

BRIGHTON & HOVE CITY COUNCIL
ENVIRONMENT, TRANSPORT & SUSTAINABILITY COMMITTEE

4.00pm 29 SEPTEMBER 2020

VIRTUAL MEETING (SKYPE)

MINUTES

Present: Councillor Heley (Chair) Lloyd (Deputy Chair), Wilkinson (Opposition Spokesperson), Wares (Group Spokesperson), Appich, Brown, Davis, Fowler, Hills and Williams

PART ONE

14 APPOINTMENT OF CHAIR

14.1 **RESOLVED-** That Councillor Heley be appointed as sole Chair of the Committee.

15 PROCEDURAL BUSINESS

15(a) Declarations of substitutes

15.1 There were none.

15(b) Declarations of interest

15.2 Councillor Lloyd declared a non-pecuniary interest in several items across the agenda as his employer was referenced within some of the reports.

15(c) Exclusion of press and public

15.3 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).

15.4 **RESOLVED-** That the press and public not be excluded from the meeting.

16 MINUTES

16.1 **RESOLVED-** That the minutes of the previous meeting held on X be approved and signed as the correct record.

17 CHAIRS COMMUNICATIONS

17.1 The Chair provided the following Communications:

“This year has been unprecedented, and the challenges we have faced due to the Covid-19 pandemic have been enormous.

The emergency active travel measures have sparked lively debate across the city, and I hope that through the ongoing consultation process residents will feel like they are part of the process of improving cycling and walking infrastructure across our city. We must remember the reasons why the council have swiftly implemented these measures. The pandemic has meant that the way we move around has had to change: physical distancing on public transport had the potential to push more people into private cars. To avoid this where possible, safe infrastructure must be provided. Improving our air quality has never been more important, with the threat of a respiratory illness such as covid, and lockdown has also led to residents appreciating green open spaces and the traffic free streets. We must also remember the biggest threat that we collectively face: the climate crisis. We only have 9 years to reach net zero by 2030, and active travel will play a vital role in the decarbonisation of our city. The fast implementation of these schemes has created some challenges, but in the weeks since the Greens took over the running of the council, we’ve moved swiftly to meet with campaigners and communities, to understand concerns and to adapt schemes.

When it comes to disability rights, my message is clear: we are listening. As a council we have a duty to make sure that disabled people are not adversely impacted by the schemes we introduce, and I am well aware of the concerns raised by many in the disabled community, and that the council could do better on this.

Yesterday, myself and my colleagues met with BADGE and possibility people to discuss the ongoing concerns on disabled access in parts of the city. As chair, I’m making engagement with the disabled community one of my top priorities.

Myself and other members of the administration are speaking to officers about a number of ideas that aim to elevate the voices of disabled people within council decision making.

They include:

- Appointing a councillor as lead member for disability rights
- Speaking to the equalities team about having a staff member that specialises in disability issues
- Co opting a member to speak on behalf of the disabled community to the ETS committee
- Providing training for ETS committee members on issues that impact the disabled community
- Formalising the advisory group, that some disabled groups attend, and establishing an Active Travel Forum
- Establishing a cross-council working group, with councillors, officers and members of the disabled community, to make sure that disabled voices are heard across all council departments and policy decision making

As chair of this committee I am committed to working closely with members of the disabled community and campaigners going forward, to make sure that our city is truly accessible for all.

This month, the council implemented the Schools Streets programme across 14 schools in Brighton and Hove, with many more to start soon. School Streets involves limiting traffic on roads around schools for drop off and pick up times. This makes physical distancing at the school gates easier, but also allows children to walk, bike, or scoot to school safely. I'm delighted that this scheme is being trialled after being put forward by my Green colleagues when we were in opposition. A survey by Sustrans found that nearly two-thirds of UK teachers wanted roads closed around their schools. The evidence is clear: our children can also flourish when there is space to walk to and from school without danger.

It's been great to see phases 1 & 2 of Valley Gardens opened to residents and visitors in recent weeks. The transformation of this space has been remarkable, and I would like to thank officers, partners, stakeholders and the Local Enterprise Partnership for helping to turn this long-term vision into a reality. Especially to those who have worked through the Covid-19 pandemic.

We now see an area full of new trees, wildflowers and green space. New cycle ways mean people can ride safely and public transport is given a greater priority. It's a great example of a space where sustainable and active travel can thrive.

Valley Gardens is an important project for our city and one we can be very proud of delivering and I'm looking forward to seeing work on phase three begin in 2021.

Last week, we held the city's first climate assembly. Working with IPSOS MORI and the sortition foundation, the council are bringing together 50 residents that reflect the diversity of Brighton and Hove, to discuss how we can decarbonise transport in order to become a carbon neutral city by 2030. We don't want policy making to feel like a distant and bureaucratic process: we want residents to feel that they have agency and a loud voice that politicians will listen to, and a chance to have a say in the changes required that will affect all of our daily lives. The feedback from residents will go straight to the heart of decision making and inform our 2030 plan.

This year has been one of the worst for Elms disease. In the last couple of weeks, I've visited Preston Park with the Elm expert Peter Bourne, and Stanmer park with City Parks officers, to see the impact of Elms disease and of ash dieback. With next year expected to see the loss of many more trees, I've asked officers to urgently pull together a communications campaign to raise awareness of the disease and ways to prevent the problem from worsening.

I am pleased to let you know that at the end of last week, all residents on the garden waste waiting list were invited to join the service. I want to thank residents on the waiting list for their patience while Cityclean made improvements to the garden waste service. In March 2017, the service had 4800 customers; it is now over 9000. I'd like to congratulate the team for their hard work and dedication in driving forward the service to enable residents across the city to compost their garden waste.

Tomorrow, we will be launching a consultation seeking feedback on managing commercial bins on the highway. We receive numerous complaints about bins that cause problems by remaining on the public highway, blocking the pavements and roads and attracting fly-tipping and vermin. They also cause problems for social distancing. So, for the city centre and areas where there is a high footfall, narrow pavements and high traffic, we are proposing to introduce time-banded collections. To find a system of

managing commercial bins that works for everyone, I am encouraging residents, businesses, waste management providers and other stakeholders to share their vital input and get involved and complete the consultation. You can find it on the council's website.

The last two weeks have seen significant efforts from stakeholders across the city to carry out community clean ups during the Keep Brighton & Hove Tidy fortnight. I'd like to pass my thanks on to businesses, community groups, tidy up teams, volunteers and councillors and council staff who were all involved in helping keep the city clean through graffiti paint-outs, sticker removal, street jet washing, weeding, beach and park cleans and litter picking. This is only the beginning and we will continue to tackle graffiti, fly-tipping, littering and all other ways of keeping our city clean and tidy.

Finally, I wanted to recognise the Black Lives Matter activists and campaigners that have been mobilising and protesting this year, in our city and across the world. You are doing vital work, and the council needs to do more to be actively anti-racist. Even in the UK and the USA, those most affected by climate change tend to be the very poorest, and predominantly from black and minority ethnic communities.

Evidence offered at a recent High Court enquiry into the government's efforts to tackle air pollution indicated that white-British people are exposed to 14.9% less air pollution than other ethnic groups. Meanwhile, in both urban and rural areas, black-British populations are exposed to the most air pollution, at a rate almost 30% higher than that of their white counterparts.

On this committee all members and officers must recognise that there is no climate justice without social justice".

18 CALL OVER

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

- Item 22: Urgent Response Transport Action Plan- update
- Item 23: 2020 Review of Air Quality Management
- Item 24: Electric vehicle charging point installation update
- Item 25: Parking Scheme Update
- Item 26: Stanmer Park Traffic Regulation Order
- Item 27: Stanmer Park designation as Country Park
- Item 29: City Environment Modernisation Update
- Item 30: Graffiti Reduction Strategy Update
- Item 31: Environmental Enforcement Framework

18.2 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 28: The Living Coast Biosphere Management Strategy 2020-2025

19 PUBLIC INVOLVEMENT

(A) PETITIONS

(i) Tichborne Street change of parking zone from Z to Y

19.1 The Committee considered a petition signed by 66 people requesting Tichborne Street be moved from parking zone Z to Y.

19.2 The Chair provided the following response:

“The Council receives a large number of requests for traffic calming across the City and there is no specific funding set aside for this outdated policy. We therefore prioritise requests from roads regarding speeding or perception of high traffic volumes where there is an existing casualty history within the last three years. We have checked the collision database and there has been one casualty on Coleman Avenue in the last 3 years. Whilst no injury is ever acceptable on the highway, we must prioritise the best we can with the funding available. I also want to tell you that my colleagues on this committee have specifically contacted Sussex Police with regards to increases in speeding in the city and asked for some additional support – however again we are informed that there is a need to prioritise areas with more fatalities. We understand this is frustrating.

Council is part of the Sussex Safer Roads Partnership and works with other bodies and Authorities to help improve road safety in the Sussex region. The Police are important partners and work with the Council and the community to help address concerns about speeding via its SpeedWatch initiative. You can find out more about Community Speed Watch on the Sussex Safer Roads Partnership website.

I want to assure you that we take road safety concerns very seriously. We have purchased a series of mobile vehicle activated signs that measure the speed of vehicles and flash up warnings when drivers are exceeding the limit. The signs are moved around the City to help modify driver behaviour and to help us gather data on sites where speeding has been raised as a concern. In light of the concerns you have raised we will add Coleman Avenue to the list of sites to be considered as part of this programme”.

19.3 **RESOLVED-** That the Committee note the petition.

(ii) Speed Bumps

19.4 The Committee considered a petition signed by 43 people requesting speed bumps on Coleman Avenue to reduce vehicle speeds.

19.5 The Chair provided the following response:

“Thank you for raising your concerns about Coleman Avenue.

The Council receives a large number of requests for traffic calming across the City and there is no specific funding set aside for this outdated policy. We therefore prioritise requests from roads regarding speeding or perception of high traffic volumes where there is an existing casualty history within the last three years. We have checked the collision database and there has been one casualty on Coleman Avenue in the last 3 years. Whilst no injury is ever acceptable on the highway, we must prioritise the best we can with the funding available. I also want to tell you that my colleagues on this committee have specifically contacted Sussex Police with regards to increases in speeding in the city and asked for some additional support – however again we are

informed that there is a need to prioritise areas with more fatalities. We understand this is frustrating.

The Council is part of the Sussex Safer Roads Partnership and works with other bodies and Authorities to help improve road safety in the Sussex region. The Police are important partners and work with the Council and the community to help address concerns about speeding via its SpeedWatch initiative. You can find out more about Community Speed Watch on the Sussex Safer Roads Partnership website.

I want to assure you that we take road safety concerns very seriously. We have purchased a series of mobile vehicle activated signs that measure the speed of vehicles and flash up warnings when drivers are exceeding the limit. The signs are moved around the City to help modify driver behaviour and to help us gather data on sites where speeding has been raised as a concern. In light of the concerns you have raised we will add Coleman Avenue to the list of sites to be considered as part of this programme”.

19.6 **RESOLVED-** That the Committee note the petition.

(iii) Weed management on pavement and walkways

19.7 The Committee considered a petition signed by 207 people that requested the Council increase weed management across the city.

19.8 The Chair provided the following response:

“With regard to the management of weeds, there are some important considerations: Our City Environmental Management services has committed to become pesticide free by 2022. A plan was developed to end the use of pesticide in the city’s parks, open spaces, pavements and highways in November 2019. The service will not engage contractors to use pesticide on any land managed by these departments. This means that, since the decision was taken, the removal of weeds in parks and on hard surfaces has been undertaken in-house and using manual techniques.

As part of this approach, we know that Cityclean workers have been open that they would not be able to remove weeds to same extent as before.

But, Cityclean has cleared most of the worst affected areas in the city; but I do have to inform you that the weeding and deep cleaning schedule has been badly impacted upon by the Covid-19 pandemic and effects of restrictions and lockdown; as I’m sure you will understand cleansing operatives were also diverted to cover staff who had to self-isolate.

The weeding season ends in October when the focus will change to leaves. We will then look at what has gone well, the positive and negative impact on the environment including pavements and where we can make improvements. We will take this time to trial new brushes for the mechanical sweepers and review funding, equipment and resources for the following year. A report will be brought to committee in the New Year. On your point about aesthetics, while I agree we have to keep streets easy to navigate, many residents have asked us not to remove weeds when they have seen the insects flourish due to other concerns for biodiversity, so I am also listening to when these comments are raised.

Our Streets Cleansing operatives continue to work hard to remove weeds and leaves from the most affected areas of the city, and I want to let you know that Residents who would like excessive weeds removed from public land can contact report this online and

street cleaners will attend the area. I'd be pleased to let you know in writing how to do this and also to reflect your comments in the report coming in the new year on resources available for weeding in the city".

19.9 **RESOLVED-** That the Committee note the petition.

(iv) Foot and Cycle Path for Roedean Road and Traffic Calming

19.10 The Committee considered a petition signed by 239 people that requested a foot and cycle path and traffic calming measures on Roedean Road.

19.11 The Chair provided the following response:

"There are a number of other locations in the city where this has also been raised, some of which are on today's agenda, but I want to thank you for raising the need for pedestrians and cycles to improve community safety in your area; particularly as there are no pavements where you mention.

The council is currently developing its Local Cycling and Walking Infrastructure Plan, and I can confirm that your comments and request about pedestrian and cycling issues in this location have been noted by officers and will be considered as part of this ongoing work.

When we investigate providing new footways, we do have to consider the overall costs which can include the need to re-construct road surfaces and drainage and divert or lower underground services if there is space to do so.

These works can be major and would need to be considered as part of our overall prioritisation of similar locations, in order to determine their suitability for being progressed within the budget available at the time.

But I thank you for raising this and for emphasising the importance of being able to walk safely, so as I mentioned we will pass this onto officers working on the local cycling and walking infrastructure plan".

19.12 **RESOLVED-** That the Committee note the petition.

(v) Traffic Calming on Arundel Terrace

19.13 The Committee considered a petition signed by 34 people requesting traffic calming measures be introduced on Arundel Terrace to deter speeding drivers using the road as a rat-run.

19.14 The Chair provided the following response:

"Thank you for raising your concerns about Arundel Terrace.

As I have mentioned previously the Council receives a large number of requests for traffic calming across the City and the current demand exceeds the available resources. This means that requests have to be prioritised where there is an existing casualty history within the last three years. We have checked the collision database and there has been one casualty on Arundel Terrace in the last 3 years. Whilst no injury is ever acceptable on the highway, we must prioritise the best we can with the funding available.

Road safety concerns very seriously and the Council works with the Sussex Safer Roads Partnership and other bodies and Authorities to help improve road safety across the whole Sussex region. The Police are important partners and work with the Council and the community to help address concerns about speeding via its SpeedWatch initiative. Information about that is available online.

We have also purchased a series of mobile vehicle activated signs that measure the speed of vehicles and flash up warnings when drivers are exceeding the limit. The signs are moved around the City to help modify driver behaviour and to help us gather data on speed and volumes of vehicles on sites where rat running has been raised as a concern. In light of the concerns you have raised we will add Arundel Terrace to the list of sites to be considered as part of this programme speed of vehicles and flash up warnings when drivers are exceeding the limit”.

19.15 **RESOLVED-** That the Committee note the petition.

(vi) Disabled Parking Access in City Centre

19.16 The Committee considered a petition signed by 43 people requesting that various matters relating to disabled parking access be reviewed.

19.17 The Chair provided the following response:

“Thank you for raising this important issue that I’m sure you’ll appreciate is also being addressed in other parts of the agenda today, so I hope you will be able to listen to the debates upcoming.

With the need to respond quickly to coming out of lockdown many changes to the city have been implemented. In some cases, this has meant that disabled parking has been altered or moved although every effort has been made to either increase or at least maintain current provision. However, I do acknowledge that it hasn’t always created the conditions of inclusion that we would want all disabled people in our city to feel.

Many of the changes are temporary and continue to be monitored and an update will be presented within a report on our agenda today. Having only taken control of the running of the council some weeks ago, I do want to stress that this is a major concern for us, and I do want to let you know that we are focused on now working actively working with a number of disability groups to try to ensure that access for the mobility impaired is maintained, and please be assured that listening to the disabled community is a high priority for us”.

19.18 **RESOLVED-** That the Committee note the petition.

(B) WRITTEN QUESTIONS

(i) Diesel Vehicles

19.19 Adrian Hill put the following question:

“Last year 30 brand new 100% diesel buses were purchased with investment from the council. They produce similar amounts of CO2 to older buses. The buses recharge by running their diesel engines at maximum at bus stops and crossings therefore emitting pollution in the most sensitive and polluted areas of Brighton. Can the council implement

a very clear roadmap, with strict and enforceable targets, dates, penalties and incentives, to help the transition from fossil fuels to renewable energy and create investment guidelines so no more council money is invested in diesel vehicles and council licensed vehicles become fossil fuel free?”

19.20 The Chair provided the following reply:

“Thank you for this question on an incredibly important topic. Firstly, I should explain that the 30 new hybrid electric buses that you refer to were funded privately by the Brighton & Hove Bus Company at a cost of over £9 million pounds, and without any subsidy from the council. Those buses have a Euro 6 standard engine which is the highest level for a diesel engine. This means that they are amongst the cleanest in operation in the country and they are able to run at zero-emissions through the city centre’s Low Emission Zone. Outside of that zone, the buses do use their diesel-powered generator, but only when needed. The Low Emission Zone requires all buses running through the city centre to be Euro 6 compliant by 2024- an important goal

In terms of what you ask about a roadmap for the transition from fossil fuels, there are a number of updates so bear with me. In 2019, the Big Lemon bus company received funding from the Government’s Low Emission Bus Scheme to purchase five electric buses, helping its fleet to become fully electric. Brighton & Hove Buses has also been trialling hydrogen-fuelled buses and has stated an ambition to operate a completely zero-emissions fleet by 2030. As technology has developed, we encourage the city’s bus operators’ investment in improving their fleets as part of our successful Quality Bus Partnership, and we really appreciate their commitment to helping make the city a cleaner and better place for everyone.

A continuation of this investment will help make a significant impact in reducing the effects of emissions from all vehicles on people’s health and our environment, especially diesel-powered ones. Electrification will play a big role in that process and will continue to be part of our wider strategy. Our significant investment in electric vehicle charging infrastructure for cars will really help with increasing the uptake of those vehicles by residents or visitors. We are also providing rapid charging points for taxis.

We all have a part to play in reducing emissions and the council must do all that it can to achieve that, and lead by example wherever possible. For example, in CityClean, our waste and recycling operation, we are currently developing a ten-year programme to replace current diesel and petrol vehicles with carbon-neutral alternatives. This will initially focus on electric vehicles, but we are also exploring hydrogen-fuelled power cells once the technology has been developed more. By using hydrogen, we can also work in collaboration with Brighton and Hove Buses, demonstrating that we will work together with our partners across the city to tackle these problems.

The way ahead will also be based around a number of plans and actions:-

- The Greater Brighton Energy Plan, which the council has played a significant role in, is another good example of how partners are developing and delivering projects that will reduce energy demand, cut carbon emissions, and bring community benefits, and also contribute to a resilient energy system for the future.
- The development of the council’s Carbon Neutral Programme for the city will be helped by the new Climate Assembly, which started last week and is focusing on reducing carbon emissions from transport and travel.

- And the delivery of a new Air Quality Action Plan will show how we will tackle particular problems in the new Air Quality Management Areas that are the subject of a report later on today's agenda.

You also raise the important point about council investments. We do have a sustainable procurement policy, that builds, for example, a requirement for CO2 reduction into specifications and requires suppliers to demonstrate they are minimising environmental impacts – and while not in the remit of this committee, I agree this has potential to be further developed in line with our 2030 carbon neutral commitments.

I hope that the detail goes some way to explain all that we plan to do in the coming months and years to ensure that the city and its residents are not adversely affected by the type of polluting vehicles that you have raised in your question. But of course, there is always more to do, and I welcome the points you have raised”.

19.21 Adrian Hill asked the following supplementary question:

“Do you agree that the time is right to introduce an ULEZ or Clean Air Zone on London Road? The pollution is doing too much damage to our health”

19.22 The Chair provided the following reply:

“Yes, I certainly do agree and when I was in Opposition, I put forward the idea of introducing a ULEZ”.

(ii) Water run-off

19.23 Sarah Broadley-Karlsson put the following question:

“Water run-off is a major issue for in the Westfield Avenue area of Saltdean. When there is a storm, road water run-off runs down the driveways and floods to just below our doorsteps- occasionally rising above and flooding the front of our property. Pathway drains were installed but more are required. This will be crucial if the Coombe Farm planning goes ahead on current land that acts a flood plain. Will the council confirm they will install desperately needed additional water run-off drainage and frequent cleaning of the current drainage system to prevent properties flooding?”

19.24 The Chair provided the following reply:

“Thank you for your question. I am sorry to hear of the flooding you mention here. It's important that these are raised with the council; as if an area is flooded reporting it to the council means we can prioritise strategic interventions. As it stands there are no records of flooding occurring at properties on this street and our highways maintenance team are not aware of it as a location where they receive complaints. However, I appreciate that you are raising it here.

Our highway maintenance team undertake scheduled cleaning to maintain the drainage system together with emergency inspection and maintenance if there is a reported problem. They can be contacted via our website if there is a highway drainage problem such as a blocked drain or gully.

Planning applications for proposed developments since 2015 have been required to incorporate sustainable drainage principles into the design under National (and Local) Planning Policy. The council has published guidance on what is required and how to achieve it which forms requirements for obtaining Planning Consent to then be controlled through Planning Conditions to ensure the design is delivered and maintained. As a result, it is not expected that new development on greenfield land will exacerbate any downstream flood risk, indeed it would be reduced for large return period storms. The development at Coombe Farm could be expected to reduce overland flow from the existing farmland.

However, I want to assure you that I will ask officers to get in touch with you to assess the problem in Westfield Avenue and see what interventions can be made, to address the issues there”.

19.25 Sarah Broadley-Karlsson asked the following supplementary question:

“If you have no record of that, why has pathway drainage been installed further down the road?”

19.26 The Chair provided the following reply:

“It seems like a site visit is a good idea so we can get in touch with you”.

(iii) Clifftop fencing

19.27 Miranda Pellew put the following question:

Could the Council seriously consider replacing the fence along the clifftop from the Marina to Saltdean to deter attempted suicides? There have been several attempted and successful suicides in recent months and the current fencing is totally inadequate to prevent accidents. Suicide, and the intention of suicide, has profound effects on families, of course but also incidental passers-by. In addition, I am sure many police officers and paramedics suffer the effects of trauma. Furthermore, a fence must be cheaper than the consequences of suicide. If people can be saved by a simple fence, this should be implemented

19.28 The Chair provided the following reply:

“Firstly, can I thank you for raising this important issue here and also flag that this discussion will include repeated mention of suicide, which can be very distressing. I want to share my concern about this area and also raise that the council does recognise this location as a priority area for action. Suicide is deeply traumatic, and we must all do more to focus on prevention and supporting those around us. It’s also a particularly important discussion to be having this September, suicide prevention month. Identifying common locations where suicides take place and intervening to prevent these incidents is a key element of the Brighton & Hove Suicide Prevention Strategy. There have been 20 deaths at this location between 2006-2020 (as at 10th August 2020). You will also be aware it is an issue associated with cliffs along the East Sussex coast.

To date we have addressed deterioration of the existing fence earlier this year when improvements and repairs to posts and wire were installed. Following a site review

additional Samaritan signs have also been installed at the highest risk locations with measures of help and contacts. We have worked with the Marina Management to look at ways of minimising risks too.

A working group will be established by the end of 2020. We will work with stakeholders to identify further options for improving the fencing and preventing suicides including restricting access in order to reduce suicides.

We are also in the process of commissioning a resource to support those who have witnessed incidents of suicide. But in the short term if you have been affected by Suicide please consider contacting our local service SOS Rethink on 01273 709060 or sos.mendos@rethink.org – it is also important that individuals, friends and families have access to information and help they need to discuss suicide prevention”.

19.29 Miranda Pellew asked the following supplementary question:

“Can the timeline be implemented sooner than 2020? I feel that incidents are only going to increase as winter approaches”

19.30 The Chair provided the following response:

“I will ask about the timeline and get back to you”

(iv) AQMA

19.31 Nigel Smith put the following question:

“Having voted £40k to identify, set up and monitor a traffic experiment to reduce NO2 in AQMA2, residents have been told the monitoring equipment for air quality and traffic flows is still not providing useful reports after nearly a year. If this is true will you investigate this further example of mismanagement of our congested roads...if it is not true, please provide evidence to refute this story”.

19.32 The Chair provided the following reply:

“The monitoring of air quality levels requires certain conditions and timescales to ensure that it is providing an accurate record, especially for any comparisons to be made. A minimum of one calendar year’s data would be recommended to enable a clear indication of average air quality levels over that period, because various factors such as air temperatures, atmospheric conditions and traffic levels can all vary throughout the year.

The Experimental Traffic Order that was put in place for the traffic management scheme in Rottingdean High Street started in October 2019, between Autumn and Winter when temperatures begin to fall. This change can often result in higher nitrogen dioxide levels being recorded. Since then, as we are all aware, most of 2020 has been far from an average year because of the pandemic.

One major aspect of that has been traffic levels, which have fluctuated hugely in the last six months. This will have significantly affected the amount of emissions from vehicles, and the traffic conditions in the High Street, when compared to a more ‘normal’ set of circumstances. Any monitoring results will therefore not provide a realistic basis for comparing the effects of the scheme that has been introduced.

Diffusion tubes are being used to monitor outdoor nitrogen dioxide in the High Street. Some additional equipment has also been installed to provide real-time information, but this is being tested and is only being used as a comparison with diffusion tube readings. These data are still awaited from the contractor who has experienced restrictions on staff movements during lockdown.

I therefore believe that it is the lack of suitable data for the study because of the effects of the pandemic that may be the problem, rather than the equipment. For these reasons, officers are reviewing the data that they do have and are considering the options available to them. Once this has been completed, they will be able to update the Parish Council and ward councillors accordingly, as well as residents. I hope this clarifies the situation for you”.

19.33 Nigel Smith asked the following supplementary question:

“I know from today’s agenda that the proposal to extend the bus lane on the A259 between Greenways and Roedean Road has now been withdrawn. Can you reassure residents that this proposal, in the absence of any research or planning was supported by a bizarre and unqualified statement that removing one lane of traffic on the A259 between Greenways and Roedean Road would not cause congestion or any delays, that this will not be reintroduced without a full impact assessment and comprehensive consultation with local councillors and stakeholders?”

19.34 The Chair provided the following reply:

“Thank you, what you are referring to is not on the agenda and would need a new report to be reintroduced. If you like, I can speak to officers and get back to you about some of the detail”.

(v) Underground waste bin service

19.35 Derek Wright read the following question:

“I want to ask the council officers to commission a report on the feasibility of introducing an underground waste bin collection service, as used in other Heritage centres and in many European resorts. The council could trial such a system here, by planning it into the public realm designs of Valley Gardens Phase 3, Madeira Drive and Black Rock. It would result in hiding underground the, unsightly communal and commercial waste bins that blight the seafront and our conservation areas. This didn't happen in Valley Gardens phase 1 &2 which has resulted in the Commercial and Council bins blighting the area”.

19.36 The Chair provided the following reply:

“Thank you for your question. I can see the benefit of underground bin systems which are used in many places in Europe. They are clearly much tidier and take up less space on the highway. Cityclean is already exploring the possibility of underground bin systems for the future.

There are challenges with these systems as they can be costly to introduce in some areas due to existing underground infrastructure and in some cases may be impossible

to install. They tend to be installed in new developments on greenfield sites, but we are aware that in some older European cities they are extensively provided.

I will ask transport, major projects and Cityclean to explore the possibility of introducing underground waste bins for Valley Gardens 3, Madeira Drive and Black Rock.

Cityclean will also need to consider the fleet required to empty from these types of bins, so this is something we would need to consider as part of the Fleet Replacement Programme.

Due to the levels of investment that would be required, and capacity constraints this is something that would need to be considered as a long-term project.

In the shorter term, we are working to improve on-street communal bins. This includes regular cleaning and maintenance regimes, as well as the installation of bins bays to ensure bins do not migrate to places they should not be. Tomorrow we will be launching a consultation on how we can better manage commercial bins on the highway.

Measures on limiting when a commercial bin can be placed on the public highway are commonplace in many towns and cities across the UK and we will be looking to implement some similar arrangements. The consultation is available on the council's website".

19.37 Derek Wright asked the following supplementary question:

"When are the new waste bins going to be installed next to the benches in Valley Gardens?"

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

"They are on order and I can let Mr Wright and the committee members know when that happens".

(vi) Motorcycle noise

19.39 Paul Tofts read the following question:

"Loud noises cause stress and attack well-being and mental health, particularly for children and disabled people. Noise from powerful motorcycles, ridden anti-socially, often by non-residents, can be extremely disturbing, at locations such as the approach to the City, Valley Gardens and the seafront. Excellent work by this Committee to encourage walkers and cyclists to reclaim these spaces is threatened with irrelevance by such environmental degradation.

In Paris the Police have cameras to monitor noisy motor cyclists and take action against offenders.

Is the Environmental Committee responsible for addressing the degradation of the Environment by throbbing motorcycle noise?"

19.40 The Chair provided the following reply:

"The noise from loud motorcycles can be very disturbing for the city's residents and wildlife and while the council would like to reduce this impact, the responsibility for managing vehicle emissions and safety falls to the government agency "The Driver and Vehicle Standards Agency". They are responsible for setting safety standards and also ensuring vehicles are working correctly through the MOT process. I will ask officers to

write to the DVLA outlining your concerns and how local authorities can play a part in limiting noise from vehicles.

However, there is more that the council can do. Both Cllr Davis and Lloyd feel very strongly about this matter as well, and the increase in very loud motorbikes must be seen as completely unacceptable and we know it is distressing to residents and harmful to wildlife. We are aware that many motorbikes break the 82 decibel limit so we will be writing to local police to ask them to pull over and fine if necessary, motorbikes with excessively loud engines. We are also aware that 'noise cameras' are being trialled that will be able to capture the details and fine the owners of excessively loud motorbikes. This technology is still being trialled but we will watch the outcomes carefully and will be pushing for them to be introduced in Brighton and Hove as soon as it is possible to do so, and I will ask officers to write to the Secretary of State for Transport on this matter".

19.41 Paul Tofts asked the following supplementary question:

"How else can motorcycle noise be monitored, mitigated, regulated and discouraged and punished?"

19.42 The Chair provided the following reply:

"I think I've outlined all the things that I'm aware of and if monitor the impact of the noise cameras and we keep lobbying for them to be introduced here, that would be good. We will continue to speak to Sussex Police and DVLA".

(vii) Temporary cycle lanes

19.43 Elena Kerrigan read the following question:

"My 5 year old and I now cycle 2 miles from Portslade to school near Hove Park along the temporary cycle lane on the Old Shoreham Road. The first regular exercise I've done in years. We're avoiding buses because of Covid and don't want to have to buy a second car (my keyworker husband commutes by car). Some councillors are calling for the lanes to be removed, and for other temporary lanes not to be implemented. If this happens, how will the council provide safe, socially distanced, environmentally responsible travel for us, and thousands of other families across our city?"

19.44 The Chair provided the following reply:

"Thank you for your welcome comments and I am delighted that you and your child are using the cycle lanes. The council is committed to active travel and has asked for further funds from the government's emergency active travel fund tranche 2 to extend facilities in the city. With Covid cases rising, this is more important than ever, but safe cycle routes also improve air quality, the health of our residents and will help us transition to net zero toxic carbon emissions by 2030. You also raise an important point that the cycle lane on Old Shoreham Road serves lots of schools in the area. I hope that councillors from all parties will support the administration's commitment to improving and expanding cycle infrastructure. Separately from the emergency active travel fund, which Old Shoreham Road is a part of, we are developing a local cycling and walking infrastructure plan, to establish a network of safe walking and cycling routes

across the city. As you may be aware the current arrangements are covered in items on the agenda today and will be discussed later in this meeting, too”.

(viii) London Road and Dyke Road cycle lane impact assessments

19.45 Katherine Sykes read the following question:

“What impact assessments, and mitigation, are in place for the London Road and Dyke road cycle lane proposals. Assessments and mitigation that take into account impact on local communities, in this case specifically the Westdene community, including impact on whole of The Deneway as an essential access road, the Westdene estates infrastructure, parking, congestion, air pollution, safety and equity of access?”

19.46 The Chair provided the following reply:

“The council has submitted a bid to the governments active travel fund tranche 2 for the London Road. At this stage the detail of the scheme has not been developed so the impacts on communities is not known. Clearly, if the bid is successful then the detailed proposals will be available for comment as they are worked up. It is important to acknowledge the changes that the pandemic has had on the city and the importance that active travel plays in providing alternatives to the car”.

(ix) Graffiti Reduction Strategy

19.47 Robert Rosenthal read the following question:

“In the event that the committee decide against requiring private homeowners or landlords to clean up graffiti on their own properties, how will the council facilitate its removal?”

19.48 The Chair provided the following reply:

“The results of the public consultation demonstrate there is little appetite to enforce against homeowners for the removal of graffiti from their property. Therefore, this has not been included as a recommendation on today’s agenda. Instead, other means will be adopted to encourage the removal of graffiti from this type of property. This will include:

- Writing to homeowners to ask them to remove the graffiti as it is causing a nuisance on the locality
- Offering paint through our Community Clean Up Scheme to help them remove it
- Offering the services of our chargeable graffiti removal service (if approved by committee) at an appropriate rate to encourage the removal

The recent Keep Brighton & Hove Tidy activities have demonstrated how proud residents and businesses are to live and trade in the city and their commitment to keeping it clean and tidy. We will be harnessing this enthusiasm and continuing to support them to do this and I hope, and expect, homeowners to do the same”.

19.49 Robert Rosenthal asked the following supplementary question:

“Could you tell us a little bit about this recommended contracting service that you might get to do the job on behalf of people?”

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

“It is referenced in the report and what we’re looking at is offering a low-cost graffiti removal service so that people who are excluded because they can’t afford to use a commercial service will be able to take advantage of that service”.

(x) Cycle Infrastructure

19.51 Sue Birch read the following question:

“As a mobility impaired disabled person who uses a bike as a mobility aid to get around and who does not own a car I rely on safe and properly integrated cycling infrastructure to get to work, to University and to get around the city to socialise. If the current temporary cycle lanes are removed and new ones under Tranche 2 not implemented, can the council guarantee that disabled and mobility impaired cycle users ability to get around safely will not be restricted?”

19.52 The Chair provided the following reply:

“Thank you for your question. I hope that councillors from all parties will support the administration’s commitment to improving and expanding cycle infrastructure. I am pleased to say that work on the Local Cycling, Walking Infrastructure Plan has started. The plan seeks to identify a coherent and comprehensive network of walking and cycling routes across the city that will provide the facilities you are seeking. This plan will provide the vehicle for expanding these facilities and enable the council to obtain the necessary funding to implement them. A public consultation on the plan will be starting later this year.

The council is committed to active travel and has asked for further funds from the government’s emergency active travel fund tranche 2 to extend facilities in the city. With Covid cases rising, this is more important than ever.

40% of residents in Brighton and Hove do not own a car, so we need safe transport for everyone. We also want to ensure that cycle lanes are wide enough to be accessible for all types of bikes including disabled users”.

19.53 Sue Birch asked the following supplementary question:

“How much weight is put on the online survey as it has become fairly obvious that it is open to manipulation by various campaign groups and not targeting key stakeholder groups”

19.54 The Chair provided the following reply:

“I would like for the council to do a bit more consultation offline and I’ll take on board your comments about schools as I think reaching young people is important”

(C) DEPUTATIONS

(i) Top Triangle Parking Survey

19.55 The Committee considered a Deputation that set out the results of a recent parking survey conducted in the Top Triangle area of Hanover and related parking problems.

19.56 The Chair provided the following response:

“Thank you for your petition and I am sorry to hear of the difficulties you are having with parking in this area.

As you are aware there has been extensive consultation with residents with the initial consultation and the subsequent review of the area. Officers responded to resident comments within the planned review by changing the roads where residents in those roads requested a change of scheme.

Officers are now working on other areas as outlined in the Parking Scheme Priority timetable to respond to a large number of residents across the city who have parking difficulties and who have patiently waited for a parking scheme consultation in their area. This timetable was agreed by this committee last year and this request will need to be added to this timetable to consult on these roads a third time when the timetable is next reviewed in late 2021. All correspondence from areas across the Council will be analysed with officer recommendations on the way forward discussed fully by members of this committee”.

19.57 **RESOLVED-** That the Committee note the Deputation.

(ii) Cycle Lane Projects - Current Consequences and Exhaust Emission

19.58 The Committee considered a Deputation relating to perceived problems caused by the introduction of the cycle lane on Old Shoreham Road.

19.59 The Chair provided the following response:

“Access for Blue light services is of course important in the city and I must stress that they are consulted on every change that is made to the road network. If concerns were raised by emergency services, the council would not ignore them. All blue light services were informed of the plans before the schemes were implemented and no concerns were raised.

The measures currently implemented with the Urgent response Transport Action plan are under review and ongoing consultation, and an update will be presented later in the meeting. The report is of course available on the website if you wish to view the latest information”.

19.60 **RESOLVED-** That the Committee note the Deputation.

(iii) Funding for temporary cycle lanes

19.61 The Committee considered a Deputation that expressed support for the funding of more sustainable methods of transport and the additional economic and health benefits.

19.62 The Chair provided the following response:

“Thank you for the support and the sound reasoning that you have put forward as to why the Emergency Active Travel Funding tranche 2 funding is key to ensuring how the city promotes active travel and the strong link with the need to prepare for the challenges that the pandemic will pose in the future. I also really appreciate your emphasis on an evidence-based approach to implementing active travel infrastructure, and highlighting the health, environmental and social advantages that cycling can bring.

I agree that we need to improve active travel infrastructure in order to help our city reach net zero by 2030, to improve road safety, to clean up our air and to protect our health. We need to do all we can to support the 40% of residents who don't have a car. We are also aware of the importance of improved engagement with communities affected by changes.

The update on the Urgent response Transport Action will be presented later in the meeting and it is available on the council's website, so I do hope you will stick around to hear the discussion”.

19.63 **RESOLVED-** That the Committee note the Deputation.

(iv) Stanmer Park/Brighton Dogwatch

19.64 The Committee considered a Deputation that noted the health benefits of dog walking and expressed concern for that in relation to the proposed parking charges for Stanmer Park.

19.65 The Chair provided the following response:

“Physical activity is important, and the council does want to encourage it. However, when you drive to a site to get physical activity people have to pay in or around many of our parks. We also want to encourage people to use sustainable transport to get to Stanmer- there are regular busses and trains that take you right to the entrance, and it is also accessible by bike. The park has blue badge spaces for those that rely on cars to get around.

We are well aware of the high number of park users who use parks to exercise both their dogs and themselves and have kept most areas of the city's parks open to dog walkers. I am aware that there has been some discussion about the price of the season tickets, and it is felt one that does not encourage university parking will not be affordable for most park users.

More detail on charging for Stanmer Park parking, feedback from the public and the review period for the proposed scheme can be found within the Stanmer Park Traffic Regulation Order report Item 25 on the agenda today. I must emphasise that the money raised from parking charges in Stanmer Park will be ringfenced to be spent on improving the park itself”.

19.66 Councillor Wares noted that it was a concerning trend that cohorts were missed from consultation exercises and noted that his Group had put forward an amendment to the related report that would seek to pause activity in this area.

19.67 **RESOLVED-** That the Committee note the Deputation.

(v) Aldrington Rec (Wish Park) Football Club Storage Space

19.68 The Committee considered a Deputation that requested storage space for Aldrington Recreation ground for Poets' Corner Football Club.

19.69 The Chair provided the following response:

"It is fantastic to hear how well the club is doing. Unfortunately, the Council does not currently have spare building space at Aldrington Recreation Ground. Within the City there is already a shortage of space for City parks equipment storage and the council has to rent space at the moment – so if any space could be identified for it, we would need to use it to reduce costs. Officers have checked the locations you have suggested but they are not available to offer for alternative storage.

A long time ago the council agreed to steel shipping containers for clubs to store equipment in some locations such as Wish Park, but these have proved to be both unsightly and, in some cases, have caused problems for residents. They also require planning permission. We will therefore not be agreeing to the use of containers going forwards.

Officers advise that most sports organisations in our parks would like to have storage space and we are keen to work with sports organisations to improve facilities in parks without detracting from other park users enjoyment of the parks but we are generally not in a position to provide storage facilities for clubs. I am sorry that this was not the answer you were hoping for, but I would be happy to link you up to Cityparks staff".

19.70 **RESOLVED-** That the Committee note the Deputation.

(vi) Old Shoreham Road temporary cycle lane usage

19.71 The Committee considered a Deputation that set out traffic count data recorded by residents for the usage of the temporary cycle lane on Old Shoreham Road that suggested it was under-utilised and not fit for purpose.

19.72 The Chair provided the following response:

"The measures introduced in direct response to coming out of lockdown were supported and funded by government to encourage and promote active travel. This is mainly due to the clear health benefits and the impact that the pandemic has had on public travel and the need to socially distance. With a rise in Covid 19 levels across the country, these measures are once again crucial.

An update will be received later in the meeting with regard to these measures and they will of course continue to be monitored. There has been no decision taken by the committee currently to make these facilities permanent and further consultation will be carried out before any decision is taken. Your point about only 4% of school children feeling safe using cycle lanes is shocking and to me only highlights the need to improve cycle infrastructure".

19.73 **RESOLVED-** That the Committee note the Deputation.

(vii) Blue Badge parking/Disability Access

19.74 The Committee considered a Deputation that highlighted the significant problems caused by the changes to parking relating to the Covid Transport Action Plan and requested that the Council make urgent reparation to all parking issues, access and curfews and commit to including future improvements to enhance disabled citizens' outcomes within Tranche 1 & 2 schemes.

19.75 The Chair provided the following response:

"Thank you for your deputation. As you'll be aware we have only taken over running the council recently, but I want to assure you that although these temporary transport changes have been introduced quickly, by instruction of central government due to the nature of the covid-19 pandemic, we remain committed to delivering inclusive and accessible transport for all. The changes helped people move safely around the city during the pandemic, avoided overcrowding on public transport, supported people back to work and businesses to reopen.

Our Public Sector Equality duty still applies as we make these changes, and you are right that the council must ensure the principles of fairness, dignity and equality underpin our ongoing response. As you mention, officers have now prepared an Equalities Impact Assessment on the measures within the Transport Action Plan which has been informed by direct engagement with partners, community groups and disability representatives, as well as the survey results. Your input via the informal advisory group has been very valuable for this too. It is important that this assessment informs our decisions on the Action Plan today.

Importantly, many of the changes have been implemented using the Experimental Traffic Regulation Order process which is supporting ongoing consultation whilst the measures are in place. The process means we can truly be responsive and adapt the changes flexibly, based on direct feedback from the public, and the consultation is ongoing. It's already been used to move the closure point on Madeira Drive for increased disabled parking, and to amend the restrictions in North Laines to improve disabled access. We also have a proposal to consider today that would reopen a large section of Madeira Drive and considerably improve access to the seafront for disabled car users.

In addition to this, the Council have recently advertised an amendment to the City wide parking place order which, subject to statutory consultation, would allow blue badge holders the opportunity to park in permit holders bays in any of the City's four 'light touch' parking schemes. This proposal was brought forward in response to concerns raised about access for visitors in these areas and could provide blue badge holders with access to an additional 7073 parking bays across the City. Responses to this proposal can be submitted via the Councils TRO Proposal page following the usual process.

I am aware that you have provided feedback on all the specific TROs mentioned in your deputation directly to officers as part of your involvement in the informal weekly advisory group and discussions are ongoing. All formal responses to the experimental traffic orders will also be presented to members of this committee before any final decision is made on whether schemes should be removed, remain or whether significant changes are required, such as in the case of Madeira Drive.

Again, I want to thank you for voicing the concerns of the disabled community, and as Chair I want to keep listening and engaging with the community and campaigners. I recognise that overall, this is picture mirrored across the country where the speed with which implementation was required has created concern. I fully understand that the fact

remains that if you are disabled, moving around the city will be a major issue and serious inequalities remain across the board for disability inclusion, so I welcome the feedback on the changes.

Due to the importance of this topic, I am recommending that this committee call for a report”.

19.76 The Committee members collectively agreed that the urgency required for the Covid Transport Plan had led to mistakes being made a supported the call made by the Chair that the committee receive a report on the matter. Councillor Wares stated that changes needed to be made and noted that the Council had potentially broken the law.

19.77 **RESOLVED-** That the Committee request an officer report on the matter.

20 ITEMS REFERRED FROM COUNCIL

(A) PETITIONS

(i) A food waste collection and disposal system for Brighton & Hove

20.1 The Committee considered a petition referred from the Full Council meeting held on 13 August 2020 and signed by 1307 people that requested a food waste collection and disposal system in Brighton & Hove.

20.2 The Chair provided the following response:

“Thanks for your petition about this very important issue. The council is committed to promoting a reduction in food waste and we are actively exploring the introduction of a food waste domestic collection.

The introduction of a food waste collection would present a substantial cost to the Local Authority. However, as part of the National Resources and Waste Strategy the government have said that they will provide funding to Local Authorities who do not yet have a food waste collection to assist them to introduce a collection. Officers are working on developing a scheme and costing it while we are waiting for further announcements as to the funding package which has been promised to council’s who need it. The project has been delayed due to the pandemic but has been restarted over the summer and we are expecting a report with options for consideration to be brought to committee next year.

What I can reassure you of is the fact that none of our domestic food waste goes to landfill. Less than 3% of all of our waste goes to landfill. It goes to the Energy Recovery Facility where it is burned and used to generate electricity. The calorific value of the food is very beneficial to the generation of electricity and makes a significant contribution to the electricity generated, which fuels around 25000 homes. This also means that our food waste is not generating the high levels of methane and carbon into the atmosphere through the process of landfill.

A factor that we are taking into consideration in our analysis in relation to food waste collections, is the potential carbon cost of doing so. To introduce a new collection will entail more refuse trucks collecting and tipping the waste. We want to be sure that we are not increasing the carbon cost and pollution in the city by introducing a separate collection of food which would defeat much of the purpose.

In the meantime, we would like to encourage residents to minimise their food waste production and compost any food waste they do generate if they are able to do so. The council works closely with Brighton and Hove Food Partnership who are an excellent organisation working to promote food waste reduction. There are many elements to their work, but they critically aim to ensure that excess food from supermarkets is distributed to those who most need it through foodbanks and community kitchens; they provide healthy eating and cooking classes and work on community food growing projects. The council has created a new Food Policy Officer post who will be recruited to shortly to work along-side B&H Food partnership and other organisations in the city. In partnership with B&H Food partnership we provide around 40 community composting schemes. In addition the council sells subsidised home composters and wormeries for those who have a garden. And if you already have a garden waste collection you can add your food waste to your brown bin”.

20.3 **RESOLVED-** That the Committee note the petition.

(ii) Parking Zone S

20.4 The Committee considered a petition referred from the Full Council meeting held on 13 August 2020 and signed by 24 people that requested controlled parking zone S be increased from a Monday to Friday scheme to include weekends.

20.5 The Chair provided the following response:

“Thank you for your petition.

The Area S parking scheme was reviewed in late 2018 with a questionnaire sent to all households after a year of the scheme being introduced.

At that time 60% of 681 respondents to the questionnaire outlined they would like to keep the hours / days as they are. There are currently no plans to review the area further but if more residents come forward to outline this is a concern then it is something officers can consider adding to the parking scheme timetable when it is next reviewed”.

20.6 **RESOLVED-** That the Committee note the petition.

(i) Re-open Madeira Drive

(ii) Keep Madeira Drive closed

20.7 The Committee considered two petitions referred from the Full Council meeting held on 13 August 2020 with one signed by 2884 people requesting Madeira Drive be kept closed and the other signed by 9748 people requesting Madeira Drive be re-opened.

20.8 The Chair provided the following response:

“Madeira Drive was closed, providing space for walking, cycling, running and other activities, on 20th April during the early peak of the Covid-19 Pandemic. This was in response to the Government’s very strong directives to encourage Cities to support social distancing and active travel necessary for public health and to allow for social distancing. This measure was delivered using Traffic Regulation powers and

subsequently included within an Urgent Response Transport Action Plan agreed at May Policy & Resources Covid Recovery Sub – Committee and further updated and agreed at 23rd June ETS Committee.

At this Committee it was agreed to continue to keep Madeira Drive closed to cars and would also be modified to re-locate the closure point from Marine Parade to the lower level of Dukes Mound and Madeira Drive.

An updated design has been worked on by officers that is detailed on our agenda today. This proposal will include re-opening the road for one-way eastbound traffic movements from the Place Pier eastbound. This will allow access to parking facilities including an increased number of Blue Badge holder Bays, and loading bays including general loading and coach drop off points. some reinstated parking facilities and a two-way segregated on carriageway cycle facility. This means that space for local residents to use for socially distanced exercise, walking and cycling will continue to be available while access for businesses and Blue Badge Holders will be provided and increased. All vehicles will be authorised to freely use the re-opened section of road and to have access to Black Rock Car Park. Access for all businesses will also be provided for”.

20.9 **RESOLVED-** That the Committee note the petitions.

(iii) Remove Old Shoreham Road Cycle Lane Extension–

(iv) Make Old Shoreham Road Cycle Lane Permanent and Establish a Citywide Cycle Network

Deputation

(i) Support for the review of the temporary cycle lane extension on Old Shoreham Road

20.10 The Committee considered two petitions referred from the Full Council meeting held on 13 August 2020 with one signed by 4400 people requesting the temporary cycle lane on Old Shoreham Road be removed and the other signed by 5135 people requesting the temporary cycle lane on Old Shoreham Road be made permanent. Furthermore, the committee considered a Deputation that expressed support for a review on the temporary cycle lane.

20.11 The Chair provided the following response:

“As you will be aware the coronavirus (Covid-19) pandemic has created a number of challenges and changes for the city in respect of how the transport network is being, and will be, used. With the implementation of government restrictions in response to the public health crisis, there has been a new demand to increase the ways that people can exercise and travel while physical distancing.

Communities in the west of our City are poorly served by cycle infrastructure and as a result many rely on private cars and public transport to access work. Once the lockdown restrictions begin to ease, we need to ensure that there are suitable alternatives for those who are willing and able to choose an active way to travel. This will in turn ensure that there is capacity within the network for those people who are unable to travel by foot, cycle or public transport.

If we were to take no action to support alternative modes of travel and everyone chose to travel by private car, congestion would increase leading to poor air quality. The city

also only has a limited amount of parking availability and those residents without access to a car would also be left with limited options to access their place of work or other local amenities.

The cycle lane is currently temporary and is being monitored closely in terms of both safety and usage. An update on the scheme will be provided as part of a report that will be presented to this committee today”.

20.12 **RESOLVED-** That the Committee note the petitions and Deputation.

(C) DEPUTATIONS

(ii) Deputation concerning a request for the whole of The Deneway (BN1 8QR and BN1 5AZ) to have safe road markings

20.13 The Committee considered a Deputation referred from the meeting of Full Council held on 13 August 2020 request the whole of The Deneway to have road marking on the basis of road safety concerns.

20.14 The Chair provided the following response:

“I am pleased to say that due to the work of the Withdean Councillors, parking infrastructure officers have visited the WEST side of the Deneway to discuss with the councillors the installation of double yellow lines on the west side of the road. Officers will be happy to include the plans for extending yellow lines to the west side of the Deneway in the next Citywide Traffic Regulation Order which we hope to advertise in November/December this year. The plans will then be subject to local consultation and will be advertised on the West side of the Deneway and local residents will be encouraged to respond to this consultation”.

20.15 **RESOLVED-** That the Committee note the Deputation.

(iii) Madeira Traders compromise

20.16 The Committee considered a Deputation referred from the Full Council meeting held on 13 August 2020 that requested that requested a compromise position from the Council in relation to the closure of Madeira Drive and future improvements.

20.17 The Chair provided the following response:

“Thank you for your Deputation. I do realise the challenging times we are facing, but during the covid-19 pandemic it became clear that Madeira Drive needed to change for the wellbeing of residents.

The Urgent Transport Action Plan report that is later on our agenda has a specific recommendation for this area, and this will be debated later in the meeting. You will be able to watch that the debate on the council webcast.

It became apparent that in previous years, engagement with traders had been minimal, but my colleague Cllr Davis has frequently visited Madeira Drive in recent months, to meet with traders to discuss their concerns and opinions on Madeira Drive, and it is clear that there are a plethora of different opinions on what the future of Madeira Drive

should look like. I hope that many of the traders will be happy with the plan put forward in today's meeting".

20.18 **RESOLVED-** That the Committee note the Deputation.

(iv) Tackling air pollution and congestion on the A259 from Brighton Old Steine to Eastbourne

20.19 The Committee considered a Deputation referred from the meeting of Full Council held on 19 December 2019 that requested an independent audit of the source data and analysis that the Valley Gardens project is based on be undertaken, followed by open publication of their conclusion in relation to potential impact for funding applications for the A259.

20.20 The Chair provided the following response:

"Thank you for your comments. However, I am aware that you received a full response to the issues that you raised from the former Chair of this committee when you presented it to Full Council. Mr Shepherd also received a further response from my colleague Councillor Littman as Chair of the Audit & Standards Committee when the same points were raised, and this is all set out in the published minutes, so I can refer some of the enquiries to those. I understand that there has been a considerable amount of ongoing correspondence with various council officers about this matter.

On each occasion, I do want to note the council has confirmed that the council's Business Case has been independently audited by the LEP for the purposes of enabling the funding to be allocated. This process is complete, the funding has been released and the design work for Phase 3 will be progressed, taking into account the recent, further consultation and ongoing stakeholder engagement. The project will be further considered by this committee next year.

Given your primary concern relates to the A259, I would expect that any future study of the route which is considered as part of the government's Major Road Network programme will be based on the most up to date data at the time. I believe that that programme has been affected by the impacts of tackling the Covid-19 pandemic, like many other workstreams have, but when it restarts, I am sure that the Department for Transport will be clear about what information is required for that process. I have no doubt that all the local authorities involved will comply with the relevant guidance to enable the project to have the best chance of success of securing funding. We will also want to ensure that tackling carbon emissions and reducing them significantly will be a key part of any study that comes forward, in order to ensure that we maximise its contribution to meeting our goal of carbon neutrality by 2030".

20.21 **RESOLVED-** That the Committee note the Deputation.

21 MEMBER INVOLVEMENT

(B) WRITTEN QUESTIONS

(i) Manton Road Safety

21.1 Councillor Yates read the following question:

“Could the Chair agree undertake to review the safety of Manton Road, Bevendean in the near future please? As a very narrow single track one way road with encroaching bushes on one side and a footway on the other side which is regularly completely obstructed by pavement parking, residents have asked for action to be taken by the council to ensure that all residents and users can share the space safely and without fear of speeding vehicles”.

21.2 The Chair provided the following reply:

“The Council’s road safety engineering programme is referred to as the High Risk Sites Programme and this tackles the worst sites in the City. This programme looks at clusters of accidents in priority of dealing with the worst locations first. The casualty record is considered to determine whether there are patterns of collisions that can be tackled, whether the Highway layout is appropriate and whether there are benefits in making changes as sometimes making changes can actually make the problem worse. I can confirm that there have been no casualties reported in Manton Road in the last 3 years and therefore the road would not meet the criteria for a full safety review under this programme. However, we have noted your specific concerns about vegetation and footway parking and will pass these on to the relevant teams for further consideration”.

(ii) Brighton Marina and Gasworks site

21.3 Councillor Fishleigh read the following question:

“Nearly 2,000 new flats will be built at Brighton Marina and the Gasworks site over the next few years.

I know that there is no master plan for transport for this area but we will need new roads, flyovers, bridges, tunnels, pavements, cycle paths and bus lanes to transport people into, around and out of the area”.

Please would you tell me what the process and timescales are for planning, financing and building these?”

21.4 The Chair provided the following reply:

“Brighton Marina and the Gas Works Site just north of the A259 have been identified for redevelopment in Policy DA2 of the City Plan Part 1 which was adopted in 2016. A high-level assessment of infrastructure needs, including transport, for all of the policy allocations was carried out to support their inclusion within the Plan.

A more detailed assessment of transport measures and opportunities is set out in the adopted Brighton Marina Masterplan Planning Advice Note from 2008. This helps to inform future regeneration and transport measures which will be suitable to accommodate development in the area.

New development is an opportunity to secure improvements to infrastructure. As planning applications come forward on the main sites in the area – the Marina Outer Harbour application is due to be considered by the Planning Committee tomorrow and we await proposals for the Gas Works site – I can assure you they will be carefully assessed by City Transport and Planning officers and, if approved, any necessary measures will be secured as part of the decision. The funding mechanisms will be

determined by the planning process, and the construction timescales will be planned by the developer.

The assessment will include the cumulative impact of other development sites and will ensure that the right infrastructure is put in place for people and vehicles to support new development and encourage and provide safe, accessible and sustainable travel options”.

21.5 Councillor Fishleigh asked the following supplementary question:

“The council is allowing utility companies that have to take up paving slabs to replace these slabs with unsightly tarmac. Please would you clarify if this is an official policy”.

21.6 The Chair stated that a written response would be provided.

(iii) Ovingdean to Roedean temporary bus lane

21.7 Councillor Fishleigh withdrew the question.

(iv) Valley Gardens Phase 3

21.8 Councillor Wares read the following question:

“On or around the 6th September various publications and social media posts referred to comments made by the Executive Director at a meeting on the 4th December 2018 in respect to Valley Gardens phase 3. The alleged comment was “to make driving in the centre of the city so difficult that fewer people do it”. That I can only presume reflects the then Labour Administration’s approach. Is this the adopted underpinning strategy for Cllr. West, the Co-Chair responsible for transport in the city?”

21.9 The Chair provided the following reply:

“Thank you for your question Cllr Wares. I am sure you will recall that the Valley Gardens Phase 3 project has a very clear set of Core Design Objectives which were approved by this committee in June 2018. They focus on improving walking, cycling and public transport use; tackling congestion; improving road safety and the public realm; creating accessible spaces; and enhancing the environment. They do not include making driving difficult. I’m hopeful you will have also noted the improvements as a result of the opening of VG1 and VG2.

The scheme therefore embodies many of the objectives that are part of the council’s wider transport strategy which is set out in its current Local Transport Plan, approved in 2015. We are all working together to achieve these objectives across the city and involving partners and stakeholders along the way. Through the development of a new Local Transport Plan, we will have a further opportunity to discuss and agree the transport vision and strategy for the city, and I look forward to doing so as the Chair of this committee”.

(v) Cityclean

21.10 Councillor Wares read the following question:

“On the 14th July, whilst in opposition, Brighton & Hove Green councillors issued a statement that said that it was time to end missed recycling and refuse collections. It also said that it was time to end repeated excuses over missed collections. Now Cllr. Heley is in charge of Cityclean, will she please confirm that she endorses that statement and take personal responsibility for future missed collections. Will the Co-Chair also confirm that no more excuses will be given?”

21.11 The Chair provided the following reply:

“It is absolutely the time to end missed collections. As an opposition member I was also critical of Cityclean’s performance and as chair I will continue to hold the service to account, and work closely with officers to do all that I can to improve the service for our residents.

I hope committee agrees with me when I say that the amount of work taking place at Cityclean to improve performance, as highlighted in the Modernisation Programme update on today’s agenda, is impressive. This demonstrates the efforts being made to improve the service across the city.

Complaints are down, compliments are up and the percentage of vehicles off the road due to faults is decreasing. While we are not yet seeing a corresponding reduction in missed collections, we can hope that the projects within the Modernisation Programme will shortly make an impact.

The review of persistent missed collections and the subsequent request for Traffic Regulation Orders will implement measures, such as double yellow lines, will remove the access issues, enabling Cityclean trucks to enter roads.

The investment in technology which we are being asked to endorse today will improve the communication between Cityclean teams, meaning any reports of missed collections can directly sent to the relevant crew to resolve, lessening the impact of the missed collection on residents”.

(vi) Cityclean

21.12 Councillor Wares read the following question:

“At Full Council I asked if Cllr. Heley thought the agreement between the unions and the council that prevented strikes earlier in the year should be made public. Cllr. Heley was reluctant to answer. The council have responded to my Freedom of Information request to say they have the information but don’t consider it in the public interest to release the documents. Now Cllr. Heley has had time to consider the matter, please could she provide an answer today?”

21.13 The Chair provided the following reply:

“Thank you for your question. You have received a very detailed written response to your FOI request, from the previous administration, which sets out in full the explanation as to why the agreement is exempt from disclosure under the Freedom of Information Act and how you may appeal this decision.

While personal data in the agreement has been anonymised as far as it is possible to do so, it is considered that sufficient other information exists in the public domain to render individuals referred to in the agreement identifiable. As a result, the agreement is considered to include the personal data of third parties. There was also considered to

be a strong likelihood that releasing the agreement would significantly impact the effective conduct of the council's affairs".

21.14 Councillor Wares asked the following supplementary question:

"Do you agree that the information should not be made public?"

21.15 The Chair provided the following reply:

"Yes, at the moment I do agree"

(vii) Madeira Drive

21.16 Councillor Wares read the following question:

"With the Tranche 1 and 2 bids for Covid-19 transport measures there is little or no mention of Madeira Drive. Please could Cllr. West confirm how all the physical measures, the cost of traffic orders and the employment of marshals are being paid for, what is the cost to date and what is the daily cost to employ marshals?"

21.17 The Chair provided the following reply:

"The costs associated with Madeira Drive have been paid for within existing budgets for both the physical changes and the ongoing costs for the closure. The stewarding for the closure is £382.20 a day"

21.18 Councillor Wares asked the following supplementary question:

"Just to confirm, that is not coming out of the council's Tranche 1 funding, it's coming from existing budgets?"

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

"Yes, that's correct"

(viii) Parking revenue

21.20 Councillor Wares read the following question:

"The loss of parking revenue due to the Covid-19 measures implemented by the council by suspending parking is likely to run into millions. As this revenue props up a number of provisions and services such as senior citizen, disabled and school bus passes and subsidised bus routes, please can Cllr. West confirm what the council's plan is to make up for the lost revenue, for example are you bringing in a congestion charge?"

21.21 The Chair provided the following reply:

"For the financial year 2020/21, the Council can and will make a claim to central government for eligible income lost from sales, fees and charges as a result of the pandemic. The total claim can be for 75% of the eligible income lost (less a 5%

deduction from the original budget for administrative costs and any other relevant mitigating savings). The grant claim will include parking income lost as a result of Covid-19 related measures for suspending parking temporarily (including the closure of Madeira Drive).

The latest details of the forecast parking income losses and the estimated value of the grant to cover these losses will be reported to the October 2020 Policy & Resources Committee as part of the 2020/21 TBM 5 Budget Monitoring report. In opposition, I put forward a few policy ideas that would raise money for the council such as an ULEZ and congestion charge and I believe that we need certain powers from central government to do some of those things but in theory, yes, we'd like to do that".

(ix) North Street

21.22 Councillor Wares read the following question:

"In a recent press release Cllr. West referred to North Street being the 3rd most polluted street in England. North Street remains 2-3 times above the legal limit. As confirmed in council reports, North Street is primarily used by buses, taxis and delivery vehicles. Please would Cllr. West advise by what year does he intend to ensure North Street pollution levels are below the legal limit and in giving that date, will he take personal responsibility if the target is missed".

21.23 The Chair provided the following reply:

"We have a report later on the agenda about air quality, and it refers to the council's annual report which includes the most up to date data for 2019 and was published earlier this year. Monitoring takes place at three points along North Street, so we have very clear information about what is happening from year to year. The highest levels of nitrogen dioxide are recorded at the busy Clock Tower junction, where there are tall buildings and traffic lights to enable everybody to move safely. Although they exceed standards, the results show that there has been continuous improvement over a number of years in this part of the Ultra-Low Emission Zone, as there been elsewhere in the city, but there is still a lot of work to do.

The development of a new Air Quality Action Plan, which will come to this committee next year, will provide the recommended actions that we can all sign up to and ensure that we identify and assign responsibilities for making the city a cleaner and healthier place for people to live, work, shop and visit. Continuing to work with our local bus and taxi companies to reduce emissions will undoubtedly play a key part in addressing the problems in North Street. I do hope that they can continue with their investment plans for cleaner, low emission vehicles in these difficult times, and that the welcome decision to un-pause our SCRIF money for retrofitting exhausts on older buses will help too. Add in the feasibility work for delivering a Car Free City Centre by 2023 and an expanded Ultra Low Emission Zone, and I am confident that we can significantly influence the pace of the continued air quality improvement that we have already seen in North Street, and hope we can count on your support for these important measures".

21.24 Councillor Wares asked the following supplementary question:

"You didn't give me a date by which North Street would be resolved, do we have a date when that will become a priority?"

21.25 The Chair provided the following reply:

“As soon as possible”.

(x) Temporary transport measures

21.26 Councillor West read the following question:

“For months now I have been trying to obtain an unequivocal answer to the simple question “once a Covid-19 response to transport measures is no longer needed, will all the Experimental traffic regulation orders remain, as it appears the Experimental status doesn’t need Covid-19 as a requirement for them to remain legal”. Please could Cllr. West provide that answer as it will confirm whether or not the council intends to make the measures permanent and that the claims of “temporary” are misleading and the term “trojan horse” is more accurate as transport changes installed under the guise of Covid-19 will occur?”

21.27 The Chair provided the following reply:

“When the Conservative Government issued its emergency powers in April, revised in May, this year and specific Statutory Guidance under The Traffic Management Act it also set out a range of provisions for Local Authorities to follow including local choice of which Traffic Regulation Order (TRO) type to use. The Government allowed the choice to be determined by Local Authorities to suit its local circumstances and conditions. The various Covid-19 Urgent Response Transport Action Plan measures have been advertised through the Experimental Traffic Regulation Order process which after the initial consultation allows 6 months for comments and then the order needs to come back to this Committee anytime within 18 months to determine the way forward. Committee members can then determine whether to revoke or make permanent the Order (including any amendments required). Any amendments in the meantime can also come back to this Committee for members to agree the way forward such as the proposal to be discussed today to revoke the experimental Traffic Regulation Order for Madeira Drive with a new proposal through a Permanent Traffic Regulation order”.

21.28 Councillor Wares asked the following supplementary question:

“If there is no longer a Covid response required, will the Experimental Traffic Orders be rescinded there and then, or will you keep them in place to run their course?”

21.29 The Chair provided the following reply:

“It is quite clear now that Covid 19 is not just going to have an end date, it will be an ongoing thing and I think I have answered that we have that 18 month window to make changes and everything does have to come back to committee. So, I don’t really think the argument of a trojan horse is that valid as it needs committee approval”.

(xi) Madeira Drive

21.30 Councillor Wares read the following question:

“There have been several announcements by the Administration that Madeira Drive will be reviewed to repurpose its use and potentially not be open to traffic in any form save for events that might be permitted. As the Administration’s Valley Gardens phase 3’s design and the assumptions they make, albeit to many still viewed as flawed, specifically requires Madeira Drive to be a one-way road, please could Cllr. West either confirm that regardless of future plans, Madeira Drive will always at least be open to one-way traffic or that he agrees to suspend work on Valley Gardens phase 3 until the future of Madeira Drive has been designed, consulted upon and any subsequent proposal agreed by the appropriate committees?”

21.31 The Chair provided the following reply:

“Officers have reviewed the Madeira Drive road closure and considered comments made from businesses and stakeholders. A recommendation has been made to this Committee to re-open the road for one-way eastbound traffic movements from the Place Pier eastbound. This will allow access to parking facilities including double the number of Blue Badge Bays, loading bays and coach drop off points. All vehicles will be authorised to freely use the re-opened section of road and to have access to Black Rock Car Park.

These recommendations have been considered in-line with future proposals such as Valley Gardens, Phase 3 and Black Rock development”.

(xii) Pavement Weeds

21.32 Councillor Wares read the following question:

“Across many parts of the city, pavements are becoming dangerous due to the amount and size of weeds and other vegetation growing in and besides them. It was proposed that weeds would be manually cleared but there appears to have been very little activity. Accepting the pandemic will have influenced progress, the activity of clearing weeds could have been done in a safe manner. The concern is that pavements now have significant trip hazards and impede those using wheelchairs, mobility scooters, walking aids or prams and buggies. Also, because “pavement weeds” have been allowed to grow they will be more difficult to remove, it will take longer and thus be more costly and are quite likely causing structural damage to the pavements themselves. Please could Cllr. Heley advise what is being done to clear the weeds and will sufficient resource and funding be made available to repair and replace damaged pavements?”

21.33 The Chair provided the following reply:

“Our City Environmental Management services has committed to become pesticide free by 2022. A plan was developed to end the use of pesticide in the city’s parks, open spaces, pavements and highways in November 2019. The service will not engage contractors to use pesticide on any land managed by these departments. This means that, since the decision was taken, the removal of weeds in parks and on hard surfaces has been undertaken in-house and using manual techniques.

When adopting this approach, Cityclean were open that they would not be able to remove the weeds to the same extent and therefore, there would be more weeds.

However, this also brings some benefits of encouraging insects and increased biodiversity. Indeed, many residents have asked us not to remove weeds when they have seen the insects flourish.

Cityclean has cleared most of the worst affected areas in the city. However, the weeding and deep cleaning schedule was quite badly impacted by the covid-19 pandemic and lockdown. Street Cleansing operatives were diverted to other more urgent front line Cityclean and beach front services to cover staff who had to self-isolate.

The weeding season ends in October when the focus will change to leaves. We will then look at what has gone well, the positive and negative impact on the environment including pavements and where we can make improvements. We will take this time to trial new brushes for the mechanical sweepers and review funding, equipment and resources for the following year. A report will be brought to committee in the New Year. Our Streets Cleansing operatives continue to work hard to remove weeds and leaves from the most affected areas of the city.

Residents who would like excessive weeds removed from public land can contact report this online and street cleaners will attend the area”.

21.34 Councillor Wares asked the following supplementary question:

“Can I invite you to have a walk around Patcham and Hollingbury with me and perhaps part of Withdean as well and you will see for yourself that the claim that the worst affected areas have been dealt with have not been done”.

21.35 The Chair provided the following reply:

“Yes, I will come to Patcham and Withdean to have a look at weeds”.

(C) LETTERS

(i) Council ponds

21.36 The Committee considered a Letter from Councillor Osborne that requested better management of council ponds.

21.37 The Chair provided the following response:

“As a result of the climate crisis, we are seeing an increase in hot and dry summers. This is noticeable in our ponds which are not stream fed but either rely entirely on rainfall or collect runoff from surrounding roads. During times of drought these ponds receive no additional water. With hotter drier summers this is likely to be a regular problem so much so that we don’t believe that the majority of our ponds are suitable for fish and are working to a long-term solution to remove the fish. Preston Park Rock Garden and St Ann’s Well Garden ponds are an exception; they are not filled by rain but from bore hole and mains water and are still suitable for fish.

With regard to Falmer Pond, no fish were moved by the Environment Agency. Indeed, they told us that we could not move them without a license from them for which we would have to get the fish tested for disease (30 fish which would be euthanized). We didn’t proceed with this as we didn’t think there were enough fish left in the pond to test and we could not find anyone willing to take them.

A pump was installed to aerate it while there was enough water to pump around and investigated filling the pond from the water main, but this requires permission from Southern Water. Southern Water are not willing to give permission in times of drought when their priority is to maintain drinking water supplies. They did offer to provide treated effluent suitable for discharge into a stream, but this requires a permit from the Environment Agency who refused to grant it as they were concerned about a build-up of pollutants should the water further evaporate. This left us in the unfortunate position of having a pond with distressed fish with no way of removing the fish, increasing the water level, or aerating the water once the level had dropped to a level where the silt would foul the pump which was distressing for staff as well as the public.

We completed a survey last year which identified several issues with the pond including the amount of silt and deterioration to the inlet and outlet which now leak. This means that while the pond may fill quickly after rain, the level quickly drops to the level of the leak. This is not far above the level of the silt, so it does not take long for evaporation to reduce the amount of water such that the fish begin to struggle. The cost of carrying out the suggested repairs is not something that can be met from existing budgets, but officers have bid into the governments recently announced Green Recovery Fund for money to carry out these works

Signage is put up but unfortunately doesn't tend to last very long. The rangers used to do more outreach, e.g. run guided walks, etc., but this was one of the things that was cut to meet budget savings with the rangers being asked to concentrate more on facilitating volunteers helping to maintain our parks and open spaces.

I have asked officers to explore the with council's communication team how we can provide more information to the public on issues relating to ponds across the city.

I hope the problems we've experienced with our ponds recently will serve as a stark reminder for members about how the global climate crisis is having and will continue to have such a devastating impact on our wildlife".

21.38 **RESOLVED**-That the Committee note the Letter.

(ii) Wildflowers

21.39 The Committee considered a Letter from Councillor Osborne that requested support for Hollingdean and Stanmer to become a trial 'Wildflower Ward' starting with the grass verges along the bus route up Davey Drive and The Crestway.

21.40 The Chair provided the following response:

"This sounds like a lovely idea that would help increase the biodiversity in the city. The contents of Councillor Osbourne's letter align closely with the objectives of the Open Spaces Strategy. Therefore, if the committee agrees, I will instruct officers to bring a report to the November meeting of this Committee to cover all areas of the strategy, including grass verges".

21.41 **RESOLVED**- That the Committee receive a report on the matter.

(iii) LCWIP

21.42 The Committee considered a Letter from Councillor Wares that expressed concern regarding his concerns relating the progress and focus of the Local Cycling & Walking Infrastructure Plan (LCWIP).

21.43 The Chair provided the following response:

“The LCWIP is still in development and is an ongoing process which welcomes input and involvement from stakeholders and members (and the wider public when the draft document is produced). The needs and views of all stakeholders need to be taken into account and balanced when developing this document. What has been presented to stakeholders / members at this current stage is the draft walking / cycling network proposals, these are very much a work in progress for discussion with stakeholders and the approach which we have largely followed to this point is the suggested approach in the national guidance.

The LCWIP Technical Guidance from Department for Transport suggests for the walking network to focus on identifying Core Walking Zones and Key Walking Routes to and from these. This is in order to focus on the areas with most demand in terms of trip attractors (e.g. schools, shopping areas, workplaces) and therefore the most potential for improvement to journeys / attracting new pedestrian journeys or longer walking trips. Focusing away from these areas is unlikely to have the same effect in terms of the potential for modal shift. That said, we understand the point being raised with regards to the suburban journeys in the city and the potential for influencing these journeys and potential for modal shift to sustainable modes. The LCWIP has identified 20 Core Walking Zones and associated Key Walking Routes, while many of these zones are near the city centre area (e.g. central Brighton, Seven Dials, London Road), many are also focused on outlying areas (e.g. Patcham, Hangleton and Woodingdean). For the cycling routes, these are focused predominantly on strategic where there is highest propensity to cycle, in line with the national Propensity to Cycle Tool (PCT).

For the LCWIP to have a key focus on the suburban areas instead of the high footfall areas / high propensity strategic cycle routes, this would require a significant change of focus which would need to be considered and agreed through the project governance mechanisms. Focusing away from the Core Walking Zone approach of considering areas with higher footfall / strategic routes for cycling, and switching to areas with larger geographical spread of facilities / residential properties would require more of an area-based approach to the process in order to gain the most benefit from provision of walking and cycling interventions in less built-up areas.

We are considering Councillor Wares’ comments on this subject alongside other comments gathered as part of this stakeholder engagement phase.

Following this stage of stakeholder engagement, we will be revising the draft network based on the feedback and engaging further with stakeholders on the changes as a result of their feedback”.

21.44 **RESOLVED-** That the Committee note the Letter.

(iv) SCAPE Project Carden Avenue

21.45 The Committee considered a Letter from Councillor Wares that requested urgent works to address potential gaps in the SCAPE Project in Carden Avenue that if not addressed, would continue to cause flooding in the area despite the project.

21.46 The Chair provided the following response:

“Scape is a project which is being partially funded by the Interreg 2seas programme. A programme which is funded by the EU. This is a pilot scheme which is looking at adapting to the climate change through water management. The Carden Avenue scheme is our (BHCC’s) offering to this research project. It is not intended to provide a solution to the flooding, but to show in principle that this sort of intervention could work in an urban environment. This is why the Carden Avenue scheme scope has changed over time. The scope has been reduced, to meet the timeframe of the programme, and also meet the funding. In this area, any intervention will improve the current situation. Following completion, it is expected that the scheme should provide an improvement to flood risk to the residents in the immediate and down-stream areas.

BHCC acknowledge the issue raised about the large amount of water coming downstream and have engaged with Southern Water to undertake further investigations. BHCC thinks that there might be a missed connection. An initial inspection at the Hollingbury retail park has taken place, but no missed connections were identified. However not all connections were investigated at the time. To date Southern Water have been reluctant to invest in monitoring in the system, as the system is large, and there are a number of branches which feed into the main sewer along Carden avenue, even though we, the council, have offered to pay for the work. As the Lead Local Flood Authority, we believe that with specific targeted monitoring points, an assessment of the inflow of water into the system can be made and provide findings. I will also ask officers to pick up this issue with you after the meeting to make sure everything has been covered”.

21.47 **RESOLVED-** That the Committee note the Letter.

(v) The Deneway Patcham

21.48 The Committee considered a Letter from Councillor Wares that requested extension of the double yellow lines on the north side of The Deneway to prevent pavement parking.

21.49 The Chair provided the following response:

“Thank you for your letter Councillor Wares, The Parking Infrastructure Team would be happy to consider extending the double yellow lines in The Deneway and will add this to the next Citywide Traffic Regulation Order which we hope to advertise in November/December this year. Officers would be happy to meet ward councillors to discuss this”.

21.50 **RESOLVED-** That the Committee note the Letter.

(vi) Parklets

21.51 The Committee considered a Letter from Councillor Hills that request the Committee calls for a report to consider how a parklet scheme might be put together and piloted in the city and for agreement that parklets could be considered as part of the pilot Low Traffic Neighbourhood scheme in Hanover and Elm Grove, subject to approval by residents.

21.52 The Chair provided the following reply:

“Thank you for your letter. I love the idea of Parklets and can see the benefits they would bring to residents and to the environment.

This will need careful consideration because of the costs of installation and also the ongoing maintenance costs. Therefore, before making a decision I think it is important to ask officers to cost this so that we can consider how parklets could be funded.

As you have said the committee has already agreed to proceed with the development of a Low Traffic Neighbourhood (LTN) in the Hanover area. We are in the process of identifying a suitable budget and resource to take this scheme forward. Once this is in place then then we would be happy to explore the options for trailing a parklet as part of the Hanover LTN so long as this can be funded and there is community commitment to the ongoing care of the planting.

Officers will be in touch with ward councillors to discuss this further once we are in a position to take this forward. I therefore propose that we request officers to provide a report to a future committee”.

21.53 **RESOLVED-** That the Committee receive a report on the matter.

(D) NOTICES OF MOTION

(i) Equalities and Emergency Active Travel Fund

21.54 Councillor Wares moved the following Notice of Motion on behalf of the Conservative Group:

In light of recent allegations in various media and press releases by the campaign group BADGE and Possibility People, and to ensure that the council has not fallen into disrepute, this Committee requests that the Chief Executive: -

1. Asks the Equality and Human Rights Commission to instigate an investigation into the council such that the allegations can be fully assessed and independently reported on; and
2. Asks the Local Government Association to review and report on the allegations regarding claims made in bids to Central Government for monies from the Emergency Active Travel Fund.

21.55 Introducing the motion, Councillor Wares detailed several matters of deep concern relating to the introduction of the Emergency Active Travel Fund measures and disability groups. Councillor Wares stated that the seriousness of the allegations made required an urgent, independent investigation.

21.56 Brown formally seconded the motion and stated that the allegation that the council failed to consult in accordance with the Equalities Act was very serious and must be investigated.

21.57 The Chair provided the following response to the motion:

“The allegations you refer to relate to the level of consultation carried out before temporary transport measures were implemented in response to the Covid-19 crisis and the information included in our bid to government for funding from the Emergency Active Travel Fund.

I want to assure you that although these measures have been introduced quickly, to help minimise the effects of the public health emergency, we remain committed to delivering inclusive and accessible transport for all.

Conservative MP and secretary of state for transport Grant Shapps himself said the following: “ If work has not started within four weeks of receiving your allocation under this tranche of funding, or has not been completed within eight weeks of starting, the Department will reserve the right to claw the funding back by adjusting downwards a future grant payment to your authority. This will have a material impact on your ability to secure any funding in tranche 2.”

Bids for the government funding had to be submitted at extremely short notice – within eight working days. This meant that formal consultation on proposals, of the sort you might expect in non-emergency situations, was not practicable. But we recognise going forward, that we need to go above and beyond what is required of us when it comes to consultation.

Importantly, the Experimental Traffic Regulation Order process being used to implement many of the changes, is facilitating ongoing consultation whilst the measures are in place. The process empowers us to be truly responsive and allows for the changes to be quickly adapted based on direct feedback from the public. It is a different approach to consultation and directly linked to the challenging timescales set by the Department for Transport and conservative government.

Having become the administration just weeks ago, and with myself becoming Chair only last week, I want to stress that this situation does need to be resolved and its vital disability groups feel part of the response to the changes and measures to combat Covid-19.

I have met with BADGE and Possibility People and am instructing officers to work collaboratively with them going forward. I am also asking officers to establish a formal Active Travel forum, so stakeholders can have a say in council schemes.

I set out in my chair’s communications at the beginning of this meeting some of the things we are exploring. I will make sure that going forward, officers will work more closely and collaboratively with disability representatives, including BADGE and PossAbility People, and talking with other community groups to help identify where the temporary changes may be having disproportionately negative effects, to take action where necessary

We must make sure the principles of fairness, dignity and equality underpin our ongoing response.

I am pleased therefore, that we have an Equalities Impact Assessment to consider alongside recommendations on the Urgent Response Transport Action Plan at this meeting. This assessment is crucial to us meeting our Equality Duty and we must take note of the impacts highlighted for all groups with protected characteristics in making decisions today.

To ensure our decisions are informed by as many voices as possible, I am also pleased to see that officers are proposing public consultation takes place on further schemes, and that we will have the opportunity to agree those measures as well as the consultation plan before work continues.

With a positive, collaborative and responsive approach in place I do not feel it is necessary to invite the Equality and Human Rights Commission or the Local

Government Association to investigate the Council's handling of the process for implementing these emergency measures. The focus now must be on the way forward and positive engagement, and this is the priority for myself and my colleagues.

I also note that the conservative government has been trying to scrap the EHRC for years, a body that has often exposed the discrimination against disabled people as a result of conservative government policy. Poverty Britain points to Equality and Human Rights Commission (EHRC) research that found disabled people had been disproportionately affected by austerity measures introduced by successive Tory-led governments between 2010 and 2017. The research (PDF), published in November 2017, found that, on average, the impact of tax and benefit changes on families that included a disabled adult would reduce their income by about £2,500 per year; if the family also included a disabled child, the impact would be more than £5,500 per year. It also highlights a report by the UN committee on the rights of persons with disabilities, which found in November 2016 that the UK government was guilty of "grave" and "systematic" violations of disabled people's rights.

In conclusion, if the Conservative members on this committee could contact their colleagues in government to lobby for an increase in support for disabled people, I would be grateful".

- 21.58 Councillor Williams stated that the decisions made in response to the Covid pandemic were made quickly and for good reason. Councillor Williams that the committee now needed to look forward and address the matter by conducting meaningful and widespread consultation on permanent changes, not temporary ones.
- 21.59 Councillor Appich noted that the Conservative Group had supported the changes when they were made and that was a matter of public record. Councillor Appich stated that decision were requested to be made by central government in haste and whilst mistakes had been made, it was important to move forward and undertake meaningful consultation. Councillor Appich stated that she found the motion to be one of political posturing and would not be supporting it.
- 21.60 Councillor Hills stated that central government had given clear instructions to local authorities that to receive funding, an application would need to be made within eight days that was a very tight deadline. Councillor Hills stated that rather than make judgements in hindsight, the council needed to learn lessons and ensure that permanent changes were widely consulted upon.
- 21.61 Responding to the debate, Councillor Wares stated that he was deeply concerned that his committee colleagues were unwilling to investigate the serious allegations.
- 21.62 Councillor Wares requested a recorded vote on the motion.
- 21.63 Councillor Brown seconded the request.
- 21.64 A recorded vote on the Notice of Motion was undertaken with the following outcome:

Councillor Appich: Against
Councillor Brown: For
Councillor Davis: Against
Councillor Fowler: Against

Councillor Heley: Against
Councillor Hills: Against
Councillor Lloyd: Against
Councillor Wares: For
Councillor Williams: Against
Councillor Wilkinson: Against

21.65 Therefore, the motion failed.

21.66 **RESOLVED-** That the Committee note the Notice of Motion.

(ii) Historic Motoring Events on Madeira Drive

21.67 The Committee considered the following Notice of Motion referred from the meeting of Full Council held on 13 August 2020:

This council resolves to:

- (1) Recommends to ETS Committee that any post-Covid changes to the layout of Madeira Drive do not prevent historic motoring events from taking place

21.68 The Chair provided the following response:

“Madeira Drive was closed on 20th April during the early peak of the Covid-19 Pandemic in response to the Government’s very strong directives to encourage Cities to support social distancing and active travel necessary for public health and alternative mobility potential. This measure was delivered using Traffic Regulation powers and subsequently included within an Urgent Response Transport Action Plan agreed at May Policy & Resources Covid Recovery Sub – Committee and further updated and agreed at 23rd June ETS Committee.

At this Committee it was agreed to continue to keep Madeira Drive closed and would also be modified to re-locate the closure point from Marine Parade to the lower level of Dukes Mound and Madeira Drive and to improve accessibly to Black Rock. Officers have now considered options for Madeira Drive based on monitoring and consultation and will be providing recommendations at 29th September ETS Committee. These recommendations include a re-opening of Madeira Drive for eastbound traffic with an east-west bound on carriageway cycle facility and reinstated parking on the north side. It is proposed this scheme will require further detail design and will be delivered through a Traffic Regulation Order Process allowing a full consultation of the parking arrangements prior to installation. As part of these design processes we will consult with Event Organisers to ensure we deliver a scheme that can support and enhance crucial City Events”.

21.69 Councillor Wares stated that he did not feel the response adequately addressed the request of the Notice of Motion that was ensuring that motoring events continued on Madeira Drive in a post-Covid world.

21.70 Councillor Wares requested a recorded vote on the motion.

21.71 Councillor Brown seconded the request.

21.72 A recorded vote on the Notice of Motion was undertaken with the following outcome:

Councillor Appich: For
Councillor Brown: For
Councillor Davis: For
Councillor Fowler: For
Councillor Heley: For
Councillor Hills: For
Councillor Lloyd: For
Councillor Wares: For
Councillor Williams: For
Councillor Wilkinson: For

21.73 Therefore, the motion was carried.

21.74 **RESOLVED-** That the Committee agree that any post-Covid changes to the layout of Madeira Drive do not prevent historic motoring events from taking place.

(iii) Litter Reduction

21.75 The Committee considered the following Notice of Motion referred from the meeting of Full Council held on 13 August 2020:

This Council requests that:

1. A report is commissioned for the next suitable meeting of the ET&S Committee, outlining a further strategic response to the problem of littering, including:
 - joint working between the council, supermarkets and hospitality industry that can stem the flow of rubbish at the source
 - the development of a voluntary scheme, whereby businesses can be supported to develop a 'return/refund' system for disposable items, to help minimise littering among customers; and where participation is rewarded e.g. through promotional materials / stickers for businesses who join the scheme;
 - details on how any strategy aligns with the council's unnecessary single-use plastics pledge
 - an update on the council's food waste trial
 - the strategy to deal with seasonal increases in littering especially on the beaches to avoid unnecessary build-up of waste by bins whilst also not impacting on general residential household waste and recycling collection services through-out the city
 - the potential to increase the number of Civil Enforcement Officers employed by the council
 - the potential to increase the number of staff and support equipment (including vehicles) that can be dedicated to litter picking throughout the city on a planned or response basis

21.76 The Chair provided the following response:

“This Notice of Motion requires a substantial amount of work by officers and I would like them to have time to undertake a review of the summer streets, seafront and enforcement issues and service prior to making recommendations to committee. I am therefore proposing that the committee note this NOM and request a report from officers to be presented at a future ETS committee”.

21.77 **RESOLVED-** That the Committee agree to the request made in the Notice of Motion.

22 URGENT RESPONSE TRANSPORT ACTION PLAN - UPDATE

22.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that updated on the transport network measures taken by the Council in the short term to respond to the Covid-19 emergency. The report also set out recommendations in relation to specific measures that were implemented as part of the package of emergency measures approved at the Environment, Transport & Sustainability Committee on 23 June 2020.

22.2 Councillor Wilkinson moved a motion on behalf of the Labour Group to amend the recommendations as show in bold italics and strikethrough below:

2.2 Delegate authority to the Executive Director Economy, Environment & Culture to review and make amendments to the Old Shoreham Road cycle lane in respect of specific traffic movements, including the right hand turn into Olive Road **and the Carlton Terrace junction** to ease congestion, **and a general review of road markings and signage to optimise safety.**

2.3 Give approval for the Executive Director Economy, Environment & Culture to commence detail design and the Traffic Regulation Order process to re-open Madeira Drive one-way eastbound, improve blue badge capacity and relocate cycle facilities as detailed in paragraph 3.17 of this report and the plan contained in Appendix B, **and for this process to remain under constant review with alternative options weighed up and reported back to Committee to assess.**

2.4 **Agree to a pause in implementing Tranche 2 changes, in order to ensure local residents and stakeholder groups are consulted and are able to offer input into the process. Request that officers agree a window with the Department for Transport that allows for meaningful consultation to take place, without placing the Tranche 2 funding at risk, and our expectation is that this window be no less than 6 weeks; and**

2.5 Agree that subject to the Council securing funding for Tranche 2 of the government’s Emergency Active Travel Fund, a report is brought to a Special or Urgency Committee **meeting of the Environment, Transport & Sustainability Committee** to agree the measures being taken forward and the associated consultation plan.

22.3 Councillor Williams formally seconded the motion.

22.4 Councillor Wares moved a motion on behalf of the Conservative Group to amend the recommendations as shown in bold italics and strikethrough below:

The Committee is recommended to:

- 2.1 Note the update to temporary measures that have been implemented as part of the Urgent Response Transport Action Plan contained in Appendix A, and that **except where altered by the following recommendations**, the committee agrees they remain in place while the threat from Covid-19 is again escalating, and that officers continue to monitor those schemes and report findings back to **the November a future Committee**.
- 2.2 ~~Request Delegate authority to the Executive Director Economy, Environment & Culture to~~ **remove the temporary cycle lane on** review and make amendments to the Old Shoreham Road. ~~cycle lane in respect of specific traffic movements, including the right hand turn into Olive Road to ease congestion.~~
- 2.3 ~~Request Give approval for the Executive Director Economy, Environment & Culture to~~ **urgently** to commence detail design and the Traffic Regulation Order process to re-open Madeira Drive one-way eastbound, **restore and** improve blue badge capacity **and unfettered access for everybody to Changing Places public toilets** and relocate cycle facilities as detailed in paragraph 3.19 6 of this report and the plan contained in Appendix C.
- 2.4 **Request the Executive Director Economy, Environment & Culture to urgently alter the Traffic Regulation Orders in respect to New Road to allow Blue Badge holders to access and park in New Road the same as all other road users and to provide Blue Badge parking in proximity to New Road for Blue Badge use during the closed period. In respect to the city centre to allow Blue Badge holders long-term parking as opposed to the current 3-hour limit.**
- 2.5 **Request the Executive Director Economy, Environment & Culture to urgently install the eight fit for purpose disabled bays in Bartholomew Square and via consultation with stakeholders representing Blue Badge holders, relocate the two now inaccessible disabled bays in London Road.**
- 2.6 **Request the Executive Director Economy, Environment & Culture to urgently commission an independent road safety audit on the “floating” disabled parking bays on the A259 with emphasis on them being fit for purpose for use by Blue Badge holders.**
- 2.47 **Postpone Tranche 1 proposals not already implemented (save for those changes detailed in points 2.2 – 2.6 inclusive and** Agree that subject to the Council securing funding for Tranche 2 **proposals until** of the government's Emergency Active Travel Fund, a report is brought to a Special or Urgency Committee to agree the measures being taken forward and the associated **public and stakeholder** consultation plan. **The report to include assessments relating to, inter alia, economic, financial, social, equalities, pollution & air quality, traffic movement & displacement and journey time impacts such that future decisions can be based on considered opinions, evidence and assessments capable of future monitoring comparisons.**

- 22.5 Councillor Brown formally seconded the motion.
- 22.6 The Chair stated that the Green Group would be supporting the Labour Group motion but not the Conservative Group motion as to agree would place the Tranche 2 funding at risk and many of the issues identified were already being addressed.
- 22.7 Councillor Fowler stated that the temporary measures had realised benefits and it was right to learn and consult to improve the measures going forward.
- 22.8 Councillor Lloyd stated that traffic was the sole cause of traffic and every effort needed to be made to reduce levels to the benefit of people and the environment.
- 22.9 Councillor Davis noted that the Council had supported a Carbon Neutral city by 2030 and these types of measures were fundamental to that.
- 22.10 Councillor Wares stated that the dissent relating to the proposals was because the plans were rushed and had not been sufficiently thought through and the council were not listening to all road users.
- 22.11 Councillor Wilkinson stated that central government expected changes and the urgency relating to funding meant that it had not been possible to do so in the way it normally would be. Councillor Wilkinson stated that it was important that consultation with all stakeholders and communities was thorough going forward and that bold changes were needed to respond to the pandemic and create a better, cleaner environment for the city and its residents.
- 22.12 Councillor Wares asked for clarification that the cycle lane on Old Shoreham Road was not subject to a Traffic Regulation Order (TRO) and would remain permanent until the committee decided otherwise.
- 22.13 The Head of Transport Projects & Engineering confirmed that to be the case and added that any decision on the permanent status of all the schemes brought in would be for the committee.
- 22.14 The Chair then put the Labour Group motion to the vote that passed.
- 22.15 The Chair then put the Conservative Group motion to the vote that failed.
- 22.16 The Chair then put the recommendations as amended to the vote that were agreed.
- 22.17 **RESOLVED-** That the Committee:
- 1) Note the update on temporary measures that have been implemented as part of the Urgent Response Transport Action Plan contained in Appendix A, and agree these remain in place while the threat from Covid-19 is again escalating, and officers continue to monitor the schemes and report findings back to a future Committee.
 - 2) Delegate authority to the Executive Director Economy, Environment & Culture to review and make amendments to the Old Shoreham Road cycle lane in respect of specific traffic movements, including the right hand turn into Olive Road and the Carlton Terrace

junction to ease congestion, and a general review of road markings and signage to optimise safety.

- 3) Give approval for the Executive Director Economy, Environment & Culture to commence detail design and the Traffic Regulation Order process to re-open Madeira Drive one-way eastbound, improve blue badge capacity and relocate cycle facilities as detailed in paragraph 3.17 of this report and the plan contained in Appendix B, and for this process to remain under constant review with alternative options weighed up and reported back to Committee to assess.
- 4) Agree to a pause in implementing Tranche 2 changes, in order to ensure local residents and stakeholder groups are consulted and are able to offer input into the process. Request that officers agree a window with the Department for Transport that allows for meaningful consultation to take place, without placing the Tranche 2 funding at risk, and our expectation is that this window be no less than 6 weeks.
- 5) Agree that subject to the Council securing funding for Tranche 2 of the government's Emergency Active Travel Fund, a report is brought to a Special meeting of the Environment, Transport & Sustainability Committee to agree the measures being taken forward and the associated consultation plan.

23 2020 REVIEW OF AIR QUALITY MANAGEMENT

- 23.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the outcomes of a technical, Detailed Air Quality Assessment based on calendar year evidence up to and including 2019, and proposes amendments to the city's two existing Air Quality Management Areas [AQMA] which were declared in 2013.
- 23.2 Councillor Wares moved a motion on behalf of the Conservative Group to amend the recommendations as shown in bold italics and strikethrough below:

That the Committee:-

- 2.1 ~~Notes Approve~~ **Notes** Approve the proposed boundaries of the city's Air Quality Management Areas (**AQMAs**) as set out in Appendix 2;
 - 2.2 Request that the Executive Director **consults the Citizen Assembly on Climate Change on the proposed AQMAs in 2.1 together with the comments expressed by this Committee** ~~takes all necessary steps to vary the 2013 Air Quality Management Area Order in accordance with Appendix 2;~~
 - ~~2.3 Request that the Executive Director undertakes the necessary work to develop and consult on the revised, draft Air Quality Action Plan;~~
 - 2.4 **3** Request that officers bring a report to a future Environment, Transport & Sustainability Committee which includes the results of the consultation on the draft Air Quality Action Plan **with the Citizen Assembly on Climate Change for further** ~~and a final document for consideration and approval.~~
- 23.3 Councillor Brown formally seconded the motion.

- 23.4 The Chair stated that the Green Group would not be supporting the motion as it misunderstood the purpose of the report and the remit of the Climate Assembly. The Chair explained that purpose of the Climate Assembly was to consider the future decarbonisation of the city and not deal with technical council policy documents.
- 23.5 Councillor Appich asked when the next review would take place and what would trigger that review.
- 23.6 The Senior Technical Officer explained that the consultation would take place between March and May 2021 and the monitoring review took place in July of every year.
- 23.7 Councillor Wares stated that there was no misunderstanding of the role of the Climate Assembly, the motion detailed a suggestion and it was up to the committee to determine that. Councillor Wares encouraged the committee members to read the 2020 Detailed Assessment of Air Quality in Brighton & Hove that was listed as a background document but was very thorough and informative.
- 23.8 The Chair then put the Conservative Group motion to the vote that failed.
- 23.9 The Chair then put the recommendations to the vote that were agreed.
- 23.10 **RESOLVED-** That the Committee:-
- 1) Approves the proposed boundaries of the city's Air Quality Management Areas as set out in Appendix 2;
 - 2) Requests that the Executive Director takes all necessary steps to vary the 2013 Air Quality Management Area Order in accordance with Appendix 2;
 - 3) Requests that the Executive Director undertakes the necessary work to develop and consult on a revised, draft Air Quality Action Plan;
 - 4) Requests that officers bring a report to a future Environment, Transport & Sustainability Committee which includes the results of the consultation on the draft Air Quality Action Plan and a final document for consideration and approval.

24 ELECTRIC VEHICLE CHARGING POINT INSTALLATION UPDATE

- 24.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that updated on progress with installing lamp post chargers in areas of the city with no off-street parking. Following discussions with UK Power Networks it also informed the Committee of the precise locations of the rapid taxi hubs and proposed infrastructure as well as the outcome of informal consultation with residents nearby and formal consultation on changes to parking restrictions.
- 24.2 In response to questions raised by Councillor Wilkinson, the Parking Strategy & Contracts Manager explained that progress would be monitored through residents' requests and feedback and consultation with ward councillors about the suitability of existing bays and locations of new bays.

24.3 RESOLVED-

- 1) That Committee notes progress with the installation of over 200 lamp post chargers and that in November 2019 the council submitted a further successful bid for 5 fast chargers (£37k) of funding and a further bid for 12 fast chargers (£82K) has been awarded this month.
- 2) That Committee notes the outcome of consultation with residents living close to the location of fast and rapid taxi chargers and notes the specific locations and infrastructure designs for rapid taxi chargers following discussions on local grid capacity with UK Power Networks.

25 PARKING SCHEME UPDATE

- 25.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that updated Committee on the progress of the recent resident parking scheme detailed design consultation in South Portslade.
- 25.2 Councillor Wilkinson noted that Beaconsfield Road and Southdown Avenue would be excluded from the scheme as cul-de-sacs of Victoria Road that had voted against the scheme. Councillor Wilkinson stated that this would cause difficulties in these two roads and asked if they could be included in the scheme in some form.
- 25.3 The Head of Parking Services explained that to include the two roads in the scheme would cause legal difficulty and problems in terms of signage and enforcement and clarity. Furthermore, it would set a precedent in the city for individual roads to be included in parking schemes that would exacerbate such problems.
- 25.4 **RESOLVED-** That the Committee having taken account of all duly made representations and comments, agrees to proceed to the next stage of advertising a Traffic Regulation Order for the smaller area in the South Portslade Area (Appendix A) as detailed in this report for a light touch parking scheme Monday to Friday 11-noon and 6-7pm.

26 STANMER PARK TRAFFIC REGULATION ORDER

- 21.1. The Committee considered a report of the Executive Director, Economy, Environment & Culture that set out the comments and objections to the draft Traffic Regulation Order (TRO) for the introduction of charges and parking controls in Stanmer Park.
- 21.2. Councillor Wares moved a motion on behalf of the Conservative Group to amend the recommendations as shown in bold italics and strikethrough below:
 - 2.1 That having taken account of all duly made representations and objections, the Committee ***requests the Executive Director Economy, Environment & Culture to further explore the potential to introduce a season ticket for Stanmer Park.*** ~~approves as advertised the following order~~

~~Brighton & Hove (Stanmer Park) Various Restrictions and Off-Road Parking Order 202* (TRO-2-2020)~~

~~with minor amendments in response to the consultation, as set out in paragraphs 5.5, 5.7 and 5.9 of the report.~~

~~2.2 That Committee agree that should, during implementation, the Executive Director Economy, Environment & Culture consider that further minor amendments to the TRO are appropriate, such changes are advertised as an amendment Traffic Regulation Order.~~

~~2.3 That the Committee approve that all income from parking charges in Stanmer Park is used towards improved access, management and maintenance of Stanmer Park.~~

~~2.4 That Committee agree that the parking scheme be reviewed in 18 months after implementation to consider how well it is working and to recommend any amendments to the scheme and whether the income raised from the parking scheme gives scope for subsidising public transport to and within Stanmer Park with any recommendations for changes to the scheme to be presented in a report to the Environment, Transport & Sustainability (ETS) Committee.~~

~~2.5 2 That Committee agree for officers to consult with residents and businesses located in Stanmer village street on a separate parking scheme for Stanmer village. , and report back to the November 2020 meeting on the ETS Committee.~~

2.3 That a report is brought back to a future ETS Committee to consider the implementation of a Traffic Regulation Order for the introduction of parking charges taking account of 2.1 and 2.2 above.

21.3. Councillor Brown formally seconded the motion.

21.4. Councillor Fowler observed that recommendation 2.5 already set out a commitment to consult with residents and stakeholders. In addition, Councillor Fowler stated that she would not be supporting the Conservative Group motion.

21.5. Councillor Davis stated that the Green Group would not be supporting the Conservative Group motion as the report clearly set out why the changes were needed. Councillor Davis stated that he hoped bus transport links to the area would be improved in the future.

21.6. Councillor Wares asked for confirmation that the introduction of a car park and paid parking was part of the agreement with the Heritage Lottery Fund (HLF). Councillor Wares also asked for clarification on the contradiction in the report that increased parking income would be used improve the park, but the parking charges would be structured as such to encourage more sustainable, alternative methods of transport. Councillor Wares expressed his disappointment that the consultation results had been ignored.

21.7. The Estate Regeneration Project Manager explained that the agreement with the HLF was that the council would maintain and manage the Park and parking income would be one source of funding that. The Estate Regeneration Project Manager added that it was

accepted that people would still drive to the park and that would cause a financial impact in terms of maintenance and it was therefore felt reasonable to charge for parking.

21.8. The Chair then put the Conservative Group motion to the vote that failed.

21.9. The Chair then put the recommendations to the vote that were agreed.

21.10. RESOLVED-

- 1) That, having taken account of all duly made representations and objections, the Committee approves as advertised the following order:
Brighton & Hove (Stanmer Park) Various Restrictions and Off-Road Parking Order 202* (TRO-2-2020) with minor amendments in response to the consultation, as set out in paragraphs 5.5, 5.7 and 5.9 of the report.
- 2) That Committee agree that should, during implementation, the Executive Director Economy, Environment & Culture consider that further minor changes to the TRO are appropriate, such changes are advertised as an amendment Traffic Regulation Order.
- 3) That the Committee approve that all income from parking charges in Stanmer Park is used towards improved access, management and maintenance of Stanmer Park.
- 4) That Committee agree that the parking scheme be reviewed 18 months after implementation to consider how well it is working and to recommend any amendments to the scheme and whether the income raised from the parking scheme gives scope for subsidising public transport to and within Stanmer Park with any recommendations for changes to the scheme to be presented in a report to the Environment, Transport & Sustainability (ETS) Committee.
- 5) That Committee agree for officers to consult with residents and businesses located in Stanmer village street on a separate parking scheme for Stanmer village, and report back to the November 2020 meeting of the ETS Committee.

27 STANMER PARK DESIGNATION AS COUNTRY PARK

- 27.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that requested permission to apply for accreditation to Natural England to designate Stanmer Park as a Country Park.
- 27.2 Several members of the committee expressed their support for the proposals.
- 27.3 **RESOLVED-** That the Environment, Transport & Sustainability Committee agrees that the council applies to Natural England for Stanmer Park to become accredited as a Country Park.

28 THE LIVING COAST BIOSPHERE MANAGEMENT STRATEGY 2020 - 2025

28.1 RESOLVED-

- 1) That the Committee endorses the refreshed management strategy for The Living Coast on behalf of the city council.
- 2) That the Committee notes the update on key projects being developed and delivered by The Living Coast.
- 3) That the Committee encourages elected members to champion and support The Living Coast biosphere programme in their work and wards.

29 CITY ENVIRONMENT MODERNISATION UPDATE

29.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that provided Modernisation progress update and information and updates relating to several Cityclean service areas since the January 2020 update. The report was also seeking approval to progress two key areas of service improvement and modernisation: the expansion of the communal bin service and investment in IT systems.

29.2 In response to questions raised by Councillor Wares, it was explained that more information on the Waste Strategy would be brought to the November meeting of the committee and a report on the effectiveness of the Weed Management programme to a meeting in the New Year. Surplus from commercial services was being reinvested back into the service, particularly on the health and safety measures needed and this was a specific service focus currently.

29.3 In response to questions raised by Councillor Brown, it was explained that the everyone on the garden waste collection waiting list should have been contacted and any residents that may have been missed could be followed up. A specific project to improve park bins would be discussed with residents and stakeholders over the winter months ready for the summer of 2021.

29.4 RESOLVED-

- 1) That Environment, Transport & Sustainability Committee note the progress of the Modernisation Programme and the service and performance updates in Appendices 1, 2, 3, 5 and 6.
- 2) That Environment, Transport & Sustainability Committee approve for officers to begin the necessary work and consultation to expand the communal bin area as per Appendix 4. This will involve consultation with residents, ward councillors, operatives and the trade unions.
- 3) That Environment, Transport & Sustainability Committee approve to initiate a consultation on introducing communal collections from Preston Circus to Dyke Road Drive immediately to accommodate the introduction of a two-way segregated cycle lane along part of the A23.
- 4) That Environment, Transport & Sustainability Committee recommends to the October 2020 Policy & Resources Committee that it approve, as part of the TBM05 Budget

Monitoring Report, the £529k investment in IT systems funded from the Corporate Modernisation Fund (as detailed in 3.34 to 3.36).

30 GRAFFITI REDUCTION STRATEGY UPDATE

30.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that detailed the outcomes of the consultation on the Graffiti Reduction Strategy approved in November 2018 and made recommendations based on the results.

30.2 Councillor Wares moved a motion on behalf of the Conservative Group to amend the recommendations as shown in bold italics below:

That the Committee:

2.4 Delegate authority to the Executive Director Economy, Environment & Culture to use Community Protection Warnings and Community Protection Notices in relation to graffiti removal from small to medium sized enterprises (less than 250 employees) within Brighton & Hove as detailed at Appendix 4-3.

2.5 Agree not to introduce a graffiti enforcement approach for homeowners, ***charities, community run facilities (including those leased from the council) and other such like organisations.***

30.3 Councillor Brown formally seconded the motion.

30.4 The Chair stated that the Green Group would be supporting the motion.

30.5 Councillor Wilkinson stated that the Labour Group would be supporting the motion and welcomed the report whilst acknowledging that there were areas for improvement.

30.6 Councillor Wares asked for legal clarification on whether the council could face legal action if it did not enforce the rules on its own properties.

30.7 The Lawyer confirmed that the council could not take legal action against itself.

30.8 The Chair then put the Conservative Group motion to the vote that passed.

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

30.10 **RESOLVED-** That the Committee:

- 1) Note the outcomes of the consultation at Appendix 1.
- 2) Delegate authority to the Executive Director Economy, Environment & Culture to use Community Protection Warnings and Community Protection Notices in relation to graffiti removal from Statutory Undertakers' property within Brighton & Hove as detailed at Appendix 2.
- 3) Delegate authority to the Executive Director Economy, Environment & Culture to use Community Protection Warnings and Community Protection Notices in relation to graffiti

removal from large businesses (250 employees or more) within Brighton & Hove as detailed at Appendix 3.

- 4) Delegate authority to the Executive Director Economy, Environment & Culture to use Community Protection Warnings and Community Protection Notices in relation to graffiti removal from small to medium sized enterprises (less than 250 employees) within Brighton & Hove as detailed at Appendix 3.
- 5) Agree not to introduce a graffiti enforcement approach for homeowners, charities, community run facilities (including those leased from the council) and other such like organisations.
- 6) Approves the creation of a chargeable graffiti removal service, funded through Service Level Agreements.
- 7) Delegate authority to the Executive Director Economy, Environment & Culture (following consultation with Acting Chief Finance Officer) to revise the chargeable graffiti removal service fee in response to the prevailing market prices for the services provided at least annually.

31 ENVIRONMENTAL ENFORCEMENT FRAMEWORK

31.1 The Committee considered a report of the Executive Director, Economy, Environment & Culture that sought approval to update the Environmental Enforcement Framework. The Head of Business Support & Projects noted that there was an error in the report at paragraph 5.2 and it was no longer intended to consult on enforcement on cycling along the Promenade nor nitrous oxide cannister littering.

31.2 Councillor Wilkinson moved a motion on behalf of the Labour Group to amend the recommendations as shown in bold italics below:

2.3 That the Environment, Transport & Sustainability Committee approves for a public consultation to take place for the introduction of Public Space Protection Orders to manage environmentally anti-social behaviour as outlined in paragraph 3.18 – 3.20 below, ***and the outcome of said consultation be reported back to the Environment, Transport & Sustainability Committee prior to any decision being made on the use of PSPOs.***

31.3 Councillor Fowler formally seconded the motion.

31.4 In response to questions from Councillor Williams, it was explained that the issuing of PSPO's was no more serious or criminalising than the other type of Fixed Penalty Notice's issued by the council and was intended to be a bespoke measure in hotspots of the city where such issues were a nuisance.

31.5 In response to questions from Councillor Brown, it was stated that an update on CCTV enforcement relating to fly tipping and graffiti and what difference the telephone hotlines had made would be reported to the November meeting of the committee.

- 31.6 In response to a matter raised by Councillor Appich, it was explained that the reason that nitrous oxide cannisters would not form part of the consultation was because the issue was already covered in legislation relating to littering. Furthermore, the use of nitrous oxide was illegal and was therefore was a criminal rather than enforcement matter.
- 31.7 The Chair then put the motion to the vote that passed.
- 31.8 The Chair then put the recommendations, as amended to the vote that were agreed.
- 31.9 **RESOLVED-**
- 1) That the Environment, Transport & Sustainability Committee approves the updated Environmental Enforcement Framework as detailed in Appendix 1 (tracked changes version) and Appendix 2 (clean version).
 - 2) That the Environment, Transport & Sustainability Committee approve the £80 Fixed Penalty Notice for Dog Control Orders.
 - 3) That the Environment, Transport & Sustainability Committee approves for a public consultation to take place for the introduction of Public Space Protection Orders to manage environmentally anti-social behaviour as outlined in paragraph 3.18 – 3.20 below.
 - 4) That the Environment, Transport & Sustainability Committee grants delegated authority to the Executive Director, Environment, Economy & Culture to enforce the offences included in the updated Environmental Enforcement Framework.

32 ITEMS REFERRED FOR FULL COUNCIL

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

The meeting concluded at 11.05pm

Signed

Chair

Dated this

day of