

<b>Subject:</b>	<b>Valley Gardens Phase 3 progress update</b>		
<b>Date of Meeting:</b>	<b>16 March 2021</b>		
<b>Report of:</b>	<b>Executive Director for Economy, Environment &amp; Culture</b>		
<b>Contact Officer:</b>	<b>Name:</b>	<b>Oliver Spratley</b>	<b>Tel: 01273 290 390</b>
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<b>Ward(s) affected:</b>	<b>Regency, Queen's Park, St. Peter's &amp; North Laine</b>		

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

- 1.1 The Valley Gardens project has been planned in three phases. Phases 1 & 2 include the area from north of St Peter's Church (A23) to Marlborough Place (A23), near the Royal Pavilion. This area has now been remodelled with a new public highway layout and an accessible central park with new planting, footways and new cycle track, construction of which was completed in Autumn 2021. The Phase 3 scheme will complete the overall Valley Gardens project between the Edward Street junction and the Palace Pier (A259).
- 1.2 Valley Gardens Phase 3 is funded by a £6 million Coast to Capital [C2C] Local Enterprise Partnership [LEP] Local Growth Fund [LGF] Grant, and will be delivered by the council through its Local Transport Plan [LTP] capital programme, supported by £1.84 million of local contributions which are committed to the scheme, including previously secured and committed Section 106 monies from approved development within the project area.
- 1.3 At the February 2019 meeting of this Committee, the Valley Gardens Phase 3 final preliminary design was agreed. Furthermore, it was agreed that public consultation should be undertaken to inform the finalisation of the detailed design matters of the scheme.
- 1.4 This report outlines the outcomes of the public consultation within Appendix 1 of this report and provides the basis for officers to undertake and complete the detailed scheme design for Valley Gardens Phase 3.

**2. RECOMMENDATIONS:**

- 2.1 That the Committee notes the outcome of the most recent public consultation and stakeholder engagement as set out within Appendices 1 and 2 of this report.
- 2.2 That the Committee requests that the detailed scheme design for Valley Gardens Phase 3 is brought to Committee for approval in 2021 following officers' consideration of the public consultation and Stakeholder engagement responses.

### 3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 The LGF Funding Agreement between the council and C2C LEP was completed in January 2020, following a review of the Phase 3 LGF Business Case through the C2C LEP's LGF Assurance Framework. The latest public consultation exercise was conducted between July 2020 and September 2020. The methodology and results of the public consultation are detailed within Appendix 1 of this report.
- 3.2 Appendix 2 of this report lists the stakeholder design workshops, held between July 2020 and February 2021 and outlines how changes to the developing scheme will be considered, justified, and accommodated within the final scheme design prior to being presented to a future meeting of this Committee.
- 3.3 Appendix 3 consists of the *Possability People Accessibility Audit Report: Valley Gardens Phase 3 (2021)* as conducted by Possability People members.
- 3.4 Valley Gardens Phase 3 scheme planning and design, has been subject to, and informed by, three public consultation exercises and key stakeholder design workshops at key stages of the scheme's development.
- 3.5 The first of three public consultation exercises in the form of a survey was held in June 2018. The survey elicited valuable insight in terms of public perception of the existing quality of the public highway, public spaces and transport infrastructure. This information helped set objectives and identify options for the Phase 3 project.
- 3.6 All options (44) identified were then assessed against the project's Core Design Objectives, as agreed by this committee (June 2018). The best four options were then compared through the second, technical stage of the options appraisal, and thus compared in terms of an Economic Case informed by forecast benefits, according to DfT methodology.
- 3.7 This options appraisal process enabled the project team to identify an outline preferred option.
- 3.8 This preferred outline option was then set out in the public consultation (October-November 2018). Key stakeholder design workshops were also held during this period and at later dates.
- 3.9 Feedback from these engagement processes led to significant revisions being made to the outline preferred option and the plan was updated into a preliminary design. Officers then presented the Preliminary Design to Committee in February 2019 where it was agreed the principles laid out in the plan would be used to advance the development of the detailed elements of the scheme. As noted in the recommendations of that report the plan would, at a later date, be subject to a third (and final) public consultation to help inform detailed design and technical matters.
- 3.10 The third public consultation exercise was undertaken during July-September 2020. This officer report includes the initial results of that process, as detailed within Appendix 1.

- 3.11 Officers completed the tender and procurement of a professional services contract, to ensure that sufficient technical support and project resource is in place, to complete the remaining scheme design stages throughout 2021. The consultant was appointed at the beginning of January 2021 and has been working with officers to review the agreed preliminary design against the latest applicable design guidance and strategy.
- 3.12 The permanent Valley Gardens Member Working Group (MWG) has recently been established in accordance with the Council's Constitution. The group which replaces the previous Valley Gardens Task & Finish Group, met in February 2021 to consider the results of the public consultation and stakeholder engagement. This Valley Gardens MWG will have oversight of the remaining scheme planning, and design stages. This MWG does not have any decision-making powers, however it will help support and facilitate collaborative input, so that the scheme's development can be optimised for the best possible outcomes.
- 3.13 Building on discussion had at the former Valley Gardens Member Task & Finish Group, during 2020, officers have provided assurance to Events Operators that the Valley Gardens Phase 3 scheme will include the realignment of the cycle track to ensure that it will not wrap tightly around Victoria Gardens. This will allow events to access a new hardstanding set up and service loop, which will function as a footway when not in use for events. This change in cycle track alignment will minimise the need to close the cycle track for any significant periods when events are held. These revisions along with all other amendments will be clearly shown in the updated scheme, which will be brought to a meeting of the Committee in 2021, prior to procurement of the construction programme.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Due to the onset and impact caused by the Covid-19 pandemic, the third Valley Gardens Phase 3 public consultation process was delayed and replanned to mitigate risk. The methodology was reviewed to ensure safe engagement by way of electronic and postal dissemination of preliminary plans and information, and subsequent data collection. To mitigate risk, no public exhibitions were included in the methodology.
- 4.2 The public consultation and stakeholder engagement processes are purposefully framed to ensure that the scheme is optimised through the process of planning and design. Data and information provided by members of the community and by key stakeholders help officers and the appointed consultant formulate plans that are ultimately determined by elected members, aligned to Council policy and strategy.
- 4.3 Furthermore, new cycling and walking infrastructure design strategy has recently been published by Central Government, including *Gear Change* (July 2020) alongside the supporting technical note, LTN (*Local Transport Note*) 1/20. These documents provide guidance for the planning and design of safe and sustainable cycling and walking infrastructure and networks. The project team will consider such design guidance and optimise plans, before the proposed final scheme is put before this Committee for consideration, prior to construction.

## **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 Appendix 1 of this report sets out the results of the public consultation held between July 2020 and September 2020.
- 5.2 Appendix 2 sets out a record of further stakeholder engagement meetings that were held with key focus groups as well as individuals, from July 2020 to February 2021.
- 5.3 Further key stakeholder engagement will be conducted to build on the recent workshops held with Stakeholders, which will establish further scheme refinement measures. Workshops will be held with events operators and public transport operators, and local walking and cycling campaigners etc. Furthermore, the new Valley Gardens MWG will accommodate ad hoc stakeholder representation if required by that group.
- 5.4 Future stakeholder engagement will also be key in helping to inform temporary construction and traffic management plans that will be executed during the construction phases. The scheme's Traffic Regulation Orders will be subject to statutory public consultation processes, as is legally required for any changes to traffic management across the public highway.

## **6. CONCLUSION**

- 6.1 The third public consultation exercise and further stakeholder design workshops have been held to help inform the scheme design. The Valley Gardens MWG has been formed, as has the joint officer and consultant project team. The remaining collaborative planning and design processes will include consideration of the valuable feedback provided by the community and key Stakeholders.
- 6.2 Input by equalities groups such as Possability People and BADGE will continue to help shape the accessibility and inclusive qualities of the scheme.
- 6.3 The detailed design scheme for Valley Gardens Phase 3 will be presented at a future meeting of the Committee in 2021 prior to procuring the construction contract.

## **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

- 7.1 The current estimated total budget for Valley Gardens Phase 3 project is £7.840 million. This is to be met from the Local Growth Fund grant through the Coast to Capital Local Enterprise Partnership (LEP) of £6.0m. A local contribution of £1.84 million will be met by committed S106 monies plus Local Transport Plan (LTP) capital grant contributions. Annual LTP allocations will have been reported to this committee through the Local Transport Plan Capital Programme.
- 7.2 Local contributions include the commitment of £20,000 of Section 106 monies secured as a Sustainable Transport Contribution from the development of the

Brighton Language School at 7 Old Steine. This will be used to construct the extended footway area adjacent to the site.

- 7.3 All other financial matters are in the first instance reported to the Valley Gardens Officer Project Board, which are periodically reported to the C2C LEP as stipulated in the Funding Agreement with C2C LEP.

*Finance Officer Consulted: Rob Allen*

*Date: 15/02/21*

Legal Implications:

- 7.4 This report does not give rise to any additional legal implications, insofar as the report outlines and evidences ongoing community engagement, and thus provides further assurance and evidence that the Valley Gardens scheme is being developed appropriately. All changes to the public highway requiring a TRO/ETRO will be subject to statutory consultation processes at the stage when the scheme is suitably developed.

*Lawyer Consulted: Hilary Woodward*

*Date: 16/02/21*

Equalities Implications:

- 7.5 An Accessibility Audit was conducted, and a report produced by Possabiity People in Autumn 2020, (Appendix 3 of this report) supported by BHCC.
- 7.6 The Equalities Impact Assessment (EqIA) is available within the publicly available *Valley Gardens Stage 2 Report*. The EqIA will be updated as the scheme design progresses.

Sustainability Implications:

- 7.7 The process of consultation and engagement outlined in this report evidences the processes through which the sustainable qualities of the Phase 3 scheme are being optimised and expanded upon.

Brexit Implications:

- 7.8 None

**Any Other Significant Implications:**

Crime & Disorder Implications:

- 7.5 The design and planning of the scheme will continue to design out anti-social driving and with public spaces, and design in public spaces that are accessible and inclusive, well lit, and with improved connectivity so that they are well-used by all sectors of the community.

Risk and Opportunity Management Implications:

- 7.6 The Council's standard risk register template is being used for this project as evidenced in the publicly available Stage 2 report. Project Risk is reviewed monthly at the officer Project Board and contract risk reviewed on a weekly basis

at the project team meetings. Opportunities to enhance the outputs and quality of the Phase 3 scheme, as well the interface with adjacent or overlapping partnership projects, are being identified and are being explored through stakeholder engagement. This includes, for example, working with the Royal Pavilion Museum Trust, Events' organisers, and public transport operators.

#### Public Health Implications:

- 7.7 The next stage of design requires the consultant to produce a technical review note that will review the agreed preliminary design and any future revision with regards to the Covid-19 pandemic. This technical note will be made publicly available with all other technical notes produced to inform the final scheme design.

#### Corporate / Citywide Implications:

- 7.8 The success and sustainability of Valley Gardens regeneration will be further enhanced by a number of key complementary policies and strategies that the council is planning to deliver through targeted programmes and projects. Valley Gardens Phase 3 is currently being scoped as a potential site for piloting underground refuse bin systems. However, for feasibility to be considered any further, there is the need to conduct Ground Penetrating Radar surveying to ascertain whether there is any capacity for such infrastructure.

## **SUPPORTING DOCUMENTATION**

### **Appendices:**

1. Valley Gardens Phase 3 (third) Public Consultation Report (July-September 2020)
2. Valley Gardens Phase 3 Stakeholder Engagement record (July 2020 – February 2021)
3. Possability People Accessibility Audit: Valley Gardens Phase 3 (Dec 2020)

### **Background Documents**

1. Valley Gardens Phase 3 Stage 1 report
2. Valley Gardens Phase 3 Stage 2 report
3. Valley Gardens Phase 3 ETS Committee Report; February 2019 (Agreed Preliminary design)