

Subject:	George Street – Opening Hours		
Date of Meeting:	10th October 2017		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
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Ward(s) affected:	Central Hove		

FOR GENERAL RELEASE**1. PURPOSE OF REPORT AND POLICY CONTEXT**

- 1.1 The purpose of this report is to consider a recent deputation that was received to this Committee on 27th June 2017 that proposed amending the opening hours to traffic in George Street. It was agreed at this meeting that a report would be presented to a future Environment, Transport & Sustainability Committee.
- 1.2 The Deputation from Central Hove Ward Councillors requested that officers produce a report to the committee considering options for George Street, Hove. The suggestion was that it could be opened to vehicles from 3.00pm, all year round due to significant changes to the local trading environment since 2015.

2. RECOMMENDATIONS:

- 2.1 That Committee agrees that a trial takes place through an experimental Traffic Regulation Order for George Street to open to traffic from the months of April 2018 to October 2018 after 4pm (instead of 6pm). An Experimental Order would be advertised before April 2018 through a notice on street, in the press and on the Council website which would allow comments from the start of the trial for a 6 month period.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 George Street (Hove) was pedestrianised in 1999 which was undertaken through an experimental traffic order and a subsequent permanent traffic regulation order. Numerous objections had been received in response to the proposed permanent order and a public inquiry was required because of the introduction of a loading ban in the street that extended beyond peak hours.
- 3.2 In 2003 a traffic regulation order was advertised to extend the street closure to 6pm all year round. Following objections a compromise was agreed and the hours were extended to 6pm in the summer only (1st Apr. to 31st Oct.). This was approved by the Environment Committee on 29 January 2004.
- 3.3 A petition was presented by Cllr Jan Young to the Environment Committee on 31st March 2011 on behalf of the George Street Hove Association of traders

requesting a change in street opening hours to 4pm daily effective 1st April 2011 and continuing thereafter. The petition had 53 separate signatures.

- 3.4 Following this a letter was sent out to all the businesses and interested groups in June 2011 asking for their views on whether the council should carry out a more detailed consultation. It was outlined that a second stage of consultation would only happen later in the year if there was substantial support for change.
- 3.5 101 letters were sent out and 17 were returned giving a response rate of 17%. 7 responses (41%) were not in favour of further consultation while 10 (59%) responses were in favour of further consultation. Concerns were also outlined by the Council's Road Safety Manager that it could increase pedestrian/vehicle conflict and therefore the number of collisions and injuries.
- 3.6 Only 5 Interested groups responded, 3 of which included the B&H Bus Company, Friends of the Earth & Living Streets who all opposed an increase in street opening hours to traffic.
- The Bus Company responded that they would be in favour of the extended summer hours continuing as it creates a great atmosphere and is welcomed by hundreds of bus passengers who shop in the street and enjoy the car free arrangements on late summer afternoons.
 - The Hove Business Association responded, whilst not stating a preference, that they would strongly recommend that further consultation takes place and that in the interest of democracy the results are published.
 - The Brighton & Hove Friends of the Earth did not see the value in having a further consultation on this scheme and that to reduce the pedestrian only hours in summer would be a retrograde step in any case.
 - Living Streets were opposed in principle to reducing the hours of pedestrianised streets, unless some very good reason could be adduced.
 - Sussex Police had no comment to make from a traffic management perspective. They felt that should the decision be made to proceed to wider consultation a further response would be considered.
- 3.7 Given the low turnout and the unclear result it was felt that things should be left as they are until there was a further strengthened argument that the majority of businesses wanted a change to the opening hours for traffic. An officer statement to the Environment Committee Meeting on 4th October 2011 was made concerning the consultation, appending the report and recommending no further action.
- 3.8 On 17th March 2015 the Environment, Transport & Sustainability Committee considered a petition presented by Cllr Andrew Wealls and signed by 91 people requesting that George Street open to traffic at 4pm all year around rather than the current opening of 6pm between April and October.
- 3.9 The Chair at the meeting noted that the response above (para 3.7) was based on the information supplied before the meeting that only 55 people had signed the

petition up to that stage. On the basis that the new figure represented the majority of business on the street, it was requested that officers look into the issue again to examine the feasibility of a revised opening time.

- 3.10 On 7 July 2015 the Environment, Transport and Sustainability committee requested that the council consult businesses and residents on this proposal.
- 3.11 Brighton and Hove City Council Land and Property Gazetteer was used to send a letter to all 106 commercial and residential addresses along George Street. Where businesses were part of a chain, a copy letter was given for their Head Office. A prepaid envelope was included for reply and the consultation ran from 31 August to 28 September 2015. A letter containing a short questionnaire and a prepaid envelope for reply was sent to each address.
- 3.12 56 responses were received giving a response rate of 53%. 7 of these were residents and 49 of these were from businesses on George Street.
- 3.13 8 of these (**14.5%**) wanted to keep restrictions to stay as they are (7 businesses and 1 resident) and 47 (**84%**) want them to be 10am until 4pm all year round. One respondent did not answer this question (**1.5%**).
- 3.14 Five stakeholders wanted to keep the restrictions as they currently are,
 - Brighton and Hove Economic Partnership
 - Brighton & Hove Friends of the Earth
 - Bricycles
 - SECAMB
 - Brighton and Hove Buses
- 3.15 One stakeholder KA Taxis supported the proposed changes.
- 3.16 The Council also received 39 email submissions from the public in general during the period of consultation. 33 (**85%**) were against any changes and 6 (**15%**) were in support of changing the times.
- 3.17 It is important to note that the Council does receive correspondence about the dangers pedestrians face in George Street from the volume and speed of through traffic. It is acknowledged that the layout, surface and cross-section aims to reduce speeds, but the need to preserve use by large vehicles has compromised the effectiveness of these and some conflicts do arise.
- 3.18 The following road safety issues have also been considered when making a decision on the way forward;
 - **Custom & Practice** - The current conditions have established a 'pedestrianised' environment for the length of the business day which has led to a custom and practice of pedestrian freedom over that period. Whilst it would be clear to motorists through traffic signs and traders through consultation that these hours were shortened to 4pm, it could take some time before pedestrians became aware and conflicts are anticipated.

- **Established Need** - Other than providing the ability for traders to enter earlier for loading purposes, there does not appear to be a social or traffic management need for vehicles to use George Street earlier in the day and access between Blatchington Road and Church Road can be easily achieved by other routes.
- **Road Safety** - Increased right-turning traffic into George Street would further impact on the safety of the pedestrian crossing in Blatchington Road and increase conflicts at the north end of George Street, where we already have a collision history.

3.19 The following was also made clear in the consultation letter;

- Licences for tables and chairs stipulate that they are for pedestrianisation hours only. Therefore if these hours were to be reduced then those licence holders would be unable to display tables and chairs outside of those hours. A practical example of the effect of the trader's proposals would be that a business who currently have about 6 tables and 24 chairs would have to remove these at 4pm in the summer or be in breach of their licence. If the "pedestrian only" hours are reduced to 4pm all year round then vehicles will be able to enter to park and load/unload in the road.
- If the "pedestrian only" hours are left unchanged then vehicles will not be allowed to enter the road until 6pm in the summer and café/bar owners will be unaffected.
- Any A-boards placed in the bays would need to be relocated to the footways.

3.20 The consultation produced very mixed consultation results between businesses, residents and users of the shopping area. The majority of businesses were in favour of changes to the hours and users of the road were clearly against.

3.21 It was, therefore, proposed to keep the opening hours as they are due to the road safety and operational reasons outlined above. Users of George Street also responded to request the status quo as well as the majority of stakeholders.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 The other option is to keep the current opening hours of traffic.

4.2 The proposed recommendation would mean changes would be taken forward due to the reasons outlined in the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The consultation on changing the hours of restriction in George Street (to 4pm all year round) was reported to the Environment, Transport & Sustainability Committee on 24th November 2015 and it was agreed not to proceed for the following reasons.

- The licence to place advertising boards and tables and chairs on the public highway is for pedestrianised hours only.

- Some stakeholders wanted to keep the restrictions as they currently are.
- The Council received submissions from the public during the period of consultation and 85% were against any changes.
- A number of road safety issues were identified.

5.2 However, it is appreciated that the situation has now changed following the change in policy by Tesco's who now require a minimum spend of £5 to allow parking for greater than 30 minutes in their car park.

5.3 Therefore, following the deputation it was agreed that officers would relook at this and this report has been brought forward to consider the road safety and licensing concerns if vehicles are allowed to enter George Street from 3.00pm, all year round and to consider if a Traffic Order should be advertised which would then give a further period of consultation.

6. CONCLUSION

6.1 Officers in the Transport Department have looked into this and feel that the issues highlighted above are still valid and would be increased if the street opened at 3pm during school pick up time.

6.2 However, it is felt that the businesses concerns need to be considered following the changes to parking in the Tesco's Car park. Therefore, it is proposed that a trial takes place opening George Street at 4pm for a 6 month period (April 2018 to October 2018). An Experimental Order would be advertised before April 2018 which would allow comments for a 6 month period on how the scheme is working and any difficulties being encountered.

6.3 A report would then be presented to this Committee within 18 months of the experimental order being advertised outlining all the comments received. This would then determine whether to stop, amend or continue this arrangement from April 2019 onwards.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 The option to change the hours of operation would result in costs of making a Traffic Regulation Order and new signage. These costs are expected to be approximately £0.002m and would be funded from existing revenue budget within the Parking Infrastructure service. It is anticipated that there will be no financial impact on parking fee income and highway licensing income if this option was implemented.

Finance Officer Consulted: Gemma Jackson

Date: 05/09/2017

Legal Implications:

7.2 Experimental traffic orders are made under the provisions of sections 9 and 10 of the Road Traffic Regulation Act 1984.. Procedural requirements as to the making

of such orders are contained in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 and require public notice of orders ("a notice of making") to be given. Experimental traffic orders cannot come into effect until the expiry of 7 days beginning with the date of publication of the notice of making. The notice of making must state, inter alia, that the Council will be considering in due course whether the provisions of the experimental order should be continued in force indefinitely and allow a period of 6 months during which any person may object to the making of an order for the purpose of such indefinite continuation.

It is not considered that any adverse human rights implications arise from the report.

Lawyer Consulted: Hilary Woodward

Date: 8 Sept 2017

Equalities Implications:

7.3 No Equalities implications identified.

Sustainability Implications:

7.4 No Sustainability implications identified.

Any Other Significant Implications

7.5 The change may provide increased parking opportunities for the holders of blue badges wanting to use the local facilities.

SUPPORTING DOCUMENTATION

Appendices:

1. Appendix 1 – Plan of George Street

Documents in Members' Rooms

1. None

Background Documents

1. Item 13 – Environment, Transport and Sustainability Committee Meeting Report – 7th July 2015
2. Item 50 – Environment, Transport and Sustainability Committee Meeting Report - 24th November 2015.