

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

**4.00pm 25 JUNE 2019**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillor Pissaridou (Chair) Wilkinson (Deputy Chair), West (Opposition Spokesperson), Wares (Group Spokesperson), Brown, Davis, Hamilton, Heley, Lloyd and Moonan

**Other Members present:** Councillors

**PART ONE**

**1 PROCEDURAL BUSINESS**

**1(a) Declarations of substitutes**

- 1.1 Councillor Moonan was present as substitute for Councillor Robins.
- 1.2 Councillor Hamilton was present as substitute for Councillor Evans.

**1(b) Declarations of interest**

- 1.3 Councillor West declared a non-pecuniary interest in Item 13 in relation to his role as Managing Director of Brighton & Hove Wood Recycling Project, who operated on the Hangleton Bottom Site.

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

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

**2 MINUTES**

- 2.1 Councillor Wares stated that the response to item 72.12 had not been copied to Members.
- 2.2 The Executive Director, Economy, Environment & Culture apologised and stated that this could be circulated after the meeting.
- 2.3 **RESOLVED-** That the minutes of the previous meeting held on 19 March 2019 be noted.

### 3 CHAIRS COMMUNICATIONS

- 3.1 The Chair provided the following communications:

“As this is my first committee as Chair, I thought it might be useful to set out a few principles and priorities that will underpin my approach:

Co-operation and collaboration rather than competition – especially given the commonalities between the manifestos of Labour and Greens; act first then review – this will mean working with members in all parties and Stakeholder/interest groups but rather than this becoming an entrenched committee which I don’t believe that we have the time for -we can follow the model being set by other cities – like Edinburgh- where they try something and continually stress test with communities.

Broad participation -as our actions will be most impactful if they are designed and delivered with communities across the city, including our children who are claiming their voice.

A 2030 net-zero emission test, as all the actions of this committee will need to help us to achieve our goal. If we are building new homes, we think about passive or net-energy positive homes. If we are managing transport, we see what will reduce emissions, improve air quality and encourage non-vehicle transport. If we are looking to manage our land, we think about increasing carbon sequestration.

I am pleased to inform the committee that the council is actively working towards the reduction of the use of pesticides for weed control in the city. I am aware of the cross-party support and growing strength of feeling that residents would like the city to be pesticide free.

Following advice from the Pesticide Action Network officers are developing a 3-year plan with a view to moving towards ending the use of pesticides. I was heartened to discover that the council have already started to reduce the amounts of glyphosate used in city parks, housing land on public highway. However, having discussed this with the Pesticide Action Network and officers we believe that we can accelerate the reduction in use.

Officers will be auditing the use of pesticides by the council over the coming months and I have asked them to bring a report to committee in October with the results of this audit and a proposed policy and action plan to end the use of glyphosate within 3 years. In the meantime, no glyphosate will be used in City Parks while the impact is monitored, and alternative solutions will be trialled. On the public highway and housing land we will reduce weed spraying from 2 per year to one spray this year. We will be limiting the use of glyphosate to lower footfall areas only and using a new technology which uses infra-red technology to ensure the minimum amount of pesticide required is applied. This new technology promises to achieve up to 80% reduction in the amount of glyphosate used.

Overall, we should achieve in excess of 95% reduction in the use of glyphosate by the council this year as compared to last year.

In future years we will be aiming to eliminate the use of glyphosate by the council and working with partners and residents to replicate this across the city”.

#### **4 CALL OVER**

4.1 The following items on the agenda were reserved for discussion:

- Item 9: City Environment Modernisation Update
- Item 10: Environmental Enforcement Framework Update
- Item 11: Graffiti Reduction Strategy Update
- Item 12: Capital Budget Expenditure for Cityparks
- Item 13: Stanmer Park Restoration Project Update
- Item 14: Brighton Marina to River Adur Flood and Coastal Risk Management Scheme
- Item 15: Valley Gardens- Events
- Item 16: Local Transport Plan- Outline Programme for the Development of a New Transport Strategy for Brighton & Hove
- Item 17: Local Cycling and Walking Infrastructure Plan (LCWIP)- Approval of Scoping Report
- Item 19: Parking Bay Suspension Fees TRO Objection

4.2 The Democratic Services Officer confirmed that the items listed above had been reserved for discussion and that the following reports on the agenda with the recommendations therein had been approved and adopted:

- Item 8: Constitutional Matters- Environment, Transport & Sustainability Committee
- Item 18: Parking Schemes Update Report
- Item 20: Historic Road Scheme Affecting Land at A259 Wellington Road

4.3 The Chair stated that due to public interest in the item, Item 15: Valley Gardens Events would be taken as the first item of business on to the substantive reports on the agenda.

#### **5 PUBLIC INVOLVEMENT**

##### **(A) PETITIONS**

##### **(i) Double Yellow Lines Roedean Crescent West**

5.1 The Committee considered a petition signed by 37 people requesting the Council lengthen the double yellow lines at the west entrance of Roedean Crescent.

5.2 The Chair provided the following response:

“Thank you for your petition and for clearly explaining the concerns of residents. Unfortunately, we cannot take forward specific ad-hoc requests for additional signs, road markings or minor parking restrictions unless they relate to road safety improvements or major traffic flow issues or refuse collection problems.

However, I can assure you that I have asked officers to keep a record of this request and to monitor the situation and we may be able to investigate an extension to the double yellow lines when the next relevant city-wide traffic order is reported to this committee”.

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

**(ii) Roedean Controlled Parking Zone**

5.4 The Committee considered a petition signed by 174 people requesting the Council introduce a ‘light touch’ controlled parking scheme in the residential area of Roedean.

5.5 Councillor Miller attended the meeting as ward councillor for the area to speak in support of the proposal noting the safety concerns in the area and the strong local support for the proposal.

5.6 The Chair provided the following response:

“Thank you for your petition and I’m sorry to hear about the parking problems being encountered.

There is currently a priority parking scheme timetable which runs up until 2020/21 and that includes all of the areas across the city where there is either a consultation proposed to start, a consultation actually happening, or parking schemes being implemented and some areas that are being reviewed. Those areas have all shown a strong desire for a parking consultation at the outset.

An update report is due to be presented to our next meeting on 8th October 2019 on the parking scheme timetable. We will ensure representations will be considered as part of this report alongside requests from other areas so what you have said today will be taken into account”.

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

**(iii) Punitive Parking Charges and Restrictions**

5.8 The Committee considered a petition signed by 14 people requesting various changes to parking restrictions, charges and enforcement.

5.9 The petitioner was not present at the meeting. Therefore, the following response was sent in writing:

"Parking restrictions are in place to encourage a quick turnaround of vehicles and to encourage the use of sustainable methods of travel; such as walking, cycling and public transport that are all agreed council objectives.

The council is committed to reducing carbon emissions that impact climate change and cutting pollution to become a clean air city.

Allowing 60 minutes free parking including on busy Sundays would make it much harder for drivers to find a space.

The council is required to review fees and charges including parking charges annually against its transport policies and objectives, such as reducing congestion in the city.

Those charges have been agreed by both this committee and the wider Council at the annual Budget Council meeting.

In 2017 the council invested £1.8 million in new pay and display machines. The move away from cash machines has reduced theft and damage to machines, making them more reliable.

There are also still over 300 locations in the city where drivers can pay for parking in cash.

Consultation upon and implementation of parking schemes can only proceed if the majority of residents vote in favour of them".

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

**(iv) Clean Up Kemptown**

5.11 The Committee considered a petition signed by 605 people requesting improvements to the cleanliness and refuse recycling procedures for the Kemp Town area.

5.12 The Chair provided the following response:

"Cityclean recognise that the cleansing in the Kemp Town area has fallen below standard and we are taking action to address this. This includes recruiting 11 additional street cleansing staff. Some of these staff will be focussing on a programme of deep cleansing problem sites in the Kemptown area and increasing the frequency of regular street cleansing in this area. We will be closely monitoring the area to ensure that there is a lasting improvement.

Across central locations in the city we have had problems with increased urination and defecation and there will be a report at committee this evening for members to consider whether our Environmental Enforcement Officers can issue fix penalty notices for spitting, urination and defecation in public places. Our hope is that this will help to deter these behaviours.

There are also problems across the city with increased graffiti tagging. The council approved a Graffiti Reduction Strategy last autumn and put additional funds in the budget for equipment to assist with graffiti removal. Some of the staff we are recruiting will be focussed on graffiti removal and once they are in post our aim is that residents will start to see an improvement in relation to graffiti removal and reduction. It is essential that we work with businesses, private property owners and other partners to try to reduce graffiti in the city. There is a report on this evening's agenda with the Graffiti Reduction Action plan which sets out in more detail how we aim to do this.

We do, need to improve the opportunities for residents to recycle more of the materials that we know can be recycled and this required better containment for recycling in some places, increased collections, and better education to reduce the levels of contamination.

This is included in our action plan and in the coming months residents will start to see improvements but to implement these changes across the city will take time and resources so please bear with us as we move forward with this".

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

**(B) WRITTEN QUESTIONS**

**(i) New Trees in Bevendean**

5.14 Mitchie Alexander put the following question:

“Recommendations include that this Committee agrees £500,000 on woodland management and tree planting.

As a local Bevendean resident have been emailing the council for over a year now about getting new trees planted along the Avenue. The community will fund-raise for this project. The Housing Dept have agreed in principle but state that City Parks need to give the go ahead too. Following several emails to city parks dept, I still have not received a response.

Can the Chair ensure that our community's tree planting project is given the go-ahead for the benefit of the local residents and the environment?”

5.15 The Chair provided the following reply:

“I am sorry that it has taken a long time to get a reply on this. It is a great community project that we are keen to support.

As the land in question is on housing land, Cityparks officers need to ensure that they have the right permissions in place before agreeing to anything on the land. I understand that you have had further communications with housing officers who have agreed the scheme in principle and will ask Cityparks officers to agree final locations with you”.

**(ii) Strategic Road Network**

5.16 Andrew Peters put the following question:

“The DFT and Highways England’s plans for a strategic road network - much of it is underwritten in our region by the same Local Enterprise Partnership that is funding the Valley Gardens scheme.

Nowhere else is there a plan to deliberately throttle the region’s trunk roads as currently proposed on all routes through central Brighton.

Can the Chair confirm that the current preferred option for the Valley Gardens meets the approval of the DFT’s plans and can they share this advice with us?”

5.17 The Chair provided the following reply:

“The Valley Gardens project, which includes the A23 in the city centre and the A259 on the seafront, only includes local roads which are the responsibility of the city council, not the Government’s Department for Transport or Highways England. The council’s decisions on how it maintains and improves its roads do not require Government approval, unless it is seeking funding directly from a Government department to do so. In this case, the funding is being provided and administered by the LEP, not the Government.

I do understand your concerns about the design of Phase 3 of the project. Its aims include rebalancing the availability and use of space between people and vehicles to create a safer, more attractive environment. These objectives are achieved in a number of ways within the approved design. However, I can reassure you that the technical

analysis and assessment of the design has included the use of the Government's own tools, techniques and guidance".

5.18 Andrew Peters asked the following supplementary question:

"Where is the cut-off point on how far the council is prepared to go on social engineering against driving in the city?"

5.19 On behalf of the Chair, the Executive Director, Economy, Environment & Culture provided the following reply:

"In terms of the aims of the Valley Gardens project, the aim has always been clear that we're trying to get optimum balance between different modes of transport, so that's mass transit so the bus movements, walking and cycling infrastructure as well as ensuring there can still be movements for cars. That's always been the aim: to get the correct balance. The cut-off point is ensuring all modes of transport are able to move as effectively as possible around the city without necessarily favouring one mode of transport over the other".

**(iii) Valley Gardens Phase 3**

5.20 Paul Crawford put the following question:

"If it were shown that the ETSC's decision on February 7th to delegate all further decision making on Valley Gardens Phase 3 to Officers was taken on the basis of incomplete, inadequate or erroneous information would the Chair consider recalling oversight of the project to elected members, and, if so, can you advise us how and when, and, if not, why not?"

5.21 The Chair provide the following reply:

"Thank you for your question. I am not sure what the incomplete, inadequate or erroneous information you are referring to is. The Committee considered a and agreed a report in February which allowed it to make its decision with full knowledge of all the relevant circumstances. Once the Committee makes a decision it is normal practice for it to ask officers to implement that decision which is what we have done here. Progress on the project has been reported regularly to the council's Strategic Delivery Board which includes the Leaders and Convenor of the council's political groups, and therefore it has had, and will continue to have, elected member oversight, in the same way as any other major projects taking place in the city. The decisions that have been made by the council on this project so far, have been based on officers and councillors following all statutory requirements. In addition, I am reassured that the committee previously requested an independent legal opinion to assess the consultation approach, which has enabled the project to continue to its next stages. The technical analysis and assessment that has taken place to develop the designs has also made use of nationally recognised, technical tools and guidance".

5.22 Paul Crawford asked the following supplementary question:

“The Local Enterprise Partnership wrote to councillors on 1st February setting out its funding conditions including its requirement for full and effective public consultation. The ETSC meeting on 7 February was not given sight of this letter before it made the vital decision to delegate oversight of the project to officers. Would it be accurate to say that elected councillors were intentionally deprived of relevant information by senior officers prior to this decision to delegate?”

5.23 On behalf of the Chair, the Executive Director, Economy, Environment & Culture provided the following reply:

“No, as officers we wouldn’t say that is the case. We felt that Members were given all the information they needed to be able to make a correct decision at that time and if I remember rightly, at the 7 February meeting there was some adjournment to ensure that Members were fully advised before they reconvened to make their decision”

5.24 Councillor Wares disagreed with the answer given and stated that the Letter from the LEP to the Council had not been shared with members of the committee ahead of the meeting on 7 February 2019.

5.25 The Executive Director, Economy, Environment & Culture stated that the correct information had been provided to Members in order for them to make a sound decision.

**(iv) Valley Gardens Forum**

5.26 David Rochford put the following question:

“The Council wrote to the Valley Gardens Forum last month accepting our offer of formal ADR mediation. During a constructive meeting with Council Leader, ETS Chair and Officers a few days ago, ADR was cited as a useful way to resolve whether correct and sufficient consultation had been undertaken without recourse to judicial review - on the basis that we all want to progress the Valley Gardens project. However, the Council wrote back to us 24 hours later bluntly withdrawing the offer - suggesting instead, an unmoderated meeting with Officers. What was the reason for withdrawing from the earlier commitment?”

5.27 The Chair provided the following reply:

“Thank you for your question. I agree that it was helpful for Councillor Platts and myself to meet with you and your Valley Gardens Forum colleagues recently.

The Forum has instructed legal representatives to act for them and it is therefore appropriate for the Council to correspond and respond to any questions relating to the Forums’ concerns through those legal representatives.

The Council has consistently said that it will engage in mediation but did not feel there would be any benefit in spending public resources on a lawyer to act as a mediator.

The parties have now agreed the format of that meeting and we are expecting it to go ahead next week – we are just waiting for confirmation from the Forum”.

5.28 David Rochford asked the following supplementary question:



“We are pleased that the mediation is back on even if we have to bear the costs ourselves. Should during the mediation our concerns be accepted that the consultation was not sufficient, and things weren’t done as they should be, do the councillors have any authority to pause the process and if not, what procedure is required for such a pause to be achieved?”

5.29 The Chair provided the following reply:

“I think here we need to respect the process and not pre-empt the outcome”.

**(v) Bins Provision, Bramble Way**

5.30 Michael Jenkins put the following question:

“Please will you honour the thirty resident homes and families who live at the top of Bramble Way. Please do your duty to provide them with a complete new set of seven brand new 1100 Litre Mobile Bins for the second Bramble Way bin area please. Five for normal Refuse, one for mixed recycling, one for glass recycling”

5.31 The Chair provided the following reply:

“I am sorry to hear about the problems residents of Bramble Way have been having with their refuse and recycling containment.

Bramble Way is on the Stanmer Heights Estate. There have been significant problems with refuse and recycling in Stanmer Heights due to a number of factors including access to the site, fly tipping and the topography of the site which means that it can be exposed to strong winds. Bin stores have now been built by the housing department and the collection has been put on a new round to enable more frequent collections. This has helped to some extent, but we do agree that additional bins are required for Bramble Way and two extra 1100 bins have now been delivered meaning that there are now 6 bins for Bramble Way which should meet requirements.

We hope that this made be the last piece of the puzzle to improve the refuse and recycling situation in this are but will of course continue to work with residents, ward councillors and the housing department to ensure that rubbish in this area is not a cause of nuisance.

I would like to apologise to residents for the difficulties they have been experienced and I would also like to thank you Michael for the work you have been doing to try to keep the area as tidy as possible and for ensuring that the council is aware of the problems”.

**(vi) Valley Gardens Phase 3 Environmental Impact Assessment**

5.32 Gary Farmer put the following question:

“Current Illegal pollution levels throughout the city centre are a lethal danger to residents, workers and visitors and yet current Valley Gardens plans intentionally make this worse for the east of the city. WHO Director Maria Neira suggested last week that politicians should face prosecution for knowingly exacerbating air pollution on their watch. “No politician will be able to say I didn't know because we all knew”. Advocates for the Valley Gardens scheme repeatedly talk about winners and losers - but this isn't a

game. Will the council conduct a full and open environmental impact assessment for the scheme?”

5.33 The Chair provided the following reply:

“Thank you for your question.

You are correct to point out the global, national and local concerns that people have about poor air quality and its effect on people’s health. We fully recognise these issues as a council, especially as there are two designated Air Quality Management Areas within the city.

Air quality has been assessed as part of the development of the designs for this project and so far, following recognised guidance, an appropriate level of environmental impact assessment has been undertaken for a project of this type. Monitoring shows that, within the Valley Gardens Phase 3 area, air quality is within international, legal limits, and an initial review of the project’s environmental impacts has estimated that the overall impact on air quality will be relatively low. The council will ensure that the appropriate level of assessment of environmental assessment is carried out across the project area as part of the detailed design stage. Once completed, the outputs from those assessments can be made available to anyone who would like to see them.

The scheme’s design includes new and improved infrastructure that will help improve bus flow and journey times and support a reduction in emissions, as will the adoption of new and cleaner engine technology by a number of our local bus companies and taxi drivers. New and better facilities in the design will improve routes, crossing points and areas for people who want to walk or and cycle. By promoting the benefits of these forms of travel, and increasing the opportunities to use them, people can choose to make a switch from their car for some of their journeys, especially if those journeys are over short distances where other alternatives are available. This can also help reduce harmful vehicle emissions.

We want to become carbon-neutral by 2030 to address the climate emergency that the council has fully recognised. One of our goals will therefore be to make the city a cleaner, safer and easier place to travel around, especially by using sustainable transport. This means looking at every transport and travel option and having the information that we need to enable us to understand the environmental implications of the choices and decisions that we all make”.

5.34 Gary Falmer asked the following supplementary question:

“Reports show that pollution hotspots in the areas including North Street, which is a disaster and Lewes Road, another disaster, have worsened in the aftermath of road planning in the past decade, anybody who lives in the city can see that. This time, the relevant council committee is on notice of the potential dangers of the current scheme. If this Administration does not proceed with Valley Gardens Phase 3 without the necessary due diligence, does the Chair accept that the ETS Committee members could, or should, face prosecution for negligence if the worst fears about the negative impacts of this scheme are realised?”

5.35 The Chair provided the following reply:

“The council will ensure that the appropriate level of assessment of environmental assessment is carried out across the project area as part of the detailed design stage.

Once completed, the outputs from those assessments can be made available to anyone who would like to see them”.

**(vii) Valley Gardens Deadlines**

5.36 Daniel Nathan put the following question:

"At November ETSC, we heard that there was no pressure from the LEP to drawdown funding for VG3. The LEP subsequently stated that such drawdown “should not be used as a reason not to follow proper consultation processes” and imposed fresh funding conditions. Valley Gardens Forum Directors met with Councillors & Officers a few days ago and we were grateful to hear another myth debunked; there is no imminent deadline for the spending of the LEP grant or the completion of VG3. There is still time to properly consult after all. Will the Chair please confirm and repeat this today?"

5.37 The Chair provided the following reply:

“Thank you for your question.

The Council has engaged in a lawful public consultation prior to making the decision to proceed to the detailed design stage, and it is therefore not correct to imply that the requirement to drawdown the LEP funding has any relevance to decisions relating to consultation. We do, however, fully recognise that the LEP is awaiting the outcome of the meeting that the Forum is holding with the council in July before considering and confirming its decision about the council’s Funding Agreement and access to the funding.

As explained to members of the Valley Gardens Forum Directors when we met with them a few days ago, the LEP is aware of the current stage that the Phase 3 project has reached and has continued to emphasise to officers that the £6 million pounds worth of Local Growth Fund money provisionally allocated to the project still has to be spent by the end of March 2021 and this requirement is specified in the draft Funding Agreement. The situation has therefore not changed for Valley Gardens Phase 3.

Any changes to individual funding agreements or arrangements for individual schemes will be entirely decisions for the LEP, but it does not mean that a decision that the LEP may be considering, or have made, about one scheme would automatically result in the same decision being made about Valley Gardens Phase 3”.

5.38 Daniel Nathan asked the following supplementary question:

“In the last six months that we have already wasted, officers could have been transparent with the data requested by the community and by the Valley Gardens Forum, could have completed a full and proper public consultation, could have completed a full environmental impact assessment of the type we have been asking for to address a burning public health issue and, by now, be cracking on with the scheme that we all want to see take place. If the Forum ends up taking the Council, or the LEP, or both to Judicial Review we might be no further forward in another six months. Alternatively, the new Administration can listen, pause, knock heads together if required and deliver a scheme that works for everyone. Chair are you up for that?"

5.39 On behalf of the Chair, the Executive Director, Economy, Environment & Culture provided the following reply:

“We look forward to the meeting with the Forum next week and like the Forum, we are always keen to avoid any judicial process if that’s possible and I’m sure the committee would be too”.

- 5.40 As a matter of clarification, Councillor West asked if the current impasse was putting the project funding at risk, a process that had already cost six months’ worth of time.
- 5.41 The Executive Director, Economy, Environment & Culture stated that whilst it was not appropriate to speak on behalf of the LEP, he was aware from his own discussions with them and the draft framework agreement that the project funding was required to be spent by 2021. Further delay would create risk and therefore, Councillor West’s assessment was correct.
- 5.42 Councillor Wares stated it would be irresponsible to go ahead with the project on the basis that the risk of losing funding was greater than not listening to residents of the city and making bad decisions.

**(viii) Valley Gardens Events**

- 5.43 On behalf of Sam Rush, Adrian Bristow put the following question:

“For Phases 1 and 2 the programming of construction works and the provision of facilities towards events requirements have only been achieved after an extensive and concerted campaign of lobbying, complaints, written questions and a deputation from the Brighton events community. This struggle has caused considerable disruption and damage to the Brighton events programme particularly to Brighton Fringe. Can the Chair ensure that, for Phase 3, Events Organisers are genuinely involved in the planning and design process - and therefore to pause Phase 3 now to allow a sensible timescale for this proper consultation to take place”.

- 5.44 The Chair provided the following reply:

know that there has been considerable discussion, detailed correspondence and a number of site visits involving council officers and Events’ organisers, for all phases of the Valley Gardens scheme. Indeed, I undertook a site visit myself subsequent to my appointment as Chair of this committee.

Later in this meeting there is a report on the agenda about this matter, which the committee agreed was required to help clarify some outstanding matters that had been raised in a deputation earlier this year. There is a whole section about the Phase 3 project in it and the report confirms that there will be further engagement as part of the next planned stage of the development work, which will be the detailed design.

I expect this will include building on the knowledge and experiences that have been gathered so far, which will enable the issues of water, waste, power supply and access to be further fully discussed and agreed, as well as any issues that may arise during construction works. I am sure that there will be regular updates on these discussions in the coming months.

The importance of the Events sector and the need for the city’s Events’ organisers to have adequate time to be able to plan ahead is very much understood. I am confident that the timescales associated with these discussions will be sufficient to provide the

Events' Organisers with the information that they require, with or without a pause, and that this will be one of the primary issues that will be monitored very closely".

5.45 Adrian Bristow asked the following supplementary question:

"Chair, you hadn't been very long in post at all before your robust press release of 18th June saying how positive you were about the events industry being in mind with the Valley Gardens plans, etcetera. Could you just tell us which events organisers you have been talking with to inform that press release of yours?"

5.46 The Chair provided the following reply:

"I've met you in the short time I've had to meet with people and listened to your concerns".

**(ix) Local Cycling & Walking Infrastructure Plan**

5.47 On behalf of Mark Strong, Katy Rodda put the following question:

"We note the item to progress the LCWIP (Local Cycling & Walking Infrastructure Plan) for Brighton & Hove. Improved infrastructure for active travel will benefit the many people in our city who currently - or would like to - walk or cycle.

However, we are very concerned about lack of active participation proposed during the LCWIP's development. The proposed process follows the bare minimum in DfT guidance, (e.g. Transport Partnership workshops) which will not allow ongoing support and feedback. We therefore ask the Chair to revise the Steering Board to include stakeholders plus representatives from the 3 main parties"

5.48 The Chair provided the following reply:

Thank you for your question.

I am sure that you will welcome the report which we will be considering later on the agenda of this meeting, but I appreciate your interest in it at this point. As I am sure you are aware, the preparation of a Scoping Report for this important plan is one part of the six-stage process set out in the Government's guidance. It is intended to be used as the basis for shaping the engagement process, which I am pleased that you and others will be keen to be involved in.

The next stage will be the start of external stakeholder engagement, involving the Transport Partnership, a number of other key stakeholders (including adjacent local authorities and delivery partners), and small, focused workshops taking place to cover local areas of the city, which ward councillors will be invited to.

As the report also indicates, a number of stakeholder organisation representatives are members of the city's Transport Partnership, and we intend to create a sub-group of those people to participate within the process. The plan will also be discussed at the Partnership's meeting next month, where the city's stakeholders and councillors will be present.

The proposed engagement process will help add to the data that the council already holds. The development of draft, city-wide cycling and walking maps and accompanying programmes of infrastructure improvements will then become the trigger for fuller public

consultation, which all stakeholders can also participate in (as well as councillors if they wish). Following that stage, establishing priorities will provide a further opportunity for stakeholder engagement.

I am really keen to ensure that the engagement process engages 'harder to reach' groups including those who do not currently cycle or do very limited walking; for the plan to be delivered successfully it needs to result in more people cycling and walking, and therefore we need to understand the needs and motivations of these groups.

Acknowledging that it can be challenging to balance the often quite localised concerns of stakeholders and the public with the strategic nature of the plan, we have noted that similar overall approaches to engagement and consultation have been taken in other authorities.

Providing that officers can develop engagement for the plan, in a manageable way, I am sure that this will provide the opportunity for the input and feedback that you are seeking. I would also add that the approach that is being proposed is no different to other council project governance arrangements that are currently in place for various projects. We are discussing the plan later on the agenda and I am sure that we will discuss this matter then".

**(x) Aquarium Roundabout**

5.49 On behalf of Julia Basnett, Martin Christie put the following question:

"The Council's own technical report commissioned from Mott Macdonald showed that retaining a roundabout would actually prevent 328 accidents as compared with the current proposed junction, does the Chair agree that a roundabout is safer, cheaper and by allowing the most flexible throughput of traffic also the most environmentally friendly solution for the aquarium junction".

5.50 The Chair provided the following reply:

"Thank you for your question.

Improving road safety is one of the eight core design objectives that the committee agreed in June last year that it wanted to achieve from the project. This is mainly because there are a number of difficult and busy junctions within the Old Steine area that result in the highest numbers of collisions and casualties in the city each year. The figures that you have referred to come from the technical analysis that has been undertaken to assess the four different design options for the whole of the project area. Therefore, I can clarify that these figures do not relate solely to the different junction layouts at the Palace Pier junction in each of the options. The figures are forecasts of how collisions that result in injuries could change across the entire road layout from Edward Street to the seafront, with or without a certain design.

The road safety analysis formed part of the overall appraisal of the options and was considered alongside other data about traffic flows, journey times and changes to the public realm as part of the Business Case for the project.

Although some roundabouts can enable vehicles to flow freely, they can also be very difficult or inconvenient for people who are not in vehicles to cross or negotiate them. I think the current roundabout is an example of this. It is a real barrier for some people to reach our fantastic seafront and beach, and all the wonderful attractions that they provide.

We ultimately want the city to be a safer and easier place to travel around, especially by using sustainable transport. We also want the city to become carbon-neutral by 2030 to address the climate emergency that the council has fully recognised. This means looking at every travel option and making changes that will increase the use and safety of sustainable choices for some journeys, especially in the busy city centre.

The proposed new road system would also include technologically advanced traffic signal equipment along the whole of the Valley Gardens corridor and on the seafront at the Palace Pier junction. This can respond to different demands during the day and will help manage the movement of people and vehicles, and therefore minimise congestion and any of its associated environmental effects. The location of the junction on the seafront also means that any emissions that may build up would have a better chance of dispersing more easily as the environment is not as enclosed as other locations in the city”.

5.51 Councillor West observed that the committee had received questions of a very similar nature over the past few meetings and asked if the Chair could monitor these questions to avoid duplication.

5.52 The Chair confirmed that any instances of duplication would be monitored.

## **(C) DEPUTATIONS**

### **(i) Valley Gardens Phase 3**

5.53 The Committee considered a deputation relating to the concerns of residents of the surrounding streets of the old Amex House site regarding Valley Gardens.

5.54 The Chair provided the following response:

“Thank you for taking the time to present your deputation to the committee today, on behalf of your Neighbourhood Action Forum, Adrian. Although established as a local group, I appreciate your interest in nearby areas and other communities, as well as more strategic matters such as the Valley Gardens project.

I should begin by explaining that I have also received a copy of your letter to Councillor Nancy Platts, which is very similar to your deputation, and I know that she has responded to you and indicated that my response to you this afternoon will also be made on her behalf.

Firstly, your concerns about the construction works in the Circus Street area are noted, and I can assure you that council officers will continue to respond to residents’ concerns about noise, dust and pollution and ensure that the developer and contractors are fulfilling the commitments that have been made as part of their planning obligations.

Regarding the Valley Gardens project, since becoming Chair of this committee I have taken a number of steps to ensure that I am increasing my understanding of the project and the various views, representations and decisions that have been made about Phase 3 of the project. So far, my work has included receiving briefings from officers; visiting the Old Steine area with Councillor Platts; and meeting with representatives of the Valley Gardens Forum to listen to their concerns, also with Councillor Platts.

You are right to highlight that the project has always needed to strike the right balance between a number of different and sometimes conflicting priorities. Our city is constrained in many ways and the transport network has many demands placed upon it

throughout the year, especially in the city centre. Many other major projects experience similar challenges, and for many reasons, it is often not possible to achieve everything that everybody may want, nor develop and deliver improvements in a particular order, or at the same time. We often have to take opportunities when they arise.

However, we ultimately want the city to be a safe and easier place to travel around, especially by using sustainable transport. We also want to become carbon-neutral by 2030 to address the climate emergency that the council has fully recognised. This means looking at every travel option and increasing the choices that people have to move around. Many people in the city use walking and cycling, or a bus or taxi, or may even need a wheelchair for some parts of their journeys; by promoting the benefits of these forms of travel, and increasing the opportunities to use them, we want some people to choose to make a switch from their car for some of their journeys, especially if those journeys are over short distances where other alternatives may be available.

When developing this project, the designs have been technically checked to ensure that the implications of any changes are identified and understood. This has included computer-based modelling of traffic flows, and an air quality assessment. Designs are also independently audited to ensure they are safe. Initial environmental assessments have been conducted and informed the recommendations and decisions made so far. These show that air quality levels within the immediate project area is within international limits, due to the relatively open nature of the space and good dispersion. As it continues to be developed, the Valley Gardens Phase 3 project will have all the necessary environmental assessments undertaken, including those for noise and air quality, to ensure that any effects are fully understood and mitigated, where necessary. These issues will then continue to be assessed and monitored during and after construction.

I appreciate your concerns about Carlton Hill School, but can confirm that the level of air quality by the school is good and its location up the hill away from the valley floor means that it will not be affected by any changes to traffic levels or movements in the Valley Gardens corridor.

The planned changes will include the use of technologically advanced traffic signal equipment along the whole of the Valley Gardens corridor and on the seafront at the Palace Pier junction. This can respond to different demands during the day and will help manage the movement of people and vehicles and therefore minimise congestion and any of its associated effects, such as 'rat-running' drivers. Officers would be particularly happy to provide the school community with whatever other information that it requires about this.

The project also includes a number of additional facilities and areas that will benefit pedestrians and cyclists, such as a new, dedicated crossing point between St James's Street and the Steine Gardens.

I am aware that requests to pause the project have been made previously for more consultation, and I have been reassured that the committee previously requested an independent legal opinion to assess its consultation approach, which has subsequently enabled the project to continue to its next stages. The next steps will also be informed by the outcome of a meeting with the Valley Gardens Forum.

I look forward to the meeting that has been arranged with you next month and continuing to listen to and discussing your views".

5.55 **RESOLVED-** That the Committee note the deputation.

## 6 ITEMS REFERRED FROM COUNCIL



**(A) PETITIONS****(i) Valley Gardens**

6.1 The Committee considered a petition referred from the meeting of Full Council held on 28 March 2019 and signed by 1388 people requesting the council pause the Valley Gardens Phase 3 scheme and begin a new consultation on the project.

6.2 The Chair provided the following response:

“Thank you attending this meeting with your petition Mr Noble, which I understand is being presented on behalf of the Valley Gardens Forum.

Although I was not in the council chamber in March when it was first presented, debated and referred to this committee, I can assure you that I have done my best to get up to speed about the Valley gardens project, especially Phase 3, and have already had the benefit of: studying the minutes of the Full Council meeting in March; receiving briefings from officers; visiting the Old Steine area and meeting with representatives of the Forum to listen to their concerns.

Previous requests to pause the project and enter into further consultation have been discussed by councillors on a number of occasions at council meetings and the outcomes have been recorded in the minutes, which are available on the council’s website. No decision to pause has been taken, and I am also reassured that the committee previously requested an independent legal opinion to assess the consultation approach, and this has enabled the project to continue to its next stages.

Discussions and engagement about aspects of the agreed design are therefore still planned to continue as part of the development of the project, once the full project team has been established for the next stage of design. This will include further meetings with the Forum, and other stakeholder engagement, such as meetings and workshops to further develop the detail. This was done for Phases 1&2 of the project after the preliminary design was agreed, and successfully helped to refine parts of the design and also highlight some further issues that needed to be resolved.

There will also be further formal public consultation on the design changes that need Traffic Regulation Orders. This is a statutory process which will include loading, parking and traffic management controls, and requires proposals to be advertised, followed by a period of consultation. Any objections received within that period are then reported to this committee to consider and decide upon.

There will be a meeting between the Council and the Valley Gardens Forum at the start of July and the outcome of that meeting will be reported to the LEP to help inform its decision on the project’s funding. I do thank you for expressing your interest in this project and can assure you that we will ensure that the dialogue that has begun with the Forum and other stakeholders will continue. We will keep everybody informed of the outcome of those discussions and the project’s progress”.

6.3 Councillor Wares stated that he proposed taking the action detailed in the petition.

6.4 The Head of Legal Services stated that the two options available to the committee was to note the petition or call for an officer report as the committee were required to receive legal and financial advice on any implications of taking the proposed action.

- 6.5 Councillor West stated that the committee had previously made a sound decision and he did not see any reason to revisit the issue. Councillor West added that he viewed the request as a further attempt to frustrate the agreed process.
- 6.6 Councillor Wares moved a motion to receive an officer report on the petition to a future meeting and requested a recorded vote.
- 6.7 Councillor Brown formally seconded the motion and the request for a recorded vote.
- 6.8 The Chair then put the motion to the vote with the following outcome
- Councillor Brown: For  
Councillor Davis: Against  
Councillor Hamilton: Against  
Councillor Heley: Against  
Councillor Hamilton: Against  
Councillor Lloyd: Against  
Councillor Pissaridou: Against  
Councillor Wares: For  
Councillor West: Against  
Councillor Wilkinson: Against
- 6.9 Therefore, the motion failed.
- 6.10 **RESOLVED-** That the Committee note the petition.

## **(C) DEPUTATIONS**

### **(i) Milan Urban Food Policy Pact**

- 6.11 The Committee considered a deputation, referred from the meeting of Full Council held on 28 March 2019 requesting Brighton & Hove City Council become a signatory of the Milan Urban Food Policy Pact.
- 6.12 The Chair provided the following response:
- “Our city is currently bidding to the Sustainable Food Cities Awards (UK) for ‘Gold Status’. This bid, led by the Brighton and Hove Food Partnership to become the UK’s first Gold Sustainable Food City was launched in November 2018, and is on track to be achieved in 2020. It is envisaged that signing up to the Milan Urban Food Policy Pact could strengthen the bid for ‘Gold Status’ and support the wider work on food in our city, led by the Brighton & Hove Food Partnership in partnership with the council”.
- 6.13 **RESOLVED-** That the Committee note the deputation and become a signatory of the Milan Urban Food Policy Pact.

## **7 MEMBER INVOLVEMENT**

### **(B) QUESTIONS**

**(i) Valley Gardens Phase 3**

7.1 Councillor Wares put the following question:

“Please would the Administration confirm if it intends to pause the Valley Gardens Phase 3 project, re-consult with the City and have an open mind to changing the design away from the present approved and so-called “preferred option one”?”

7.2 The Chair provided the following reply:

“Thank you for question Councillor Wares. I am aware that you have made previous requests to pause the scheme and adopt a different design or road layout to the one which was agreed by this committee for consultation and included within the Business Case.

You will be aware that there has already been a consistent, technical appraisal of four options, which has been reported to this committee and resulted in the recommended Preferred Option that was subsequently agreed.

That option was considered to be the one that would best meet the project’s agreed objectives and would be robust enough to pass the tests of the Local Enterprise Partnership’s Business Case criteria. It would therefore have the best chance of securing the £6 million pounds worth of Local Growth Fund money. That option was significantly amended by taking into account responses to the consultation and was subsequently considered and agreed by this committee in February to be progressed. The committee also sought and secured a legal opinion that has enabled the project to progress in line with the committee’s decisions, and as a result of that the council has not made any decision to pause, as to do so is not warranted”.

7.3 Councillor Wares asked the following supplementary question:

“Could the Chair advise, why there is no risk of greater pollution and reducing air quality with all the traffic on the east side and why you feel the concerns of the tourist industry, resident groups and trading associations that this scheme will hurt the city’s economy are unfounded”

7.4 The Chair provided the following reply:

“I will send a written reply to your question subsequent to the meeting”.

**(ii) Local Enterprise Partnership Funding**

7.5 Councillor Wares put the following question:

“In light of the fact that the Local Enterprise Partnership has stated that their Investment Committee have not yet met to consider if the Council had satisfied the conditions it had imposed on it and that no meeting has been arranged to consider the same and in its letter dated 28th May 2019 the LEP advised it will now wait until mediation between the Valley Gardens Forum and the Council is complete before it will meet, will the Administration please confirm that contrary to all previous reports and statements, that the Council does in fact not yet have the funding in place to deliver Valley Gardens Phase 3?”

7.6 The Chair provided the following reply:

“My understanding of the situation here is that all previous statements and reports about the funding for this project have been factual and accurate, whether they have been made by councillors or officers. They have reflected the various stages of the process associated with the allocation of the £6 million pounds worth of Local Growth Fund money, and the decisions that have been made by the Local Enterprise Partnership (known as the LEP). These have included the original decision of its Board in January this year to approve the project for funding and the release of the draft Funding Agreement. Only once the final, signed Agreement is in place can the council begin to draw down the £6 million pounds, and this was due to be finalised by the LEP in March. However, since then, the LEP has advised the council that it has reviewed its processes and procedures for considering and allocating funding and has decided to review the project in line with those. The outcome of that process has not been completed, and as you say, the LEP’s next decision about making the funding available to the council is now awaiting the outcome of the council officers’ next meeting with the Valley Gardens Forum”.

7.7 Councillor Wares asked the following supplementary question:

“Would you Chair agree, if we ask it of the Chief Executive, an audit being undertaken that reviews everything that has gone on, what was said and when and how things were presented in previous committees and include all copies of correspondence between the Council and the LEP that is somehow rarely or occasionally not shared with the committee members so that no confusion can possibly exist?”

7.8 On behalf of the Chair, the Executive Director, Economy, Environment & Culture provided the following reply:

“Any of the correspondence that has gone between the LEP and council officers is available for committee members to see so I would want committee members to think we were hiding anything from you. If you would like us to share that correspondence, we would be very happy to do so. If you would like us to meet with you to take you through that correspondence and the chains of events that have led to various statements being made at this committee at different points in the process, we would be very happy to do so and perhaps that would avoid the need for a full audit of this issue”

**(iii) Duke’s Mound**

7.9 Councillor Wares put the following question:

“Please could the Administration confirm when full, and this time proper, public consultation will take place in respect to the major junction proposals at Duke’s Mound?”

7.10 The Chair provided the following reply:

“The proposed changes to the junction of Duke’s Mound with Madeira Drive and the A259 (Marine Parade) are expected to take place within the highway boundary. As such, there would be no statutory requirement for consultation on the design of the

changes. As they involve the introduction of traffic signals to enable the safe and efficient movement of people and vehicles and are likely to require changes to Traffic Regulation Orders, there will be formal public consultation on those changes which will allow people to express their views.

Although proposed as part of the Valley Gardens Phase 3 project, these changes are currently being developed as part of the Waterfront project, and the Enabling Works which are planned for the former Black Rock swimming pool site, as they are also an essential element of the infrastructure required for that project”.

7.11 Councillor Wares asked the following supplementary question:

“Dukes Mound, regardless of it being part of the Waterfront project has been confirmed by officers as being inextricably linked to the Valley Gardens Phase 3. The roundabout being turned to a T-Junction now relies on Duke’s Mound taking place to deal with the traffic issues that turning Madeira Drive into a one way will cause. It’s actually abhorrent if you believe there should not be any consultation. Would you reconsider the decision that you have just made to not consult with the public over the Duke’s Mound part of the project?”

7.12 The Chair provided the following reply:

“I propose that we include this in the new stakeholders working groups who can discuss and get to some agreement on this”

**(iv) Patcham Roundabout**

7.13 Councillor Wares put the following question:

“Would the Administration agree with me that enough time has now passed with Patcham roundabout looking neglected and that to overcome this embarrassment to our City it will make the matter a top priority. Would the Chair also agree that removing the adjacent floral welcome sign is a retrograde step in how we wish our City to be perceived and will instruct officers to reinstate it forthwith?”

7.14 The Chair provided the following reply:

“Cityparks are at the threshold of a major breakthrough to improving the Patchway Roundabout and are aware that this location has been of great concern to ward councillors.

Cityparks now have a credible sponsor who is seeking to improve and most critically maintain the roundabout.

As the ‘Welcome’ Bed was originally planted with plastic plants and non-organic material, the bed was very low maintenance. Eventually the sloping bed was planted with box hedging spelling the word Welcome and was surrounded by bedding plants. Unfortunately, the Box succumbed to blight and perished. A dwarf variety of Holly bush was planted in replacement of the box hedging but this too struggled; as the sloping bed has difficulties retaining water.

Therefore, given this golden opportunity to improve the main roundabout, Cityparks are developing a proposal to ensure that area is well maintained and has an improved

gateway arrival for the city. Officers will brief members of the committee when this proposal is more developed.

I very much recognise the importance of this location as a gateway to the city and work is underway to deliver a roundabout improvement which is more befitting for our great city and provides a more efficient use of resources”.

7.15 Councillor Wares asked the following supplementary question:

“Thanks very much, I’m very grateful for that confirmation, it’s very much welcomed. Regretfully, we’ve heard similar assurances that things are in the pipeline for many, many years. In fact, five years since the roundabout was destroyed by Highways England. Would you kindly commit officers to ensure that this is dealt with in this calendar year so that there is no drift beyond the end of this year?”

7.16 On behalf of the Chair, the Assistant Director, City Transport provided the following reply:

“I will give my assurance something will be delivered this calendar year”

**(v) North Street Air Quality**

7.17 Councillor Wares put the following question:

“In light of the report that outside of London, North Street is the 7th most polluted street in the Country, please could the Labour/Green coalition confirm what action it intends to take to resolve this alarming situation. Will you consider for example rewidening the street so that buses can pass each other or perhaps until a solution is found, dramatically limit the number of buses permitted in North Street at any one time?”

7.18 The Chair provided the following reply:

“Thank you for your question Councillor Wares. I understand that the report that you are referring to which refers to North Street in the city centre was compiled by Friends of the Earth.

As you probably are aware, the council has a number of air quality monitoring sites in the city and publishes data on its website in an Annual Status Report. Like most data, air quality levels can be measured and reported in different ways. Most monitoring locations are located in places to assess residential exposure over a calendar year or longer. However, I am advised that the monitor in North Street near the Clock Tower measures different levels, and its data are understood to be those which have been used in the report. That monitor measures people’s hourly exposure to nitrogen dioxide to help understand where people on pavements are likely to be exposed to higher levels of pollution for brief periods. Whilst acknowledging that hourly standard in that location is exceeded, the monitor does indicate that the most substantial improvement has been achieved here, compared to all other monitoring carried out in the city. This shows that measures or changes that have been introduced in recent years are having an effect; and a lot of the credit for that can be given to the significant investment made by the city’s bus companies, who we work in very close partnership with, who have adopted and invested in advanced engine technology and driver training to reduce emissions.

Our planned work with taxi operators on electric vehicles and charging points will also help.

I recognise that North Street is one of many streets in the city which is constrained by high buildings, and it is used by significant numbers of people and vehicles. We therefore have to recognise that there is a limited area within which everyone can move safely, and there is some congestion at certain times of the day. We certainly have no plans to widen the road in North Street by reducing pavement widths or loading areas for delivery vehicles. However, we will continue our partnership working with all public transport operators, which includes taxis, and other stakeholders to find solutions to manage traffic in this busy city centre area and reduce harmful emissions to deliver better air quality for everybody”.

7.19 Councillor Wares asked the following supplementary question:

“Are you saying that we don’t have an air pollution issue in North Street that we need to address or that the levels we do have right now are manageable and we will just carry on as we are?”

7.20 On behalf of the Chair, the Assistant Director, City Transport provided the following reply:

“Yes, we do acknowledge there are air quality issues in North Street and we have an active air quality monitor in there. Over the last five to ten years we’ve actually seen a dramatic improvement in air quality levels as outlined in the Chair’s response to your question. The advancement in technology and the Council’s partnership with the bus operators have actually secured significant the ability to improve and upgrade the bus fleet to cleaner vehicles with much lower emissions. In recognition of that and the transport policies and initiatives coming through in LTP5, there will be a number of initiatives to continue to look to improve air quality, reduce harmful emission and improve the city in terms of having a cleaner, greener environment and commit to the carbon reduction commitment to be carbon neutral by 2025”.

## **(C) LETTERS**

### **(i) Valley Gardens**

7.21 The Committee considered a Letter from Councillor Fishleigh that relayed the concerns of residents in Rottingdean Coastal ward regarding the traffic impact of the Valley Gardens scheme and requested a Members Briefing to provide a clear understanding of the issues around Valley Gardens.

7.22 The Chair provided the following response:

“Although it is located in the city centre, it is important that residents are aware of significant projects like this one. There is plenty of information about the plans for the corridor on the council’s website, and the progress that has been made has also been regularly reported via traditional and social media as well as in the media. Phase 3 of the project, which includes the A259 junctions at the Palace Pier and Duke’s Mound has been considered and discussed by councillors on a number of occasions at council meetings are there has been significant public representation at those meeting.

Both junctions will include the introduction of traffic signals to enable the safe and efficient movement of people and vehicles at this junction, and assessments have included an analysis of road safety improvements and forecast vehicle journey times. The planned changes will include the use of technologically advanced traffic signal equipment, which can respond to different demands during the day, and will help manage the movement of people and vehicles and therefore minimise congestion and any of its associated effects. The changes to the Duke's Mound junction will also help to accommodate the planned redevelopment of the former Black Rock swimming pool site as part of the council's Waterfront project.

The website also provides access to all the committee reports and meeting minutes which show that the project has been developed openly, scrutinised thoroughly and also taken into account the results of the consultation that has been carried out".

Finally, I am sure that we can arrange a briefing for members on this important project and I'm sure this will be beneficial for newer members of the council.

I will ask the Executive Director of Economy, Environment & Culture to consider how and when this can be arranged.

7.23 **RESOLVED-** That the Committee note the Letter.

**(ii) Air Pollution**

7.24 The Committee considered a Letter from Councillor Heley that requested a report be brought to Environment, Transport & Sustainability Committee, exploring the potential to introduce an annual Cleaner Air Day from 2019 and that report give consideration of suitable roads to be closed, the most practicable date, any economic and environmental costs and effects, both short and long term.

7.25 The Chair provided the following response:

"I fully understand and share your concerns about air quality in the city and the harmful effects that high levels can have on our residents and people who work in, or even visit, the city. Thank you for also highlighting to me and the committee that it is still to receive a report on this matter, following its consideration of the Notice of Motion in March last year, after it was originally presented at Full Council.

In the interim, we will have the benefit of the results of the annual air quality review that is carried out by officers and that will provide us all with more information about the progress and change that has occurred since last year. However, I do acknowledge your desire to make some quick progress and your suggestion about activities that could be considered for the 2019 Car Free Day in September is certainly one that can be explored. I will ask the council officers who participate in the Air Quality Management Board to consider the potential opportunities that may be available to do so within existing projects and programmes that are currently funded. Looking ahead, I will also ask officers to consider the opportunities available to bring a report to this committee before the end of this year. In doing so, two of the key issues that would need to be considered within a future report are the benefits of focussing activities just on a single day or days, and the financial implications of the decisions that are proposed. If we are to make a commitment to embark on any new, specific programme of events or activities that help raise awareness and encourage action, it will need an appropriate budget and the staff resources to develop and deliver it. In previous years, the delivery of individual



or area wide road closures for such an event have taken a year in planning with dedicated staff and a budget of £50,000.

I am more than happy to work with all the committee members to address and improve air quality in the city and look at all the options available to reduce harmful emissions from transport, especially road traffic. Our bus and taxi operators are showing great willing in this area and the growing interest and uptake in electric cars and vans in the city is a really exciting prospect that we want to facilitate by increasing the number of charging points. Many of the opportunities that we have to improve our air will also help contribute towards the reduction of carbon emissions in order to meet our aim of making the city carbon-neutral by 2030”.

7.26 Councillor Heley asked if a commitment could be made to bring a report to the next committee meeting.

7.27 The Executive Director, Economy, Environment & Culture clarified that the requests were very detailed and there may be insufficient time to bring a report to the next meeting however, this would be reported as soon as practicable.

7.28 **RESOLVED-** That the Committee note the Letter.

## 8 VALLEY GARDENS - EVENTS

8.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided Members with an overview of the provision for events in Valley Gardens and assurance that the design work for Valley Gardens Phase 3 would continue to ensure the area could cater for events. The report was requested by the Committee in response to a deputation considered at its previous meeting in March 2019.

8.2 On behalf of the Green Group, Councillor West moved a motion to add a recommendation 2.4 and 2.5 as shown in bold italics below:

***2.4 Agree to urgently re-establish the cross-party member and stakeholder Valley Gardens working group as a task and finish group. The group will be reviewed at regular intervals with stakeholders in terms of its purpose to ensure it remains effective.***

***2.5 Request officers to bring a report to the next Committee meeting to agree the Terms of Reference for the task and finish member working group***

8.3 Councillor Lloyd formally seconded the motion.

8.4 Councillor Hamilton stated his support for the motion.

8.5 Councillor Wares stated that it was disappointing that such pressure had needed to be applied by the opposition groups to receive the information detailed in the report. Councillor Wares stated that there had been a fundamental flaw in planning Phase 1 and Phase 2 of the project whereby instead of creating an event space that could be used as a park, focus had been on creating a green space that could also be used as an event space. This had created difficulties for the events sector that was a key part of the

city economy. Councillor Wares stated that it was not too late to correct this for Phase 3. Councillor Wares stated that it was disappointing that an amendment was necessary to create a stakeholder group. Councillor Wares noted for the record that his support of the motion in no way indicated support for the preferred Phase 3 option that his group continued to oppose.

- 8.6 Councillor Moonan stated that event space was important to the city however, equally as important was creating open space and making improvements to the public realm and transport infrastructure. Councillor Moonan stated that people would use the open space every day rather than for a few weeks or months of the year and it was correct that the space design incorporate that.
- 8.7 Councillor West stated that the report had been requested was because there were threads of concern from the events sector and the problems that may occur. Councillor West stated that the Fringe Festival, Spiegel tent and The Warren was essential to the city and there was a risk that those events may leave for somewhere else due to their lack of involvement in the changes being made under the Valley Gardens Phase 3 project. Councillor West noted his concern that the completion deadline for the groundworks was April 2020 and any slippage to that timetable would cause significant disruption to the events hosted in the Gardens. Councillor West asked for certainty and assurance that the timetable would be followed, and the works completed in time.
- 8.8 The Executive Director, Economy, Environment & Culture stated that officers were very alert to the timetable of works and in particular, providing certainty for the events programme in 2020 and beyond. The Executive Director, Economy, Environment & Culture stated that officers would be meeting with events organisers in July to review the 2019 events programme and to look ahead to the programme for 2020. Furthermore, he had met with the Chief Executive of the Fringe Festival last week to discuss and provide assurance on the events plan for 2020.
- 8.9 Councillor Wares noted that as the preferred option had now changed meaning the cycle lane had been moved from the east side to the west side, there was now a conflict with the event access point area. This would mean the lanes would need to be closed during events and those closures needed to be clearly advertised to the public.
- 8.10 In relation to the re-investment bonds, Councillor Brown noted that there had been historic incidents where an area had not been made good following an event and asked for assurance that issue would be monitored given the scale and cost of this particular project.
- 8.11 The Executive Director, Economy, Environment & Culture stated that the matter had often been raised at the Tourism, Development & Culture Committee and there would be a report submitted to their meeting in September on the matter. The Executive Director, Economy, Environment & Culture supplemented that the Events Team did monitor the issue and the bonds were withheld where an area was not returned to a suitable condition,
- 8.12 The Chair then put the motion to the vote that passed.
- 8.13 The Chair then put the recommendations, as amended to the vote that were agreed.

**8.14 RESOLVED-** That the Committee:

- 1) Note the provision of facilities to support events within Valley Gardens Phase 1&2 scheme.
- 2) Note that the council's Outdoor Events Team and event organisers will be engaged to further develop plans for Valley Gardens Phase 3 during the detailed design stage.
- 3) To note that the that the Annual Events Calendar will be proposed at the relevant Tourism, Development and Culture meeting to ensure forward planning for locations events during the construction phase.
- 4) Agree to urgently re-establish the cross-party member and stakeholder Valley Gardens working group as a task and finish group. The group will be reviewed at regular intervals with stakeholders in terms of its purpose to ensure it remains effective.
- 5) Request officers to bring a report to the next Committee meeting to agree the Terms of Reference for the task and finish member working group

**The meeting was adjourned at 6.30pm and reconvened at 6.45pm**

**9 CONSTITUTIONAL MATTERS- ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE****9.1 RESOLVED-**

- 1) That the committee's terms of reference, as set out in Appendix A to this report, be noted; and
- 2) That the establishment of an Urgency Sub-Committee consisting of the Chair of the Committee and two other Members (nominated in accordance with the scheme for the allocation of seats for committees), to exercise its powers in relation to matters of urgency, on which it is necessary to make a decision before the next ordinary meeting of the Committee be approved.

**10 CITY ENVIRONMENT MODERNISATION UPDATE**

- 10.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on the City Environment Modernisation programme, sought approval for a revised Waste Management for Charitable Organisations Policy and sought permission to consult on communal recycling in the Lewes Road Triangle area.
- 10.2 Councillor West stated his support for the proposals for communal recycling in the Lewes Road Triangle area as residents had long suffered difficulty with collections in that area. Councillor West noted that the rise in health and safety incidents was of some concern.

- 10.3 Councillor Brown asked if any progress had been made on reducing the garden waste collection waiting list.
- 10.4 The Head of Business Support & Projects answered that some people had been added to the collection from the waiting list however, the priority was focussed on improving the service before taking new customers on. The feasibility of introducing a third service and opening up the scheme was an option currently being considered.
- 10.5 Councillor Wares stated that Members received a high amount of correspondence from those on the waiting list, so it would be useful if those residents could be contact with an expected timeline to manage expectations. Councillor Wares noted that a there were a number of progress actions with an amber status and asked if that indicated slippage in the modernisation process, particularly of the round restructure given its key role.
- 10.6 The Assistant Director, City Environmental Management replied that there were some fundamental operational issues that had arisen which had meant that some aspects of the modernisation process had been temporarily set aside however, progress was still being made. With regard to round restructures, it was hoped that an update would be brought to the committee toward the end of the year.
- 10.7 Councillor Wares stated that whilst he welcomed the policy relating to charitable collections however, it was important to exercise discretion and not stick too rigidly to that policy as the charities could withdraw from offering its services for free. Councillor Wares noted that there was no comment on the threat of strike action and asked for an update on that and whether there was a contingency plan in place.
- 10.8 The Executive Director, Economy, Environment & Culture clarified that talks were continuing between the council, trade union and ACAS and the council were very committed to those talks and therefore, it would not be appropriate to comment further.
- 10.9 Councillor Lloyd observed that charities varied in size and financial capability and asked if a blanket charge would be applied for any refuse and recycling service they may request of the council.
- 10.10 The Head of Business Support & Projects clarified that discussions would be undertaken with charities on their specific collection needs and produce a quote based on that information with a charity discount applied.
- 10.11 Councillor West stated that information on needs assessment was not detailed in the report and asked if further information could be provided.
- 10.12 The Head of Business Support & Projects clarified that the information detailed in paragraph 2.1 of appendix 1 listed the items that would be provided for free and paragraph 3.5 of the same appendix detailed the quote process.
- 10.13 **RESOLVED-**
- 1) That the Committee notes the progress made through the City Environment Modernisation Programme.

- 2) That the Committee approves the updated Waste Management for Charitable Organisations Policy at Appendix 1.
- 3) That the Committee agrees the commencement of a consultation in relation to the introduction of a communal recycling scheme for the Lewes Road Triangle as outlined in Appendix 2.

## 11 ENVIRONMENTAL ENFORCEMENT FRAMEWORK UPDATE

- 11.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval of a Environmental Enforcement Framework and sought permission to consult on the preferred approach for managing commercial waste bins on the highway.
- 11.2 Councillor West noted that between April and June there was one fine issued for dog fouling and two fines issued for graffitiing and asked why these were so low. Councillor West asked for further details and clarification on the commercial waste proposal as at face value, it appeared complex and unclear.
- 11.3 The Assistant Director, City Environmental Management clarified that issuing fines for graffiti was difficult as it was often undertaken at night and in secluded locations. Measures considered to step up enforcement included mobile CCTV operation and working much closer with Sussex Police on the matter. The Assistant Director, City Environmental Management added that enforcement on dog fouling was new to the enforcement framework and measures being undertaken to that end was increased patrols where cases of dog fouling had been reported as well as a proactive educational campaign in problem areas. In relation to commercial waste, the Assistant Director, City Environmental Management explained that commercial bins placed on council land could be licensed however, it was an offence to place a commercial bin on Highways land without permission. There were a variety of methods businesses could use to manage commercial waste where refuse storage was limited that included trade sacks and more regular collections.
- 11.4 Councillor Wares stated that an unintended consequence of the commercial waste collections could be that businesses stored waste in unsuitable locations and that could have a knock-on effect on food safety and hygiene. Councillor Wares stated that whilst he understood the in-house enforcement service had only been in place for a relatively short period of time, lack of enforcement in suburban areas was still an issue and overall fines were down compared to the previous arrangement.
- 11.5 **RESOLVED-**
  - 1) That the Committee approves the updated Environmental Enforcement Framework as detailed in Appendix 1.
  - 2) That the Committee approves permission to consult on the preferred approach for managing commercial waste bins on the highway as detailed in Appendix 2.

## 12 GRAFFITI REDUCTION STRATEGY UPDATE

- 12.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the Graffiti Reduction action plan and sought approval to undertake public consultation on the approach for graffiti enforcement and removal.
- 12.2 Councillor Moonan welcomed the report noting the issue was an important one for the city. Councillor Moonan observed that the George Street mural had been very effective at preventing graffiti. Councillor Moonan stated that she welcomed the use of the community payback team in the Strategy and suggested that it would be beneficial for other community groups to become involved in the creation of murals.
- 12.3 The Assistant Director, City Environmental Management stated that other community groups could certainly be involved in the creation of murals and that was something that had begun to be facilitated through the Phoenix Arts Centre who had recently created a mural on the Phoenix Estate.
- 12.4 Councillor West welcomed the actions detailed at paragraph 3.11 however, he was concerned that the council would not be able to enforce graffiti reduction if it could not maintain graffiti removal from its own buildings as described at paragraph 3.4. Councillor West expressed his concern that the budget allocated may not be sufficient.
- 12.5 The Assistant Director, City Environmental Management clarified that eleven additional street cleaning staff had been recruited and consideration was being given about how best to deploy that additional resource as well as maximising the existing resource.
- 12.6 Councillor Lloyd stated noted that it was proposed that homeowners would be fined for graffiti on their property which was a potential matter of concern, particularly in graffiti hotspots and asked if there would be any distinguishing on the basis of wealth, income or property type.
- 12.7 The Assistant Director, City Environmental Management explained that fines would be the last resort with the prioritisation being an educational approach and an understanding of resident's individual circumstances. The consultation would hopefully provide more clarification on the broad range of views and the committee would be able to decide the best course of action when those results were presented to a future meeting.
- 12.8 Councillor Wares stated that he was pleased to see that progress was being made on the issue of graffiti. In reference to paragraph 3.3, Councillor Wares enquired as to what the circumstances would be that a person would not be fined if they were caught in the act of graffitiing.
- 12.9 The Assistant Director, City Environmental Management explained that this may apply to minors in which case, the matter would be reported to the Police and on a case by case determination as to whether the offence qualified as a Fixed Penalty Notice (FPN) or whether it was a Police matter, particularly for instances of repeat offending.
- 12.10 Councillor Wares asked how the consultation would be undertaken.
- 12.11 The Assistant Director, City Environmental Management answered that the council's online consultation portal would be used, and it would be promoted through a variety of

methods including social media, press releases, communication through residents' groups, housing noticeboards and ward councillors, an approach that had been successful for similar consultations.

12.12 Councillor Wares stated that advertisement in schools and parent networks could be another route to raise the profile of the consultation. Councillor Wares stated that he was uncomfortable with fining the victims of crime and expressed his concern of the council's moral authority when the council could not clear graffiti on its own property. Councillor Wares stated that the consultation report should be clear about these issues.

12.13 **RESOLVED-**

- 1) That the committee notes the Graffiti Reduction Action Plan as detailed in Appendix 1.
- 2) That the committee agrees for City Environment to proceed with the public consultation on the proposed approach to graffiti enforcement and removal, as set out in Appendix 2.

**13 CAPITAL BUDGET EXPENDITURE FOR CITYPARKS**

13.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for use of the £700,000 revised capital investment programme budget for Cityparks to install new children's play equipment and for woodland management and tree planting. Furthermore, the report sought approval to apply to DEFRA's Urban Tree Challenge Fund for a sum of £200,000.

13.2 Councillor West welcomed funding for playground equipment that would help replace the current equipment that was coming to or at the end of its life. Councillor West noted that the cost of £4,000 to remove stumps appeared very expensive and asked if where street trees were replaced, whether there would be a reconfiguration of the highway space to ensure better space for cycle lanes and walking environment.

13.3 The Head of Operations, Cityparks clarified that the cost to remove stumps also included putting reconfiguring the highway that could be expensive, particularly for larger trees.

13.4 Councillor Brown stated that whilst she welcomed the report proposals, she was disappointed that no new trees had been identified for Hove Park that was a large park and well used. Councillor Brown noted that Hove Park also had a small amount of the overall funding identified for the programme of work for playgrounds and stated that she hoped this was not because the Friends of Hove Park group hoped to raise funds as this was for additional equipment and not for the maintenance or refurbishment of existing equipment.

13.5 The Head of Operations, Cityparks replied that officers had identified S106 funding that was available to use in Hove Park and the report proposal prioritised funding for those playgrounds where there was no prospect for external funding.

13.6 Councillor Hamilton stated that whilst he welcomed the report and was pleased additional funding had been identified in the budget, many of the recommendations

identified repair or replacement and many parks and playgrounds needed additional equipment.

- 13.7 Councillor Wares noted that the committee had received a report to a previous meeting that stated the tree replacement programme was undertaken from the west of the city toward the east. Councillor Wares asked if that programme was still in place and how the works proposed within the report being discussed would be spread across the city as it was important the budget was shared fairly.
- 13.8 The Head of Operations, Cityparks explained that the council did have an annual tree planting budget of £15,000 and work had started in the west of the city toward the east. The reason that approach was taken was because the major part of the cost was tree watering therefore, much of the planting was clustered to make cost efficiencies. The Head of Operations, Cityparks clarified that the current proposal would share the resource across the city rather than a clustering approach.
- 13.9 **RESOLVED-** That Environment, Transport & Sustainability Committee:
- 1) Agrees that £700,000 from the revised capital investment programme budget will be used to support investment in Cityparks as follows:
    - (i) £200,000 on new children's play equipment
    - (ii) £500,000 on woodland management and tree planting
  - 2) Approves the submission of an application to DEFRA's Urban Tree Challenge Fund for £200,000 of the government's recently announced Urban Tree Fund.

#### 14 STANMER PARK RESTORATION PROJECT UPDATE

- 14.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out progress made on the Stanmer Park Restoration project and requested delegated authority to discontinue the relocation of Cityparks to Hangleton Bottom and procure and award a contract for the development of the Cityparks depot at Stanmer Park.
- 14.2 On behalf of the Green Group, Councillor West moved a motion to add recommendations 2.3 and 2.4 as shown in bold italics below:
- 2.3 Agree to re-establish the joint authority (cross-party) member working group with the South Downs National Park Authority, to also include key stakeholders in the Stanmer Park and Stanmer Park Home Farm complex restoration projects. As a task and finish group it will be reviewed with partners and stakeholders at regular intervals in terms of its purpose to ensure it remains effective.***
- 2.4 Request officers to bring a report to the next Committee meeting to agree the Terms of Reference for the task and finish member working group***
- 14.3 Introducing the motion, Councillor West explained that there had not been sufficient reporting or oversight of the project of what was a critical location for the council.



Councillor West stated that there had formerly been a cross party group with oversight that had been disbanded and the motion sought to reintroduce that group in order to improve partner and stakeholder engagement.

- 14.4 Councillor Heley formally seconded the motion.
- 14.5 Councillor West stated that the proposal to reverse the decision to move Cityparks to Hangleton Bottom had come as some surprise but that was mainly because Members had not been kept informed. Councillor West stated that part of the HLF funding requirement was a reduction in the amount of traffic in the area and whilst some operations had been dispersed, there would still be presence on site. Councillor West added that the sum requested for the new development was very high and there was an absence of plans or detail of the proposal.
- 14.6 The Head of Operations, Cityparks clarified that the reason the amount was being requested was because the site in its current form was unsightly and given the amount of funding allocated and vision of the project, it was sought to ensure the site was contained, safe and would not make a visual impact on Stanmer Park. Furthermore, the introduction of compactors would reduce lorry movements through estate. The Head of Operations, Cityparks explained that the amount requested was based on estimates and detailed survey work would ascertain the exact amount required.
- 14.7 Councillor Wares noted that questions had been raised by stakeholders on the proposed design of the buildings and whether they would be appropriate for Stanmer Park. As those designs were not yet known, Councillor Wares stated that this should be dealt with by the proposed working group that would also have stakeholder involvement, giving thorough oversight. Councillor Wares noted that process to initially relocate Cityparks to Hangleton Bottom then reverse that decision had been handled extremely poorly and that error had been compounded by the costs incurred to decant various parts of the service that would now have to be reversed at further cost. Councillor Wares stated that he was highly disappointed that resources had been wasted.
- 14.8 Councillor Hamilton highlighted that as Lead Member for Finance & Property for the past four years, he had been consistently advised that the terms of the HLF Funding agreement necessitated that Cityparks be relocated. Councillor Hamilton noted that now did not appear to be the case and asked whether he had been misinformed or there had been a change in the HLF policy.
- 14.9 The Head of Operations, Cityparks explained that in terms of money spent, some surveys had been undertaken on the Hangleton Bottom site that may be useful for any future use of the site. On the matter of relocation, funding had not been spent unproductively as the temporary offices at Stanmer would be used should staff return there and the costs for the transfer to the Hollingdean Depot had been minimal as staff occupied offices that had already been vacated. The Head of Operations, Cityparks explained that subject to committee approval, discussions would continue with HLF on the matter of reduction of the number of heavy vehicles moving through Stanmer Park.
- 14.10 Councillor Lloyd asked if given Member anxiety about how the process had been handled, whether the committee should undertake an audit on the matter.

- 14.11 The Executive Director, Economy, Environment & Culture stated that he could provide assurance that whilst the last committee report on the matter had been eighteen months previous, progress had been made since then and work on wall garden and the HLF aspects of the project would start this month. Where progress had not been made was on the relocation where surveys had found that the relocation to Hangleton Bottom was no longer viable. The Executive Director, Economy, Environment & Culture stated that it was correct to highlight and report that to the committee at the earliest opportunity. Furthermore, officers had undertaken proactive discussions with HLF to ensure that the funding would not be placed at risk if Cityparks was to remain at Stanmer Park and HLF.
- 14.12 Councillor West stated that an audit could give useful input not just on the process and financial issues but also the future governance arrangements that was a request from the HLF.
- 14.13 The Executive Director, Economy, Environment & Culture stated that the Internal Audit team could undertake a review of the process or that could be done by the task and finish group.
- 14.14 Councillor Lloyd moved the following motion to add a recommendation 2.5 as shown in bold italics below:
- 2.5 That an audit be carried out by the Internal Audit team and the outcome be reported to the Audit & Standards Committee***
- 14.15 Councillor West formally seconded the motion.
- 14.16 Councillor Wares stated that he saw the merit in auditing the process followed for the relocation of Cityparks however, he did not believe the whole project needed to be reviewed and praised officers for being open and honest. Councillor Wares stated that he was unlikely to support the motion proposed.
- 14.17 Councillor Moonan suggesting that alternative option would be for the proposed cross-party group as a priority look at the work undertaken thus far and assess whether there was value in referring the matter to the Internal Audit team for consideration.
- 14.18 In relation to the suggestion made by Councillor Moonan, the Executive Director, Economy, Environment & Culture stated if the cross-party working group decided an audit was required, officers would absolutely ensure that would happen.
- 14.19 Councillor West stated that if the cross-party working group received the support of Internal Audit to make that examination itself, that would be a preferable option.
- 14.20 Councillor Lloyd stated that he wished to withdraw his proposed motion on the basis of the assurances provided by the Executive Director, Economy, Environment & Culture.
- 14.21 The Chair then put the motion to the vote that passed.
- 14.22 The Chair then put the recommendations, as amended to the vote that were approved.
- 14.23 **RESOLVED-** That the Environment, Transport & Sustainability Committee:

- 1) Notes the progress made on the Stanmer Park restoration project, as outlined in this report.
- 2) Grants delegated authority to the Executive Director for Economy, Environment & Culture to:
  - i. take all steps necessary to discontinue the relocation of the CityParks depot to Hangleton Bottom; and
  - ii. procure and award a contract for the development of the CityParks depot and associated landscape works at Stanmer Park.
- 3) Agree to re-establish the joint authority (cross-party) member working group with the South Downs National Park Authority, to also include key stakeholders in the Stanmer Park and Stanmer Park Home Farm complex restoration projects. As a task and finish group it will be reviewed with partners and stakeholders at regular intervals in terms of its purpose to ensure it remains effective.
- 4) Request officers to bring a report to the next Committee meeting to agree the Terms of Reference for the task and finish member working group

## **15 BRIGHTON MARINA TO RIVER ADUR FLOOD AND COASTAL RISK MANAGEMENT SCHEME**

- 15.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided an update on the Brighton Marina to River Adur Flood and Coastal Risk Management Scheme and sought delegated authority to further progress the Scheme.
- 15.2 Councillor Wares commended the quality of the report. Councillor Wares asked for clarification on the funding required from the Council, where that funding would come from and when it would be required.
- 15.3 The Project Manager, Civil Infrastructure clarified that the Council's contribution in terms of capital cost would come from a Public Works Loan and approval would be sought from committee for that once the detailed design was completed. Annual maintenance costs were highlighted in the report.
- 15.4 Councillor Wares asked how that arrangement would work with the other authorities involved, namely Adur & Worthing District Council and Shoreham Port Authority.
- 15.5 The Project Manager, Civil Infrastructure explained that each partner would contribute individually to the cost of the work required in their specific geographical boundary. The business case, that would be much more detailed in terms of design and cost calculation would also include a Heads of Service agreement that was a legally binding document signed by all the contributory partners binding them to the respective capital and maintenance costs.
- 15.6 Councillor Wares stated that as a general point, the committee should consider a more joined up flood plan to include inland flooding as currently the action undertaken was ad-hoc.

15.7 **RESOLVED-** That the Environment, Transport and Sustainability Committee:

- 1) Grants delegated authority to the Assistant Director for City Transport to:
  - (i) Enter into a memorandum of understanding with Adur District Council and Shoreham Port Authority to develop and agree an outline business case on the Brighton Marina to River Adur Coast Protection Scheme for submission to the Environment Agency; and
  - (ii) Submit the outline business case on the Brighton Marina to River Adur Coast Protection Scheme referred to in 2.1(i) to the Environment Agency's Large Project Review Group for technical approval.

## 16 **LOCAL TRANSPORT PLAN - OUTLINE PROGRAMME FOR THE DEVELOPMENT OF A NEW TRANSPORT STRATEGY FOR BRIGHTON & HOVE**

- 16.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that outlined an indicative programme of activities and associated with the development of a new Local Transport Plan (LTP) document setting out the city's future transport strategy and investment priorities.
- 16.2 Councillor Wares noted that the report detailed that progress would be monitored and asked how that would be undertaken. Councillor Wares observed that the objectives listed at paragraph 3.2 could be more specific, particularly in relation to tourism. Councillor Wares supplemented that focus should remain on delivering projects from LTP4 that had not yet been started or completed.
- 16.3 The Head of Transport Policy & Strategy explained that monitoring of LTP4 was not explicitly published but a number of key performance indicators were used to monitor progress as part of an overall framework adding that there would be much more monitoring of LTP5. The Head of Transport Policy & Strategy explained that whilst the objectives listed were high level, the recent publication of the council's Economic Strategy and Visitor Strategy were an opportunity to ensure that LTP5 reflected the objectives in those plans. The Head of Transport Policy & Strategy added that it was important to improve communication on progress being made on LTP4 and reporting back on that progress to councillors.
- 16.4 Councillor Wares stated that it was important that focus did not drift from projects already agreed in LTP4.
- 16.5 The Head of Transport Policy & Strategy agreed and clarified that LTP5 would build on projects agreed as part of LTP4.
- 16.6 **RESOLVED-** That the Committee agree the indicative, outline project programme for the development of the council's next Local Transport Plan, as set out in paragraph 3.6 of this report.

## 17 **LOCAL CYCLING AND WALKING INFRASTRUCTURE PLAN (LCWIP) - APPROVAL OF SCOPING REPORT**

- 17.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out and sought approval of a Local Cycling and Walking Infrastructure Plan (LCWIP) Scoping Report in order to progress to the next stage of the Plan.
- 17.2 On behalf of the Green Group, Councillor West moved a motion to amend recommendation 2.1 and add recommendation 2.2 as shown in bold italics below:
- 2.1 That the Committee agree the draft Local Cycling and Walking Infrastructure Plan Scoping Report attached as Appendix 2 to this report, ***with the proposed approach, governance and timescales duly updated to include the addition of an urgently constituted cross-party Member and Stakeholder Task & Finish Group which will offer members and key stakeholders earlier and stronger engagement in, and oversight of, the development of the LCWIP document. The task and finish group to be reviewed with stakeholders at regular intervals in terms of its purpose to ensure it remains effective.***
- 2.2 Request officers to bring a report to the next Committee meeting to agree the Terms of Reference for the task and finish member working group***
- 17.3 Introducing the motion, Councillor West stated that investment in cycling and walking was long overdue. Referring to the timetable listed on page 344 of the agenda, Councillor West expressed his concern that stakeholders would be engaged after the Scoping Report had been completed which was too late in the process.
- 17.4 Councillor Davis formally seconded the motion.
- 17.5 Councillor Heley observed that the report suggested that the Plan would take ten years to fully implement and given the urgency of the matter and the ambition for a carbon neutral city by 2030, asked whether some elements could be instigated more quickly.
- 17.6 The Head of Transport Policy & Strategy that the LCWIP would be reviewed in the context of the priority given by the declaration of a climate emergency and commitment to carbon neutrality by the council earlier in the year. The Head of Transport Policy & Strategy explained that the proposals that come forward would be determined by the level of funding available to deliver them and that would be determined through the budget setting process.
- 17.7 Councillor Moonan noted the wide-ranging health and wellbeing benefits of the LCWIP. Councillor Moonan stated that she hoped the Plan would focus on the most deprived areas of the city as that was where the highest need for such measures was required. Councillor Moonan highlighted that there were occasional conflicts between cyclists and pedestrians in shared public realm spaces and encouraged that the consultation and engagement be as extensive and wide-ranging as possible to deliver projects that were welcomed by all.
- 17.8 Councillor Wares welcomed the proposal as an overdue method to provide a joined up public infrastructure. Councillor Wares stated that whilst he would be supporting the Green Group motion, there was already a stakeholder group based in the city in the Transport Partnership and it was entirely possible for them to be the stakeholder group

proposed. Councillor Wares noted that there was no reference to how the consultation on the Plan would be undertaken within the report adding that the proposed timetable was of poor quality, undeliverable and already behind schedule and required urgent revision.

17.9 The Head of Transport Policy & Strategy answered that the report did reference the role of the Transport Partnership and there was the opportunity to draw upon the expertise of a sub-group of the Partnership. With reference to the point raised on consultation, the Head of Transport Policy & Strategy explained that there were very good precedents such as the consultation on the Draft City Plan and Open Spaces Strategy to learn from and officers would ensure wide-ranging engagement took place, particularly with those residents that were hard to reach.

17.10 Councillor Wares urged that all interest groups be consulted with not just those with a direct interest in the Plan.

17.11 Councillor West stated that he hoped all the observations relating to the sense of urgency and the timetable had been taken on and therefore, there would be no need to propose an amendment to recommendation 2.1 to correct that.

17.12 The Executive Director, Economy, Environment & Culture replied that the Green Group motion proposed a revised timescale and therefore, officers would address that request should the motion be passed.

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

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

17.15 **RESOLVED-**

- 1) That the Committee agree the draft Local Cycling and Walking Infrastructure Plan Scoping Report attached as Appendix 2 to this report, with the proposed approach, governance and timescales duly updated to include the addition of an urgently constituted cross-party Member and Stakeholder Task & Finish Group which will offer members and key stakeholders earlier and stronger engagement in, and oversight of, the development of the LCWIP document. The task and finish group to be reviewed with stakeholders at regular intervals in terms of its purpose to ensure it remains effective.
- 2) Request officers to bring a report to the next Committee meeting to agree the Terms of Reference for the task and finish member working group

**18 PARKING SCHEME UPDATE REPORT**

18.1 **RESOLVED-**

- 1) That the Committee having taken account of all duly made representations and comments, agrees to proceed to the next stage of the detailed design for the Coombe Road Area Parking consultation. This will consist of a consultation to the whole area on a light touch parking scheme on Monday to Friday.

- 2) Agrees that the following Traffic Regulation Orders are approved and the Hove Park (Zone P) proceeds to the implementation stage.
- BRIGHTON AND HOVE VARIOUS CONTROLLED PARKING ZONES CONSOLIDATION ORDER 2018 AMENDMENT ORDER NO.\*201\* (TRO-7a-2019)
  - BRIGHTON AND HOVE OUTER AREAS (WAITING, LOADING AND PARKING) AND CYCLE LANES CONSOLIDATION ORDER 2018 AMENDMENT ORDER NO.\*201\* (TRO-7b-2019)
- 3) Agrees that the following Traffic Regulation Order is approved and the Lynchet Close proposal proceeds to the implementation stage.
- BRIGHTON AND HOVE OUTER AREAS (WAITING, LOADING AND PARKING) AND CYCLE LANES CONSOLIDATION ORDER 2018 AMENDMENT ORDER NO.\*201\* (TRO-3-2019)

## 19 PARKING BAY SUSPENSION FEES TRO OBJECTION

- 19.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval for three Traffic Regulation amendment orders.
- 19.2 Councillor Lloyd expressed his exasperation that Southern Water had objected to a rise from £40 to £60 for parking bay suspension fees particularly in the context of the fine of £126 million they had received earlier in the day from the water regulator.
- 19.3 Referring to page 413 of the agenda, Councillor West stated that he hoped there would be no change to the fee for community events and furthermore, given that many community events were of small scale, he hoped the fee could be dropped completely for them.
- 19.4 The Head of Parking Services explained that the fees were set annually in the Fees & Charges review that was reported to the committee and that could be looked at for the next report in January 2020.
- 19.5 **RESOLVED-** That the Committee approves the three amendment orders –
- Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 201\*
  - Brighton & Hove Outer Areas (Waiting, Loading and Parking) and Cycle Lanes Consolidation Order 2018 Amendment No.\* 201\*
  - Brighton & Hove Seafront (Various Restrictions) Consolidation Order 2018 Amendment Order

## 20 HISTORIC ROAD SCHEME AFFECTING LAND AT A259 WELLINGTON ROAD

- 20.1 **RESOLVED-**

- 1) That the Committee agrees that the road widening scheme approved in 1982 by East Sussex County Council for the A259 Wellington Road between Church Road/Trafalgar Road and St Leonard's Avenue, shown in Appendix 1 of this report, be rescinded; and
- 2) That the Committee requests that any land affected by the 1982 scheme be retained for future highway and environmental proposals associated with the Shoreham Harbour Joint Area Action Plan and Transport Strategy unless declared surplus by the relevant holding committee; and
- 3) That the Committee requests that the Executive Director notifies West Sussex County and Adur District Councils and the adjacent owners or occupants of the affected properties of the committee's decision to rescind the scheme and ensures that council records are amended accordingly.

## **21 ITEMS REFERRED FOR FULL COUNCIL**

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

The meeting concluded at 9.10pm

Signed

Chair

Dated this

day of