

# Brighton & Hove City Council

## Transport & Sustainability Committee

## Agenda Item 68

**Subject:** Street Scene Policy

**Date of meeting:** 6<sup>th</sup> February 2024

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

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**Ward(s) affected:** All

**For general release**

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

- 1.1 This report seeks approval for the draft Street Scene Policy, which will enable the continued installation and licensing of street furniture in the City in a consistent and safe way to ensure that the City's streets are accessible. The Council's Accessible City Strategy included a specific action that a policy is developed to ensure that everyone can use the roads and pavements safely without restrictions. The draft policy is based upon existing national guidance and the policy is intended to ensure that this guidance is followed by all services that impact the City through street design, installation of trees, Electric Vehicle (EV) chargers, street lighting columns, traffic signal equipment etc. This policy will not apply to any existing infrastructure or street trees already installed or planted.
- 1.2 The policy will consist of a number of sub policies that will include, Licensed Construction Policy, Licensed Trader Policy, Fixed Street Furniture and Pocket Parks. Each of the specific policies are attached as appendices. The draft policies follow national guidance including the DfT (Department for Transport) Manual for Streets and DfT Inclusive Mobility 2021. The Manual for Streets is in the process of being updated.
- 1.3 The draft policy has had some limited engagement with stakeholders, so the report also seeks approval to start a full consultation with relevant stakeholders to develop the policy specially for the City considering their views so that any works carried out do so following the policy. It is likely the policies will change as a result of the consultation and if they do change they will be presented to a future committee for approval.

### **2. Recommendations**

- 2.1 That Committee agrees to approve the draft policy to ensure that the Council follows national guidance so that all works meet the guidance when being carried out in the City.

2.2 That Committee agrees to formally start a consultation with relevant stakeholders to develop a full policy that works for the City.

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

- 3.1 The Council does not currently have a policy on how streets are managed and developed for the it's residents. Schemes are designed following the latest design guidance, but there is no comprehensive or holistic guidance for managing the City's streets. This includes the installation of temporary infrastructure such as hoardings and traffic management as well as permanent street equipment such as lighting columns, traffic signal equipment, street trees etc.
- 3.2 The existing national guidance sets how streets should be developed and the issues that need to be considered when installing anything on pavements. Many people have mobility issues, and it can be difficult to navigate very congested footways. The City also has street trees that were planted many years before the issues around mobility were considered. The Council has a duty under the Equalities Act to ensure the needs of anyone with mobility concerns are considered when designing and installing street furniture and trees.
- 3.3 The (DfT) Manual for Streets is about to be updated and this will have to be reviewed in line with this draft policy when it is published. The DfT have not given a specific date for the publication.
- 3.4 A policy is needed to ensure that there is consistency and that anything installed on a pavement considers all of the guidance. There is a particular challenge now due to the need to replace trees following the removal of many diseased trees in the city. These trees were installed many years ago often on narrow footways.
- 3.5 The Street Scene Policy will be able to be expanded to develop a comprehensive document that will provide anyone, including developers', clear guidance on any works carried out that affect the street scene.
- 3.6 The policy will also include guidance on the implementation of pocket parks, planters, parklets and green walls. The policy will set out how communities can implement these improvements including how they can be maintained and what funding is necessary to install them.
- 3.7 The 4 policy documents are detailed in the appendix as below: -
- Licensed Trader Items
  - Licensed Construction Policy
  - Fixed Street furniture and Trees
  - Planter, Pocket Parks and Parklet Policy

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

- 4.1 If the draft policy is not adopted there is a risk that street infrastructure could be installed that does not meet current guidance. The Council could be breaching its statutory duty to ensure that streets are accessible for all.
- 4.2 Without a formal policy it is not possible to provide clear guidance for developers which increases the demands on officer time.

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

- 5.1 The policies will be subject to a consultation with relevant stakeholders, in particular groups who represent people with mobility issues. The report seeks approval to consult.

#### **6. Conclusion**

- 6.1 The City has several competing demands relating to the look and feel of the streets. The Accessible City Strategy highlights the need to make it safe for people to move around freely when they have mobility issues. This is particularly challenging when many pavements are narrow and there is a need to install street furniture either of a temporary nature or permanently.
- 6.2 The City has a mature street tree collection that present challenges with established tree roots causing deformation of pavements and reducing footway width as they grow. Many have become diseased and have had to be felled and there is pressure to replace as many as possible in the streets. This can be challenging as some were planted in narrow pavements.
- 6.3 It is important that the council has policies agreed so that there is clear guidance on where trees can be replanted.
- 6.4 There are requests for planters or pocket parks and there is currently no clear guidance on how and when they can be installed.
- 6.5 This is why policies are needed to ensure that the Council meets its statutory duty, but also to support initiatives on how the City looks and feels.

#### **7. Financial implications**

- 7.1 There are no direct financial implications arising from the recommendations of this report. Any new installation works actioned by the Council would follow the new guidance with expenditure anticipated to be contained within existing budgets. Costs associated with consultation will be contained within existing City Transport budgets. Any significant variation to budget will be reported as part of the council's monthly budget monitoring process.

Name of finance officer consulted: John Lack    Date consulted (18/01/2024)

## **8. Legal implications**

- 8.1 The Council Highways Authority has a duty under the Highways Act 1980 to ensure that the streets and pavements within its boundaries are maintained. It needs to show consistency in applying national guidelines and take into account and meet its duties under the Equalities Act.

Name of lawyer consulted:Katie Kam            Date consulted 18/01/2024

## **9. Equalities implications**

- 9.1 The policy will enable the Council to meet its duty under equalities legislation and a full EIA will be completed and developed as the consultation commences.

## **Supporting Documentation**

### **1. Appendices**

1. Licensed Trader Items
2. Licensed Construction Policy
3. Fixed Street furniture and Trees
4. Planter, Pocket Parks and Parklet Policy