

Brighton & Hove City Council

Cabinet Member Decision

Subject: Belle Vue Gardens ETRO

Date of Decision: 13 March 2025

Report of: Cabinet Member for Transport & City Infrastructure

Contact Officer: Name: Russell McMillan – Senior Project Manager

Email: russell.mcmillan@brighton-hove.gov.uk

Ward(s) affected: Kemptown; Queen's Park;

Key Decision: No

For general release

1. Purpose of the report and policy context
 - 1.1 To seek Cabinet Member approval to make the Experimental Traffic Regulation Order for Belle Vue Gardens (“ETRO”) permanent following the successful installation of traffic signals near to the hospital development site. These measures ensure safe pedestrian access during construction and development of the hospital (3t’s) which is ongoing and will continue to benefit pedestrians following completion of the construction, particularly due to the temporary footway closure to facilitate the improvement.

2. Recommendations

The Cabinet Member for Transport & City Infrastructure:

- 2.1 Approves and agrees to the Belle Vue Gardens Experimental Traffic Regulation Order (ETRO-27-2024) being made permanent and that the associated project and infrastructure (road closure and signals) remains in place to support the future 3t’s development under delegated authority.
- 2.2 Agrees and delegates authority to the Corporate Director – City Operations to authorise the sealing of the TRO and progression to construction.

3. Context and background information

- 3.1 The Experimental Traffic Regulation Order for Belle Vue Gardens was introduced to manage traffic and pedestrian safety during the hospital development (3t’s) works which are ongoing. The construction of the site required the temporary closure of the existing northern footway, creating a need for controlled pedestrian crossing to allow safe movement for pedestrians and traffic management during the ongoing hospital development.
- 3.2 The ETRO proposed to close the Southern arm of Belle Vue Gardens to all vehicles to make way for the installation of a pedestrian crossing on Eastern Road.

- 3.3 Relocation of a bus stop clearway from Belle Vue Gardens to Walpole Road to facilitate the new signalised crossing.
- 3.4 The installation of the signals was fully developer funded to ensure pedestrian safety during the construction phase.
- 3.5 Detailed analysis of the comments received over the first six months of the ETRO has outlined that the ETRO measures were not generally supported - Common themes of the objections received were around increased traffic congestion, increased journey times in neighbouring roads during school pick up and drop off times and access to public transport links. However, it is observed that the surrounding roads are not greatly impacted by these changes from the ETRO. The bus service continues to run on time and have less obstructions along its route.
- 3.6 Themes in support of the ETRO include improved road safety for all, users and improved pedestrian experience. Requests were received from the public to make the crossing a toucan crossing, supporting cycle movements in the area.
- 3.7 Making the ETRO permanent, will enable pedestrian access and safety to be maintained throughout the duration of the 3t's construction. Following completion of the 3t's construction works, the permanent arrangement will continue to deliver improved pedestrian safety, more predictable crossing movements, and enhanced accessibility for hospital users, residents, and all road users. In addition, it will also maintain and improve traffic management and reduce congestion observed during the trial period.

4. Analysis and consideration of alternative options

- 4.1 The recommendation is to approve making permanent the Experimental Traffic Regulation Order. This option would allow the safety improvements to remain in place and ensure continuity of measures that support pedestrian safety and traffic management as part of the hospital development. The measures introduced under the ETRO have contributed to reducing conflict points and enhancing safety for all road users
- 4.2 Do nothing and withdraw the proposals. Choosing not to proceed with the permanent TRO would require removal of the installed signals, resulting in additional cost and disruption to the network. Furthermore, this option would mean that the known safety concerns (no footway) remain unaddressed, and pedestrians could be put at risk with no safe crossing point during the construction phase of the hospital.
- 4.3 The local bus company (Compass) supported the proposals, noting that the introduction of the diverted route helped maintain service reliability. They also reported that there was less vehicle obstruction on their newly established routes as a result of the scheme.

4.4 BADGE supported the proposal which makes access by foot or wheelchair/ scooter safer in the busy area around the hospital.

4.5 Ward councillors have been briefed and support the proposals and making the ETRO permanent.

5. Community engagement and consultation

5.1 The scheme was implemented under an Experimental Traffic Regulation Order (ETRO). This approach allowed the scheme to be trialled in real conditions, and comments could be submitted throughout the experimental period for consideration.

5.1 The Council received 26 items of correspondence regarding the proposals from residents, businesses, and stakeholders. This included 9 comments of support (35%) and 17 objections (65%). In addition, a petition with 37 signatures opposing the scheme was submitted.

5.1 The Experimental Traffic Regulation Order (ETRO-27- 2024) was advertised (21st August 2024 to 14th April 2025) and was open for comments to be made on the proposals. It came into force on the October 2024 for a period not exceeding 18 months. The ETRO was advertised in The Argus, emailed to stakeholders and notices erected on street. It was also published on the council's TRO website.

6. Financial implications

6.1 The expenditure incurred as a result of implementing this ETRO is to be funded in part by S278 obligations issued to the developer. This will cover installation of the set of signals with ongoing running costs and maintenance being met by the council. It is not anticipated that this set of signals will have a significant impact on the maintenance budget, but maintenance of the asset will be funded from the councils existing revenue budgets.

Name of finance officer consulted: David Wilder Date consulted (09/12/2025):

7. Legal implications

7.1 The recommendation is to make the provisions in the experimental traffic regulation order, permanent. The procedure for this is contained in section 9 of the Road Traffic Regulation Act 1984 (the "1984 Act") and the Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 ("the 1996 Regulations") (reg. 23).

Where the sole effect of a permanent order is to reproduce and continue in force indefinitely the provisions of a relevant experimental order, regulation 23 applies a streamlined procedure. Provided certain conditions are met. These conditions include: the notice of making the experimental order must

have included the statements specified in Schedule 5 (such as the authority's intention to consider whether the experimental order should be made permanent and the right to object within six months); the deposited documents must have included the authority's reasons for making the experimental order and must have been available for inspection; no variation or modification was made more than 12 months after the experimental order was made; and, if the order was modified, a statement of the effect of each such modification must have been included with the deposited documents. In this case, the intention is for all of the experimental measures to be made permanent and these requirements have been met.

Name of lawyer consulted: Katie Kam Date consulted (19/01/2026):

8. Risk Implications

- 8.1 There is a risk highlighted by the S278 team to pedestrian safety and access if the ETRO is not made permanent and the signalised crossing is removed. This could result in unsafe crossing conditions, particularly given the ongoing development and associated traffic volumes.

9. Equalities implications

- 9.1 The proposed traffic signal upgrades on Eastern Road support the hospital development and have been reviewed with regard to the Public Sector Equality Duty (PSED). The scheme has been designed with clear consideration of users with protected characteristics.

Key Considerations:

Disabled People:

Improved controlled crossings, clearer signal phases, tactile paving, and audible signals support accessibility for people with mobility, sensory, or cognitive impairments.

Crossing timings will assist slower walkers, including hospital patients.

Older People and Younger People

Safer, more predictable crossings support those with reduced mobility or slower walking speeds.

Pregnant People, Parents, and Carers

Dropped kerbs, better alignment, and clearer crossings support people with prams or children.

Reduced exposure to traffic hazards due to improved junction operation.

Hospital Users

More predictable and accessible crossings benefit those with temporary impairments or reduced mobility accessing the hospital.

Safe access will be maintained throughout construction.

Socio-economic Considerations

Improved pedestrian safety benefits residents who rely on walking, buses, or taxis rather than private vehicles.

10. Sustainability implications

10.1 Not applicable

11. Health and Wellbeing Implications:

11.1 These signals provided feeds into the council's priorities and vision for Brighton & Hove - Make it easier for people to move around the city, by continuing to invest in maintaining and upgrading our highways network.

Other Implications

12. Procurement implications

12.1 Not applicable

13. Crime & disorder implications:

13.1 Not applicable

14. Conclusion

14.1 After careful consideration of the comments and concerns raised, it is concluded that the issues presented do not warrant withdrawal of the proposals. Pedestrian safety in this busy area is critical, and access to the hospital must be maintained during the construction phase. It is therefore recommended that the ETRO be made permanent and that a TRO is sealed and implemented under delegated authority. The benefits outlined above such as improved safety for all road users, greater traffic flow efficiency, and cost effectiveness support this recommendation.