

Subject:	George Street – Opening hours to traffic		
Date of Meeting:	7th July 2015		
Report of:	Executive Director Environment, Development & Housing		
Contact Officer:	Name:	Charles Field	Tel: 29-3329
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Ward(s) affected:	Central Hove		

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report outlines the way forward for George Street following a petition presented to the Environment, Transport & Sustainability Committee on 17th March 2015.

2. RECOMMENDATIONS:

- 2.1 That the Environment, Transport & Sustainability Committee approves a consultation to businesses in George Street on whether their road should be open to traffic at 4pm all year rather than the current opening of 6pm between 1st April and 31st October. This will include a consultation letter to any interested groups.
- 2.2 That the Environment, Transport & Sustainability Committee agrees that the results of the consultation be presented to a future Committee meeting to agree the way forward.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 George Street Hove was pedestrianised in 1999 which was undertaken through an experimental order that was made permanent following numerous objections and a Traffic Regulation Order. A Public Inquiry was required because of the introduction of a loading ban in the street that extended beyond peak hours.
- 3.2 In 2003 a Traffic Regulation Order was advertised to extend the street closure to 6pm all year round. Following objections a compromise was agreed and the hours were extended to 6pm in the summer only (1st Apr. to 31st Oct.). This was approved by the Environment Committee on 29 January 2004.
- 3.3 A petition was presented by Cllr Jan Young to the Environment Committee on 31st March 2011 on behalf of the George Street Hove Association of traders requesting a change in street opening hours to 4pm daily effective 1st April 2011 and continuing thereafter. The petition had 53 separate signatures.
- 3.4 Following this a letter was sent out to all the businesses and interested groups in June 2011 asking for their views on whether the council should carry out a more

detailed consultation. It was outlined that a second stage of consultation would only happen later in the year if there was substantial support for change.

- 3.5 101 letters were sent out and 17 were returned giving a response rate of 17%. 7 responses (41%) were not in favour of further consultation while 10 (59%) responses were in favour of further consultation. Concerns were also outlined by the Council's Road Safety Manager that it could increase pedestrian/vehicle conflict and therefore the number of collisions and injuries.
- 3.6 Only 5 Interested groups responded, 3 of which included the B&H Bus Company, Friends of the Earth & Living Streets who all opposed an increase in street opening hours to traffic.
- The Bus Company responded that they would be in favour of the extended summer hours continuing as it creates a great atmosphere and is welcomed by hundreds of bus passengers who shop in the street and enjoy the car free arrangements on late summer afternoons.
 - The Hove Business Association responded, whilst not stating a preference that they would strongly recommend that further consultation takes place and that in the interest of democracy, the results are published.
 - The Brighton & Hove Friends of the Earth did not see the value in having a further consultation on this scheme and that to reduce the pedestrian only hours in summer would be a retrograde step in any case.
 - Living Streets were opposed in principle to reducing the hours of pedestrianised streets, unless some very good reason could be adduced.
 - Sussex Police had no comment to make from a traffic management perspective. They felt that should the decision be made to proceed to wider consultation a further response would be considered.
- 3.7 Given the low turnout and the unclear result it was felt that things should be left as they are until there was a further strengthened argument that the majority of businesses wanted a change to the opening hours for traffic. An officer statement to the Environment Committee Meeting on 4th October 2011 was made concerning the consultation, appending the report and recommending no further action.
- 3.8 On 17th March 2015 the Environment, Transport & Sustainability Committee considered a petition presented by Cllr Andrew Wealls and signed by 91 people requesting that George Street open to traffic at 4pm all year around rather than the current opening of 6pm between March and October.
- 3.9 The Chair at the meeting noted that his response was based on the information supplied that 55 people had signed the petition. On the basis that the new figure represented the majority of business on the street, it was requested that officers look into the issue again to examine the feasibility of a revised opening time.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

- 4.1 The main alternative option is doing nothing which would mean the consultation would not be taken forward.
- 4.2 However, it is the recommendation of officers that these proposals are proceeded with for the reasons outlined within the report.

5. COMMUNITY ENGAGEMENT & CONSULTATION

- 5.1 It is proposed that a consultation letter is sent to businesses on George Street on whether their road should be open to traffic at 4pm all year round rather than the current opening of 6pm between March and October.
- 5.2 The following will be made clear in the Consultation letter;
- Licences for tables and chairs stipulate that they are for pedestrianisation hours only. Therefore if these hours were to be reduced then those licence holders would be unable to display tables and chairs outside of those hours. A practical example of the effect of the trader's proposals would be that a business who currently have about 6 tables and 24 chairs would have to remove these at 4pm in the summer or be in breach of their licence.
 - If the "pedestrian only" hours are reduced to 4pm all year round then vehicles will be able to enter to park and load/unload in the road. Café & bar owners who currently display tables and chairs on the road after 4pm will no longer be able to do so
 - If the "pedestrian only" hours are left unchanged then vehicles will not be allowed to enter the road until 6pm in the summer and café/bar owners will be unaffected.
 - Any A-boards placed in the bays would need to be relocated to the footways.
- 5.3 For information the following businesses have items in loading/parking bays (Other businesses may have items such as A-boards not necessarily in loading bays e.g Costa Coffee).
- Cliftonville Inn (Weatherspoons)
 - Just Eat
 - Gossip
 - Wrap Deli (from June 2015 when opening)
 - Chunky Chops (just applied for tables & chairs in bays)
- 5.4 Interested groups that are identified will also be sent a consultation letter and included in the results so that the Council can ensure all views are taken into consideration.
- 5.5 It is important to note that the Council does receive correspondence about the dangers pedestrians face in George Street from the volume and speed of through traffic. It is acknowledged that the layout, surface and cross-section

aims to reduce speeds, but the need to preserve use by large vehicles has compromised the effectiveness of these and some conflicts do arise.

5.6 The following road safety issues will also need to be considered during the consultation;

- **Custom & Practice** - The current conditions have established a 'pedestrianised' environment for the length of the business day which has led to a custom and practice of pedestrian freedom over that period. Whilst it would be clear to motorists through traffic signs and traders through consultation that these hours were shortened to 4pm, it could take some time before pedestrians became aware and we would anticipate conflicts.
- **Established Need** - Other than providing the ability for traders to enter earlier for loading purposes, there does not appear to be a social or traffic management need for vehicles to use George Street earlier in the day and access between Blatchington Road and Church Road can be easily achieved by other routes.
- **Road Safety** - Increased right-turning traffic into George Street would further impact on the safety of the pedestrian crossing in Blatchington Road and increase conflicts at the north end of George Street, where we already have a collision history.

5.7 The results of the consultation will be presented to a further Environment, Transport & Sustainability Committee to agree the way forward.

6. CONCLUSION

6.1 It is recommended that the Environment, Transport & Sustainability Committee approves a consultation to businesses on George Street on whether their road should be open to traffic at 4pm all year around rather than the current opening of 6pm between March and October.

6.2 The results of the consultation will be presented to a further Environment, Transport & Sustainability Committee to agree the way forward.

6.3 If the responses to this consultation indicate there is support for the proposal and it is agreed to take this forward by a further Environment, Transport & Sustainability Committee then a Traffic Regulation Order (TRO) will be advertised as soon as possible. If objections and representations are received and not withdrawn then they have to be considered by a further Environment, Transport & Sustainability Committee meeting.

6.4 It is appreciated that given the level of support for the recent petition, it is felt that these procedures maybe unnecessary but they are requirements under the Road Traffic Regulation Act 1984 and the council's actions may be challenged if it fails to consult adequately.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The costs associated to the recommended consultation will be funded from the existing Parking Services revenue budget within the Transport service.
- 7.2 There are expected to be costs associated to new signage if a change to opening hours to traffic is approved. It is anticipated that this would also be funded from existing revenue budgets
- 7.3 It is expected that a change to opening hours to traffic would not impact of fee income from parking and highways licencing.

Finance Officer Consulted: Steven Bedford

Date: 01/06/15

Legal Implications:

- 7.4 The Council's powers and duties under the Road Traffic Regulation Act 1984 ("the Act") must be exercised to secure the expeditious, convenient and safe movement of all types of traffic. As far as is practicable, the Council should have regard to any implications in relation to:- access to premises; the effect on amenities; the Council's air quality strategy; facilitating the passage of public services vehicles; securing the safety and convenience of users; any other matters that appear relevant to the Council.
- 7.5 The Council has to follow the rules on consultation set out by the government and the courts. The Council must ensure that the consultation process is carried out at a time when proposals are still at their formative stage, that sufficient reasons and adequate time must be given to allow intelligent consideration and responses and that results are properly taken into account in finalising the proposals.
- 7.6 After the proposals are advertised, the Council can, in the light of objections / representations received, decide to re-consult either widely or specifically when it believes that it would be appropriate before deciding the final composition of any associated orders. Where there are unresolved objections to the traffic orders, then the matter is required to return to Environment, Transport & Sustainability Committee for a decision.
- 7.7 There are no human rights implications to bring to members' attention.

Lawyer Consulted: Katie Matthews

Date: 01/06/2015

Equalities Implications:

- 7.8 No Equalities implications identified.

Sustainability Implications:

7.9 No Sustainability implications identified.

Any Other Significant Implications:

7.10 The change may provide increased parking opportunities for the holders of blue badges wanting to use the local facilities.

SUPPORTING DOCUMENTATION

Appendices:

1. None

Documents in Members' Rooms

1. None

Background Documents

1. None