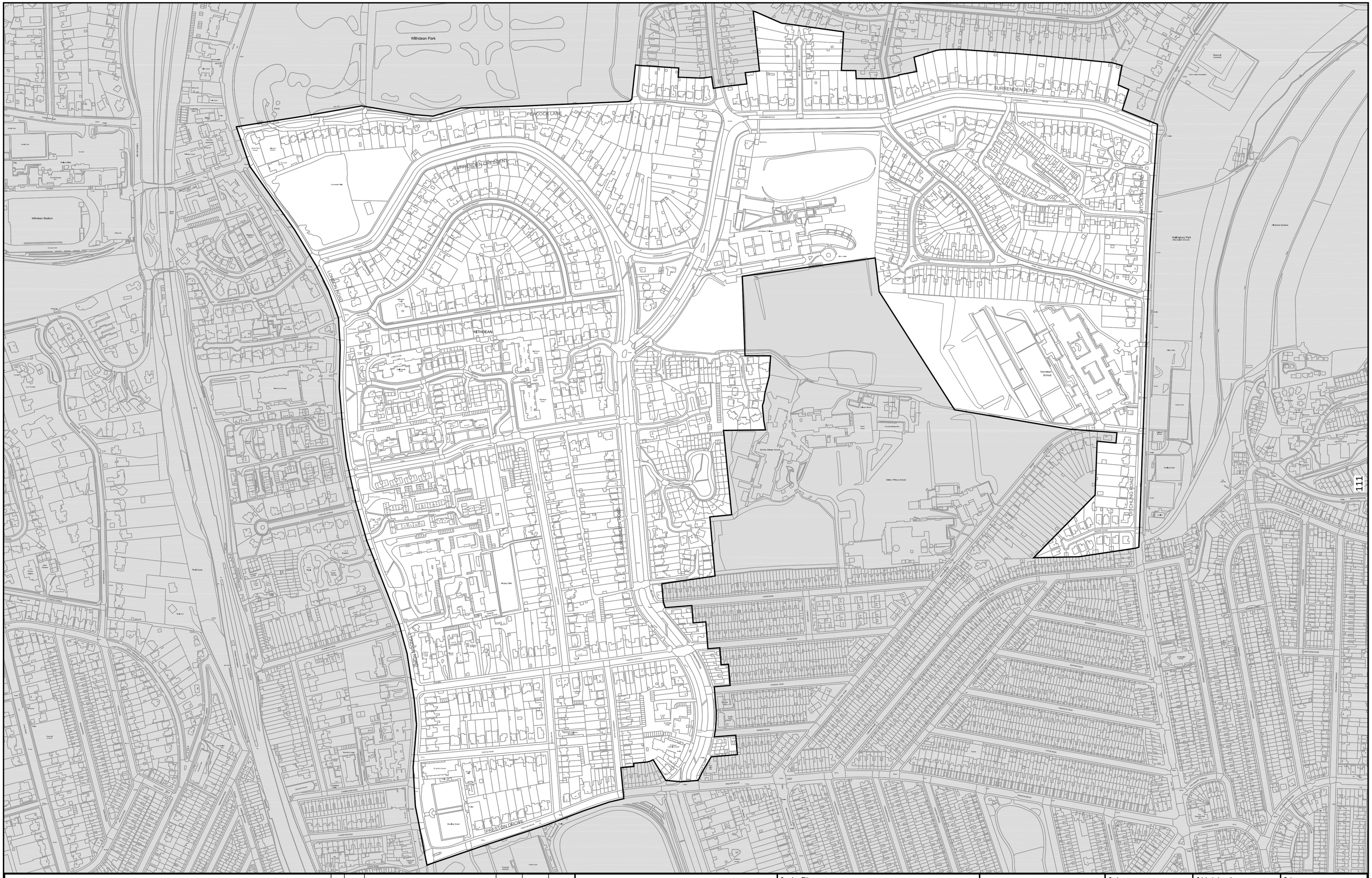
Background Documents

1. Agenda item ** - Report To ETS Committee 10/10/2017
2. Agenda item ** - Report To ETS Committee 27/06/2017

Appendix A – Proposed resident parking scheme priority programme

	Year	2017			2018			2019			2020		
	Quarter	1	2 4	3	1	2 4	3	1	2 4	3	1	2 4	3
Priority	**Area**												
Current	West Hove (Zone L)												
Current	Hove Park												
1	Zone U (St Luke's area) review												
2	Hanover & Elm Grove full scheme (Zone V) review.												
3	Hanover & Elm Grove Light Touch (Zone S) review.												
4	Event day parking scheme review (AMEX Stadium)*												
5	South Portslade												
6	Surrenden Area												

These parking schemes would run along reviews of recent schemes implemented and other projects within Parking Services
*Subject to funding being available from the Football Club for consultation and implementation costs.



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Rev.	Date	Revision detail	Drawn	Checked	Approved

PARKING INFRASTRUCTURE

TRANSPORT

Job title

SURRENDEN AREA

Drawing Title

APPENDIX B

Brighton & Hove City Council

Scale	Original drg. size	Date
-	A2	-----
Drawn	**Checked**	**Approved**
-	--	--
Drawing status	**Drawing Number**	**Rev**
-----	BH_	-


OLD SHOREHAM ROAD
SOUTHERN CROSS
Recreation Ground
Cemetery
Chapel
Playground
Victoria Road Trading Estate
Allotment Gardens
Electricity Sub Station
Brackenbury Primary School
Manor Hall Primary School
Portslade Aldridge Community Academy
Portslade Community College
Warwick Court
Vale Court
Vale Park (Recreation Ground)
Smoky Estate
Chalks Industrial Estate
FISHERSGATE
Tesco Wharf
Shoreham Harbour
The Canal
Amey Wharf
Builders Yard
Depot
Warehouse
Recreation Ground
Works
Garage
Bus Stop
Pay Area
Car Park
Allotments
Pumping Station
Electricity Distribution Site
Tennis Courts
Bowling Green
Sports Ground
Cricket Pitch
Changing Rooms
Public Conveniences
Boundary Stone
Milestone
Telephone Exchange
Fire Station
Police Station
Library
Post Office
Church
Chapel
Vicarage
Rectory
Primary School
Infant School
Junior School
Nursery School
Community Centre
Youth Centre
Sheltered Housing
Residential Home
Nursing Home
Hospital
Surgery
Clinic
Dentist
Pharmacy
Public House
Hotel
Restaurant
Cafe
Takeaway
Shop
Supermarket
Bank
Building Society
Solicitor
Estate Agent
Undertaker
Florist
Hairdresser
Launderette
Dry Cleaner
Off Licence
Newsagent
Bookmaker
Pawnbroker
Second Hand Shop
Charity Shop
Pet Shop
Veterinary Surgery
Kiosk
Toilets
Bus Station
Bus Shelter
Taxi Rank
Petrol Station
Car Wash
Car Repair
Car Sales
Garage
Workshop
Warehouse
Factory
Depot
Builders Yard
Scrap Yard
Recycling Point
Refuse Tip
Sewage Works
Pumping Station
Electricity Substation
Gas Governor
Telephone Kiosk
Post Box
Fire Hydrant
Water Hydrant
Sluice
Lighthouse
Jetty
Wharf
Slipway
Boat Yard
Boat Building
Boat Repair
Boat Storage
Boat Hire
Boat Trip
Boat Club
Boat Shelter
Boat Ramp
Boat Launch
Boat Mooring
Boat Moorings
Boat Berth
Boat Berths
Boat Berthing
Boat Berthing Area
Boat Berthing Facility
Boat Berthing Facilities

APPENDIX D

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Rev.	Date	Revision detail	Drawn	Checked	Approved

PARKING INFRASTRUCTURE

TRANSPORT

Job title

COOMBE ROAD AREA

Drawing Title

EXTENT OF CONSULTATION AREA

Brighton & Hove City Council

Scale	Original drg. size	Date
NTS	A2	SEPT 18
Drawn	**Checked**	**Approved**
CML	--	--
Drawing status	**Drawing Number**	**Rev**
-----	BH/PBCPZ001_	-

Appendix E - Area U Residents Parking Scheme Consultation Report

Background

The council has received a number of letters and complaints including a petition from residents asking for a review of parking in Zone U.

In spring 2018 residents in Area U were written to in order to gauge support for three potential options. 66.4% of respondents indicated their preference to join an existing full scheme, and 91% of these respondents showed a preference for the neighbouring Zone C.

A decision was made by the Environment Transport and Sustainability Committee in in June 2018 to consult residents on detailed plans to join Zone C.

Headline Findings

Support for joining a neighbouring residents parking scheme:

- **70.4%** of respondents support joining the existing Zone C residents parking scheme.

Methodology

Brighton & Hove City Council Land and Property Gazeteer was used to provide 626 property addresses in the scheme boundary for Area U. An information leaflet, detailed map, questionnaire and prepaid envelope for reply were sent to each address. Respondents were also invited to complete the survey online via the council's Consultation Portal should they wish to. 84.5% of responses received were by mail and 15.5% on line. The consultation was advertised on the council's website, via social media and by a press-release to local media. The consultation ran from 16 July to 31 August 2018.

Results

258 valid responses[1] were received from within the proposed scheme boundary giving a response rate of 41.2%.

Q1 Would you like to become part of Zone C?

(Response base 257[2])

Yes		No		Total
Number	%	Number	%	
181	70.4	76	29.6	257

Results on a street by street basis were as follows:

(Response base 257)

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Bute Street	56	29	51.8	24	82.8	5	17.2
Cuthbert Road	44	23	52.3	20	87.0	3	13.0
Dawson Terrace	38	14	36.8	10	71.4	4	28.6
Down Terrace	3	1	33.3	1	100	0	0
Freshfield Road	112	40	35.7	26	65.0	14	35.0
Hendon Street	63	27	42.9	24	88.9	3	11.1
Queens Park Rise	27	17	63.0	2	11.8	15	88.2
Queens Park Road	72	24	33.3	12	50.0	12	50.0
Rochester Street	58	31	53.4	29	93.5	2	6.5
St Lukes Road	54	20	37.0	13	65.0	7	35.0
St Lukes Terrace	39	18	46.1	8	44.4	10	55.6
Sutherland Road	60	13	21.7	12	92.3	1	7.7
Total	626	257	41.0	181	70.4	76	29.6

[1] 16 responses were removed from the analysis for the following reasons: 12 were duplicate cases, 2 were from outside the area and 2 gave no address.

[2] Response base = number of people answering this question

Q2 Respondents were asked whether they are a resident, a business owner or manager or work in the area. (Respondents could tick more than one option).

	Number of responses
Resident	251
Business owner or manager	16
Work in the area	13
Other	3

Q3 How many cars in your household?

No. of cars	Number of responses
0	34
1	155
2	59
3	4
4 or more	0

Q4a What type of business do you own or manage in the area?

What type of business?	Number of responses
Retail outlet	0
Office-based	5
Other includes: Painting and decorating, dog walking, chimney sweep	13
Total responses	**18**

Q4b How many vehicles are directly associated with your business?

No. of vehicles	Number of responses
0	9
1	8
2	1
3	0
4 or more	1

Q7 Any further comments?

An open text box enabled respondents to add comments. These comments were grouped together and themed as follows: The top ten types of comments are listed in the following table:

Comments made	Number of times mentioned
In favour because of current parking difficulties/ general positive comments	36
No need for a scheme/Unnecessary	22
Concerned about the cost of visitor parking	12
Don't want to pay for parking	9
Parking restrictions already implemented in neighbouring zones are the cause of the problem	8
Not enough residents spaces / will need more than one permit	7
Will stop long term/ overnight / commuter parking e.g. caravans and left vehicles	7
Enforce current illegal parking	4
Need more cycle parking	3
Unhappy about hours of scheme operation	3

Demographic Information

Age (response base 175)

Age	Number	%
18-24	3	1.7
25-34	11	6.3
35-44	35	20.0
45-54	47	26.9
55-64	47	26.9
65-74	20	11.4
75+	12	6.9
Total	**175**	**100**

Gender (response base 198)

Gender	Number	%
Male	91	46.0
Female	107	54.0
Other	0	0
Total	**198**	**100**

Gender Identity (response base 183)

Do you identify as the gender you were assigned at birth?	Number	%
Yes	179	97.8
No	4	2.2
Total	**183**	**100**

Disability (response base 189)

Disability	Number	%
Yes, a little	20	10.6
Yes, a lot	19	10.1
No	150	79.4
Total	**189**	**100**

Of those who answered “yes”, disabilities were as follows:

Please state the type of impairment which applies to you.	Number
Physical impairment	18
Sensory impairment	0
Learning disability/ difficulty	1
Long-standing illness	18
Mental health condition	3
Development condition	0
Autistic Spectrum	0
Other	5

Ethnic Origin (response base 196)

Ethnic Origin		**Number**	**%**
White	White English/ Welsh/ Scottish/ Northern Irish/ British	168	85.7
	Irish	3	1.5
	Gypsy or Irish Traveller	0	0.0
	Any other white background	11	5.6
Asian or Asian British	Bangladeshi	0	0.0
	Indian	3	1.5
	Pakistani	0	0.0
	Chinese	0	0.0
	Any other Asian background	1	0.5
Black or Black British	African	1	0.5
	Caribbean	1	0.5
	Any other Black background	0	0.0
Mixed	Asian & White	3	1.5
	Black African & White	0	0.0
	Black Caribbean & White	0	0.0
	Any other mixed background	4	2.0
Any other ethnic group	Arab	0	0.0
	Any other ethnic group	1	0.5
Total		**196**	**100**

Sexual Orientation (response base 177)

Sexual Orientation	**Number**	**%**
Bisexual	3	1.7
Gay Man	17	9.6
Heterosexual/ straight	151	85.3
Lesbian/ Gay Woman	4	2.3
Other	2	1.1
Total	**177**	**100**

Religious Belief (response base 189)

Religious Belief	Number	%
I have no particular religion or belief	91	48.1
Buddhist	3	1.6
Christian	59	31.2
Hindu	0	0.0
Jain	0	0.0
Jewish	2	1.1
Muslim	0	0.0
Pagan	2	1.1
Sikh	2	1.1
Agnostic	5	2.6
Atheist	19	10.1
Other	3	1.6
Other philosophical belief	3	1.6
Total	**189**	**100**

Carer (response base 191)

Are you a carer	Number	%
Yes	12	6.3
No	179	93.7
Total	**191**	**100**

If yes, do you care for a:	Number
Parent	7
Partner or Spouse	0
Child with special needs	2
Friend	1
Other family member	1
Other	1
Total	**12**

Armed Forces
(Response base 181)

Armed Forces	Yes		No	
	Number	%	Number	%
Are you currently serving in the UK armed forces?	1	0.6	180	99.4
Have you ever served in the UK armed forces?	8	4.4	173	95.6
Are you a member of a current or former serviceman or woman's immediate family/ household?	2	1.1	176	98.9

16 responses were removed from the analysis as they fell into the following categories:

- 12 Duplicates (only one responses per household was included)
- 2 Responses from residents outside the area
- 2 Responses where no address was given

Why removed from main report	In favour of joining Zone C		Not in favour of joining Zone C		Total
	Number	%	Number	%	
Duplicates	12	100.0	0	0.0	12
Outside the area	1	50.0	1	50.0	2
No address given	0	0.0	2	100.0	2
Total	**13**	**81.3%**	**3**	**18.7%**	**16**

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 44 Brighton & Hove City Council

Subject:		**Hove Park Resident Parking Scheme Consultation**
Date of Meeting:		**27TH November 2018**
Report of:		**Executive Director, Economy, Environment & Culture**
Contact Officer:	**Name:**	**Catherine Dignan**
	Email:	**catherine.dignan@brighton-hove.gov.uk**
Ward(s) affected:		**Hove Park**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The purpose of this report is to update Committee on the recent parking scheme consultation in the Hove Park area.

2. RECOMMENDATIONS:

2.1 That the Committee approves that a new resident parking scheme (Light Touch Monday – Friday 9-10am & 1-2 pm) be considered within the Hove Park area (Appendix A) and that this proposal be progressed to the final design with the Traffic Order advertised to allow for further comment. All comments will be reported back to a further Environment, Transport & Sustainability Committee meeting.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Following Environment, Transport & Sustainability Committee approval on 15th March 2016 a consultation letter was sent out to all households in the Hove Park ward in June / July 2017. The consultation was also advertised on the council's website, via social media and by a press-release to local media. The results outlined that 43% of respondents were in favour of a Residents' Parking Scheme in the area based on a 51% response rate.

3.2 79% of respondents wanted a light touch scheme while 20% preferred a full scheme. 77% of respondents supported a Monday to Friday scheme while 23% supported a seven day scheme.

3.3 It was clear from the results that a smaller area was in favour of a parking scheme. Within this area the results outlined that 62% of respondents were in favour of a Residents' Parking Scheme in the area. 76% of respondents wanted a light touch scheme while 70% of respondents supported a Monday to Friday scheme.

3.4 Therefore, it was recommended that a further consultation takes place in the smaller Hove Park Area on a light touch resident parking scheme (Monday to Friday).

3.5 The Hove Park Ward Councillors outlined they were happy to support the recommendations based on the resident's wishes. However, they added that they were concerned about vehicle displacement and would like additional parking restrictions such as Double Yellow lines considered outside the scheme boundaries. This will be considered alongside the Traffic Regulation order process if it is agreed to proceed to that stage.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The main alternative option is doing nothing which would mean the proposals would not be taken forward.

4.2 However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Brighton & Hove City Council Land and Property Gazeteer was used to provide 1308 property addresses in the proposed Hove Park Area scheme boundary. An information leaflet, detailed map, questionnaire and prepaid envelope for reply were sent to each address. Respondents were also invited to complete the survey online via the council's Consultation Portal should they wish to. 91.0% responses received were by mail and 7.8% on line. An additional 1.2% of respondents gave their views directly via email. The consultation was advertised on the council's website, via social media and by a press-release to local media. The consultation ran from 29 April 2018 to 28 May 2018.

5.2 68.4% of respondents were in favour of a Residents' Parking Scheme in the area based on a 56.7% response rate.

5.3 69.9% of respondents were happy with the hours of the scheme (Monday to Friday 9 -10am & 1pm - 2pm) while 30.1% of respondents wanted different hours.

5.4 Analysis took place of all the responses received from respondents and the full results analysis of the consultation is outlined in detail in Appendix B including the main comments.

5.5 Officers have discussed the results and had extensive dialogue with the Ward Councillors in this area who have voiced their support for the overall parking scheme going forward.

5.6 In addition to the responses to the consultation other correspondence was received by officers.

5.7 Two meetings have been undertaken with representatives of Legal & General who have outlined the parking difficulties their staff would experience if a parking scheme was introduced. It was agreed that officers from Planning would provide details of land owners of private land so that Legal & General could look further at opportunities for parking on private land.

5.8 If a scheme is taken forward then the parking scheme would be monitored over the first six months and if underutilised then exclusive pay & display could be investigated

in the area although this would require further consultation with residents as part of a small review of how the scheme is working. In the meantime colleagues in the City Transport division are liaising with Legal & General regarding their travel plans.

5.9 There were also concerns outlined from residents in the southern section who wanted more information on what would happen to the current yellow line restrictions in their road if they voted against the proposals. Parking restrictions (single yellow lines) currently operate in these roads between the hours of 10-11am & 1.30 -2.30pm.

5.10 A further consultation took place in October 2018 to these residents where it was outlined that if the proposed residents parking scheme is approved the council would not be in a position to continue with the single yellow line restriction alongside a resident parking scheme where residents, services & businesses pay for permits contributing towards enforcement of the parking scheme. If residents do not wish to be part of the proposed parking scheme, the single yellow line restriction would be removed and the area will be unrestricted. If a parking scheme is approved and implemented in the neighbouring roads, it was outlined that there is a possibility of displacement of vehicles to their area due to the differing times of enforcement / hours of operation. It was therefore important that residents have the opportunity to re-consider the parking proposals and whether they wanted to be part of a light touch parking scheme if approved.

5.11 Residents had until the 26th October 2018 to respond and 89% of respondents indicated that they would like to join a residents parking scheme and 11% were not in support which is outlined in detail in Appendix C.

6. CONCLUSION

6.1 It is recommended to take into account the results and propose a new resident parking scheme (Monday to Friday 9am -10am & 1pm - 2pm) within the Hove Park area. It is appreciated some roads were against the proposals but to ensure a parking scheme is geographically viable as a boundary it is proposed to go ahead with the whole area as overall the respondents were in favour of a scheme.

6.2 It is recommended by officers these proposals are advertised as a traffic order allowing further comments to be made from residents both within and outside the new proposal. All comments will be reported back to a further Environment, Transport & Sustainability Committee meeting.

6.3 As part of the consultation undertaken in the schemes, regard has been given to the free movement of traffic and access to premises since traffic flow and access are issues that have generated requests from residents and in part a need for the measures being proposed. The provision of alternative off-street parking spaces has been considered by officers when designing the schemes but there are no opportunities to go forward with any off street spaces due to the existing geographical layout of the area and existing parking provisions in the area.

6.4 Any yellow lines that are considered appropriate outside of the proposed parking schemes will also be investigated and advertised alongside the parking scheme traffic order.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The costs associated with the report recommendations for further consultation in the Hove Park and St Luke's areas will be met from existing revenue budgets within the Parking department. The detailed financial implications of the proposed schemes will be included in a future committee report once the final designs of the schemes have been determined through the Traffic Order stage

Revenue income generated from on-street parking schemes is first defrayed against relevant costs with any surplus used for qualifying transport and highways related expenditure such as supported bus services, concessionary fares and Local Transport Plan projects.

Parking charges are subject to the Council's Corporate Fees and Charges Policy. As a minimum, charges will be reviewed annually as part of the budget and service planning process.

Finance Officer Consulted: Gemma Jackson Date: 14/11/18

Legal Implications:

7.2 The Council's powers under the Road Traffic Regulation Act 1984 must be exercised to ensure compliance with its duty under the Traffic Management Act 2004 to secure the expeditious, convenient and safe movement of all types of traffic As far as is practicable, when exercising these powers 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.

The Council has to follow the rules on consultation promulgated by the government and the courts. The consultation process must carried out at a time when proposals are still at their formative stage, sufficient reasons and adequate time must be given to allow intelligent consideration and responses and results must be conscientiously taken into account in finalising the proposals.

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 Regulation Orders, then the matter is required to return to Environment Transport & Sustainability Committee for a decision

Lawyer Consulted: Stephanie Stammers Date: 14/11/18

Equalities Implications

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

7.4 The legal blue badge bays will provide parking for the holders of blue badges wanting to use the local facilities

Sustainability Implications

7.5 Motorcycle bays will encourage more sustainable methods of transport alongside Electric vehicle charging points and Car Club bays.

7.6 Managing parking will increase turnover and parking opportunities for all.

Any Other Significant Implications

7.7 None identified

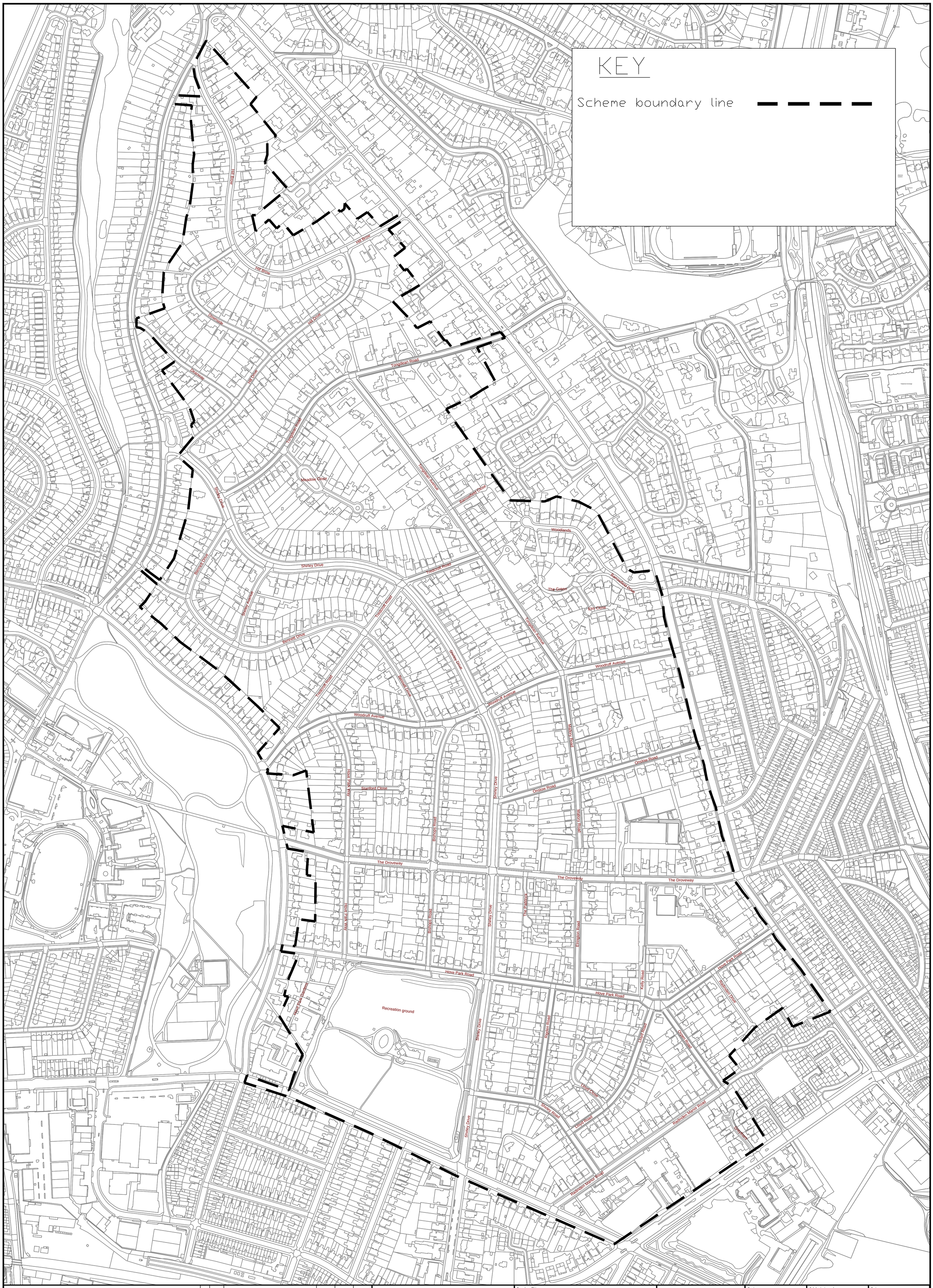
SUPPORTING DOCUMENTATION

Appendices:

1. Appendix A – Boundary Plan
2. Appendix B – Results of the Hove Park resident parking scheme consultation
3. Appendix C – Results of further consultation regarding yellow lines

Background Documents

1. Agenda item ** - Report To ETS Committee 15/3/2016
2. Agenda item ** - Report To ETS Committee 14/3/2017
3. Agenda item ** - Report To ETS Committee 27/6/2017
4. Agenda item ** - Report To ETS Committee 10/10/2017



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Rev.	Date	Revision detail	Drawn	Checked	Approved

PARKING INFRASTRUCTURE

TRANSPORT

Job title: Hove Park

Drawing Title: Proposed parking scheme

Appendix A

Brighton & Hove City Council

Scale	Original drg. size	Date
N.T.S.	A1	November 2018
Drawn	**Checked**	**Approved**
RM	--	--
Drawing status	**Drawing Number**	**Rev**
Current	BH_	-

Appendix B - Hove Park Residents Parking Scheme Consultation Report

Background

In June 2017, residents in the Hove Park Area were written to in order to gauge whether there was support for a residents parking scheme.

The results from this initial consultation showed that 43% supported the introduction of a residents parking scheme with a preference being for a 5 day light-touch scheme (79.5% light-touch scheme, 77.1% Monday to Friday). At the October 2017 Environment, Transport and Sustainability Committee a decision was made to carry out a full consultation for a smaller geographical area, where 61% support for a scheme had been shown.

Headline Findings

Support for a resident parking scheme:

- **68.4%** of respondents support the implementation of a residents parking scheme.
- **31.6%** of respondents do not support the implementation of a residents parking scheme

Operating hours

- **69.9%** Would like a scheme to operate 9am-10am and 1pm – 2pm
- **30.1%** Would prefer different hours of operation

Methodology

Brighton & Hove City Council Land and Property Gazeteer was used to provide 1308 property addresses in the proposed Hove Park Area scheme boundary. An information leaflet, detailed map, questionnaire and prepaid envelope for reply were sent to each address. Respondents were also invited to complete the survey online via the council's Consultation Portal should they wish to. 91.0% responses received were by mail and 7.8% on line. An additional 1.2% of respondents gave their views directly via email. The consultation was advertised on the council's website, via social media and by a press-release to local media. The consultation ran from 29 April to 28 May 2018.

Results

741 valid responses[1] were received from within the proposed scheme boundary giving a response rate of 56.7%.

[1] 250 responses were removed from the analysis for the following reasons: 15 were duplicate cases, 215 were from outside the area and 20 gave no address.

Q1 Would you like your area to be considered for a residents parking scheme?

(Response base 732[2])

Yes		No		Total
Number	%	Number	%	
501	68.4	231	31.6	732

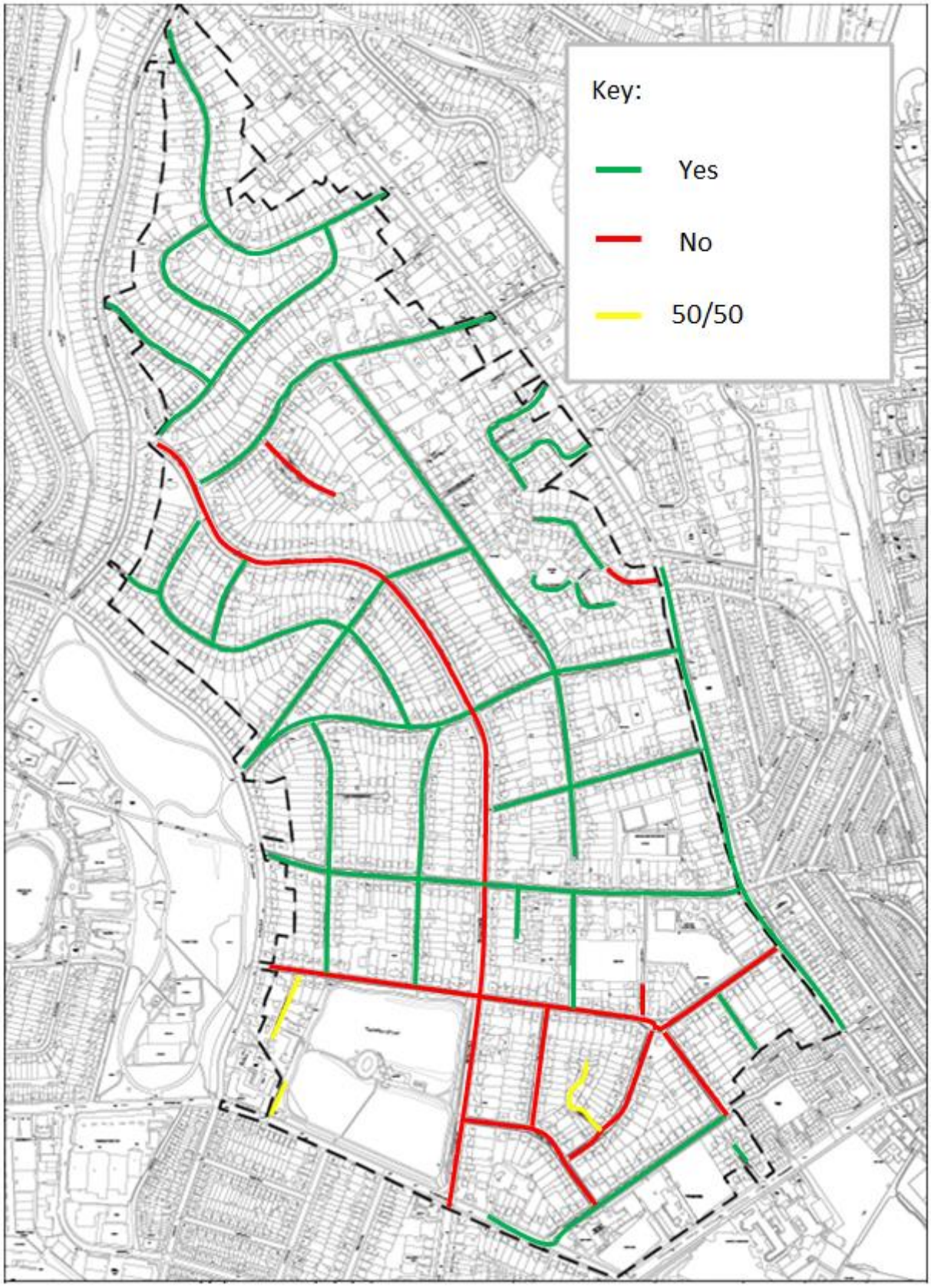
Results on a street by street basis were as follows:

(Response base 732)

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Ash Close	5	2	40.0	2	100	0	0
Barrowfield Close	6	2	33.3	0	0	2	100
Barrowfield Drive	20	7	35.0	3	42.9	4	57.1
Bennett Avenue	5	2	40.0	2	100	0	0
Bennett Drive	71	42	59.2	32	76.2	10	23.8
Bishops Road	42	25	59.5	21	84.0	4	16.0
Chalfont Drive	27	11	40.7	9	81.8	2	18.2
Deanway	17	10	58.8	8	80.0	2	20.0
Downside	25	16	64.0	10	62.5	6	37.5
Dyke Road	73	23	31.5	21	91.3	2	8.7
Elm Close	7	4	57.1	3	75.0	1	25.0
Elrington Road	15	8	53.3	5	62.5	3	37.5
Greyfriars Close	13	1	7.7	1	100	0	0
Hill Brow	66	33	50.0	28	84.8	5	15.2
Hill Drive	55	35	63.6	30	85.7	5	14.3
Hove Park Gardens	7	2	28.6	1	50.0	1	50.0
Hove Park Road	71	34	47.9	13	38.2	21	61.8
Hove Park Way	46	29	63.0	27	93.1	2	6.9
Kelly Road	6	2	33.3	0	0	2	100
Lloyd Close	10	2	20.0	1	50.0	1	50.0
Lloyd Road	30	19	63.3	3	15.8	16	84.2

[2] Response base = number of people answering this question

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Mallory Road	40	28	70.0	25	89.3	3	10.7
Meadow Close	21	11	52.4	1	9.1	10	90.9
Old Shoreham Road	12	2	16.7	1	50.0	1	50.0
Onslow Road	22	17	77.3	17	100	0	0
Orpen Road	18	14	77.8	6	42.9	8	57.1
Radinden Drive	10	3	30.0	3	100	0	0
Radinden Manor Drive	22	15	68.2	4	26.7	11	73.3
Rigden Road	23	20	87.0	4	20.0	16	80.0
Shirley Avenue	11	2	18.2	2	100	0	0
Shirley Drive	152	81	53.3	37	45.7	44	54.3
Shirley Road	19	15	78.9	5	33.3	10	66.7
Stanford Close	9	5	55.6	5	100	0	0
The Droveway	73	50	68.5	47	94.0	3	6.0
The Green	9	5	55.6	4	80.0	1	20.0
The Paddock	11	9	81.8	9	100	0	0
The Upper Drive	2	1	50.0	1	100	0	0
Tongdean Avenue	58	31	53.4	23	74.2	8	25.8
Tongdean Road	56	30	53.6	17	56.7	13	43.3
Tredcroft Road	35	28	80.0	23	82.1	5	17.9
Woodlands	28	16	57.1	14	87.5	2	12.5
Woodruff Avenue	60	40	66.7	33	82.5	7	17.5
Total	**1308**	**732**	**56.0**	**501**	**68.4**	**231**	**31.6**


Key:
Yes
No
50/50

Q2 Would you like the scheme to operate from 9am-10am and 1pm-2pm?

(Response base 641)

Yes		No (I would like different hours of operation)		Total
Number	%	Number	%	
448	69.9	193	30.1	641

Q2b

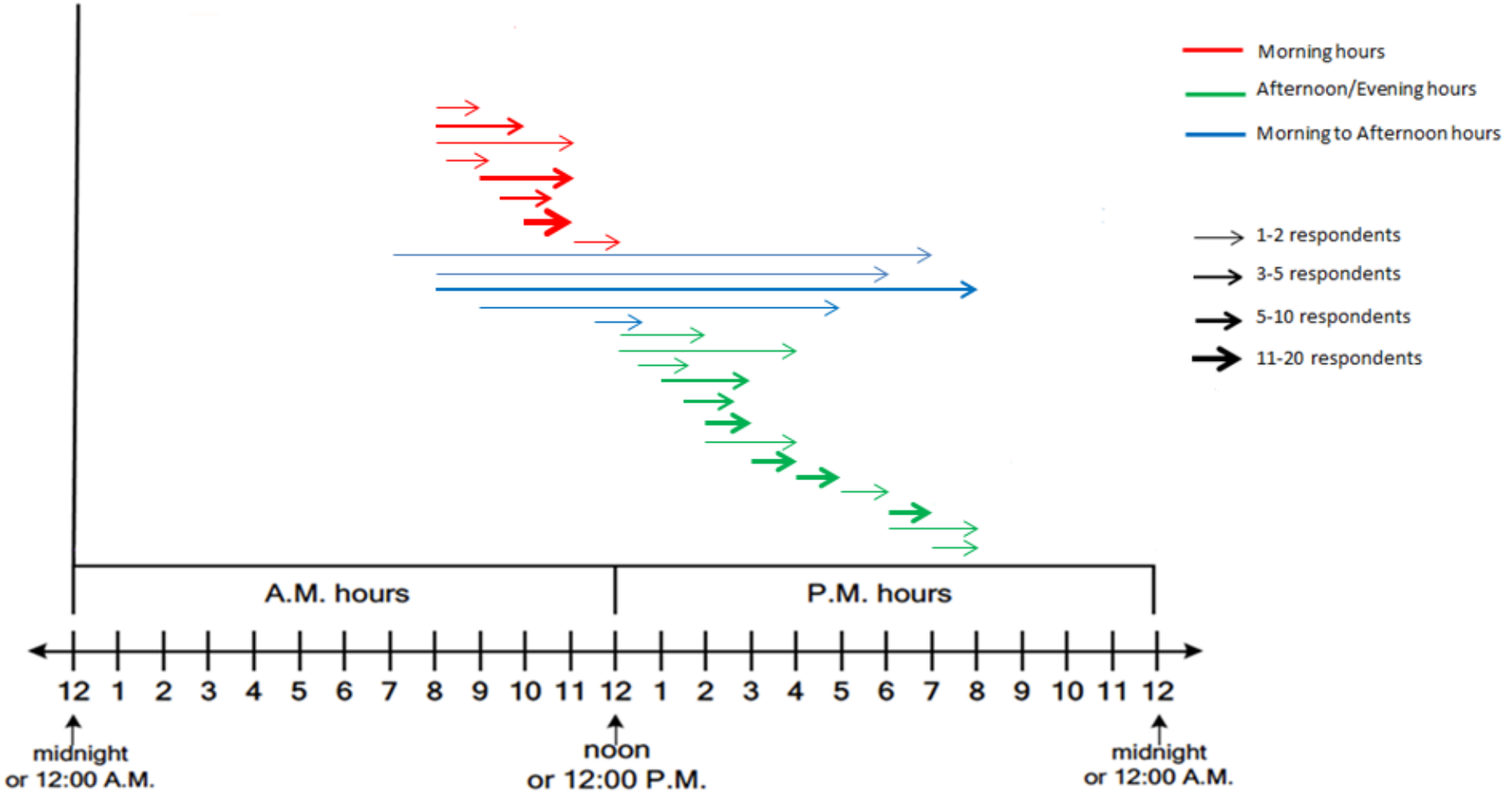
Those respondents who answered 'no' for Question 2 could suggest alternative timings for the scheme. 89 respondents chose to offer an alternative. A number of respondents chose not to suggest specific time slots and instead; 7 respondents asked for a full scheme and a further 5 wanted this to include weekends.

The most popular suggestions[3] for alternative times are shown below:

Time slot	Number of times mentioned
10am-11am	15
2pm-3pm	9
6pm-7pm	7
3pm-4pm	6
9am-11am	5
8am-8pm	4
1pm-3pm	4

The full list of suggestions was wide ranging and responses are all plotted on the graphic below:

[3] Only times mentioned more than three times included


Morning hours
Afternoon/Evening hours
Morning to Afternoon hours
1-2 respondents
3-5 respondents
5-10 respondents
11-20 respondents
A.M. hours
P.M. hours
12 1 2 3 4 5 6 7 8 9 10 11 12 1 2 3 4 5 6 7 8 9 10 11 12
midnight
or 12:00 A.M.
noon
or 12:00 P.M.
midnight
or 12:00 A.M.

Q3 Respondents were asked whether they are a resident, a business owner or manager or work in the area. (Respondents could tick more than one option).

	Number of responses
Resident	726
Business owner or manager	18
Work in the area	19
Other	10

Q4 How many cars in your household?

No. of cars	Number of responses
0	19
1	227
2	347
3	96
4 or more	30

Q5a What type of business do you own or manage in the area?

What type of business?	Number of responses
Retail outlet	0
Office-based	13
Other includes: Consultancy, yoga teacher, driving instructor	14
Total responses	**27**

Q5b How many vehicles are directly associated with your business?

No. of vehicles	Number of responses
0	8
1	9
2	5
3	0
4 or more	2

Q7 Any further comments?

An open text box enabled respondents to add comments. These comments were grouped together and themed as follows:[3] The top ten types of comments are listed in the following table:

Comments made	Number of times mentioned
Don't want double yellow lines across driveways	76
No need for a scheme/Unnecessary	72
Will stop long term/ overnight / commuter parking e.g. caravans and left vehicles	69
Need double yellow lines extended improve safety and visibility at junctions and driveways / no parking on dangerous junctions	68
Want to keep the current restricted parking times instead	66
In favour because of current parking difficulties/ general positive comments	54
Don't want to pay for parking	36
Too narrow for parking bays/ will restrict access for emergency and refuse vehicles	27
This is purely a money making exercise	26
Not enough residents spaces / will need more than one permit	24

Demographic Information

Age (response base 432)

Age	Number	%
18-24	2	0.5
25-34	18	4.2
35-44	49	11.3
45-54	97	22.4
55-64	92	21.3
65-74	89	20.6
75+	85	19.7
Total	**432**	**100.0**

Gender (response base 486)

Gender	Number	%
Male	233	47.9
Female	253	52.1
Other	0	0.0
Total	**486**	**100.0**

Gender Identity (response base 455)

Do you identify as the gender you were assigned at birth?	Number	%
Yes	450	98.9
No	5	1.1
Total	**455**	**100.0**

Disability (response base 471)

Disability	Number	%
Yes, a little	47	10.0
Yes, a lot	34	7.2
No	390	82.8
Total	**471**	**100.0**

Of those who answered “yes”, disabilities were as follows:

Please state the type of impairment which applies to you.	Number
Physical impairment	54
Sensory impairment	19
Learning disability/ difficulty	2
Long-standing illness	0
Mental health condition	1
Development condition	0
Autistic Spectrum	0
Other	3

Ethnic Origin (response base 480)

Ethnic Origin		**Number**	**%**
White	White English/ Welsh/ Scottish/ Northern Irish/ British	413	86.0
	Irish	5	1.0
	Gypsy or Irish Traveller	0	0.0
	Any other white background	30	6.3
Asian or Asian British	Bangladeshi	2	0.4
	Indian	5	1.0
	Pakistani	2	0.4
	Chinese	6	1.3
	Any other Asian background	3	0.6
Black or Black British	African	0	0.0
	Caribbean	0	0.0
	Any other Black background	0	0.0
Mixed	Asian & White	7	1.5
	Black African & White	1	0.2
	Black Caribbean & White	0	0.0
	Any other mixed background	2	0.4
Any other ethnic group	Arab	2	0.4
	Any other ethnic group	2	0.4
Total		**480**	**100.0**

Sexual Orientation (response base 447)

Sexual Orientation	**Number**	**%**
Bisexual	8	1.8
Gay Man	9	2.0
Heterosexual/ straight	426	95.3
Lesbian/ Gay Woman	3	0.7
Other	1	0.2
Total	**447**	**100.0**

Religious Belief (response base 453)

Religious Belief	Number	%
I have no particular religion or belief	136	30.0
Buddhist	4	0.9
Christian	243	53.6
Hindu	3	0.7
Jain	0	0.0
Jewish	15	3.3
Muslim	11	2.4
Pagan	0	0.0
Sikh	1	0.2
Agnostic	5	1.1
Atheist	25	5.5
Other	3	0.7
Other philosophical belief	7	1.5
Total	**453**	**100.0**

Carer (response base 479)

Are you a carer	Number	%
Yes	52	10.8
No	427	89.1
Total	**479**	**100.0**

If yes, do you care for a:	Number
Parent	15
Partner or Spouse	17
Child with special needs	13
Friend	1
Other family member	6
Other	0
Total	**52**

Armed Forces
(Response base 425)

Armed Forces	Yes		No	
	Number	%	Number	%
Are you currently serving in the UK armed forces?	0	0.0	425	100.0
Have you ever served in the UK armed forces?	27	6.2	408	93.8
Are you a member of a current or former serviceman or woman's immediate family/ household?	10	2.4	405	97.6

Appendix

250 responses were removed from the analysis as they fell into the following categories:

- 15 Duplicates (only one responses per household was included)
- 215 Responses from residents outside the area
- 20 Responses where no address was given

Why removed from main report	In favour of parking scheme		Not in favour of parking scheme		Total
	Number	%	Number	%	
Duplicates	9	60.0	6	40.0	15
Outside the area	12	5.6	203	94.4	215
No address given	3	17.6	14	82.3	17
Total	**24**	**9.7**	**223**	**90.3**	**247**

Of the 215 responses from outside the area 131 or these respondents identified themselves as parents who had children at the Bilingual Primary school within the boundary.

Appendix C - Hove Park Residents Parking Scheme
Re-Consultation for roads bordering a proposed scheme

Background

Initial Consultation (June 2017):

In June 2017, residents in the Hove Park Area were written to in order to gauge whether there was support for a residents parking scheme.

The results from this initial consultation showed that 43% supported the introduction of a residents parking scheme with a preference being for a 5 day light-touch scheme (79.5% light-touch scheme, 77.1% Monday to Friday). At the October 2017 Environment, Transport and Sustainability Committee a decision was made to carry out a full consultation for an area where there was general support for a residents parking scheme.

Full Consultation (June 2018):

Results of this full consultation shows:

Support for a resident parking scheme:

- **68.4%** of respondents support the implementation of a residents parking scheme.
- **31.6%** of respondents do not support the implementation of a residents parking scheme

Operating hours:

- **69.9%** Would like a scheme to operate 9am -10am and 1pm - 2pm
- **30.1%** Would prefer different hours of operation

A report of these results will be taken to the 27th November 2018 Environment, Transport & Sustainability Committee in with a recommendation to implement a residents parking scheme.

In the meantime it has been decided to write to roads on the periphery of this area to inform them that the current single yellow lines in their roads will be removed if they are not part of the resident parking scheme which may lead to displacement parking in these roads if the proposed scheme is taken forward.

Re-consultation of peripheral roads:

In October 2018 a letter was sent to addresses in roads on the periphery of the proposed scheme area. Respondents here were mainly unsupportive of a scheme. The letter advised them that there may be displacement parking in their roads if a scheme was to be implemented and whether, in the light of this, they would like to reconsider their position.

Would you like your road to be included for a resident parking scheme?

118 valid responses were received[1] of these 105 (89.0%) respondents indicated that they would like to join a residents parking scheme and 13 (11.0%) were not in support.

Street	Number properties mailed	Number responses	Response rate %	Yes		No	
				Number	%	Number	%
Hove Park Road	71	40	56.4	36.0	90.0	4	10.0
Lloyd Close	10	4	5.6	3	75.0	1	25.0
Lloyd Road	30	21	29.6	19	90.5	2	9.5
Orpen Road	18	12	16.9	9	75.0	3	25.0
Radinden Manor Road	22	14	19.7	12	85.7	2	14.3
Rigden Road	23	14	19.7	13	92.9	1	7.1
Shirley Road	19	13	18.3	13	100	0	0
Total	**168**	**118**	**70.2**	**105**	**89.0**	**13**	**11.0**

[1] A further response was received but discounted as no address was given, 2 responses were from outside the consultation area, 1 respondent did not say whether they supported or didn't support joining a scheme

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 45 Brighton & Hove City Council

Subject:		**Hangleton Safer Routes to School Scheme**	
Date of Meeting:		**27 November 2018**	
Report of:		**Executive Director – Economy, Environment & Culture**	
Contact Officer:	**Name:**	**Matthew Thompson**	**Tel: 01273 2902353**
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Ward(s) affected:		**Hangleton & Knoll; North Portslade; South Portslade**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report presents the outcome of a recent consultation exercise on the Hangleton Area Safer Routes to School proposals intended to promote better travel to the existing and expanded schools in that area. These proposals are funded by a combination of monies from the Local Transport Plan budget and from developer contributions associated with the expanded schools.

1.2 This report presents the results of school surveys and a recent consultation exercise and a list of proposals to be funded by a combination of monies from the Local Transport Plan budget and from developer contributions associated with local school expansions. The report seeks approval to progress these to implementation including the associated preparation and publication of notices for new and amended Traffic Regulation Orders

2. RECOMMENDATIONS:

2.1 That the Committee notes the outcome of the recent public consultation in Hangleton and Mile Oak regarding proposals to improve and encourage walking and cycling to school sites on Hangleton Way;

2.2 That the Committee agrees to the implementation of the measures amended as a result of the consultation feedback and detailed costings to be funded by the Local Transport Plan (LTP) budgets;

2.3 That the Committee notes the requirements of the Section 106 Agreement for the West Blatchington Primary School site and approves the implementation of the Highway measures within that Agreement within allocated sums;

2.4 That the Committee agrees to the preparation and publication of notices for the new and amended Traffic Regulation Orders associated with the implementation of both the Local Transport Plan funded measures and the Section 106 funded measures, noting that any objections will be reported to this Committee.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 Brighton & Hove City Council has statutory duties under the Road Traffic Act 1988 to prepare and carry out a programme of measures designed to promote road safety. The Council also has a statutory duty to promote safe and sustainable modes of transport under the Education & Inspections Act 2006. The Council's Safer Roads Strategy for 2014-2020 supports continued casualty reduction efforts within an annual, data-led Safer Routes to Schools Programme.

3.2 The Safer Routes to School Programme is a data-led initiative that aims to improve routes to school making it safer for children and their parents and carers to walk, cycle or use public transport. This provides increased travel choice for the journey to and from schools with the aim of reducing car journeys to school sites and associated parking problems. The initiative forms a key component of Brighton & Hove City Council's Local Transport Plan 2015/16 2018/19.

3.3 Planning permissions associated with the redevelopment of the West Blatchington Primary School site (to include new Primary premises and a new campus for the Kings Secondary School) includes obligations to fund changes to the highway secured through a legal agreement between the Council and the development under Section 106 of the Town and Country Planning Act 1990 (Section 106 Agreement). The Section 106 Agreement lists a number of local transport related improvements that the school development is obliged to fund and the Council is obliged to use its powers to deliver. Whilst there is some flexibility on the details of these measures, the broader obligations to both parties to the Section 106 Agreement are set out in the terms of the legal agreement.

3.4 During the three academic years from 01 September 2014 to 31 July 2017 (within an 800m radius of the mid-point of Summerdale Road), there have been 8 collisions involving 3 cyclists and 5 pedestrians (including 6 children) at school journey times.

3.5. The measures recommended for implementation are summarised as follows:

Part of the West Blatchington Primary redevelopment: Section 106 Agreement

- Hangleton Way crossings – a raised table, dropped kerbs tactile paving and parking restrictions around school entrances
- Downland Drive/ Hangleton Way junction - New Give way, parking restrictions, dropped kerbs and tactile paving.
- Amberley Drive/Poynings Drive - Closure of the roundabout; new pavements and parking restrictions, dropped kerbs and tactile paving
- Hangleton Way/ Stonecroft Close - Pavement corner build outs, new crossover driveway to bridleway, dropped kerbs and tactile paving; double yellow lines on junction.
- Park Rise/ Lark Hill; Northease Drive/ Lark Hill; Amberley Drive/ Northease Drive; Poynings Drive/ Clayton Way - Dropped kerbs and tactile paving at four junctions
- Northease Drive/ Park Rise - Pavement extensions, dropped kerbs and tactile paving

- Hardwick Way/ Harmsworth Crescent - Pavement corner build outs, dropped kerbs and tactile paving

Measures Funded by the Local Transport Plan and Other Section 106 Agreements

- Hangleton Lane - A widened shared use path from Fox Way to the A293 and connecting to Benfield Valley network and Hangleton Valley Drive; bus stop alterations, signage, dropped kerbs and tactile paving; widening to allow shared use of the Twitten between Fairway Cres and Hangleton Lane/ Mill Lane Portslade.
- Hangleton Way/ Dale View/ Hangleton Gardens – Speed calming, parking restrictions, cycle parking, new footways with dropped kerbs & tactile paving.

3.6 Headline results from the public consultation are as follows:

2288 frontages contacted/ 113 responses/ 5% response rate.
48% of responses were from residents of the consultation area.

Location	**Approval rate**
Hangleton Way Crossings	82.6%
Downland Drive/ Hangleton Way	80.7%
Amberley Drive/ Poynings Drive	82.1%
Hangleton Way/ Stonecroft Close	84.1%
Hangleton Lane	73.1%
Benfield Valley walking and cycling network	79.6%
Dropped kerbs and tactiles – 4 locations south of Hangleton Way	84%
Northease Drive/ Park Rise	81.9%
Hardwick Way/ Harmsworth Crescent	83%
Hangleton Way/ Dale View/ Hangleton Gardens	81.5%

3.7 Consultation comments –see Appendix for full details.

Summary:

- Support for prioritising pedestrians over vehicles;
- Request for a school crossing patrol officer (lollipop person);
- Worries about damage caused by raised tables;
- Question about making Downland Drive One-Way;

- Concerns about speeding;
- Concerns about parking on pavements,
- Parking space and general and lack of parking enforcement;
- Dislike of buildouts and doubts about their purpose;
- Questions about bus routes;
- Concerns about specific locations: A293 Roundabout, Court Farm Road/ Hangleton Road junction, Goldstone Cres A2038;
- Questions about lack of measures east of school site; Support for improvements to lighting in Benfield Valley;
- Assertions about cycling.

Officer Responses are listed in the Appendices to this report.

3.8 Bus stop improvements on Hangleton Way east of Hardwick Road and west of Hardwick Way as well as on Hardwick Road west of Harmsworth Crescent including raised kerbs, real time information and an additional shelter are also being funded by the Section 106 Agreement. There will be a significant increase in demand on public bus services and these measures will improve accessibility and information around the routes serving the new Kings School site.

3.9 Although the Council is not obliged to consult on changes to bus stops, following changes in 2002 to the regulations issued by the Department of Transport, residents were however informed of the planned bus stop works. The changes to the regulations in 2002 are intended to help local authorities prevent the obstruction of bus stops and pavements by parked vehicles and to make bus travel more accessible.

3.10 Section 106 contributions from the Portslade Aldridge Community Academy (PACA) development for sustainable transport are being expended as part of the Hangleton Area Safer Routes to School scheme on improvements for cyclists and pedestrians on Fox Way/ Hangleton Way west of the A293 junction.

3.11 The Draft City Plan 2 has earmarked land now leased on a long term basis to Benfield Investments Ltd adjacent to Hangleton Lane east of the A293 for 'enabling development' while setting aside a significant area of the valley for leisure and conservation purposes including access routes to the South Downs National Park. Planning applications for the site have not yet been submitted and will be considered in the context of the Draft City Plan 2.

3.12 Plans are being discussed to relocate CityParks from temporary premises at Hollingdean Depot to Hangleton Bottom. This site can be accessed via Bush Farm Drive/ Thornbush Crescent, which connect to proposed off-road cycle routes on Hangleton Lane through Benfield Valley to Old Shoreham Road, linking with Portslade station on a quiet route. The A293 is not a viable walking or cycling route.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Proposals for Benfield Valley were developed to a preliminary design stage and included an extension of the street lighting on Hangleton Valley Drive to the Greenleas carpark, in order to provide a power source for lighting on the path south to meet existing lighting on the east-west axis path to the subway. The path from Greenleas south is on leased land. The leaseholder, Benfield Investments Ltd, has agreed to keep the undergrowth clear of the existing path. No planning applications have been brought forward to date, and officers are therefore proposing a pause on the lighting works until the final route of walking and cycling paths north to south can be determined. Sufficient funding has not been identified to implement upgrades on the West-East path linking Hangleton Way with the existing subway on Council maintained land.

4.2 Funding for widening of the footway to create a shared use path on Hangelton Lane west of the A293 has been secured via Section 106 contributions from the PACA development. Funding for widening the section of path east of the A293 as far as the entrance to the Benfield Valley network is available via LTP funding. The public consultation did not indicate clear support for changing priorities at the junction with Hangleton Valley Drive. Funding has not been secured for this or the associated footway extensions proposed, but the existing refuge on Hangleton Road nearest this junction can be used to get eastbound cyclists across to re-join the carriageway before the junction until further funding can be identified.

4.3 Funding for an upgraded crossing facility across the A293 has not been secured and this is not part of the proposals, but officers are investigating potential designs which will be assessed as part of the crossing request scheme going forward. This will ensure future reviews as walking and cycling demand on this route increases. Community and stakeholder feedback supports an improved crossing at this location (See Section 5)

4.4 Pedestrian facility improvements to the junction of Clarke Avenue and Beeding Avenue were listed in the schedule of the Section 106 Agreement as part of the allocation of the Sustainable Transport Contribution. Officers were not confident that the sum agreed for the Sustainable Transport Contribution would cover all measures. This measure has been omitted because it is furthest from the school site. If a residual sum is available, residents at this location and ward councillors could be consulted on a design to include dropped kerbs and tactile paving as well as parking restrictions to improve visibility on the roundabout approach.

5 COMMUNITY ENGAGEMENT & CONSULTATION

5.1.1 West Blatchington Primary School travel surveys showed the following pupil reported modal shares:

(City Primary average 2017-18 in brackets)
Walking 38.8% (54.4%);
Car/ Van/ Park & Stride 44.5% (39.2%);
Cycling 2.5% (1.8%);
Public Transport 11.9% (3.6%)
(See Appendix for full details)

5.1.2 15 pupils reported feeling unsafe at the junction of Amberley Drive and Poynings Drive/ Hangleton Way. Amberley Road and Poynings Drive were identified as part of their main route to school by 20 pupils.

5.1.2 The higher than Primary school average for bus use may be partly attributable to the school minibus service, though funding for this ended in 2016-17 and the school has indicated is intending to discontinue the service in the next academic year. The service is currently full but the school believe a reduction in demand is likely due to reduced pupil numbers and more children in Hove and Portslade with special educational needs (SEN) now being given places at their local schools, though overall SEN pupil numbers are rising.

5.1.3 Parent surveys indicate many of those living within 1 mile choosing to drive to the site are doing so because they are combining the journey with travel to work. Expanding capacity and/ or publicising the existing 'breakfast club' (7.45 am start) may encourage more of those parents living within a mile of the site to walk with their children.

5.1.4 West Blatchington Primary School will expand from a roll of approximately 340 to a capacity of 483 pupils on new premises on the same site. Both schools are required to submit updated School Travel Plans (STPs) as a condition of occupation and these STPs will help further promote better and safer travel to the schools.

5.2.1 King's (Secondary) School surveys showed the following modal shares for student travel intentions to the new site:

(City Secondary average 2017-18 in brackets)
Walking 9.8% (47.9%),
Public Transport 52.6% (28.2%);
Cycling 8% (2.45);
Car/ Van/ Park & Stride 12.6% (20.45);
Unsure 16.6% (See 4.1 - bus use).

See Appendix for full details.

5.2.2 Thirteen (13) students identified the A293/ Hangleton Lane junction as a place where they felt unsafe. y, All 13 intend to use this route. 4 identified Amberley Drive/ Burwash Drive as a place that they felt unsafe. 61 identified the western approach to the new site on Hangleton Way as their most likely route. 27 specified Amberley Drive as their preferred route, with Beeding Avenue, Downland Drive and Poynings Drive mentioned by several as likely routes. Northease Drive, Poplar Avenue and Applesham Avenue were identified by around 10 students each as likely routes.

5.2.3 School Survey findings suggest bus use and current capacity are going to be major issues for the new site. 67% of parents thought their child would be accessing the new site by bus. 13% suggested they would be coming by car but almost none had considered a park and stride location further away from the site.

5.2.4 72% of the 127 comments made by parents are regarding concerns about bus routes and timings. 38% of these were requests for bus services from Richardson Road/ New Church Road and 21% for services from Portslade/ Mile Oak. 20% expressed general anxiety about a lack of services from their area to the new site.

5.2.5 Parents are also concerned about the A293 junction with Hangleton Lane (see Section 4.2 above), the Hangleton Road/ Court Farm Road junction and the junction of Goldstone Cres with the A2038. 15 comments were made about the need for a safe cycling route to the new schools site on both the eastern and western approaches.

5.2.6 The Kings (Secondary) School has no current allocation of council subsidised school bus services and students will need to use public services to access the new site. Brighton & Hove buses and Big Lemon are both in discussion with Public transport officers about the feasibility of morning service alterations to support likely demand. Brighton & Hove Bus Company has indicated that additional vehicles and drivers are not available for afternoon homeward journeys which will have to rely on existing public services. The timing of the end of the school day may also impact on other secondary schools in the area and these schools are being included in discussions.

5.2.7 Approximately 650 students will attend the new Kings School site in September 2019 and the school will expand to a full capacity of 1050 students within 4 years of occupation. The draft School Travel Plan (STP) submitted with the planning application specifies a 50/50 faith based selection split to distance based.

5.2.8 Ward councillors were consulted prior to the design stage of the new site and were given sight of initial designs. They were also invited to take part in public events as part of the public consultation. Speed limit concerns at the A293 and sight lines at the Dean Gardens junction were addressed following councillor interventions.

5.3 Internal Stakeholder responses

5.3.1 The environmental protection team has confirmed that Hangleton is outside of the Air Quality Management Area and prevailing pollution levels are low.

5.3.2 The transport policy team have requested that double yellow lines are installed at locations where dropped kerbs /tactile paving will be put in where no lining currently exists. They are concerned about pavement parking in Hangleton and believe this will increase with the new school.

5.3.3 The education capital strategy team have sought clarifications on some ‘Highway Works’ listed in the Section 106 Agreement. This has led to an agreement with the site developer (prior to the formal Section 278 agreement) that they will reinstate full height kerbs and standard paving across the former school driveway on Downland Drive and extend the footway across the driveway of the adjacent caretaker’s residence to meet the Bridleway leading to Toad’s Hole Valley.

5.3.4 Education capital strategy has also noted that item xviii of the Section 106 agreement (pedestrian facility improvements at the junction of Clarke Avenue, Beeding Avenue and Clayton Way) is not included in the proposed scheme.(See Section 4.4 above).

5.3.5 The School travel team has noted that car use for West Blatchington Primary is high. They note the low pupil numbers intending to travel by car to the new Kings School but believe the new site is going to put great stress on public bus services.

5.4 Statutory stakeholder responses

5.4.1 Sussex Police have indicated they see no issues with the plans. No responses have been received from the Road Haulage Association, SECAMB (South East Coast Ambulance Service) or East Sussex Fire and Rescue Service.

5.4.2 Compass, Brighton & Hove Buses & Big Lemon have been consulted via regular Bus Infrastructure group meetings. Brighton & Hove Buses agreed that double yellow lines need extending on the west side of Hardwick Road to prevent right turning northbound buses blocking the southbound lane.

5.5 Non-statutory stakeholder responses

Representatives from local cycle advocacy group Bricycles and the Friends of the Earth (FOE) met with officers to discuss measures in Hangleton Lane and proposals for the Benfield Valley. Both groups were dissatisfied with the quality of the preliminary designs and expressed concern about the junctions of Bush Farm Drive and the A293 crossing in particular. They note that concern about junctions deters people from cycling and believe there is less value to such proposals unless junction connections are addressed.

5.5.1 Officers agreed modifications to the design of the Bush Farm junction will be made to allow cyclists to access and exit the infrastructure without dismounting if they wished to. Both groups believe the A293 crossing requires a bridge or subway but accept that this is not affordable within the current scheme's budget and officers would not recommend a bus or subway. They are content to see the crossing on the request scheme list.

5.5.2 Officers asked for feedback on a compromise to reduce costs at the eastern end near Hangleton Valley Drive by ending the shared use path before the junction and crossing eastbound cylists back to the eastbound carriageway via a widened refuge. Both groups are concerned these fall below acceptable design standards but accept funding is unlikely to allow full implementation at this stage and agree some provision is better than nothing.

5.5.3 Officers agreed the minimum effective width (allowing for clearance) of 3m on Hangleton Lane shared use paths allows for safe two way movement and should be adhered to wherever costs allow with lamp columns and signage set back from the pathway. The bus stop west of the A293 is a pinch point and revised designs will reconsider the effective width at this point. The width at the Brick pumping station structure east of the junction necessitates a compromise to remain within budget but it was agreed visibility is good at this point. FOE would

like to see 3.2m wide dropped kerbs on shared use paths. Officers agreed that the turning circles of non-standard bikes will be considered in final designs.

5.5.3 Elsewhere in the scheme, FOE would like to see all dropped kerbs at crossing points meet a minimum of 2.8m width in high footfall areas and 2m elsewhere, not 1.2m as preliminary designs show. They would like to see all crossing points protected by double yellow lines and are concerned about the impact of pavement parking on pedestrian safety in this area, suggesting only bollards will prevent this in some locations.

5.5.4 In Benfield Valley, both groups would like to see a final design with paths widened and additional lighting set well back. They believe gates present an equalities issue and object to their use, preferring bollards. Officers made it clear funding had not been secured and agreed that the design of gates needed further consideration when money became available but pointed out these must also consider local concerns about anti-social motorcycle use.

6. CONCLUSION

6.1 Residents are broadly in support of the proposed measures funded by the West Blatchington Primary School Section 106 agreement. Measures in Hangleton Way/ Dale View/ Hangleton Gardens are in response to casualties and the concerns of senior managers at Hove Park School and have the support of residents.

6.2 Officers agree that extra double yellow lining should be added to new crossing points where dropped kerbs and tactile paving will be installed.

6.3 Concerns have been raised by residents and parents about the Court Farm Road/ Hangleton Road and the Goldstone Crescent/ A2038 junctions that will be used by students who attended Aldrington Church of England Primary, a feeder school for the Kings (Secondary) School. Funding has not currently been identified for these junctions though this may change when development in Toads Hole Valley reaches the planning agreement stage.

6.4 Measures in Benfield Valley are also supported by residents, but while the area is earmarked for development in the Draft City Plan 2, funding sources for these plans have not been fully identified. The leaseholder, Benfield Investments Ltd, is committed to supporting the existing network with maintenance and is mindful of the need to maintain walking and cycling permeability through the site. Cityparks have agreed to clear vegetation back from existing lighting.

6.5 Some funding specific to Hangleton Lane has been identified which will secure a widened shared use path to connect to the existing Benfield Valley network. This could be extended to the Hangleton Valley Drive as future sums become available. Plans for future development in the immediate area mean contributions may become available to include full proposals in due course. The current proposals provide a link to a safer cycling route to the school sites at northern end of Hangleton Way via Hangleton Valley Drive, a wide and flatter route towards the new Kings School site avoiding the busier Hangleton Way for most of the journey.

6.6 Officers will continue to work with both schools on their school travel plans and will support discussions between the bus companies and Kings School on likely demand for services to and from the new site at school journey times. Current legislation means that this remains a commercial decision for both companies. There is no funding for further supported bus services in the area.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The estimated overall cost of the proposed works is £0.373m including an allocation for contingencies. This project will need to be added to the capital programme subject to Policy, Resources and Growth committee approval. The costs will be funded from S106 developer contributions £0.300m, 2018/19 Local Transport Plan (LTP) budgets £0.060m and 2019/20 CityParks revenue budgets £0.010m. Expenditure will be monitored as part of the Targeted Budget Monitoring (TBM) process.

7.2 The procurement of a contractor to carry out the proposed works should follow the corporate Contract Standing Orders policy.

Finance Officer Consulted: Gemma Jackson Date: 15/11/18

Legal Implications:

7.3 Under the Road Traffic Act 1984 the Council has a duty to prepare and carry out a programme of measures designed to promote road safety. Under the Education and Inspections Act 2006 the Council has a duty to promote sustainable modes of travel to meet school travel needs. The proposals recommended in this report will help to demonstrate that the Council is complying with these two statutory duties.

7.4 The proposals will also help to demonstrate that the Council is complying with its network management duty under the Traffic Management Act 2004 to secure the expeditious, convenient and safe movement of all types of traffic, including cyclists and pedestrians :

Lawyer Consulted *Stephanie Stammers* *Date: 14/11/18*

SUPPORTING DOCUMENTATION

Appendices:

1. Public Consultation report
2. Design 1 Hangleton Way and Stonecroft Close
3. Design 2 West Blatchington School
4. Design 3 Crossing locations (4) – standard dropped kerbs & tactiles
5. Design 4 Hardwick Way & Harmsworth Rd junction
6. Design 5 Northease Drive & Park Rise junction
7. Design 6 Hangleton Way/ Dale View junction
8. Design 7 Hangleton Lane

9. Design 8 Benfield Valley

Documents in Members' Rooms

1. School Survey Report (West Blatchington Primary School)

2. School Survey Report (King's School).

Background Documents

1. West Blatchington Primary School Development – Section 106 Agreement

Hangleton Safer Routes to School Scheme – Public Consultation report

The Hangleton 'Safer Routes to School' scheme has been developed to improve walking and cycling journeys to and from schools in the area and to reduce car journeys. It is funded by the Council's Local Transport Plan and developer contributions from the West Blatchington Primary redevelopment, including the new Kings School at the north-eastern end of Hangleton Way.

Headline Results

All measures were supported by respondents, ranging from 73% to 84% in favour.

Methodology

Postcards were sent to 2288 property address in the area to invite people to go online to view details on bus stop improvements and to comment on various proposals to improve road safety in the area. Copies of the questionnaire were also available in a paper format available on request.

A series of measures were described for:

- Hangleton Way Crossings
- Downland Drive/ Hangleton Way junction changes
- Amberley Drive/ Poynings Drive junction changes
- Hangleton Way/ Stonecroft Close junction changes
- Hangleton Lane (various proposals including improvements to walking and cycling space, changed give-ways priorities and improvements to bus shelters
- Benfield Valley Walking and Cycling network improvements

Respondents were asked whether they supported each measure and given space to comment on these.

Results

There were 113 responses: 112 were received online and 1 paper copy.

Hangleton Way crossings: A raised table across the road near the primary school entrance; new school zig zags and guard rails outside the two new pedestrian entrances; double yellow lines across the two new vehicle entrances; pavement build outs with dropped kerbs, tactile paving and double yellow lines on the junction with Hardwick Road.

	Number	%
Yes	90	82.6
No	5	4.6
Don't know	14	12.8
Total	109	100

Respondents' comments on the Hangleton Way crossings have been summarised as follows (Comments in full are in the Appendix):

- Difficult for children in Goldstone Crescent this has been overlooked (x2)
- Clear overgrown vegetation and fallen leaves in Hangleton Park – no room to walk and difficult for those with disabilities
- Double yellow lines will not solve parking at schools, bollards are needed as well, need more parking enforcement, roads are too narrow – people park where they like (x4)
- Don't support the narrowing of entrance to Hardwick Road due to bus trying to turn causing tailbacks already – this will make it worse – use redundant grass corners
- Why make bus stops bigger on Hangleton Way when last stop is Hardwick.
- Extending Pavements causes difficulties for drivers and encourages bad driving trying to navigate round them (x2)
- Children will not use the crossings if the bus stops are not on desire lines, bus stops and crossings need to be close together
- Need lollipop person
- Want speed bumps on corner of Amberley Drive/ Hangleton Way
- Bus build outs stop the flow of traffic and will cause difficulties for emergency vehicles
- Raised tables cause damage to vehicles
- Why is nothing to the East of the new site covered?
- I'd like to know what route the bus(es) will be taking

Officer responses

Goldstone Cres/ A2038 junction is likely to be addressed as part of the Toad's Hole development.

Parks issues will be passed to Cityparks.

Bollards cannot be placed in every location where pavement parking occurs. Lines make this easier to enforce. CEOs will visit the new layout and the schools will be able to request this assistance.

Bus turning paths have been taken into account with the designs. Lining on Hardwick Road will ensure a bus at the give way does not need to block the opposite lane because of parked cars on the western side.

Bus stop changes are for information only. These were not consulted on.

It is an offence to drive on the pavement. Pedestrians need clear sightlines to cross safely.

Likely desire lines from bus stops have been considered.

West Blatchington Primary has the option to recruit a Lollipop person. We can provide training and uniform but the council cannot confirm funding for the post until the 2020/21 financial year.

Dept. for transport standards do not permit speed calming on corners.

Emergency services have been consulted and have not raised concerns.

Raised tables exist in other city locations and do not damage vehicles.

Bus routes are a mixture of supported services and commercial routes. The latter is a decision for the bus company but officers will provide feedback from school surveys to inform this.

Downland Drive/ Hangleton Way

	Number	%
Yes	88	80.7
No	8	7.3
Don't know	13	11.9
Total	109	100

Respondents' comments on Downland Drive/ Hangleton Way have been summarised as follows (Comments in full are in the Appendix):

- Corner is hazardous to drivers and pedestrians, Concerned that new crossing points are very close to the corner, want speed bumps to prevent speeding on busy corner, will cause delays (x4)
- Downland Drive should be one way at the top end (x2)
- How far will the double yellows go on Downland Drive? This will affect residents
- I'd like to see images of proposed changes as it is not clear from the brief description
- Extending pavements causes difficulties for drivers
- Any changes need to be communicated well

Officer Responses (some previous answers apply).
The measure has been independently audited by safety consultants and the council will respond to any concerns they raise.
Double yellow lining changes were clearly shown and will be advertised in Traffic regulation order amendments in December. These will be advertised and the public will have a right to scrutinise and raise concerns.
One way roads are not recommended near schools because they are proven to encourage higher speeds.
Community liaison will continue throughout the scheme.

Amberley Drive/ Poynings Drive junction changes

	Number	%
Yes	87	82.1
No	8	7.5
Don't know	11	10.4
Total	106	100

Respondents' comments on Amberley Drive/ Poynings Drive junction changes have been summarised as follows (Comments in full are in the Appendix):

- This won't help current congestion levels yet alone when there are 1000 more students.
- Comments about parking:
    - Additional parking will become a free for all and encourage double parking,
    - Needs parking enforcement (x2)
    - This will further affect parking
    - Who are the parking bays for – residents or school drop off – it's not clear
    - Not enough parking for residents
    - How much parking will this give?
    - Needs parking around the school for visitors and safe drop off points
- Need visual representation to understand the proposals
- Roundabout is a useful turning point and stops 3-point turns
- This is a main passing point for buses

Officer Responses.
The aim of these improvements is to improve pedestrian access.
Parking enforcement is already carried out in this area. The design will make enforcement easier at this location and prevent parking endangering pedestrians by blocking sightlines. The area is not part of a controlled parking zone and parking surveys commissioned by developers demonstrate there is plenty of spare capacity for residents. The design creates 5 new parking bays on the carriageway.
Drivers can seek alternative locations and routes to alter direction. This is a key route to the school sites.

Hangleton Way/ Stonecroft Close

	Number	%
Yes	90	84.1
No	4	3.7
Don't know	13	12.1
Total	107	100

Respondents' comments on Hangleton Way/ Stonecroft Close have been summarised as follows (Comments in full are in the Appendix):

- Road build-outs cause problems (x4)
    - unclear where road build outs are
    - a pinch point creates more danger for drivers and pedestrians
    - roads are already too narrow and busy

    - especially for buses travelling in opposite directions meeting at the bend
- Needs parking enforcement (x3)
- Need a safe crossing for people who have walked up the eastern side of Hangleton Way who will then turn right and need to cross to the north side

Officer responses (some previous answers apply).
Build outs are labelled. These improve visibility and views for pedestrians.
Narrower junctions decrease speeds meaning impact severity is reduced.
Bus companies have not raised any concerns about the designs.

Hangleton Lane

	Number	%
Yes	76	73.1
No	6	5.8
Don't know	22	21.2
Total	104	100

Respondents' comments on Hangleton Lane have been summarised as follows (Comments in full are in the Appendix):

- Pedestrians need to be prioritised over cars
- Crossings
    - Needs a formal crossing or footbridge rather than changing the Hangleton Valley Drive junction (x3)
    - even with adjustments – it will still not be easy for school children to cross
    - no safe way to cross the junction of Hangleton Lane, Clarke Avenue and Court Farm Road
    - need a crossing at bottom of Hangleton lane
- Cycling
    - should be on the road, don't want shared pavement and cyclists
    - There are no cycle lanes in Hangleton
- Don't want priority to Hangleton Way – drivers would struggle to pull out at rush hour
- Widening pavements will create bottlenecks
- Twitten needs lights

Three measures were shown under this question, although there was overall support for these:

- 1 respondent supports Viewpoint A
- 1 respondent supports Viewpoint B
- 1 respondent doesn't support Viewpoint B
- 1 Respondent says that Viewpoint C is essential

Officer responses

Bridge or subway – see main report for response to Friends of the Earth and Bricycles.

The crossing location will be referred to the crossing request scheme. Funding is not available and the independent safety auditor has not raised any concerns at current demand levels. The CRS will continue to monitor the site as conditions changes and demand grows. Adjacent site developments may present funding opportunities in future.

Priority at the Hangleton Valley Drive junction will not be altered and funding has not been identified for pavement extensions.

Lighting issues will be passed to the Street Lighting team.

Benfield Valley walking and cycling network

	Number	%
Yes	82	79.6
No	5	4.9
Don't know	16	15.5
Total	103	100

Respondents' comments on Benfield Valley walking and cycling network have been summarised as follows (Comments in full are in the Appendix):

- Paths are too secluded to be safe, need lighting on Benfield Valley and is unsafe at night
- Spend the money on a safe crossing (A23/ Fox Way)
- I support better lighting and maintenance and cutting of vegetation and CCTV to improve safety and security for pedestrians
- Don't want a subway
- This will improve safety in the winter months

Officer responses

Funding has not been identified for this network, though future developer contributions may be able to fund improvements. Vegetation will be cut back and lighting defects will be rectified.

Wider area south of Hangleton Way

	Number	%
Yes	89	84.0
No	6	5.7
Don't know	11	10.4
Total	106	100

Respondents' comments on the wider area south of Hangleton Way have been summarised as follows (Comments in full are in the Appendix):

- Could cause congestion at school run times
- Cycle lanes are not used
- Needs better parking enforcement (x4)
    - not dropped kerbs and tactile paving
    - need bollards to stop pavement parking
    - Parking on junctions makes driving and cycling dangerous
- Don't want build-outs
- Locations closer to Hangleton Primary are higher priority due to corner parking

Officer Responses (see previous comments)

Improved pedestrian facilities will encourage more people to walk or 'park and stride' the last bit of the journey.
No cycle lanes are proposed here.
Locations were identified by officers in relation to routes to the new development sites.

Northease Drive/ Park Rise

	Number	%
Yes	86	81.9
No	11	10.5
Don't know	8	7.6
Total	105	100

Respondents' comments on Northease Drive/ Park Rise have been summarised as follows (Comments in full are in the Appendix):

- Priority should be uneven paving slabs
- Don't support corner build outs (x4)
- Hangleton Primary locations should be a priority
- Not sure how it will reduce speed/ reduce the speed in the area
- People need to park somewhere
- The park road is too narrow for cars parking overnight forcing them to park in Larkhill which in turn will lead to bus delays
- More double yellow lines/ enforce parking

Officer Responses (see previous comments)
Uneven paving slabs are a maintenance issue which should be reported to Highwaysbasicmaintenance@brighton-hove.gov.uk
Vehicles will slow at tighter corners and tend to accelerate where corners are swept back.

Hardwick Way/ Harmsworth Crescent

	Number	%
Yes	88	83.0
No	9	8.5
Don't know	9	8.5
Total	106	100

Respondents' comments on Hardwick Way/ Harmsworth Crescent have been summarised as follows (Comments in full are in the Appendix):

- Don't want build-outs / corner build-outs (x3)
- Want build-outs
- Area near Hangleton Primary are a higher priority

Hangleton Way/ Dale View/ Hangleton Gardens

	Number	%
Yes	88	81.5
No	12	11.1
Don't know	8	7.4
Total	108	100

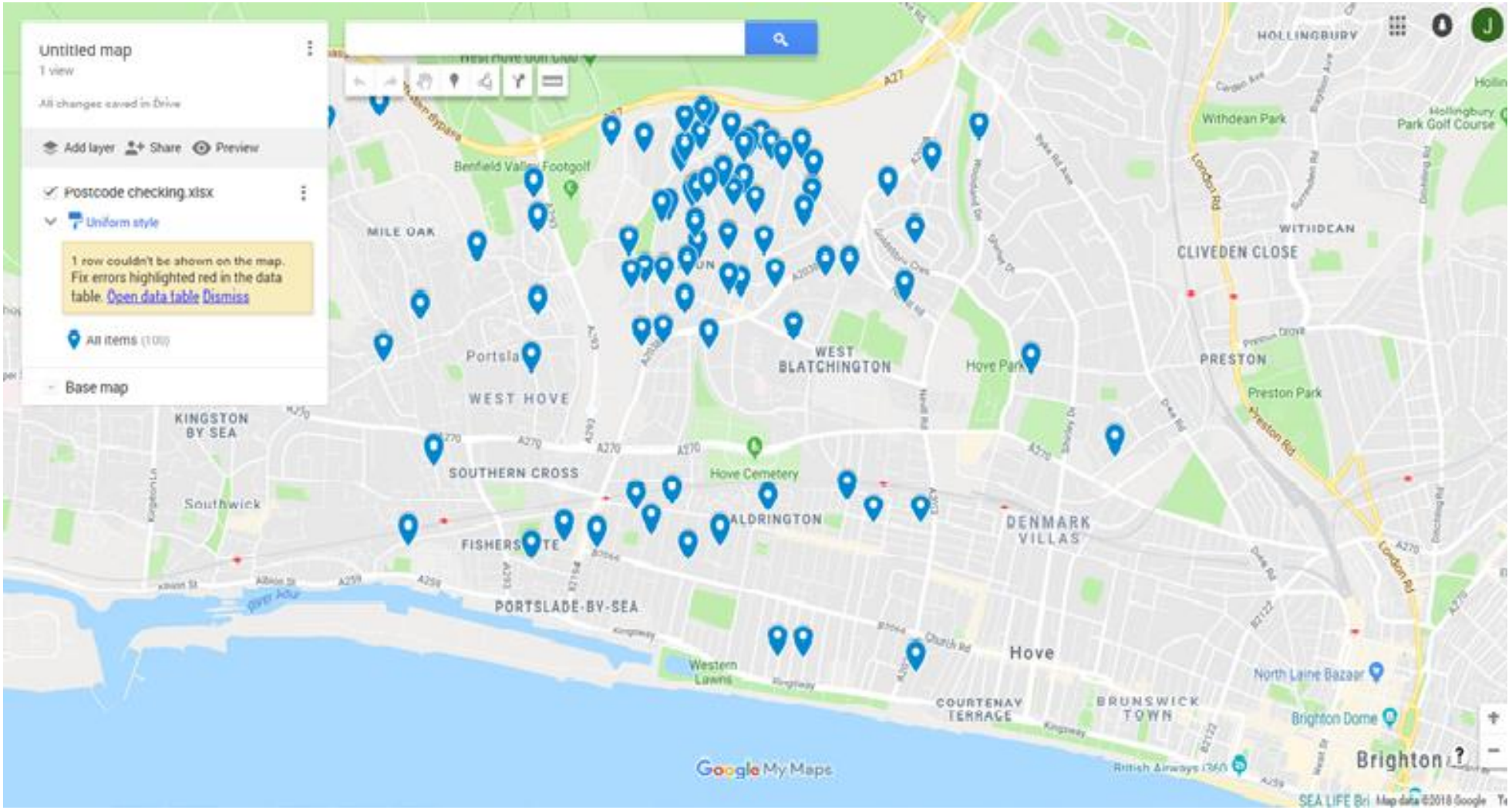
Respondents' comments on Hangleton Way/ Dale View/ Hangleton Gardens have been summarised as follows (Comments in full are in the Appendix):

- Don't want speed bumps/ cushions/ raised tables (x5)
- Need enforcement
- Want speed calming nearer to Hangleton Way/ Hangleton Road junction
- Don't want pavement build-outs (x2)
- Proposals don't take extra traffic into account
- Want to see the bus routes
- Needs a few crossings in key areas (and other areas e.g. Poplar Drive/ Northease Drive)

Officer Responses (see previous comments)

Speed monitoring and school leadership feedback suggests speeds are too high at this location.
Traffic volumes have been considered in designs which are focused on making pedestrians and cyclists safer.
Further crossing requests should be directed to the Crossing Request scheme.

Respondents who gave postcodes: 48 responses were from property addresses within the consultation area and 52 from outside the area. The distribution of postcodes was as follows:



Demographic Information

Age	Number	%
18-24	1	1.1
25-34	10	11.1
35-44	38	42.2
45-54	30	33.3
55-64	7	7.8
65-74	4	4.4
75+	0	0
Total	**90**	**100**

Gender	Number	%
Male	24	25.3
Female	71	74.7
Other	0	0
Total	**95**	**100**

Do you identify as the gender you were assigned at birth?	Number	%
Yes	88	97.8
No	2	2.2
Total	**90**	**100**

Disability	Number	%
Yes, a little	6	6.7
Yes, a lot	2	2.2
No	82	91.1
Total	**90**	**100**

Of those who answered “yes”, disabilities were as follows:

Please state the type of impairment which applies to you.	Number
Physical impairment	1
Sensory impairment	0
Learning disability/ difficulty	0
Long-standing illness	5
Mental health condition	4
Development condition	0
Autistic Spectrum	0
Other	0

Ethnic Origin		Number	%
White	White English/ Welsh/ Scottish/ Northern Irish/ British	86	88.7
	Irish	1	1.0
	Gypsy or Irish Traveller	0	0
	Any other white background	5	5.2
Asian or Asian British	Bangladeshi	0	0
	Indian	0	0
	Pakistani	0	0
	Chinese	0	0
	Any other Asian background	0	0
Black or Black British	African	0	0
	Caribbean	0	0
	Any other Black background	0	0
Mixed	Asian & White	4	4.1
	Black African & White	0	0
	Black Caribbean & White	0	0
	Any other mixed background	1	1
Any other ethnic group	Arab	0	0
	Any other ethnic group	0	0
Total		**97**	**100**

Sexual Orientation	Number	%
Bisexual	0	0
Gay Man	1	1.1
Heterosexual/ straight	90	97.8
Lesbian/ Gay Woman	1	1.1
Other	0	0
Total	**92**	**100**

Religious Belief	Number	%
I have no particular religion or belief	39	41.9
Buddhist	2	2.2
Christian	48	51.6
Hindu	0	0
Jain	0	0
Jewish	0	0
Muslim	0	0
Pagan	1	1.1
Sikh	0	0
Agnostic	1	1.1
Atheist	2	2.2
Other	0	0
Other philosophical belief	0	0
Total	**93**	**100**

Are you a carer	Number	%
Yes	11	11.5
No	85	88.5
Total	**96**	**100**

If yes, do you care for a:	Number
Parent	7
Partner or Spouse	1
Child with special needs	2
Friend	0
Other family member	1
Other	0
Total	**11**

Armed Forces	Yes		No	
	Number	%	Number	%
Are you currently serving in the UK armed forces?	0	0	88	100
Have you ever served in the UK armed forces?	1	1.2	85	98.8
Are you a member of a current or former serviceman or woman's immediate family/ household?	5	5.7	82	94.3

Appendix

Full comments

Hangleton Way Crossings - Comments

No consideration has been given to the children who live in Goldstone Crescent. Several children from Aldrington primary school will be going to the new Kings school next year, many of whom live in the popular Goldstone Valley area. To walk to Kings, some will have to walk up the busy Hangleton Road to the crossroads at St Peters Church and try and cross this very busy road, with cars coming from 4 different directions. This is not safe at all. There is also no access to cross the road further down on King George V1 Avenue (a dangerous road) as no public pathway on the other side. This whole area has been overlooked in your plans and needs to be looked at as soon as possible.
Can you also make sure that all the paths in Hangleton park are clear from overgrown bushes and fallen leaves, please? The paths are so narrow that is not even enough space for two people to walk next to each other i.e. me and my child, not to mention impossible for disabled people. Thank you
Double yellow lines do absolutely nothing for school parkers. We are on poplar avenue and people constantly park on double yellows blocking the corners. Bollards are needed as well as double yellows in my opinion.
Having been here for 10 years, I have seen all sorts of idiotic parking; and I feel that without perhaps CCTV, or personnel to enforce the restrictions, some, maybe many drivers will still park just where they like. ("It's only for a few minutes" will be their excuse.)
Having lived in Hangleton Way for over 30 years I know that unless there is parking enforcement at all times then the double yellow lines and dropped kerb are a waste of time as people will still park on both. The raised table will also be useless as when the parents are picking up and dropping off traffic cannot get along that piece of road at more than about 5 mph anyway.
I do not Support the proposal of making the entrance to Hardwick Road any narrower than it is. As it is, when a bus approaches the top of Hardwick Road turning right, vehicles wanting to turn left from Hangleton Way have to wait partially on Hangleton Way to allow the bus its turning circle. At busy times this leads to a tail back on Hangleton way up to and beyond the corner with Amberley Drive. Widening both corners at the top of Hardwick Road, utilising the completely REDUNDANT grassed corners would alleviate this problem. What you are proposing will make it worse.
I don't understand why the bus stops are being made bigger on Hangleton Way when the last stop is Hardwick? Is there going to be a new bus route that means 100s of school kids aren't outside my house on Hardwick road? Raising curbs isn't going to do anything the bus stops need to be moved away from the houses in Hardwick road.
I like the idea of all of these except extending pavements, it always makes it a nightmare for drivers trying to get through and I actually think sometimes encourages bad driving as drivers try to squeeze through and navigate them.
I'm not a traffic/pavement expert so respect the council's plans.
It is difficult to see where the bus stops are in relation to the new crossing by the schools. If children have to walk 'backwards' to get to the bus stop they are unlikely to use the crossing.
It would be beneficial to have a lollipop lady/man outside the school based at this crossing.
It would be good to have road crossings near to bus stops so that children getting off the bus can cross the road safely - thinking about the route (in a child's mind) from bus to school entrance and from school entrance to bus stop home. You should consult with children to understand their behaviour!

Raised kerbs at the bus stops are fine (and sensible). However if these are also build outs, they will stop the flow of traffic along the top of Hangleton Way and cause even more congestion than we already experience. They could also stop emergency vehicles getting through. Please don't put build outs here!

Raised tables are not a good idea as they cause damage to vehicles due to many vehicles having low profile tyres and therefore the body of the car being very close to the ground. Pavement extensions are also a very bad idea causing chaos and danger for both motorists and pedestrians - ref. the extensions built on Fonthill Road Hove. There have been many near misses as vehicles attempt to turn around these where the road has been greatly narrowed and I myself have had many close shaves attempting to cross here when vehicles have mounted the pavement in an attempt to avoid other vehicles turning.

Speeds bumps on the corner of Amberley Drive / Hangleton Way should be installed. This is a dangerous corner on which people travel way too fast.

the roads are too narrow there is no parking enforcement and people park where they like. built out would be dangerous and not let children see crossing road

Why is there nothing in this plan that covers ANYTHING to the EAST of the new site? As Aldrington Primary School is one of the main feeder schools to King's it is utter madness that this has not been addressed. There is not enough as it is for all the children who live in the Goldstone valley area to get to their existing schools of Aldrington, Blatchington Mill and Hove Park Upper. Goldstone crescent doesn't have one single crossing and it is an extremely busy road at peak times. Once King's is in the new site all three of my children should be able to walk there - negating the need for car or bus transport but how will they do that safely with nowhere to cross these huge roads. It's bad enough that with my eldest having just started King's he cannot get a bus there. There is one route which goes in the opposite direction once a day. Please look carefully at where ALL the children will be coming from.

Would like to know what route the bus(es) will be taking and if they will affect our road.

Downland Drive/ Hangleton Way

As a resident of Downland drive I personally believe that corner is a major hazard to drivers and pedestrians. I believe Downland drive should be made one way at that top end to stop silly driving, parking or crossing.

Changing the give way markings is sensible and should help to allow traffic to flow more easily. I am concerned though that the new crossing points are very close to the corner - this is a very busy area at school pick up/drop off times, and unless cars are travelling very slowly this could make it a dangerous crossing point. Perhaps it needs a speed bump just before the corner to force cars to slow down?

Consider closing this top end of Downland Drive to through traffic, so as it could become a much safer pedestrian and cycle route for school pupils approaching from the South due to absence of through traffic if the end were closed.

How far down Downland Drive will the double yellows go. This will affect residents massively not only on Downland Drive bus surrounding areas due to traffic parking on other roads instead.

I don't drive so difficult for me to understand how this will help.

I live on this street. It does not mention the effects on residents. I'd like to see images of the proposed changes as it is not clear from the brief description here hbrandson@live.co.uk

Same point re built out pavement.

Signs up to communicate new give way junction to ensure people who have always used this route know they now have to stop.

Speed bumps should be installed to prevent speeding on this busy corner

The turning on that corner is tight especially when confronted with a bus (from a car drivers perspective) the sheer volume of traffic will cause blockages and delays, and I don't think any amount of give way signs will help...it's going to be a nightmare

Amberley Drive/ Poynings Drive junction changes - Comments

A couple of extra spaces aren't going to help the extra cars. Is already a nightmare without adding 1000 more students and cars. The road will just be blocked.
Additional parking to replace that lost would be good.
Additional parking will become a free for all and encourage double parking. This can be seen on poplar avenue where it meets Northease Drive at school run time.
All of this appears to be having yet a further impact on the issues of parking and not enough space for car drivers.
Are the parking bays from residents or to encourage people to drop off their children in these areas. It's not clear
As previously stated, unless CCTV or enforcement is used the idiots will STILL park there.
At least this road's parking facilities have been thought about. We at the top of Hardwick Road will be unable to park anywhere near our own homes!
But how much actual parking will that give?
double yellows do not stop people parking there, I live near hangleton primary and school traffic park on them daily and block visibility of the junctions.
Need a visual representation to understand what is proposed
So long as there is parking around the school for visitors and safe drop off points!
The roundabout is a useful turning point and stops people doing 3 point turns as they are able to use the roundabout to turn back, less congestion and less likely of someone reversing into something
This is a main passing point for buses

Hangleton Way/ Stonecroft Close - Comments

Again building the road out just causes problems at times. I would prefer to see zebra crossings at places where you are expecting people to cross.
Are people actually going to pay attention to double yellow lines....as they don't now
Same comment re built out pavement.
The plan for this junction doesn't make it clear where the pavement corner build outs will be located. If these are substantial they will create a pinch point on this corner, making it even more dangerous for both drivers and pedestrians. We need clear sight lines here, perhaps with double yellow lines on the south eastern corner to stop vehicles parking and blocking the view of traffic in both directions. Plus it doesn't seem to include a safe crossing point for people who have walked up on the eastern side of Hangleton Way who will then turn right and need to cross to the north side.
These roads are already narrow and busy!
This junction only needs double yellow lines that are enforced. Corner build outs will only cause problems when two buses traveling in opposing directions meet at the bend. It will leave them with nowhere to go other than reversing back up the road.
with parking enforcement

Hangleton lane

A293 needs some sort of formal crossing or foot bridge. This area needs the most focus and would benefit from the spend rather than changing the junction at Hangleton Valley Drive.
Adjustments to crossing on A293 are better but still not easy for school children to cross.

cycles should be on the road

Don't like the idea of giving priority to Hangleton Way, at rush hour, people on Hangleton Valley drive would struggle to pull out as the traffic is constant, is there not space to put a mini roundabout in instead - I feel this would be a better option.

I agree with changing give ways to give priority to Hangleton Lane - I cross this junction regularly and have seen some near misses - certainly the traffic is much heavier on Hangleton Lane and it makes sense and would improve morning queues to give priority to that.

I agree with everything other than the shared use pavement fir cyclists and pedestrians. I believe this will make the pavements a lot more dangerous for pedestrians, especially school children and the elderly.

I cycle to work and there are no cycle lanes anywhere around hangleton

I support a,c and d however, not b. The junction of Hangleton valley drive and Hangleton lane is already particularly hard to cross as a pedestrian and at certain times of the day an only be done so either by negotiating through the wiring cars or as a result of the goodwill of some drivers who stop and allow you to cross. I fear that if the flow of traffic is to change without some kind of pedestrian crossing such as a zebra or pelican crossing there could be serious injury to pedestrians.

I support option 2, changing of priority to Hangleton Lane. I would also support some type of crossing that gives priority to pedestrians - either zebra or traffic light controlled - to aid crossing of both Hangleton Lane and A293 by pedestrian.

My preference would be for Option no in viewport B, changing the give ways.

Option 1 is preferred. Option no will encourage traffic to speed up all along Hangleton Lane. I am concerned that there are no plans to improve crossing points over Hangleton Way at Town's corner, on the south side of the mini roundabout. There is likely to be a higher volume of traffic along Hangleton way, and many children cross at this point after getting off the bus to Hove Park school or on their way to/from Hangleton primary school.

Option 2 is the most sensible. It will help to improve traffic flow as most vehicles approach the roundabout from Hangleton Lane and not from Hangleton Valley Drive. Pavement extensions are fine as long as they are using verges and not road space.

Really busy area already - widening pavements and thereby narrowing busy roads is going to create further bottlenecks of traffic which increases pollution and road rage!

Should the twitten have lights for use in winter months?

The junction of Hangleton lane with Clarke Ave and court farm road is treacherous. There is no safe way to cross the top of court farm road. I walk this way from school with my children each day and we have to run between the traffic light timings. An accident waiting to happen. There will be more children using this route in the future.

There currently is a lot of speeding and aggressive/antisocial driving on Hangleton Lane (and continuing onto Hangleton Road and west way).

This roundabout needs a zebra crossing on the old Shoreham road arm of the roundabout. Both ways so we can cross from Fox way to Hangleton lane. I don’t mind which of those options are used but I’d rather pedestrians were prioritised over cars as currently it’s like taking children to play chicken and relying upon drivers giving way to let us cross.

Viewport C essential. Zebra crossing at bottom of Hangleton Lane (before roundabout).

Benfield Valley - Comments
As a parent of a girl, I would not allow her to use these path ways, especially if alone. Even, spend the money on a formal crossing at the junction of A23 and Fox Way, so people can cross the fast road safely. This will benefit a lot of people, not just people travelling to school with improvements I think these path would still be too secluded . As previously stated.
Current lighting on Benfield Valley is insufficient and the pathway is very dark and unsafe at night
I support much better lighting, maintenance and cutting of planting to improve sightlines and visibility and CCTV to increase safety and security for pedestrians through these areas.
no comment as not as familiar with this stretch of road
no to subway
This will improve safety in winter months, very much needed.

Wider Area South of Hangleton Way - Comments
Could cause a lot of congestion at school run with Hove Park
Discouraging parking?? Where else would you like people to park as you are taking all their space? Building cycle lanes for cyclists that NEVER use them and constantly disobey the highway code is a waste of time and money. Dropping kerbs and tactile paving does not discourage parking when there is nowhere else to park!
Dropped kerbs are fine, build outs are not
I agree if there is some way of enforcing this!
Locations closer to Hangleton Primary are a higher priority due to corner parking for a decade or more making crossing with young children extremely dangerous and navigating streets by non-school cars very difficult.
more bollards to prevent pavement parking and better enforcement
Parking on junctions makes driving and cycling very dangerous and needs to be stopped
See comment re built out pavement

Northease Drive / Park Rise - Comments
A priority in this area should be the paving slabs that pedestrians are expected to walk on. They are uneven and not safe. Walking to and from school on the school run I have seen at least 4 separate occasions where children have tripped over the uneven slabs either walking or on scooters and buggies have got caught on them also. All along Lark Hill and Poplar Avenue.
corner build outs daft
Dropped kerbs are fine, build outs are not
Locations closer to Hangleton Primary are a higher priority due to corner parking for a decade or more making crossing with young children extremely dangerous and navigating streets by non-school cars very difficult.
no to build outs, rest is fine
not sure how it will reduce speed. People drive up and down poplar avenue at 50mph plus sometimes.
People need to park somewhere???
Reduce the speed in this area? Have you actually driven round this area? There are parked cars galore and it is a narrow road due to the parking and buses. Do people actually speed round corners in this area???

See comment re built out pavement
The park road is to narrow. Cars parked overnight will find it impossible, forcing them to park in Larkhill and causing buses to be late
Would like to see double yellows extended as parents for Hangleton school already stop here and ignore ALL parking restrictions

Hardwick Way/Harmsworth Crescent - Comments

no to build outs
corner build outs daft you cannot take these corners at speed
I support the build outs in this area as there are very few vehicles using this access into Harmsworth Crescent
Locations closer to Hangleton Primary are a higher priority due to corner parking for a decade or more making crossing with young children extremely dangerous and navigating streets by non-school cars very difficult.
See comment re built out pavement
Would be good if it actually works!

Hangleton Way/ Dale View/ Hangleton Gardens - Comments

no speed bumps though please, they just make driving around local area unpleasant and uncomfortable.
All very good. However if no CCTV or law enforcement are in place many drivers will abuse all of these plans.
As a local resident, I would like to see the speed calming measures moved closer to the Hangleton Way/ \Hangleton Road junction. Speeding traffic ignores the 20mph speed limit as it leaves Hangleton Road to Hangleton Way. This area is a popular area for dropping off children for school. Extra speed reduction measures that are closer to the junction would help with the extra danger.
As long as the pavement is not built out
Can speed reduction measures other than Speed Cushions be used, such as narrowing of road? Aren't these now environment un-friendly as they cause more traffic pollution?
I am concerned that none of these proposals takes into account the extra traffic that will be generated by people driving up Nevill Road and Court Farm Road, and accessing Hangleton Way via Poynings Drive. These roads are already very busy at school times at both Hove Park Upper School and Blatchington Mill and the extra traffic could easily create danger spots for children at these schools. I also question how efficient any of these safety improvements will be as parents will no doubt continue to park on corners, on pavement and on yellow lines, just as they do now. Some of this funding should be used for some sort of monitoring system to deter parents from parking where they shouldn't. It is bad enough now with only 300+ pupils at West Blatchington School. With well over 1000+ new students at the Kings School, the number of cars arriving along Hangleton Way will increase dramatically, and with it the danger to both pedestrians and of blocking to road to buses, dustcarts and emergency vehicles.
I would really like to see BUS ROUTES and how children from New Church Road travel to the new site. The majority of the children from Kings are from the BN3 area so I was hoping to see bus route servicing the school.
Most parents I know would love to cycle or walk to school every morning but in the real world All parents struggle to work around school hours there for have to use the quickest means of transport is the car and also for there on going journey to and from work so all the dropped kerbs wider pavement will not make people leave there cars at home . I think a few zebra crossings in a few key places would be as effective and cheaper .

See earlier comments re built out pavement and raised table.
Speed cushions are unnecessary, dangerous in that they seem to disintegrate badly, and very unsightly. The benefit of raised tables is also debatable.
Speed cushions do not work!
There is no option on this survey for further comments not relating to specific proposals. The junction between Poplar Avenue and Northease drive is awful in the morning and really dangerous for children crossing. There are a lot of children and carers which cross here and Poplar Avenue is a really busy road with many cars and buses. There needs to be a proper crossing installed here, either a zebra crossing or lights or at minimum a lollipop lady to help the children cross safely before somebody gets hurt.
This is great. The pavement on the small green /island is really needed.

Existing entrance to bridleway

Bridleway access construction to tie in with existing levels to ensure sufficient crossfall

Proposed footway widening

Existing kerbs to be removed and buildout to tie in with existing footway

New double yellow lines on both sides of road to enforce parking restriction

Proposed buildout to tighten corner radii and reduce pedestrian crossing distance

Proposed dropped kerb, transition kerb and tactile paving to be installed at pedestrian crossing

Hangleton Way

Illuminated school warning sign to be provided (S07)

Proposed kassel kerb installation and new 25m bus marking

Existing speed limit marking to be relocated

Disabled parking bay to remain and 21m bus marking to be added

Proposed real time information (RTI) sign to be installed at WB Hardwick Way Bus Stop. Location indicative and to be designed by BHCC

Hangleton Way

Proposed kassel kerb installation

Double yellow lines (TSRGD diagram 1018.1) to be added 10m each side from apex of corner

Hardwick Way

Proposed dropped kerbs to improve accessibility

Bus marking to be reinstated after kassel kerb installation is completed

Proposed real time information (RTI) sign to be installed for both terminus stops

Proposed double kassel kerb installation

Hardwick Rd

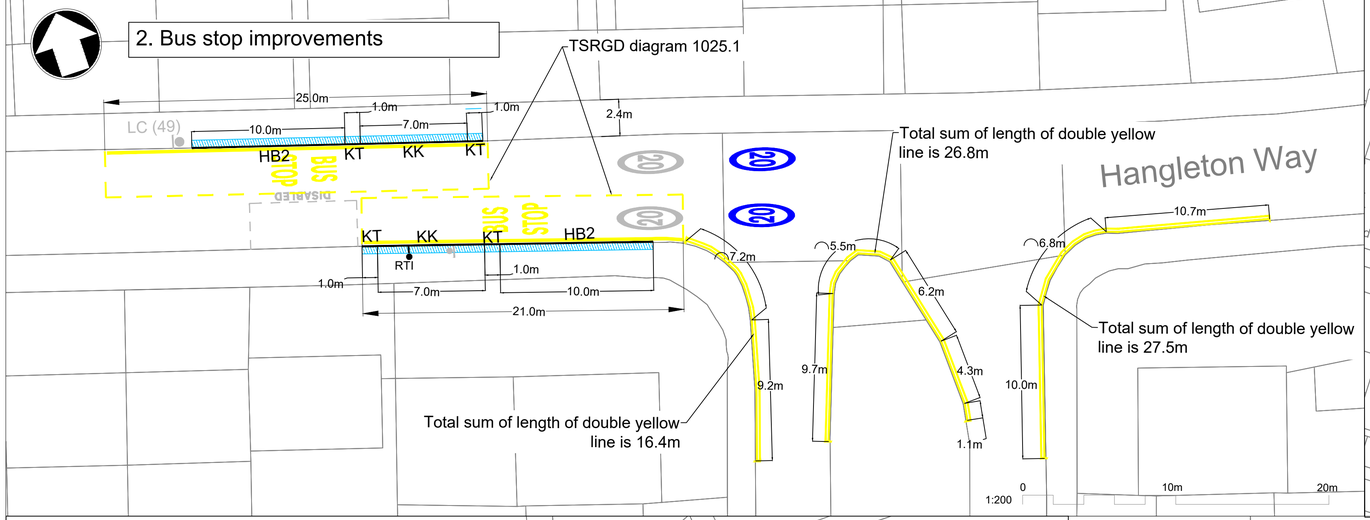
Harmsworth Cres

1:500 0 25m 50m

2. Bus stop improvements

TSRGD diagram 1025.1

Total sum of length of double yellow line is 26.8m



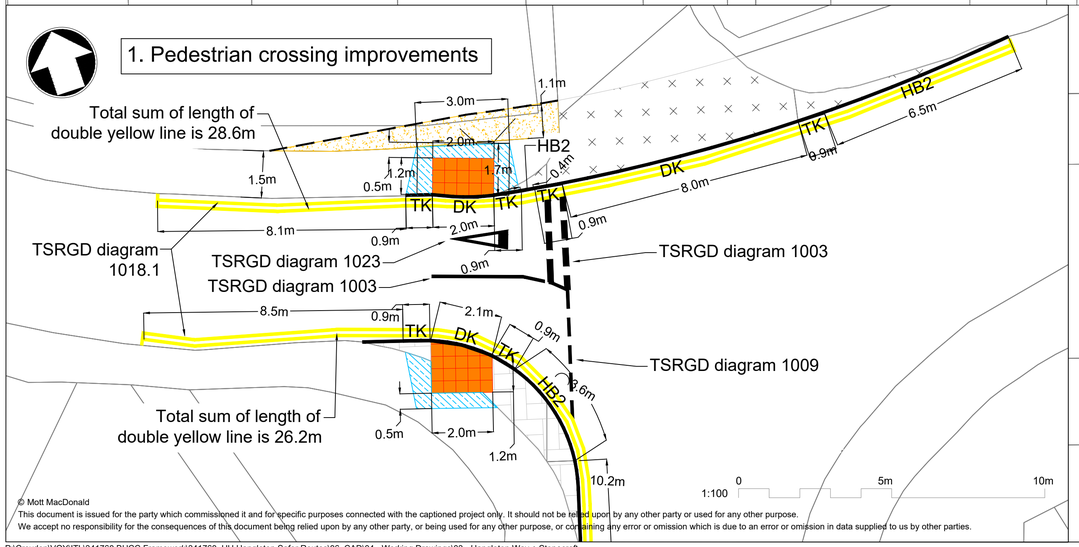
Total sum of length of double yellow line is 16.4m

Hangleton Way

Total sum of length of double yellow line is 27.5m

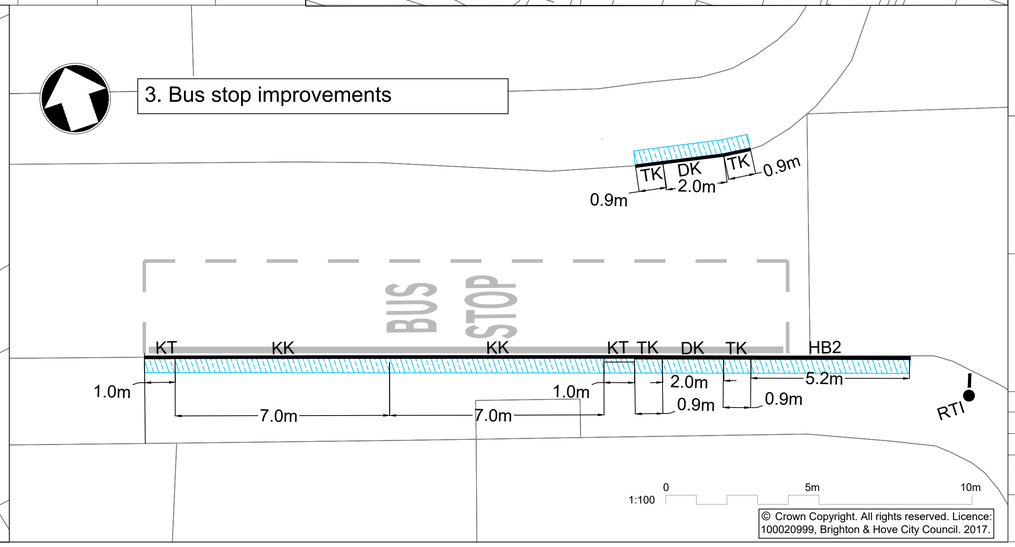
1:200 0 10m 20m

1. Pedestrian crossing improvements



1:100 0 5m 10m

3. Bus stop improvements



1:100 0 5m 10m

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Notes

1. Existing drainage has not been assessed at this stage. For all drainage amendments, levels would require checking and appropriate solution needs to be identified during pre-construction.
2. Design subject to site and utility survey information and design development.
3. All dimensions shown are in metres unless otherwise specified.
4. Design based on OS mapping. Dimensions may vary on site.
5. Spot checks were carried out on site for identification of carriageway and footway widths. Exact location to be confirmed on site with contractor.
6. The Benfield Valley scheme requires all overgrown vegetation on footway and around signs and lighting columns to be cleared prior to construction.
7. Refer to drawing 341760-MMD-UU-XX-M2-C-1001 for standard kerb details and drawing 341760-MMD-UU-XX-M2-C-1002 for standard construction details.

Key to symbols

- Existing road markings
- Proposed road marking
- Provide and lay HB2 kerb
- Existing drop kerb
- Provide and lay DL1, DR1 ramped kerbs
- Proposed transition kerb
- Provide and lay EF edging
- Provide and lay kassel transition kerb
- Provide and lay 160mm upstand kassel kerb
- Flush kerb
- Provide and lay AC6 surface, AC14 binder and 150mm Type 1
- Proposed tactile paving
- Existing tactile paving
- Existing tactile paving to be removed
- Proposed corduroy paving
- Existing corduroy paving
- Provide and lay AC6 surface, AC14 binder and Type 1 regulating
- Make good existing footway with 20mm thick AC6 dense surf
- 100/150 on 60mm depth or regulating course
- Proposed raised table
- Existing gully
- Relocated gully
- Existing lighting column
- Relocated lighting column
- Existing sign and post
- Relocated sign and post
- Proposed sign and post
- Existing sign and post to be removed
- Existing electrical cabinet
- Grass verge
- Existing bus shelter
- Relocated bus shelter
- Proposed bus shelter
- Existing Doric bollard with red reflective banding
- Existing bollard to be relocated
- Existing bollard to be removed
- Proposed Doric bollard with red reflective banding to match existing
- Proposed real time information (RTI) sign
- Footway buildout
- Verge to carriageway conversion
- Proposed guardrail
- Proposed park gate

Rev	Date	Drawn	Description	Ch'k'd	App'd
P2	23/10/2018	JF	BHCC comments incorporated	DS	CH
P1	29/08/2018	JF	First Issue	DS	SJ

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W mottmac.com

Client: Brighton & Hove City Council

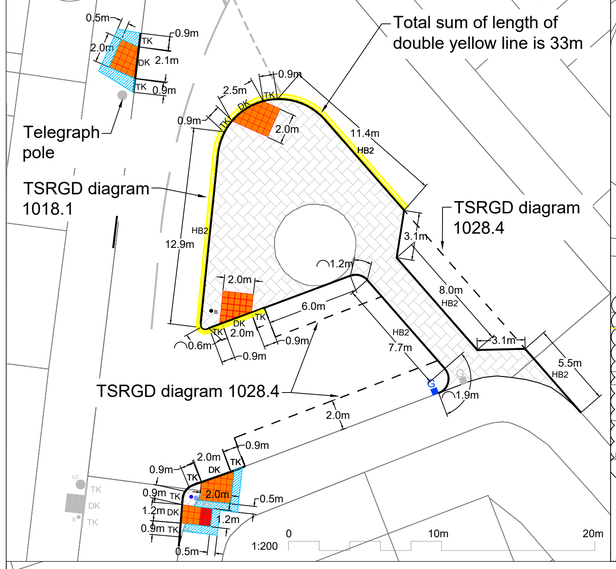
Title: Hangleton Safer Routes To School
Hangleton Way/ Stonecroft Close
Hardwick Way

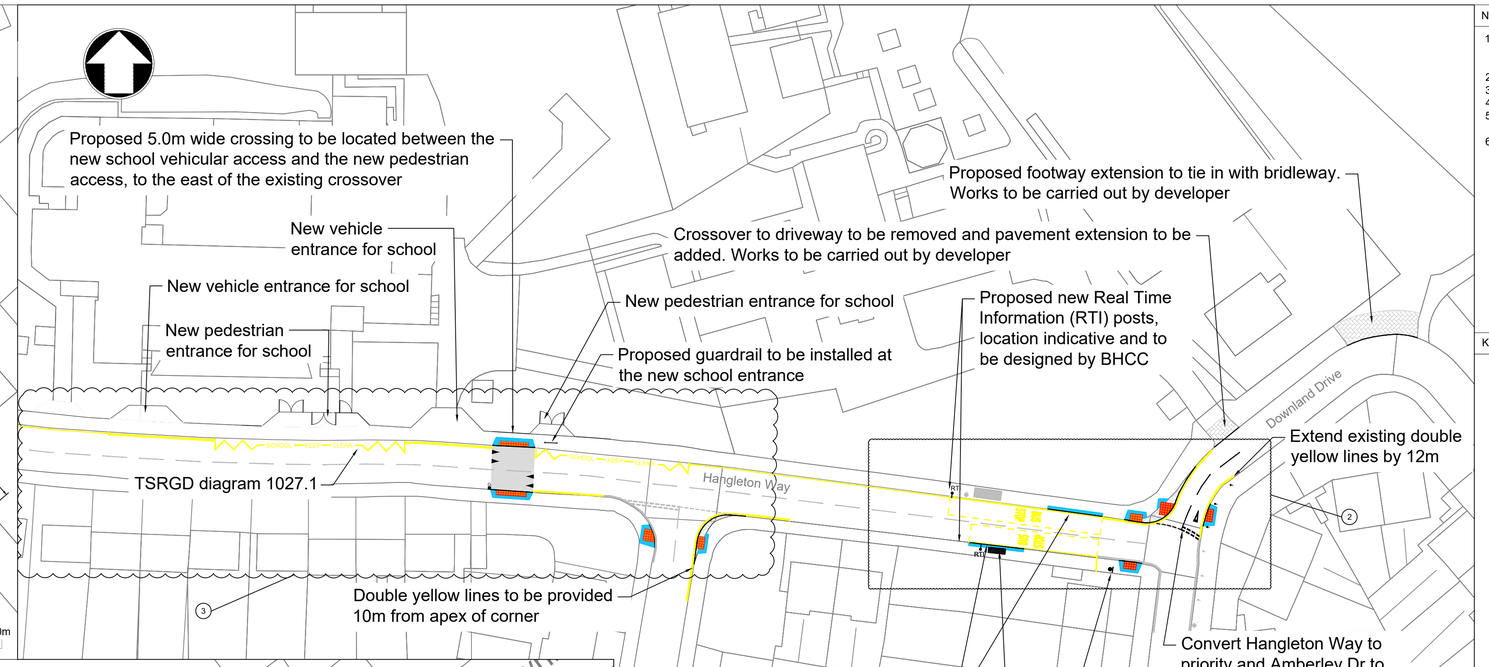
Designed	J. Foo		Eng check	L. Bright	
Drawn	J. Foo		Coordination	-	
Dwg check	D. Suciu		Approved	C. Harwood	

Scale at A1	Status	Rev	Security
1:500	PRE	P1	STD

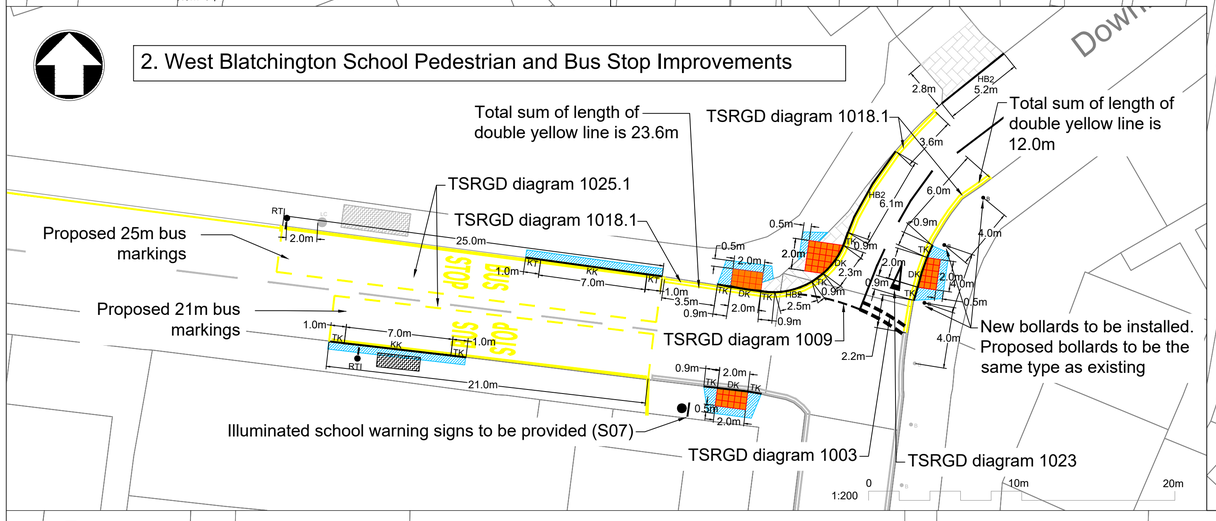
Drawing Number: 341760-MMD-UU-XX-DR-C-0021

1. Poynings Drive Pedestrian Improvements





2. West Blatchington School Pedestrian and Bus Stop Improvements



3. Hangleton Way Crossing Improvements



Notes

1. Existing drainage has not been assessed at this stage. For all drainage amendments, levels would require checking and appropriate solution needs to be identified during pre-construction.
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5. Spot checks were carried out on site for identification of carriageway and footway widths. Exact location to be confirmed on site with contractor.
6. Refer to drawing 341760-MMD-UU-XX-M2-C-1001 for standard kerb details and drawing 341760-MMD-UU-XX-M2-C-1002 for standard construction details.

Key to symbols

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- Proposed road marking
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Client

Brighton & Hove City Council

Title

Hangleton Safer Routes To School
Hangleton Way & Environs

Designed	J. Alkhanizi		Eng check	L. Bright	
Drawn	J. Alkhanizi		Coordination	-	
Dwg check	D. Suciu		Approved	C. Harwood	

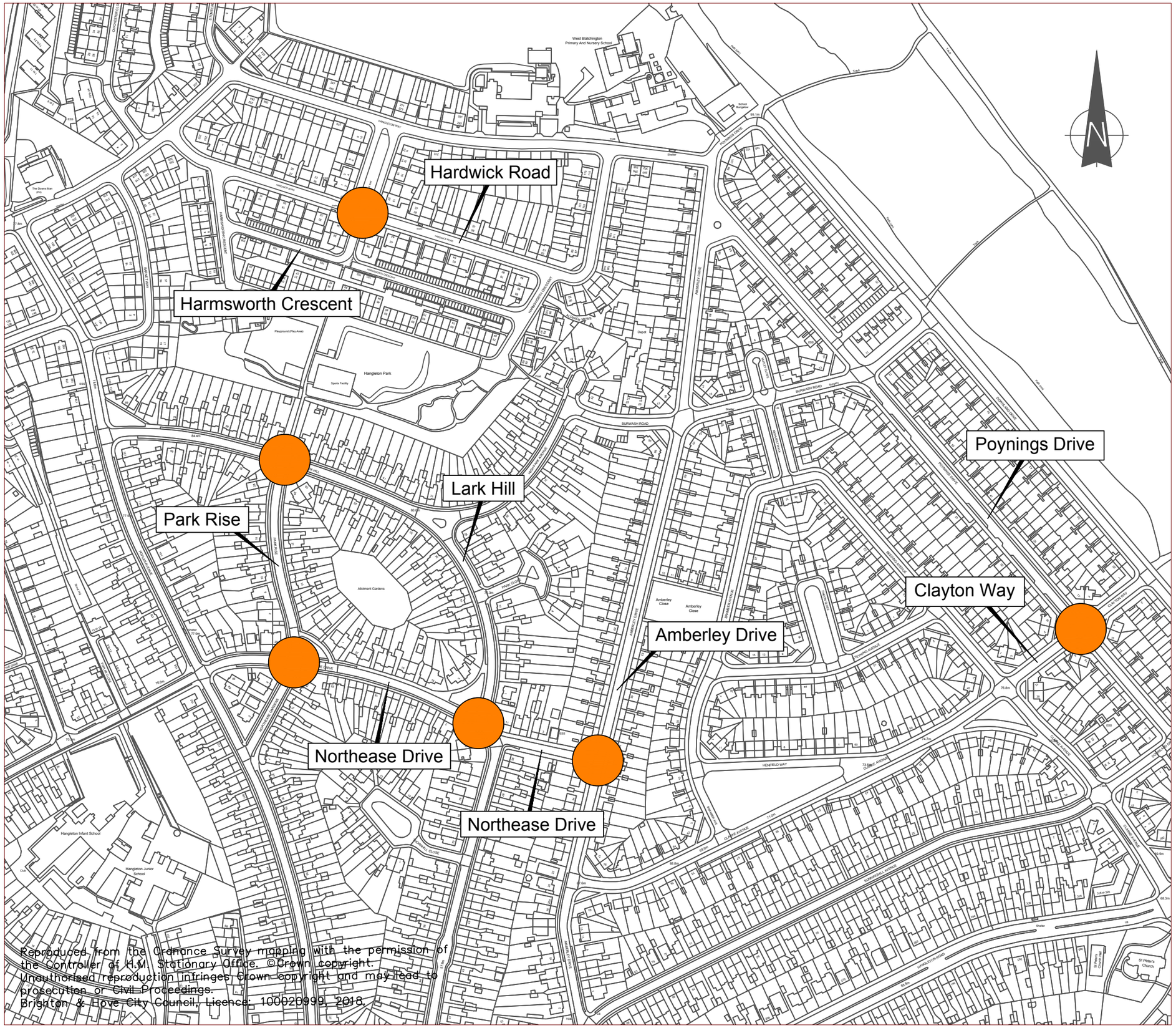
Scale at A1	Status	Rev	Security
1:500	PRE	P1	STD

Drawing Number
341760-MMD-UU-XX-DR-C-0031

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P:\Croydon\VOY\ITL\341760 BHCC Framework\341760_UU Hangleton Safer Routes\06_CAD\04 - Working Drawings\07 - West Blatchington Primary & Nursery school\Drawing\341760-MMD-OO-XX-M2-C-0070_West Blatchington Primary & Nursery School.dwg Oct 29, 2018 - 4:10PM FOO84392



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KEY

Dropped kerbs and tactile paving to be introduced.

NOTES

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2. All levels in metres above Ordnance Datum (Newlyn).
3. Do not scale from this drawing.

Rev	Revision details	Date

Status: (tick ✓ as appropriate)

INFORMATION	☐	SURVEY	☐	FEASIBILITY	☑
DESIGN	☐	TENDER	☐	WORKING DRAWINGS	☐
AS-BUILT	☐				

	Signed	Date
Drawn:	Ben Stride	August 2018
Surveyed:	Ben Stride	August 2018
Checked:		
Approved:		
File/Acad ref:	S:\	

Brighton & Hove City Council

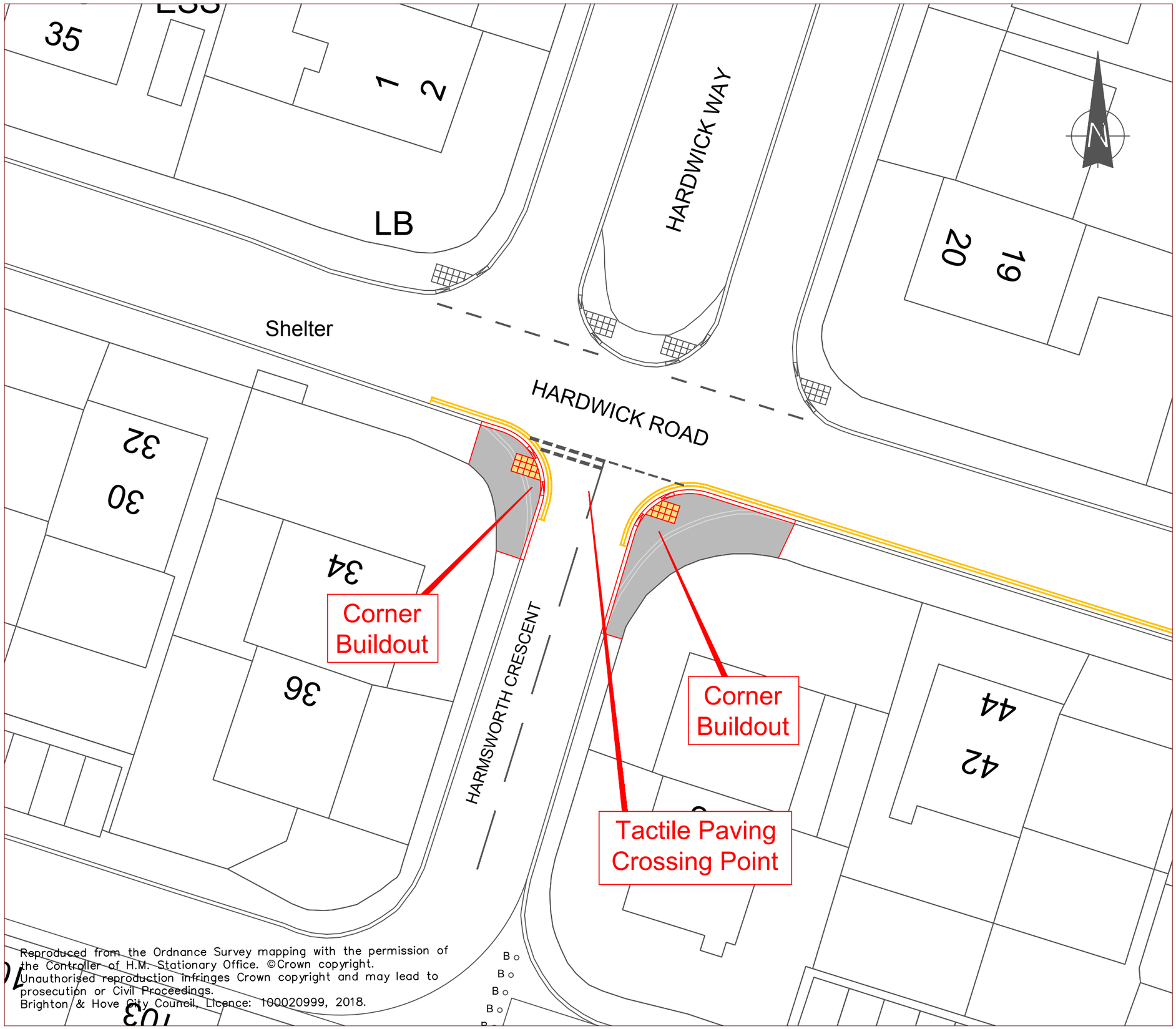
Project Name

Hangleton Area Works
Safer Routes to Schools Scheme

Drawing Title

Dropped Kerb Works
Various Junctions
Hangleton Area, Hove

Drawing No	Scale	Rev
HD-BHCC-HASRTS/04	N.T.S. @ A3	-



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185

KEY

NOTES

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3. Do not scale from this drawing.

Rev	Revision details	Date

Status: (tick ✓ as appropriate)

INFORMATION	☐	SURVEY	☐	FEASIBILITY	☑
DESIGN	☐	TENDER	☐	WORKING DRAWINGS	☐
AS-BUILT	☐				

	Signed	Date
Drawn:	Ben Stride	August 2018
Surveyed:	Ben Stride	August 2018
Checked:		
Approved:		
File/Acad ref:	S:\	

Brighton & Hove City Council

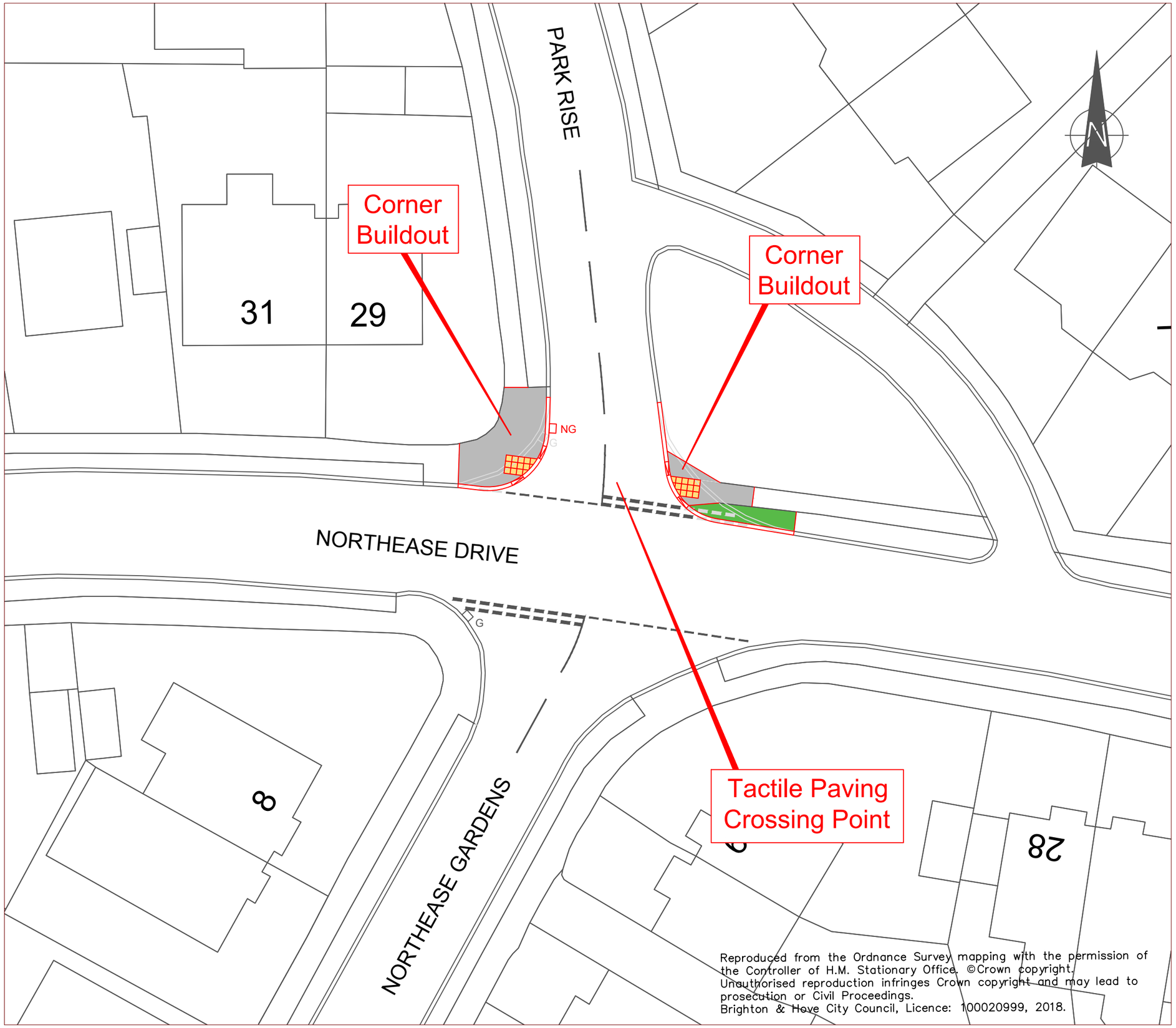
Project Name

Hangleton Area Works
Safer Routes to Schools Scheme

Drawing Title

Hardwick Road junction with Harmsworth Crescent, Hove

Drawing No	Scale	Rev
HD-BHCC-HASRTS/02	1:250 @ A3	–



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KEY

NOTES

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Rev	Revision details	Date

Status: (tick ✓ as appropriate)

INFORMATION	☐	SURVEY	☐	FEASIBILITY	☑
DESIGN	☐	TENDER	☐	WORKING DRAWINGS	☐
AS-BUILT	☐				

	Signed	Date
Drawn:	Ben Stride	August 2018
Surveyed:	Ben Stride	August 2018
Checked:		
Approved:		
File/Acad ref:	S:\	

Brighton & Hove City Council

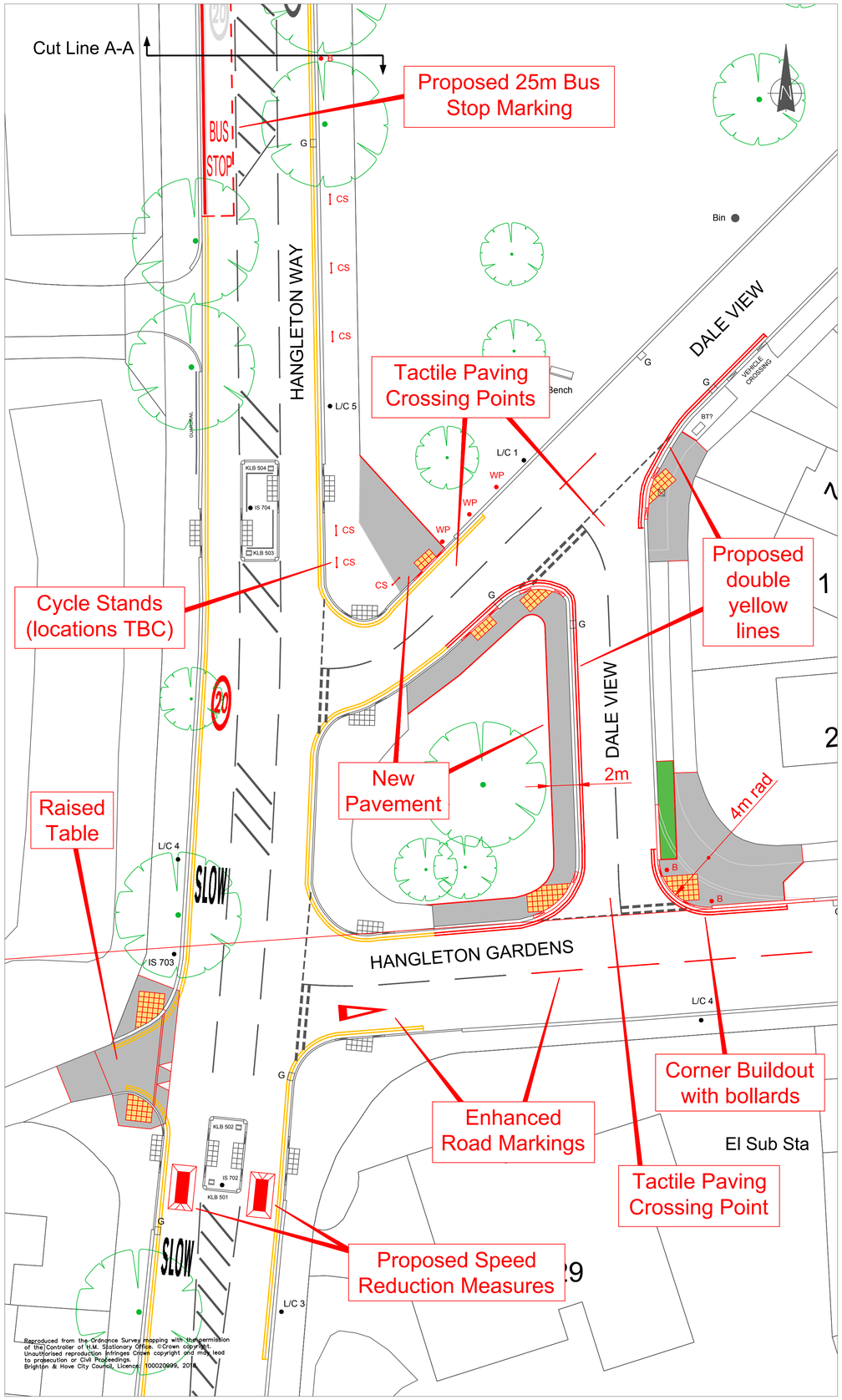
Project Name

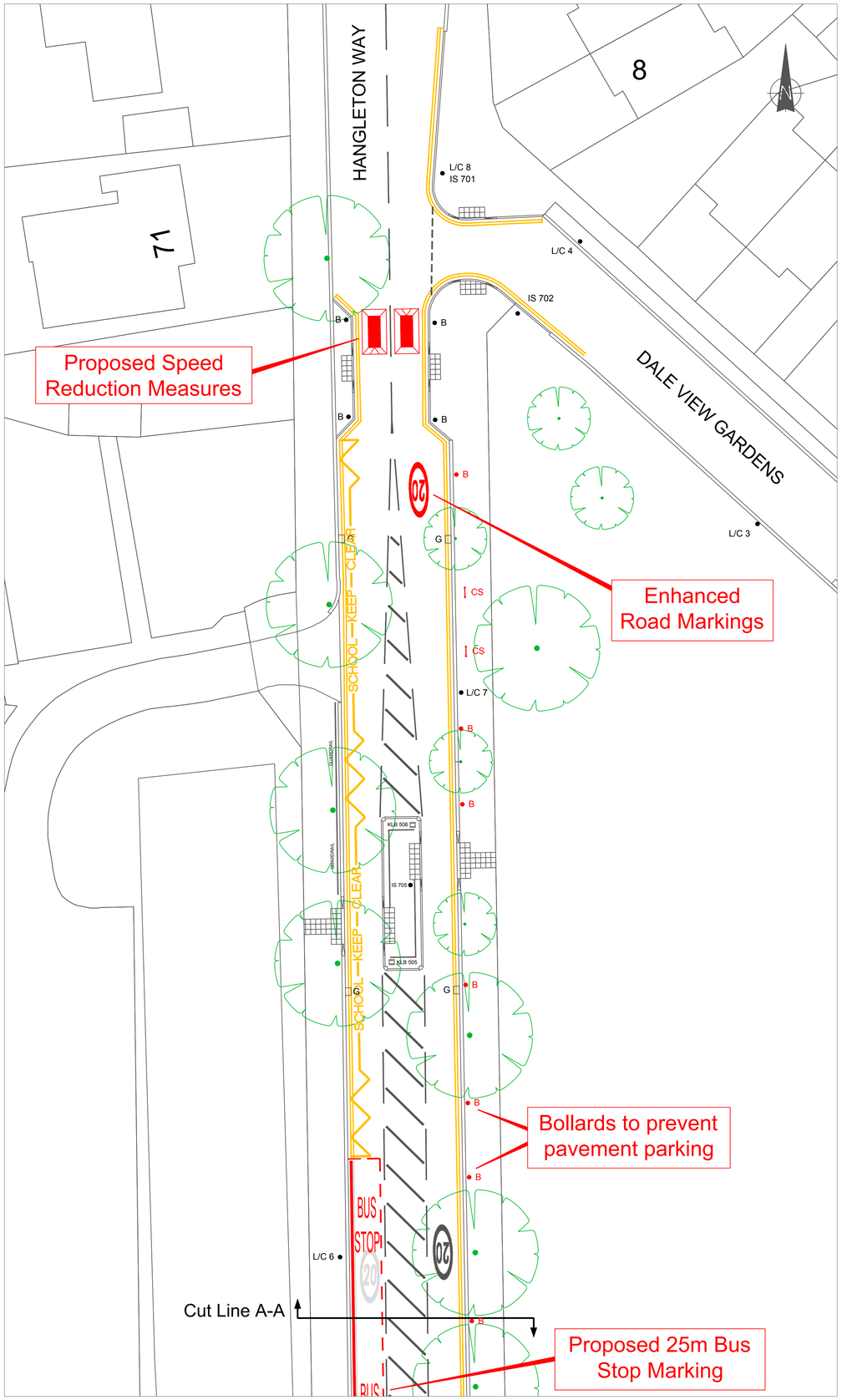
Hangleton Area Works
Safer Routes to Schools Scheme

Drawing Title

Northease Drive junction with Park Rise, Hove

Drawing No	Scale	Rev
HD-BHCC-HASRTS/03	1:250 @ A3	–





NOTES

1. All dimensions are in metres unless stated otherwise.
2. All levels in metres above Ordnance Datum (Newlyn).
3. Do not scale from this drawing.

KEY

- Footway
- Verge
- Buff Tactile Paving
- New Kerb
- CS Cycle Stand
- B Bollard
- WP Wooden Post

Rev	Revision details	Date

Status: (tick ✓ as appropriate)

INFORMATION	☐	SURVEY	☐	FEASIBILITY	☐
DESIGN	☑	TENDER	☐	WORKING DRAWINGS	☐
AS-BUILT	☐				

	Signed	Date
Drawn:	Ben Stride	October 2018
Designed:	Ben Stride	August 2018
Checked:	CHECKED	DATE
Approved:	APPROVED	DATE
File/Acad ref:	S:\	

Brighton & Hove City Council

Project Name

Hangleton Area Works
Safer Routes to Schools Scheme

Drawing Title

Dale View / Hangleton Gardens and Hangleton Way, Hove

Drawing No	Scale	Rev
HD-BHCC-HASRTS/01	1:200 @ A1	B

Existing gully to be relocated and tied-in to existing drainage system

Localised footway narrowing to approximately 1.8m

Overgrown vegetation to be cleared to restore footway to original width

Tightened corner radii to improve alignment of Hangleton Lane and Hangleton Valley Drive

Tactile paving and dropped kerbs to be installed

Proposed bollard to be added to prevent vehicle access

Reduced road width through proposed footway buildout to reduce approaching vehicle speeds and improve visibility for pedestrians crossing

Shared path signs to be added (S01)

Existing sign to be removed

Shared used path to be extended to southern arm of Hangleton Valley Drive junction

Existing gully to be relocated to appropriate location and tie in with existing drainage system

Hangleton

Hangleton Ln

St. Helen's Dr

1:500 0 25m 50m

Proposed edging to be installed

0.9m

Existing sign to be removed and new shared used path signs (S01) to be added

CUTLINE (Drawing no. 341760-MMD-UU-XX-DR-C-0012)

1. Pedestrian crossing

HB2 3.2m, 2.1m DK, 2.7m DK, 0.7m, 3.1m HB2, 1.9m, 0.9m TK, 1.7m, 2.0m, 2.1m DK, 0.9m TK, HB2, R3.0, 2.0m, 1.8m, HB2, TK, DK, TK, 0.9m, 2.1m, 2.5m, 0.9m, 4.7m, 9.9m HB2, 0.9m, 2.0m DK, 0.9m TK, 1.5m, R2.0, 2.6m HB2, 2.0m, 1.2m, 0.9m TK, 2.0m DK, 2.0m, 0.9m TK, 4.5m HB2, LC, G

TSRGD diagram 1004

TSRGD diagram 1009

TSRGD diagram 1003

18.6m HB2, 0.9m TK, 2.1m DK, 2.0m, 1.7m, 0.9m TK, R2.0, 1.4m, 2.0m, 2.8m, 2.2m, 0.9m, TK, DK, TK, 2.0m, 0.9m, HB2, 13.6m, 0.9m TK, 2.0m DK, 1.5m, 11.1m HB2, 0.9m, 2.0m, 0.9m, 5.7m HB2, 5.1m, R4.0, 1.6m, 2.0m, G, B, LC

1:100 0 5m 10m

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P:\Croydon\VOY\ITL\341760 BHCC Framework\341760_UU Hangleton Safer Routes\06_CAD\04 - Working Drawings\02 - Hangleton Lane + A293 + Hangleton Valley Dr\Drawing\341760-MMD-OO-XX-M2-C-0020_ Hangleton Lane between A293_Hangleton Valley Drive_v2.dwg Oct 29, 2018 - 4:28PM FOO84392

Notes

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2. Design subject to site and utility survey information and design development.
3. All dimensions shown are in metres unless otherwise specified.
4. Design based on OS mapping. Dimensions may vary on site.
5. Spot checks were carried out on site for identification of carriageway and footway widths. Exact location to be confirmed on site with contractor.
6. The Benfield Valley scheme requires all overgrown vegetation on footway and around signs and lighting columns to be cleared prior to construction.
7. Refer to drawing 341760-MMD-UU-XX-M2-C-1001 for standard kerb details and drawing 341760-MMD-UU-XX-M2-C-1002 for standard construction details.

Key to symbols

- Existing road markings
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Client

Brighton & Hove City Council

Title

Hangleton Safer Routes To School
Hangleton Lane & Benfield Valley
Sheet 1 of 5

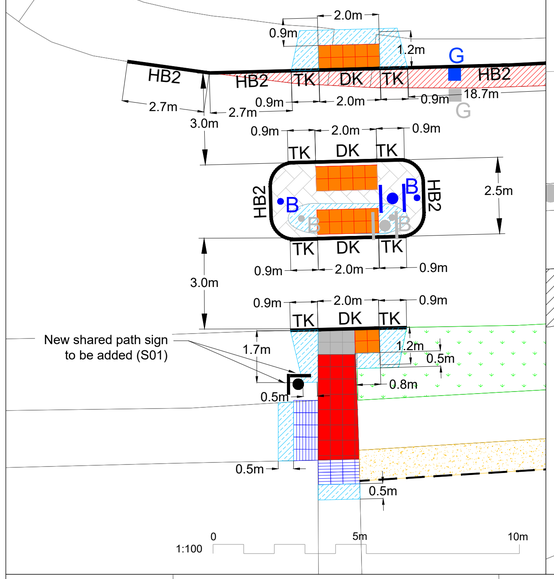
Designed	J. Foo		Eng check	L. Bright	
Drawn	J.Foo		Coordination	-	
Dwg check	D. Suciu		Approved	C. Harwood	

Scale at A1	Status	Rev	Security
1:500	PRE	P1	STD

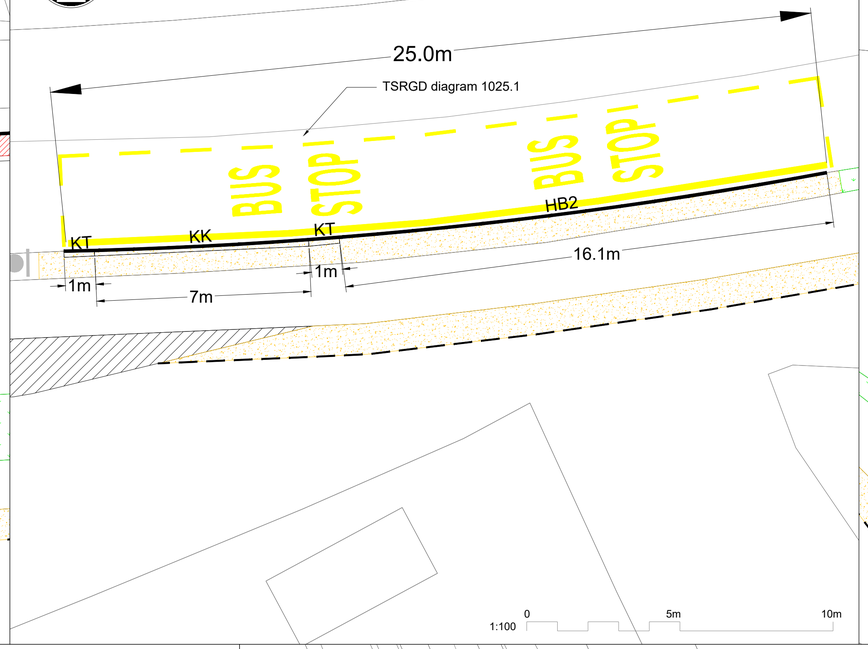
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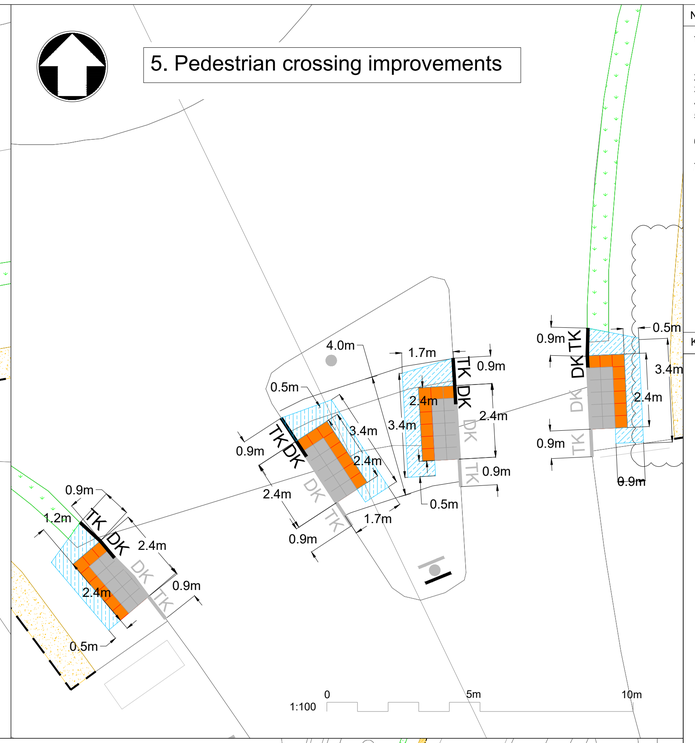
2. Pedestrian crossing improvements



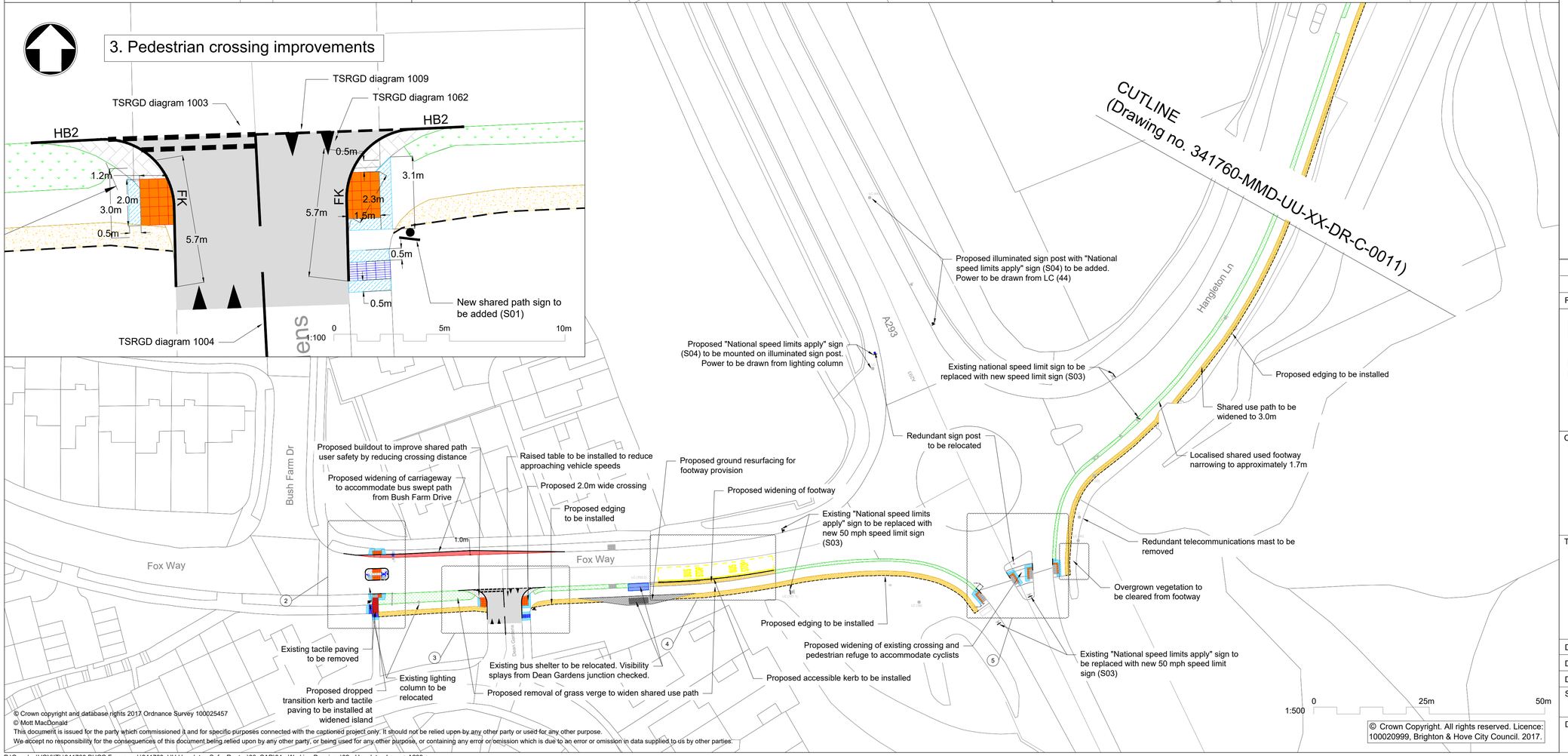
4. Bus stop improvements



5. Pedestrian crossing improvements



3. Pedestrian crossing improvements



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Notes

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Client

Brighton & Hove City Council

Title

Hangleton Safer Routes To School
Hangleton Lane & Benfield Valley
Sheet 2 of 5

Designed	J. Foo		Eng check	L. Bright	
Drawn	J. Foo		Coordination	-	
Dwg check	D. Suciu		Approved	C. Harwood	

Scale at A1	Status	Rev	Security
1:500	PRE	P1	STD

Drawing Number

341760-MMD-UU-XX-DR-C-0012

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Existing bollards to be removed and replaced with new staggered park gate to allow for cycling permeability without traveller or motorbike access

Proposed staggered gate (right).Materials to be determined by BHCC.



New wayfinding sign to be provided (S02)

Existing park wayfinding map to be replaced

Hangleton Valley Dr

Hangleton Ln

2.5m

0.6m
3.0m

3.4m

CUTLINE
(Drawing no. 341760-MMD-UU-XX-DR-C-0013)

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1:500 0 25m 50m

CUTLINE

Proposed widening of shared-use path

0.6m
3.0m

3.4m

Use of lighting column (1) on Hangleton Valley Drive as a power feed for the proposed lighting column. Utilise verge to avoid digging trenches in car park surface to connect lighting column to power source.

New wayfinding sign to be provided (S08a & S08b)

Proposed new lighting column

Vegetation to be cleared

Existing bollards to be removed and replaced with new staggered park gate to allow for cycling and pedestrian only permeability

Proposed staggered gate (right).Materials to be determined by BHCC.



Proposed lighting column to be installed. Power feed to be supplied from appropriate power source

Proposed new lighting column

Clearance of overgrown vegetation from footway

Proposed new lighting column

Hangleton Valley Dr

CUTLINE
(Drawing no. 341760-MMD-UU-XX-DR-C-0014)

1:500 0 25m 50m

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Notes

1. Existing drainage has not been assessed at this stage. For all drainage amendments, levels would require checking and appropriate solution needs to be identified during pre-construction.
2. Design subject to site and utility survey information and design development.
3. All dimensions shown are in metres unless otherwise specified
4. Design based on OS mapping. Dimensions may vary on site.
5. Spot checks were carried out on site for identification of carriageway and footway widths. Exact location to be confirmed on site by contractor.
6. The Benfield Valley scheme requires all overgrown vegetation on footway and around signs and lighting columns to be cleared prior to construction.
7. "No Dig" Zones: Where it is necessary to provide footways or footpaths within a tree-root protection Zone (TPZ), the following requirements should be considered: i) No tree roots are to be severed ii) Existing soil must not be compacted iii) The construction must allow aeration and run-off.
8. All new lighting columns to be provided with Green Low Level LED lights.
9. Refer drawing 341760-MMD-UU-XX-M2-C-1002 for standard construction details.

Key to symbols

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- Proposed road marking
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- Proposed transition kerb
- Provide and lay EF edging
- Provide and lay kassel transition kerb
- Provide and lay 160mm upstand kassel kerb
- Flush kerb
- Provide and lay AC6 surface, AC14 binder and 150mm Type 1
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- Existing tactile paving
- Existing tactile paving to be removed
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Rev	Date	Drawn	Description	Ch'k'd	App'd
P2	23/10/2018	JF	BHCC comments incorporated	DS	CH
P1	24/08/2018	JF	First Issue	DS	SJ

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Client

Brighton & Hove City Council

Title

Hangleton Safer Routes To School
Hangleton Lane &
Benfield Valley Park
Sheet 3 of 5

Designed	J. Foo		Eng check	L. Bright	
Drawn	J. Foo		Coordination	-	
Dwg check	D. Suciu		Approved	C. Harwood	

Scale at A1	Status	Rev	Security
1:500	PRE	P1	STD

Drawing Number
341760-MMD-UU-XX-DR-C-0013

P:\Croydon\VOY\ITL\341760 BHCC Framework\341760_UU Hangleton Safer Routes\06_CAD\04 - Working Drawings\01 - Benfield Valley Park\Drawing\341760-MMD-OO-XX-M2-C-0010_ Benfield Valley Park.dwg Oct 29, 2018 - 4:18PM FOO84392

CUTLINE
(Drawing no. 341760-MMD-UU-XX-DR-C-0013)

Clearance of overgrown vegetation from footway

Existing wayfinding signs to be replaced (S09a & S09b)

Proposed new lighting column

Proposed shared used path with edging on both sides

3.0m

2.8m

Clearance of overgrown vegetation from footway

Utilities information provided indicate that no utilities are present. Damaged section of existing footway to be resurfaced to improve pedestrian comfort and safety

Existing wayfinding sign to be replaced (S10)

New shared path signs to be added (S01)

4.0m

Existing wayfinding sign to be replaced (S02)

Existing damaged park gate to be replaced by new widened gate to allow for tractor access

Clearance of overgrown vegetation from footway

Proposed tractor access (left) and staggered gate (right).Materials to be determined by BHCC.



Hangleton Way

Hangleton Road

Hangleton Way

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New shared path sign to be added (S01)

3.4m

2.7m

Existing sign to be replaced (S11a & S11b)

Existing bollards to be removed and replaced with new staggered park gate to allow for cycling permeability without traveller or motorbike access

Proposed staggered gate (right).Materials to be determined by BHCC.



3.6m

Existing park way finding map to be replaced

Existing sign to be replaced (S13)

Hangleton Road

Hangleton Road

A270

CUTLINE

0 25m 50m
1:500

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Sheet 5 of 5

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ENVIRONMENT TRANSPORT AND SUSTAINABILITY COMMITTEE	Agenda Item 46 Brighton & Hove City Council

Subject:		**Improve Brighton & Hove's Recycling Scheme Petition**
Date of Meeting:		**27th November 2018**
Report of:		**Executive Director, Economy, Environment & Culture**
Contact Officer:	**Name:**	**Rachel Chasseaud** **Tel: 01273 290753**
	Email:	**rachel.chasseaud@brighton-hove.gov.uk**
Ward(s) affected:		**(All Wards);**

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report has been written in response to a petition debated and amended at Full Council on 18 October 2018.

1.2 The petition was noted and referred to the Environment, Transport & Sustainability (ETS) Committee for consideration at its meeting on the 27 November 2018, with the report to this meeting to include*:*

- a costed investigation into increasing the range of plastics the council collects
- a costed investigation into the set-up of a food waste collection trial
- a costed investigation into an education and information publicity drive, encouraging recycling and explaining how and what can be recycled
- a costed investigation into options for a 'service guarantee,' allowing residents to know what level of recycling service they can expect the council to provide.

1.3 That with the above investigations to include the exploration of external funding sources e.g. DEFRA, Local Enterprise Partnership, Ministry of Housing, Communities & Local Government and others; and,

1.4 That for such a report to provide further detail on:

- how the council may seek to ensure events granted permission in Brighton & Hove are 'single-use plastic free' by 2020
- an action plan, including timescales, setting out how the council will contribute to the achievement of the waste framework directive target of 50% recycling by 2020.

2. RECOMMENDATIONS:

That the Environment, Transport & Sustainability Committee notes that:

2.1 work on an Increasing Recycling Project and education campaign is included in officers' current work programmes and will be launched early in 2019.

2.2 the work already underway to reduce food waste and an initial exploration of a food waste collection service is under discussion with Veolia with details to be worked on within the City Environment Modernisation (CEM) Programme as part of the Increasing Recycling Project.

2.3 there is currently no, or very limited, markets for the recycling of pots, tubs and trays (PTTs) and therefore it is unlikely that a business case can be made for the investment required in collection and sorting services. However, the situation will be closely monitored for market changes.

2.4 a 'service guarantee' will be introduced at the end of the Increasing Recycling Project when the full extent and means by which materials can be recycled have been explored taking into account the government's forthcoming waste strategy proposals.

2.5 the council's events team has a sustainable events policy and works with event organisers to reduce single-use plastics (SUPs) at events. The progress made is illustrated by a case study of the plastics reduction at the Brighton Marathon, which has already been presented to the Tourism, Development & Culture Committee as part of a report on the events programme and further updates are planned.

2.6 an action plan setting out how the council aims to achieve the waste directive of increasing recycling rates to 50% will be presented to the committee in January 2019 as part of the CEM update report.

3. CONTEXT / BACKGROUND INFORMATION

3.1 A report was presented to ETS committee in October 2018 setting out some of the work required to modernise City Environmental Management (CEM). This includes setting up a commercial arm to generate income in order to offset budget reductions; restructuring of refuse and recycling rounds; work to increase recycling rates; developing and embedding systems to ensure that the customer experience improves; improving staff and health and safety management; introducing a new environmental enforcement framework; and introducing charging to facilitate the refurbishment of 12 public conveniences. This is a significant programme of work which is expected to take years to complete and is using the full capacity of officers in CEM.

Increasing recycling campaign

3.2 An information and educational campaign to increase recycling is currently in development with a view to this being launched early in the new year. This will include a multi-media campaign informing people of the waste hierarchy and

what they can recycle in the city, and how and where. We will be identifying and working with community champions to promote recycling in their neighbourhoods and holding events in educational institutions.

Food waste collection

3.3 Costed options appraisals for the introduction of a food waste collection service will be built into the modernisation programme as part of the increasing recycling project. External sources of funding will be explored to facilitate this. It is anticipated that work on this investigation will commence in summer 2019. However work to reduce, reuse and recycle food waste is ongoing and will continue.

3.4 In July 2015 as part of the cityclean service plan and priorities report, opportunities for food waste collection were explored in detail but were not pursued due to the high cost which was in excess of £1 million per year.

3.5 The council has always encouraged residents to compost garden waste at home and provides subsidised compost bins and food waste composters. Since 2007, over 20,000 compost bins have been sold through the council's scheme, further information of which is on the council's website. The council also funds 37 community composting schemes in the city in partnership with Brighton & Hove Food Partnership. The council contributes £5,000 per year with an additional £15,000 this year to help start up six more schemes.

3.6 The council is a partner to Brighton and Hove Food Partnership. The partnership has been developing the food strategy and action plan 2018-23, and are exploring ways to reduce food waste such as:

- innovative approaches in order to prevent food waste in first place – move to a 'food use' not a food waste agenda
- better redistribution of surplus food to people (and if not people, then animals)
- where food waste is not prevented, increase composting

Plastics recycling

3.7 The council currently collects mixed plastic bottles for recycling for which there is an end market. These are separated from other recyclable materials at the Mixed Recycling Facility (MRF) at Hollingdean.

3.8 The council does not collect all types of plastic, namely what are known as pots, tubs and trays (PTTs). These are made from or contain different types of plastic polymers: PET (polyethylene terephthalate), PP (polypropylene), PS (polystyrene) and PVC (polyvinyl chloride). There is currently a market for PP and this makes up about 22% of PTTs. However, there are no clear end markets for the remaining 78% of these types of plastics. Developing the capacity to sort these different materials into marketable and non-marketable would require considerable investment at the MRF. Furthermore, the majority of these plastics were being exported to China for recycling until China banned further imports in January 2018, disrupting the global market.

3.9 The Local Government Association (LGA) produced a report in August 2018 stating that only a third of PTTs used in the UK can be recycled due to the way in which the food packaging industry produce them, using low quality mixed polymers. In many cases food packaging is black in colour and it is not possible to recycle black plastics.

3.10 A recently published report 'Everyday Plastic' by Webb and Scneider supported by Surfers Against Sewerage states that an estimated 63% of plastics collected for recycling in the UK, are exported. In July 2018 the National Audit Office published a report stating there is a significant risk that PTT plastics being exported from the UK for recycling are ending up in landfill in the importing countries rather than being recycled. This is supported by a report by Greenpeace published in 'Unearthed' in October 2018 where an extensive quantity of plastic waste, bagged by a number of UK local authorities was found on multiple sites in Malaysia. This plastic was being stored in conditions that rendered it largely impossible to recycle.

3.11 Therefore in local authorities where PTTs are currently being collected, the combination of the inability to recycle two thirds of collected materials and the lack of an end market for the recyclable elements has become a significant challenge. Over recent weeks a number of local authorities that have been collecting PTTs are now pulling out of this type of plastic recycling as it has become unclear whether the collected and sorted materials are being recycled at all. Some of the local authorities who have recently withdrawn or are reviewing their plastics collections are Swindon, Basingstoke, Southampton and Newcastle.

3.12 While there is no clear market to generate income for PTTs, there can be no business case to enable investment in the Hollingdean MRF. Further to this there is a risk that once collected and sorted, exported plastics are being diverted to landfill elsewhere in the world. The LGA, National Audit Office and other agencies are pressing the government to place a greater emphasis on controls to reduce the use of packaging and where packaging is required, to ensure it is recyclable. Further to this they are pressing the government to develop end markets for the recycling of PTTs through the forthcoming waste strategy.

3.13 For these reasons there is no merit in the council collecting PTTs at this time, but the council will carefully monitor the situation in order to be ready to move into the collection of these when market conditions allow. External sources of funding will be explored in order to facilitate this.

3.14 In the interim, the council will use the recycling campaign to educate residents about the limitations that exist in terms of recycling PTTs and encourage residents to avoid highly packaged products wherever possible. It should also be noted that any PTTs which go into the refuse system in the city do not go to landfill in the UK or elsewhere. Like all other domestic refuse produced in the city it is transported to the Energy Recovery Facility (ERF) in Newhaven and used to generate electricity to service 22,000 homes.

Service guarantee

3.15 The council will be able to provide a service guarantee on completion of the CEM Modernisation Programme - Increasing Recycling Project when all options have been explored and where the recycling of additional materials has been explored and when there is greater clarity on the government's waste strategy. It is anticipated that this will be towards the end of 2019.

Single use plastics (SUPs) and events

3.16 The council is seeking to end the use of SUPs within all functions of the council, including events that the council licences. There are some significant challenges that the events industry will need to overcome to achieve this. The council's events team has a sustainable events policy and works with event organisers to reduce SUPs at events. The progress made is illustrated by a case study of the plastics reduction at the Brighton marathon, which has already been presented to the Tourism, Development & Culture (TDC) committee as part of a report on the events programme.

Waste directive target

3.17 The city recycling rates are slowly increasing, with an increase to 30.4% in quarter 1 of 2018/19. This is the highest recorded recycling rate for the city to date. However this is much lower than the national average of 44% and we must make a significant improvement to achieve the waste framework directive target of 50% by 2020. Work is underway and expected to accelerate to increase recycling rates such as the increasing recycling educational campaign; the roll out of larger recycling wheeled bins; the extension of the garden waste scheme; and increased emphasis and promotion of composting. An action plan will be brought to ETS Committee in January 2019 with the CEM update report.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 Other elements of the CEM Programme could be delayed in order to focus on the items identified in the petition. However this would risk ongoing budget pressures as commercial income targets would not be met; continued service disruption that will be rectified via round restructuring and a lack of improvement in the customer experience. It is therefore recommended that stabilising the Cityclean service is prioritised ahead of these projects.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 This report was generated as a result of a public petition. There has been no further public consultation, but residents will be invited to be involved in the CEM projects where appropriate.

6. CONCLUSION

6.1 This report provides ETS committee with a response to the petition to Full Council on 18October.

6.2 The items raised can be factored into the existing CEM Programme.

6.3 The end of SUPs for licensed events will be explored and form a strand of the events strategy which will be presented to TDS Committee at a future date.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The resources required for the report recommendations are included as part of the CEM programme and associated budgets.

Finance Officer Consulted: Gemma Jackson Date: 13/11/18

Legal Implications:

7.2 There are no legal implications arising from this report which is to note. Legal implications in relation to proposals that identified in future reports will be addressed as they are brought forward.

Lawyer Consulted: Elizabeth Culbert Date: 13th November 2018

Equalities Implications:

7.3 There are no equalities implications relevant to this report but as specific projects are developed equalities implications will be considered.

Sustainability Implications:

7.4 The petition and this report sets out an ambition to reduce waste through the increasing recycling project.

Any Other Significant Implications:

7.5 None

SUPPORTING DOCUMENTATION

Appendices:

None

Documents in Members' Rooms

None

Background Documents

1. City Environmental Management – Modernisation Programme Update Report - 9th October 2018

2. “Every Day Plastic” a report by Webb and Scneider – October 2018
https://static1.squarespace.com/static/5a899f44b1ffb63e0c81fed9/t/5bd606380852291fdf5b1d2b/1540753006345/Everyday+Plastic+-+What+we+throw+away+and+where+it+goes.pdf

3. “Two thirds of plastic is unrecyclable ……” Local Government Association August 2018
https://www.local.gov.uk/about/news/two-thirds-plastic-packaging-pots-and-trays-unrecyclable

4. “UK Household Plastics Found in Illegal Dumps in Malaysia” Green Peace Unearthed – October 2018
https://unearthed.greenpeace.org/2018/10/21/uk-household-plastics-found-in-illegal-dumps-in-malaysia/

5. “The Packaging Recycling Obligations” National Audit Office July 2018
https://www.nao.org.uk/report/the-packaging-recycling-obligations/

ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 47 Brighton & Hove City Council

Subject:		**Environmental Enforcement**	
Date of Meeting:		**27 November 2018**	
Report of:		**Executive Director: Economy, Environment & Culture**	
Contact Officer:	**Name:**	**Lynsay Cook**	**Tel: 01273 292448**
	Email:	**Lynsay.cook@brighton-hove.gov.uk**	
Ward(s) affected:		**All**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report presents a proposed Environmental Enforcement Framework (in Appendix 1) which has been designed to address anti-social and illegal behaviour to improve the environment and minimise waste clean-up and disposal costs within Brighton & Hove. Members are asked to approve this Framework to set the parameters within which the service will operate.

1.2 Environmental Enforcement is currently carried out by the council through a contracted service known as 3GS. This service is operated at no cost to the council. A proportion of the income generated from fines is paid to the council. The law requires that income from fixed penalty notices is used for related environmental initiatives and cannot be used to generate income.

1.3 The report also presents the outcomes of an options appraisal which considered how the service should be managed in the future.

2. RECOMMENDATIONS:

2.1 That the Committee agrees that the environmental enforcement service will be delivered in house from the end of the current contract period.

2.2 That the Committee notes that the full and final cost of bringing the service in house cannot be determined until due diligence has been completed under the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE') and notes that if the costs significantly exceeds the projections outlined in this report, a further report will be brought back to committee.

2.3 That the Committee notes that the council's current environmental enforcement contract may need to be extended for a period of up to six months to allow time for the TUPE process and for new ICT systems to be put in place

2.4 That the Committee grants delegated authority to the Executive Director Economy, Environment & Culture to extend the existing contract if required, negotiate the terms of that extension and determine the date of the service transfer to the council provided that this date shall not be any later than the 1 September 2019. .

2.5 That the Committee approves the Environmental Enforcement Framework which sets out how the service will be delivered from the commencement of the new in house service.

2.6 That the Committee notes that future changes to the Environmental Enforcement Framework will be brought back to Committee for approval.

3. CONTEXT / BACKGROUND INFORMATION

3.1 Fly-tipping, littering, fly-posting, uncontrolled distribution of leaflets, graffiti, poor containment of trade waste and illegal disposal of commercial waste in communal bins are offences which can have a significant visual impact on the city. They also have a cost implication where Brighton & Hove City Council has to pick up clean up and disposal costs. Minimising these issues requires a strategy of education, engagement and enforcement to make people aware of their responsibilities and where appropriate take enforcement action through the issuing of Fixed Penalty Notices (FPNs) or prosecution.

3.2 The purpose of the environmental enforcement service, currently delivered by 3GS, is to:

- enforce certain environmental legislation
- improve the cleanliness of the city
- issue FPNs in the city for the offences detailed in section 5 of the Framework in Appendix 1
- enable the council to be more responsive to trade waste offences and to incidents of fly-tipping
- encourage behavioural change to reduce environmental crimes
- minimise waste clean-up and disposal costs

3.3 At Environment, Transport & Sustainability Committee on 13 October 2015, the Committee agreed to procure a concession contract for enforcement activity in Brighton & Hove. This three-year contract was awarded to 3GS and started on 1 February 2016. The contract was agreed at no cost to BHCC with 3GS retaining the majority of the income raised through FPNs, with a proportion of the income paid to BHCC. At ET&S Committee on 11 October 2016, Committee was presented with an update on the procurement and implementation of the contract for waste and litter enforcement.

Current performance

3.4 There are a number of performance indicators that can be used to measure the effectiveness of the environmental enforcement service and how it meets its objectives.

	2015/16	2016/17	2017/18
% of people who strongly agree or tend to agree that the council is good at keeping your street clean	71.80	67.20	74.60
% of streets inspected which are found to have widespread or heavy levels of Detritus	5.60	5.00	3.80
% of streets inspected which are found to have	7.30	5.40	4.40

widespread or heavy levels of Fly Posting			
% of streets inspected which are found to have widespread or heavy levels of Graffiti	3.50	3.50	9.80
% of streets inspected which are found to have widespread or heavy levels of litter	4.60	4.10	4.30
Number of reported incidents of fly-tipping per 1,000 households	5.50	3.70	3.67
Littering prosecution cases			
Guilty	3	1	58
Not guilty	0	0	1
Withdrawn	4	0	9
Cautioned	1	0	3

3.5 Five out of the six performance indicators have seen an improvement in performance since the current environmental enforcement contract started in February 2016. Before this, there was little resource and expertise in this field and the service was unable to respond to the many requests for enforcement activity around the city. The data demonstrates that having an environmental enforcement service does make an impact on the appearance on the city.

3.6 The significant increase in the number of prosecutions in 2017/18 reflects the lack of an environmental enforcement service in the preceding years. BHCC was unable to take any legal action because the resource and evidence was not available.

3.7 Appendix 2 provides a heat map of the locations of FPNs issued during 2017/18. The map shows a concentration of fines issued in the city centre. There are higher densities of people living, working and visiting the city centre which may account for this to some degree. However, there may be incidents of fly tipping and poor waste management in the residential areas of the city which are not being addressed through environmental enforcement as frequently as they could be.

Income

3.8 The number of FPNs issued over the last three years is:

	2015/16	2016/17	2017/18
FPNs issued	128	2810	4292
FPNs paid	98	1910	3080
BHCC revenue	£9,260	£60,226	£122,643

3.9 Income received from FPNs is used for specific environmental purposes. Over the last couple of years this has included:

- #StreetsAhead anti-littering campaign in partnership with environmental charity Hubbub which has deployed ballot-style voting boxes across the city for people to dispose of cigarette butts; colourful vinyl posters on the council's Big Belly bins; artwork around street drains to remind people not to drop their litter there; posters in shops of the businesses supporting the

campaign; and a special art display in New Road of a fish made from waste dumped on the beach.
- Anti-dog fouling “we’re watching you” campaign and promotional materials including posters with luminous eyes which shine in the dark and designed to act as a deterrent to dog owners reminding them to clean up after their pets.
- Silent disco beach cleans to prevent waste being washed into the sea and endangering marine life.
- Community composting for local residents to use and compost their fruit and vegetable peelings.
- Special BBQ bins to dispose safely of BBQs.

The future environmental enforcement service – Environmental Enforcement Framework

3.10 The Environment Enforcement Framework at Appendix 1 has been developed to address anti-social and illegal behaviour to improve the environment and minimise waste clean-up and disposal costs. The Framework sets out the standards that will be applied when issuing FPNs for environmental offences and what residents, businesses and visitors can expect from Brighton & Hove City Council.

3.11 The Framework has been developed following feedback from a number of stakeholders who state the current approach is not clear or fair. The Framework sets out how the council will take a fair and proportionate approach to issuing fines for environmental offences to ensure that those spoiling the environment for others are made accountable for their actions. It states:
- The circumstances within which a FPN will and will not be issued
- The FPN fine amounts for each environmental offence
- The environmental offences for which a resident, visitor or business will be issued with an FPN
- How offenders can dispute the issuing of a FPN

3.12 There are some key changes to current practice within the Environment Enforcement Framework:
- An early payment reduction will be introduced for littering fines. If the FPN is paid within 10 days, the fine reduces from £75 to £55. There are no early payment discounts for other offences because Brighton & Hove City Council is taking a hard stance on these offences with the penalty set accordingly.
- The Framework makes a clear distinction between intentional and accidental littering. This is to make it clear the circumstances in which a fine will be issued. Intentional littering includes, as an example, when litter is dropped and the offender walks away, including the discarding of cigarettes. Accidental littering includes, for example, when something falls out of someone’s pocket.
- The Framework provides clarity on how the council will manage FPN disputes.

3.13 The Framework makes it clear when a fine will be issued, as per the DEFRA guidelines. While not wanting to discourage a reduce, reuse, recycle approach, methods adopted in the city whereby unwanted goods are left on the pavement

or street on the assumption that someone will pick it up have a significant cost to the council, as well as affecting the environment and its appearance. Therefore, fly-tipping FPNs will be issued for:

- Putting items, including furniture, electrical items and appliances on the public highway and on the pavement for others to pick up and reuse.
- Putting items including furniture, electrical items and appliances by communal refuse or recycling bins, wheelie bins, refuse areas, bring sites or litter bins. If a bin is full, items should be taken to the next nearest bin or taken home until there is capacity in a bin.

3.14 The Environmental Enforcement Framework will be regularly reviewed and any proposed changes reported to the Committee for approval. This will include, for example, the outcomes of the consultation on the introduction of an enforcement policy requiring private property owners to remove graffiti within a prescribed amount of time or risk being fined, as proposed in the Graffiti Reduction Strategy on this committee agenda.

The future environmental enforcement service – delivery

3.15 The environmental enforcement service is currently delivered by 3GS. The contract started on 1 February 2016 and expires in February 2019. An options appraisal has been completed to identify the best way forward to deliver an environmental enforcement service across Brighton & Hove from March 2019. The options considered were:

- Extend the 3GS contract for up to 12 months
- Re-procure a new environmental enforcement contract
- Bring the service in-house
- Do nothing

3.16 The options appraisal identified that the preferred option to meet the environmental enforcement objectives as detailed in section 3.2, is to bring the service in-house to be managed within City Environment. However, because of the time required to plan and implement effectively, the current contract may need to be extended for a period of up to six months from February 2019 to allow for the service to be implemented effectively and for TUPE requirements to be met.

3.17 While 3GS are content to extend the contract, they have stated that they would be reluctant to do so on the current terms. Instead, it would be on the basis that 3GS retain all funds generated from the issuing of FPNs. The financial impact of this has been included in the financial modelling. Under the terms of the contract the council could require 3GS to extend the contract on the current terms provided that the council serves notice 3 months before the end of the current term (i.e. by the end of November). This option is not recommended as this would force 3GS to engage in a commercially unattractive contract and it may skew behaviour for the extended period of the contract.

3.18 The early payment discount proposed in the Environmental Enforcement Framework will not be applied until the service has been brought in-house. During the period of the contract extension, the existing arrangements apply and all offences still apply and residents, businesses and visitors can expect to receive a FPN if an offence is committed.

3.19 Benefits of bringing the service in-house include:

- Improved influence over the service and officer deployment to target particular areas in the city, including a more even spread
- An improved approach to prevention as a greater focus on fly-tipping across the city is likely to act as a deterrent, reducing the costs of removing fly-tips
- The appearance and cleanliness of the city driving the service, rather than income
- All monies generated by the fines will be for the council to use
- Environmental Enforcement Officers will be more accountable
- Better link up between environmental enforcement and the operational objectives of City Environment
- More consistent responses to MPs, Members and complainants
- Improved resident satisfaction with their neighbourhood
- Improved oversight of the cases referred to prosecution

3.20 The modelling used in the options appraisal identified a net revenue income of the service over four years:

	Year 1[1]	Year 2	Year 3	Year 4	Total
Revenue expenditure	£296,428	£298,230	£310,730	£309,230	£1,214,618
Income	£311,244	£311,244	£311,244	£311,244	£1,244,976
Net Income for environmental initiatives	£14,816	£13,014	£514	£2,014	£30,358

3.21 A number of assumptions have been made within the model:

- It has been assumed that the in house service will commence from the end of the current contract period which is 28th February 2019.
- It has been assumed the number of FPNS paid each year will be the same as 2017/18 (the last full year of data available)
- It has been assumed that a further 20% of FPNs will be paid in 2019/20, due to the early payment discount
- It has been assumed that 70% of FPNs will be paid within 10 days as offenders are attracted by the early payment discount
- It has been assumed that while wages will incrementally increase whilst the FPN charge will remain the same. All costs and income are shown as uninflated. Year 3 includes additional costs for refresh training.

3.22 It is anticipated the level of FPNs issued will decrease, along with the overall income generated. Currently, the contractor retains the majority of income raised through FPNs, with a proportion of this income is paid to the council. Within this model, 100% of the income will remain with the council so income generated will be higher than what is currently received. However this income will be required to support the running costs of the service.

[1] Year 1 is the 12 months operational costs from the 1st April 2019/20 financial year. This excludes the costs for the 1 month of March 2019 which is projected to break even..

3.23 The capital cost of setting up this service, is estimated at £17,530, and will be funded by the environmental enforcement income reserve Set up costs will include procurement of new ICT and mobile phone equipment.

3.24 From year two onwards income from environmental enforcement is forecast to be achieved. However this income is significantly lower that current levels from environmental enforcement which in 2017/18 was £122,643. This income is ring-fenced to be used for environmental initiatives as detailed in this report. Options for increasing revenue income through environmental enforcement in future years are being explored and include the potential licensing of commercial bins on the highway. This will not only support the Environmental Enforcement Service, but also reduce trade waste containers on the streets to make a cleaner, greener city. If this option is agreed, it will be added to the Environmental Enforcement Framework. Increased enforcement activity associated with the Graffiti Reduction Strategy is also likely to increase enforcement income, if approved. Further to this the new approach to environmental enforcement taking a more strategic city wide approach and a greater focus on tackling fly-tipping, over time, should lead to a reduction in fly tipping and the associated costs of removal and disposal.

3.25 In the event that the existing contract were extended for a period of time the income in year one would decrease as, if agreed on the terms preferred by 3GS, there would be a period of nil income to the council. It is projected that should the contract be extended for a period of 6 months on the revised terms proposed by the current contractor the council would forego a share of the income of circa £60,000 to £75,000 at current levels..

3.26 There are a number of risks to bringing the service in-house which City Environment will manage carefully as the planning and implementation takes place. Risks identified to date include:

- The financial assumptions are not sound and the income generated from FPNs is not as expected, or costs are more than anticipated
- Funds will not be available to support additional projects, such as those listed within 3.7

The future environmental enforcement service – communication and engagement

3.27 The council recognises that there is more work to do when communicating on environmental enforcement. The publication of the Environmental Enforcement Framework is the first step in this.

3.28 As work is completed to bring the service in-house, educational, engagement and communication activities will be planned to ensure residents, businesses and visitors are aware of their responsibilities regarding environmental enforcement and the implications of what may happen if they are found to be committing an offence.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 As detailed in section 3 above, the other options considered and disregarded were:

Option	Reason it was not pursued
Extend the 3GS contract for up to 12 months	The preference is to bring the service in-house. . The current contract does allow an extension of up to 12 months on the current terms but 3GS are reluctant to do this and have stated that they would want to vary the terms to provide the service on a cost neutral basis only. This would mean the council would not be able to generate income for environmental initiatives.
Re-procure a new environmental enforcement contract	A private contractor is unlikely to view the new model within the Environmental Enforcement Framework as a viable financial option. Therefore, there is unlikely to be interest from external providers if a new contract was re-procured. Furthermore, the contract would be drive by revenue from fines, rather than the wider benefits an environmental enforcement service can bring to the whole city. There is a very small market for this service and given the feedback in 4.2 below, it is very unlikely a contractor will be available.
Do nothing	Experience has shown that littering and fly-tipping increases when there is no environmental enforcement service and so this option has not been recommended.

4.2 3GS was acquired by the Red Snapper Group (RSG) in April 2018. The RSG completed a root and branch review of the enforcement service structure across the UK and concluded there are inherent contradictions within many of the legacy contracts. These legacy contracts guaranteed cost neutrality and promised proportionate and compassionate enforcement action on the ground, whilst delivering an income to the customer. The RSG believe this is not a model that can be delivered in practice. Consequently, as the market does not have a provider that can deliver a proportionate environmental enforcement service, alongside an income for the council, the service should be managed in-house.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 Internal BHCC stakeholders have been consulted on the development of the Framework. The Framework complements the Highways Policy and the Delegated Powers assigned to Field Officers, which both deal with other areas of environmental enforcement.

5.2 The Framework has been developed using feedback from Member and MP enquiries and complaints relating to the existing service.

5.3 If approved, the campaign detailed in 3.21 will engage with communities. Furthermore, the Framework will be regularly reviewed to take into account stakeholder feedback.

6. CONCLUSION

6.1 Brighton & Hove needs an environmental enforcement service to deliver the objectives detailed in 3.2. This will be achieved through the adoption of the Environmental Enforcement Framework and bringing the service in-house from September 2018.

5.4 The Framework will achieve this by setting out the standards that will be applied when issuing FPNs for environmental offences and what residents, businesses and visitors can expect from Brighton & Hove City Council. It will help the council address anti-social and illegal behaviour to improve the environment and minimise waste clean-up and disposal costs. Managing the service in-house will result in the additional benefits listed in 3.16.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The net revenue cost of bringing the service in house is estimated to generate a small in year surplus. The cost of the service will be covered from income generated through FPN and the levels of FPN's are based on similar figures to those paid in 2017/18. The cost of the service includes staffing costs plus associated running and operational costs including ICT, training, uniforms and vehicle operating costs. The staff numbers are based on the current level of numbers plus administrative support.

7.2 The service is projected to generate a small annual surplus which will support both operational costs and support other specific environmental services. In the event that income levels are lower than projected the service may be operating at a deficit and will impact on the Council's revenue budget. Income levels will be monitored and reported through the Council's Targeted Budget Monitoring process and reported to Policy, Resources and Growth Committee.

7.3 The final cost of bringing the service in house is still to be determined and is dependent upon the due diligence process being completed under the TUPE regulations. In the event that costs significantly exceed the projections reported above a further report will be brought back to this committee to consider the financial implications upon the service.

7.4 The Fixed Penalty Notice fines are detailed in the Environmental Enforcement Framework (Appendix 1) and includes an incentivised early payment discount for littering fines. The reduction is from £75 to £55 in the event the fine is paid within 10 days.

7.5 Surplus income from Fixed Penalty Notices is currently ringfenced to support specific environmental purposes as detailed in the report and this will continue under the proposed new in house service. Any unspend income in year will be allocated to a reserve set aside for future environment purposes. This was approved at Policy, Resources and Growth Committee on 14th June 2018.

7.6 The council received income of circa £122,000 which supported reinvestment in bins, education and communication as required by legislation. The list of

investment supported is detailed in paragraph 3.9. The income that the council will receive from the in-house service is projected to be lower than that received in 2017/18 which will mean that there will be less opportunity to reinvest in similar projects.

7.7 The cost of capital investment to support the setup of the in house service will be met from the balance held within the reserve plus a small contribution from in the current year's income stream. The capital investment will include the provision of ICT and mobile phone equipment.

7.8 The cost of Fixed Penalty Notices will be reviewed annually to ensure that the cost of the service is able to meet inflationary rises and other costs of operating the enforcement service. Any changes to the Penalty Charge Notice will be reported back to this Committee.

7.9 Should the contract be extended for a six month period there will be no further costs to the council, however, the council may forego a share of the income of circa £60,000 to £75,000 (based on current income levels) if the terms of the contract are revised so that the operator retains all income..

Finance Officer Consulted: Rob Allen *Date: 15/11/18*

Legal Implications:

7.10 The council has the power under various pieces of primary legislation issue fixed penalties. The income from those fixed penalties can only be used in relation to the councils "qualifying functions". For example fixed penalty income from litter, graffiti, dog control, fly-posting, and unauthorised distribution of free printed material in a designated area can be spent on: functions relating to litter, dog control, graffiti and flyposting. Defra has consulted on stronger guidance to enforcement authorities and the results of that consultation are pending. It is anticipated that the guidance will make it clear that fixed penalties should only be issued when it is in the public interest and proportionate to do so.

7.11 The council has the ability to extend the concession contract with 3GS by a further period of up to one year provided it serves notice by the end of November.

7.12 Equipment and IT which the council needs to deliver the service will need to be procured in accordance with the council's Contract Standing Orders and in compliance with the European Public Procurement regime.

7.13 Enforcement officers currently wear camera devices whilst carrying out their duties and the council will need to ensure that when it takes over the service that this continues to be carried out lawfully and in compliance with the council's policies.

7.14 There will be a transfer as defined within the Transfer of Undertakings (Protection of Employment) Regulations 2006 ('TUPE'). The Council's proposal to undertake enforcement services for environmental offences relating to commercial waste and littering instead of re-tendering the contract is a change in service provision and is therefore a legal transfer.

7.15 Currently there are eight staff employed by 3GS who have been identified as being assigned to undertake enforcement services on behalf of the Council. They will transfer to the Council's employment on the date of transfer, 1 September 2019. The Council will need to determine the entitlements of each employee both financially and in terms of their employment rights. For example, whether any of the employees are entitled to enhanced redundancy pay; private health insurance; or an extended notice period. The information relating to this will partially inform the employment costs for those staff transferring as well as the value of the service to be insourced.

7.16 Although TUPE prevents changes to terms and conditions of those transferring, it will be necessary to assess the extent to which variation or harmonisation of contractual terms may have to be considered following the transfer. Therefore it is important to obtain all personnel information for each employee affected by the transfer to ascertain whether the Council are able to vary the contract of employment and which terms they are able to vary. 3GS are required to provide this information in accordance with the terms of the Concession Agreement as well as the TUPE regulations. Again this will assist with informing the potential costs of insourcing this service.

The Council will require sight of the contract details for those staff transferring as it will need to consider whether there are any potential equal pay claims. If there are any issues in this regard, this would be a reason why the Council may seek to amend terms and conditions of employment. Again, there would be costs associated if there is a discrepancy between terms and conditions enjoyed by the Council's existing staff, to achieve harmonisation and not act contrary to the provisions of the Equality Act 2010.

7.17 The Council will undertake due diligence in relation to this transfer as well as obtain all the relevant staffing information as provided for within the TUPE regulations and the Concession Agreement entered into with 3GS.This legal advice may change dependant on the information received in relation to those employees of 3GS who are due to transfer to the Council.

Lawyer Consulted: Carol Haynes *Date: 08/11/18*

<u>Equalities Implications:</u>

7.18 Two equality impact assessments will be completed:

- one with regards to the transfer of staff to ensure no staff are adversely impacted as the service is brought in-house
- one with regards bringing the service in-house to ensure individuals with protected characteristics are not unfairly affected by the change to the service

7.19 The Equalities Team were consulted during the development of the Environmental Enforcement Framework and confirmed an EIA was not required for the Framework.

Sustainability Implications:

7.20 Environmental enforcement activity improves the environment by reducing littering, dog fouling fly-tipping, graffiti, fly-posting and littering associated with flyers. The performance indicators in section 3.6 demonstrate the impact environment enforcement services have on the environment.

Crime & Disorder Implications:

7.21 Environmental enforcement addresses illegal and anti-social behaviour and has a beneficial impact on crime and disorder.

Corporate / Citywide Implications

7.22 Environmental enforcement activities will make the city a more attractive place for residents and businesses and support the visitor economy.

SUPPORTING DOCUMENTATION

Appendices:

1. Environmental Enforcement Framework
2. Map showing the distribution of fines across the city

Documents in Members' Rooms

1. None

Background Documents

1. Cityclean Service Plan and Priorities Report to Policy & Resources Committee on 9 July 2015
2. Business Case and Proposals for Increased Waste Enforcement Activity Report to Environment, Transport & Sustainability Committee on 13 October 2015
3. Update on Waste & Litter Enforcement Report to Environment, Transport & Sustainability Committee on 11 October 2016

Environmental Enforcement Framework

1. Purpose

The purpose of the Environmental Enforcement Framework is to address anti-social and illegal behaviour to improve the environment and minimise waste clean-up and disposal costs.

Environmental enforcement is delivered by authorised Enforcement Officers patrolling Brighton & Hove. Enforcement action includes the issuing of Fixed Penalty Notices (FPNs) and prosecution.

This Framework sets out the standards that will be applied when issuing FPNs for environmental offences and what residents, businesses, and visitors can expect from Brighton & Hove City Council.

2. Introduction

Brighton & Hove City Council is committed to combatting fly tipping and littering and ensuring the city remains attractive and enjoyable for all those living and working here as well as those visiting the area.

The council will take a fair and proportionate approach to issuing fines for environmental offences to ensure that those spoiling the environment for others are made accountable for their actions.

The council will issue FPNs to enforce environmental crimes under the following legislation:

- Sections 33, 34, 47, 88 and 94b of the Environmental Protection Act 1990
- Section 43 of the Anti-Social Behaviour Act 2003
- Sections 55 to 67 of the Fouling of Land by Dogs, Clean Neighbourhoods and Environmental Act 2005.

FPNs provide a quick, visible and effective way of dealing with low-level straightforward environmental crimes, and an alternative to prosecution.

This Framework complements the Highways Policy and the Delegated Powers assigned to Field Officers, which both deal with other areas of environmental enforcement.

3. Issuing of FPNs

All FPNs will be issued in line with government guidance: https://www.gov.uk/guidance/enforcement-officers-issuing-fixed-penalty-notices.

Details about when a FPN would and would not be issued are detailed below.

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When a FPN will be issued	A FPN will only be issued when all of the following apply:	• an offence has been committed (see section 5) • a FPN is a proportionate response • there is evidence to support prosecution if the offender does not pay the FPN • the offender understands why the FPN is being issued • the Enforcement Officer believes that the name and address offered by the offender are correct
When a FPN will not be issued	A FPN will not be issued if any of the following apply: • there is no criminal liability	• the person in question is exempt, e.g. a blind person whose dog has fouled in an area where a dog control order applies • the offender is a child under the age of 10, when the child's parents or guardian may be informed
	• enforcement action is inappropriate or would be disproportionate for the offence	• it is not in the public interest to do so • the offender is vulnerable; for example, someone who is a rough sleeper or suffers from a mental impediment; this list is not exhaustive
	• prosecution is more suitable	• the offence is major, e.g. deliberate smashing of glass, racist graffiti, or where an extensive quantity of waste is fly tipped or where the content of the waste is hazardous. • the offence is committed by a persistent offender • the offender is violent or aggressive In these cases, evidence will be referred to officers in City Environment to determine whether the case should be referred to council's legal team.
	• littering is done accidentally	• accidental: for example, something falls out of someone's pocket (as opposed to intentional where, for example, litter is dropped and the offender walks away, including the discarding of cigarettes). Where there is doubt over intent, the Enforcement Officer will challenge the offender, stating they have seen them drop something and ask them to pick it up. Should the person refuse

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		to pick up the litter, they may be issued with an FPN.

The FPN gives the alleged offender an opportunity to avoid prosecution by payment of the penalty. An FPN is therefore only issued where there is adequate evidence to support a prosecution, if a notice is not paid.

FPNs will not be issued to under 18s but if an Enforcement Officer witnesses an under 18 committing an environmental offence, they will have an informal discussion with them about it and may write to their parent or guardian.

Officers will have sufficient training and understanding of Brighton & Hove City Council's Environmental Enforcement Framework and their area of work to ensure a consistent approach to their duties. Enforcement Officers will carry identification picture cards at all times whilst on duty. Enforcement Officer will never take payment for FPNs. Information about how to pay is included on the FPN.

4. Fines

FPN fines are as follows:

Offence	BHCC penalty	BHCC early payment
Littering	£75	£55
Littering from Vehicles	£75	£55
Dog fouling	£75	N/A
Graffiti	£75	N/A
Fly posting	£75	N/A
Unauthorised flyering	£75	N/A
Industrial and commercial waste receptacle offence	£110	N/A
Fly-tipping	£300	N/A
Disposing of commercial waste illegally	£300	N/A
Failure to produce a waste transfer note	£300	N/A

Fines are set in line with DEFRA guidance available at: https://www.gov.uk/guidance/fixed-penalty-notices-issuing-and-enforcement-by-councils#set-penalty-levels

The fine for littering is £75 with an early payment discount reducing it to £55, if it is paid within 10 days. This is below the default proposed by Central Government of £100.

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There are no early payment discounts for other offences because Brighton & Hove City Council is talking a hard stance on these offences with the penalty set accordingly.

The cost of FPNs will be reviewed annually to enable Brighton & Hove City Council to target particular environmental offences when needed and ensure appropriate costs of the service are met,

Payment of an FPN in instalments is not possible.

5. Offences

FPNs will be issued in a fair and proportional manner so those who are spoiling the environment for others are made accountable.

- **Littering**

Littering is an offence under section 87 of the Environmental Protection Act 1990. The act states that an offence is committed if anything is dropped, thrown, left or deposited that causes defacement, in any place open to the air that the public have access to with or without payment. This includes any deposit on land or water and the statutory definition of litter specifically includes cigarette butts and chewing gum.

When issuing FPNs for littering, a distinction will be made between intentional littering and accidental littering:

- Intentional: for example, litter is dropped and the offender walks away, including the discarding of cigarettes.
- Accidental: for example, something falls out of someone's pocket.

Where littering is considered be accidental (with no intent to drop litter) an FPN will not be issued.

- **Littering from vehicles**

Littering from vehicles is an offence under section 87 of the Environmental Protection Act 1990. As with general littering, littering from vehicles is a nuisance and detrimental to the environment. Vehicle owners are responsible for ensuring whoever is travelling in their vehicle does not litter from the vehicle. Fixed Penalty notices for littering from vehicles will be issued to registered vehicle owners when the person who actually littered cannot be identified. In cases where the registered vehicle owner is fined, the FPN must be issued within 35 days of the alleged offence.

- **Dog fouling**

FPNs for dog fouling are issued under section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014.

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Dog fouling adversely affects the environment and the enjoyment of it.

- **Graffiti**

FPNs for graffiti are issued under section 43 of the Anti-Social Behaviour Act 2003.

Graffiti is classed as criminal damage and defined as any informal or illegal marks, drawings or paintings that have been deliberately made by anyone on any physical element in the outdoor environment. Graffiti is difficult and costly to remove.

Before issuing a FPN for graffiti, the Enforcement Office will speak to the owner of the building to ascertain whether permission has been granted to graffiti the physical element question.

City Environment will work with the Safer Communities Team to ensure that enforcement action does not impact on any legally created graffiti art and does not contradict any graffiti strategy produced by the council.

- **Fly posting**

FPNs for fly posting are issued under section 43 of the Anti-Social Behaviour Act 2003.

Fly posting is putting up posters or stickers on properties, lamp posts, telephone boxes or other structures on the street such without consent from the owner.

Examples of this are:

- Sticking posters onto boarded up shops advertising a gig
- Attaching a poster to a lamp post advertising a business
- Putting stickers onto road signs showing political statements

- **Unauthorised flyering**

FPNs for unauthorised flyering are issued under section 94b of the Environmental Protection Act 1990.

Flyering can cause lots of litter and Brighton & Hove City Council restricts where and when free flyers can be distributed. This includes printed materials to advertise things like events, businesses or product promotions.

Anyone wishing to distribute free printed material within a designated area must apply for a flyering licence from the council. The flyering licence covers the cost of the extra work required to clear the additional litter generated as some people will just drop flyers on the floor.

Any person distributing matter by or on behalf of a charity or for political or religious purposes are exempt from this rule. To reduce confusion, the council encourages charities to make an application. There will not be a charge for the licence in these cases.

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FPNs for flyering without a license will be issued to the individual and not the organisation they are flyering for. One fine will be issued to each person distributing the flyers, regardless if a group is distributing the same flyers.

Flyering materials will be confiscated until the owners of the materials have arranged for a flyering licence.

Details about where a licence is required and how to apply for a flyering licence are available on the council's website: www.brighton-hove.gov.uk/flyering

- **Industrial and commercial waste receptacle offences**

FPNs for receptacle offences are issued under section 47 Environmental Protection Act 1990.

Businesses have a duty to ensure that their waste is stored, presented and disposed of in accordance with the waste Duty of Care. FPNs will be issued when the waste is likely to cause a nuisance or be detrimental to the amenities of the locality. This includes:

- Overflowing bins meaning lids cannot be closed
- Side waste
- Bins left on the pavement outside of agreed collection days and times
- Bins blocking the highway

- **Fly tipping**

FPNs for flytipping are issued under section 33A of the Environmental Protection Act 1990.

Flytipping is the illegal dumping of waste, items or materials. This includes anything from putting a TV on the pavement to dumping a van's contents in the countryside. Flytipping is unattractive, can cause obstructions and can lead to a build-up of other waste. The following are all examples of flytipping:

- Putting items, including furniture, electrical items and appliances on the public highway and on the pavement for others to pick up and reuse.
- Putting items including furniture, electrical items and appliances by communal refuse or recycling bins, wheelie bins, refuse areas, bring sites or litter bins. If a bin is full, items should be taken to the next nearest bin or taken home until there is capacity in a bin.
- Putting refuse into communal recycling bins.
- Putting bulky items in refuse or recycling bins.

If someone else flytips an individual's waste, the individual may still be held responsible.

Any company carrying or disposing of waste must have a waste carriers licence and individuals can check they have this through the Environment Agency's waste carrier's public register.

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Unwanted items, such as electrical items, furniture, appliances etc. cannot be collected with normal household refuse and must be reused, recycled or disposed of in a legal and safe way. Options include:

- Keeping these goods on an individual's property and advertised through signs, newspapers or websites
- Using a company or charity that collects items for free
- Taking items to a Household Waste Recycling Site
- For a fee, using the council's bulky waste collection service.

More details are available on the Brighton & Hove City Council website: www.brighton-hove.gov.uk/bulkywaste

- **Disposing of commercial waste illegally**

FPNs for disposing of commercial waste illegally are issued under section 33A of the Environmental Protection Act 1990.

Any waste that comes from a commercial activity is business waste, including waste produced as a result of an individual running their business from home. Businesses cannot use domestic waste and recycling bins, and the collection of commercial waste is not covered by business rates

Businesses are responsible for:

- All recycling and refuse they create
- Ensuring waste is stored and disposed of in a safe and legal way
- Using a registered waste contractor or a business waste site to dispose of their waste
- Avoiding any disruption to the public when storing and disposing of their waste.

Any business found to be not adhering to these responsibilities, may be issued with a FPN.

- **Failure to produce a Duty of Care Certificate**

FPNs for failure to produce a waste transfer note are issued under section 34 of the Environmental Protection Act 1990.

Businesses must have a registered waste carrier to collect and dispose of their waste. Businesses that have set up a waste collection with a registered waste contractor will receive a Duty of Care Certificate. This is proof that there are waste collection arrangements in place and it is being disposed of legally.

If a registered waste contractor does not supply a Duty of Care Certificate it may mean they are not registered. If this waste is then subsequently dumped or disposed of illegally, the business could be held responsible. For this reason, it is recommended that businesses check the waste contractor through the Environment Agency's waste carrier's public register.

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If an Enforcement Officer requests a copy of a business's Duty of Care Certificate and the business is unable to provide one, the business will be given 14 days to produce a Duty of Care Certificate before an FPN is issued.

Enforcement Officers conduct regular checks across the city to make sure businesses have a Duty of Care Certificate. If a business does not have a legal method for disposing of waste, the business could receive a fine which could lead to prosecution.

6. Appeals and disputes

There is no formal right to appeal against an FPN. If an offender does not agree that an offence has been committed, then the matter will be dealt with through formal prosecution via the Magistrates courts. It will then be up to the court, on receiving evidence, to determine whether or not an offence was committed and therefore whether or not any penalty should be imposed.

If the offender believes an FPN has been issued incorrectly, they can put their complaint to City Environment in writing who will assess whether the correct procedure has been followed.

If City Environment has responded to a complaint about the way the FPN was issued to which the offender remains unsatisfied, the offender can raise a formal complaint with Brighton & Hove City Council by contacting customerfeedback@brighton-hove.gov.uk. Brighton & Hove City Council will investigate whether the FPN was issued in accordance with the appropriate procedures, the law and this framework.

7. Fine income

Income received from the issuing of FPNs is used for specific environmental purposes such as providing additional litter and dog bins and to fund environmental education for local schools.

8. CCTV

CCTV and bodycam footage will be used as appropriate to obtain evidence of offences, taking into account the following legislation:

- The Data Protection Act 1998
- The Human Rights Act 1998
- The Regulation of Investigatory Powers Act 2000
- The Freedom of Information Act 2000
- The Protection of Freedoms Act 2012

9. Equalities

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All authorised Enforcement Officers involved in environmental enforcement will be made aware of their responsibilities under the Equalities Act 2010 and in particular the Public Sector Equality Duty. They will be expected to have regard to the needs of vulnerable people and protected groups and to apply this Framework in a manner that is consistent, transparent and proportionate.

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Appendix 2: Heat map showing the distribution of fines across the city in 2017/18



ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 48 Brighton & Hove City Council

Subject:		**Graffiti Reduction Strategy**	
Date of Meeting:		**27th November 2018**	
Report of:		**Executive Director, Economy, Environment & Culture**	
Contact Officer:	**Name:**	**Damian Marmura**	**Tel: 01273 294759**
	Email:	**damian.marmura@brighton-hove.gov.uk**	
Ward(s) affected:		**All**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 This report presents the proposed Graffiti Reduction Strategy which sets out how the council and partner agencies can work together to reduce criminal damage caused by graffiti across the city.

1.2 The council is responsible for removing graffiti from council owned buildings and property. Removal of graffiti from other buildings and property is the responsibility of the property owners. The strategy seeks to find ways that incidents of graffiti can be reduced and removed from all property across the city in order to enhance and improve the environment. It is hoped that this will support the local economy and tourism.

1.3 The council does have the power to take enforcement action against perpetrators of graffiti where there is enough evidence to do so under the Anti-Social Behaviour Act 2003. The council also has powers of enforcement against property owners under s43 of the Anti Social Behaviour Crime and Policing Act 2014 and also under s215 of the Town and Country Planning Act 1990 in cases where property is suffering from a lack of maintenance or repair and this adversely affects the amenity of the area.

2. RECOMMENDATIONS:

2.1 That the committee approve the Graffiti Reduction Strategy attached at Appendix 1.

2.2 That the Environment, Transport and Sustainability (ETS) committee agree to the initiation of a consultation with businesses, statutory undertakers and private property owners in relation to a new enforcement process requiring property owners to remove graffiti within an agreed timeframe and that a process for enforcement of graffiti removal is brought back to committee for approval.

2.3 That the committee agree to officers exploring the feasibility of City Environment providing a chargeable graffiti removal service to owners of private and commercial buildings that will be brought back to committee for approval.

3. CONTEXT / BACKGROUND INFORMATION

3.1 The term ‘graffiti’ is used to describe the illegal or unauthorised defacement of property. Typically, this is done by marking with words, pictures or symbols and using marker pens, household / aerosol paint or by etching into the surface. Places where graffiti is carried out are varied but are often in public spaces or on private property accessible from public spaces.

3.2 Brighton & Hove City Council is responsible for the removal of graffiti from council buildings and property. The council currently operates one graffiti removal team with one truck and two members of staff. The council spends on average £75,000 per annum on graffiti removal.

3.3 The level of graffiti and in particular ‘tagging’ has increased significantly over the past year.

	2015/16	2016/17	2017/18
% of streets inspected which are found to have widespread or heavy levels of Graffiti	3.50	3.50	9.80

3.4 There is no certainty as to why levels of graffiti have increased, but photographing and circulating of ‘tags’ on social media has become popular amongst some young people.

3.5 Graffiti vandalism is a crime but it’s usually very difficult to identify the people responsible as they tend to be skilled in avoiding detection. Since the start of the contract with environmental enforcement service 3GS, 22 Fixed Penalty Notices (FPNs) have been served under the Anti-Social Behaviour Act 2003.

The Graffiti reduction strategy

3.6 To develop the strategy, opportunities to address graffiti crime have been discussed with relevant teams across the council and with partner agencies such as the police, Local Action Team Chairs, the Tourism Alliance and the Business Improvement District. It is clear that the level of graffiti in the city is of concern to all of these agencies, as well as residents, and there is a desire for a new approach to tackle it.

3.7 Examples of good practice locally and from other local authority areas, have been incorporated into the proposed strategy. There are some excellent community initiatives in place in the city which have been driven by community groups and residents associations such as painting out graffiti schemes and urban art projects for young people.

3.8 The strategy focuses on four work streams:

- Prevention
- Enforcement
- Removal
- Monitoring and Review

3.9 If agreed, a detailed delivery plan will be developed with partner agencies.

3.10 Historically the council has not used its powers provided in the Anti-Social Behaviour Crime and Policing Act 2014 to enforce removal of graffiti by the owners of privately owned or commercially owned property or statutory undertakers (such as telecommunication companies, railway infrastructure owners and bus companies), who fail to clean graffiti from their assets within acceptable timescales and to acceptable standards. Nor have any s215 Town and Country Planning Act notices served to date included a requirement to remove graffiti.

3.11 The strategy suggests that if graffiti in the city is to be significantly reduced, all property owners need to remove graffiti as quickly as possible. Not only will this improve the look of the city but research suggests that fast removal helps to dis-incentivise further graffiti incidents. For this reason it is proposed that, through consultation with all interested parties, a timeframe for removal is agreed and a process to enforce graffiti removal is brought back to committee for approval following this consultation. Suggested enforcement processes are depicted in Appendix 2.

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3.12 It is recognised that people whose property is defaced by graffiti are the victims of crime, so it is important to work with private property owners to support them in removing graffiti, particularly in those areas which are frequently affected.

3.13 Partnership working with statutory undertakers to acknowledge their responsibilities in tackling graffiti on their assets is crucial. This can be achieved through voluntary written agreements with the undertakers in the Brighton & Hove area.

3.14 In order to assist both private property owners and statutory undertakers, the option of a chargeable, low cost graffiti removal service offered by the council will be considered as part of the consultation in order to gauge the level of interest in this type of service. Should this be welcomed, a costed proposal would be brought back to committee for consideration.

3.15 If a new enforcement approach were to be agreed this would be implemented by the City Environment environmental enforcement service, currently delivered by our contractor 3GS and incorporated into the environmental enforcement framework.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The council could consider not approving the strategy and continue with the current approach of the council removing graffiti from council owned property only.

4.2 This would not preclude incorporating the option of enabling City Environment to provide a chargeable graffiti removal service to the owners of private and commercial buildings.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The strategy has been shared with other council departments, the police, representatives from the Business Improvement District (BID) and representatives from the Tourism Alliance, as well as the chairs of the Local Action Teams in Brighton & Hove. The strategy has been developed with their input.

5.2 If agreed there will be further engagement and consultation with regard to the proposed new approach to enforcement.

6. CONCLUSION

6.1 Levels of graffiti in the city are increasing and are of concern to many residents and business owners. In order to address this problem, a strategic and collaborative approach is required.

6.2 In order to have the greatest chance of success, it would be beneficial to introduce an approach of assistance and ultimately enforcement where property owners fail to remove graffiti within a reasonable timeframe.

6.3 Enabling City Environment to provide a chargeable graffiti removal service will also provide a cost effective service to property owners to enable fast removal and avoid enforcement.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The budgeted cost of the service is currently around £75,000 per annum including staffing and materials. In the event that a graffiti removal service for owners of private and commercial buildings is proposed, a fully worked up business case will be required to be presented back to this committee that demonstrates the costs and income assumptions that deliver a financially viable service.

Finance Officer Consulted: Rob Allen *Date: 05/11/18*

Legal Implications:

7.2 The statutory framework which gives the council power to take action is set out in the strategy and the appendix. Any enforcement action that is proposed will be assessed on its merits and the appropriate power used for the specific case, following legal advice. Further work will be required to determine reasonable charges in relation to any remedial work undertaken by the council. It should be noted that there are appeal process available and applicable time limits for these which would need to be taken into account in the enforcement process.

Lawyer Consulted: Elizabeth Culbert *Date: 08/11/2018*

Equalities Implications:

7.3 An Equalities Impact Assessment (EIA) is not required for the strategy. However if a new proposal for enforcement against private property owners is agreed to go to consultation an EIA will be completed as part of the consultation and development of the new process.

Sustainability Implications:

7.4 The graffiti service provided concentrates on the council owned properties. The new scheme would enable a decrease in graffiti incidents across the city and reduce its negative impact on residents, businesses and visitors.

SUPPORTING DOCUMENTATION

Appendices:

1. Brighton & Hove City Council Graffiti Reduction Strategy

2. Proposed enforcement process relating to the privately owned or commercial property

Documents in Members' Rooms.

1. None

Background Documents

1. None

Brighton & Hove City Council

Graffiti Reduction Strategy



November 2018

Introduction

(suggested for Cllr Mitchell to sign this part of document)

Graffiti tagging is a terrible and escalating blight on our beautiful city.

Not only does this type of vandalism create ugly eyesores in our streets and neighbourhoods, it cost the council, and therefore our taxpayers, thousands of pounds every year to clear.

As a city council, we work hard to tackle the problem, but sometimes no sooner have we erased a tag that it reappears, with some of these vandals proving to be continual and persistent.

Graffiti is not just an isolated nuisance and act of vandalism, it is linked to other forms of enviro-crime that demean and spoil our streets, city centres, parks and open spaces.

Graffiti vandalism is also a growing issue for all councillors who are receiving more and more complaints from their constituents urging the council to take firmer action.

This strategy addresses the concerns of our residents, businesses and tourist by setting out a clear and achievable framework for how Brighton & Hove City Council and its partners will tackle the graffiti scourge.

At present, the council is only responsible for removing graffiti from public buildings and street furniture, and will remove offensive scrawls and images from both public and private property.

However, we are not responsible for clearing ordinary graffiti on private property, including private households and business premise.

That's why the strategy delivers a plan of action that brings together the council, businesses, the police, community groups, residents and even the taggers themselves, to decisively eliminate graffiti from the city.

The strategy is also clear that the council will be doggedly proactive in tracking down the taggers, with those committing acts of vandalism being caught and dealt with.

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As a councillor but also a resident of this great city, I've increasingly become alarmed about the rising tide of graffiti throughout Brighton & Hove.

I hope you agree that this Graffiti Reduction Strategy sets out a positive, effective and clear approach to halting this tide while reclaiming our streets and neighbourhoods from the vandals.

Cllr Gill Mitchell

Chair of the Environment, Transport & Sustainability Committee

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Background

Graffiti is an area of great concern for many businesses and residents of our city. The pointless acts of tagging on the walls, junction boxes and other street furniture is contributing to the feeling of neglect, but is also linked with the increase of other environmental crimes like fly tipping, littering and vandalism.

Brighton & Hove is well known for graffiti art which can brighten up our streets and attract tourists. It is important to make a distinction between graffiti art and graffiti vandalism. Graffiti artists will acquire permission prior to commencing work. Graffiti vandalism is carried out without permission, and 'tagging' in particular, is criminal damage to property and a blight on our city. Brighton & Hove is known to be particularly popular with 'taggers' and some perpetrators have been known to travel from outside of the city to tag here. It is thought this is partly due to the amount of filming in the city which enables the taggers to gain notoriety. In the past, the council and private business owners have worked with graffiti artists to commission murals in areas where there has been an excessive amount of tagging. Previously, there seemed to be an unwritten rule that taggers would not tag over existing artwork. Unfortunately this is no longer the case, so this method of reducing graffiti vandalism and tagging is no longer effective.

The purpose of this strategy is to set out how the city council will work with partners to tackle graffiti vandalism effectively.

Graffiti vandalism is reported to the city environment contact centre. The city council is only responsible for removing graffiti from public buildings and street furniture. The vast majority of the reported incidents are related to private properties where the council is not responsible for removing graffiti, unless it is obscene or offensive. 'Statutory Undertakers' such as bus companies, Royal Mail, railway infrastructure owners and telecommunication companies are responsible for removing graffiti from their assets. They can request the council to do so at their cost.

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% of streets inspected which are found to have widespread or heavy levels of graffiti	
2015/16	3.5%
2016/17	3.5%
2017/18	9.8%

The police and the council do attempt to identify and prosecute graffiti vandals. However, it can be difficult to identify the people responsible as they are often well practiced at avoiding detection by tagging at night and keeping hidden from CCTV cameras.

The council has issued 22 Fixed Penalty Notices (FPNs) for graffiti vandalism through our environmental enforcement contract since the contract started in 2016. Sussex police have recorded the following graffiti crimes:

Police recorded graffiti	2016/17	2017/18
Criminal damage	127	126
Offences other than criminal damage *	5	4

* e.g. associated with harassment, burglary or other offences

Research demonstrates that rapid removal of graffiti reduces the number of repeat attacks. For some offenders the thrill of their graffiti being seen is a key motivator. By aiming to remove graffiti as quickly as possible we will remove this motivation. The council currently operates one graffiti removal truck with two operatives. We aim to remove graffiti from council owned property within five days and offensive graffiti within 24 hours. The city council spends around £75,000 per year on graffiti removal; nationally it is believed to be around £1 billion. It is recognised that graffiti is costly to remove and extremely difficult to eradicate.

However, the amount spent on graffiti removal can be controlled by a long term plan of action. Currently, the approach to graffiti is focused on removal and less on prevention and detection. This strategy seeks to bring a more co-ordinated

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intelligence led approach that will offer greater value to the city council and its partners.

This strategy sets out:

- how we will work with partners to reduce and prevent incidents of graffiti
- how we will work with partners to take enforcement action against people responsible for graffiti vandalism
- who is responsible for removing graffiti and explore options for how graffiti can be removed more quickly from public, private and statutory undertaker assets
- how we will work with partners to monitor and measure the impact of this strategy.

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Local authority powers to tackle graffiti

Enforcement powers - graffiti perpetrators

Part 6 Section 43 of the **Anti-Social Behaviour Act 2003** allows for FPNs to be issued to an offender to discharge the offence of graffiti or fly-posting, which is described by the Criminal Damage Act. The FPN is to the value of £75 and is issued by the council's authorised Environmental Enforcement Officers.

The **Highways Act 1980** Section 132 states "if any person without consent of the Highway Authority paints or otherwise affixes any picture, letter, sign or other mark upon the surface of the Highway is guilty of an offence and liable to a fine not exceeding level 3 (£2500) the standard scale".

Where there is evidence of repeat offences the council could apply for an injunction against the person responsible. In exceptional high impact cases the council could also consider prosecution of the person responsible under **Local Government Act 1972 (s222)**.

Enforcement powers – property owners

The local authority has powers to compel property owners to remove graffiti from their property. Currently the council rarely uses these enforcement powers.

The **Anti-Social Behaviour, Crime and Policing Act 2014** provides the council with powers to deal with graffiti on private property by means of a Community Protection Notice. (CPN). A CPN can be issued to an individual aged 16 or over if an authorised person is satisfied that:

a) the conduct of the individual or body is having a detrimental effect, of a persistent or continuing nature, on the quality of life of those in the locality

b) the conduct is unreasonable.

Breach of any requirement in the notice, without reasonable excuse, would be a criminal offence, subject to a FPN or prosecution.

The Town and Country Planning Act 1990 Section 215 states "if it appears to the local planning authority that the amenity of a part of their area, or adjoining land, is

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adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under this section."

Section 216 states "If any owner or occupier of the land on whom the notice was served fails to take steps required by the notice within the period specified in it for compliance with it, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale".

Section 219 states "If, within the period specified in the notice under Section 215 any steps required by the notice to be taken have not been taken, the local planning authority who served the notice may:

a) Take any reasonable steps to enter the land and take those steps

b) Recover from the person who is then the owner of land any expenses reasonably incurred by them for doing so.

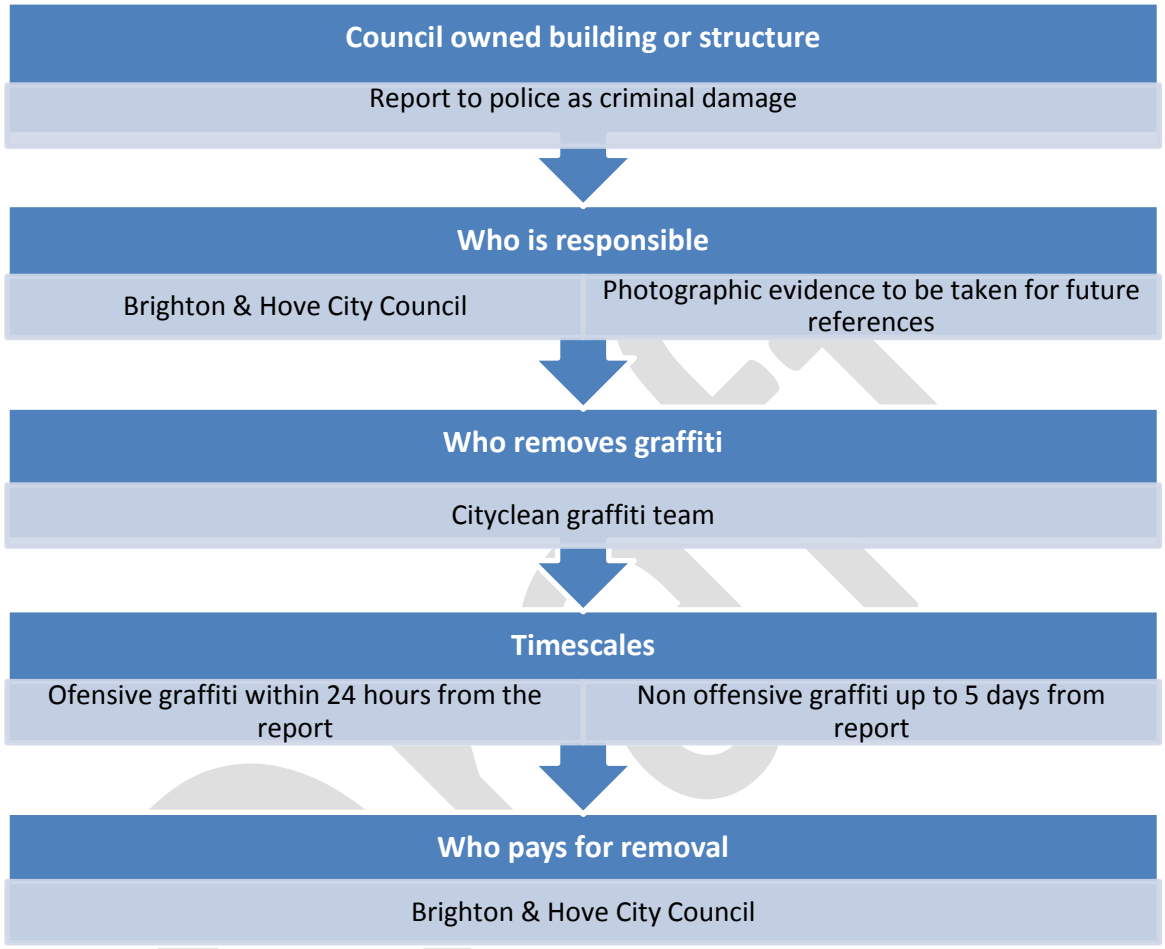
Police powers to tackle graffiti

The police have powers to prosecute for graffiti. The local authority may also prosecute. Graffiti is criminal damage under the **Criminal Damage Act 1971.** If the value of criminal damage exceeds £5,000, the maximum penalty for those aged 18 or over is 10 years imprisonment. For those aged 12-17 years the maximum custodial penalty is a detention and training order of up to 24 months. Where the damage is less than £5,000, the maximum sentence is three months imprisonment or a fine of £2,500 for adult offenders. This is enforced by Sussex Police.

The Criminal Damage Act 1971 is the preferred legislation for prosecution as it carries the heaviest penalty and is therefore the most effective. As this is enforced by the police, upon receipt of complaint, environmental enforcement officers will liaise with the police to ensure the appropriate investigation is instigated and action taken.

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Current process for removal of graffiti from public building / structure or seafront



Prevention

EXAMPLE: The Mix is a website for under-25s which provides advice and information about the law relating to graffiti and how to graffiti without breaking the law.

EXAMPLE: The council's communities, equalities and third sector team is working with the arts and creative industries team. They ran a session at the Cultural Strategy Summit in November 2018, looking at how to develop new approaches to combat tagging, and promote higher quality public art.

EXAMPLE: Birmingham City Council worked with its parks and leisure team and architects to advise them on blank walls likely to attract graffiti (e.g. changing rooms, sides of buildings) and encouraged the growth of plants to cover walls and use anti-graffiti paint.

We will:

- work with universities, schools and youth clubs to develop and deliver information on the impact of graffiti, the penalties for graffiti and the differences between graffiti art and tagging. We will use education and nudge techniques to dissuade young people from becoming taggers

- work with youth services and local graffiti artists to provide opportunities and spaces for young people to become involved in urban art projects that will enhance the environment – subject to consultation with local residents

- develop online graffiti reduction resources providing information for residents, business and private property owners. This will set out what they can do; how they can contribute to graffiti reduction; what the council and other partners' responsibilities are; and a portal to report graffiti or send through pictures of graffiti tags to the multi-agency database

- develop a multi-agency media campaign across all channels to educate people on the impact and costs of graffiti vandalism and nudge people away from tagging

- develop a communications strategy so that property owners understand their responsibilities in terms of graffiti removal and ways in which the council can advise and assist

- liaise with Local Action Teams (LATs) and other community groups to provide information and advice about how they can become involved with graffiti reduction

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- use this strategy and multi-agency action planning as a vehicle to try to remove graffiti more quickly and from more locations to reduce the perceived 'rewards' from tagging

- work with the council's events team to explore whether it is possible to require film makers to ensure all graffiti has been removed in any area where they will be filming

- work with the council's trading standards team to educate shop owners on the law relating to the sale of aerosol paints to those under 16

- work with the council's highways team and major projects team to ensure the prevention of graffiti is considered in any urban designs. For example this can be achieved by creating natural surveillance, by replacing solid block fencing with something easier to see through or by positioning and street furniture to design out opportunities for graffiti to occur.

Enforcement

EXAMPLE: Residents of the Phoenix Estate are receiving support from the council's communities fund to work with the council's restorative practice team to create a community mural as a youth engagement project aimed toward young people who may be at risk of involvement in tagging or other antisocial behaviour.

We will:

- set up a database of tag photographs with times, dates and locations. The database will enable the council or the police to demonstrate a history of criminal behaviour and prosecute people responsible more successfully when they are caught. Neighbourhood policing officers, environmental enforcement officers, field officers and the business improvement district (BID) ambassadors will be provided with procedures as to how to input images into this database

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- attend joint intelligence meetings with the police and other council services, including field officers and environmental enforcement officers, to share intelligence. Our operations managers and enforcement officers will regularly meet with the BID ambassadors to share intelligence and good practice

- Work with the safer communities team to ensure the database records hate incidents and extremist sentiment expressed through graffiti or stickering, and enables intelligence to be gathered which can inform strategy and practice around hate crime and counter extremism

- work with community groups to enable them to contribute to our intelligence and graffiti database, and develop an online portal to enable ease of reporting and publish outcomes on the website

- use the database and shared intelligence to build spatial intelligence on locations and the frequency which will highlight hot spots and identify routes used by offenders. We can then consider high visibility monitoring and surveillance of these areas

- along with partners, take proportionate enforcement action in all cases where a person can be identified and there is sufficient evidence to do so

- work with the police, probation and the youth offending service (YOS) to use restorative practices and reparation activities where appropriate to remove graffiti. This will be offered to people responsible for graffiti tagging or other forms of criminal damage
- consult with statutory undertakers, businesses and residents on the introduction of an enforcement framework requiring private property owners to remove graffiti within a prescribed amount of time or risk being fined and/or removal of graffiti being done as ‘works in default’ by the council for which we will recharge.

Removal

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EXAMPLE: Ditchling Road Residents Association paints out graffiti on the local railway bridge as soon as it appears to keep the area looking nicer and to dis-incentivise further tagging.

EXAMPLE: The North Laine Tagging Task Force is a group of residents and businesses who paint out tagging as quickly as possible.

EXAMPLE: Lewisham and Barking and Dagenham councils in partnership with their probation teams work with community payback to remove graffiti.

EXAMPLE: Residents in Hanover & Elm Grove, with support from the council's communities, equalities and third sector team, have been working with Good Gym, a running group who carry out community projects as part of their run, to clean up graffiti in the area.



We will:

- continue to remove graffiti from Brighton & Hove City Council property within five days or 24 hours if the graffiti is offensive. We will also aim to remove graffiti constructions of historical importance within 24 hours

- explore and implement specialist techniques to remove graffiti from fragile or vulnerable surface such as murals and flint walls

- seek to increase the resources dedicated to graffiti removal by sourcing alternative funding such as using enforcement fine income and by developing a graffiti removal service for other agencies and private property owners

- work with the Chamber of Commerce, Tourist Alliance, the BID and other businesses to develop an agreed target time for removal of graffiti in the city centre. To facilitate this, the council will work with these partners to develop a chargeable graffiti removal service offer and undertake a wider consultation with businesses, statutory undertakers and private property owners

- work with statutory undertakers, such as Brighton & Hove Buses, Network Rail, telecommunications companies and Royal Mail to agree a commitment and time frame to remove graffiti from their infrastructure. This may include an agreement that the council removes graffiti for statutory undertakers at a charge

- work with community groups and individual residents who wish to remove graffiti in their area by advising on safe and effective graffiti removal techniques and, where possible, helping groups obtain necessary materials and equipment to support graffiti removal activities. Funding options will be explored to enable this. It should be noted that permission is required from the property owner to remove graffiti, but in the case of council owned property, the council will work with residents to facilitate this. This could be particularly beneficial in suburban areas and for alleyways which are prone to frequent graffiti

- look at opportunities to build in graffiti resistant surfaces in 'hotspot' areas. This may involve the introduction of graffiti resistant paint which is very costly, or other materials that allow the removal of graffiti more quickly and easily

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- seek opportunities to work with the probation service's community payback team to paint out graffiti in large areas.

Monitoring and Measuring

We will:

- develop a multi-agency action plan and involve the LAT chairs forum as our 'critical friend'

- improve our performance data collection across partners and publish this on the council website

- hold quarterly multi-agency graffiti reduction strategy monitoring meetings to monitor the action plan and data and consider new innovations

- report back to environment, transport & sustainability committee annually and to the LAT chairs forum

- ensure each statutory undertaker legally nominates a point of contact who we will ask to provide quarterly statistics on the number of graffiti incidents and the time taken to remove them; this will be included in our monitoring

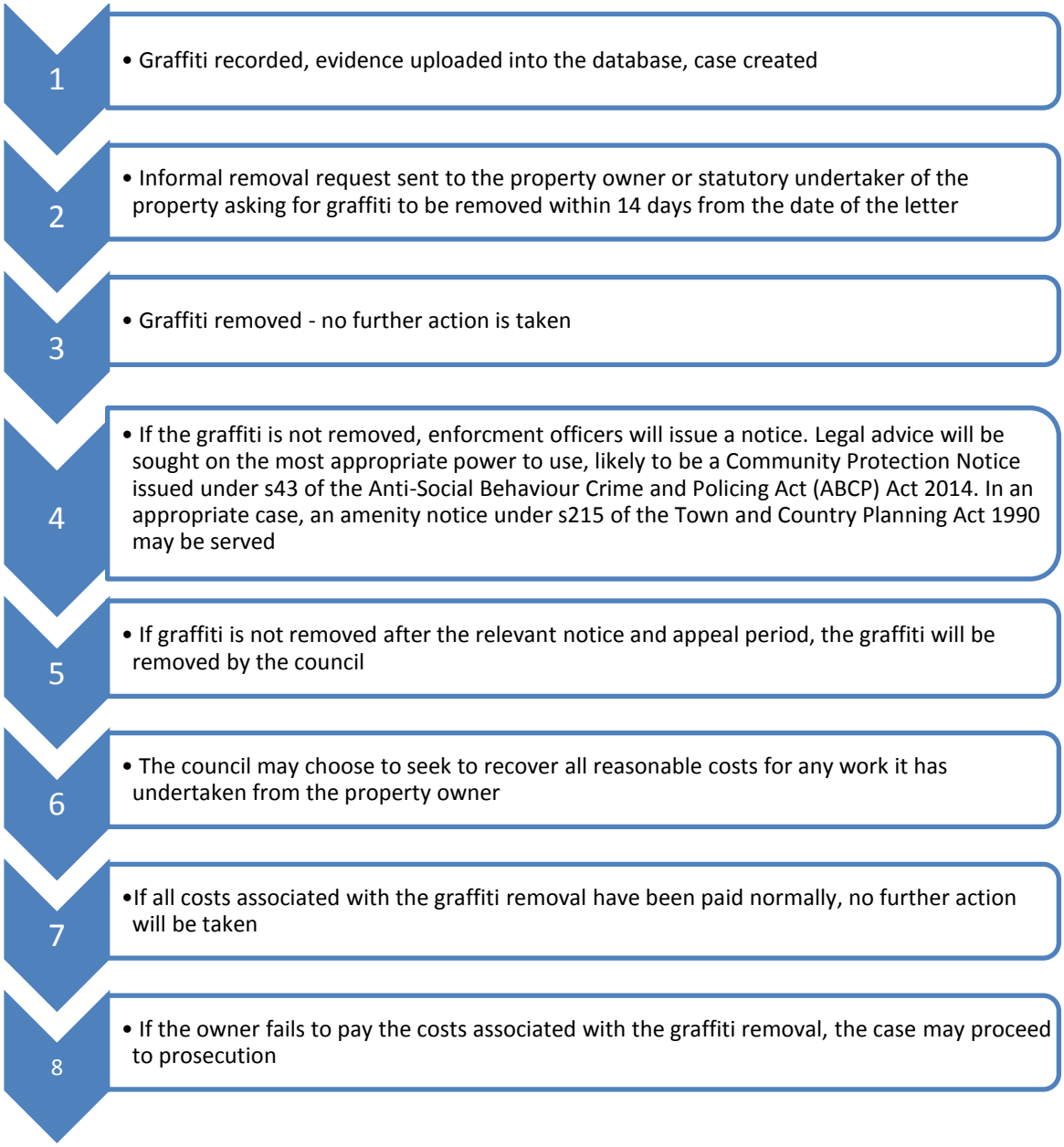
- continue to explore best practice and benchmark our performance against other local authorities.

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Appendix 2: Proposed enforcement process relating to private and commercial buildings or statutory undertakers



ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE	Agenda Item 49 Brighton & Hove City Council

Subject:		**Rights of way Improvement Plan**	
Date of Meeting:		**27 November 2018**	
Report of:		**Executive Director, Economy, Environment & Culture**	
Contact Officer:	**Name:**	**Robert Walker**	**Tel: 01273 294349**
	Email:	**robert.walker@brighton-hove.gov.uk**	
Ward(s) affected:		**(All Wards);**	

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

1.1 The Committee is being asked to adopt the Rights of Way Improvement Plan (ROWIP) Review following public consultation. (Appendix 1: full ROWIP Review document ; Appendix 3: Summary document)

1.2 The ROWIP is a strategy document which is a statutory requirement for the council to have.

2. RECOMMENDATIONS:

2.1 That the Committee note the results of the public consultation and adopt the Rights of Way Improvement Plan.

3. CONTEXT/ BACKGROUND INFORMATION

3.1 A ROWIP identifies changes that will improve rights of way and access provision for walkers, cyclists, horse riders and those with mobility issues. It is a statutory duty to revise the ROWIP every 10 years.

3.2 The ROWIP Review was drafted June to October 2017 in consultation with the Local Access Forum (a statutory board of advisors made up of representatives of rights of way user groups and land managers). An internal consultation was carried out with council departments, as detailed in the ROWIP Review document (Appendix 1). The draft ROWIP Review was taken to Environment Transport & Sustainability (ETS) Committee 23/01/2018 to ask for permission to go the ROWIP to external consultation.

3.3 The external consultation ran from February to May 2018 (3 months statutory consultation period) through local newspapers, social media and stakeholder groups. Results of the consultation are contained in Appendix 2.

3.4 Minor changes have been made to the original ROWIP Review to reflect the public consultation. Specific changes made to the original document are:

- Add horsebox parking to the new online access map
- Work with bus companies on the new online access map – promoting bus routes and showing bus stops in relation to the network / access land
- Add Mill Lane to list crossing point improvements
- Add action point to 7 .4.1 (covering severance from the National Park) on better partnership working with neighbouring authorities and SDNPA through Rights of Way Accord meetings

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The production of a ROWIP is a statutory duty for the council.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The Local Access Forum were consulted with for the first draft of the ROWIP Review

5.2 Internal council departments were consulted with on the second draft

5.3 The third draft was taken to external consultation – a full list of the 171 stakeholder groups consulted with are listed in Appendix 2

5.4 140 people responded to the consultation questionnaire (a very similar response rate to WSCC ROWIP consultation)

5.5 87% of respondents agreed with the vision for the ROWIP

5.6 88% agreed with the five main aims of the ROWIP

5.7 Positive support was given by SDNPA, the Biosphere Partnership, Bricycles (Brighton & Hove cycling campaign), Brighton & Hove Living Streets, Brighton MTB (mountain biking).

5.8 Minor amendments have been made to the ROWIP Review as a result of the consultation as the majority of responses were positive and in agreement with aims, objectives and actions outlined.

5.9 Profile of respondents:

- Age range 27-81 years
- Gender 62% male, 27% female, 11% not specified (more detail in Appendix 2)

6. CONCLUSION

6.1 As the ROWIP has now been through the appropriate consultation process and the view of consultees have been incorporated we suggest the ETS committee adopts the ROWIP Review.

6.2 The aims of the ROWIP are aspirational but the previous ROWIP provided a mechanism for achieving significant improvements to the rights of way network and access. These are summarised in Chapter 5, page 27 , Appendix 1.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The consultation costs included in the report recommendations were met from existing revenue budgets within CityParks.

7.2 The objectives outlined in the ROWIP will be prioritised and implemented depending on when funding is available. Recommended actions will be carried out using existing staff and resources within the CityParks revenue budgets over the length of the plan (up to 2027) where possible. Projects with higher costs will require additional budgets, therefore external funding will be sought such as developer contributions (section 106 or Community Infrastructure Levy), lottery funding or central government grants.

7.3 Capital expenditure will require further approval from Policy, Resources and Growth committee as part of the Targeted Budget Monitoring process.

7.4 The difficult financial climate means securing resourcing for improvements is very challenging. The council needs to pursue an opportunistic approach to improving rights of way, without diverting resources from delivering statutory maintenance work.

Finance Officer Consulted: Gemma Jackson *Date: 26/10/18*

Legal Implications:

7.5 Under Section 60 of the Countryside & Rights of Way Act 2000 local highway authorities are under a duty of prepare and publish a ROWIP by 21 November 2007 and once published to review it at least once every 10 years. Brighton and Hove City Council published its first ROWIP in 2007 and this is the 10 year review of that original ROWIP.

7.6 By publishing the 10 year review the Council will be complying with its statutory duty under the Countryside and Rights of way Act 2000

Lawyer Consulted: Stephanie Stammers *Date: 25/10/18*

Equalities Implications:

7.7 It is a statutory obligation under the ROWIP to look at improving rights of way provision for user groups, including those with mobility issues

7.8 The first aim of the ROWIP Review is to Improve Accessibility for diverse users in Brighton & Hove, including blind and partially sighted people and those with mobility issues – adhering to principals of ‘least restrictive access’.
More details can be found in Appendix 2, Chapter 7.

Sustainability Implications:

7.9 By improving the rights of way network we are encouraging more sustainable forms of transport such as walking and cycling.

7.10 One of the aims of the ROWIP is to reduce severance to the Downs by improving crossing points over the A27 for users. We anticipate that this will encourage more users to access the Downs by foot or bicycle rather than vehicles.

7.11 Where people choose / need to use a vehicle to reach an area of the network we are encouraging use of the bus service. We will achieve this by linking bus information to access maps.

Any Other Significant Implications:

7.12 Public Health Implications: a more accessible and improved rights of way network will lead to more physical activity and improved health.

7.13 More sustainable travel choices (walking / cycling) can lead to reduction in vehicle use and resultant emissions, improving air quality.

SUPPORTING DOCUMENTATION

Appendices:

1. Results of Rights of Way Improvement Plan (ROWIP) Consultation 2018

2. Rights of Way Improvement Plan Summary document

Documents in Members' Rooms

1. Rights of Way Improvement Plan Review (draft 4)

Results of Rights of Way Improvement Plan (ROWIP) Consultation 2018

Brighton & Hove Local Access Forum were involved in the creation of the draft Rights of Way Improvement Plan (drafted June – October 2017). The draft was then circulated to internal departments within the council for comment and input (October – December 2017):

City Infrastructure	City Transport Division
City Parks	Planning / Section 106 & CIL
Parks Projects	Central Policy Team
Biosphere	Tourism
Sustainability Team	Seafront Office

The draft ROWIP was taken to ETS Committee on 23/01/2018: permission was given to take the ROWIP to external consultation.

Information was put up on the council website; including the full draft ROWIP, a summary document and questionnaire

Rights of Way Improvement Plan - Public Consultation

People's opinions are being sought on Brighton & Hove's draft Rights of Way Improvement Plan for 2017 - 2027. Anyone with an interest in access issues is encouraged to express their views. If you like to walk, cycle horse ride or carriage drive in the countryside then it is very likely that you use the Public Rights of Way network.

The plan sets out how the authority intends to improve provision for walkers, cyclists, horse riders and those with mobility issues over the next ten years. The council is keen to hear your views to help prioritise areas for improvement.

The closing date for responses is Friday 18 May 2018.

Read the full Rights of Way Improvement Plan (PDF 7.1mb) and Rights of Way plan appendices (PDF 8.4mb), or alternatively
Read the summary Rights of Way Improvement Plan (PDF 6.5mb)
Take part in the Rights of Way consultation by completing our online questionnaire

The statutory requirement for ROWIP consultation is to advertise the Plan for 12 weeks in two local papers. The consultation was advertised in the Argus and the Brighton & Hove Independent

The consultation ran from February 19th to May 18th 2018.

The Communications Team put information about the consultation out on social media & the website:



Have your say on rights of way!

Release date: Monday, 19 February 2018

Brighton & Hove 's footpaths and rights of way provide important links to the city's countryside, parks and open spaces and are enjoyed by hundreds of people each day.

Countryside access affects a wide range of people including local residents and visitors to the area. Walking and riding contributes to peoples' well-being and helps reduce congestion and pollution.

The city council is responsible for maintaining around 159km of public rights of way all over the city, and has recently published a Rights of Way Improvement Plan (ROWIP) setting out its 10 year plan.

Now local people are invited to have their say.

The Rights of Way public consultation asks those with an interest in the countryside what they think of the council's proposals to manage footpaths and rights of way in the city.

The plan sets out how the council is planning to improve provision for walkers, cyclists, horse riders and those with mobility issues.

Proposals also include plans to create more opportunities for volunteering and explore new funding sources.

To see a copy of the Brighton & Hove Rights of Way Improvement Plan 2017 - 2027 and take part in the consultation visit the Rights of Way pages at:

www.brighton-hove.gov.uk/rightsofway

The consultation closes on 18th May.

Website feedback

In addition, 171 local stakeholder groups were contacted and asked to respond to the questionnaire

National & Regional Organisations:

Natural England
South Downs National Park Authority (SDNPA)
SDNPA Local Access Forum
East Sussex County Council (ESCC) Rights of Way Team
ESCC Local Access Forum
West Sussex County Council Rights of Way Team
Sussex Wildlife Trust

Local Stakeholder Groups (Transport / Accessibility / Sustainability / Green Space groups):

Brighton Local Access Forum	Friends of Hollingbury & Burstead Woods
Brighton MTB (Mountain Biking)	Friends of Hove Lagoon
Bricycles	Friends of Hove Park
Brighton & Hove Healthwalks membership	Kipling Garden Volunteers
Biosphere membership	London Road Station Partnership
British Horse Society (local membership)	Mile Oak Rec Action Group (MORAG)
Byways and Bridleways Trust (local membership)	Norfolk Square Garden Project
Open Spaces Society (local membership)	Friends of Palmeira and Adelaide
Ramblers Association (local membership)	Patcham University of the Third Age
Living Streets	Pavilion Garden Volunteers
Sustrans	Friends of Preston Park
Cycling UK	Preston Manor Gardener Volunteers
Possibility People	Preston Rock Garden Volunteers
B&H Ranger Walks Database	Friends of Queens Park
B&H Volunteer Ranger Database	Brighton Permaculture
B&H Volunteer Lookerer Database	Rottingdean in Bloom
B&H Volunteer Tidy Up Team	Friends of Saltdean Green Spaces
B& H Volunteer Path Wardens	Friends of Saunders Park
Brighton & Hove Way Association	Friends of Sheepcote Valley
Friends of Beacon Hill Nature Reserve	Friends of St Anns Well Gardens
Friends of Bevendean Down	St Nicholas Green Spaces Association
Benfield Wildlife & Conservation Group	St Peter's Churchyard Volunteers
Friends of Blakers Park	Stanford & Cleveland Community Garden
Friends of Brunswick Square	Stanmer Preservation Society
Brunswick Road Community	Friends of Stoneham Park
Brunswick Town in Bloom	Friends of Surrenden Field
Brighton Conservation Volunteers	Friends of Tarner Park
Brighton & Hove Wildlife Forum	The Grange Garden Volunteers
Brighton & Hove Green Spaces Forum	The Level Communities Forum
Brighton & Hove Archaeological Society	Friends of Three Cornered Copse
Brighton & Hove Food Partnership	Friends of Vale Park
Friends of Coldean Woods	Friends of Victoria Park
Friends of Craven Woods	Friends of Waterhall (Conservation Area)
Friends of Davis Park	Friends of Westdene Green
Friends of Dyke Road Park	William Clarke Park
Friends of Easthill Park	Friends of Wild Park
Easthill Garden Volunteers	Friends of Wish Park
Friends of Farm Green	Friends of Withdean Park
Keep the Ridge Green	Withdog (Withdean)
Friends of Brighton Greenway	University of the 3rd Age @ Withdean Park
Friends of Hangleton Park	TWWEACK (Withdean, Westdene and Eldred Avenue Copse Keepers
Friends of Happy Valley	Friends of Woodbourne Meadow

Local landowners / land managers / tenant farmers / Farm Cluster Group:

Land at Mill Hill, Shoreham	Housedean Farm, Falmer
Lower Paythorne Farm, Fulking	Land at Ridge Road, Falmer
Pt. of Devil's Dyke Farm	Park Wall Farm, Falmer
Mile Oak Farm, Portslade	Land west of Falmer Road
New Barm Farm, Portslade	Court Farm, Falmer
East Hill Farm, Portslade	Upper Bevendean Farm
Hangleton Bottom, Portslade	Southdown Riding School
Land adj. Poynings / Fulking Rd, Poynings	Land north side of Warren Rd
Waterhall Farm & adj, land	Ovingdean Grange Farm
Patcham Court - Tegdown S.	'Ingleside' Warren Road
Patcham Court - Valley	Land adj. to Beacon Hill
Patcham Court - Tegdown N.	Paddock West Side of Falmer Road
Patcham Court - Scare Hill	Paddock East Side of Falmer Road
Deep Bottom / Patcham Rifle Range	Castle Hill Nature Reserve
Standean Farm	Balsdean Farm, Brighton & Kingston
Home Farm, Stanmer	Land at Saltdean
High Park Farm, Stanmer	Challoners & New Barn Farms
Home Farm, Moulescombe	Pickershill Farm
Land at Plumpton Hill	High Park Corner, Ditchling
Balmer Farm, Falmer	Savills Land Agents

The Local Transport Partnership was presented to on the 27th February and asked to respond to the consultation:

Brighton Area Bus Watch	PRA Health Sciences
Brighton Visitor	Churchill Square
Brighton Taxis	Powered Two Wheeler Campaign
Bricycles	Transport Consultancy
Freegle	Brighton & Hove Buses
Friends of the Earth	Rail Future
Brighton & Hove LAF	University of Brighton
Brighton & Hove Economic Partnership	Transport Campaigner
Brighton & Hove Community Works	Car Club South East
Business in Brighton	University of Sussex
Bike for Life Training	Brighton & Hove Radio Taxis

Local Action Teams (LATs) for Brighton & Hove:

Marina Local Action Team	North Laine Community Association
Bristol Estate Local Action Team	Coldean Community Forum
Craven Vale Community Association	Hollingdean Local Action Team
St James Community Action Group	Brunswick & Adelaide Local Action Team
Tarner Area Partnership & Community Safety Action Gp	Central Hove Local Action Team
Hanover & Elm Grove Local Action Team	Preston Park & Fiveways Local Action
Bevendean Local Action Team	West Hove Forum
Coombe Road Local Action Team	Westdene & Withdean Local Action
Meadowview & Tenantry Community	Hollingbury Local Action Team
Moulsecoomb Local Action Team	Patcham Local Action Team
Clifton, Montpellier & Powis Community Alliance	Hangleton & Knoll Community Action
London Road Local Action Team	Portslade Local Action Team
West Hill Local Action Team	

Responses to the Questionnaire:

In total 140 people responded to the questionnaire. This is a very similar response rate to the ROWIP consultation questionnaire sent out by West Sussex County Council last year.

77% of respondents were responding as individuals – as residents of Brighton & Hove; and 21% on behalf of organisations or groups and 2% as individuals outside of Brighton & Hove.

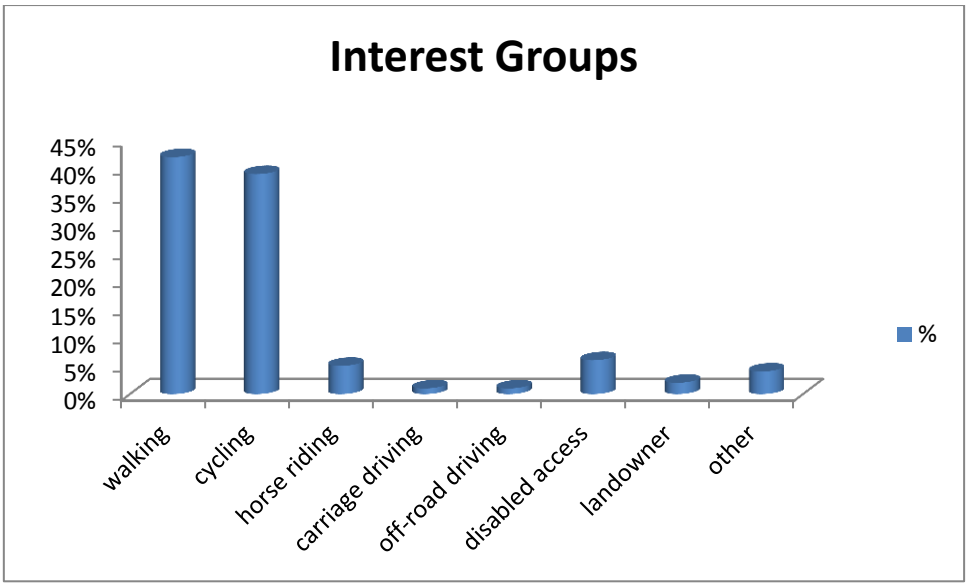
Organisations that responded include:

- Natural England
- South Downs National Park Authority
- Brighton & Lewes Downs Biosphere – The Living Coast
- Bricycles
- Brighton MTB (Mountain Bikers)
- Brighton & Hove Ramblers
- Brighton & Hove Archaeological Society
- Brighton & Hove Local Access Forum
- Brighton Conservation Volunteers
- Friends of Beacon Hill
- Benfield Wildlife & Conservation Group
- Cultures Club (Youth led arts organisation)
- Due East (residents organisation for Whitehawk, Manor Farm & Bristol Estate)
- Healthwalks
- Racehill Community Orchard
- Rhythm & Bikes
- Saltdean Residents Association
- Friends of Wish Park

68% of respondents read the ROWIP in full and 22% read it in part / the summary document
87% of respondents agree with the Vision for the Rights of Way Improvement Plan

A city where people with diverse access needs have the opportunity to use a well maintained and joined up public Rights of Way network, connected to the varied green and blue spaces around the city: the seafront, city parks and gardens, open spaces on the urban fringe and the South Downs National Park

Interest groups represented:



Other interests included: running, archaeology, protecting / restoring chalk grassland, nature / nature reserves

Views on the Five Main Aims of the ROWIP:

Aims	Agree	Disagree	Don't Know
1. Improve accessibility for diverse users in Brighton & Hove	89%	3%	8%
2. Make information more accessible to residents & visitors	84%	4%	12%
3. Improve connectivity to green spaces within Brighton & Hove	89%	3%	8%
4. Work with SDNPA & neighbouring authorities to improve access to the National Park and The Living Coast Biosphere	89%	4%	7%
5. Improve connectivity of the existing Rights of Way Network	89%	4%	7%

On average, 88% of respondents agree with the five main aims of the ROWIP

76% of respondents thought that the actions identified (in Table 1 of the ROWIP), associated with the aims and objectives, were appropriate (13% neither agreed or disagreed, less than 1% disagreed and 7% were unsure. *4% gave no response*).

75% of respondents agreed that the ROWIP provides a good overview of how improvements to the Public Rights of Way network can be achieved (14% neither agreed or disagreed, 1% disagreed and 6% were unsure. *4% gave no response*).

Responses from Organisations / Groups

(Questionnaire Feedback in black /Actions in red / Responses to feedback in blue)

South Downs National Park Authority

The Plan presents a very thorough overview of actions and delivery mechanisms and we welcome in particular the references to partnership working with the SDNPA and the acknowledgement of shared objectives identified in the Partnership Management Plan for the SDNP and in our Cycling and Walking Strategy. We support the proposed flexible approach to delivery which will enable BHCC and its partners to respond to funding opportunities as they arise whether this is via developer contribution or external grant aid.

We welcome the level of detail provided in the Action Plan which will enable us to more easily identify opportunities to work in partnership to deliver shared priorities. We welcome in particular the proposed approach to connecting urban areas with the National Park via improved green corridors and the identification of both key gateway locations and priority crossing points. We also support the aim of addressing missing links and gaps in the network and acknowledge the extensive work carried out to date to enhance the network via permissive paths and the establishment of new access land. We look forward to continuing to work with you to deliver better access experiences for residents and visitors to the National Park.

We strongly support the main aims of the plan and welcome the proposals to secure additional funds for the management of the network by working with partners and exploring a wide range of possible funding sources. We also welcome the proposals to communicate better with landowners and users.

We support the identified actions. With regards to the provision of more detailed online information via the online access map we recommend the inclusion of the location horsebox parking facilities. Some of this information is found on the National Trail website for the South Downs Way and the SDNPA intends to publish a more comprehensive list of horsebox parking facilities across the National Park in the near future.

Actions:

- continue to work with the SDNAP & surrounding authorities through the Rights of Way Accord
- Add horse box parking to the Access Map

Biosphere

Good piece of work. The challenge is on its effective implementation with adequate resources, AND the scope for positive adaptation/evolution of it over the long 10-year period!

Bricycles (Brighton & Hove Cycling Campaign)

We acknowledge the very good work that you are doing with the Local Access Forum and we are keen to see more funds allocated to Rights of Way Improvement. We strongly support your aims for collaboration, closing missing links, improving route coherence and development of the ROW network to support healthy exercise for all. We support your "Statement of Action".

We were pleased to see the reference to Cycling UK's campaign "Beyond the Green Belt"1 to open up more of the rights of way network for cycling in England and Wales (para 2.2.8 on page 10, 3.1.2 on page 18.) As stated, only 20% of England's rights of way network is available for cycling. We welcome multi-user paths to enable more cycling to take place.

Legal rights of way for cycling are often fragmented. Getting to a bridleway/cycleway or following a route often involves riding along busy roads. The hostile road environment is preventing many people from taking up healthy activity and exploring the countryside with all the public health benefits that this would bring.

Rural A roads carry only 3.5% of cycle traffic, but 28% of cyclist fatalities happened on them; and 11% of reported cyclist serious injuries. (DfT: Reported Road Casualties GB 2016 (2017) Table RAS30018.) Rural speed limits are often much too high, with many B, C and unclassified minor roads subject only to the national speed limit. This is the case even though they are often narrow and bendy with poor visibility. Those speed limits should be reduced. Examples of this are Ditchling Beacon Road and Devils Dyke Road where cyclists riding out to the countryside are unnecessarily overtaken very fast by motor vehicles. This is a massive disincentive to anyone cycling or considering whether to allow children to ride.

Local Walking and Cycling Infrastructure Plans (LCWIP) provide an opportunity for Rights of Way Officers and City transport officers to link town to country and enable greater access to and around the countryside by bike. ROWIP needs to link up with the LCWIP but unfortunately BHCC is making little progress in developing the LCWIP, which is essential for obtaining government funding. We were glad to see a reference in the draft ROWIP to collaboration with the City Transport Division, Highways (Paragraph 4.1 Internal (BHCC) Collaboration). This is most important. Cycle routes are often obstructed by motor vehicles and this should be prevented by greater enforcement.

LCWIPs should help authorities "take a more strategic approach to improving conditions for cycling and walking in order to support increases in travel on foot and by cycling."

We need to see good on-road to off-road connections. Along with Cycling UK, we disagree with the interpretation of the law that pushing a bike on a footpath isn't permissible.

We note the statement on page 16, section 2.4.13 concerning the Seafront Strategy that "One objective is to improve the 'pinch-points' where pedestrians, cycles and cars interact." There are many issues here.

Bricycles strongly supports improvements at all the locations listed in "Table 2: Priority Crossing points (LAF)"

Welcome better partnership working between BHCC, WSCC, ESCC & SDNPA e.g. the Standean project (appendix 11)

There is possible cross over between the cycle rangers and the volunteer path warden schemes – to be investigated

Actions:

- Specific issues on seafront access, East Street, Brighton Greenway, obstructions on cycle ways listed in the feedback will be taken to the Road Safety and Transport Planning teams and the Seafront Office.
- Concerns over DA3 to DA8 and SA1 to SA6 (City Plan) – will be communicated to Planning.

Further specific issues are covered in the response section below; themed on the main aims of the ROWIP.

Brighton & Hove Living Streets

Pedestrians welcome the opportunity to respond to the Rights of Way Improvement Plan, and wish to express support for measures which aim to further the interests of people on foot, as well as other appropriate users of the City's Rights of Way network.

We support the stated aim of Brighton & Hove City Council, "to encourage walking in the city," since Brighton and Hove is a city where people with diverse access needs should have the opportunity to use a well maintained, joined up, and improving public Rights of Way network, which provides access to the varied green and blue spaces around the city: the seafront, city parks and gardens, open spaces on the urban fringe and the South Downs National Park (SDNP). And although around 40% of Brighton and Hove is within the SDNP, it is important that this does not overshadow the importance of the 60% of the city that is not within the SDNP.

Given the specific geography and topography of Brighton and Hove, and because it is possible to reach most of the city central areas on foot within just 15 minutes, it is important that getting about and exploring on foot is a pleasant and safe as it can be for residents and visitors alike. With this in mind, BHCC should ensure that the necessary actions are taken to enable residents, workers and visitors to the city to walk, using the appropriate rights of way, whenever such an opportunity is available. This is particularly the case given that, according to data from the 2011 Census, B&H has one of the lowest rates of car ownership in the UK after London.

Brighton & Hove's rights of way are used by hundreds of people each day to provide important links to the city's countryside, parks and open spaces, but are also important in providing sustainable walking routes within the city. It is important that this aspect of the Brighton and Hove Rights of Way network is included in the improvement plan, since walking and riding contributes to peoples' well-being and helps reduce congestion and pollution: in particular, walking is great for people's mental health and wellbeing, it is the best way to get more exercise every day and it is good for the environment too.

It is important that, in Brighton and Hove, people are encouraged to go about their everyday lives on foot wherever possible. Walking should be the easy choice for any type of urban journey, whether trying to get from A to B or for recreation and relaxation. Brighton and Hove should aim to be a city with a high-quality, well connected, accessible network of paths and spaces that are rich in natural features to encourage walking and, in so doing, improve public health, boost the local economy and help create a safer, happier, more cohesive community.

To this end, it is important that rights of way are kept free from obstructions or other nuisances preventing or deterring the public from using a path. This includes maintaining the definitive map, assessing claims for new rights of way, sign-posting, vegetation clearance, surface improvements and maintaining, enhancing and promoting the existing network.

Action:

- This feedback will be shared with the Road Safety and Transport Planning teams

Brighton MTB (Mountain biking)

"I massively appreciate how hard BHCC works and how this rights of way improvement plan is being put forward. I wish it huge success and on behalf of the mountain biking community I hope we can all work together to create some amazing trails that improve the life for everyone using the downs, stanmer, wild park etc, and that mean more facilities for young and old cyclists alike. I think we all want the same things, namely to enjoy and protect our fantastic nature that's on the doorstep of Brighton and Hove." (Brighton MTB member)

There was a strong response from the mountain biking community – particularly in relation to provision of cycle access in Stanmer.

- Support for the creation of a designated mountain biking area in Stanmer, as long as it is of sufficient size.
- There was equal concern that designated areas aren't too restrictive – reducing the amount of single track routes in Stanmer (currently there are 2 – 3 hours-worth of riding routes which makes it worthwhile travelling to Brighton for MTB activity).
- There is also the risk of concentrating mountain bikers into one area which will increase erosion and environmental impact instead of spreading it over a large area.
- Income generation potential of mountain biking visitors to the area / "outdoors economy" and promotes healthy lifestyle (physical & mental health - as an outdoor exercise and as a social / community endeavour)
- Concern over perceived anti-social behaviour of mountain bikers – it is a valid outdoor pursuit, a growing sport, offers many positive benefits. "It is an engaged community that is committed to helping to protect the forests it uses to ride in."
- Local MTB members are a willing source of volunteers to help maintain tracks and would like to work together with the council. These volunteers could also get involved in environmental improvements e.g. litter picking
- Support for the creation of easy access bike trails to kids / families
- Support for the creation of a new BMX track – improve cycling provision within the city
- "I think a more official structure of cycle trails…would benefit cyclists and all other users and avoid safety issues, as well as making it much easier to repair and maintain damage caused."
- "It's important to me and my family than I can use Stanmer to cycle around both as a family on the fire roads with my children, and as a mountain biker on the well maintained single track."
- "As a mountain biker, I use a lot of the public rights of way around the downs area, and especially the south downs way, and stanmer areas. It's such an amazing resource, so thanks for looking after it. I would like to see the plan work more closely with the mountain bike community in Brighton, which is vibrant, and growing. There are also a lot of younger kids getting into cycling, and while there are some (naturally) who see this sometimes as a threat (ie: people going faster, trying jumps etc) this part of the sport should be nurtured, like the skatepark on the level has been, to give those who like that kind of riding a place to do it. Anyway, largely though I think the plan is great and I welcome any addition to the already fantastic network."
- "My children love riding bikes on the informal trail network in Stanmer and I couldn't support any plan that degrades this network."
- "I think that education is the key to tolerance and understanding, shared use cycle and pedestrian areas work in other parts of the city not because they have made mixing the activities any less hazardous but because the mix has been officially sanctioned there is tolerance towards people using the space differently to any other individual, and an increased sense of responsibility from the users of any particular type."
- A public map showing permitted MTB trails in Stanmer & Wild Park. Let people know how the areas differ (Stanmer more cross country and Wild Park more endurance)

Action:

- Take this feedback to the Stanmer Restoration Project delivery team

Responses from Individuals

General responses from local residents was overwhelming supportive of the ROWIP:

> "Residents of Brighton enjoy the proximity of beautiful countryside. Joining up pathways and green spaces makes for easier access and is also good as wild life corridors. The most noticeable improvements in the habitat round Brighton have occurred since grazing animals have been re-introduced."
>
> "Amazingly comprehensive document which must have entailed a great deal of work - it looks excellent"
>
> "I really hope you can make good progress on this!"
>
> "I am very appreciative that you are seeking to make these improvements, as we live in such a beautiful place and as Brighton and Hove is quite a small city, it is easy to walk / cycle onto the Downs and not have to drive and then park on the hills to enjoy them."
>
> "It's brilliant that B&HCC is doing this…The open access and signposting systems are largely excellent. It's good for improving physical fitness and mental health, is free (to the user) and, as someone who doesn't have a car, it's especially brilliant that you can get to and from some wonderful routes by bus. We are so lucky to have this on our doorstep and it's entirely right that B&HCC should invest in ways of encouraging more people to use it."
>
> "In times of extreme financial restraints and demands on budgets, I think the amount of time and effort devoted to the Improvement Plan is commendable. The obvious benefits of enjoying the countryside are often overlooked. I wish you well with your efforts."
>
> "Before reading the summary document I was unaware of how much effort and expense has and will be carried out by B&HCC for the benefit of residents. I think this council department is to be congratulated."
>
> "The improvement plan has a very positive statement, and encourages people to get out and look at our wonderful countryside. I am interested in our heritage and ancient landscapes. We have many beautiful landscapes in Brighton and Hove and the surrounding area. It is good to see positive action being taken to see access to these valuable assets being made available to all" (Local Access Forum)
>
> "A comprehensive document detailing the importance of Public Rights of Way and how these can be improved for the benefit of all. An ambitious range of improvements." (Local Access Forum)

In addition there was very useful feedback on specific aims and objectives within the Plan that will help us prioritise projects resulting from this piece of work…

Aim 7.1: Improving Accessibility

- Gates may be necessary to stop unauthorised vehicles and fly tipping, however, they can also be restrictive. They should be accessible for buggies and wheelchairs / mobility vehicles. "Paths should be created and maintained to have a wider range of users as possible whether it be riders walkers cyclists or those with mobility issues." The aim is for least restrictive access whenever improvement works are carried out. Sometimes gates are unavoidable for stock proofing.
- Need for seating at regular intervals & level access where possible. The Ranger team works with Friends of groups in areas to improve amenity e.g. seating
- Improve parking for disability vehicles / a WAV with rear access in Stanmer. Feedback to Stanmer Restoration Project
- Gates need to be kept in better condition and some paths need upgrading where shared use with Farm traffic causes poor access for the wider community. There is a rolling maintenance schedule for PRoW
- There was much support for the new multi-user paths put in along the Ditchling Road (South) and the Flamer Road. However, concern that these surfaces would be maintained into the future as they are starting to erode. This is on the radar for future funding bids
- Some concern over multi-user paths – dangers of cyclists and surfaces being churned up by horses in the winter. There was concern over the speed of cyclists and the need to share the path. The width of a path and surface choices are considered when creating a multi-user path
- "How about behind-the-hedge-paths where there is no grass verge along busy roads."
- It's essential that off-road cycling is supported.
- Need to increase lock-up facilities for cyclists across the city
- Speed humps on the back land at Stanmer are a danger to cyclists (Bricyles) – Feedback to Stanmer Restoration Project
- More hard surfaced paths across the Downs for road cyclists. Feedback to SDNPA
- "Equestrian use of bridleways is not entirely recreational. Some people breed, train and sell horses as a business. There are a few riders who are professional competitors and/or train racehorses. They need to exercise their horses to complete their training and keep them fit." Text altered
- Often the roads leading to bridleways are dangerously full of traffic so riders need to take their horses by horseboxes or trailers. So parking places near the access points of bridleways are needed in many places as well as Stanmer. Action point added to 7.1.5
- Safe parking for horse boxes and trailers would greatly improve access and use by horse riders. Action point added to 7.1.5
- "I believe a farmer at Stanmer Park has installed kissing gates on bridlepaths, meaning horses cannot access these rights of way. I believe he claimed he lost animals because of horse friendly gates. A solution must be find that does not block horse riders rights of way." Kissing gates have only been installed on open access land, not across bridleways. They may be on the edge of bridleways – leading on to open access land. There is no authorised access for horse riding on access land.
- Negative feedback to the idea of introducing some Toll Routes for riders as it was felt that access should be free and this further marginalises some users. This has been amended in the Plan
- "I would urge you to consider improvements for horse riders. We have lost many permissable bridleways due to withdrawal of grants. The roads are getting ever more dangerous with new housing developments leading to increased traffic… I have a book called Highways and Byways in Sussex by E V Lucas published in 1923, who says 'The Downs ... will probably be the last stronghold of the horse when petrol has ousted him from every other region.' Your plan covers the 100th anniversary of this book."

Aim 7.2: Make Information more Accessible

- Signposting the coastal path route. This is part of the England Coastal Path project – signposting due 2018/19
- Better signposting 'green' links to the countryside and general support for better signage. These are actions covered in 7.2.2, 7.4.2, 7.4.3
- More advertising / walk guides for possible routes – using technology for phones and tablets. This action is covered in 7.2.6
- Clear signage is definitely needed as to who has the right to use a particular pathway. This action is covered in 7.2.2

- Need for a system to report problems. A PRoW problem reporting form can be found on the Rights of Way page of the council website https://www.brighton-hove.gov.uk/content/leisure-and-libraries/parks-and-green-spaces/rights-way
- "Am I correct in thinking access land still requires walkers to keep to the footpaths?" Walkers are free to roam on access land – they do not need to stick to designated Rights of Way.
- There could be greater emphasis on protecting biodiversity and wildlife around the improved access, particularly increased provision of litter and dog waste bins and effective signage about where pathways adjoin vulnerable habitats. Rights of Way provision within the council sits alongside our Ranger service that looks after our Natural Spaces. Better interpretation of our natural habitats is part of the remit of this team.
- "Just would like to stress the importance of educating the people who visit the South Downs occasionally, so that they understand its uniqueness and do not leave rubbish behind, harm wildlife or destroy the land."
- "What is planned to be done to educate those who are not used to the countryside in the way that they should conduct themselves when they find themselves in it?"
- To help the green spaces be beautiful for all there is a need for bigger poo bins on the main routes and stronger enforcement of disposal of excrement.
- Need to educate dog walkers on leaving poo bags - greater focus on increased dog control. "The enjoyment of the rights of way network can be, in my opinion, much diminished by anti-social dog ownership."
- There was strong support for more education to dog walkers on the need to control dogs (for wildlife) and pick up after them. Publicising a 'code of conduct' for users is an integral part of the ROWIP, as well as working with land managers
- "Some routes are almost hidden from some parts of the community, or seem overly 'local'." The new online access map should help publicise lesser known routes to the wider public
- Running and jogging trails. This will be covered in Action 7.2.6
- Advertise one-off volunteering opportunities on social media. The new Volunteer Path Warden scheme is being launched in 2018. Ranger volunteer activities are advertised on the website. The Ranger team are soon to be getting social media training.
- Keep landowners / managers onside. This is covered in Action 7.2.3
- "It would be useful if farmers use signs to alert dog walkers where livestock are grazing (as they do around Lewes)." The Conservation Manager is working with the local Farm Cluster group on this issue
- Bricycles appreciate signage of 'Share with Care' rather than 'pedestrians have priority' – to remind walkers to not take up the entire width of a path. Feedback to Road Safety Team

Aim 7.3: Improve connectivity to green spaces within the city

- Please keep working with B&H buses to really emphasise the need for outlying areas to be best connected, eg. the 84 service has recently become even more limited between Woodingdean & Universities at Falmer, (no longer serves Rottingdean) although this route actually holds massive potential for connectivity to green spaces. Work with the Bus companies on the new online access map (Action 7.2.1) – promoting bus routes and showing bus stops in relation the network / access land.

Aim 7.4: Improved links between the city and National Park:

- "I think it is particularly important to look at safe links from the city to bridleways and footpaths on the National Park…I think safe routes out would encourage a lot more people to walk and cycle on to the South Downs."
- "there's a lot of opportunity here (in development projects) to ensure that access to the National Park is improved"
- "I'd like to see better access to the downs. More circular routes for runners and cyclists. I think the access from Dyke road to the Dyke path is shocking and very sad that less able members of the community are excluded from enjoying the countryside."
- "Access to the Downs from the top of Dyke Rod is disgraceful. There should be better cyclist and pedestrian provision…"
- Improved cycle access along the Dyke Road – so not forced down into the valleys at Patcham / Waterhall. BHCC is working with Toads Hole Valley developers / Highways England to improve pedestrian / cycle crossing at the A27 / Dyke Rd junction. Changing the Chalk bid encompasses improved cycle link along the Dyke Road

- "Do not allow the Highways Agency to block proper crossings at the interchange level." BHCC is currently working with the Highways Agency to improve crossing points at the A27 interchanges
- "Whilst I realise that the Row Improvement Plan only applies within the boundary of the city I would like an assurance that the principles within it relating to rights of way will be applied to the City Council's landholding outside their statutory boundary." Rights of Way outside the Authority are the responsibility of our neighbouring County Councils. However, the council Estates Team and Savills (Land Agents) are currently working with SDNPA on a Whole Estate Plan which will look at all land holdings.
- "I would like to see more public footpaths become bridleways so that cyclists have more access to the South Downs Way from the city without needing to use roads." BHCC, National Trust and SDNPA are working together on Changing the Chalk bid – part of which is to provide off road paths for cyclists to access the SDW
- "RC1 should be a pedestrian crossing, not just a refuge."
- "Put a pelican crossing on Falmer Road where it meets Drove Road and Bexhill Road. It's really hard to cross Falmer Road because of vehicle traffic."
- "A shelter at the Drove Road/Falmer road junction won't help people get across the street safely. A pedestrian crossing would." Feedback to City Transport Division & altered in the ROWIP
- "I find that crossing the roads, especially at RC4 & RC6 exceptionally difficult due to speeds of the traffic and that you cannot see the oncoming traffic until the last possible moment. So accessing Stanmer Park and/or the Sussex border path up past the Chattri, quite difficult. RC8 is also very difficult." This is covered in Action 7.4.1
- "Trying to cross Mill road to head along past Waterhall, is quite dangerous too as traffic races up that road." Add to list of crossing points
- "More provision needs to be made to provide safe access from the Downs to the seafront for cyclists and pedestrians. Currently the A27 and busy cut through roads make circular routing very hazardous. There needs to be more collaboration between West, East Sussex and Brighton to ensure connectivity and routing options." Add action point to 7.4.1 on better partnership working with neighbouring authorities and SDNPA through PRoW Accord

Aim 7.5: Improve connectivity of the PROW network

- Use development money to improve the rights of way network e.g. Toads Hole Valley. This is being worked on with Planning and developers
- It is excellent that claims for 'new' rights of way are to be investigated promptly. However, I think that the word 'new' should be reworded as 'unrecorded'. Text altered in 7.5.1 of the ROWIP
- "Horses need bridleway to be linked so that they don't have to go on dangerous stretches of road to get to the next bridleway. Same with footpaths, some just go nowhere Maintain paths that we have in the countryside to the same level as the city ones!" This is covered in Action 7.5.1
- "In an ideal world, to cancel out uncertainties, incorporate all permissive paths and bridleways into the Definitive Map." A survey of the permissive network is being carried out in 2018.
- "As a resident of Woodingdean, I completely support ML10 & ML53 - they'll enable easier access the Downs."
- "I live near the proposed changes Ml10 and ML53 and strongly support them. Both are in a field that has been used for over 20 years by residents to walk their dogs."
- "In particular - I strongly agree with the creation of missing links 10, 53, 46 ML10 would be hugely important as it a natural route and passes the site of the 'huns mere pitt' in woodingdean which is historically significant but, at the moment, not on a public rights of way." Feedback to Savills & SDNPA
- "Deal with the interface of the bridleways/ footpaths across the golf courses – too often you find them over grown and active attempts made to block bike access." BHCC has/is working with Hollingbury, Brighton & Hove and Benfield Valley Golf courses – putting in new and safer access routes and better signage
- The default position should be that all paths are bridleways unless a well founded case, independently ajudicated is proven. The 'rights of access' given to a specific Right of Way are founded on historic evidence. The designation as a footpath or bridleway is recorded on the Definitive Map & Statement of Public Rights of Way. This is a legally binding document.
- There was going to be a path that opened up when the put the mounds in along the A27 at Hove golf course but when enquiringly about it looks like it's not going to happen. This is still going ahead – it will be a new bridleway. Delays due to changes to the Planning application to SDNPA by the golf course.
- There was considerable support for upgrading footpaths to bridleways to get cyclists and equestrians off busy roads. This will be looked at as part of Action 7.5.1 (reduce fragmentation)

Chapter 4 on Delivery & Action Plan:

- "B&HCC has a terrible record on effective delivery. You are only worried about photo opportunities and cliche's so unless something of substance is actually delivered, it is safe to say this will be no different to any other grandiose scheme you come up with." Chapter 5 of the ROWIP outlines the considerable achievements in access provision over the last 10 years since the first improvement plan. This includes 43km of New Public Rights of Way, 30km of new permissive paths and 329 hectares of Open Access Land. Work has already begun on delivering aspects of the new Plan e.g. improved crossing points over the A27, new multi-user paths linking to the South Downs Way, improved information provision in the form of an online access map.
- As many of the features in the Improvement Plan are aspirational and it equally recognises that funding them could be difficult, it would have been helpful to have had the features prioritised so that the most important are dealt with first. Part of the reason for the consultation was to gauge attitudes of residents to help prioritise areas of work to focus on. Once the ROWIP if officially adopted by the council a prioritised list of projects will be developed.
- Appendix 16 - We note that the survey is from 2005. The respondents were predominantly middle-aged with only 7.5% aged between 18 and 34. 65.5% of the respondents were female. Whilst the survey was a valuable undertaking, it would be good to run a new survey with new ways of gaining responses aiming to get wider response. (Bricycles) See below to the profile of respondents for this questionnaire: They represented a broad range of users, 62% were male and 24% were aged below 40. (more detail below)

Suggested Route Improvements:

"It would be great to get a path linking Mill Road to the top field near Dyke Road A27 roundabout to provide runners/walkers/cyclists with more loop options around the Waterhall/Dyke road area." Improvements are planned in conjunction with the Toads Hole Valley development.

"I would like to petition for improvements to a footpath currently running from Dartmouth Close (Bevendean) uphill to Bear Road. It is in terrible condition - muddy, rocky and dangerous to walk on. . If the path were improved we, and many other families from the area, would be able to walk or cycle to school each day rather than driving round via Lewes Road." This is on the radar for improvement but due to its position and gradient it will require considerable funding.

"Better signposting of the route between Ditchling Beacon and Stanmer Park – it is very difficult to find on the ground." Feedback to SDNPA

"A path through St Peter's church linking Preston Drove and Preston Park (used by many people) is in poor condition and needs some maintenance. It becomes waterlogged after prolonged rain." Feedback to Cityparks Operations

"The connection of existing rights of way and green spaces in ways that are useable by cyclists is important - the Hove Park, three Cornered Copse, Waterhall route is a good example of where there is a green route available to the Downs but it's not clear that all of it is legally accessible to off road cyclists (mainly the green ridge and the bridge over the A27), the 'cycle path' beside Mill Hill is not fit for purpose and it is a long fast descent not suitable for unconfident/young cyclists." Improvements planned through the Toads Hole Valley development

"The priority should be to improve the surface from Coldean Lane "through the wall" to the Easy Access Trail in Stanmer Park which is a busy route but awful in the winter." Feedback to Stanmer Restoration Project

"There are also still areas where better cycle paths are needed in the city to enable safe passage. eg The Ditchling Road cycle path ends at Varndean School and there is then a dangerous stretch of road until the gravel cycle path at Woodbourne Avenue. Drivers overtake very closely on this stretch. This needs to be looked at as a whole to make the routes work in a manner that will encourage families and wheelchair users out because they are confident the route is safe for its whole length, rather than just a section." Feedback to Road Safety Team

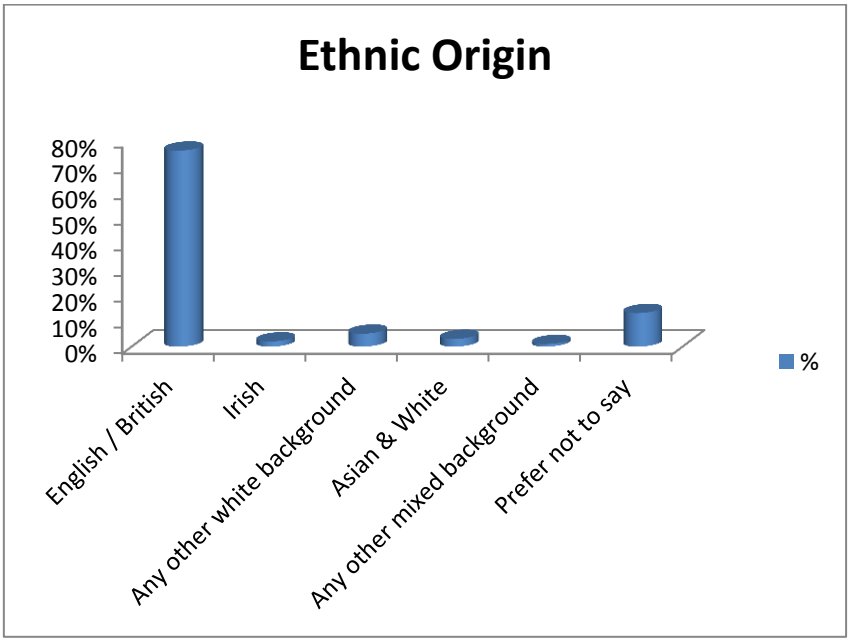
"Major gate at bridleway path at Benfield/west hove golf course needs strong adjustments - have tried to fix but still needs adjustment as cannot be opened easily by horse riders." Add to maintenance list

Bricycles: "Appendix 10: Rights of Way Improvements at Saddlescombe Road - a shame it's only a footpath and wasn't also for cycling." This was an extension to an existing footpath with stiles. The farmer insists on stiles as this is a busy section of the Saddlecombe Road and cattle are kept in the field.

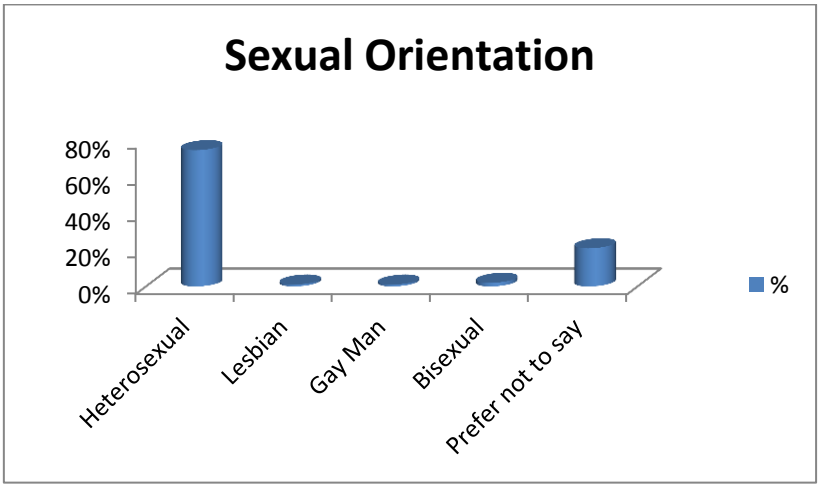
Profile of Respondents:

The age of respondents ranged by 27 years to 81 years (24% under 40 and 76% aged 40 and above)
62% of respondents were male, 27% female, 11% preferred not to specify
80% of respondents identified as the gender identified at birth, 1% did not and 19% preferred not to specify

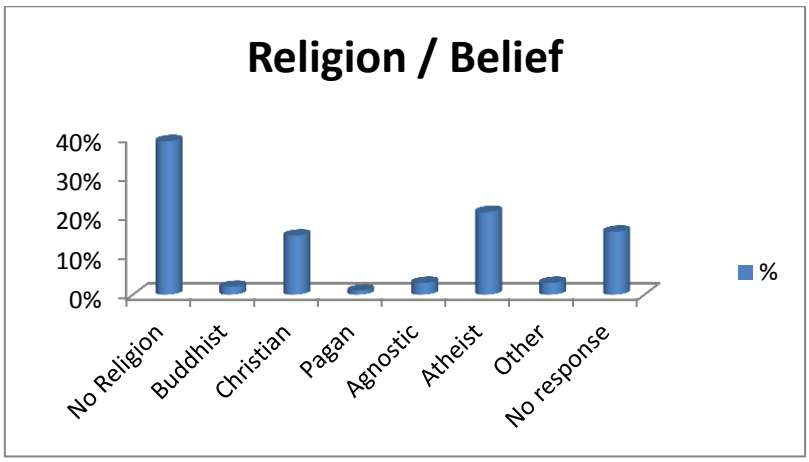
Ethnic origin:



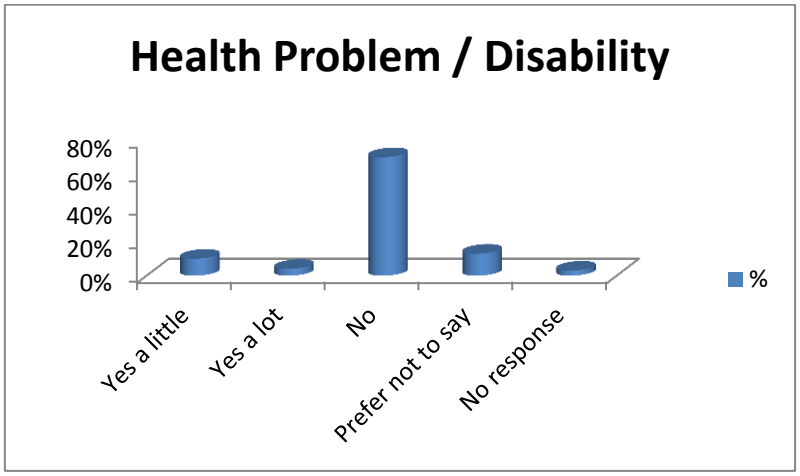
Sexual Orientation:



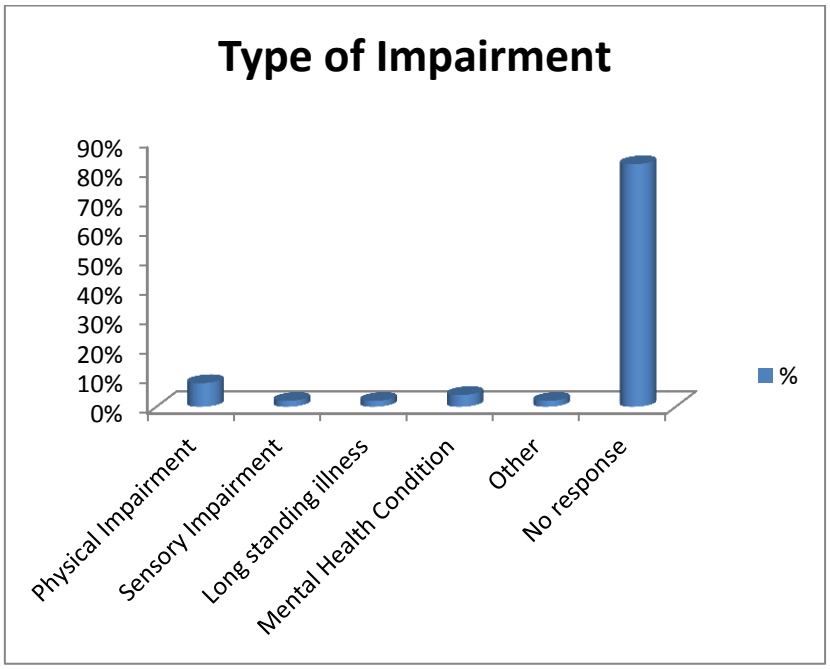
Religion / Belief:



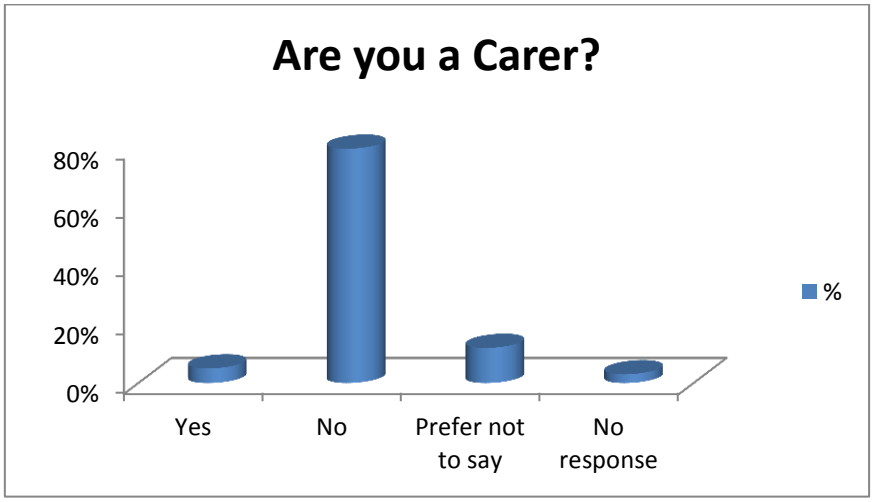
Are your day-to-day activities limited because of health problems or disability:



Type of Impairment:



Caring Responsibility:



Caring for…parent 2%, child with special needs 1%, Partner / spouse 2%, Friend 1% (*95% no response*)

No respondents were currently in the Armed Forces, though 4% served in the past and 2% were a member of service personnel's immediate family (current or former)

Rights of Way Improvement Plan Summary

2017 Review



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Forward

What is a Rights of Way Improvement Plan?

Through the Countryside and Rights of Way Act, 2000 (Section 60) the government recognises the value of public Rights of Way and requires each Highway Authority to produce a Rights of Way Improvement Plan (ROWIP) in order to identify changes that will "improve provision for walkers, cyclists, horse riders and those with mobility issues." The ROWIP must be reviewed every 10 years. This is the ten year review plan of the original ROWIP, 2007.

Vision for Rights of Way in Brighton & Hove:

A city where people with diverse access needs have the opportunity to use a well maintained and joined up public Rights of Way network, connected to the varied green and blue spaces around the city: the seafront, city parks and gardens, open spaces on the urban fringe and the South Downs National Park

Five main aims have been identified for improving access in and around the city:

1. Improve accessibility for diverse users in Brighton & Hove
2. Make information on the Rights of Way network and access to green spaces more accessible
3. Improve connectivity to green spaces within the city
4. Work with SDNPA and neighbouring authorities to reduce severance and improve access to the National Park and The Living Coast UNESCO Biosphere
5. Improve connectivity of the existing Rights of Way network

In order to achieve these aims it is essential that the authority secures funding and involvement from corporate and charitable sources, to augment council budgets and help support potential bids for funding from other sources.

40% of Brighton & Hove is within the South Downs National Park. This beautiful and unique landscape has been created through thousands of years of farming. It is still a working, farmed environment today. It is essential that the improvements made to our access network goes hand-in-hand with improved communication with land managers and better informed users of the network.

Emerging from these 5 aims are more detailed objectives and the actions required to meet them. The full Statement of Action can be found in Table 1 at the end of this report.

A well maintained and enhanced network of Rights of Way has a major contribution to make to ensuring Brighton & Hove remains ones of the best places to live.

(For an outline of the national, regional and local policy framework that has informed the preparation of the Rights of Way Improvement Plan [ROWIP] please see the full document).

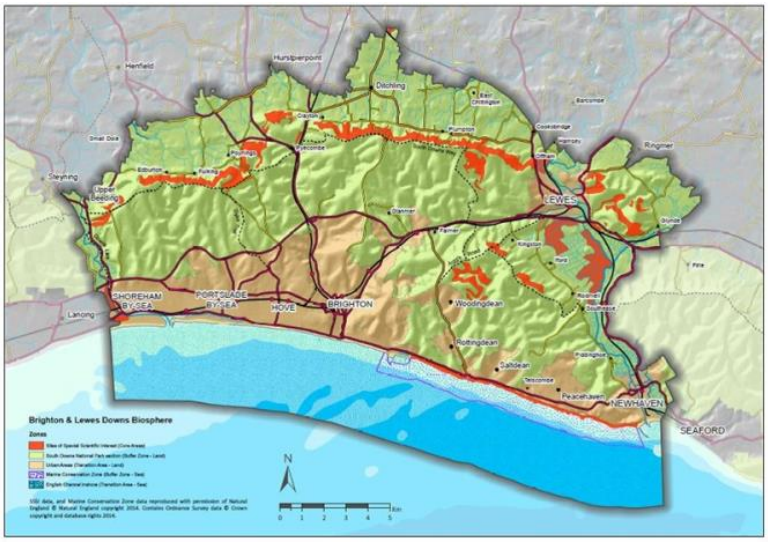
1. An Overview of Access in Brighton & Hove

1.1 **Brighton & Hove City Council** covers an area of approximately 8,267 hectares (40km^2) between the south coast and the South Downs, and from Portslade in the west to Saltdean in the east, with 13km of seafront and a population of almost 285,300 (in 2015). The City attracts between 8 - 11 million visitors a year, providing 13% of the city's income.

1.2 The city's existing **public Rights of Way network and open spaces** are summarised below:

- The Public Rights of Way (PRoW) network for Brighton & Hove is 159 km in total length, comprising: 54% footpaths, 40% bridleways, 4% restricted byways and 2% byways.
- There are 730 Rights of Way assets (pieces of countryside furniture: gates, stiles, waymarks, information boards), with a total replacement value of £191,808.
- 13.5km of 'easy access' trails have been put in around the city.
- There are 24 km of surfaced multi-user trails (aside from the bridleway and byway network). These paths have hard-surfacing, are fairly level and accessible to a wide range of users including families and people with restricted mobility.
- There is 40.1 km of Permissive Path network (21.2 km of permissive footpath and 18.9 km of permissive bridleway). Where dedication of public Rights of Way has not been possible these paths, under land owner /tenant agreements, serve an important role in providing links across the access network.
- Cycle routes (normally only open to walkers and cyclists) – National Cycle Network routes (NCN) promoted by Sustrans provide 24 km of off-highway cycle path and 15.5km of on-highway cycle path.
- The Council owns 4,045 hectares of Downland Estate, most of which is farmland, surrounding the city. 504 hectares is woodland. More than one third of this land is classified as Open Access (1,441 hectares). Open spaces such as these are often used to create routes to link with adjacent Rights of Way.
- 40% of the land area of Brighton & Hove is within the South Downs National Park.
- Within the city there are 232 hectares of parks and public gardens, across almost 100 sites, and an additional 40 privately owned parks & gardens. 7 of these are green flag parks. There are 50 playgrounds, 200 sports pitches, greens and courts. There are 36 allotment sites with 3000 tenants.
- Satisfaction with the city's parks and open spaces, including access to the South Downs, is very high at 91% (City Parks Survey, 2013).

In 2014 Brighton & Hove became part of the UNESCO World Network of Biosphere Reserves, through designation of the Brighton & Lewes Downs Biosphere, now known as The Living Coast. http://www.thelivingcoast.org.uk/. Access to the natural environment is, therefore, of great importance in this area.



2. Delivery Mechanisms

The council is the highway and surveying authority* and it has both statutory duties and discretionary powers. Statutory duties include keeping the Definitive Map and Statement under continuous review, investigating Rights of Way claims, the maintenance of the Rights of Way network and the protection and assertion of the public's rights. Discretionary powers include making changes to the network (creations, extinguishments and diversions) as well as implementing improvement works (delivery of the ROWIP), volunteer schemes and furniture surveys.

All office based work is carried out by the Rights of Way Officer, with assistance from the Highways Legal team. The practical maintenance works are carried out by the Rights of Way officer with assistance from the Grounds Maintenance Team, Ranger Team, volunteers and contractors.

(* Highways Authority is responsible for the maintenance of the highways network – including rights of way. Surveying Authority is responsible for the preparation and update of the Definitive Map and Statement of Public Rights of Way. As a unitary authority Brighton & Hove holds both positions).

2.1 Successful delivery of the ROWIP will require joined up working between various **internal and external partners**. Example collaborative partners:

- Internal: Parks Projects, Estates, City Transport Division, Planning, Tourism, Legal, ICT
- External: SDNPA, surrounding Local Authorities, Local Access Forum, Biosphere Partnership

2.2 Volunteering: There are approximately 1,800 volunteers supporting council services. Around 700 of them support Cityparks activities and 60 are Healthwalks volunteers (Open Spaces Strategy 2016).
One objective of the ROWIP is to create more volunteering opportunities to increase participation in helping to maintain and improve the access network:

- **Volunteer Path Wardens** will look after sections of the network they regularly walk / cycle / ride. This will include carrying out seasonal surveys and minimal maintenance tasks (e.g. cutting back vegetation around signs / gates)
- City wide **volunteer work days**. Work with existing volunteer groups to carry out larger maintenance / improvement projects (e.g. surfacing / cutting back vegetation).
- Maintain and support the **Local Access Forum** – with representatives from various groups interested in access issues. To help guide the focus of maintenance and improvement works.

2.3 Funding: There is an opportunistic element to working with partners and drawing down external funds, and a need to balance potential improvements with objectives. This Plan sets out objectives and actions in a broad sense. Potential partners and funding opportunities may not align exactly with our priorities – requiring a reasonably flexible approach in order to achieve improvements across the network (*as recognised in Surrey County Council ROWIP*). Close working with partner organisations such as VisitBrighton and the South Downs National Park Authority will provide shared benefits.
Potential Funding Sources:

- National Government Funding (Local Sustainable Transport Fund; Local Enterprise Partnerships; Sport England; Public Health England)
- Local Government Funding (Local Transport Plan – Rights of Way Improvement budget)
- Developer contributions (through section 106 or Community Infrastructure Levy)
- Lottery Funding
- Commercial sponsorship

3. Achievements since the last ROWIP (2007-2017)

Headline Achievements:

- 392 hectares of Open Access land created
- 43 km of new public Rights of Way added to the Definitive Map
- 30 km of new permissive paths (footpaths and bridleways) added to the network
- 14km of 'Easy Access' trails
- 13km of multi-user paths created / surfaced (with improved access for cyclists, equestrians, those with mobility difficulties)
- 39 missing links resolved (out of 48 identified from the last ROWIP)

The last Rights of Way Improvement Plan (2007-17), set out four main priority areas to work on over the ten years. These are set out below, with a summary of how the Council has performed over this period.

Aim A – Improve the existing Rights of Way network and maintain it to a high standard

The Key Performance Indicator (KPI) for Public Rights of Way is: percentage of public Rights of Way that are open and in good condition. Since carrying out a condition survey of the whole network in 2016 it was found that 83% of the network reached this standard. The South Downs National Park carried out a survey of Rights of Way in 2017. The results were: % Number of Paths Passed = 80%; % Length of Paths Passed = 95%

Aim B – Implement identified Missing Links to improve route coherence, access to the network and reduce dependence on the car by meeting local transport needs

Missing Links are desirable routes between existing Rights of Way that will enable more circular and/or varied distance routes to be opened up. 48 Missing Links were identified with the Local Access Forum for the last ROWIP. Since then 38 have been resolved (10 outstanding & retained within this ROWIP).

Additions of Public Rights of Way to the Definitive Map have resulted in 43.3km of new path network. *Between 2015 and 2017, 500 urban link footpaths (twittens) were added to the Definitive Map*.

Aim C – Develop and promote the access network to support healthy exercise for all

- 14.3km of 'Easy Access' trails have been created since 2007
- A further 12.6km of multi-user trails were created / existing bridleways or byways surface
- 19 obstacles have been removed (stiles replaced with gates; gates replaced with gaps)
- There is a close relationship between the **Healthwalks** program and Rights of Way provision.

Aim D – Make full use of the council's position as a major landowner to ensure that a holistic approach is taken towards access to the surrounding countryside and South Downs.

- 329 hectares of new Open Access and Permissive Access land opened up
- Expansion of permissive footpath and bridleway network by 30km

A great deal has been achieved on improving the public Rights of Way network and access over the last 10 years. It is the aim of this Plan to build on those successes to further improve access for a diverse set of users and provide the information people need to make the best use of the access opportunities available to them.

The Action Plan for this ROWIP has been based on an assessment of Brighton & Hove's Public Rights of Way network and access (*which can be seen in the full document*). From this assessment, a number of common themes emerged:

- The need to improve accessibility for the diverse users of the Brighton & Hove's public Rights of Way network: walkers, cyclists, equestrians and those with mobility issues
- The need to improve information provision – both on the website and on the ground
- The need to reduce severance from the South Downs National Park
- The need to improve connectivity both within the network and to green spaces within the city

In most instances these themes cut across most user groups. They have helped shape the aims of this ROWIP.

4. Priorities for 2017-2027, an Action Plan (*see Table1*)

Aim1: Improving accessibility for diverse users in Brighton & Hove

Multifunctional Rights of Way improvements that will improve access for everyone, through effective partnership working with internal and external partners

Objectives

- **Increase the accessibility of the network** for all users, including blind and partially sighted people and those with mobility issues. Every improvement should be assessed; adhering to the principles of 'least restrictive access'
- **Improve safety through design of new Multi-User paths** that are traffic free / off-road for walkers, cyclists, equestrians and mobility vehicles (Non-Motorised Users, NMUs). High quality multi-user routes close to where people live could make a substantial contribution to a modal shift to more sustainable transport choices. Generally bridleways and byways offer a greater potential for use by people with restricted mobility than most footpaths.
- **Surface improvements to increase access opportunities** for those with impaired mobility, in wheelchairs or mobility scooters and sight impairment. The gradient of the South Downs landscape makes the creation of true 'Easy Access' trails challenging in many parts of the Authority.
- **Integrated transport**: look at links with public transport to get people to the public Rights of Way network. Help connect people with education facilities, workplaces, facilities & services, parks and open spaces, the Downs and the coast, and other visitor attractions.
- **Promote off-road rides for equestrians and cyclists**. Provision of long distance, circular routes for cyclists & equestrians (the latter from areas where horses are stabled), out into the Downs and back.

Aim 2: Make information more accessible to residents & visitors

Make information on access to green spaces and path networks more accessible to the public (local residents and visitors). Improve signage on the ground and online resources: mapping information, downloadable route leaflets and digital route guides.

Objectives

- **Improve online resources** to enable route planning for residents and visitors to Brighton & Hove.
  The Definitive Map only shows recorded public Rights of Way. There are other paths that are used with the permission of the landowner. There are also cycle tracks, access land and public open space. They make a significant contribution to improving access and connectivity in the network, but if they do not appear on maps their use is likely to be restricted to local communities only. Create a new online 'Access Map'.
- **Improve on the ground information** provision to help new and inexperienced users access the Rights of Way network and green spaces. Improve signage from the road and at junctions points.
- **Improve the working relationship with tenant farmers & land managers.** Within Brighton & Hove City Council the countryside estate is looked after by the Estates team, who employ an external land management agency to liaise with tenant farmers. Access and Public Rights of Way are the remit of CityParks. There is a need for more joined up working and to improve communication with tenant farmers.
- **Work with land managers** (landowners and tenant farmers) to help improve education about access and reduce conflict in the countryside. Increase visitor information about the nature of the farmed landscape they are entering, helping them to be sensitive to aspects of farming need and nature conservation aims.
- Improve access to **volunteering opportunities** and link those opportunities to green prescribing from health care providers. The authority will engage with local communities and encourage volunteers to assist with the

maintenance, promotion and enhancement of the Rights of Way network in line with the objectives set out in this Plan, through the Volunteer Path Warden scheme (***see PDF 1: Volunteer Path Warden Leaflet***).

- **Advertise Promoted Routes** – to encourage new users and visitors. Promoted routes, national trails and distance paths (most of the them based on public Rights of Way), are considered to be an important part of the network, particularly in terms of encouraging local residents to start walking and attracting long stay visitors from outside the area. These routes would include:

  England Coastal Path (to be opened 2019)

  Brighton & Hove Way (29km boundary Walk)

  Discover the Heart of The Living Coast UNESCO Biosphere - Castle Hill National Nature Reserve

Aim 3: Improve connectivity to green spaces within Brighton & Hove

Objectives

Improve links between urban areas, housing estates and green space within the city. Links to parks and gardens in the city centre, but also to natural green space on the urban fringe, such as the many designated sites for nature conservation.

Whilst the management of open land for public recreation does not form part of this plan, it is nevertheless important to ensure that existing access from the Rights of Way network is improved and new points of access to open land created where appropriate.

Aim 4: Work with SDNPA & neighbouring authorities to improve access to the National Park & The Living Coast Biosphere

Objectives

- **Reduce severance from the National Park** and improve safety at crossing points – where the Rights of Way network (particularly bridleways) intersects with the highways network. Where a path ends at the highway with no direct connection, vulnerable road users are forced to use the carriageway, which can act as a serious disincentive to use of the route (particularly for those on horseback). Even where there is a direct connection across the road, the volume and speed of traffic can make the crossing itself a barrier to users. Certain parts of the city have access to pedestrian bridges or tunnels across the A27. Improving safety at highways junction points will increase the amount of the population with a safe means of accessing the Downs for NMUs and reduce inequality of access. ***See Map 1 and Table 2 for priority crossings***
- **Improve 'gateway' sites**: access points to the National Park from housing estates and green spaces on the urban fringe. (Link to Stanmer Park Restoration Project – gateway to the Downs). ***See Map 2 for gateways***
- Prioritise Rights of Way improvements along **'Biosphere green corridors'**; from blue to green space: linking the seafront, through the city and out to the South Downs (*the three key environments of The Living Coast UNESCO Biosphere*). Green corridors provide a vital link between open spaces, urban areas and the wider countryside, enabling wildlife migration and a sense of continuity of green space for residents. Opportunities to enhance the provision of green corridors as part of Green Infrastructure planning can contribute considerably to improving the Rights of Way network, particularly in urban and urban fringe areas. Improvements can include work to up-grade existing paths and improve connectivity between Rights of Way, making the network more complete and useful to residents and visitors. This will also contribute to the corporate objective of encouraging more people to make short journeys on foot or cycle. ***See Map 3 for Green Corridors: Sea →Town →Downs***

- **Falmer Road Corridor**: Rottingdean→Ovingdean→Happy Valley→Woodingdean→Castle Hill
- **Lewes Road Corridor**: Valley Gardens→The Level→Lewes Rd→Woodvale Cemetery→Saunders Park→Wild Park / Hollingbury Woods→Coldean Woods, Ditchling Rd Multi-User Path & Stanmer
- **London Road Corridor**: Valley Gardens→Preston Park→Surrenden Field→Withdean Park→Patcham Place / Horsedean Rec→Waterhall & Patcham Open Access
- **Hove Corridor**: Grand Ave→The Drive→Hove Rec→Hove Park→Three Cornered Copse→Green Ridge / Toads Hole Valley→Waterhall
- **Portslade Corridor**: Shoreham Harbour (development plans see improvements to harbour walkway)→Vale Park→Victoria Rec→Emmaus & Easthill Park / Hangleton Link →Foredown / Benfield Valley→Newbarn Farm & Benfield Hill

Aim 5: Improve connectivity of the existing Rights of Way Network

A well connected network is likely to be more user-friendly, more beneficial to local people and therefore more likely to contribute to meeting targets such as encouraging more sustainable travel choices; safer routes to school, work, community links and tourism opportunities; reducing congestion and improving health.

The aim is to develop well-connected circular and linear paths that can be enjoyed by walkers, cyclists and horse riders; with increased information about routes and route planning on our website.

Objectives

Reduce Fragmentation: fragmentation of the Rights of Way network often reflects its historical origins. This history is reflected in the Definitive Map of Public Rights of Way. It is a priority to keep the Definitive Map up-to-date and improve access opportunities and **connectivity** where possible.

An updated version of the Brighton & Hove Definitive Map was printed and posted at Stanmer Park and Hove Town Hall in 2017 (the original map was created in 1995).

The authority will continue on working to fill in the Missing Links and anomalies on the Definitive Map (such as cul-de-sac paths), along with the Local Access Forum. ***See Map 4 and Table***

Summary:

The difficult financial climate means securing resources for improvements is very challenging. The authority needs to pursue an opportunistic approach to improving our Rights of Way and access, without diverting resources from delivering statutory maintenance work. The authority is not in a position to outline in advance all specific work for a variety of reasons including landowner / tenant permissions and resource constraints. The authority must achieve improvements in partnership with other council services, the National Park and neighbouring authorities; and usually by responding to opportunities as they arise.

Budget allocations for Rights of Way improvements have previously come from the Local Transport Plan capital programme. With restricted internal funding, resourcing improvements to public Rights of Way and countryside access is a challenge. However, the Rights of Way network is of great value and can contribute towards many corporate policies and priorities. This presents the opportunity for improvement by developing delivery partnerships and securing funding from a wide variety of sources. This opportunistic approach to improving the network, where securing funding is possible, still requires direction and prioritisation.

This consultation process provides the opportunity for people to feedback on where they feel the authority should concentrate resources and prioritise improvements.

5. Performance Monitoring

The Key Performance Indicator for Rights of Way at Brighton & Hove is: percentage of public Rights of Way that are open and in good condition.

There are various ways to monitor the performance of the Rights of Way network in relation to this indicator:

- Public reporting of issues with the network – through the council website, on the 'report a problem' form on the Rights of Way page.
- Volunteer Path Wardens carry out a survey of the path(s) they have adopted four times a year (once each season).
- South Downs National Park Authority volunteers carry out sample audits on random Rights of Way across the different Highway Authorities.
- Every 3 years a condition survey of the entire network is carried out. The last survey was completed in 2016. The next is scheduled for 2019.
- South East ADEPT Rights of Way group have initiated an annual benchmarking exercise between highways authorities in the South East of England.
- The National Highways & Transport Satisfaction Survey. The survey asks specific questions on accessibility and on the rights of way network.

The maintenance and improvement works carried out on the Rights of Way network are reported on to the Local Access Forum every quarter. The independent board of members help prioritise Rights of Way improvement projects. The authority reports on improvements made each year to Natural England through the Local Access Forum annual report.





Statement of Action (Table 1)

Abbreviations used in the Statement of Action (*Methodology adopted from East Sussex County Council ROWIP*)

Projected cost column (based on approximate costs)

N	Negligible (within existing resources)
£	Less than £5,000
££	Between £5,000 and £15,000
£££	Between £15,000 and £25,000
££££	Between £25,000 and £50,000
£££££	More than £50,000
P	Mainly with existing staff / volunteer levels
PP	Some increase in staff / volunteers required
PPP	Significant increase in staff / volunteers required
C	Requires use of contractors

It must be stressed that this is a 10 year plan. The actions outlined and costs of implementation will have to be spread over the period of this ROWIP (2017 – 2027). There is a need to prioritise works and, if the aims and objectives are to be met, external funding through developer contributions and funding applications are essential.

Partners column

LAF	Local Access Forum
ESCC	East Sussex County Council
WSCC	West Sussex County Council
SDNPA	South Downs National Park Authority
RD	Riding for the Disabled
NE	Natural England
CW	Community Works
LMA	Land Management Agents
VPW	Volunteer Path Wardens
BIO	Biosphere (BHCC) / Biosphere Partnership
PP	Park Projects (BHCC)
GIS	GIS Team (BHCC)
Ra	Ranger Team (BHCC)
CTD	City Transport Division (BHCC)
Pl	Planning Department (BHCC)
To	Tourism Department (BHCC)
Se	Seafront Team (BHCC)
Co	Communications Team (BHCC)
Ph	Public Health (BHCC)
L	Legal (BHCC)
BCV	Brighton Conservation Volunteers
GG	Green Gym
Barch	Brighton & Hove Archaeological Society
SWT	Sussex Wildlife Trust

Maps, Tables & PDFs at the end of this report:
(preceding the Appendix)

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