

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 22 JANUARY 2019

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: Councillor Hill

PART ONE

50 PROCEDURAL BUSINESS

50(a) Declarations of substitutes

50.1 There were none.

50(b) Declarations of interest

50.2 Councillor Miller declared a non-pecuniary interest in Item 58: Rottingdean High St Air Quality Management area traffic scheme as a member of the Rottingdean Parish Council and Brighton & Hove City Council joint action group.

50(c) Exclusion of press and public

50.3 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).

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

51 MINUTES

51.1 The Chair noted that corrections were required to minute item 41.52 to reflect that Councillor Horan voted against rather than in support of the motion and minute item 45.9 to read ‘Councillor Littman’ rather than ‘Councillor Wares.

- 51.2 **RESOLVED-** That the minutes be approved and signed as the correct record of the meeting subject to the above amendments.
- 51.3 Councillor Wares requested that the minute extract from Item 41: Valley Gardens Phase 3 – (Royal Pavilion to Seafront) Approval of Business Case be included in the agenda for the upcoming Special Environment, Transport & Sustainability Committee meeting to be held on 7 February 2019.
- 51.4 The Chair agreed to the request.

52 CHAIRS COMMUNICATIONS

- 52.1 The Chair provided the following communications:

“At the previous committee meeting indicative costings were requested for the potential identification and recycling of additional types of plastic and for a food waste trial. The costings are: Additional plastics £604,346 capital funding plus an approximate figure of £40,000 for extra operatives. A six month food waste collection trial covering 9,600 properties £522,000. I will circulate more detailed information on both of these that will give more of a breakdown of the figures”

53 CALL OVER

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

54 PUBLIC INVOLVEMENT

(A) PETITIONS

(i) Traffic calming measures for Newtown Road

- 54.1 The Committee considered a petition signed by 118 people requesting the Council to introduce traffic calming measures on Newtown Road to reduce vehicle speed.
- 54.2 The Chair provided the following response:

“Officers have looked at the road safety record in Newtown Road. In the past three years there have been two road traffic injury accidents and while any level of injury accident is very unwelcome, there are other roads and streets elsewhere in the City that have a greater road safety risk. When we direct our expenditure, we direct it to road safety measures where it is evidenced that a higher of accidents, particularly injury causing accidents are occurring.

The petition seeks speed control humps and whilst these features can be effective in reducing vehicle speeds they can also be expensive, expensive to maintain and are not always welcomed by all residents of the local community.

Given the Road Safety record, this does not warrant diverting funding for those types of engineering interventions from other locations where we know collision rates are higher. However, I will ask officers to contact you with a view to further discussions if you feel

this will be helpful particularly in relation to the proposed new developments in that immediate area so we can understand those before those developments happen”.

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

55 MEMBER INVOLVEMENT

(B) WRITTEN QUESTIONS

(i) Disabled Parking Bay enforcement- Councillor Hill

55.1 Councillor Hill put the following question:

“A resident is repeatedly getting home between 8pm and midnight to find someone parked in his disabled space. Usually there are no other spaces nearby and he has to double-park. He has sustained damage to his car due to this. He has repeatedly tried phoning the enforcement service but has never had a response during these hours. What enforcement services are available to support disabled residents in this situation?”

55.2 The Chair provided the following reply:

“A contravention must be witnessed by a Civil Enforcement Officer in order to issue a Penalty Charge Notice (PCN). If the vehicle is not displaying a blue badge when parked in the disabled bay, a CEO can then enforce if observed in contravention.

Anyone with a blue badge may park in a disabled parking bay, even if they didn't request that specific bay

If the bay is a 'personalised' disabled bay with a vehicle registration number displayed on the signage, enforcement officers can take enforcement action against any vehicle that does not hold this registration number.

Offences can be recorded by using the dedicated number and I will ensure that is provided to you in my written reply.

Civil Enforcement Officers aim to attend within one hour between the hours of 8am to 8pm and after these hours, NSL are obliged to visit by 9am the following day, however, they often respond on the same day.

If the resident can provide the location, we can ask our enforcement contractor to provide an on street log report”.

55.3 Councillor Hill asked the following supplementary question:

“Can vehicles be towed so residents can park?”

55.4 The Head of Parking Services clarified that if the bay was a dedicated, personalised bay then the option was available to tow vehicles. Officers typically reviewed parking enforcement issues such as these over a six month period however; this specific issue could be reviewed sooner if it was causing significant issues.

56 FEES AND CHARGES 2019-20

56.1 The Committee considered a joint report of the Executive Director, Economy, Environment & Culture and the Executive Director, Neighbourhoods, Communities &

Housing that set out the proposed 2018/19 fees and charges for the service areas covered by the Environment, Transport and Sustainability Committee in accordance with corporate regulations and policy. The Assistant Director, City Transport clarified that a correction was required to the second bullet point of paragraph 3.7 that should delete the word 'not'.

- 56.2 Councillor Littman stated that he welcomed fee and charge increases where the council competed with the private sector. Councillor Littman noted that there were a number of above inflation increases in parking fees proposed and reminded the committee that opposition Members had opposed such rises when his Group had been in administration.
- 56.3 Referring to paragraph 3.7 of the report, Councillor Wares asked for clarification on the classification of a 'medium demand zone' and 'low demand zone'. In relation to paragraph 3.20, Councillor Wares noted that it was intended to increase trade waste prices from April 2019 yet no information on the detail of those rises had been provided to Members.
- 56.4 The Head of Parking Services clarified that the High demand zone related to the city centre, Medium demand zone related to Brunswick & Adelaide ward and Low demand zone related to the rest of the city. The Assistant Director, City Environmental Management answered that the October 2018 meeting of the Committee had agreed to delegate the increases to the Executive Director and to set prices at a competitive rate. The detail of those increases was still be worked upon and a briefing could be provided to Members once the figures were know.
- 56.5 In relation to paragraph 3.28 pf the report, Councillor Wares asked if the surplus would be allocated across all cemeteries or a specific few, clarification on attended and unattended cremations and why these were the same price and for clarification on why many of the fees outlined on page 75 of the report listed a 2% fee increase yet the prices remained the same for 2019/20 as it had for 2018/19.
- 56.6 The Head of Life Events & Electoral Services answered that any surplus would be allocated to all cemeteries based on priority need. With regard to the further two questions asked by Councillor Wares, the information was not available at the meeting and a written response would be provided.
- 56.7 Councillor Wares stated that it would be useful for Members to know what the forecast of expected parking income was for the various fees and charges.
- 56.8 The Chair clarified that the forecasted income was detailed in the budget papers submitted to the December 2018 meeting of the Policy, Resources & Growth Committee.
- 56.9 Councillor Wares replied that the report detailed expected income for all fees and charges however; surplus from parking fees and charges was re-invested in transport projects. Councillor Wares asked that should there be a surplus in this financial year, at what point would the committee consider re-investing that surplus into reducing fees such as traders permits to boost the local economy.

- 56.10 The Chair replied that income and surplus relating to parking fees and charges was difficult to anticipate as it related purely to demand. Furthermore, parking fees and charges were set to a targeted, methodical approach to reduce congestion, improve air quality and boost the turnover of parking spaces that were most in demand.
- 56.11 Councillor Robins noted that he understood there were two sizes of dedicated benches yet only one size was detailed in the report. Furthermore, Councillor Robins asked why an additional cost was set for a dedicated bench with a plaque as he believed any dedicated bench would require a plaque to be dedicated.
- 56.12 The Chair stated that she would request a written response to be sent to Councillor Robins on the matter.
- 56.13 Councillor Peltzer Dunn queried as to why bowls pitches were set at a price per person rather than per pitch it would be very expensive for multiple participants to book per person. Furthermore, Councillor Peltzer Dunn asked for clarification on the difference between an unattended and attended pitch. In addition, Councillor Peltzer Dunn noted that there was a price increase for Stoolball after the first match yet the report did not specify what that period was.
- 56.14 The Chair stated that the relevant information was not available at the meeting and therefore a written response would be provided to Councillor Peltzer Dunn.
- 56.15 **RESOLVED-**
- 1) That the Committee approves the proposed fees and charges for 2019/20 as set out within the report and its appendices.
 - 2) That Committee delegates authority to the Executive Director of Economy, Environment & Culture (in relation to paragraphs 3.4-3.11 and 3.16-3.23) and to the Executive Director of Neighbourhoods, Communities & Housing (in relation to paragraphs 3.12-3.15) to increase any charges for fees as notified and set by central Government during the year.

57 CITY ENVIRONMENT MODERNISATION UPDATE

- 57.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on the City Environmental Modernisation Programme.
- 57.2 The Assistant Director, City Environmental Management moved an officer amendment to add a recommendation as shown in bold italics below:

2.4 That Environment, Transport & Sustainability Committee notes that formal consultation with staff and trade unions will take place at the appropriate time, on both the round restructures and upon any other aspects of the delivery of the programme where it is appropriate.

- 57.3 Explaining the purpose of the motion, the Assistant Director, City Environmental Management stated that Paragraph 3.29 of the report stated that '*the work [on round restructures] has started and is involving Cityclean staff and trade unions*'. To date

there had been some informal discussions with staff and trade unions, but formal consultation had not yet commenced as the work on the round restructure project is not at the stage where officers were ready to commence a formal consultation process. The Assistant Director, City Environmental Management explained that the proposed officer amendment sought to emphasise that formal consultation would take place with staff and trade unions at the appropriate time, on both the round restructures and upon any other aspects of the delivery of the programme where appropriate.

- 57.4 Councillor Atkinson asked where the four priority sites identified for public convenience refurbishment were located and when it was likely that the audit of streets currently without recycling bins would be undertaken. Councillor Atkinson stated that Appendix 2 had a multitude of helpful suggestions and recommendations on how to increase recycling rates and public awareness and would be a very useful reference point going forward. Councillor Atkinson asked that given the lack of awareness around the recycling of Tetra Pak, what measures were being undertaken to inform people of where it could be recycled.
- 57.5 The Assistant Director, City Environmental Management clarified that the four priority public convenience sites were the Royal Pavilion Gardens, The Colonnade, Hove Lawns Esplanade and the King Alfred. Currently, collections of Tetra Pak were made from bring-sites and these would be detailed in the A-Z alongside a promotion and awareness campaign. The Head of Service Improvement & Modernisation clarified that officers could be in contact with Councillor Atkinson regarding the roll-out of wheelie recycling bins.
- 57.6 Councillor Littman asked for clarification on the whistleblowing accusation recently made in the local press regarding mixing of refuse and recycling. Councillor Littman noted that complaints regarding the service were projected to have risen by 116% over two years that he found concerning and asked if there were specific reasons for the increase. Furthermore, Councillor Littman asked for an update on the educational and publicity drive on recycling given the report detailed that up to 60% of people did not know what could and couldn't be recycled. In addition, Councillor Littman asked if increased recycling collections could be investigated given that the issue was identified in feedback from residents. Councillor Littman noted that collection rates were poor over the Christmas period and asked for reassurance that a plan was in place for the busy summer period.
- 57.7 The Assistant Director, City Environmental Management clarified that in response to the whistleblowing complaint in the local press, an investigation was conducted that included that member of staff. The investigation found that the problem related only to that specific round and crew who were bagging recycling and thereby increasing contamination. Whilst it was understood the action was undertaken with the best intentions, the matter had been addressed and training and awareness work undertaken with that crew. Increased recycling collection frequency was not currently feasible due to lack of funding however; the matter could be revisited as part of the planned round restructuring as recycling in the city was increasing and a response to that would be required. Furthermore, the Assistant Director, City Environmental Management stated that plans were in place for the summer period and there would be additional bins to increase capacity as well as hiring temporary staff to litter pick particularly busy areas such as the seafront. In addition, staff would be working with the Events team to ensure a robust plan was in place for the major events held in the city such as Pride. In relation

to complaints, the Head of Service Improvement & Modernisation explained that the majority related to missed collections and addressing that that was a key aspect of the modernisation programme and educational awareness and publicity drives would be covered in the campaign detailed in Appendix 2 of the report.

- 57.8 Councillor Littman asked if an educational information campaign targeted at visitors to the city would be implemented.
- 57.9 The Assistant Director, City Environmental Management confirmed that a specific campaign would be launched in the next few weeks and carried through the summer period.
- 57.10 Councillor Brown stated that she was pleased a capacity audit of the garden waste collection had been undertaken and new customers would be able to join the scheme. Councillor Brown asked when those on the waiting list would be able to join and whether there scheme would be advertised more widely and people across the city able to join.
- 57.11 The Head of Service Improvement & Modernisation clarified that those currently on the waiting list would be invited to join the scheme first and that work should be completed by spring. The commercial team intended to be established would be looking at the scheme and the intention was to advertise the scheme further. Not all residents would be able to join the scheme as their property may not be able to store a garden waste bin so work was ongoing in relation to alternative options for those residents to join the scheme.
- 57.12 In reference to paragraph 3.16, Councillor Wares noted that the Environment enforcement service was intended to be established on 1 March 2019 and asked if it was expected that the deadline would be met. Furthermore, in reference to paragraph 3.17, Councillor Wares asked why the plan could not be deployed earlier than 1 March 2019 when the in-house service went live so expectations of the change were clear. Councillor Wares stated that it would be desirable to know the detail of the information flow rollout to ensure it would be effective. Councillor Wares noted that envisaged changes to round restructures were intended to be implemented by 1 September 2019 and asked that given the schedule set out in the officer amendment, whether that implementation date was at risk.
- 57.13 The Head of Service Improvement & Modernisation clarified that the introduction of the Environmental enforcement service was moving quickly and the sub-group were meeting regularly, some general elements of the communication plan could be brought forward before March but there were specific messages that would need to be delivered at the point of change. In terms of information flow, the Head of Service Improvement & Modernisation explained that discussions were ongoing with the Digital First team and further discussion was required on the necessary investment. In relation to the officer amendment and implementation of round restructures, the Assistant Director, City Environmental Management stated that the aim for implementation remained 1 September and the purpose of the amendment was to be clear that formal consultation had not yet begun.

- 57.14 Councillor Peltzer Dun noted that the King Alfred would be one of the public convenience sites prioritised for refurbishment and queried whether that was sensible given the potential redevelopment of the site.
- 57.15 The Assistant Director, City Environmental Management answered that she understood the refurbishment to be low-cost but would confirm as such subsequent to the meeting.
- 57.16 Councillor Miller asked whether the Cityclean twitter account would be reactivated as it was a useful tool to report problems, whether consideration had been given to increasing the size of recycling bins to encourage use, whether there would be an increase in staff and bins for the next Christmas and New Year period given the problems encountered in 2018 and enquired as to how effective the 'Big Belly' bins had been.
- 57.17 The Assistant Director, City Environmental Management answered that discussions had taken place on increased bin size and their locations and those discussions would be ongoing. The introduction of 'Big Belly' bins had worked well and the number of collections had reduced with procurement of a new version of the bin with a foot pedal underway. The Assistant Director, City Environmental Management added that a review of the Christmas and New Year collection procedure was already underway and would form part of the round restructure process. The Assistant Director, City Environmental Management explained that the twitter account had been suspended to allow the service to instigate a better process of more regular forms of a communication and the account may be reactivated at the right time.
- 57.18 Councillor West stated that he was pleased to hear that brushes had been removed from bins as they often collected a lot of dirt. Councillor West stated his surprise that it had taken so long to colour code bins and in relation to wheeled recycling bins, Councillor West stated that the process had been rushed and whilst he was pleased more attention was now being given to the issue, this had come somewhat belatedly. Councillor West stated his view that the Administration had not met their commitment to provide a basic level of service to residents and had failed the electorate.
- 57.19 The Chair stated her view that Councillor West's political commentary on what had been a useful debate was unnecessary. The Chair stated that the roll-out of wheeled recycling bins had always been planned and it was appropriate to review that roll-out to ensure residents had the correct bin for their individual circumstances. The Chair noted that the policies and procedures implemented by the Administration had led to the highest ever rates of recycling in the City.
- 57.20 **RESOLVED-**
- 1) That Environment, Transport & Sustainability Committee note the progress made through the City Environment Modernisation Programme.
 - 2) That Environment, Transport & Sustainability Committee note the outcomes of the communal recycling trial in the Montpelier area of the city as detailed in Appendix 1.

- 3) That Environment, Transport & Sustainability Committee note the activity planned as part of the Increasing Recycling Project, including the education and information campaign, as detailed in Appendix 2.
- 4) That Environment, Transport & Sustainability Committee notes that formal consultation with staff and trade unions at the appropriate time, on both the round restructures and upon any other aspects of the delivery of the programme where it is appropriate.

58 ROTTINGDEAN HIGH ST AIR QUALITY MANAGEMENT AREA TRAFFIC SCHEME

- 58.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that request approval of measures to address air quality issues in the section of Rottingdean High Street south of Park Street.
- 58.2 The Road Safety Projects Officer noted a correction to the report whereby paragraph 4.7 should read West Street not Park Street.
- 58.3 Councillor Miller thanked officer for their extensive work on the matter. Referring to paragraph 3.7, Councillor Miller noted that the experimental traffic order would run for a maximum of 18 months and asked for a pragmatic approach and response in consultation with ward councillors and Sussex Police should any part of the changes cause issue. Councillor Miller thanked Rottingdean Parish Councillors for their helpful and insightful input. Councillor Miller welcomed the proposal that he hoped would improve air quality in the area and thanked the support of the committee in identifying the area as a priority through the Local Transport Plan (LTP).
- 58.4 The Chair gave an assurance that ward councillors would be consulted if an intervention needed to be made.
- 58.5 Councillor West noted that the area was a challenging one for cyclists to manoeuvre and asked if the proposed chicane would have a let through for cyclists.
- 58.6 The Road Safety Projects Officer explained that the detail design would address the need for a let through for cyclists.
- 58.7 The Chair thanked ward councillors, members of Rottingdean Parish Council and officers for their work in drafting a solution to what was a difficult area and she wished the trial every success.
- 58.8 **RESOLVED-** That the Committee grants permission for officers to advertise an experimental traffic order for a period of 18 months to allow a trial of temporary physical and other road traffic measures on Rottingdean High Street as listed in paragraph 3.2 of this report.

59 SCHOOL PARKING ENFORCEMENT REVIEW REPORT

- 59.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that detailed the review of school parking enforcement including progress of the additional Civil Enforcement Officers (CEO's) employed and consideration of alternative options to assist in school parking enforcement.

- 59.2 Councillor Littman noted that less than half of the 21 School Crossing Patrol Officer positions were currently filled and asked how long the positions had been vacant and to what extent the council offered the role as a job share. Councillor Littman highlighted that he had received anecdotal feedback from residents living around Balfour Primary School that enforcement action outside schools was not often taken and CEO's were not often present and asked for comment upon that. Furthermore, Councillor Littman noted that there was a proposed £5,000 budget cut to the Sustrans Bike It project and asked what impact that would likely have.
- 59.3 The Head of Parking Services replied that the role of CEO's was not only to issue parking tickets but also to move traffic on however; officers would look at activity in the specific area. In relation to School Crossing Patrol Officer's, the Senior Project Officer explained that a review was currently underway to consider whether all 21 sites met the relevant criteria for a position and subsequent to that, a recruitment drive was planned however job shares were not currently offered. An increase in vacancies for such positions was a national trend and discussions were being held with school to consider whether caretaker roles could be expanded or combined to include crossing patrols. The Assistant Director, City Transport answered that budget proposals were taken by Members and any decision could not be pre-empted however; there was a Sustrans Officer in the School Travel team providing dedicated support.
- 59.4 Councillor Wares stated that whilst he welcomed progress made in some areas, in other areas there appeared a constant re-visiting with little progress made. Councillor Wares noted that whilst fines were increasing, no evidence was presented as to how behaviour change was being instigated to permanently resolve the issue. Councillor Wares added that difficulties in recruiting crossing patrol officers was a perpetual problem and queried whether this could be related to the hostility often directed toward them. Councillor Wares noted that three out of the seven staff consulted on the matter answered that they wished to wear body worn cameras and Councillor Wares expressed his belief that those who did should be given an opportunity to as a duty of care. In relation to the comments made at paragraph 5.3 of the report, Councillor Wares stated that the alternative proposed was the start point for the review and clearly, existing procedures were not working. Councillor Wares supplemented that paragraph 5.4 was unclear on the measures taken with schools, parents and the community and he asked for clarification on when and how these actions would be taken. Referring to paragraphs 6.1 and 6.2 of the report, Councillor Wares stated that the action taken to date had not been robust as stated and there was no evidence to say that body worn cameras were not a practical and effective way to reduce incidents as it had not yet been tried.
- 59.5 The Chair stated that a written reply detailing the measures taken with schools, parents and the community would be provided after the meeting.
- 59.6 Councillor Peltzer Dunn stated his dissatisfaction with the report that made no firm proposals and had a negative outlook. Councillor Peltzer Dunn queried why West Sussex County Council could implement a trail of body worn cameras yet this council were not prepared to. In addition, Councillor Peltzer Dunn expressed his concern that the review of sites was intended as a method to reduce the number of crossing patrol officers and the criteria itself should be reviewed. Furthermore, Councillor Peltzer Dunn stated that the legal advice detailed at paragraph 5.5 was confusing as anybody being photographed would necessarily have their privacy invaded.

- 59.7 The Legal Officer replied that a more detailed briefing on the legislation and advice could be provided after the meeting.
- 59.8 Councillor Brown asked if there was any evidence that parking outside schools was changing, particularly behavioural change.
- 59.9 The Head of Parking Services stated that it was difficult to measure behavioural change however; officers would look at collating more data on the schools visited, the approach taken and the view from schools on if the situation has improved and the result and provide this to Members.
- 59.10 Councillor West stated that he had unimpressed with the report as the only measure of success appeared to be the number of Penalty Charge Notices (PCN's) issued and the conclusion had been made that robust action had been taken with no evidence or measure to qualify that as true. In addition, Councillor West stated that there was no assessment of the lasting effect of increased enforcement and enforcement itself only appeared to take place outside school gates and not also in surrounding streets where the situation could be the same.
- 59.11 The Chair stated that the a commitment had been made to bring a report back to the committee on the outcome of the trial of body worn cameras in West Sussex and that report could cover other matters such as those raised in this meeting.
- 59.12 Councillor Robins stated his experience on the matter as ward councillors did not indicate that the absence of body worn cameras were the main hindrance to recruitment of School Crossing Patrol Officers and instead disruptive hours were identified as a common obstacle.
- 59.13 **RESOLVED-**
- 1) That Committee notes the progress of the employment of three additional Civil Enforcement Officers for school parking enforcement.
 - 2) That Committee notes the reporting of antisocial behaviour is promoted and encouraged by School Crossing Patrol Officers and the wider school community and officers will continue to monitor trials of body worn cameras on school crossing patrols in West Sussex.
 - 3) That Committee notes that the School Travel Team within City Transport is working with Sustrans and Living Streets to encourage behaviour change and to provide effective school parking enforcement with the Parking Strategy and Contracts Team.

60 ITEMS REFERRED FOR FULL COUNCIL

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

The meeting concluded at 6.10pm