

Subject:	Valley Gardens Phase 3		
Date of Meetings:	18 January 2022: Environment, Transport & Sustainability Committee 27 January 2022: Policy & Resources Committee		
Report of:	Executive Director Economy, Environment & Culture		
Contact Officer:	Name:	Oliver Spratley	Tel: 01273 290 390
	Email:	Oliver.spratley@brighton-hove.gov.uk	
Ward(s) affected:	St Peter's & North Laine, Regency, Queen's Park		

Note: The special circumstances for non-compliance with Council Procedure Rule 7, Access to Information Rule 5 and Section 100B (4) of the Local Government Act as amended (items not considered unless the agenda is open to inspection at least five days in advance of the meeting) were that...it was necessary to ensure that the outcomes of technical matters discussed at the Valley Gardens Member Working Group held on 7 January 2022 were incorporated into the report.

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 The council's adopted City Plan Part 1 (2016) identifies the Valley Gardens corridor as a Special Area (policy SA3). Valley Gardens Phase 3 is also a Local Transport Plan project which will complete the final and southern-most section of a strategic sustainable transport corridor that will contribute towards the council's and city's economic growth, regeneration, planning, public realm, and transport objectives.
- 1.2 This report details the Valley Gardens Phase 3 scheme design progress which has been informed most recently by a third public consultation, and stakeholder engagement meetings. These processes have significantly helped to inform a design review and the detailed design stage of the Phase 3 scheme. The Phase 3 General Highway Arrangement drawing shown in Appendix 1 has been developed in accordance with the projects Core Design Objectives, and significantly improves upon the agreed Preliminary Design (2019) for all transport users. Appendix 2 provides an update on the spend profile now required to deliver the Phase 3 scheme. Appendix 3 details the consultation and stakeholder engagement processes and how and where they have been taken account of in the design.
- 1.3 Further technical design will be completed over the coming months in preparation for procuring the construction contract through a competitive tender framework.
- 1.4 The Valley Gardens Member Working Group (VG-MWG) will continue to have oversight of the remaining technical work.

2. RECOMMENDATIONS:

That the Environment, Transport & Sustainability Committee:

- 2.1 Approves the Valley Gardens Phase 3 detailed design as shown in Appendix 1: General Highway Arrangement Plan.
- 2.2 Notes that the principles and details outlined in this report will help to inform all final technical matters, with regards to this scheme, in preparation for the procurement of a construction contract by officers in line with the decision made by this committee in February 2019 as outlined in paragraph 7.2 of this report.
- 2.3 Authorises that all Traffic Regulation Orders required for Valley Gardens Phase 3 be advertised in accordance with the standard procedure.
- 2.4 Notes the increased budget requirement due to significant delay in delivering Phase 3, additional stakeholder infrastructure commitments, and significant increases in construction costs, as set out in in Appendix 2.
- 2.5 Recommends to Policy & Resources Committee that it approves capital borrowing of up to £5.0m to address estimated increased scheme costs arising from new Department for Transport design guidance; significant increases in construction costs and risk management; additional infrastructure, including for sustainable transport and events; as shown in Appendix 2.

That Policy & Resources Committee:

- 2.1 Approves capital borrowing of up to £5.0m to address estimated increased scheme costs arising from new Department for Transport design guidance; significant increases in construction costs and risk management; additional infrastructure, including for sustainable transport and events; as shown in Appendix 2.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 Valley Gardens Phase 3 preliminary scheme design was agreed at the February 2019 meeting of this committee. A further stage of public consultation to inform the detailed design stage of the scheme was committed to, completed, and reported at the March 2021 meeting of this Committee. There has been extensive stakeholder engagement and meetings recommenced in July 2020 and have now completed in December 2021. Appendix 3 details the design responses made to address the third public consultation results, which have informed and resolved detailed design matters as shown in *Appendix 1: General Highway Arrangement Plan*, and as outlined in the body of the report, below.

Active and inclusive travel infrastructure, and managing traffic

- 3.2 'Gear Change: A bold vision for walking and cycling' (2020) is the government's Department for Transport's strategy for active travel, which is technically underpinned by 'Cycle Infrastructure design guidance (LTN1/20)'. LTN1/20 and its associated assessment tools have been used to review options for integrating cycling tracks and direct walking routes for pedestrians.

- 3.3 An active travel focus group involving a broad range of stakeholders has participated in three further workshops to review options from August to October 2021, which has resulted in the bi-directional cycle track option being selected for the Palace Pier Junction.
- 3.4 The Palace Pier Junction detailed design is consistent with the preliminary design insofar as it is a signalised crossroads junction that will be managed by the council's Traffic Control Centre. The current roundabout junction is uncontrolled with a very high incidence rate of collisions and casualties, particularly those involving motorised vehicles and cyclists.
- 3.5 The Palace Pier junction will feature a highly efficient and smart traffic signal system that will support walking and cycling and manage the current high volumes of traffic on this section of the Major Road Network (MRN).
- 3.6 Palace Pier and St James's Street junctions generally record the highest number of casualties and collisions across the city. The design will create a safer environment for all road users and reduce casualties and collisions compared to the current highway layout.
- 3.7 Pedestrian and cycle crossing points at the Palace Pier Junction will be direct, allowing people to cross, walking, wheeling, and cycling in one stage, which improves upon the preliminary design. The new arrangement is also more efficient for traffic movements compared to the preliminary design, which will reduce congestion.
- 3.8 The VG-MWG also agreed that the footway width on the north-west side of the St James's Street Junction has been reviewed in response to stakeholder requests. As a result, the minimum width in this location has been increased to 4.24 metres. This is the maximum width possible to ensure an appropriate traffic lane alignment. Overall, on the eastern side of the scheme (from Edward Street Junction to Manchester Street) there is an increase of footway of approximately 440 m². St James's Street junction design includes the new crossing point on the south side of the junction and the crossing point to the north of the junction is widened.
- 3.9 The computer-based traffic model has been upgraded and used to improve the highway layout which has been updated to reflect contemporary layouts used in highway and regeneration schemes in busy urban areas such as those delivered by Transport for London (TfL).
- 3.10 Traffic modelling simulations have been presented to the Valley Gardens VG-MWG. The Phase 3 scheme presents the most sustainable new highway arrangement, with significant improvements for the walking and cycling experience.
- 3.11 The new cycle track shown in Appendix 1 at Palace Pier will be constructed in reallocated road space, as will much of the new footway. The bi-directional cycle track has been selected to create continuity with the existing cycle track network. The bi-directional track is suitable for all users including tourists and younger people given the design legibility and arrangement. Cyclists will be separated

from general motorised traffic and have direct crossing points at the Palace Pier junction.

- 3.12 Madeira Drive will be retained as one way entry only from the Palace Pier Junction and the new cycling facilities will connect with the Madeira Drive cycle scheme. There will be no exit for general traffic (except cyclists using the cycle track) at the junction at Madeira Drive. This will ensure that the new controlled junction, which will bring significant safety benefits and new capabilities to manage congestion, is as efficient as possible and can manage the current volumes of traffic using the Major Road Network, A259 and A23 at peak times.

Brighton Palace Pier

- 3.13 The public highway area adjacent to Brighton Palace Pier will be maintained to ensure that service vehicles can access and deliver directly to the reinforced weight bearing section on the forecourt. This access is required so that prefabricated sections of the Palace Pier structure can be replaced periodically. Further technical work will be conducted to integrate Hostile Vehicle Mitigation (HVM) at strategic points to protect the seafront. HVM assets can be multi-purpose, formed to function to deflect moving vehicles and as barriers, seating and/or planters. This principle will inform the final selection of HVM with final detail to be considered by the VG-MWG, Heritage officers, and Counter Terrorism Unit. Further stakeholder meetings will be held as required on these matters.

Public Transport

- 3.14 Bus routing has been optimised with two key changes now featuring in the optimised Phase 3 scheme. Firstly, a one-way link eastbound from Castle Square running past the War Memorial on the first short (western) section of St. James's Street. This change will ensure that buses can flow efficiently from North Street or the bus interchange in the south-west corner of Old Steine. South bound buses will now access this interchange area via the bus 'loop'. Secondly, a northbound bus priority lane has been introduced to serve the new northbound bus stop for all Lewes Road Services, located on the north-east side of the War Memorial, on Pavilion Parade. The northbound priority bus lane provides better journey time results than other bus priority options, and therefore, replaces the preliminary south bound lane shown in the earlier plan.
- 3.15 Taxi ranking has been retained. Both the permanent rank by the Royal Albion Hotel and the night-time rank by Revenge will also feature within Phase 3. An additional taxi rank is included in the scheme on the south-west side of the Palace Pier junction for west bound journeys.

Outdoor Event infrastructure

- 3.16 Events stakeholders have been consulted during the development of the scheme. The location of the cycle track in the south-west area of Phase 3 has been realigned to provide space that will be used as footway except for when events operators need to set up and service events. The south, east, and west of the Old Steine Gardens will be accessible for set up and de-rig of events. This will both safeguard the sustainability of events and minimise the time that the

new cycle track will need to be closed - to ensure the safe craning of temporary events structures and storage containers, onto and off the site. During the period of event operation, the southern section of footway between the gardens and cycle track can be used as an enclosed cell for, and managed by, event operators. Event organisers will manage this area as an access point for operational day to day deliveries, while the footway to the west remains open as will the entirety of the cycle track.

- 3.17 Following discussion with UK Power Networks (UKPN), upgrading the high voltage substation located in the Royal Albion Hotel 'moat' is the preferred option to provide sustainable three-phase power for events. Connectivity to the upgraded substation will be trenched across to the Old Steine Gardens and new three-phase power units will be integrated into the site. Furthermore, technical events experts have been consulted who have advised that the best option for event organisers is to select large battery back-up power systems which can feed directly off three-phase power points. All these improvements will completely remove the need to have back up diesel generators on site.
- 3.18 The reorientation of the footways across the gardens will support pedestrian flows, removing severance and the 'traffic island effect' which is consistent with Phases 1 & 2. Footways will be level with new protected lawns to ensure that event operators can continue to accommodate structures in the future (i.e., Brighton Speigeltent). Heritage lighting columns will be refurbished and located in the central area away from the events areas. New lighting systems or furniture will be modular and demountable so that the space remains flexible for events use.
- 3.19 An events turf protection system will be added to the lawned areas of Old Steine Gardens to reduce the impact that events operations and structures have on soil structures whilst in situ. Access to waste-water points will be maintained and potable water access points will be improved where possible.
- 3.20 Additional events infrastructure costed for now includes 3 three-phase power units, upgraded High Voltage substation; trench over to gardens with new cabling, protective lawn system, water access improvements amounting to approximately £365,000, plus the cost of the construction of the new pavement sub-structure for the events access loop in the south-west area of Old Steine.

Landscape design

- 3.21 The principles of the hard landscaping strategy will be informed by those used for Phases 1&2. In particular, the surfaces used in the new public space between the War Memorial and Royal Pavilion will be selected and varied appropriately to mitigate the risk of skateboarding in a sensitive heritage setting. The highest quality materials are not financially viable given the need to limit the overall scheme cost. The VG-MWG, Heritage Officers, the Conservation Advisory Group, Brighton Society, and Regency Society, and the Royal Pavilion Museum Trust will be consulted prior to the final selection of the material specification to be used in construction of the new public spaces.
- 3.22 The new cost spend profile as shown in Appendix 2 accounts for an enhanced Street Furniture & Drainage allowance, and feature lighting.

- 3.23 A significant number of new trees and planters will be added within new public spaces and built-out footways to enhance and protect the pedestrian environment. Trees will also be replanted in some locations where they have been previously lost, such as alongside the War Memorial. Replacement trees will be as mature as possible.

The Brighton War Memorial

- 3.24 The War Memorial is an area managed by City Parks and is not public highway. The War Memorial structures are maintained by the Council. Valley Gardens Phase 3 will significantly improve the heritage asset setting in this central area of the city. Project Officers are continuing to consult on these matters via the VG-MWG, and via Councillors with links to the Mayor's Office, Remembrance Committee, and British Legion.
- 3.25 A conditions survey has recently been completed to help inform the maintenance of the War Memorial and the immediate setting.

Utility upgrades

- 3.26 Access to sustainable power for events and transport is a key outcome of Phase 3. The existing substation located in the Pool Valley area will be upgraded to facilitate three-phase power for events and at other times for electric taxi charging. Electric vehicle rapid charging for buses would require an additional substation which could not be funded by the Valley Gardens Phase 3 budget.
- 3.27 Lighting infrastructure has recently been upgraded and maintained across Old Steine Gardens to support improved night-time safety and for the Winter Markets programme. The funding secured through the recently successful Safer Streets Funding Grant bid will be used and invested to upgrade and future proof the lighting assets and infrastructure across the Phase 3 area including the War Memorial. Lighting in Phase 3 can also have the dual purpose of illuminating appropriate sections of the Royal Pavilion Gardens to support improvements planned across that adjacent site and the new gateway linking with the new Phase 3 public space. This work will be reported to the VG-MWG.

Wayfinding and public art

- 3.28 Wayfinding will broadly be introduced to guide people to their destinations or to the best route depending on the chosen mode of transport. Cyclists will be guided by appropriate signage. Wayfinding Monoliths as used across the central city area will be integrated into the Phase 3 area. Adjacent destinations such as St James's Street and Kemp Town Quarter, and the Eastern Seafront (currently being master planned by BHCC Regeneration) will be clearly signposted.
- 3.29 Community public art projects will be shaped during the construction contract procurement. This will engage young people to design artwork for the construction compound hoardings. The hoardings will also include interpretation boards to explain the construction works. Funding for permanent physical public art (statues or sculptures) is not included within the Phase 3 budget and any such proposal coming forward would require separate funding.

Construction and Circular Economy

- 3.30 Construction plans, such as works timings and temporary traffic management plans will broadly follow the principles of and learn the lessons from Phases 1&2. The first draft of construction phasing has been presented to the VG-MWG. Key principles include;
- Minimise disruption
 - Maintain access as much as possible
 - Minimise construction impacts at peak times
 - Protect the natural environment and the community from the construction activities
 - Clear and advance communication including highly visible signing and local information
- 3.31 Temporary traffic lanes will be introduced so that works can be progressed, and communications will be regularly provided directly to stakeholders and via all council channels of communication to provide advance warning, and a full horizon of programmed construction works.
- 3.32 The construction contract will be procured through a competitive tendering process to ensure value for money and to ensure social value – which will support the aims of the Community Wealth building strategy.
- 3.33 Circular economy (CE) principles which ensure that resources required for asset lifecycles are always repurposed where possible, will help shape the Phase 3 scheme such as those specified and executed for Phases 1&2, which reused kerb stones for loading bays. Where possible resources and materials will be repurposed or reused on site or stored for future project or highway maintenance use.

Significantly enhanced benefits

- 3.34 Following the LTN 1/20 design review and optimisation process and input from the Valley Gardens Active and Inclusive Travel Focus group of stakeholders, a final detailed design junction design has been developed and selected which is consistent with, and improve upon, the preliminary design as shown in Appendix 1. The scheme introduces benefits for all forms of transport by optimising the traffic signal phases, which also benefits pedestrians and cyclists. The Phase 3 detailed design layout therefore reduces congestion and journey times on the A259 eastbound and westbound approaches compared to the preliminary design and current layout in peak time, particularly for eastbound traffic. It is also anticipated that forthcoming secondary legislation will result in local Highway Authorities being able to enforce moving traffic offences. For example, with these new powers, transgressions into 'yellow box' junctions' will be enforceable by the Council by the time the scheme is delivered. Highway Authorities will be expected to use these powers to improve connectivity, boost active travel and increase air quality by reducing congestion.
- 3.35 Further scheme optimisation was integrated into the General Highway Arrangement, based on traffic modelling results. Overall journey times have been significantly improved relative to the original preferred option identified through

the initial options appraisal. This work has resulted in improving the economic case BCR (Benefits cost ratio) for delivering Phase 3 from 1.2 to greater than 2.0 which also accounts for the increased cost spend profile as set out in Appendix 2.

- 3.36 Furthermore, the scheme now features an additional 160 metres of bi-directional cycle track and 110 m of single directional cycle track compared to the original outline preferred option. The scheme is committed to delivering at least 30 and up to 41 new trees and this may be surpassed subject to species selection by the Council's Arboriculture Officers.
- 3.37 The new public spaces will make the city more resilient providing more space to comfortably move across the area unimpeded with the removal of clutter. Furthermore, these improvements will help shape the central area to be a destination as a high quality civic and amenity space.
- 3.38 Valley Gardens Phase 3 will interface with the Royal Pavilion Museum Trust Gardens restoration scheme. Following engagement work it is anticipated that the adjacent project will provide a new gateway on the eastern side of Royal Pavilion Gardens - which will be a key linkage with the new public space between the War Memorial. This new gate will unify the east of the city with the Royal Pavilion and Valley Gardens Phase 3.
- 3.39 The three bus shelters (1950 – styled on the 1930's Old Steine tram shelter) opposite the War memorial, will be decommissioned. These Grade II listed structures were subject to the second Valley Gardens Phase 3 public consultation exercise in 2018. Suggested uses included, tourist information kiosk, café/gallery, and other business and community uses. Early stakeholder engagement, optioneering and feasibility work has commenced to consider feasible future change of uses and to consider how best to conserve the structures in the new public plaza. Separate project resources will be required and any alteration to the structures will also be subject to planning permission and listed building consent.
- 3.40 New segregated cycle tracks will link up with Phases 1 & 2 to complete the bi-directional cycle route to the seafront and link up the National Cycling Network Routes – which will significantly reduce levels of pedestrian-cyclist conflict and provide legible routing for accessible cycling and Bikeshare users, including tourists. The design takes account of existing constraints in this central area such as the location of mature Elm trees.

Benefits Management Plan

- 3.41 The Valley Gardens Phase 3 Benefits Management Plan features in the publicly available Valley Gardens Phase 3 Stage 2 Report, which also outlines the scheme monitoring methodology. These technical processes will be refined as part of the construction contract or carried over and managed by council project officers across three years post-construction completion from 2024.

Review of the Environmental Impacts

- 3.42 The preferred option was assessed in terms of the criteria of an EIA as noted in the *Review of Environmental Impacts* technical note (2019), which is an Appendix to the publicly available Valley Gardens Stage 2 Report, which concluded at that time that no significant negative environmental impacts would result through the delivery of the Phase 3 preliminary design.
- 3.43 The St James's Street Junction and Palace Pier junction design is now optimised for sustainable operation and traffic management/flows, compared to the preliminary design. The Phase 3 scheme will be monitored for three years following construction, commencing 2025 being the first full calendar year after the scheme opens, with year-on-year improvements on air quality anticipated once delivered.
- 3.44 In 2020 a new air quality monitor was installed at the junction of St James's Street which is providing an additional baseline data reference point for current and future Phase 3 air quality monitoring. Monitoring of air quality and noise will be reported to ETS Committee as it is completed throughout the monitoring years. Nitrogen dioxide diffusion tube monitoring will continue for five years after the scheme is implemented as part of local Air Quality Management.
- 3.45 Other transport policy measures will support environmental improvements. Furthermore, new fleet/ engine technology and traffic management capabilities are anticipated to support year on year improvements in terms of air quality and reduction in noise levels.
- 3.46 Modal shift for local trips will support improvements by making sustainable travel choices possible and accessible which requires Valley Gardens Phase 3 delivery plus an increase in last mile EV delivered freight logistics is also evolving.

Traffic Regulation Orders and parking

- 3.47 The scheme had doubled the number of Blue Badge bays from four to eight parking bays. Four doctors parking bays are also provided in the area by Brighton Language College which includes an oversized loading bay that will accommodate UK and EU coach drop off and serve local businesses. Cycle parking will be integrated with appropriate drop kerbs to facilitate improved security and access for cargo bikes and other vehicles used for active travel.
- 3.48 The extents of the scheme remain broadly unchanged. However, Prince's Street will not be opened-up at its northern end and will not be subject to any changes in terms of traffic regulation. The southern end of Steine Street will be future proofed in terms of access, which would allow for the one-way traffic direction to be reversed if required at a future date following a period of scheme monitoring. Traffic Regulation Orders (TROs) related to Valley Gardens Phase 3, will be advertised in accordance with standard procedure in Spring-Summer 2022. At this time a Red Route is not included in the Phase 3 scheme.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 'Do nothing' for Phase 3 is not an option due to the need to realise the benefits of and interface with Valley Gardens Stages 1 & 2, to complete the overall project, and to address City Plan SA3 Policy.
- 4.2 The delivery of Phase 3 cannot be delayed further due to the need to ensure that the overall value for money for the project is achieved and so that the external funding that has been secured does not need to be returned. Failure to deliver the project could also jeopardise future funding bids.
- 4.3 The Phase 3 options appraisal was completed in 2018, as comprehensively set out in the publicly available *Valley Gardens Stage 1 & Stage 2 report*.
- 4.4 The key layout principles are maintained for the scheme as agreed in February 2019 following the second public consultation and significant changes to the plan. Following the third public consultation, July-September 2021, that sought views on detailed design aspects, the scheme's technical work has been progressed. The project team recommenced work in early 2021. Key work has included updating the traffic model which has been used to test junction signal arrangements, lane designation, and bus stop locations. The Detail Design Phase 3 scheme now proposed provides significant improvements in terms of sustainability across transport, accessibility, public space, heritage setting, and events. In October 2018 a Design South-East design review panel unanimously agreed that the preferred option was the best option to take forward for further development.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 The development of the Valley Gardens Phase 3 scheme planning and design, has now been subject to three public consultation exercises, and key stakeholder design workshops, at key stages of the project.
- 5.2 The first of three public consultation exercises in the form of a survey which 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. All options (44) identified were then assessed against the project's core design options, as agreed by this committee (June 2018). The best four options were then compared through the 2nd stage of the options appraisal, and thus compared in terms of benefits, according to Department of Transport appraisal principles and the government's 'Five case business case' framework.
- 5.3 This options appraisal process enabled the project team to identify an outline preferred option that is technically robust in terms of sustainability. This preferred outline option was then put out to public consultation (October-November 2018) alongside key stakeholder design workshops that were held.
- 5.4 Responses to the second consultation showed that most people, including some business owners or managers, agreed or strongly agreed with proposals for walking, cycling and public transport proposals. Additional 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, and it was agreed that the plan would be used to advance the development of the scheme. The recommendations of that report noted that the scheme would be subject to a third (and final) public consultation, to help inform detailed design matters.

- 5.5 The third public consultation exercise was completed from July-September 2020. The results of which were reported to this Committee in March 2021. More than 400 responses from residents of the city were received and over 40 from owners or managers of local businesses.
- 5.6 Appendix 3 includes the design response to matters raised through the third public consultation and stakeholder requirements and requests. The results of the public consultation and further stakeholder meetings which completed in December 2021 as noted in Appendix 3, have informed the scheme general highway arrangement as presented to this Committee as shown in Appendix 1.
- 5.7 Officers will continue to ensure that all technical matters are dealt with in terms of specification, installation of highway and utility assets and ongoing access.
- 5.8 Internal officers have been consulted during the schemes design process with some technical matters still to be determined, such as a pilot underground bin system in the Pool Valley area. This matter will be considered further if it is determined such integration is feasible.

6. CONCLUSION

- 6.1 The scheme once delivered will reinforce the city's resilience and demonstrate the Council's commitment to reinforce sustainability in terms of transport infrastructure, and quality of place and the environment.
- 6.2 The scheme will provide a significant increase in accessible public space for everyday civic uses, to enhance the visitor offer and to create a regenerated high-quality heritage setting and amenity space and providing a better link with the Royal Pavilion.
- 6.3 A new bus interchange will feature new facilities including green roofed bus shelters. Events will be sustainable running off renewably sourced energy, eliminating the need for diesel generators. A key section of the city's active and inclusive travel network will be established with walking and cycling and wheeling unimpeded with direct tree lined routes to the seafront - and traffic will continue to flow on an optimised state-of-the art junction arrangement, on the seafront and St James's Street junction. The delivery of Phase 3 will enable the benefits of Phases 1 & 2 to be fully realised, such as the completion of a central park destination and the completion of a sustainable transport corridor in the central area of the city, as well to contributing to supporting sustainable economic development.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The council has secured £6.0 million Local Growth Fund (LGF) capital funding from the Coast to Capital Local Enterprise Partnership (LEP) and has committed £1.840 million match funding consisting primarily of Local Transport Plan (LTP) capital funding and Section 106 contributions from approved developments (including Brighton Language School).
- 7.2 In February 2019 ETS Committee approved the preliminary design and delegated authority to officers to procure a single design and build contract to deliver the scheme (or individual contracts). This was subject to a third public consultation exercise to inform detailed design aspects of the scheme. However, due to further reviews that took place during 2019 before the LGF funding Agreement was signed in January 2020 and the Covid-19 impact, the public consultation was delayed and completed in late 2020.
- 7.3 As a result of the significant delay the project has been exposed to significantly longer periods of construction price increases and market volatility. The increased cost estimate spend profile set out in Appendix 2 now includes a significantly higher contingency allocation of £2.380 million.
- 7.4 Furthermore, stakeholder engagement has resulted in further commitments being made in terms of sustainable infrastructure provision, such as those for events, and the need to optimise the scheme through further design work in accordance with active travel infrastructure design guidance, which is now completed. The projects outputs and benefits have therefore significantly increased.
- 7.5 The total spend-profile requirement to deliver the project is now estimated at £12.839 million. This spend profile reflects the factors experienced during the delivery of Valley Gardens Phases 1 & 2.
- 7.6 Capital borrowing of up to £5.0 million will support the existing funding of £7.840m LGF grant, Local Transport Plan allocations and Section 106 contributions. The council will continue to explore other funding opportunities to support this project. The financing costs will be addressed through the budget setting process and reported back to Policy & Resources [P&R] Committee in February 2022.
- 7.7 The construction contract tender price will be known by early Summer 2022 following the competitive tender process is completed. The final construction contract tender cost will be reported back to this Committee and P&R Committee, with any additional funding reported into through the Capital Investment Programme and future years LTP reports.

Finance Officer Consulted: Rob Allen *Date:* 06/12/21

Legal Implications:

- 7.8 The proposed Valley Gardens Phase 3 would be constructed within the existing highway boundary.
- 7.9 The required Traffic Regulation Orders will be subject to statutory consultation and will need to come to this Committee for final decision should there be six or

more unresolved objections, or should the proposed orders be referred to Committee for decision following a “call-in”.

- 7.10 As noted in the report, any future alterations to the three bus shelters in the Old Steine will require planning permission and listed building consent.

Lawyer Consulted: Hilary Woodward

Date: 05/01/21

Equalities Implications:

- 7.11 The Valley Gardens Phase 3 Equalities Impact Assessment (EqIA) was drafted in late 2018 following workshops with the Get Involved Group (GIG) / Possability People. This EqIA was appended to the February 2019 Valley Gardens ETS Committee report.
- 7.12 In 2020 GIG/Possability People conducted an Accessibility Audit of the Phase 3 area which has been used to rectify existing conditions and to inform design matters and principles to be included in the scheme, such as removing clutter and obstruction across the existing footways. Telephone boxes that are poorly located in Phase 3 area, will be relocated, and upgraded with telecommunication systems, subject to the planning permission.
- 7.13 Wider stakeholder engagement has resulted in an uplift in the number of Blue Badge parking bays across the scheme from four in the preliminary design to eight bays in the final scheme. Appendix 3 lists the key stakeholder engagement meetings held during the schemes design including those meetings with representatives of disability groups.
- 7.14 The EqIA has been updated in accordance with the proposed Final General Highway Arrangement and will be finalised once the scheme has been constructed so that the EqIA reflects the ‘as built condition’.
- 7.15 The scheme provides an inclusive and accessible space by:
- Improving access for mobility impaired users
 - Improving access for visually impaired users
 - Providing connectivity between green / public spaces
 - Providing wide unobstructed footways where possible
 - Improving access to the seafront
 - Providing / maintaining access to essential services
 - Providing opportunities for resting and seating
 - Providing eight Blue Badge parking bays

Sustainability Implications:

- 7.16 Phase 3 will complete the Valley Gardens Project which will complete a new sustainable transport corridor for the city. Active travel network routes will be completed - and active travel choices will be supported with infrastructure that will support modal shift and reduce unnecessary private car trips.
- 7.17 Cargo bicycle access and parking will be incorporated to support the ‘last mile deliveries’ which will reduce the number of large freight vehicles entering the central city area and reduce damage to the fabric of the highway.

- 7.18 Additional bus priority lanes and updated bus interchange infrastructure with an improved pedestrian environment will improve the public transport experience. The substation will be upgraded so that diesel generators will no longer be required to run events which will reduce noise and pollution in the area – electric taxis can be charged – and Bikeshare hubs will be futureproofed for EV charging subject to how operator will provide an EV fleet.

Brexit Implications:

- 7.19 None.

Any Other Significant Implications:

Crime & Disorder Implications:

- 7.20 The scheme will make the public realm safer for all users of the public highway. The new orientation of the footways across Old Steine Gardens follow the principles of Phase 1 & 2 so that the green spaces throughout Valley Gardens draw people into them and as a result have a practical and civic sense of place. Both collectively and individually spaces will no longer be performing poorly as 'traffic islands. The spaces will be reunified with the civic fabric of the city and have a heightened sense of perceived and actual self-surveillance through increased use by more diverse groups of people. As noted in paragraph 3.7 lighting in the green areas and public spaces will be improved through a successful bid for Government Safer Streets funding grant. Lighting will be upgraded across the area generally using Phase 3 budget such as street lighting of roads.

Risk and Opportunity Management Implications:

- 7.21 A construction risk register will be developed in preparation for the procurement of a construction contract and consultants will be required to use the council risk register template. The current increases cost estimate is a key risk in terms of project delivery. The design stage risk register has been updated by the project team. The implications of not delivering Phase 3 are significant as the third phase is required for relating the benefits of Phases 1&2 which requires full connectivity for all forms of transport throughout to the seafront.

Public Health Implications:

- 7.22 Valley Gardens Phase 3 will deliver new public space which will allow for more comfortable and practical physical distancing if required in a Covid-19 or similar public health pandemic scenario – this will make the city more resilient.
- 7.23 The Phase 3 scheme will deliver an integrated, sustainable transport corridor which includes new infrastructure to support and increase active travel. Increased pedestrian and cycling movements across and through this city centre corridor are key objectives to increase positive health outcomes and to improve air quality. The scheme will include future proofing infrastructure for electric charging points for all vehicles where there is scope to do so, to promote cleaner travel.

- 7.24 A new air quality monitor has been installed in 2020 on the east side of Old Steine. The new layout accommodates direct walking and cycling infrastructure and is a sustainable baseline from which tangible improvements in public health outcomes can be achieved and sustained through the sum of the council transport and public health policy and strategy initiatives.

Corporate / Citywide Implications:

- 7.25 The Benefits Management Plan included in the publicly available Valley Gardens Stage 2 Report captures all council and stakeholder/partner service interests to ensure continuity and, wherever possible, improvements in service delivery. Scoping of a potential underground bin system pilot, is still to be determined subject to Ground Penetrating Survey results. The VG3 project team and City Clean Programme Manager will collaborate on this matter to determine feasibility. The final design will make a significant contribution to the council's Corporate Plan objective to invest in and to develop an active and sustainable travel network and a significantly more sustainable city.

SUPPORTING DOCUMENTATION

Appendices:

1. Valley Gardens Phase 3 revised scheme: General Highway Arrangement
2. Valley Gardens Phase 3 Updated Spend profile
3. Valley Gardens Phase 3 Stakeholder Engagement: Detailed design stage July 2020 – December 2021

Background Documents

1. 2013 Valley Gardens Concept Design Approved Scheme for Valley Gardens Phases 1&2 Report and minutes: June 2018 ETS Committee – Agenda item 7: Valley Gardens Phase 3
2. Valley Gardens Phase 3 - Stage 1 Report: Preliminary Design Approach (August 2018)
3. Valley Gardens Phase 3 - Stage 2: Options Development and Assessment Summary (Technical Note, Aug 2018)
4. Report and minutes: October 2018 ETS Committee – Agenda item 29: Valley Gardens Phase 3 – (Royal Pavilion to Seafront) Approval of preferred option for consultation and further development
5. Report and minutes: November 2018 ETS Committee – Agenda item 45: Valley Gardens Phase 3 – (Royal Pavilion to Seafront) Approval of outline Business case
6. Report: March 2021 ETS Committee – Agenda item 86: Valley Gardens Phase 3 progress update (public consultation results)
7. Valley Gardens Project Phase 3 – An Accessibility Audit by The Get Involved Group (GIG), Possability People November 2020 (appendix 3 of the March 2021 ETS Committee Report - Agenda Item 86)
8. Report and minutes : February 2019 ETS Committee – Agenda Item 66: Valley Gardens Phase 3 (Royal Pavilion to Seafront) Results of public consultation and approval of Final Preliminary Design

