

Brighton & Hove City Council
Environment, Transport & Sustainability Committee

4.00pm 15 November 2022

Council Chamber, Hove Town Hall

Minutes

Present: Councillor Davis (Joint Chair), Hills (Joint Chair), Lloyd (Deputy Chair), Platts (Joint Opposition Spokesperson), Wilkinson (Joint Opposition Spokesperson), Nemeth (Group Spokesperson), Appich, Bagaeen, Heley and O'Quinn

Part One

36 PROCEDURAL BUSINESS

36(a) Declarations of substitutes

36.1 Councillor Appich was present as substitute for Councillor McIntosh.

36.2 Councillor O'Quinn was present as substitute for Councillor Fowler.

36(b) Declarations of interest

36.3 Councillor Platts declared a non-pecuniary interest on matters relating to public conveniences as an Ambassador and Event Director of Parkrun.

36.4 Councillor Hills declared a non-pecuniary interest on matters relating to the Hanover & Tarner Low Traffic Neighbourhood she lived on a street in the proposed scheme area.

36(c) Exclusion of press and public

36.5 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).

36.6 **Resolved-** That the press and public be excluded from the meeting during consideration of the items listed as confidential on the agenda.

37 MINUTES

37.1 **Resolved-** That the minutes of the previous meeting be approved as the correct record.

38 CHAIRS COMMUNICATIONS**38.1** The Chair provided the following communications:

“As always, it’s been a busy time since the last meeting of this committee in September as our packed agenda shows. Alongside all of this work we have been working closely with officers to understand the impact of yet more government cuts as we head towards 13 years of austerity

Years of government cuts to our funding has meant that we continue to have to make difficult decisions on services and look at alternative ways to fund many of our projects. This has a real impact on the offer we are able to provide to our city and make no mistake this is nothing short of a controlled demolition of public services.

In the last decade alone Conservative cuts have been responsible for- over 800 libraries have had to close, spending on youth services in England and Wales has been cut by 70% in real terms, 600 public toilets have closed. In Brighton & Hove we have had to close more than usual over winter. However, I am delighted that the toilet Refurbishment Programme will commence on Monday 28 November. The works will take place across all sites at the same time – Station Road (Portslade), Kings Esplanade, Daltons and Saltdean Undercliff.

On the agenda today is the part pedestrianisation of Gardner Street, this is an exciting project which has received support from businesses and residents alike. I am however aware that there are some concerns raised by disability rights organisations demonstrated by the deputation today. I, like the council officers, take these concerns extremely seriously which is why I and Council Leader MacCafferty met with BADGE this morning just yesterday. I look forward to further debate on this later today.

I’d like to thank officers for their quick work in bringing a report to this committee proposing a ban on pavement parking on Elm Grove. I asked for this back in June and, given how busy they are, I’m very grateful they’ve been able to act so swiftly to bring this forward. This ban, if supported by committee today will end a problem that has plighted residents on that road for many years and give us the blueprint of how to bring it to other parts of the city.

While thanking officers for their speed, I think it is important to note the huge strain they are under. Public servants who have joined the council to support the development of the city are being put under huge pressure as a result of Conservative government cuts. However, I must also raise the impact that councillors make in this room. Officers have brought 146 reports to this committee over the past two years, which are constantly delivering on the council’s corporate plan. Each report costs the council up to £1500 to produce in officer time and this doesn’t take into account the cost of subsequent delivery of what this committee has approved. The call for up to five reports at every ETS committee and a total of 36 reports has led to a backlog of 22 “called for” reports which will take around 330 hours of officer time to prepare – this is not possible to resource in the next 12 months within our budget constraints and on top of delivering the corporate plan priorities. There are a number of amendments and NOM’s today which call for more reports and I would urge council members to consider the impact on Council resources when taking such votes.

Since the last meeting of this committee, our City Clean teams removed 18 tonnes of rubbish, silt and fly tipping from the A27. It’s a timely reminder that keeping verges clean and litter free is everyone’s responsibility.

Finally, I'm pleased to say that we'll also be presented with an Air Quality Action Plan for the city with bold and ambitious targets designed to improve the quality of air we breathe and the health of the people who live in Brighton & Hove. The health and wellbeing of our residents is our main concern, and I am delighted that to bring this report today".

The committee held a moments applause in memory of Councillor Peltzer Dunn.

39 CALL OVER

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

- Item 48: Tree Planting: outcome of consultation
- Item 49: Air Quality Action Plan 2022 consultation results
- Item 50: Elm Grove Pavement Parking Ban
- Item 51: Pedestrian Crossing Priority Programme
- Item 53: Cycle Hangars TRO-21-2022
- Item 55: Gardener Street and Regent Street Traffic Regulation Order

39.2 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 43: Regulatory Services Enforcement Policies
- Item 44: Response to Notice of Motion- Victoria Fountain
- Item 45: Outcomes of environmental enforcement consultations
- Item 46: City Environment Improvement Programme Update
- Item 47: Litter on A27: Response to Notice of Motion
- Item 52: Highway Regulation policies (traffic management)
- Item 54: Real time Passenger Information System

40 PUBLIC INVOLVEMENT

(A) Petitions

(1) Stop Coffee Roastery Pollution in North Laine

40.1 The Committee considered a petition signed by 50 people requesting Council to curb the smoke and noise pollution emanating from a coffee shop located on Sydney Street, Brighton.

40.2 The Chair provided the following response:

"Environmental Health have received complaints from nearby residents of intermittent noise and odour from the Coffee Roasters which have been extensively investigated by the Environmental Protection team. A Statutory Nuisance was not substantiated by officers, however the business has voluntarily invested in abatement equipment to attempt to rectify the reported adverse impacts of their operation. This has included installing an afterburner and a silencer. However, it appears that there is still some residual odour escape at the rear of the premises and the premises management have been contacted this week about their proposed solution.

Planning Permission (BH2019/03013) was granted for a rear exaction flue on 28h November 2019. The planning decision included consideration of comments made by Environmental Health and summarised in the officer report (available online.) A planning enforcement investigation has established that the flue has been installed in a position approximately 1m different from the approved drawing. Whilst this is a technical breach, it would be regularised (in planning terms) through a minor variation to the approved scheme. It is not therefore considered expedient to require that action in this instance. There are no other known breaches of the approved scheme granted permission”.

40.3 **Resolved-** That the committee note the petition.

(2) Controlled parking for Woodland Way and the top of Peacock Lane

40.4 The Committee considered a petition signed by 94 requesting an extension to the Surrenden light touch scheme to include Woodland Way and the top of Peacock Lane or implement a new controlled parking scheme in this area.

40.5 The Chair provided the following response:

“Thank you for your petition. In order to consider reconsulting these two roads for a residents parking scheme, strong support needs to be shown by residents not only in these roads but the wider area. This would be considered when our next parking scheme priority timetable is agreed at the Environment Transport & Sustainability Committee. Our current timetable goes up to 2025.

As parking schemes for individual roads are not considered as viable solutions, we would advise that residents submit an area wide petition. This is how we gauge the strength of feeling for a scheme and which areas would like to be included We have asked colleagues in the City Parks team to review the website reference to parking in Woodland Way”.

40.6 **Resolved-** That the committee note the petition.

(B) Public Questions

(1) Traffic Data

40.7 Katia Toy put the following question:

“In East Oxford the traffic data used to justify the LTN were incorrect the DFT has admitted. In London where figures suggested an almost 60% or 72% rise in minor and smallest residents roads based on traffic between 2009 to 2019.

These figures were over-counted. New reviews showed no increase over the last 10 years. Some LTN were then removed.

How has the traffic data for Hanover been calculated and can it justify the LTN. Can we have this data reviewed?”

40.8 The Chair provided the following reply:

“Thank you for your question, Katia. The baseline data that has been collected to help develop the preliminary design for the Hanover and Tarner area has been gathered together in a report. It contains a variety of information such as traffic flows and through traffic, driver speeds, and collision data. Data about cycle flows, air quality and noise levels are also included. The information has been collected in a variety of ways such as automatic traffic counters and cameras, as well as analysing other datasets. The data has been used alongside the information that people have provided through a series of engagement activities to help develop the design that has recently been consulted on. A copy of the report can be sent to you if you would like to see one”.

40.9 In response to the supplementary question, the Chair provided the following reply in writing:

“I appreciate your concerns about the reports of the analysis of historic government (Department for Transport [DfT]) data which produced an inaccurate, national estimate for increases in traffic between 2009 and 2019 on minor roads. I can confirm that, as in Oxfordshire, the reported (incorrect) increase based on the DfT’s data was not a key influence in the committee decision to develop and implement the pilot project for Hanover & Tarner. This was initially based on a representation from members of the local community and the subsequent work has been further informed by the data included in the baseline report that has been sent to you, which includes information about driver speeds and collisions, in addition to recent, local traffic flows and through traffic”.

(2) Traffic

40.10 Michael Letton read the following question:

“Surveys over 7 days show that there is negligible westbound traffic at school access time. A door to door poll shows that most residents of Bankside and Barn Rise oppose the eastbound [full-time, 24/7] one-way imposition, which will displace their enforced westbound journeys onto Dene Vale Mill Rise and Bankside. This will only inconvenience residents, will not comply with aims of “School Streets”, and will increase congestion and pollution in Dene Vale and Mill Rise, particularly around the new pinchpoint near Ascension Church. It is wholly counterproductive and pointless. Will BHCC please remove this imposition?”

40.11 The Chair provided the following reply:

“This Committee approved the School Streets programme and the criteria assessment in September 2021. The concept design for a School Street at Westdene Primary School underwent a six-week public consultation in October 2021. This design option included the proposed configuration of the one-way traffic management on Bankside and Barn Rise. The scheme design received support from the school and generally positive overall support during consultations to proceed. Following the consultation period, the range of suggestions for changes to the design that were expressed during the consultation, were considered and where deemed appropriate and safe, incorporated into the final design.

Owing to the range of views expressed throughout consultation feedback, the Council has proceeded with installation of the scheme on an Experimental Traffic Regulation

Order. This ETRO came into force in November, and the comment period will be in effect for six months. This provides an opportunity for comment to be submitted on the scheme, with the measures in-situ, through the ETRO. After the ETRO phase ends in April 2023, comments and objections received through the ETRO will be reported back to ETS Committee, for members of Committee to decide whether the scheme should be made permanent, removed or adjusted.

It would therefore not be appropriate at this stage in the process to fundamentally alter the design, or further postpone its implementation”.

40.12 In response to the supplementary question, the Chair provided the following reply:

“I appreciate your concerns and appreciate your suggestions and what I think is best to do here is feed this into the ETRO period where we can listen to your objections and comments and hopefully make the scheme even better than it hopefully will be”.

(3) Cycle Hangars

40.13 Janice Goodlet read the following question:

“Why are bike hangars being placed outside of the homes of residents who are never likely to use them?”

40.14 The Chair provided the following reply:

Cycle hangars are proposed on roads that were requested in the survey last year, which asked for residents to suggest suitable locations. The roads requested in the survey were then scored against a set criteria and assessed by officers. The technical feasibility is also determined on site by engineers and the contractors Falco. Of the 60 hangars that we have installed, providing 360 secure cycle parking spaces for residents, 353 spaces have so far been booked, with a waiting lists for spaces totalling around 460. Therefore usage is expected to be high. They are not being placed solely for the use of residents whose properties they are installed outside of. Various technicalities are considered when choosing locations including drainage, street furniture and the camber of the road”.

40.15 In response to the supplementary question, the Chair provided the following reply:

“There is an amendment on the agenda about this location and we will see how that is considered”.

(4) Cycle Hangars

40.16 Laura King read the following question:

“Can you please advise what legal implications were considered during the full process of consideration through to site location of cycle hangars in Brighton and Hove?”

40.17 The Chair provided the following reply:

“The Hangers are installed by the Highway Authority who have powers to manage the network appropriately. The relevant legal jurisdiction is the Highways Act 1980 and the Traffic Regulation Order process”.

40.18 In response to the supplementary question, the Chair provided the following reply in writing:

“The permanent Traffic Regulation Order (TRO) process was followed for TRO-21a-2022. The legal requirements for a permanent Traffic Regulation Order are: A notice in the local paper, documents available to view on the Brighton & Hove Council website TRO page, and consultation with the Police, other emergency services, Road Haulage Association, Freight Transport Association. For the cycle hangar project, officers are also posting notices on the street where cycle hangars are being proposed and writing to the residents within view of proposed locations to give them the TRO details.

Funding for the cycle hangars project was agreed at Budget Council on 25th February 2021. This funding was subsequently included in the Local Transport Plan Programme at Environment, Transport & Sustainability Committee in March 2021 and again at the February 2022 Budget Council.

The Procurement Advisory Board approved the Cycle Hangars – Supply and management/maintenance report on 26th July 2021 and a business case for the project was signed off by the Assistant Director of City Transport.

Further information can be found in the report that was approved at the ETS committee on 15th November, or in the relevant appendices of that report which is posted on the Council website.

The 60 cycle hangars that have so far been installed as part of the project provide 360 spaces for residents to park their bicycles near their homes. 346 spaces have been booked and there are waiting lists for spaces totalling 461 residents. Therefore, the Council would not wish to remove this provision for residents”.

(5) Freshfield Road crossing

40.19 Mark Strong read the following question:

“For many years Queens Park residents have called for the Freshfield Rd crossing by Cuthbert Road to be improved. It’s used by many families travelling to & from St Lukes School and Queens Park itself. The local Speedwatch group has shown that speeding is a significant problem with speeds up to 50mph. The council’s assessment ranks it 18th based on a combination of incorrect information (it was first requested some 10 years ago, not in 2021/22) and an outdated methodology from 2011. Will the Co-Chairs agree to meet me on site as a precursor to re-examining the crossing in detail?”

40.20 The Chair provided the following reply:

“Thank you for your question Mark. I know the local Speedwatch group has done a lot of work over the years and would like to thank them for this.

However, in relation to the crossing request, I do need to highlight that our latest speed survey taken near Dawson Terrace, but picking up vehicles near to Cuthbert Road/Queens Park Terrace, shows that the average speed of vehicles is just under

20mph. Community Speedwatch record the vehicles going over the limit so it is not as complete as our data and explains the difference you are referring to.

The 2021/22 review is referring to a reassessment of the request, rather than the original one, and using the council's approved assessment methodology. It is currently at 18 on the priority list and I'm afraid, as a result, we have other sites to progress ahead of this.

However, given the concerns over this specific location and the work undertaken by Speedwatch, I would be interested in meeting you on site with one of the Council's transport officers to discuss this in more detail".

40.21 In response to the supplementary question, the Chair provided the following reply:

"We can start the discussion when we meet on site".

(6) Street furniture

40.22 Councillor Fishleigh read the following question on behalf of Derek Wright:

"Would the council consider : An incentive scheme for street cleaners and waste collecting teams to report any tagging stickers and fly posting on street furniture when they see it. Or train street cleaners and provide them with equipment /cleaning products and gloves to clean off tagging/stickers/posters of street furniture? They can keep track and would get rewarded for every report that gets actioned".

40.23 The Chair provided the following reply:

"Thank you for your suggestion and your question. Street Cleansing Operatives undertake several tasks as part of their daily routine. This includes sweeping litter from the streets, weeding and removing stickers and fly-posters as and when they see them. Because of the vast space they cover each day, its not always possible to remove every bit every time. Therefore, in recent years, there have been dedicated deep cleaning weeks to remove all stickers from street furniture in a given area.

It's also part of the reason we're looking to adopt a different enforcement approach to flyposting and stickering, which is on today's agenda.

Cityclean has a dedicated graffiti removal team who are trained to use the appropriate chemicals and are provided with PPE. They clear graffiti from public property across the city. When graffiti is reported on a commercial property, our Environmental Enforcement Team will write to the business asking them to remove it.

There is an expectation that staff working in the field report damage and vandalism as part of their role, and this is the normal practice. However as above, resources don't always allow us to deal with the issue immediately. Further to this Local Authorities are not permitted to offer staff performance incentives or bonuses".

(C) Deputations

(1) TRO-22a-2022 and TRO-22bO-2022

40.24 The Committee considered a deputation objecting to TRO-22a-2022 and TRO-22bO-2022 for reasons of accessibility.

40.25 The Chair provided the following response:

“Thank you for your deputation regarding the proposal to close Gardner Street to vehicles for part of the day. A report is being presented to this committee when members will be able to debate the recommendations. The report explains the consultation and engagement undertaken by Council Officers and includes details of proposed mitigation measures”.

40.26 **Resolved-** That the committee note the deputation.

(2) Hove Waste recycling site

40.27 The Committee considered a deputation objecting to noise and pollution emanating from Hove Waste recycling site and impacting local residents.

40.28 The Chair provided the following response:

“Household Waste Recycling Sites, or tips as many of us know them, play a vital role in serving local communities. Providing residents with these facilities means they are able to dispose of a range of materials that would otherwise end up being sent to energy recovery or to landfill or get fly-tipped. In a climate crisis, it is vitally important that we reuse and recycle as much as possible.

The facility at Hove forms a key part of local operations for Brighton & Hove. Veolia, who operate the site on behalf of the council, operate under a permit and work closely with East Sussex County Council, Brighton & Hove City Council, and the Environment Agency to ensure compliance with every aspect of that permit and their contractual requirements. They also endeavour to be good neighbours to those in the communities that are served.

Veolia, East Sussex County Council and Brighton & Hove City Council are aware of the concerns raised within the deputation and have taken steps to address the concerns raised by local residents. Whilst Veolia is confident that any risk to its neighbours is effectively managed and that the operations at the site comply with its legal obligations under the environmental permit, they have proactively invested over £30,000 in recent years to further reduce the risk of any amenity issues to sensitive receptors. However, the reality is this site remains an operational site collecting waste from across the city.

The most recent visit from the Environment Agency was on 4 October 2022. Their summary was: "Overall the site was well organised, tidy and well managed at the time of the visit. No breaches found on visit".

East Sussex County Council, who manage the contract, have carried out nine inspections in 2022, the most recent being 6th September, 12th September and 3rd October. None of these inspections recorded flies or other pests as being on site. Furthermore, the last routine visit from Veolia's retained pest contractor demonstrated no issues or concerns with regards to flies.

A new deodorizer system has been installed to all the doors of the Transfer Station building to help prevent any potential odours from escaping the building when a vehicle enters or exits. The Environment Agency recognised this from their latest inspection report stating that: "The dust and odour suppression system was seen working regularly and when doors were opened".

Fly fogging is on a four-weekly treatment cycle for the winter months which will be adjusted as the spring and summer approaches, or if the pest controller recommends as such.

There are two acoustic fences backing onto residents' gardens to reduce noise. There have been recent changes to the operating hours of the HWRS which were agreed by the council's Planning Committee. This enabled Veolia to operate from 7am. Following complaints from a resident, the council contacted Veolia. The HWRS Manager stated that vehicle movements are kept low between 7am and 8am, with one or two each morning. These movements are to remove waste as quickly as possible from the site to help with any possible odour issues. Vehicle and mobile plant operational hours will change in March 2023 to:

- 0800 to 1700 hours, Monday to Friday
- 0800 to 1300 hours on Saturdays
- and not at any time on Sundays or Bank Holidays.

Veolia has previously offered for proximate residents to visit to see what happens on site and this offer remains open. Furthermore, Veolia's pest control contractor is available to visit those residents, at Veolia's cost, to allay concerns regarding flies emanating from the site. It is worth noting that one of the residents behind the site keeps poultry and that the fly fogging trap at this specific house exhibits significant fly activity.

Residents have also been advised to contact the council's Environmental Health & Licensing Team with their concerns to arrange for an independent view of the concerns raised. To date, this has not been followed up.

The HWRS site is a very popular and convenient site for residents. In a recent Customer Satisfaction survey, 98% of respondents said they were satisfied with the site with 97% of respondents saying they were satisfied with the cleanliness of the site. 68% said they were very satisfied with the cleanliness of the site.

The site has a long history as a Waste site, serving the residents of Hove. The land was acquired in 1920 for the purpose of house refuse and disposal. The introduction of the contract with Veolia saw the creation of the Hollingdean Transfer Station. This removed the majority of black bag waste out of Hove and to Hollingdean. Before this, all Hove refuse was taken to the Hove HWRS, so this has been a big improvement for residents. There are extremely few alternative Waste sites available within Brighton & Hove so relocating elsewhere would be virtually impossible, even in the medium term.

East Sussex County Council continue to monitor the site but currently have no concerns and are satisfied that Veolia are doing an excellent job in its day-to-day operation of the site. The most recent Environment Agency report supports this".

40.29 Councillor Nemeth moved a motion to request an officer report on the matter.

40.30 Councillor Bagaeen formally seconded the motion.

40.31 The Chair put the motion to the vote that failed.

40.32 **Resolved-** That the committee note the deputation.

(3) Gardner Street

40.33 The Committee considered a deputation in support of the closure of Gardner Street to traffic.

40.34 The Chair provided the following response:

“Thank you for your deputation in support of the proposed Gardner Street closure. A report is being presented at this committee when members will be able to debate the recommendations. If the recommendation to close the road to traffic is approved Highway Enforcement officers will work with the businesses to redesign their outside spaces and ensure that a wide clear safe space is maintained for pedestrians, wheelchairs users and cyclists”.

40.35 **Resolved-** That the committee note the deputation.

41 ITEMS REFERRED FROM COUNCIL

(A) Petitions

(1) Speed bumps on Mile Oak Road

41.1 The Committee considered a petition signed by 24 people and referred from the previous Public Engagement Meeting requesting the council put speed bumps on Mile Oak Road to reduce speeding.

41.2 The Chair provided the following response:

“Thank you for organising the petition and I’m sorry to hear about the loss of family pets. In the past some Local Authorities, including Brighton & Hove City Council, did invest significant sums on large scale traffic calming schemes in an attempt to reduce collisions and the severity of any collisions. Whilst this programme had been successful in many cases the cost to others was not really factored in. This cost was widespread to others including those with disabilities such as neck or back problems either driving, being driven or on public transport experiencing more suffering and the emergency services whose response time are adversely affected negotiating speed tables or humps. The cost of installing and maintaining these measures was also significant and along with other councils we used to spend large amounts on these schemes, however, most of this funding was provided by central government and this money is no longer available to us.

These schemes were prioritised using collision figures that are provided by the Police so the schemes were targeted at areas or single roads that had a high number of collisions that were causing injuries, especially to pedestrians. I am pleased to say that this part of Mile Oak Road has been checked and it has been found that in the past three years there have been no injuries caused by collisions. We know that losing a pet is very traumatic, but I am sorry we cannot take injuries to animals into account as these are not recorded”.

41.3 Councillor Wilkinson moved a motion to request an officer report on the matter.

41.4 Councillor Platts formally seconded the motion.

41.5 The Chair put the motion to the vote that failed.

41.6 **Resolved-** That the committee note the petition.

(2) Stop juggernauts using residential roads for driver training in Hangleton Valley

41.7 The Committee considered a petition referred from the previous Public Engagement Meeting requesting the council put in place measures to stop HGV's using Hangleton Valley.

41.8 The Chair provided the following response:

"I certainly agree this is not acceptable and the only HGV's using the area should do so for legitimate reasons. It is actually a difficult issue to deal with as there are limited options available for the council to use to try and stop this practise. While HGV restrictions could be implemented they require significant work and would require lots of signing on all of the entry roads to achieve full coverage. The second issue is that the Police are responsible for enforcing any such bans and they generally treat traffic offences as a low priority and are actually difficult to enforce as many HGV's will have a legitimate need to enter the area. They may be servicing shops, schools or businesses for example.

I have stated previously that any information on the actual companies involved would be extremely helpful and I can then arrange for an officer to contact the companies to try and stop this practise. This would be my first recommendation rather than going through the expensive and challenging process of trying to ban them when the actual impact will be limited. As I have stated previously it is likely they would just ignore any such ban".

41.9 The Chair proposed a motion to request an officer report on the matter that was agreed by the committee.

41.10 **Resolved-** That the committee receive an officer report responding to the matter.

42 MEMBER INVOLVEMENT

(B) Member Questions

(1) Blocked drain gullies

42.1 Councillor Bagaen read the following question:

"Residents of Goldstone Close are at their wits end after recurrent flooding on their street due to blocked drain gullies.

One resident says they have emailed the council ten times in three years but that the council is not doing anything about it and 'never clear the drains'. There are many pensioners on the street who are upset about the situation.

I understand that under the Council's drain gullies policy (risk-based approach) the Council only clears gullies that it has identified and categorised as 'highest risk' of flooding.

Can the Chair advise how many drain gullies have been assessed as highest risk under the Council's policy and whether Goldstone Close is one of them?"

42.2 The Chair provided the following reply:

“The council clean all its 20,000 gullies across the city on a cyclical basis using a risk based approach. The aim is to empty and cleanse all of them at least every 18 months and the majority at least once a year. With the impacts of climate change this is having an increasing impact on our resources as rainfall is of a higher intensity and duration so we are looking at a future programme that may require additional funding. The team identifies silt levels in the gully’s each time they are cleansed and those that constantly fill to high levels are added to an ad hoc jetting list. Therefore, the numbers on the list constantly change as once they have been cleared, they often can be moved back to the longer list and I can confirm that Goldstone Close is not on the highest risk. Inspections have confirmed that the road suffers from leaf fall and that is why some ponding occurs and particularly due to high rain fall that unfortunately led to the resident’s garages being flooded. The service will be working closely with City clean to try and tackle the leaf fall”.

(2) Park & Ride

42.3 Councillor Wilkinson read the following question:

“At the June ETS committee I asked the Chair why the Park & Ride feasibility study work that was agreed in 2021 had not begun yet and when will it.

In replying, the co-chair of the ETS Committee said, ‘the funding available for this work remains allocated to it, but not yet begun owing to officer commitments on other projects and the need to locate and retrieve information on the previous work on possible Park & Ride Sites’ and that ‘the study should be completed before the end of 2022’.

The administration has often said it does not support a Park and Ride scheme but In light of the fact that a feasibility study was asked for last year and funds secured for it, can the Co-Chairs of the ETS committee please provide an update on its progress, and confirm that this study will be completed by the end of 2022?”

42.4 Councillor Wilkinson put the following supplementary question:

“How can we be serious about reaching carbon net zero by 2030 if we can’t even get on with a Park & Ride feasibility study. Given that the Climate Assembly had a Park & Ride in its top ten recommendations, does the Chair share the Labour Groups concerns that this is a can that seems to be kicked down the road?”

42.5 The Chair provided the following reply:

“I’m casting my mind back to June and I probably replied with a similar answer. You are right that Park & Ride isn’t in our manifesto, and we don’t support it for the reasons I outlined in June. I genuinely apologise that it has taken so long but it has as you know been an incredibly difficult year financially and for officer time. I will reply with the same answer I used in June that previous to this Green Administration, you had a year in Administration and previous to that you had four years in Administration to bring forward something like this. So yes of course we want to get to carbon neutrality and we are trying our best. And once again, I apologise that it has been delayed until the New Year”.

(3) Outstanding Reports

42.6 Councillor Platts read the following question:

“A number of residents’ groups have taken the time and trouble to come to ETS committee to express their concerns about road safety, including requests for speed reduction and crossings. The Class Divide campaign have made several representations on behalf of a disadvantaged community to get better transport to schools as there is no local secondary school in Whitehawk. The Labour Group have supported all of these requests by asking for reports, so that progress can be made. Coming to Committee is an essential part of the democratic process to ensure local people’s voices are heard. Our communities need to be listened to but the vague response we have received to date demonstrate a lack of commitment and suggests that the Administration do not respect the requests that are being made by local people. Some people just feel ignored. To show that the Administration is taking local people’s requests seriously, please can the Co-Chairs of ETS publish a date by when a schedule of all outstanding reports will be provided to ETS Committee?”

42.7 The Chair provided the following reply:

“Thank you for your question. Please let me reassure you and residents groups that the administration is fully committed to improving the City’s Transport Network as well as Road Safety for all its residents. This is clearly evident in the fact that we are currently embarking on the biggest transport investment programme for a generation. For example, following on from the recently completed Valley Gardens Phases 1 & 2 we are soon to begin work on Phase 3. Officers are also working hard on major improvements to Western Road, the A259 Western phase 2 Cycle Lane and the A23 Cycle Lane as well as new proposals for Marine Parade, the Low Traffic Neighbourhood in Hanover & Turner, feasibility work on the Mini-Holland project in Hove, the Liveable City Centre Project, the Cycle Hanger project, The Ultra-Low Emission Zone, a new Bike Share including 60% e-bikes, pedestrian improvements to Hove Station; the £28 million of investment for improving public transport, including new bus services as part of the BISIP project and the rights of way improvements in Happy Valley. Work is also on going in key areas such as the School Streets programme. The pedestrian network improvement programme is presented at this committee. There is also work to improve road safety with schemes being developed at Trafalgar Street, Wilson Avenue and Hove Park Road. There is also good progress being made on the implementation of new accessible bus stops across the city and dropped kerbs and on-street cycle parking. Officers are doing their very best and in terms of the specific requests on Road Safety and general speed related concerns that have been brought to committee such as Reigate Road, Portland Road, Beaconsfield Road, Marion Road, Upper North Street, Shirley Drive and Bexhill Road, these will be combined into a future report that is currently scheduled for the new year and likely coming to January ETS Committee. Officers have brought 146 reports to this committee over the past two years, which are constantly delivering on the council’s corporate plan. A corporate plan which the Labour Group voted for in 2019. Each of the reports to this committee takes between 10 and 15 hours of officer time to prepare, review and finalise. The call for up to five reports at every ETS committee and a total of 36 reports has led to a backlog of 22 “called for” reports which will take around 330 hours of officer time to prepare – this is not possible

to resource in the next 12 months within our budget constraints and on top of delivering the corporate plan priorities.

Members of this committee to asked to recognise that it would be an effective use of officer time to prioritise what is listed on the backlog of “called for” reports to enable issues of greatest importance for residents to benefit from officer time and attention. We should be mindful of the wellbeing of officers and recognise the number of transport schemes already underway across the city. A list of “called for” reports has previously been provided to the Opposition Spokespersons and will be provided again by the end of November”.

42.8 Councillor Platts commented that it was Members democratic right to bring questions to committee to obtain clarification.

42.9 The Chair replied:

“And I would agree and I’m sorry if you think I’m lecturing and I’m sorry if my tone came across like that. I’m just trying to be pragmatic about this and we genuinely are. We’ve got a long list that we’re trying diligently to work through”.

(4) Bikeshare Scheme

42.10 Councillor Appich read the following question:

“Many of us use and love the Brighton BikeShare scheme so we were shocked and disappointed to hear the scheme will be paused for several months. It is also concerning that this issue wasn’t brought before this Committee before being publicised in local press. In fact, Councillors got only 8 minutes notice of the matter before a press release was issued. Can the administration explain who made the decision to pause including which councillors were consulted, what alternatives were considered and what impacts assessments were taken into account?”

42.11 The Chair provided the following reply:

“Thank you for your question. The decision was made because the bikes are not in good condition after five years on the streets, and the poor strength of Vodafone’s 3G signal has led to a backlog of repairs and a drop in bike availability. These factors mean it is not possible to continue providing a reasonable service.

The decision is intended to prioritise the customers and staff by a giving a clear two-month advance warning of the winter service suspension. The other alternatives explored were either financially unviable or would have led to greater customer inconvenience and risk as bike availability and quality continued to decline.

The problems with the 3G signal emerged in May following the switch over to Vodafone SIMs in every bike controller in late April. The Operator was unable to resolve the matter with Vodafone between June and July, and in August the Council’s Chief Executive wrote to the CEO of the telecom provider requesting a discussion on local 3G signal issues impacting on the scheme.

The issue was also raised publicly on the 24th of August when the Operator made an online statement to customers acknowledging ongoing technical issues, explaining what they were doing to resolve these, and offering advice on how to optimise their chances of finding a bike to hire.

The Chief Executive's letter received no response from the telecom provider, and in late-October the decision was made to withdraw the fleet. The decision was taken by the Executive Director with the support of the Administration.

The technical alternatives considered included switching the system to another telecom provider, using a multi-SIM telecom solution, and replacing all controller hardware to make the system 4G compatible, all of which proved unviable for a fleet coming to the end of its five-year street life because of the large costs involved

Operational alternatives such as a reduced repair and redistribution service or smaller hire area were also considered but rejected because the impact on revenue over winter would not cover unavoidable operational costs while the declining quality and number of available bikes could put customers at risk and put them off using the reorganised scheme.

The proposal for a free system open to everyone was ruled out because of the insurance risk to the Council and safety concerns around the riding of un-serviced bikes, potential obstructions to footways and roads, and an increase in vandalism.

We expect to make an announcement on the reorganised scheme very soon and before the current scheme is suspended. Customers can look forward to a city-wide scheme with more docking stations and a bigger fleet that will be 60% electric, as well as other innovations".

42.12 Councillor Appich read the following supplementary question:

"When a new scheme is presented, will we be considering local community enterprise organisations as providers, what will happen to existing hubs, particularly those that are in more accessible areas and whether we are going to improve outlying area accessibility as part of the new scheme?"

42.13 The Chair provided the following written response:

"The bidding process has already taken place and a preferred bidder has been engaged.

Bidder information days took place last autumn, and feedback from these was used to finalise the contract specifications. The tender was advertised in May 2022 via the Southeast Shared Services procurement portal and was open to any potential bidders. Bid assessments took place during June and July. The preferred bidder and all unsuccessful bidders received letters on 22 August.

Contract negotiations began in late September and were concluded by early November. We are now in the final phase of contract formation.

The preferred bidder has already had preliminary discussions with local SMEs and Community groups about potential subcontracts and their community engagement plans.

The existing network will remain in place with some adjustments to selected locations to optimise access. The new fleet will be compatible with the existing stands

The Council commissioned a Hub network review in Autumn 2021 which was completed by Steer Associates in March 2022. The report considered eighty-five sites suggested by ward Councillors and other key stakeholders. These were assessed using nine indices to determine commercial viability but also considered factors such as health deprivation and deprivation overall. Wards without hubs were prioritised within this assessment, as well as those with gaps in the existing network.

The new Operator is required to accept a shortlist of fourteen new sites to add to the network to make the scheme truly city wide and to deliver ebike access to outlying areas. All other suggested sites remain on a longlist for future consideration. Following contract completion, the Operator must produce initial designs for the shortlist sites which will then be used for preliminary consultation with Ward Councillors. Final designs will then be used as the basis for Traffic Regulation Order amendment and footway licence consultations in the new year, with a report on any objections on the agenda of the ETS committee in March 2023. Shortlist sites will be installed during Summer 2023 as the new scheme is rolled out. Eighteen further sites which will plug gaps in the existing network and can potentially be funded by other Council programmes and projects and Developer contributions will also be implemented in due course”.

(5) Bikeshare

42.14 Councillor Nemeth read the following question:

“Please summarise the key financial implications of the sudden withdrawal of the Council’s Bikeshare scheme with particular emphasis on how much money the Council is set to lose and how much extra investment is likely to be required over and above what was initially budgeted”

42.15 The Chair provided the following reply:

“In the November 2015 ETS report, the Council committed to investing 100% of its share of surpluses from Bikeshare hire revenues back into the scheme. By the end of the first three years of successful operation the Council’s annual surplus share held in reserve totalled £135,400

Surplus reserve funds were used during years 4 and 5 to fund 160 bike refurbishments costing £77,000. The remaining sum of £58,400 together with external contributions is being used to cover the full cost of keeping the scheme running until 31 December. This use of reserves and contributions to protect jobs and the service up until that date will not impact on the Council’s in year financial position.

In 2020-21 the Council committed a recurring annual revenue contribution of £38,000 to support the scheme following the end of previous Department for Transport grant funding support. This funding has been used to support the scheme and it is not anticipated to be overspent this financial year.

A full decommissioning plan for the current fleet is being developed and it is anticipated it will require an extra investment of £110,000. The plan contains several costed options for conversions to repurpose newer and refurbished bikes or stripping down of bikes at the end of their street life for reusable and recyclable parts. Officers will submit fully developed proposals to the Circular Economy Programme. This will be added to a list of pipeline projects for the Members’ working group to consider as an option for funding this extra investment requirement in the new year”.

42.16 Councillor Nemeth read the following supplementary question:

“If the contract is being ended early and therefore the council will be losing income it otherwise would have got, do we have a litigation situation?”

42.17 The following reply was provided on behalf of the Chair:

“In the first few years of the scheme the Council did have a surplus and that was put into reserves which has essentially what Councillor Davis was saying. The scheme is now losing money and the proposal was always that we would reinvest the money we set aside so it will see the scheme through”.

The following written response were provided to the remaining questions subsequent to the meeting

Hove Station Footbridge- Councillor Appich

“Thank you for your question seeking clarification about the response to the deputation that was given at the last committee.

In clarifying the references that have already been made to Section 106 funding, I would reiterate that it should be directly related to mitigating the impacts of a particular development that is given planning permission. For transport, this mitigation is usually a list of highway/sustainable transport works which are set out in the Planning Committee report and secured through appropriate legal agreements. These works are usually required before a development is started or occupied.

As you have highlighted, there is an overall amount of funding that has been secured by the council from Section 106 agreements for permitted developments across the city. It is made up of sums that relate to individual developments and for different purposes; one of which is transport. The individual sums secured through this process need to be used for the locations or purposes which are specified in the agreement, and therefore cannot be transferred to other locations or measures.

The permission for the Sackville Trading Estate planning application and associated legal agreements include a number of specific sustainable transport measures to improve the public highway, but did not refer to the new footbridge. The concept of a new bridge is suggested as part of a wider masterplan, and the progression of that plan will involve the council and a number of partners and stakeholders. Further collaborative working will therefore take place between these parties to develop proposals, including connectivity across the railway by a number of means. Through this work, future options and opportunities, including any further design feasibility, and how they could be progressed, will become clearer.

I can confirm that the committee did agree that a report would be brought back to it on this matter, and that report will be prepared for consideration early next year”.

Road Safety Strategy- Councillor Wilkinson

“Thank you for your question. We are currently implementing one of the largest investments in transport for a generation and the majority of our key schemes such as Valley Gardens, Western Road, A23 and the A259 all aim to improve road safety for all users.

Furthermore, we do still have an active road safety strategy and we are continuing to carry out measures to improve road safety at locations where we know there are problems, such as Valley Gardens Phase 3 which will begin shortly. There is also work to improve road safety with schemes being developed at Trafalgar Street, Wilson Avenue and Hove Park Road.

I would also like to point out that Road Safety is a priority for the City Council and upheld within its existing Road Safety Strategy that adopts strict national criteria to support the reduction of road traffic accidents and injuries, working in partnership with Sussex Police and East & West Sussex County Councils. As a result we do need to use specific metrics within this strict national criteria to enable Road Safety Schemes to be brought forward in response to data and officer assessments rather than from requests from the public. This would not be prudent and could also lead to worsening Road Safety and more injuries where schemes are not designed in accordance with this methodology. In terms of updates, I can tell you that there is a report scheduled to come to the Committee in the new year that will set out our new framework for assessing and prioritising road safety requests and schemes that will also address the question of taking forward a Road Safety Danger Reduction Strategy and the potential abandonment of the Council's existing Road Safety Strategy. I also understand that officers are intending to meet and brief you on current safety related projects and work".

Hove Station Corridor- Councillor Wilkinson

"An update on the Pedestrian Priority list was provided at ETS Committee on the 16/11/2022. This included an update on the Hove Station Corridor improvement project. We will be able to share the consultation results with you but this will have to follow to allow officers to check all sensitive data is removed".

Climate Change- Councillor Wilkinson

"The Council's emergency planning team has a data base of individuals with health issues that may make them more vulnerable to the impacts of climate change. We are also aware of the locations where extreme weather events commonly cause the most damage, such as flood prone areas of the city. These factors help inform the Council's responses to extreme weather events.

Residents who may be at risk from the impacts of climate change include council tenants on low incomes, who may be affected by rising fuel bills. Helping residents to live in well insulated, efficiently heated, healthy homes remains a key long-term commitment for the council. For council-owned homes, this includes investment in installation of solar panels, new doors and windows, insulation, heating upgrades and renewable energy where appropriate.

The council also provides residents with tailored energy advice and support, small measures within properties, and embedding long-term behavioural change to increase energy efficiency and reduce fuel costs.

For private owners and renters, the council has earmarked up to £1m in 2022-23 for Warm, Safe Homes Grants. Longer term, the council will establish a Brighton & Hove Warmer Homes Programme for private sector housing.

Information on all council services which support vulnerable people with the cost of living, including emergency financial help and support to improve well-being, can be found at the 'cost of living' hub, accessible from the home page of the council's website".

Climate change mitigation- Councillor Wilkinson

A range of thematic multi-agency partnerships operate within the city, many of which give focus to the route to net zero. Key partnerships which contribute to this agenda include strategic groups such as City Management Board, Brighton Economic

Partnership, GBEB (energy plan, water plan) and Transport Partnership. There also is an active Carbon Neutral 2030 Member Working Group in place for internal governance. All plans and strategies will include engagement with different partners to ensure shared objectives are identified. There is designated support on climate communications and engagement. Additionally, a City-Wide Climate Partnership is being explored in recognition of the significance for all partnerships.

Assemblies- Councillor Wilkinson

“Following on from the city climate assembly on transport and travel, one option is to consider delivering another climate assembly on a different theme. However, this is quite a resource intensive approach and it may be better to consider other forms of engagement such as delivering through existing groups and partnerships, and supporting community events. If taking forward another climate assembly, it is important that it focuses on an area where the city council has the policy levers available to respond to the assembly members’ recommendations, as we were able to do with the Climate Assembly on transport and the development of the Local Transport Plan 5”.

Councillor Platts- Graffiti

!Thank you for your question.

The current Targeted Action Zones programme is focusing on high foot fall areas and reflect parts of the city where Cityclean receives many complaints about graffiti. If there are other areas across the city that would benefit from the Targeted Action Zones programme, please share with the Environmental Enforcement Team who can look to adopt the same approach”.

Councillor Platts- Graffiti support

Thank you for your question.

The leaflet provided to businesses as part of the Targeted Action Zone programme contains advice on how businesses can prevent graffiti. This includes:

- Regular maintenance, including the quick removal of graffiti
- Reporting incidents to the police
- Improving lighting
- Using anti-graffiti laminate coating
- Avoiding block-coloured walls
- Installing security cameras (and/or placing up signage indicating this)
- Commissioning a mural

Councillor Platts- Glass recycling

“Thank you for your question. Placing communal glass bins alongside all refuse and recycling bins will be trialled as part of the communal bin system pilot in the Brunswick & Adelaide and Regency wards.

The reason there are fewer glass bins available is due to complaints received over the years about the noise caused from the current bins so to mitigate this, some bins have been removed.

Through the communal bin trial, a specifically designed bin, to absorb the noise caused by glass will be used. The bins will also have sturdier lids and appropriate apertures to

contain as much noise as possible. The results from the trial will enable Cityclean determine whether the bin is suitable to be rolled out to the whole communal bin area, or whether another solution is required.

Officers in Cityclean are currently working with colleagues in Parking Services to identify the impact on parking spaces and associated loss of income, if there is any, so that all factors can be considered before moving ahead with the pilot. It is hoped the proposals can be shared early in the New Year”.

Councillor Platts- Fly tipping

Thank you for your question. This relates to a specific ward issue and should be directed to the Members Enquiry Service

Councillor Platts- Communal bins

Thank you for your question.

A label, with a QR code, directing residents to the council website could be added to the communal bins. However, there already several signs on the bins which may mean people do not see it. There is also no assigned budget for this so consideration will need to be given to how this is funded.

A review of signage is being completed as part of the communal bin trial project.

Councillor Platts- Cycle lane parking

“There have been a lot of difficulties with the enforcement of delivery drivers parking in cycle lanes as they drove off before enforcement officers had the opportunity to issue a ticket due to the observation time required.

However, officers in Parking Services have undertaken a lot of work to improve and take forward cycle lane enforcement following powers being given to local authorities to allow enforcement through CCTV. We now enforce a few mandatory cycle lanes by CCTV where cameras are available. These meet the strict criteria of also having double yellow lines and no loading restrictions which were already in place in these locations.

Officers are working on a further 6 sites being enforced by CCTV and there are proposals for at least another 11 sites which will take more time as they require new parking restrictions so the Traffic Regulation Orders will need to be amended to enable us to enforce these”.

Councillor Platts- Carton recycling

Thank you for your question.

Since July 2021, no further carton bins have been sited across the city.

Cityclean has recently completed a recycling point site audit to review all the existing sites across the city. Part of the reason for the audit was to identify where additional containers can go, particularly for materials which are not collected as part of standard kerbside or communal recycling, such as cartons.

There are also cost implications of placing more carton bins across the city which need to be considered. The full review of recycling point site audit and costed options for change will be presented to this committee in 2023/24.

Councillor Platts- Potholes

Thank you for your question. This relates to a specific ward issue and should be directed to the Members Enquiry Service.

Councillor Platts- Double yellow lines

Thank you for your question. This relates to a specific ward issue and should be directed to the Members Enquiry Service.

Councillor Platts- Tree replacement

Thank you for your question. This relates to a specific ward issue and should be directed to the Members Enquiry Service.

(C) Members Letters

(1) Local transport and environment issues associated with the operation of Mill Road Park & Ride, Westdene

42.18 Councillor Bagaean presented a letter relating to transport and environment issues associated with the operation of Mill Road Park & Ride, Westdene.

42.19 The Chair provided the following response in writing:

Thank you for raising these issues with me by submitting your letter to the ETS committee. I am sorry to read of the concerns that residents have expressed to you about parking, litter and graffiti in areas adjacent to the match day Mill Road Park + Ride site.

The council works closely with the football club on transport and travel arrangements for events and match days at the AmEx Stadium. Therefore, in order to better understand the issues that are related to parking, it would be helpful to have more information about any specific dates when this is occurring, which roads are affected and what the scale of the problems are that are being reported. This information can then be passed to the football club to initially review and comment on, and the options that may be available to address this can then be considered.

This information can be sent to Andrew Renaut, our Head of Transport Policy & Strategy, who will then liaise with the club.

42.20 **Resolved-** That the committee note the Letter.

(2) Graffiti on shopfronts

42.21 Councillor Nemeth presented a Letter on various matters relating to graffiti and enforcement.

42.22 The Chair provided the following response:

In response to your specific questions:

Why are traders being so aggressively pursued when they are victims of crime, rather than perpetrators?;

We don't agree that this approach is aggressive. A warning is issued to enable the property owner to deal with the tagging. The approach adopted is that which this committee agreed in November 2020.

Does the Council definitely have the power to follow through with the threatened actions?;

As stated in the November 2020 committee report:

- The power to issue Community Protection Notices is found in section 43 of the Anti-Social Behaviour, Crime and Policing Act 2014. That section provides that a Community Protection Notice can only be issued if the individual or body concerned has been given written warning that a notice will be served unless the relevant conduct ceases, and that the conduct has continued.

How many cases have been pursued to date where graffiti has not been removed?;

190 Community Protection Warnings have been issued

67 Community Protection Notices have been issued

Of the 67 Notices issued, the majority have complied with the request with. For those that did not comply:

- 10 Fixed Penalty Notices have been issued
- And two remedial actions carried out where by Cityclean has removed the graffiti and the business has been asked to cover the cost

Will the wording now be changed to reflect the fact that the policy would be so much easier if traders were won over to the idea?; and

The wording of the letter cannot be changed as it needs to comply with the legislation. In recognition of this, a leaflet is provided to business owners alongside the letter, explaining why the council has adopted this approach and advice on what business owners can do to prevent graffiti.

Will the Council apologise for warnings that have been issued to date?

The warnings issued to date are in line with the approach that has been agreed by committee. I am sorry that you and some business owners feel the approach is aggressive.

We can look to put your proposal into the letter that goes out as suggested

42.23 **Resolved-** That the committee note the Letter.

(D) Notices of Motion

(1) Underground superbins

42.24 Councillor Nemeth moved the following Motion:

This committee:

- 1) Notes concerns of residents and businesses regarding the state of the city, including unsightly and graffitied communal rubbish bins, often overflowing litter, that attract rats;
- 2) Notes the recent roll-out of Underground Super-bins elsewhere in the UK, which can hold up to 5,000 litres of waste in containers below the street level; and
- 3) Calls for a report into whether Underground Super-bins could be a solution to some of the waste problems Brighton & Hove.

42.25 Councillor Bagaeen formally seconded the Motion.

42.26 Councillor Wilkinson moved the following amendment to the Motion:

- 1) Notes the recent **successful** roll-out of Underground Super-bins **by the Labour Council in Liverpool** elsewhere in the UK, which can hold up to 5,000 litres of waste in containers below the street level, **are capable of eliminating issues associated with wheelie and communal street bins such as rats, flies and litter, and have the potential to help local authorities work towards building 'Zero Waste Cities'** and;
- 2) Calls for a report into whether Underground Super-bins could be a solution to some of the waste problems Brighton & Hove, **and how Brighton & Hove could work towards becoming a 'Zero Waste City'**.

42.27 Councillor Appich formally seconded the Motion.

42.28 Councillor Nemeth accepted the Labour Group amendment.

42.29 The Chair put the Motion as amended to the vote that passed.

42.30 **Resolved-**

This Committee:

- 1) Notes concerns of residents and businesses regarding the state of the city, including unsightly and graffitied communal rubbish bins, often overflowing litter, that attract rats;
- 2) Notes the recent successful roll-out of Underground Super-bins by the Labour Council in Liverpool, which can hold up to 5,000 litres of waste in containers below the street level, are capable of eliminating issues associated with wheelie and communal street bins such as rats, flies and litter, and have the potential to help local authorities work towards building 'Zero Waste Cities' and;
- 3) Calls for a report into whether Underground Super-bins could be a solution to some of the waste problems Brighton & Hove, and how Brighton & Hove could work towards becoming a 'Zero Waste City'.

(2) Public Toilets

42.31 Councillor Nemeth moved the following Motion:

This committee:

- 1) Notes concerns from across the community about the sudden closure of 17 public toilet sites in the city;
- 2) Recognises that the root cause of the closures is the Administration's policy of insourcing the public toilet maintenance on 1st February 2022, cancelling a 10-year maintenance contract that had been signed with Healthmatic in 2017; and
- 3) Calls for an urgent report that considers all options to re-open public toilets at the earliest possible opportunity.

42.32 Councillor Bagaen formally seconded the motion.

42.33 Councillor Platts moved the following amendment to the Motion:

- 1) Notes concerns from across the community about the sudden closure of 17 public toilet sites in the city;
- 2) ***Expresses concern that a report was not brought to committee before decisions were made about closures with regard to toilets not closed temporarily for refurbishments;*** ~~Recognises that the root cause of the closures is the Administration's policy of insourcing the public toilet maintenance on 1st February 2022, cancelling a 10-year maintenance contract that had been signed with Healthmatic in 2017; and~~
- 3) ***Recognises that genuine consultation with ward councillors, local residents associations and stakeholders is required before any further closures are implemented;***
- 4) ***Restates the request at Full Council in July for alternative provision to be made available whilst refurbishment work is undertaken in locations that continue to be heavily used during the winter months, such as Hove Promenade, and requests officers consider interim measures including but not limited to the provision of portaloos;***
- 5) ***Requests officers:***
 - a. ***engage with local businesses to see if their toilets can be made available for public use***
 - b. ***ensure adequate signposting to these alternative facilities is provided***
- 6) ~~3)~~ Calls for an urgent report that considers all options to re-open public toilets at the earliest possible opportunity.

42.34 Councillor O'Quinn formally seconded the amendment.

42.35 Councillor Nemeth accepted the Labour Group amendment.

42.36 The Chair put the Motion as amended to the vote that was agreed.

42.37 Resolved-

This Committee:

- 1) Notes concerns from across the community about the sudden closure of 17 public toilet sites in the city;
 - 2) Expresses concern that a report was not brought to committee before decisions were made about closures with regard to toilets not closed temporarily for refurbishments;
 - 3) Recognises that genuine consultation with ward councillors, local residents associations and stakeholders is required before any further closures are implemented;
 - 4) Restates the request at Full Council in July for alternative provision to be made available whilst refurbishment work is undertaken in locations that continue to be heavily used during the winter months, such as Hove Promenade, and requests officers consider interim measures including but not limited to the provision of portaloos;
 - 5) Requests officers:
 - a. engage with local businesses to see if their toilets can be made available for public use
 - b. ensure adequate signposting to these alternative facilities is provided
- Calls for an urgent report that considers all options to re-open public toilets at the earliest possible opportunity.

43 REGULATORY SERVICES ENFORCEMENT POLICIES**Resolved-**

- 1) That the Environment, Transport and Sustainability Committee endorses the Safer Communities Enforcement Policy attached as Appendix 1
- 2) That the Environment, Transport and Sustainability Committee endorses the Enforcement Policy in Relation to the Relevant Letting Agent Legislation attached as Appendix 2

44 RESPONSE TO NOTICE OF MOTION- VICTORIA FOUNTAIN**Resolved-**

That Committee notes :

- 1) The update on the Victoria Fountain structural repair and refurbishment project to bring the asset back into a good condition and working order.
- 2) The findings of the HOP Victoria Gardens Old Steine, Assessment of Shallow Geological Anomalies Report.

45 OUTCOMES OF ENVIRONMENTAL ENFORCEMENT CONSULTATIONS**Resolved-**

- 1) That Committee agrees to introduce new enforcement measures to tackle flyposting and stickering as set out in the report and tracked as changes in the Environmental Enforcement Framework in Appendix 1.
- 2) That Committee agrees to introduce new enforcement measures to tackle household waste bin and box offences as set out in the report and tracked as changes in the Environmental Enforcement Framework in Appendix 1.
- 3) That Committee notes the research completed into alternative approaches to single use barbecue provision in Appendix 7.

46 CITY ENVIRONMENT IMPROVEMENT PROGRAMME UPDATE**Resolved-**

- 1) That Committee notes the report and appendices.
- 2) That Committee agrees for the refuse collection arrangements to remain as it is for Coleman Street, pending a wider piece of work as part of the Modernisation Programme.

47 LITTER ON A27: RESPONSE TO NOTICE OF MOTION**Resolved-**

- 1) That Committee notes the response to the Notice of Motion.

48 TREE PLANTING PLAN: OUTCOME OF CONSULTATION

- 48.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that updated the committee on the consultation with Brighton and Hove Tree Forum on the proposed Tree Planting Plan.
- 48.2 Councillors O'Quinn, Wilkinson and Nemeth asked questions and contributed to the debate of the report.
- 48.3 **Resolved-**
 - 1) That the committee approves the Tree Planting Plan 2022-2027 which has been updated following consultation.

49 AIR QUALITY ACTION PLAN 2022 CONSULTATION RESULTS

- 49.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that outlined the responses received to the public consultation on the Air Quality

Action Plan and levels of support for the proposed series of measures to improve air quality.

49.2 Councillor Appich moved a motion to amend recommendation 2.4 as shown in bold italics below:

2.4 That the committee requests officers ***research further how to prioritise the development and delivery of a citywide Smoke Control Area to could help tackle the harmful effects of particulate matter in the areas where there is currently no Smoke Control Area, and that officers ensure that advice is provided to residents on the council website on how best to manage solid fuel heating where they do have it to supplement heating, including referring people to the East Sussex Fire and Rescue Service for a free home visit if they have concerns.***

49.3 Councillor Wilkinson formally seconded the motion.

49.4 Councillors Heley, Nemeth, Appich, Hills, O'Quinn and Lloyd asked questions and contributed to the debate of the report.

49.5 The Chair put the motion to the vote that passed.

49.6 The Chair put the recommendations as amended to the vote that were approved.

- 1) That the committee welcomes the inclusion of more ambitious targets in the Air Quality Action Plan for the protection of human health, which will work towards World Health Organisation guidelines (2021).
- 2) That the committee approves the 2022 Air Quality Action Plan in Appendix 2 of this report.
- 3) That the committee welcomes the continued work and investment to develop an expanded Ultra-low Emission Zone for the city.
- 4) That the committee requests officers research further how the development and delivery of a citywide Smoke Control Area could help tackle the harmful effects of particulate matter in the areas where there is currently no Smoke Control Area, and that officers ensure that advice is provided to residents on the council website on how best to manage solid fuel heating where they do have it to supplement heating, including referring people to the East Sussex Fire and Rescue Service for a free home visit if they have concerns.
- 5) The committee welcomes the promotion of active travel and public transport as means to reduce emissions and improve local air quality.

50 ELM GROVE PAVEMENT PARKING BAN

50.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that proposed the advertisement of a Traffic Regulation Order to ban pavement parking in the Elm Grove area following residents' requests.

50.2 Councillor Wilkinson moved a motion to amend recommendations 2.1 and 2.3 as shown in bold italics below:

2.1 That Committee agrees to ***explore alternative parking provisions for Elm Grove residents (as detailed in 2.3) and report back to this committee before proceeding*** directly to the advertisement of a Traffic Regulation Order.

2.3 That Committee requests officers to explore the implementation of alternative parking provisions for residents of Elm Grove, including but not limited to on-street angle/echelon parking bays which could form part of a Controlled Parking Zone.

50.3 Councillor Appich formally seconded the motion.

50.4 Councillors Hills, Lloyd, Appich and Davis asked questions and contributed to the discussion of the report.

50.5 The Chair put the motion to the vote that passed.

50.6 The Chair put the recommendations as amended to the vote that were agreed.

50.7 **Resolved-**

1) That Committee agrees to explore alternative parking provisions for Elm Grove residents (as detailed in 2.3) and report back to this committee before proceeding directly to the advertisement of a Traffic Regulation Order.

2) That Committee agrees that the Elm Grove Pavement Parking Ban replaces the Roedean area in the Parking Scheme Priority Timetable as highlighted in Appendix A.

3) That Committee requests officers to explore the implementation of alternative parking provisions for residents of Elm Grove, including but not limited to on-street angle/echelon parking bays which could form part of a Controlled Parking Zone.

51 PEDESTRIAN CROSSING PRIORITY PROGRAMME

51.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that presented the findings of the pedestrian crossing assessments of locations requested up to 26 April 2022 and identifies priority crossing points to be delivered over the next 2 years, subject to the availability of funds.

51.2 Councillor Nemeth moved a motion to amend recommendation 2.1 as show in bold italics below:

2.1 That Committee agrees the new Pedestrian Crossing Priority Programme listed in Appendix 2 ***and requests a dedicated report to consider what else should be provided at the Hangleton Way Schools Zone to improve the safety of pedestrians.***

- 51.3 Councillor Appich formally seconded the motion.
- 51.4 Councillors Appich, Wilkinson, Lloyd and Hills asked questions and contributed to the discussion of the report.
- 51.5 The Chair put the motion to the vote that passed.
- 51.6 The Chair put the recommendations as amended to the vote that passed.

51.7 Resolved-

- 1) That Committee agrees the new Pedestrian Crossing Priority Programme listed in Appendix 2.
- 2) That Committee agrees that officers can commence the identified locations in the Pedestrian Crossing Priority Programme top 10 priority list identified at table 1 in this report.

52 HIGHWAY REGULATION POLICIES (TRAFFIC MANAGEMENT)

Resolved-

- 1) That the committee approves the new traffic management signage policies Appendices A - C.

53 CYCLE HANGARS TRO-21-2022

- 40.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the objections received to the traffic regulation order for cycle hangars in various locations in the city.
- 40.2 Councillor Nemeth moved a motion to amend recommendation 2.1 as struckthrough below:
- 2.1 That the Committee, having taken account of all duly made comments and representations, approve the following cycle hangar locations be installed; Cissbury Road (hangar 2), Clermont Terrace (hangars 1&2), Chesham Street (hangar 2), Kingsley Road (hangars 1&2), ~~St Leonards Road (hangars 1&2)~~ and Islingword Place hanger 1.
- 40.3 Councillor Appich formally seconded the motion.
- 40.4 Councillor Lloyd and Wilkinson asked questions and contributed to the debate of the report.
- 40.5 The Chair then put the motion to the vote that passed.
- 40.6 The Chair put the recommendations as amended to the vote that passed.

40.7 Resolved-

- 1) That the Committee, having taken account of all duly made comments and representations, approve the following cycle hangar locations be installed; Cissbury Road (hangar 2), Clermont Terrace (hangars 1&2), Chesham Street (hangar 2), Kingsley Road (hangars 1&2) and Islingword Place hanger 1.
- 2) That the Committee agree officers do not install cycle hangers, at the following locations: Franklin Street (hangar 1), Burton Villas, The Drive (hangar 1) and Dudley Road. Alternative locations will be found for these due to technical reasons or indicated lack of support through the consultation phase.
- 3) That the Committee notes the financial implications to parking income per year outlined in the report and the ways that officers will identify and then look to mitigate future losses

54 REAL TIME PASSENGER INFORMATION SYSTEM

Resolved-

- 1) That Committee authorise the procurement of a new Real Time Passenger Information System for a 5-year period with a possible extension of 2 years.
- 2) That Committee delegates authority to the Executive Director Economy, Environment & Culture to extend the contract, subject to satisfactory performance.

Note: an officer amendment to the recommendations as published was approved by the Committee during the Call Over.

55 GARDNER STREET AND REGENT STREET TRAFFIC REGULATION ORDER

- 40.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought 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.
- 40.2 Councillors Nemeth and Wilkinson asked questions and contributed to the discussion of the report.
- 40.3 **Resolved-**
 - 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)

Note: Councillor Nemeth requested his vote against the recommendation be recorded in the official record.

56 GARDNER STREET AND REGENT STREET TRAFFIC REGULATION ORDER EXEMPT CATEGORY 2

As per Item 55.

57 PART TWO PROCEEDINGS

- 57.1 **Resolved-** That the Committee agree that the confidential items on the agenda remain exempt from disclosure to the press and public.

58 ITEMS REFERRED FOR FULL COUNCIL

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

The meeting concluded at 9.05pm