

# Brighton & Hove City Council

## Environment, Transport & Sustainability Committee

## Agenda Item 55

**Subject:** Gardner Street and Regent Street Traffic Regulation Order

**Date of meeting:** 19<sup>th</sup> November 2022

**Report of:** Executive Director Economy, Environment & Culture

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**St Peters & North Laine Ward**

**For general release**

### **1. Purpose of the report and policy context**

1.1 The report seeks committee approval for the making of two Traffic Regulation Orders (TROs) the effect of which will be the closure of Gardner Street to vehicular traffic, except for cycles, between 11am and 5pm every day, the removal of disabled parking bays from Gardner Street and the provision of additional disabled parking bays in Regent Street

### **2. Recommendations**

2.1 That the Committee, having taken account of all duly made representations and comments, agrees that the TROs detailed below are approved and proceed to implementation stage

- Brighton & Hove (Prohibition of Driving) (Gardner Street) Order 202\* (TRO-22a-2022)
- Brighton & Hove Various Controlled Parking Zones Consolidation Order 2018 Amendment Order No.\* 202\* (TRO-22b-2022)

### **3. Context and background information**

3.1 In September & October 2021 the council engaged with residents, traders, and stakeholders by hosting online meetings following changes made as part of the Experimental Traffic Regulation Orders (ETRO) for Sydney Street and Gardner Street that were implemented in July 2020 to allow for greater social distancing during the Covid -19 pandemic.

3.2 Following this engagement process, a report was produced that highlighted concerns raised by stakeholders but recommended a review of the usage of the disabled parking bays (DPB) and consider alternative locations to improve accessibility, and further improve the street scene and help the local economy.

- 3.3 The TRO notice Appendix A TRO-22a-2022, relating to the closure of Gardner Street, and TRO -22b – 2022 relating to the relocation and provision of the DPB was published in the Argus newspaper on the 22<sup>nd</sup> July 2022 to receive representations until the 12<sup>th</sup> August 2022. The Ward Councilor's for the area were consulted, as were the statutory consultees such as the emergency services.
- 3.4 The advertised TRO has a statutory consultation process which enabled members of the public and stakeholders to comment on these proposals before any scheme is implemented.
- 3.5 Detailed plans and the TROs were available to view online Appendix B and copies of these were sent to residents and business in Gardner Street to highlight the proposed changes.
- 3.6 The proposed changes included the relocation of two time limited DPBs from Gardner Street and an additional seven DPBs in the nearest neighboring road, Regent Street. The new bays will be a minimum of 90m away from the current bays. This would allow Gardner Street to be closed to all vehicles except cycles and create a pedestrianised shopping and leisure area in Gardner Street for all users during the hours of operation.
- 3.7 The closure of Gardner Street to motorised vehicles will allow businesses to expand their outside space subject to licensing permissions. The design of outside spaces for businesses will enable the carriageway to be used as a shared space for pedestrians and cyclists. The design will ensure that there is accessible access including ensuring wider safe spaces for wheelchair users as well as pedestrians. Additional dropped kerbs will be installed to ensure that wheelchair users can access premises on either side.
- 3.8 The closure will create a pedestrianised street that will attract visitors to the area, alongside the weekday closure of Sydney Street there will be an almost car free passageway between Trafalgar Street and Church Street. Pedestrians, cyclists and wheelchair users traveling through to the Old Town and Laines will be able to avoid traffic further by using New Road. By closing the road pedestrian safety will be improved and also lead to reduced noise pollution and improve air quality in the area.
- 3.9 The closure of Gardner Street to motorized vehicles fits with the councils visions and plans including

The Council's Corporate plan

- Support and protect small businesses
- Create a healthy city
- A sustainable City
- Develop a Active and Sustainable Travel

The existing Local Transport Plan (LTP) sets out a number of key themes for the city and actively encourages model shift away from the car to Public Transport and Active Travel. Improving the urban realm for people walking

around the city and encouraging economic growth by supporting local businesses by making the city centre more vibrant and a destination.

The new updated LTP has already identified aspirations to make the city a “Liveable City” where people use Active Travel to move around and private cars are discouraged to reduce pollution and congestion making the city an attractive place to visit.

- 3.10 The proposals are not an uncommon idea and many towns and cities across the country have areas that are closed to motorized traffic, George Street in Hove is one such example where the road is predominantly retail units with residential properties above and vehicles are not allowed after 10am.
- 3.11 The Council received 185 items of correspondence to the proposals from residents, businesses, and stakeholders. This included support and objections to the proposals. Comments in support highlight the improvement the closure will bring to the environment. Comments include “Will improve the road being free of motor vehicles” “Safer spaces for all, especially children” “Excellent proposal for making walking and cycling” “Great idea for traders, visitors and locals”
- 3.12 The comments and objections are listed in Appendix C Additional comments and objections are included with the exempt category 2 report.

#### **4. Analysis and consideration of alternative options**

- 4.1 The main alternative option would be to not approve the Traffic Regulation Order for Gardner Street and leave the road with its current restrictions (Sat 10am – 7pm, Sun & Bank holidays 11 am – 5pm). This would be contrary to the wishes of the local businesses, active travel forums and others in the area who are supportive of this measure.
- 4.2 If approval is not granted, officers recommend continuing with the installation of the additional DPBs in Regent Street to create additional disabled parking provision and allow blue badge holders better access to facilities in the North Laine area.
- 4.3 Consideration has been given to retaining the two DPB’s in Gardner Street and restricting vehicle access to Blue Badge holders. This situation was trialed during the ETRO between August 2020 and September 2021. Whilst it did maintain disabled access it was noted that neither the businesses or Blue Badge holders found the restrictions useful. Blue Badge holders were not sure the road could be used so avoided it. Other vehicles including delivery drivers regularly abused the restrictions by driving in and stopping to unload. As the carriageway had to be kept clear businesses were unable to expand their outside areas.
- 4.4 Consideration has been given to relocating the DPB’s to a nearer location. Given the high density of businesses and residents in the area coupled with narrow streets there are no nearer suitable locations than those proposed.

Officers considers sites including Upper Gardner Street, North Road and Church Street.

- 4.5 Consideration was also given to structural design changes to the entrance and exits of Gardener Street. Again give the relatively narrow nature of the street there is not room to create a safe space for vehicles to stop.
- 4.6 The initial advertised TRO proposed a 11am-7pm closure, following feedback from stakeholders this time has been reduced to 11-5pm to allow more time for local residents to access the street.
- 4.7 The final option is doing nothing which would mean neither of the proposals would be taken forward

## **5. Community engagement and consultation**

- 5.1 Consultation took place following recent changes made on a traffic regulation order the comments and wishes of the respondents were taken into account when considering what changes would best meet the needs of the local population. Engagement with a wide range of residents, businesses and stakeholders has been built into the process from the start and this shown that there was general support for change and the closures were welcomed during the lockdown.
- 5.2 Comments received to the TROs highlight concerns from blue badge holders who use the DPBs for appointments and leisure activities, they would no longer be able to access these during the hours of restriction.
- 5.3 Further discussions following the advertisement of the TRO have taken place with stakeholders and residents. This discussions have included the details of the closure and the impact on the residents.
- 5.4 The two DPBs located in Gardner Street are for general use and time limited to 3 hours maximum stay for any blue badge holder and are not allocated to any one individual. The DPB policy agreed by members states that provision of a residential DPB would require a vehicle to be registered to the applicant's property in order for a space to be installed nearby.
- 5.5 The use and analysis of data and engagement has informed the project to ensure it meets the needs of the local population. The proposed measures will be of benefit to many pedestrians and road users.

## **6. Conclusion**

- 6.1 Following the TRO consultation 185 comments received has outlined that the road closure scheme is generally supported, 75 object to the proposals and 115 comments for support and after reviewing the comments it is recommended to proceed with the closure of Gardner Street except to pedestrians and cyclists; (11am – 5 pm every day).

- 6.2 The creation of additional seven DPBs in Regent Street will ensure more accessibility for blue badge holders in the North Laine area. The removal of double yellow lines and creation of these DPBs will make it an offence for delivery drivers to load and unload in these dedicated spaces. Local deliveries which currently use the double yellow lines for deliveries prevent blue badge holders from parking on these double yellow lines. The proposed time limited DPBs in Regent Street will also generate a turnover of use for all blue badge holders visiting the area.
- 6.3 It is also recommended that any requests for minor design amendments deemed appropriate by officers are added to the proposed scheme during implementation and advertised as an amendment Traffic Regulation Order.

## **7. Financial implications**

- 7.1 The recommendation to approve the Traffic Regulation Orders would result in minor signage, road lining costs, new dropped kerbs and removal of street clutter. The costs of these changes estimated at less than £0.010m would be funded by existing budgets for the Local Transport Plan. Officer time associated with the TROs will be contained within existing budgets. Any significant variations to budget will be reported as part of the council's monthly budget monitoring process.

Name of finance officer consulted: John Lack Date consulted (06/09/2022):

## **8. Legal implications**

- 8.1 The Council regulates traffic by means of orders made under the Road Traffic Regulation Act 1984. The procedure for making such orders is contained in the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 which require public notice of proposed orders to be given and for the relevant documents to be placed on deposit for public inspection. Any person may object to the making of an order.

The Council's Constitution provides that decisions on TROs are made by Environment, Transport & Sustainability Committee where there are either six or more unresolved objections or the matter has been called in.

Name of lawyer consulted: Hilary Woodward Date consulted (22/08/2022):

## **9. Equalities implication**

- 9.1 An Equalities Impact Assessment has been carried out appendix D

## **10. Sustainability implications**

- 10.1 There are no Sustainability implications.

## **11. Other Implications**

## **Social Value and procurement implications**

11.1 There are no social value and procurement implications

### **Crime & disorder implications:**

11.2 There are no crime & disorder implications

### **Public health implications:**

11.3 There are no public health implications

## **Supporting Documentation**

### **1. Appendices**

1. Appendix A – TRO Notice
  2. Appendix B – TRO Plan
  3. Appendix C – TRO comments received
  4. Appendix D – Equalities impact assessment
2. Gardner Street and Regent Street Traffic Regulation Order Exempt category 2 report (copy circulated to Members only).