

Council Meeting

**Thursday, 15th
December, 2022**

HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Council Chamber, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY, on Thursday, 15th December, 2022 at 6.00 pm at which meeting the business specified below is proposed to be transacted.

Yours sincerely,

Chief Legal Officer

Muriel Matters House
Breeds Place
Hastings

7 December 2022

AGENDA

1. Apologies for Absence
2. To approve as a correct record the minutes of the last meeting
3. Declarations of Interest
4. Announcements from the Mayor and Leader
5. Questions (if any) from:
 - a) Members of the public under Rule 11
 - b) Councillors under Rule 12
6. Membership of Committees

To give effect to any request received from a political group for a change in their representation on committee(s).
7. Reports of Committees

- a) To resolve that the public be excluded from the meeting during the discussion of any items considered while the public were excluded by the relevant committee because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in the respective paragraphs of Schedule 12A to the Local Government Act 1972 referred to in the minutes of the relevant committee.
- b) To receive and consider the recommendations and any decisions of the following committees.

Minute No.	Subject	Cabinet Member / Chair
CABINET – 7 NOVEMBER 2022		
472.	Climate Change Strategy and Action Plan Refresh	Barnett
473.	Final Accounts 2021/22	Willis
474.	UK Shared Prosperity Fund	Barnett
475.	Proposal to Gate a Footpath in Baird Ward	Rogers
476.	Cabinet Appointments to Committees, Working Groups and Partnerships	Barnett
477.	Procurement and Renewal of Hybrid Mail System (Part 1)	Rogers
479. (E)	Procurement and Renewal of Hybrid Mail System (Part 2)	Rogers
CABINET – 5 DECEMBER 2022		
483. (C)	Designation of a Cycle Route Through Alexandra Park	Roark
484.	Fees and Charges	Willis
485. (C)	Buckshole Reservoir Finance Update (Part 1)	Roark
486. (C)	East Hill Cliff Railway – Major Works (Part 1)	Batsford
488. (C)(E)	Buckshole Reservoir Finance Update (Part 2)	Roark
489. (C)(E)	East Hill Cliff Railway – Major Works (Part 2)	Batsford

C= Council decision
E= Exempt from publication

Notes:

1. The Mayor will call over the minutes and members will rise and indicate those items which they wish to have discussed.
 2. No discussion shall take place at this stage upon part II minutes covered by the resolution 7a) above. Any such discussion shall be deferred to item 8 on the agenda.
8. To consider the recommendations and decisions of committees (if any) which the Council has resolved should be discussed after the exclusion of the public from the meeting.

9. Motion (Rule 14)

Councillor Hilton to propose:

Given that the Council is currently in no overall control, it is our belief that the Council should explore governance arrangements that enable all political parties to share in shaping and directing the future of the Council through the decision-making process.

Therefore, the Council resolves:

1. to instruct the Working Arrangements Group to review Hastings Borough Council's current governance arrangements, in order to:
 - a. consider the effectiveness of the current governance arrangements at Hastings Borough Council;
 - b. consider if a change in governance arrangements would improve the quality of decision making;
 - c. review how such a change would alter member involvement and engagement;
 - d. identify other corporate governance models available, including, but not limited to, Committee, and Hybrid systems;
 - e. assess the strengths and weaknesses of each system taking account of structural, legal, resource and cultural implications with the object of having an open and more democratic process including enabling wider participation by residents in our decision-making processes and more partnership working with other stakeholders in the town.
2. The Working Arrangements Group should seek external support and advice from organisations including the Local Government Association, the Centre for Governance and Scrutiny, New Local and other Councils with experience of undertaking

governance reviews.

3. The Working Arrangements Group will meet in January 2023 to agree its cross party membership and appoint the Chair and Vice Chair, its working arrangements and timetable for meetings to undertake the review of governance arrangements and should provide opportunities for all Councillors to contribute to the review process. It is proposed that a final report be presented to the full Council in October 2023, with any governance proposals. Should those proposals include a recommendation to change the Council's permitted form of governance under the provisions of Section 9K of the Local Government Act 2000, as amended by Schedule 2 of the Localism Act 2011, a motion to that effect will need to be agreed at that full Council with the new governance arrangements taking affect at the following Annual Council meeting.

10. Motion (Rule 14)

Councillor Patmore to propose:

The idea to allow Hastings United Football Club to build 86 dwellings on Pilot Field, while in turn building a new stadium and sports facility on Tilekiln Playing Fields in Hollington, was tested by the Planning Committee and has been granted full planning approval.

Over 1750 signatures have now been collected asking for the decision to be discussed at cabinet. In order for Hastings Borough Council to consider whether or not the Council should sell land to Hastings United Football Club and enter into any agreements with the developer to proceed, and in the spirit of openness and transparency, the Council agrees to:

- instruct the managing director (or nominee) to prepare a report to cabinet at the earliest opportunity with a view to setting out the current situation with Hastings United Football Club and reporting on whether or not the scheme to enable the proposed development at Pilot Field and Tilekiln Playing Fields is viable to recommend to Council; and
- set out what alternative provision is available to allow Hastings United to remain in Hastings.

Note: Nothing contained in this agenda or in the attached reports and minutes of committees constitutes an offer or acceptance of an offer or an undertaking or contract by the Borough Council

Agenda Item 2

FULL COUNCIL

12 OCTOBER 2022

Present: Councillors O'Callaghan (Chair), Barnett, Batsford, Beaney, Beaver, Cannan, Carr, Collins, Cooke, Edwards, Evans, Foster, Haffenden, Hay, Hilton, Jobson, Marlow-Eastwood, Patmore, Pragnell, Rankin, Roark, Roberts, Rogers, Sinden, Turner, Webb, Williams and Willis.

In attendance: Jane Hartnell, Managing Director (remotely); Mary Kilner, Chief Legal Officer; and Cameron Morley, Waste and Cleansing Services Manager.

277. APOLOGIES FOR ABSENCE

Apologies received from Councillors Arthur, Bacon, Bishop and Fernando.

278. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE LAST MEETING

RESOLVED – that the minutes of the meeting held on 21st September 2022 be approved and signed by the Mayor as a correct record of the proceedings.

279. DECLARATIONS OF INTEREST

Councillor	Meeting	Minute	Interest
Hilton	Cabinet, 3 rd October	464 – Agreeing the Delivery Model For Grounds Maintenance Services From November 2023 (Part 1)	Personal – Member of the Hastings Garden Town team
Hilton	Cabinet, 3 rd October	466 – Agreeing the Delivery Model For Grounds Maintenance Services From November 2023 (Part 2)	Personal - Member of the Hastings Garden Town team

280. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

The Deputy Mayor presented the Mayoral Civic Award to James Robinson, founder of Surviving the Streets. James was nominated by Hastings Councillors for voluntary services to the Hastings community.

Councillor Sinden presented a Mayoral Award to Hastings Coastguard in celebration of their 200th anniversary.

FULL COUNCIL

12 OCTOBER 2022

The Leader of the Council provided an update on the future of cardiology services at the Conquest Hospital. The NHS have proposed to relocate cardiac surgery services to Eastbourne. This would result in a difficult and lengthy journey for local residents. All three Group Leaders have agreed to write to the Secretary of State for Health asking for a review of this decision.

281. QUESTIONS (IF ANY) FROM:

281a) Members of the public under Rule 11

Written questions were received from the public and written responses sent to the questioners and published on the Council's website.

Mr McDonnell was present as a representative of Clean Water Action and asked when the working group setup by the Council to hold Southern Water to account will meet, and will Clean Water Action be invited to take part?

Councillor Hilton said that officers have been asked to organise a high-level meeting with Southern Water. There hasn't been a response yet but it will be followed up after the meeting.

Ms Phillips was present and asked a supplementary question. Ms Phillips asked who will be writing the report to Full Council on the proposed cycle path through Alexandra Park and will there be further consultation?

Councillor Hilton said the report will be written by Council officers and will pull together the multiple reports that have been written during the many iterations of the proposals going back to 2016. The report will go to Cabinet and then to Full Council for a final decision.

281b) Councillors under Rule 12

Councillor Edwards submitted a written question to Councillor Barnett, a written response was received and published on the Council's website.

In a supplementary question Councillor Edwards asked the Leader of the Council to consider placing a memorial to Queen Elizabeth II in Harold Place. Councillor Barnett said he would look into the proposal.

Councillor Patmore submitted a written question to Councillor Willis, a written response was received and published on the Council's website.

In a supplementary question Councillor Patmore asked if the Council is considering lowering its General Reserve target. Councillor Willis said the current minimum is set at a prudential level and the Council is taking a number of measures to make sure it doesn't go below the agreed minimum.

FULL COUNCIL

12 OCTOBER 2022

Councillor Foster submitted a written question to Councillor Haffenden, a written response was received and published on the Council's website.

In a supplementary question Councillor Foster asked what the costs were to the Council in providing free electricity via electric vehicle charging points this year. Councillor Haffenden replied that he would ask officers to look into this and respond in writing.

Councillor Cooke submitted a written question to Councillor Hilton, a written response was received and published on the Council's website.

In a supplementary question Councillor Cooke asked Councillor Hilton if she was aware of the Social Housing Decarbonisation Fund and whether the Council has made a bid for funding. Councillor Hilton replied that the Council doesn't currently have any social housing and it would be for local housing associations to make use of the fund.

Councillor Hay submitted a written question to Councillor Haffenden, a written response was received and published on the Council's website.

In a supplementary question Councillor Hay asked if the in-house cleaners were being paid the National Living Wage as a minimum. Councillor Haffenden replied that he would ask officers to look into this and respond in writing.

Questioner	Subject	Reply given by
Councillor Patmore	<p><u>Investment Zone Status</u> – Will you back the joint application from Rother District Council and East Sussex County Council for Investment Zone status?</p> <p>Councillor Barnett replied that the Council wouldn't be backing the application. The Council were approached by officers from Rother to consider a joint bid but there has been no contact from East Sussex County Council. There is a lack of detail around Investment Zones and it seems to be part of a bonfire of regulations, in particular environmental protections.</p>	Councillor Barnett
Councillor Turner	<p><u>Cardiology Services</u> – Do you agree that we must demand that the decision to relocate cardiology services be reversed and there must be a serious look at the local NHS board?</p> <p>Councillor Barnett replied that he and Councillor Batsford had recently met with senior representatives of East Sussex NHS Trust to discuss health provision in</p>	Councillor Barnett

FULL COUNCIL

12 OCTOBER 2022

	Hastings.	
Councillor Carr	<p><u>Councillor Training</u> – Can you tell me if all Councillors will receive training on the Council’s budget and if the new Portfolio Holder for finance has had any external finance training to support him in his role?</p> <p>Councillor Rogers replied that Treasury Management training will take place in January. Councillor Rogers said she would ask the Chief Finance Officer to include additional support to help Councillors understand the budget papers. Councillor Willis is having training on local authority finance.</p>	Councillor Rogers
Councillor Cooke	<p><u>Hastings Housing Company</u> – Does a Councillor sit on the Hastings Housing Company board?</p> <p>Councillor Evans replied that there isn’t currently a Councillor on the board. The Hastings Housing Company is going through an extensive review at the moment. A report will be coming to the Audit Committee and new appointments will be made in due course.</p>	Councillor Evans
Councillor Cannan	<p><u>Homelessness</u> – How will the Council deal with the costs of temporary accommodation?</p> <p>Councillor Willis replied that the Council is facing a large and rising cost to provide temporary accommodation. Recent Government policies will likely make this situation worse. The Council has looked at a range of ways to make savings in this area, including purchasing accommodation directly.</p>	Councillor Willis
Councillor Sinden	<p><u>Bexhill Road Housing Development</u> – Can you provide an update on how this development is progressing?</p> <p>Councillor Evans replied that these will be the first new council houses built by Hastings Borough Council for many years. The homes will be of the highest quality and capped at Local Housing Allowance rent. The homes will be future proofed against possible flooding.</p>	Councillor Evans

FULL COUNCIL

12 OCTOBER 2022

Councillor Jobson	<p><u>Carbon Literacy Training</u> – Can you provide an update on the progress of Carbon Literacy Training?</p> <p>Councillor Rogers replied that this is being progressed.</p>	Councillor Rogers
Councillor Beaney	<p><u>West Marina Bathing Pool Site</u> – Can you update us on what progress is being made towards the development of the site and when can we expect a full public consultation?</p> <p>Councillor Barnett replied that he had recently met with the developers and they have not yet completed their investigations of the site. They are waiting to complete work on flood risks with the Environment Agency. Additionally, they require further information from Southern Water regarding the site. Once the investigations are complete, they will begin to consider design concepts.</p>	Councillor Barnett
Councillor Roberts	<p><u>St Mary in the Castle</u> – Can you update us on what is happening with this important asset?</p> <p>Councillor Batsford replied that he has been having conversations with the creative sector in the town to hear their views. Anyone who is interested in taking on the building should contact the Council's agent Dyer and Hobbis. The Council wants the building to continue as an entertainment and cultural venue.</p>	Councillor Batsford
Councillor Webb	<p><u>Community Safety</u> – Can you give us an update on community safety developments in the town centre?</p> <p>Councillor Rogers replied that there is a problem with street drinking in the town centre. Project Adder is now setup in the town centre providing a space for street drinkers to access services and support. Councillor Rogers said she intends to invite the management team of Project Adder to come and talk to Councillors.</p>	Councillor Rogers

FULL COUNCIL

12 OCTOBER 2022

282. MOTION (RULE 14)

Councillor Jobson proposed a motion as set out in the agenda, seconded by Councillor Batsford.

RESOLVED (by 21 votes for, to 5 against) that Full Council accepts the motion as set out below:

Hastings suffers from far too many speeding drivers, many of whom use short cuts through residential areas. There have been two deaths on our streets in the first half of 2022. To address this situation, Hastings Borough Council calls for the introduction of a 20 mph speed limit in residential areas of Hastings & St Leonards.

This idea is rapidly gaining ground across the UK: nearly 600 towns and cities – about 28 million people – now benefit from the safety and better air quality resulting from this lower speed limit. Wales has just introduced a 20 mph limit on urban and residential roads, which comes into force in 2023.

There are so many benefits to reducing speed limits. An area-wide limit makes it easier and safer to choose walking and cycling over car journeys for local trips. The significant reductions in air and noise pollution have a positive impact on physical health, including reductions in heart and lung disease. 20mph speed limits help create better-connected, safer, living communities, with higher air quality. Fewer road accidents, increased exercise, less fear and loneliness, and better-quality sleep from reduced noise levels all improve mental health.

Here are some of the specific benefits of a 20 mph limit:

- Lower carbon emissions: CO2 falls by an average of 26%.
- Nitrous oxide, NOx, falls by an average of 28%.
- Traffic noise falls by up to 50%.
- Greater child safety, making it more possible for children to walk to school.
- Fewer casualties. Evidence from Bristol, Edinburgh, Calderdale, Brighton and others shows how 20mph reduces casualties, saving police and NHS costs. A 1mph reduction in speed on an urban road reduces casualties on average by a whopping 6%.
- Most drivers obey the new speed limit without traffic calming measures. Speed limiters on new cars from 2022 will help.
- 20 mph reduces stop-start driving habits. Less accelerating / braking reduces brake and tyre particulates.
- It's excellent value for money. Doing nothing costs more!

FULL COUNCIL

12 OCTOBER 2022

- Businesses thrive where it is safe to walk and cycle.
- A 20 mph limit makes no significant difference to bus journeys across town. Many bus companies have found no difference in their timetables.

The biggest benefit, however, is much simpler, but harder to measure: an increase in well-being. Communities thrive if there is less danger and less noise, creating a stronger sense of place.

Hastings Borough Council wants these benefits for our citizens.

We note that East Sussex County Council has repeatedly rejected motions calling for default 20 mph speeds on all residential streets. However, the County Council has agreed to consider a default 20 mph limit as part of developing Local Transport Plan 4. The Leader of Hastings Council will write to the Leader of East Sussex County Council and the Lead Member for Transport and Environment to call upon East Sussex County Council to make that commitment and invite them to work with us to implement a 20 mph limit on residential roads in Hastings and St Leonards. This should sit within a wider commitment to a Vision Zero approach to road safety, which aims at zero deaths or serious injuries on our roads and has already been adopted by both West Sussex and Kent County Councils.

We call upon the Leader of the Council to write to East Sussex County Council to ask them to set the process of implementing a 20 mph limit in Hastings and St Leonards in motion, working with police and ward councillors to identify all appropriate roads. We also ask all councillors on Hastings Borough Council for their active support for the 20's Plenty campaign, so we can build a town wide coalition to support this campaign.

The Deputy Mayor adjourned the meeting at 7.36pm and the meeting reconvened at 7.47pm.

283. MEMBERSHIP OF COMMITTEES

Councillor Hilton informed the Council that Councillor Carr is to be appointed to the Overview and Scrutiny Committee in place of Councillor Collins.

RESOLVED that the Council notes the following arrangements for the membership of committees:

1. Councillor Carr is appointed to the Overview and Scrutiny Committee in place of Councillor Collins.

284. REPORTS OF COMMITTEES

The Mayor having called over the minutes set out in the agenda; the following minutes were reserved for discussion.

FULL COUNCIL

12 OCTOBER 2022

RESOLVED that under rule 13.3 the reports and minutes of committees set out in the agenda, including those items on which a council decision was required, be received, and agreed. Only those items which were reserved were discussed as follows:

Meeting	Minute	Councillor
Cabinet, 1 st August 2022	447. Update on Health Inequalities Work in Hastings	Turner
Cabinet, 1 st August 2022	448. York Buildings	Edwards
Cabinet, 3 rd October 2022	464. Agreeing the Delivery Model For Grounds Maintenance Services From November 2023 (Part 1)	Patmore
Cabinet, 3 rd October 2022	466. Castleham Industrial Units Roof Refurbishment (Part 2)	Edwards
Cabinet, 3 rd October 2022	467. Agreeing the Delivery Model For Grounds Maintenance Services From November 2023 (Part 2)	Patmore

Councillors debated minutes 447 and 448 of Cabinet on 1st August 2022. These matters did not require Full Council approval.

Minute 464 of Cabinet on 3rd October 2022, Agreeing the Delivery Model For Grounds Maintenance Services From November 2023 (Part 1), was a matter requiring Full Council approval. The recommendations were proposed by Councillor Hilton, seconded by Councillor Evans.

Councillor Patmore proposed that in order to take advice from the Waste and Cleansing Services Manager the meeting proceed as if in committee, seconded by Councillor Edwards.

RESOLVED that in order for Full Council to take advice from officers where appropriate, under Rule 16.14 of the Constitution the Council proceed as if in committee.

Councillors asked questions of the Waste and Cleansing Services Manager.

Councillor Sinden proposed the meeting return to Council mode, seconded by Councillor Roberts.

RESOLVED that the meeting return to Council mode.

Councillor Patmore proposed that debate on this item take place after the exclusion of the public from the meeting.

FULL COUNCIL

12 OCTOBER 2022

RESOLVED (by 13 for, to 8 against) that debate on minute 464 take place after the exclusion of the public from the meeting.

Minutes 466 and 467 of Cabinet on 3rd October 2022 were exempt items. When these items were reached the Deputy Mayor proposed a motion for the exclusion of the public from the meeting, seconded by Councillor Roberts.

RESOLVED that the public be excluded from the meeting during the consideration of minutes 466 and 467 of the Cabinet meeting held on 3rd October 2022 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in the paragraphs of Schedule 12A to the Local Government Act 1972 referred to in the relevant report.

Minute 466 of Cabinet on 3rd October 2022, Castleham Industrial Units Roof Refurbishment (Part 2), was a matter requiring Full Council approval. The recommendations were proposed by Councillor Barnett, seconded by Councillor Batsford and agreed unanimously.

RESOLVED (unanimously):

That Full Council agree the Capital programme budget is increased from £250,000 to £325,000.

Reasons:

Costs have increased since the budget was set.

Minute 467 of Cabinet on 3rd October 2022, Agreeing the Delivery Model For Grounds Maintenance Services From November 2023 (Part 2), was a matter requiring Full Council approval.

Councillor Patmore proposed that in order to take advice from the Waste and Cleansing Services Manager the meeting proceed as if in committee, seconded by Councillor Beaver.

RESOLVED that in order for Full Council to take advice from officers where appropriate, under Rule 16.14 of the Constitution the Council proceed as if in Committee.

Councillors asked questions of the Waste and Cleansing Services Manager.

The Deputy Mayor proposed the meeting return to Council mode, seconded by Councillor Roberts.

RESOLVED that the meeting return to Council mode.

FULL COUNCIL

12 OCTOBER 2022

The recommendations were proposed by Councillor Hilton, seconded by Councillor Evans and agreed by 16 votes for, to 11 against.

RESOLVED (by 16 votes for, to 11 against)

(i) To in-source the grounds maintenance service from November 2023, adding the service to Hastings Direct Services Organisation (HDSO).

(ii) To authorise the Waste & Cleansing Services Manager to progress the new Ground Maintenance service from November 2023, including the appointment of support staff, the procurement of any equipment and establishment of budgets as outlined in this report.

Reasons:

The current grounds maintenance contract with IdVerde comes to an end in November 2023. To ensure that there is no service disruption, Hastings Borough Council (HBC) will require a new supplier to carry out the work from that point forward.

With the assistance of an external grounds maintenance consultant, a review of the current GM service has been undertaken, and a full pricing exercise completed to establish the market rate of carrying out the council's GM service either as an in-house (via HDSO) or outsourced (via a contractor) operation. The outcome of that exercise, coupled with HBC's own soft market testing has demonstrated that the current service, if tendered right now, would be unaffordable.

With this in mind, an in-house proposal has been developed to provide a simplified service that covers HBC statutory and health and safety (H&S) responsibilities, while remaining affordable and continuing to offer some flexibility. It is recommended that this service be implemented from November 2023.

The Council's statutory duty to ensure the service offers Best Value is an important consideration in this matter. The S.151 Officer and Chief Legal Officer are persuaded that the evidence from the extensive market testing, and information provided by the consultants about the local market and procurement exercises undertaken in our geographic area both demonstrate that the approach offers best economic and social value.

(The Deputy Mayor declared the meeting closed at 8.59pm)

Agenda Annex Document Pack

CABINET

7 NOVEMBER 2022

Present: Councillors Barnett (Chair), Evans (Vice-Chair), Batsford, Cannan, Rogers, and Roark.

In attendance: Jane Hartnell (Managing Director), Mary Kilner (Chief Legal Officer), Kit Wheeler (Chief Finance Officer), Natasha Tewksbury (Customer Services, Communications and Emergency Planning Manager), Kevin Boorman (Marketing and Major Projects Manager), Chantal Lass (Tackling Climate Change Programme Manager), and Rosie Leech (CHART Delivery Animator).

469. APOLOGIES FOR ABSENCE

Apologies for absence received from Councillor Willis, Victoria Conheady (Assistant Director, Regeneration and Culture), and Pranesh Datta, (Economic Development Manager).

Councillor Barnett outlined recent changes to the membership of the Cabinet. Councillors Hilton and Haffenden are no longer Cabinet members and Councillor Barnett thanked them for their work and contributions during their time as portfolio holders. Councillor Cannan joins the Cabinet as the Chair of the Charity Committee and Councillor Roark takes over the environment portfolio. Climate change will form part of Councillor Barnett's regeneration portfolio.

470. DECLARATION OF INTERESTS

None received.

471. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the meeting held on 3rd October 2022 be approved as a true record.

472. CLIMATE CHANGE STRATEGY AND ACTION PLAN REFRESH

The Chair called this item for discussion first.

Councillor Patmore was present and asked the Cabinet to consider how best to measure progress against the agreed climate change action plan.

Councillor Hilton was present and asked how the Cabinet intends to move forward with cross-party working on this issue, and how climate change and carbon reduction can be embedded into every decision the Council makes?

The Tackling Climate Change Programme Manager presented a report setting out the next phase of the climate change strategy and action plan, including a pathway and set of actions to work towards delivering net zero emissions.

CABINET

7 NOVEMBER 2022

The strategy and action plan will build on the work that started in 2020 to meet the challenges of the climate emergency that the Council set out in 2019.

The strategy has been expanded to include four new themes of food; climate adaptation and resilience; water; and waste and the circular economy. The Council is doing what it can to reduce carbon emissions from its core service provision through such initiatives as moving the Council's fleet of vehicles to electric where possible. Work has been ongoing with all services areas to embed the action plan.

Council Batsford asked if there was a way for the Council to track its progress in reducing its carbon footprint year-by-year? The Tackling Climate Change Programme Manager said that should be feasible. The Council has baselined its own emissions and it publishes data every financial year considering energy usage and any other data that can be captured from partner organisations. The Leader of the Council noted that the report includes the baseline figures and demonstrates that things are moving in the right direction.

Councillor Barnett commended officers for their work on the strategy, and thanked Councillor Hilton who as the previous portfolio holder oversaw work on the report.

RESOLVED (unanimously):

To approve the adoption of the Climate Change Strategy and Action Plan to work towards delivering net-zero carbon emissions for the borough by 2030.

Reasons:

The report presents a refreshed draft Climate Change Strategy and Action Plan building upon the achievements of the 2020-2022 strategy and action plan.

473. FINAL ACCOUNTS 2021/22

The Deputy Chief Finance Officer presented a report detailing the draft 2021/22 Statement of Accounts on behalf of the Council in accordance with the Accounts & Audit Regulations 2015.

The report is for information only, with a recommendation that the draft 2021/22 statement of accounts be noted. The final accounts have already been discussed and noted by the Audit Committee on behalf of the Council. The statement of accounts provides various statements and disclosures in a statutory format in line with the Chartered Institute of Public Finance and Accountancy (CIPFA) code of practice.

The final accounts are currently in draft and unaudited. Both Covid and a change in auditing standards has led to a backlog of external audits across local authorities, with only 9% of 2020/21 audits being completed by the statutory deadline. Work is underway on auditing the 2020/21 accounts. This is expected to be completed before

CABINET

7 NOVEMBER 2022

Christmas. The audit of the 2021/22 accounts is expected to be completed by the end of March 2023. The audited accounts along with the auditor's report will be brought back to Cabinet and Audit Committee for review and approval once the audit is concluded.

RESOLVED (unanimously):

1. The draft 2021/22 Statement of Accounts be noted.

Reasons:

Compliance with statutory requirements and good practice. The Council is accountable for the use of public money and continuously seeks to improve Value for Money.

The draft 2021/22 Statement of Accounts be noted.

474. UK SHARED PROSPERITY FUND

The Marketing and Major Projects Manager presented a report to advise Cabinet of the UK Shared Prosperity Fund (UKSPF) Investment Plan and seek delegated authority to implement the programme, subject to government approval.

The Council has been allocated £1 million over 3 years, to be focussed in Broomgrove, one of the most deprived neighbourhoods in Hastings. Over the first two years of the project the Council will work with the community in Broomgrove to develop proposals which will make a difference for the community. The majority of the funding will arrive in the third year.

It was confirmed that the Council had met with social housing provider Optivo to discuss working with them on tenant engagement. The Shared Prosperity Fund isn't designed to deal with housing specifically, but through tenant engagement support may be able to be directed to areas where tenants want to see improvements.

It was also confirmed that the Council had been awarded £85,000 from the Levelling Up Parks Fund which will be used to improve parks and open spaces in Broomgrove.

RESOLVED (unanimously):

To seek delegated authority to the Managing Director or relevant nominee, in consultation with the Leader to:

- **Sign Memorandum of Understanding with Department of Levelling Up Housing and Communities (DLUHC)**
- **Sign any relevant service level agreement with delivery partners**
- **Allocate the UKSPF to eligible costs in line with the funding scheme aims and investment plan**

Reasons:

CABINET

7 NOVEMBER 2022

To ensure that the government's UK Shared Prosperity Fund (UKSPF) is used to best effect in Hastings and particularly the targeted area identified.

475. PROPOSAL TO GATE A FOOTPATH IN BAIRD WARD

Councillor Hilton was present and noted that there is a trend of gating rights of way. Councillor Hilton said she understood that there are clear reasons for gating this path, but we need to value our rights of way and the Cabinet shouldn't consider gating as a default solution. Rights of way need to be made more attractive places as an alternative to closing them off to the public.

The Customer Services, Communications and Emergency Planning Manager presented a report to authorise the gating of a footpath in Baird ward seriously affected by anti-social behaviour under powers contained in the Antisocial Behaviour, Crime and Policing Act 2014.

The footpath has been subject to anti-social behaviour which has affected the residents living immediately adjacent to the footpath. There have been increased patrols by police and council wardens but these have not had a longstanding effect.

Consultation has been undertaken with residents and other statutory partners. Residents and the police were overwhelming in favour of gating. The gating will not be indefinite as the effectiveness of the gates has to be reviewed after three years. Adjacent residents will still have access to the footpath.

RESOLVED (unanimously):

That cabinet authorises the customer services, communications and emergency planning manager in conjunction with the Chief Legal Officer, to implement the statutory legal process required to gate the public right of way (ESCC Ref; No 232) described in the report by varying the existing gating order that is already in place for the public right of ways: ESCC Refs: Nos. 94, 97 and 175.

Reasons:

As a result of long standing serious anti-social behaviour affecting a public right of way in Baird ward (No 232), the council has been asked to consider gating it using powers set out in the Antisocial Behaviour Crime and Policing Act 2014 to restrict general access.

To enable the gating of the footpath proposed, approval is sought to vary and extend the existing Public Space Protection Order already in place for other gated footpaths.

476. CABINET APPOINTMENTS

CABINET

7 NOVEMBER 2022

The Chief Legal Officer presented a report to consider the nominations for Cabinet committees, working groups and partnerships and to appoint the Chair of the Charity Committee.

RESOLVED (unanimously):

1. To appoint members to committees, working groups, partnerships and representative bodies as set out in Appendix A and;

2. To appoint the Chair of Charity Committee as listed in Appendix A

Reasons:

Members are required to serve on the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Chairs and Vice Chairs are required for the committees that report to Cabinet.

477. PROCUREMENT AND RENEWAL OF HYBRID MAIL SOLUTION (PART 1)

The Transformation and Programmes Manager presented a report to request approval from Cabinet for the renewal of the corporate hybrid mail solution.

The hybrid mail system has been in use since 2017 and has been highly successful in reducing mailing costs. The contract now needs to be renewed and the recommendation is to proceed with the renewal under the ESPO Framework Lot 7 Hybrid Mail, Digital and Transformational Communications.

Before implementing the hybrid mail system, the Council operated a post room which was resource intensive and involved officers stuffing and franking envelopes. The hybrid mail system has produced savings both in labour time and costs.

The renewal is particularly important for ensuring Council Tax billing can be undertaken in the most cost-effective and efficient way.

RESOLVED (unanimously):

1. That Cabinet approves the procurement of a hybrid mail solution

2. To extend the hybrid mail solution with our existing supplier through the East Sussex Procurement Hub via the appropriate framework to continue the provision of hybrid mail.

3. To give delegated authority to the Managing Director in consultation with the Lead Member for Organisation to complete the procurement process and appoint the successful vendor.

CABINET

7 NOVEMBER 2022

Reasons:

The existing hybrid mail solution used by the Revenues and Benefits service expires on the 16 November 2022 and needs to be extended to maintain our postal and electronic communications.

The use of the existing supplier has been extremely successful and has reduced the organisations spend per year on postage and mail services prior to their appointment.

The ESPO Framework allows for direct award to the existing supplier without the need for a full tender exercise and due diligence shows that they provide best value.

478. EXCLUSION OF THE PUBLIC

RESOLVED (unanimously):

That the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that if members of the public were present there would be disclosure to them of “exempt” information as defined in the paragraphs of schedule 12A to the Local Government Act 1972 referred to in the relevant report.

479. PROCUREMENT AND RENEWAL OF HYBRID MAIL SOLUTION (PART 2)

The Transformation and Programmes Manager presented a report to request approval from Cabinet for the renewal of the corporate hybrid mail solution for the Revenues and Benefits Service and other areas of the Council in order to maintain productivity and efficiency savings.

RESOLVED (unanimously):

- 1. That Cabinet approves the procurement of a hybrid mail solution**
- 2. To extend the hybrid mail solution with our existing supplier through the East Sussex Procurement Hub via the appropriate framework to continue the provision of hybrid mail.**
- 3. To give delegated authority to the Managing Director in consultation with the Lead Member for Organisation to complete the procurement process and appoint the successful vendor.**

Reasons:

The existing hybrid mail solution used by the Revenues and Benefits service expires on the 16 November 2022 and needs to be extended to maintain our postal and electronic communications.

CABINET

7 NOVEMBER 2022

The use of the existing supplier has been extremely successful and has reduced the organisations spend per year on postage and mail services prior to their appointment.

The ESPO Framework allows for direct award to the existing supplier without the need for a full tender exercise and due diligence shows that they provide best value.

(The Chair declared the meeting closed at 7.20pm)

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Report To: Cabinet

Date of Meeting: 5th December 2022

Report Title: Designation of a cycle path in Alexandra Park

Report By: Cameron Morley, Waste and Cleansing Services Manager

Key Decision: Y

Classification: Open

Purpose of Report

Present to Cabinet an updated report on the proposals to designate a shared cycle route through Alexandra Park.

Recommendation(s)

- 1. Cabinet reviews the proposal to allow cycling on a designated route in Alexandra Park and recommend the report to Full Council for their consideration with a view to determining whether a shared cycle route should be designated in Alexandra Park.**

Reasons for Recommendations

1. In 2016, Cabinet agreed to support a shared cycle route through Alexandra Park following a detailed design by East Sussex County Council and public consultation in 2015 over the proposed route.
2. There has been a significant delay in implementing the project since the 2016 Cabinet approval.
3. East Sussex County Council are now ready to proceed with the scheme during 2023/24.
4. Following the 2021 public consultation over new park's bye laws, the council received strong representations from members of the community both in favour of, and against the proposed shared cycle route.
5. Considering the significant delay since the 2016 Cabinet approval and recent representations to the council over the proposals, it is considered appropriate for councillors to review the scheme and recommend the report to Full Council for their consideration with a view to determining whether a cycle route should be designated in Alexandra Park.

Introduction

1. At the Cabinet meeting of 4th of January 2016, councillors unanimously agreed to support a shared cycle route through Alexandra Park. The 2016 Cabinet paper is attached as Appendix 1.
2. Delays in implementing the project has meant a significant period has now elapsed since the original Cabinet decision. To provide current councillors an opportunity to review the project in full, the proposal to designate a shared cycle route through Alexandra Park has been brought back to Cabinet with a proposal to recommend the report to Full Council for decision. The proposed route is attached as Appendix 2.
3. As this has been a long and complex process, a summary timeline and narrative of the main actions, outcomes and milestones for the project is included in Table 1.
4. This report aims to provide Cabinet and Full Council with sufficient information to come to an informed decision. The report outlines:
 - a. Background summary
 - b. The context for the route in the adopted Hastings Borough Council Local Plan
 - c. Public consultation
 - d. Safety Audit and Equalities Impact Statements
 - e. Signage
 - f. East Sussex decision making process
 - g. Enforcement and review
 - h. Conclusions

Background Summary

5. Providing cycle routes in the town is a strategic policy objective within the Walking and Cycling Strategy and the Hastings Local Plan, 2011-2028.
6. The project to provide a shared cycle path in Alexandra Park is funded and project managed by East Sussex County Council.
7. The proposed cycle path is a shared pedestrian/cycle path and not cyclist only.
8. No new paths will be constructed. Construction proposals are restricted to resurfacing existing footpaths, modifying gradients, widening the footpaths in specific locations, vegetation management, installing new signs and bollards and implementing safety proposals.
9. Alexandra Park is a Grade 2* historic park as designated by Historic England. Historic England have approved the proposals and have worked with the design team throughout the project.

10. In 2015, Hastings Borough Council undertook a public consultation over the proposed route. The consultation helped inform and finalise the designs of the route.
11. The route does not require planning approval. It is classified as Permitted Development under the provisions of Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015.
12. East Sussex County Council appointed independent road safety consultants to undertake and publish a safety audit of the route. The safety audit is attached as appendix 3.
13. East Sussex County Council undertook an Equalities Impact Assessment to assess the likely impact on users of the park and propose mitigation against any adverse impact. The EIA is attached as appendix 4.
14. At the Cabinet meeting of 4th of January 2016, councillors considered the results of the public consultation, and unanimously approved the proposals for a shared cycle route through Alexandra Park.

The project for a shared use cycle path in Alexandra Park

Hastings Borough Council Local Plan

15. The Hastings Local Plan, 2011-2028, adopted in September 2015, identifies a strategic network of cycle routes in the town to link local communities with key services including employment, healthcare, education, and green spaces.
16. Policy proposal, T3, in the adopted Local Plan states:

The Council will work with East Sussex County Council using the Local Transport Plan 3 policy framework and other partners to achieve a more sustainable transport future for Hastings. Particular priority will be given to;

 - *Supporting the provision of new and enhanced cycle routes in the town, and in particular, supporting the implementation of the strategic cycle network as identified on the key diagram (in the strategic plan) and the Policies Map.*
17. The strategic network of proposed and designated cycle routes in town is published on the Local Plan Proposals Map. A simplified representation of the network of existing and proposed cycle routes, is shown on appendix 7.
18. The route through Alexandra Park is at the heart of the council's strategic proposals for developing a cycle network in the town. Should the proposals for the park not proceed, there would be a significant gap in council's ability to provide a coherent and joined up cycle network.

Public consultation

19. At the start of the project, 2014/15, Hastings Borough Council consulted with local groups, including the Friends of Alexandra Park, Greenway Group and Hastings and Rother Disability Forum. The aim of that targeted consultation with key user groups was to inform modifications of the proposed designs prior to full public consultation.

20. In 2015, following the initial feedback from the user groups and subsequent design modifications, the council conducted a public consultation on the proposed route. The consultation involved press advertisement, on-line consultation, and written responses, together with a public event in the park to advertise the consultation and engage with members of the public.
21. The results of the consultation were presented in the report to Cabinet in January 2016 and informed the unanimous Cabinet decision to approve the proposal. No further public consultation has been undertaken over the principle of the route.
22. An additional public consultation was, however, undertaken by Hastings Borough Council in 2021 over the proposal to adopt new byelaws for parks and open spaces. During this consultation, members of the public took the opportunity to strongly voice their support for, or opposition to, the cycle route. The new byelaws, whilst prohibiting cycling in parks and open spaces, have the provision to allow cycling on designated routes.
23. The results of the byelaws consultation were presented to Cabinet, and the new byelaws approved at Full Council on 14th September 2022.
24. In 2021 East Sussex County Council advertised a Cycle Track Order to convert a short section of footpath to cycle path, along Strood Rd. The advert generated significant strong responses, both for and against the proposed route in the park.
25. Although the full public consultation over the route was undertaken in 2015, there have been further opportunities for the public to voice their opinions on the route: to Hastings Borough Council over the byelaw's consultation, and East Sussex County Council over their Cycle Track Order at Strood Road. Both consultations elicited strong representations for and against, which were duly considered by both authorities in coming to their respective decisions.
26. In the case of the byelaw's consultation, many of the responses directly referenced the proposed cycle route, which was not the focus of that consultation. However, those responses were considered by councillors when coming to their decision on the new byelaws and form part of the public record which is available to councillors when considering public opinion both for and against the proposed introduction of a cycle route through Alexandra Park.
27. As evidenced by the recent byelaw's consultation, the proposed shared cycle route through Alexandra Park continues to elicit strong opinions on both sides of the debate. Those opposed to the scheme express concerns for public safety and equalities and call for a further public consultation. Supporters of the scheme cite the health benefits of cycling, the need to reduce dependency on car use and address the climate emergency, and the route's potential to link deprived areas of the borough into the wider cycle network and to promote a modern, cycle-friendly town.
28. Taken together, the Safety Audit Report and the Equality Impact Assessment show how the safety and equalities concerns have been professionally considered and resolved, and the mitigation measures recommended to reduce potential negative impacts have been factored into the final design of the route.
29. In addition, further public consultation would be unlikely to provide significant additional information to help councillors make an informed decision as the arguments both for and against the scheme are already well-known and documented.

Safety Audit and Equalities Impact Assessments (Equalities and Community Cohesiveness)

Safety Audit

30. Public safety is critical to the successful implementation of the route. In 2019, as part of their due diligence for the project, East Sussex County Council commissioned a Safety Audit of the proposed route. The Safety Audit (Appendix 3) was undertaken by independent senior road safety engineers and has been signed off by East Sussex County Council.
31. The road safety engineers looked at all aspects of the shared route for public and cyclist safety and made recommendations based on their technical and professional expertise.
32. In summary, the recommendations include:
 - a. Cutting back vegetation to maximise visibility for both pedestrians and cyclists
 - b. Provision of additional drainage to ensure water does not pond on the paths
 - c. Additional post and rail fencing provided at relevant locations
 - d. Footpaths resurfaced to provide even surfaces
 - e. Consistent signs, bollards and marking to be provided, especially at the interface between pedestrian only footpaths and the shared route.
33. All the recommendations in the report have been incorporated into the design of the route and will be implemented.

Equalities Impact

34. In addition to the Safety Audit, East Sussex County Council undertook an Equalities Impact Assessment of the route in 2018 and reviewed it again in 2019 (Appendix 4).
35. The Equalities Impact Assessment is a legal requirement and a detailed analysis and assessment tool that ensures the proposals do not discriminate against anyone and, where possible, equality of opportunity is promoted. The tool is a systematic and evidence-based tool that enables the designers to identify potential negative and positive impacts on users of the park and suggests mitigation proposals against those potential negative impacts.
36. The design of the route has been fully informed by the recommendations and mitigation proposals highlighted in both the safety audit and the equalities impact assessment.

The route through the park, signs, and bollards

Surfacing and widening

37. The scheme does not require the construction of new paths. The route follows existing footpaths which will be adjusted to enable them to accommodate shared cycling and pedestrian use. No trees will be removed in the construction of the route. Some shrubs will be cut back, but no more than would be carried out during annual maintenance.
38. The proposals show there will be localised minimum widening of some paths and all the paths along the proposed route between the Strood Road access and the access track to Harmers Reservoir will be re-surfaced to provide a smooth surface. All materials will match

the existing black, flexible material, currently in place. Most of the footpath widening will take place in the upper park. A short section of the existing path within the Lower Park between the toilet block and the café will be resurfaced.

Signs

39. Visual illustrations of the types of signs, fencing and bollards to be used are included in appendix 5.
40. Signage and directional bollards will be installed, together with bronze route markers in the lower park to indicate the route. The use of clear direction signing is key to ensuring that cyclists use the correct route through the park. Due to its Grade 2* listed status the use of new signs has been kept to a minimum.
41. New signs will be manufactured in the colours used throughout the park – olive green and cream. Ordinarily new signs are attached to metal posts, but to ensure the signs are in keeping with the character of the park, they will be installed on newly manufactured oak bollards, which will be installed at key locations to demarcate the route.
42. The markers, signs and bollards all comply with the safety audit recommendations and will be sympathetic to the heritage status of the park. Historic England have been consulted on the use of materials and approved all materials to be used.
43. The use of road markings will also be kept to an absolute minimum. 'No Cycling' markings will only be used at key locations and junctions on the path.

Barriers

44. In sections where the gradient is very steep, staggered pedestrian barriers with reflective bands are included to ensure cyclists slow down. These will be in two locations – at the top and bottom of the steep path leading to the track dividing the Upper Park. Barriers are also proposed for access from Strood Road in case any cyclist ignores the requirement to dismount.
45. Where timber fencing is proposed it will be in the style of Sussex post and rail fencing which can be found throughout the park.

Tennis courts

46. There is no proposal to widen the path in front of the tennis courts in the upper park. However, the park benches at this stretch, which currently sit on the path, will be moved back from the path and the vegetation cut back around them. The existing access gate at the tennis courts which currently opens onto the path, will be relocated further down to a wider point of exit/entry.

Bridges

47. The bridges on the route in the upper and lower park will be renovated by painting them and applying a non-slip walking and cycling surface. Metal hooped fencing will be installed next to the bridges to provide an additional safety barrier against the drop into the watercourse. The style of hooped fencing selected matches existing hooped fencing elsewhere in the park. The fencing will be painted to match the iron bridges. The stone bridge near the tennis courts will also be treated with a non-slip surface.

East Sussex County Council decision making and timetable

48. The proposals have been considered by East Sussex County Council in:
- March 2017
 - June 2018 (to specifically consider an alternative route along St Helens Rd)
 - September 2020 (to convert the footway along Dordrecht Way)
 - May 2022 (to consider petitions of support and opposition to the proposal).
49. At each meeting the Lead Member for Transport and Environment, approved the scheme to proceed to detailed design and construction.
50. The county council have, in addition, considered a range of alternative routes for the cycle scheme, both inside and outside the park. A list of the alternative routes and the reasons why those were rejected is attached as appendix 6.
51. Should the scheme be approved by Hastings Borough Council, it is anticipated that ESCC will procure the contract to build the route in Summer 2023 with a view to construction during 2023/4.

Enforcement and review of the route

52. Enforcing the correct and safe use of the route in the park will be the responsibility of Hastings Borough Council, and in particular the Warden Service.
53. There will be Code of Conduct signs and boards throughout the route. The purpose of the Code of Conduct signs is to encourage everyone to take account of, and respect each other's needs and use of the route. The types of signs and boards to be used have been utilised successfully elsewhere in the country where shared pedestrian and cycle routes are in use.
54. The Wardens will have a heightened presence in the park to enforce Public Space Protection Orders and will therefore engage with cyclists and pedestrians who are presenting a safety concern to others and with cyclists who are not using the designated route.
55. A specific timetable of patrols by the Wardens will be developed once the route has been procured. A key element of that timetable will be the Wardens having a high visible presence for the first six months following completion of the route.
56. Enforcement and review will be subject to continual assessment and appraisal. It is proposed that after the first 6 months, and then more fully after the first year, Hastings Borough Council will review how the route has been used and discuss the results with East Sussex County Council with a view to implementing further remedial measures should they be required.

Financial Implications and risk management

57. The design and implementation of the route is wholly funded by East Sussex County Council from allocated central government funds. There is no direct cost to the council in implementing the project.

58. The funds are, however, time constrained, ringfenced to this project, and require construction to start by Autumn 2023. Any funds not utilised on this scheme must be returned to Government and cannot be diverted to other proposals or alternative schemes.
59. To meet the funding timetable, ESCC had timetabled the procurement of the contract to build the scheme for 2022, with a planned construction in early 2023. However, the County has now formally paused the scheme until Hastings Borough Council has reviewed the proposals.
60. It is crucial HBC come to a decision on whether to progress with the project or not in time for ESCC to meet funding deadlines.

Environmental Issues & Climate Change

61. According to Government statistics and reports, nearly a third of UK children, and over 60% of UK adults are overweight or obese, resulting in direct costs to the NHS. Illness as an outcome of physical inactivity has been conservatively calculated to directly cost the NHS up to £1.0 billion per annum (2006-07 prices). Indirect costs have been estimated as £8.2 billion per annum (2002 prices).
62. The trend across the UK and other developed nations is for physical activity levels to decline. This is associated with widespread use of the private car and an increase in sedentary leisure activities.
63. Walking and cycling have been identified as a key means by which people can build physical activity into their everyday lives. Government reports on the health and cost benefits of cycling indicate that investment in infrastructure or behaviour change programmes which enable increased activity levels amongst local communities through cycling and walking is likely to provide low cost, high-value options providing benefits for our individual health. This improvement also has major benefits for the NHS in terms of cost savings.
64. The cycle path has an important role to play in delivering the town wide ambition to be net zero by 2030 and supports the transition to more sustainable travel choices where transport accounts for more than 25% of the towns carbon emissions.

Legal implications

65. A legal agreement with ESCC will be required for works to proceed on HBC land.

Conclusions

66. There has been a significant delay in implementing the project since the 2016 Cabinet approval. As such, it is considered appropriate for councillors to review the scheme and the report is recommend to Full Council for their consideration with a view to determining whether a shared cycle route should be designated in Alexandra Park.
67. The proposals to provide a shared cycle route through Alexandra Park has been a long-established project between Hastings Borough Council and East Sussex Country Council and part of a strategic ambition for both councils to provide more cycle routes in the town to reduce traffic, increase health and address our climate crisis.
68. The route through Alexandra Park is at the heart of the council's strategic proposals for developing a cycle network in the town. Should the proposals for the park not proceed, there

would be a significant gap in the council's ability to provide a coherent and joined up cycle network.

- 69. The project has followed due process for safety, equalities, and public consultation. Whilst it is noted that strong representations have been made to both councils (both for and against the proposal) it is considered that the safety and equalities concerns have been professionally and technically resolved, and that any further public consultation would not provide significant additional information to help councillors make an informed decision.
- 70. The funds allocated by ESCC for the project are time constrained and are likely to be lost should the scheme encounter further delays. It is critical therefore that Hastings Borough Council come to a decision on whether to progress with the project.
- 71. If approved for construction, the shared cycle route will be enforced by Hastings Borough Council's Warden Service with review and assessment undertaken after 6 months and again after 1 year.

Timetable of Next Steps

72. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
HBC Cabinet recommend the report to Full Council for decision over scheme	Full Council	15 th December	Environment and Natural Resources Manager
Cycle scheme implemented	Procurement and construction	2023/4	East Sussex County Council

Wards Affected

St Helens, Silverhill, Braybrooke.

Policy Implications

Reading Ease Score:

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Y
Crime and Fear of Crime (Section 17)	N
Risk Management	Y
Environmental Issues & Climate Change	Y

Economic/Financial Implications	Y
Human Rights Act	N
Organisational Consequences	N
Local People's Views	Y
Anti-Poverty	N
Legal	Y

Additional Information

- Table 1 Summary of key events relating to the proposed Alexandra Park shared cycle route
- Appendix 1 HBC Cabinet report, 4th January 2016
- Appendix 2 Proposed cycle route map
- Appendix 3 ESCC Safety Audit
- Appendix 4 ESCC Equalities Impact Assessment
- Appendix 5 Proposed signs
- Appendix 6 Consideration of alternative routes
- Appendix 7 Hastings Borough Council Local Plan strategic cycle network

Officer to Contact

Officer Murray Davidson
Email mdavidson@hastings.gov.uk

**Table 1 Cabinet 5th December/Full Council 15th December 2022
Summary of key events relating to the proposed Alexandra Park Cycle Route**

When	What	Outcome
2011 - 2028	Hastings Local Plan identifies a strategic network of cycle routes in the town to link local communities with key services including employment, healthcare, education and green spaces	<p>Policy proposal, T3, in the current adopted Local Plan states:</p> <p><i>The Council will work with East Sussex County Council using the Local Transport Plan 3 policy framework and other partners to achieve a more sustainable transport future for Hastings. Particular priority will be given to;</i></p> <ul style="list-style-type: none"> <i>Supporting the provision of new and enhanced cycle routes in the town, and in particular, supporting the implementation of the strategic cycle network as identified on the key diagram (in the strategic plan) and the Policies Map.</i> <p>The strategic network of proposed and designated cycle routes in town is published on the Hastings Borough Council Local Plan Proposals Pap, adopted September 2015.</p>
2013	Walking and Cycling Strategy published by ESCC/HBC/Hastings Urban Bikes (HUB) and Ramblers Association	Cycle route proposed for Alexandra Park.
2014	Feasibility Report produced by ESCC, in partnership with HBC	<p>HBC agreed to:</p> <ol style="list-style-type: none"> Undertake a public consultation of the proposed route Provide planning/heritage conservation advice (application through planning committee if required) Landowner permission through Cabinet of a proposed route <p>During the project, we further agreed to update our Parks byelaws</p> <p>ESCC agreed to:</p> <ol style="list-style-type: none"> Fund the development and implementation of the route Engage all specialist engineers/consultants Update all drawings and revisions Procure and project managing construction

April 2015	Alexandra Park Cycling Reference Group established	Reference Group included Friends of Alexandra Park, Greenway Group and Hastings and Rother Disability Forum. The group provided the design engineers with feedback and proposed design modifications. A consultation process was agreed.
15/6/2015-21/7/2015	Public consultation, including an open day in the park.	<p>Consultation was advertised in local press and on HBC website. Consultation feedback was available online and through hard copy representation. The consultation was fully compliant with HBC procedures for public consultations.</p> <p>A marquee was erected in the park over the weekend of 28th June 2015 where the plans of the route were on display. Representatives from the design engineers, ESCC and HBC were available to discuss the proposals and the consultation with members of the public.</p>
21/7/2015	Public consultation results	<ul style="list-style-type: none"> • 177 consultation responses <ul style="list-style-type: none"> ○ 82 for and 84 against ○ 1 petition against <p>Summary of key concerns from the public consultation were:</p> <ul style="list-style-type: none"> • Public safety • Enhanced and effective signage • Enforcement
4/1/2016	Cabinet considers the proposal to implement a cycle route in Alexandra Park	<p>Consultation responses were collated and summarised for Cabinet in January 2016.</p> <p>Cabinet unanimously agrees recommendations to support the provision of a cycle route.</p>
16/2/2016	Planning Statement on Permitted Development	HBC Principal Planning Officer advised the intended works were permitted development under the provisions of Schedule 2, Part 12, Class A of the Town and Country Planning (General Permitted Development) (England) Order 2015, therefore planning permission was not required. This planning advice was reconfirmed by the council's Planning Services Manager in June 2022.
On-going since 2016	Question and Answers on the HBC website maintained	Key Q&A available on the council's website and are updated
20/3/2017	ESCC presented proposal to Lead Member for	The meeting proposed a review of the scheme to consider an alignment of the route to run along St.

	Transport and Environment with recommendation to proceed to detailed design and construction, with support from HBC	Helens Road.
June 2018	ESCC Lead Member for Transport and Environment review of the alternative alignment proposal along St Helens Road	<p>ESCC reported back to Lead Member for Transport and Environment the recommendation of the St. Helens Road alternative alignment review.</p> <p>It stated that such a proposal would:</p> <ul style="list-style-type: none"> • require significant footway widening (due to the proximity of the existing spiked railings protected by Historic England), • create risks with bus users, • require the removal of 37 trees, • require removal of parking at the lower section of St Helens Road. <p>Approval was given to proceed the scheme through to detailed design and construction and to proceed with original alignment presented in March 2017.</p>
2019	Safety Audit	<p>A detailed design safety audit completed by East Sussex County Council. The route is designed to ensure all users can access the route as existing to accord with the 'Inclusive Mobility' design guidance and the Equality Act 2010.</p> <p>A Stage 1 Safety Audit was conducted by the design consultants in 2018.</p> <p>A second, combined Stage 1 and Stage 2 Safety Audit was completed by East Sussex Highways, through Jacobs consultants and approved by ESCC in January 2020.</p>
February 2018	Equalities Impact Assessment	ESCC produced an Equalities Impact Assessment for the route and assessed how each protected characteristic is considered should the proposed shared facility be introduced in Alexandra Park. In each instance, positive and negative impacts are considered, and where negative impacts are stated, mitigation measures have been presented within the assessment. Those measures are reflected in the scheme plans.
2020/21	ESCC conversion of footway at Strood Road to cycle path	The Cycle Track Order (CTO) for the short section of footpath along Strood Road was advertised in July 2021. The advertisement generated many objections. Most comments objected to the premise of cycling

		<p>through the park on safety grounds. Any objections to the advertisement would need to be submitted to the Secretary of State (SoS) in accordance with Cycle Tracks Act 1984, for consideration as to whether they would require written assessment or a Public Inquiry. The caseworker for the SoS confirmed that, from experience, many CTOs proceed to a Public Inquiry.</p> <p>Preparing for and attending a Public Inquiry requires considerable officer resource and would impact on the delivery of other aspects of the team's wider work remit. There would also be a considerable expense incurred (for example, legal preparation, venue, hiring of expert witnesses etc) associated with this process which would have to be funded by the County Council. Therefore, it is not considered to be an appropriate use of the County Council's resources and available funding to proceed with this process.</p> <p>An alternative option has been proposed for this short section which would involve the installation of 'cyclist dismount' signs at the proposed section at Strood Road alongside retaining its current status. Subject to implementation, this will be monitored over a 12-month period to see how effective this is and whether it requires further enforcement.</p>
2020/21	ESCC conversion of footway at Dordrecht Way to cycle path	<p>A legal notice was required to allow cycling on the pavement to allow cyclists to cross Dordrecht Way.</p> <p>This was approved by Lead Member for Transport and Environment at her decision-making meeting in September 2020.</p>

Report to: Cabinet

Date of Meeting: 4th January 2016

Report Title: Proposed designated Cycle Route in Alexandra Park

Report By: Mike Hepworth
Assistant Director Environment and Place

Purpose of Report

Outline the results of the consultation on the East Sussex County Council funded proposals for providing a cycling route through Alexandra Park, and agree the recommendation to be made to the Borough Council Cabinet.

Recommendation(s)

- 1. Hastings Borough Council agree to a shared cycle route through Alexandra Park in principle subject to East Sussex County Council:-**
 - a, Removing the proposed route in front of the café;**
 - b, Fully reviewing the results of the consultation and incorporating measures such as those listed below where practicable;**
 - c, Maximising the numbers of signs, bollards, finger posts and surface markings to ensure safety concerns are fully considered and addressed through appropriate measures implemented in the final design of the route;**
 - d, Where appropriate, using different coloured surfacing as a safety feature;**
 - e, Using clearer signage where the route merges or crosses with existing footpaths;**
 - f, Using cyclists dismount signs at appropriate locations;**
 - g, Providing cycle racks at appropriate locations.**
- 2. Hastings Borough Council publicly thank everyone who responded to the consultation, and in particular the participants of the Reference Group for informing the pre-consultation design process.**

Reasons for Recommendations

Cycling is recognised as a key health benefit and provision of cycling facilities is supported by Government. Hastings Borough Council's Development Management Plan identifies a number of proposed cycle routes in the town, one of which is the route through Alexandra Park. East Sussex County Council are supportive of the route and will fully fund its implementation. Extensive consultation has been undertaken to inform the details of the final scheme.

Introduction

1. Successive Governments have recognised the health benefits of cycling and encouraged Local Authorities to look at ways to increase opportunities for cycling. The current proposal is to implement a shared cycling and pedestrian route, using existing paths through Alexandra Park to join Silverhill and Queens's Road.
2. Although the new shared route would pass through Alexandra Park, which is owned, managed and maintained by the Borough Council, the route through the park has been designed by consultants appointed by East Sussex County Council, and the cost of installing the new route would also be funded by the County Council.
3. If Hastings Borough Council approves the principle of the proposed route, the County Council will instruct their consultants to refine and complete the design in light of feedback from the public consultation and the Borough Council's comments, and set a timetable for delivery of the project.

Policy Framework

4. It should be noted that the provision of a cycle route through and within Alexandra Park is a strategic policy ambition of the Borough Council. The Hastings Local Plan, the Hastings Planning Strategy 2011 - 2028, adopted 19th February 2014, identifies a number of routes around the town, including Alexandra Park. A route within Alexandra Park is shown on the key diagram in the Planning Strategy and on the policies map. The Local Plan was subject to extensive consultation and a public inquiry prior to adoption.
5. Policy T3 of the Hastings Planning Strategy states;
 - a. The Council will work with East Sussex County Council using the Local Transport 3 policy framework and other partners to achieve a more sustainable transport future for Hastings. Particular priority will be given to supporting the provision of new and enhanced cycle routes in the town, and in particular, supporting the implementation of the strategic cycle network as identified on the key diagram and the policies map.
6. Hastings Council, together with East Sussex Country Council, and Hastings Urban Bikes (HUB) produced a Hastings Walking and Cycling Strategy in 2014. The strategy provided a supporting document to the County Council's Local Transport Plan and the Hastings Local Plan and outlined opportunities for increased walking and cycling in the town.
7. On this basis, the local consultation carried out this summer was not about whether there should be a cycle route through Alexandra Park. It was about how such a route should be implemented, and sought feedback on the detailed proposals developed by the County Council.

The proposed route through Alexandra Park

8. Alexandra Park is a grade 2* listed park as designated by Historic England. The current proposal is for a shared cycling/pedestrian route through the park joining Silverhill and Queens Road. The proposed cycle route follows existing paths. No new routes will be constructed. It is not a single use cycle lane.
9. The proposed route does not require planning permission and Historic England did not comment as the route follows existing paths in the park. The provision of cycling in a designated route will be compatible with our proposed new parks' bye laws.
10. To progress the route, East Sussex County Council appointed engineering consultants to design and deliver the scheme. The County Council will be responsible for project managing and fully funding the implementation of the route and associated signage. The route is identified on the attached plans together with the proposed signs. East Sussex County Council envisages the route will be constructed mid to late 2016.

Consultation

11. As landowner, Hastings Borough Council undertook a specific consultation exercise on the proposed route and accompanying signage, paths, crossing points etc. As mentioned earlier, the consultation was not about the principle of a route through the park, it was about the detailed implementation of the route.
12. In April 2015, we established a Reference Group of interested groups (Friends of Alexandra Park, The Greenway Group, The Ramblers Association, Hastings and Bexhill Disability Forum, Hastings Urban Bikes) to assess the initial proposals and give early feedback to the County Council and their design consultants, Amey, prior to the full public consultation.
13. The Reference Group was able to provide helpful early feedback for the consultants prior to full public consultation. The public consultation took place from 15th June until 21st August 2015.
14. We invited comment through our web site, invited comment in person at the Community Contact Centre and held a specific consultation event at Armed Forces weekend on 28th June 2015, where officers from the Councils and the design consultants were available to discuss the proposed route and invite further comment.
15. East Sussex County Council is awaiting the outcome of our Cabinet's consideration of the proposals and the results of the public consultation before commissioning further work to address the concerns received from the public consultation.

Consultation Summary

16. There were 177 single responses to the consultation. 82 responses were identified as for and 84 against.

17. We received one petition with 63 signatories against the proposal. However, instead of stating a single petition statement for signatories to acknowledge and add their signature to, it was essentially a collection of comments against the proposed route.
18. Much of the feedback was very detailed and provided a mixture of personal views and constructive comments. However, many related to the same issues, and made very similar points. Therefore a representative selection of comments from the consultation feedback is attached as Appendix 1, with Borough Council Officer responses to the feedback in the right hand column.
19. After assessing all the comments, the feedback generally highlighted issues around;
 - a. public safety
 - b. enhanced and effective signage
 - c. enforcement

Discussion

20. The provision of a cycle route through the park is a key policy priority for the Council.
21. The consultation prompted very strong feelings both for and against the details of the proposed route. The main concerns from opponents of the route focused on safety, signage and enforcement, as well as opposing cycling in the park as a matter of principle. Of course, we were not actually seeking views on the latter, only on the details of the route.
22. On the other hand the advocates of the route, in general, felt the benefits outweighed the risks and encouraged the Council to approve the proposal.
23. The proposed route follows existing footpaths. It is a shared route so cyclists and walkers will share the same path. Cycling will not be allowed on footpaths not designated for cycling, and cycling will remain prohibited from the majority of footpaths in the park.
24. A number of respondents to the consultation identified the route in front of the café in the lower park as of particular concern, and wished to see this section removed. Hastings Borough Council agrees and will require this section of the proposed cycle route be removed from the final plans.
25. In addressing the key concerns from the consultation, Hastings Borough Council will require East Sussex County Council to:-
 - a. Remove the proposed route in front of the cafe
 - b. Fully review the results of the consultation and incorporate measures such as those listed below where practicable

- c. Maximise the numbers of signs, bollards, finger posts and surface markings and ensure safety concerns are fully considered and appropriate measures implemented in the final design of the route
 - d. Where appropriate, use different coloured surfacing as a safety feature
 - e. Use clearer signage where the route merges or crosses with existing footpaths
 - f. Use Cyclists Dismount signs at appropriate locations
 - g. Provide cycle racks at appropriate locations.
26. Hastings Borough Council will fully participate with the County Council and their consultant to ensure signage is not only appropriate for the location, but is clearly worded and clearly visible to both pedestrians and cyclists using the new route.

Enforcement

27. The enforcement of cycling in the park will be a matter for Hastings Borough Council. We propose working with cycle groups to enforce a self-management approach to cycling, and to working with park users to highlight and challenge unacceptable behaviour by cyclists.
28. In the initial stages officers will design a programme for the Rangers and Wardens to have a heightened presence in the park at specific times to engage with cyclists and deter unsafe use. Cycling outside the designated route would be liable to potential Fixed Penalty Notices for contravention of the bye laws.
29. It is hoped that this proportionate approach of education and enforcement will quickly establish behaviours that are compatible with a shared route through the park, enabling all to use it with confidence, both pedestrians and cyclists.
30. Following on from this initial phase of education and enforcement, we will continue to monitor how the shared route is used, and should any serious concerns arise, we will deploy enforcement staff to address them.

Policy Implications

Equalities

31. The Council formed a Reference Group to include a cross section of park users and interest groups, including the Hastings and Rother Disability Forum. The views of the reference group informed initial changes to the proposed design. Further public consultation invited views from all sectors of the community. Those views have been passed to ESCC and AMEY for consideration in the final design.

Risk Management

32. Safety features such as warning signs and information signs are already integral to the design proposals for the route. The consultation highlighted safety concerns

which have been passed to ESCC for consideration and inclusion in the final designs wherever reasonably practicable.

Environmental Issues

33. Promoting cycling as a sustainable form of transport is a key environmental consideration nationally and locally. Promoting cycling conforms to the national health agenda for increasing exercise and healthy living, as well as reducing car use and fossil fuel consumption.

Economic and Financial

34. The route is being fully funded by ESCC. No contribution is sought from Hastings Borough Council. Whereas the long term maintenance of the path will fall to the Borough Council. However as the route is on existing footpaths that are already maintained by the Council, there are no significant implications for the maintenance budget

Local Peoples Views

35. Local people were invited to comment on the scheme through the consultation process facilitated by the Borough Council.

Wards Affected

Braybrooke, Silverhill

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	Yes
Environmental Issues	Yes
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	No
Local People's Views	Yes
Anti-Poverty	No

Additional Information

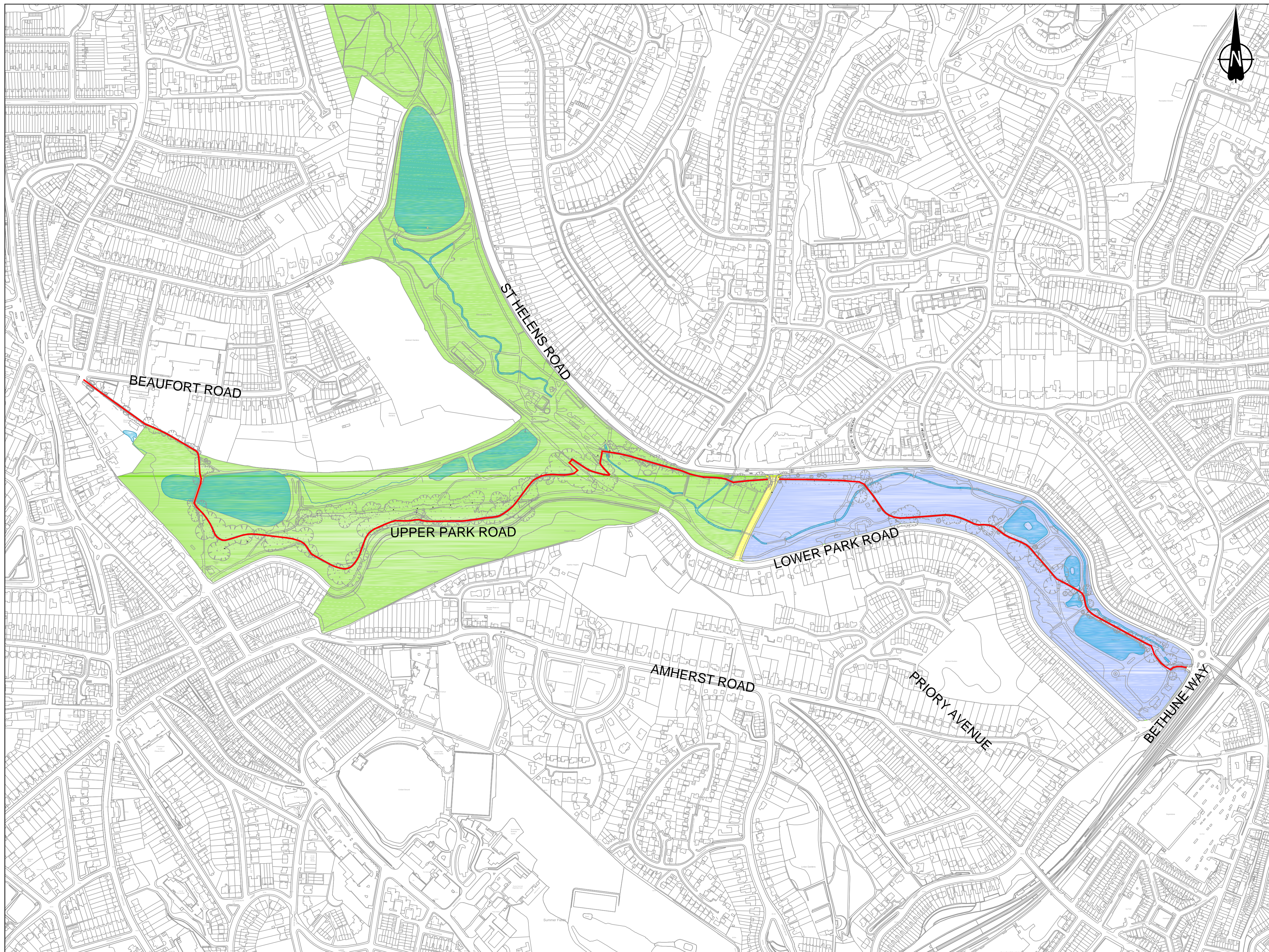
Appendix One - Summary of responses to the consultation.

Officer to Contact

Murray Davidson
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Notes
 1 Background based on Ordnance Survey mapping only supplemented with topographical survey.

- KEY**
- Proposed cycle route alignment.
 - Alexandra Park - Upper Park.
 - Alexandra Park - Lower Park.
 - Dordrecht Way.

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East Sussex Highways
 A partnership between:
 COSTAIN CH2M | |

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Project	ALEXANDRA PARK CYCLE ROUTE
Drawing title	SITE LOCATION PLAN

Status	S0	Revision	P01
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SCH-009 Alexandra Park, Hastings, Cycle scheme

East Sussex Highways

Combined Stage 1/2 Road Safety Audit

678223CH

7th October 2019

Alexandra Park, Hastings, Cycle Scheme

Project No: 678223CH
Document Title: Alexandra Park, Hastings, Cycle Scheme Combined Stage 1/2 Road Safety Audit
Document No.: SCH-009
Client Name: East Sussex Highways
Project Manager: Charles Emeanuwa
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Document history and status

Revision	Date	Description	By	Review	Approved
0	07/10/19	RSA 1/2	Daniel Harris	Alison Foale	Stuart Minton

Contents

1.	Introduction	1
2.	Local Alignment	2
2.1	Visibility.....	2
3.	General	3
3.1	Vertical Alignment	3
3.2	Drainage	3
3.3	Landscaping	6
3.4	Fences and restraint systems.....	10
4.	Walking, Cycling and Horse Riding	13
4.1	Cycling.....	13
5.	Traffic signs, carriageway markings and lighting	18
5.1	Traffic signs	18
5.2	Carriageway markings.....	19
5.3	Lighting.....	19
6.	Audit Team Statement	20

Appendix A. List of drawings and documents supplied

Appendix B. Location Plan

Appendix C. Key Plan

1. Introduction

This report results from a Combined Stage 1/2 Road Safety Audit (RSA) carried out on the Alexandra Park, Hastings, Cycle Scheme. The purpose of the scheme is to provide a cycle facility through Alexandra Park, which forms one of the principle routes identified in the Hastings Walking and Cycling Strategy (2014). To achieve this the proposal is to widen and convert a series of the existing footpaths through both the upper and lower parks, including a continuous section across Dordrecht Way.

The park has varying characteristics between the upper and lower sections. The lower part is flatter and provides access to the café, children's play park and scenic lakes. The upper part is much steeper and secluded, making it less likely to be used by families and children.

The RSA was carried out at the request of Ian Tingley of East Sussex Highways who also approved the Brief and Audit Team. The Audit Team membership was as follows: -

Daniel Harris BA (Hons) MCIHT MSoRSA RegRSA (IHE)
Highways England Approved Certificate of Competency
Senior Road Safety Engineer, Jacobs

Alison Foale BEng (Hons) MSc MCIHT MSoRSA
Highways England Approved Certificate of Competency
Senior Road Safety Engineer, Jacobs

A site visit was undertaken on Thursday 26th September 2019 between 12:30 and 16:00 hours when the weather was sunny, the road and path surface was drying following earlier rain and traffic, walking and cycling conditions were light. Six cyclists were observed in the park during the audit site visit. Ian Tingley from East Sussex Highways also attended the site visit as an observer.

A Stage 1 Road Safety Audit was undertaken on a previous cycle scheme in Alexandra Park, based on a different route, in October 2015. This route was subsequently withdrawn. The proposed route alignment has not been subject to an RSA and was progressed straight to detailed design.

The brief indicated that collision data is not available within the park and that no collisions have been recorded at the junction of Dordrecht Way with St Helen's Road. No current or predicted cyclist flows were provided.

This report is presented based upon the checklist contained in Appendix B of GG 119 for Road Safety Audits. The team has examined and reported only on the road safety implications of the design and has not examined or verified the compliance of the layout to any other criteria, in accordance with GG 119.

The drawings provided as part of this Road Safety Audit are shown in the List of Drawings and Documents Supplied in Appendix A. A location plan is supplied in Appendix B.

Each of the problems identified by the Audit Team has been allocated a unique reference number and is shown on the plan extract contained within Appendix C.

2. Local Alignment

2.1 Visibility

2.1.1 Problem

Location: Throughout scheme.

Summary: Insufficient forward visibility could result in collisions between users.

Through a combination of route alignment and vegetation there are a number of locations where forward visibility along the route is restricted, resulting in insufficient stopping sight distance for cyclists. This includes the first right hand bend when approaching from Strood Road, the sharp bend section at the switchback west of the Peace Garden and the right hand bend at the western end of the boating lake. Reduced forward visibility could result in conflicts between users at these locations, resulting in pedestrian and cyclist injuries.



Recommendation:

Maximise forward visibility through the length of the scheme by cutting back the existing vegetation within the visibility splays and maintaining this as part of the park's maintenance programme.

3. General

3.1 Vertical Alignment

3.1.1 Problem

Location: Interface between the upper and lower parks

Summary: Steep gradients, barrier arrangements and surface could result in cyclists and other users losing control.

At the route interface between the upper park and lower parks the shared route is subject to very steep gradients, estimated at their maximum to be around 20%. In addition to the gradients the sections are under dense tree cover, and the upper park gradient will have a staggered barrier at its mid-point. During the site visit the sections were observed to be wet and covered with slippery foliage from trees. The Audit Team are concerned that cyclists and other users (including pedestrians, wheelchair and mobility scooter users) proceeding downhill could lose control, resulting in injuries from riders being unseated, users slipping and collisions with the staggered barriers.

Recommendation:

It is recommended that: signs are provided advising cyclists of the steep gradient and to dismount prior to the descents; flat areas of surfacing are provided in advance of the staggered barriers at the mid-point and bottom of the gradient; and that the route is regularly inspected and kept free from debris year round as part of the park's maintenance programme.

3.2 Drainage

3.2.1 Problem

Location: Throughout scheme.

Summary: Ponding water observed on the proposed route, increasing the risk of slips, trips and unseated cyclists.

At a number of locations along the proposed route ponding water was observed following rainfall prior to the site visit. The images below show ponding at the bridge near the bandstand, the path alongside the bowling green and at the switchback west of the Peace Garden. Ponding water increases the risk of pedestrians slipping/tripping and cyclists being unseated. During cold weather conditions the risk could increase if the ponding water freezes.



Recommendation:

It is recommended that suitable drainage is provided throughout the scheme to ensure that water does not pond within the shared route.

3.2.2 Problem

Location: Strood Road interface with shared path.

Summary: Blocked gully has led to a buildup of detritus and could result in ponding, increasing the risk of slips, trips and unseated cyclists.

At the interface between Strood Road and the shared route an existing gully was observed to be blocked. This has resulted in a significant buildup of detritus and mud and ponding is likely to occur during periods of sustained rainfall. Ponding water and a buildup of detritus across the path increases the risk of pedestrians slipping/tripping and cyclists being unseated. During cold weather conditions the risk could increase if the ponding water freezes.



Recommendation:

It is recommended that the existing gully and detritus buildup is cleared and that additional drainage provided if the existing system is no longer effective.

3.2.3 Problem

Location: Bethune way entrance.

Summary: Gully cover could trap bicycle wheels and unseat cyclists.

Cyclists entering the park and shared route from Bethune Way could cycle over an existing gully cover. Due to the type and orientation of the cover bicycle wheels could become trapped, resulting in cyclists being unseated.



Recommendation:

It is recommended that the existing gully cover is replaced with a cycle friendly gully grate.

3.3 Landscaping

3.3.1 Problem

Location: Throughout scheme.

Summary: Bordering vegetation encroaches across the shared route, restricting the effective width.

Throughout the park the proposed shared route is bordered by vegetation, including flower beds, shrubs, bushes and trees. During the site visit it was observed at a number of locations, including those not specified for widening, that vegetation encroaching across the footway would restrict the effective width of the proposed shared route. This could increase the risk of conflicts between users.





Recommendation:

It is recommended that all encroaching vegetation is removed and that the width of the full route is maintained year round through regular inspections and clearing as part of the park's maintenance programme.

3.3.2 Problem

Location: Shornden Wood near sign S11.

Summary: The shared route at a reduced width location is impacted by an existing tree.

The shared route east of sign S11 in Shornden Wood is 2m wide over a short length. A tree bordering the shared route reduces the width further due to low level growth. This impacts on the available width and intervisibility between users, which could increase the risk of collisions.



Recommendation:

It is recommended that the width of the shared route is maximised at this location by removing all encroaching vegetation. Ensure that the width of the full route is maintained year round through regular inspections and clearing as part of the park's maintenance programme.

3.3.3 Problem

Location: Throughout scheme.

Summary: Tree canopies overhanging the shared route could potentially unseat cyclists.

At a number of locations tree canopies overhang the proposed shared route, increasing the risk of cyclists striking low hanging branches and becoming unseated.



Recommendation:

It is recommended that low hanging branches are removed to provide a minimum headroom of 2.4m.

3.3.4 Problem

Location: Throughout scheme.

Summary: Material from adjacent banks and vegetation could result in pedestrian slips, trips and falls and unseated cyclists.

The proposed shared route is largely bordered by grass banks and vegetation including flower beds, shrubs, bushes and trees. During the site visit it was observed that loose material from adjacent banks and bordering and overhanging vegetation (needles, leaves, flowers etc.) encroaches/falls onto the paths. This increases the risk of pedestrian slips, trips and falls and unseated cyclists, particularly on steep parts of the route.

The impact of loose material from banks and vegetation is likely to increase during autumn as leaves are dropped from trees in combination with increased rainfall.



Recommendation:

It is recommended that existing loose material, needles, leaves, flowers etc. are removed from the proposed route and that the route is kept free from debris year round through regular inspections and clearing as part of the park's maintenance programme.

3.3.5 Problem

Location: Lower park.

Summary: Changes in levels at the edge of the proposed shared route could unseat cyclists.

Within the lower park section, it was observed that there are existing changes in levels where the shared route and grass verges interface. If a cyclist's wheel left the shared route at these locations, the sudden change in level, often on a muddy surface, could lead to cyclists losing control increasing the risk of unseated riders and injuries.



Recommendation:

It is recommended that level differences are removed using earthworks/top soiling along the length of the route.

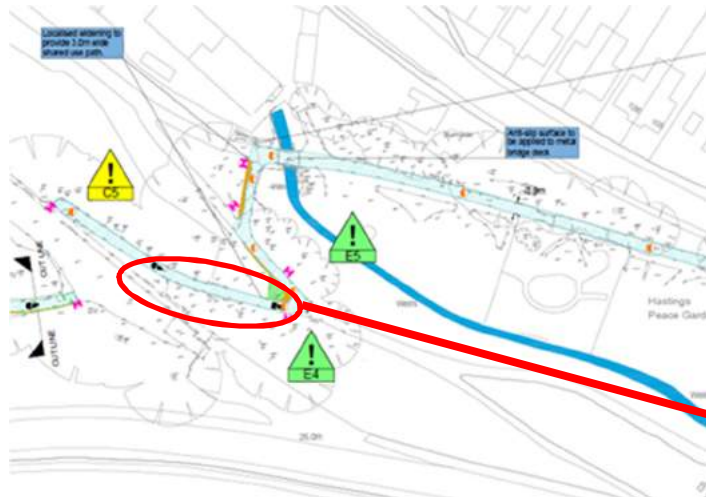
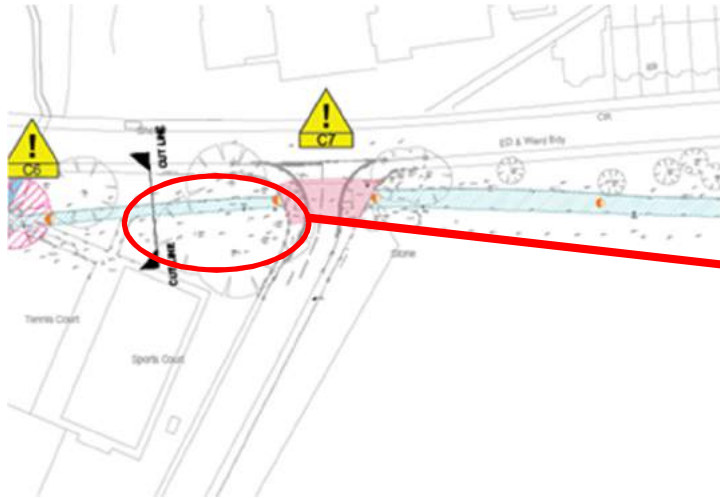
3.4 Fences and restraint systems

3.4.1 Problem

Location: West of the Dordrecht Way carriageway crossing and at the shared route switchback west of the Peace Garden.

Summary: Lack of protection of steep banks could increase the severity of injuries should a cyclist leave the shared route.

Step banks are immediately adjacent to the proposed shared route to the west of the Dordrecht Way carriageway crossing and at the shared route switchback west of the Peace Garden. The gradient of these steep banks could increase the severity of injuries to a cyclist should they leave the shared route.



Recommendation:

It is recommended that 1.4m high timber post and rail cleft fencing is provided at these locations, consistent with protection of steep banks at other locations along the route.

3.4.2 Problem

Location: Existing bridges without extended parapets.

Summary: Gaps at bridge parapets could increase the severity of injury should a cyclist leave the shared route path at these locations.

Some of the existing bridges are fitted with additional sections of extended parapet, which act as a physical barrier and guide to users, protecting them from steep drops into waterways. It was observed during the site visit that additional sections of extended parapet are omitted at other bridges along the route which could result in an increased risk of injury and severity should a cyclist leave the shared route.

A gap is also likely to be created at the stone bridge parapet when the proposed tree removal has been undertaken.



Recommendation:

It is recommended that additional sections of extended parapet are provided at all bridges with adjacent gaps/steep drops into waterways.

4. Walking, Cycling and Horse Riding

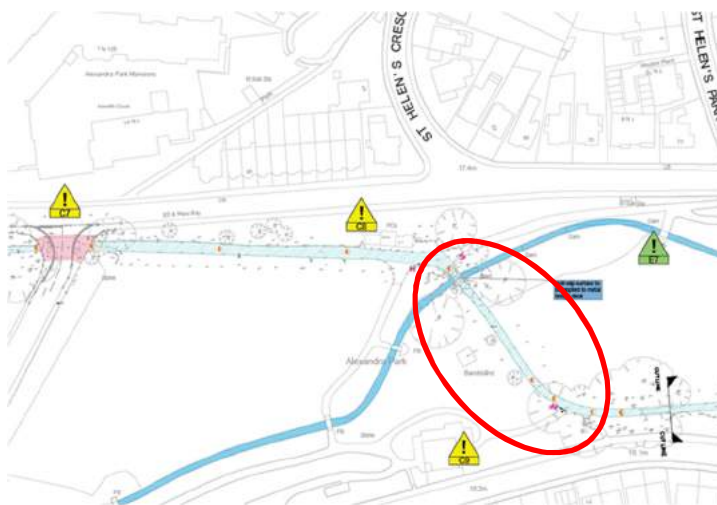
4.1 Cycling

4.1.1 Problem

Location: Shared path adjacent to the bandstand.

Summary: Longitudinal cracking in the surface could result in cyclists being unseated.

The section of shared path adjacent to the bandstand is not due to be resurfaced. During the site visit longitudinal cracking was observed in this section. The cracks were, in places, wide enough to accommodate a bicycle tyre which could trap bicycle wheels and unseat cyclists.



Recommendation:

It is recommended that the longitudinal cracks are sealed or this section resurfaced to provide a smooth, consistent surface for cyclists.

4.1.2 Problem

Location: Strood Road interface with shared route.

Summary: Utility covers could result in pedestrian slips and unseated cyclists.

At the interface between Strood Road and the shared route there are two utility covers which are likely to become slippery when wet. This increases the risk of pedestrian slips and cyclists, particularly those braking on approach to the staggered barriers, being unseated.



Recommendation:

It is recommended that the utility covers are treated so that they provide a consistent surface finish and skidding resistance to the shared route surface.

4.1.3 Problem

Location: Shared path east of the café.

Summary: Lack of contrast between the edge of route and verge could result in unseated cyclists.

The shared route to the east of the café is under dense tree cover and as a result is noticeably darker than other sections. Due to the tree cover, grass does not grow in the verge at the edge of the route. This results in a lack of contrast between the edge of route and the adjacent downhill bank, increasing the risk of cyclists leaving the route and becoming unseated. The lack of contrast is likely to be exacerbated at dusk and dark conditions.



Recommendation:

It is recommended that the edge of the route is demarcated for the section under tree cover.

4.1.4 Problem

Location: Shared path adjacent to the boating lake at the eastern end of the lower park.

Summary: Potential for bicycle pedals to strike the top of steps, resulting in unseated riders.

At the eastern end of the route two sets of steps connect the proposed shared route and a pedestrian path alongside the boating lake. The tops of the steps are vulnerable to being struck by bicycle pedals, which could result in unseated riders. The risk of strikes could increase during dusk/dark conditions as the step tops do not contrast with the route.



Recommendation:

It is recommended that demarcation around the top of the steps is provided.

4.1.5 Problem

Location: Link between the upper park and lower park.

Summary: Poor quality surface and lack of route clarity.

The shared route link between the upper and lower park crosses an ambiguous area with an unbound and poor quality surface subject to ponding. The area is used by vehicles, pedestrians and cyclists, but it is unclear who has priority. In addition, the proposed signing and markings do not provide clarity of the onward route. The combination of these problems could result in collisions between pedestrians, cyclists and vehicles.



Recommendation:

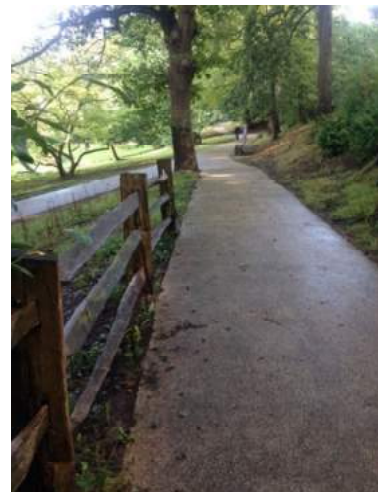
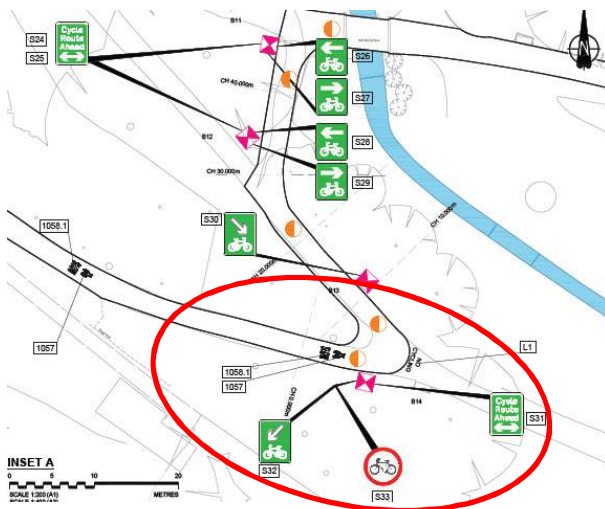
It is recommended that a surface consistent with the rest of the shared route is provided along with signs and markings to address the route ambiguity and continuity concerns.

4.1.6 Problem

Location: Switchback west of the Peace Garden.

Summary: Lack of route clarity could result in cyclists continuing away from the shared route.

At the switchback, signing is proposed. If approaching the switchback from the west the alignment of the path and conflicting signing of the onward route and 'no cycling' on the same side of the bollard could result in cyclists continuing away from the shared route on a less suitable path, increasing the risk of conflicts with pedestrians.



Recommendation:

It is recommended that the proposed signing and markings are revised to address the route ambiguity for cyclists.

5. Traffic signs, carriageway markings and lighting

5.1 Traffic signs

5.1.1 Problem

Location: Throughout scheme.

Summary: Inconsistent use of signs to reinforce the shared route.

Throughout the scheme 'cycle route ahead', 'no cycling' and 'information for cyclists' signs are used to demarcate the route and inform users of the shared route. These signs are not provided at all adjoining paths, creating confusion and increasing the likelihood that cyclists could inadvertently continue on a pedestrian only route. This could increase the risk of collisions between users.

Recommendation:

It is recommended that consistent route signage is provided at each interface between a pedestrian only footpath and the shared route.

5.1.2 Problem

Location: Throughout scheme.

Summary: Use of bronze marker plates set into the route surface could result in unseated cyclists.

Through the length of the shared route 300mm diameter bronze marker plates are proposed to be installed into the surface. The plates are positioned in the centre of the path, often coinciding with bends in the route and pinch points. Bronze plates are likely to become slippery when wet which could result in cyclists, particularly those braking and/or turning, being unseated.

Recommendation:

It is recommended that marker plates with a consistent surface finish and skidding resistance to the shared route surface are provided in locations where cyclists are not likely to be braking or turning.

5.1.3 Problem

Location: Throughout scheme.

Summary: Misleading route direction signs could result in cyclists continuing away from the shared route.

Route confirmation signs with arrows are provided throughout the scheme to help reinforce the direction of the shared route. At a number of locations (such as signs S5, S10 and S15) the orientation of the arrow and the bollard it is mounted on could result in confusion and cyclists continuing away from the shared route on a less suitable path, increasing the risk of conflicts with pedestrians.

Recommendation:

It is recommended that the orientation of the bollards and arrows on the sign faces are revised to better represent the alignment of the route.

5.1.4 Problem

Location: Dordrecht Way crossing.

Summary: Signing of the crossing could result in confusion.

Advance warning signs are proposed for the Dordrecht Way crossing on St Helen's Road. The location of these signs results in the westbound sign not being visible to approaching vehicles and the eastbound sign obscuring the existing zebra crossing beacon and pedestrian waiting area. The signs only warn of cyclists, although pedestrians also cross at this location. This could result in road users being unaware of the Dordrecht Way crossing and existing zebra crossing, increasing the potential for collisions between vehicles, pedestrians and cyclists.

Recommendation:

It is recommended that the warning signs are located with suitable forward visibility and that they are not misinterpreted for the existing zebra crossing on St Helen's Road.

5.2 Carriageway markings

5.2.1 Problem

Location: Staggered barrier arrangements.

Summary: Solar LED road studs may not be visible on approach to the staggered barrier arrangements.

Solar LED road studs are proposed to be installed on either side of the shared route on the approaches to the staggered barrier arrangements. It is unclear if the performance of these will be suitable to warn cyclists of the barrier arrangement. Performance could be impacted by tree cover and/or the studs being covered by fallen leaves or loose material from the verges.

Recommendation:

It is recommended that the suitability of the LED road studs is clarified and a suitable alternative used if necessary. Ensure the route and studs are kept free from debris year round through regular inspections and clearing as part of the park's maintenance programme.

5.3 Lighting

5.3.1 Problem

Location: Dordrecht Way crossing.

Summary: Lamp column in the middle of the footway.

On a number of drawings, a lamp column is shown in the middle of the shared footway/cycleway on the north east side of the Dordrecht Way crossing. At this location there is an increased risk of pedestrians and cyclists striking the column, resulting in injuries.


Recommendation:

It is recommended that the current location of the column, as observed on site, is retained or an alternative location at the back edge of the shared footway/cycleway.

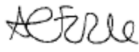
6. Audit Team Statement

We certify that this audit has been carried out in accordance with GG 119.

Audit Team Leader

Name: Daniel Harris Signed: 
Dated: 04/10/2019
Position: Senior Road Safety Engineer
Organisation: Jacobs
Address: Burderop Park, Swindon

Audit Team Member

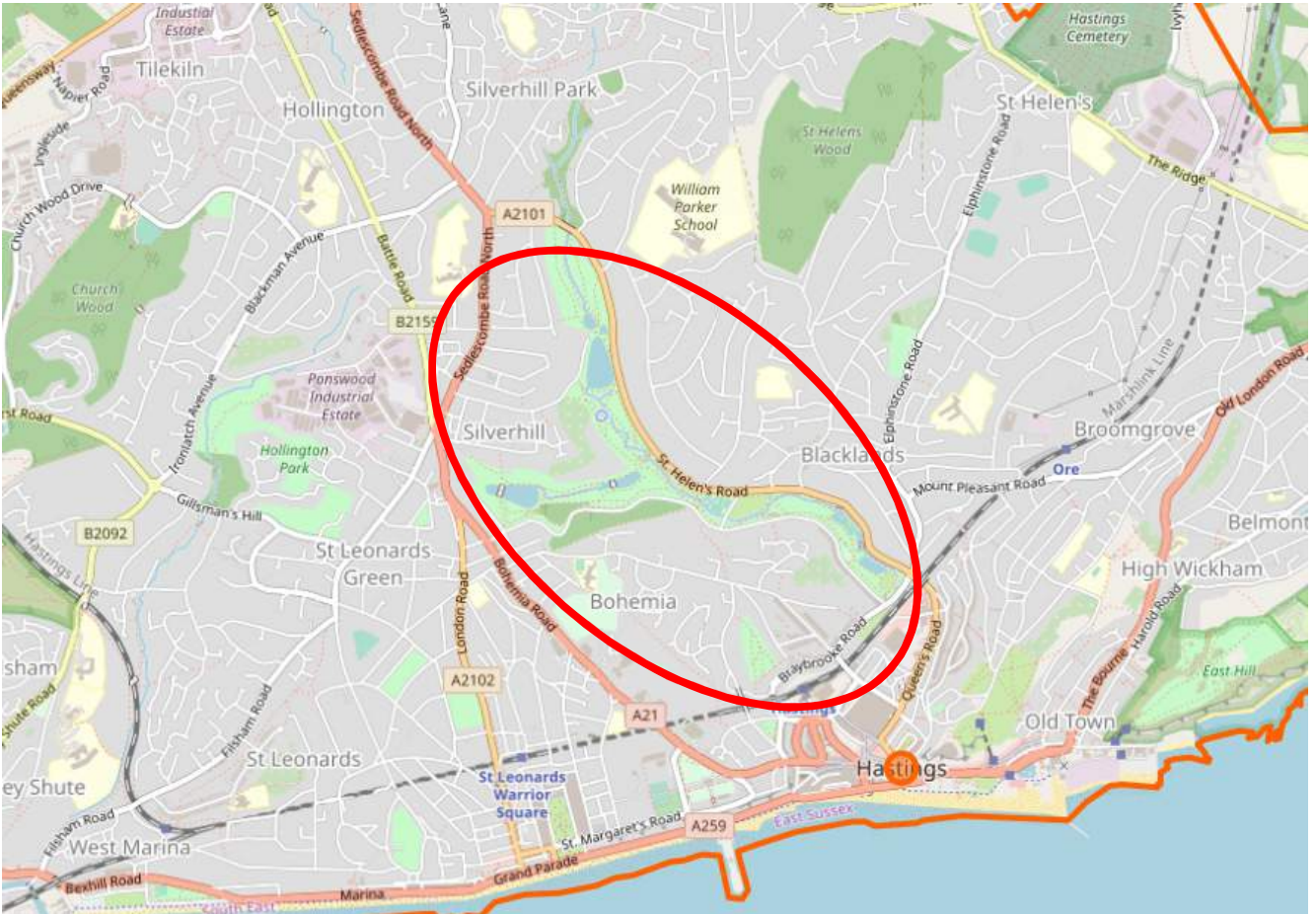
Name: Alison Foale Signed: 
Dated: 04/10/2019
Position: Senior Road Safety Engineer
Organisation: Jacobs
Address: Burderop Park, Swindon

Appendix A. List of Drawings and Documents supplied

Document/Drawing	Revision	Description
HGN-SCH0009-DR-CH-0021	P02	General Layout – Sheet 1 of 7
HGN-SCH0009-DR-CH-0022	P02	General Layout – Sheet 2 of 7
HGN-SCH0009-DR-CH-0023	P01	General Layout – Sheet 3 of 7
HGN-SCH0009-DR-CH-0024	P03	General Layout – Sheet 4 of 7
HGN-SCH0009-DR-CH-0025	P02	General Layout – Sheet 5 of 7
HGN-SCH0009-DR-CH-0026	P03	General Layout – Sheet 6 of 7
HGN-SCH0009-DR-CH-0027	P03	General Layout – Sheet 7 of 7
HGT-SCH0009-DR-CH-0008	P02	Fencing, Barriers and Earthworks Fill – Sheet 1 of 7
HGT-SCH0009-DR-CH-0009	P02	Fencing, Barriers and Earthworks Fill – Sheet 2 of 7
HGT-SCH0009-DR-CH-0010	P01	Fencing, Barriers and Earthworks Fill – Sheet 3 of 7
HGT-SCH0009-DR-CH-0011	P01	Fencing, Barriers and Earthworks Fill – Sheet 4 of 7
HGT-SCH0009-DR-CH-0012	-	Not used
HGT-SCH0009-DR-CH-0013	-	Not used
HGT-SCH0009-DR-CH-0014	-	Not used
HKF-SCH0009-DR-CH-0001	P01	Kerbing and Footways – Sheet 1 of 7
HKF-SCH0009-DR-CH-0002	P01	Kerbing and Footways – Sheet 2 of 7
HKF-SCH0009-DR-CH-0003	P01	Kerbing and Footways – Sheet 3 of 7
HKF-SCH0009-DR-CH-0004	P01	Kerbing and Footways – Sheet 4 of 7
HKF-SCH0009-DR-CH-0005	P01	Kerbing and Footways – Sheet 5 of 7
HKF-SCH0009-DR-CH-0006	P01	Kerbing and Footways – Sheet 6 of 7
HKF-SCH0009-DR-CH-0007	P01	Kerbing and Footways – Sheet 7 of 7
HKF-SCH0009-DR-CH-0008	P01	Dordrecht Way - Kerbing and Footways
HSN-SCH0009-DR-CH-0001	P02	Traffic Signs and Road Markings – Sheet 1 of 7
HSN-SCH0009-DR-CH-0002	P02	Traffic Signs and Road Markings – Sheet 2 of 7
HSN-SCH0009-DR-CH-0003	P01	Traffic Signs and Road Markings – Sheet 3 of 7
HSN-SCH0009-DR-CH-0004	P03	Traffic Signs and Road Markings – Sheet 4 of 7
HSN-SCH0009-DR-CH-0005	P02	Traffic Signs and Road Markings – Sheet 5 of 7
HSN-SCH0009-DR-CH-0006	P03	Traffic Signs and Road Markings – Sheet 6 of 7
HSN-SCH0009-DR-CH-0007	P03	Traffic Signs and Road Markings – Sheet 7 of 7
HSN-SCH0009-DR-CH-0008	P01	Traffic Signs Ref S1 and S74
HSN-SCH0009-DR-CH-0009	P01	Traffic Signs Ref S2 and S75
HSN-SCH0009-DR-CH-0010	P01	Traffic Signs – Cycle Route Ahead
HSN-SCH0009-DR-CH-0011	P01	Traffic Signs Ref S5, S10, S14, S15 and S51
HSN-SCH0009-DR-CH-0012	P01	Traffic Signs Ref S7, S8, S18, S19, S49, S54, S61 & S65
HSN-SCH0009-DR-CH-0013	P02	Traffic Signs Ref S21, S22, S27 and S29
HSN-SCH0009-DR-CH-0014	P02	Traffic Signs Ref S23, S26 and S28
HSN-SCH0009-DR-CH-0015	P01	Traffic Signs Ref S4, S41, S42 and S73
HSN-SCH0009-DR-CH-0016	P01	Traffic Signs Ref S40 and S76
HSN-SCH0009-DR-CH-0017	P01	Traffic Signs Ref S36, S38 and S43
HSN-SCH0009-DR-CH-0018	-	Not used
HSN-SCH0009-DR-CH-0019	P01	Traffic Sign Ref S37
HSN-SCH0009-DR-CH-0020	P01	Traffic Sign Ref S39
HSN-SCH0009-DR-CH-0021	P01	Traffic Sign Ref S44
HSN-SCH0009-DR-CH-0022	P01	Traffic Signs Ref No Cycling
HSN-SCH0009-DR-CH-0023	P01	Timber Bollard Types TB1, TB2 and TB3
HSN-SCH0009-DR-CH-0024	P01	Traffic Signs Ref S82, S83 and S84
HSN-SCH0009-DR-CH-0025	P01	Traffic Sign Ref S30
HSN-SCH0009-DR-CH-0026	P01	Traffic Sign Ref S32

HLG-SCH0009-DR-EO-0002	P01	Street Lighting – Column Positions and Removals – Option 2
GEN-SCH0009-DR-CH-0001	P01	Footway Construction Details Types A, B, C and D
GEN-SCH0009-DR-CH-0002	P01	Dordrecht Way Raised Table
GEN-SCH0009-DR-CH-0003	P02	Timber Post and Three Cleft Rail Fence
GEN-SCH0009-DR-CH-0004	P04	Pedestrian Barrier
Alex Park Amey RSA1-OCT 2015	003	Includes clients response and final sign off

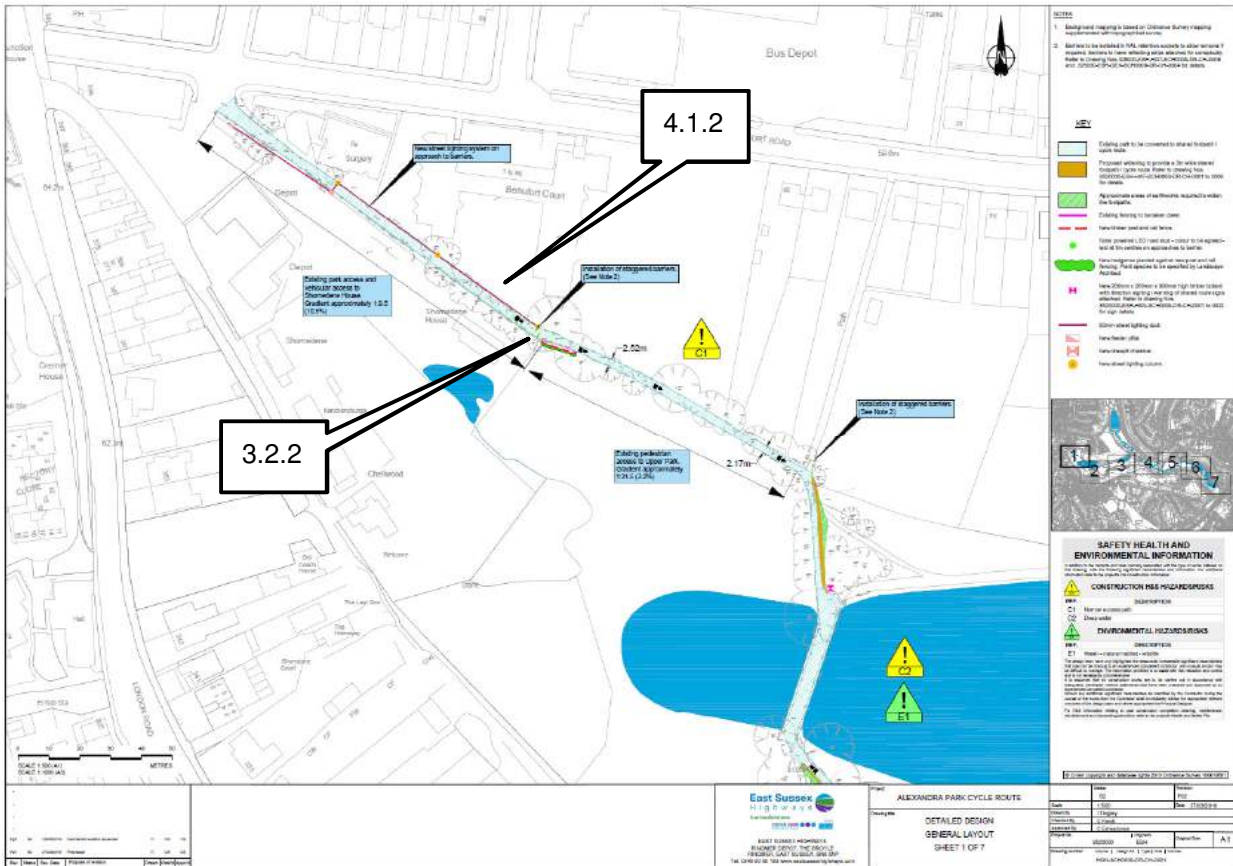
Appendix B. Location Plan

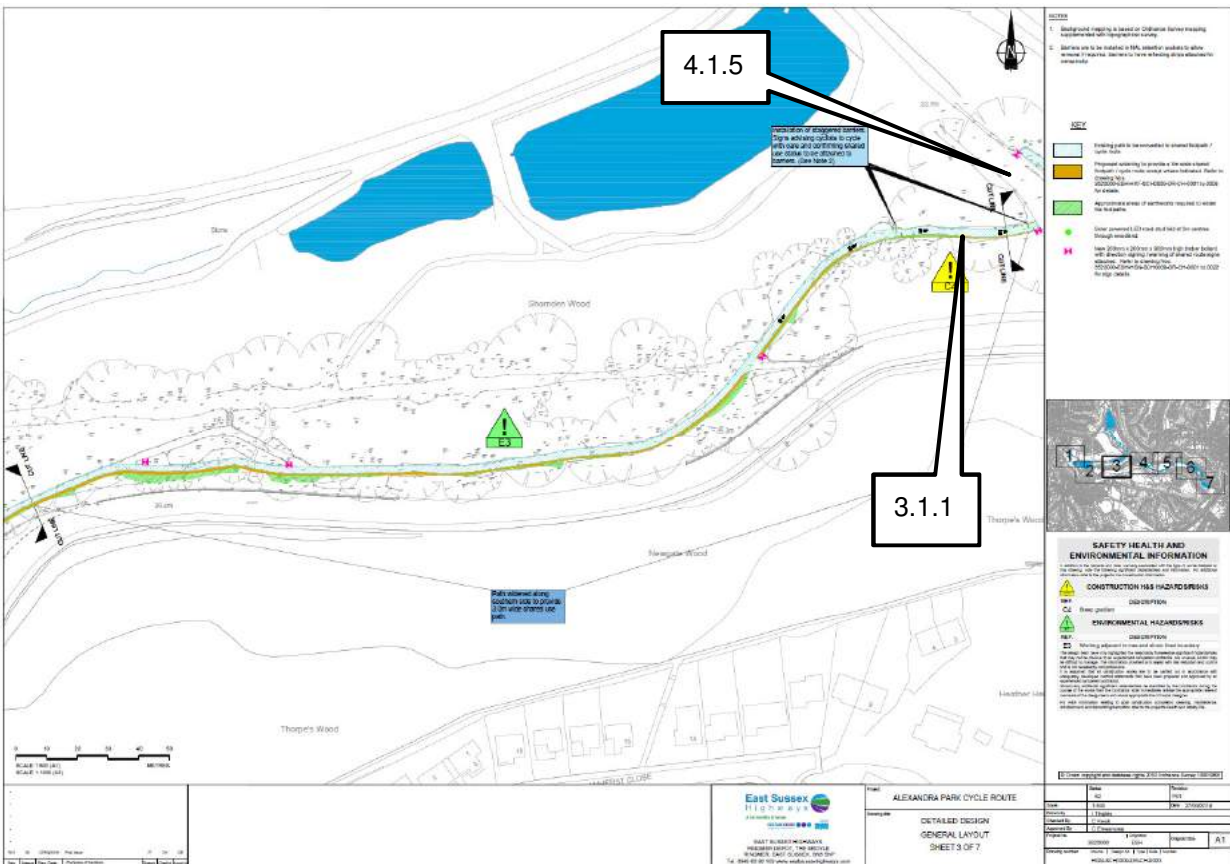
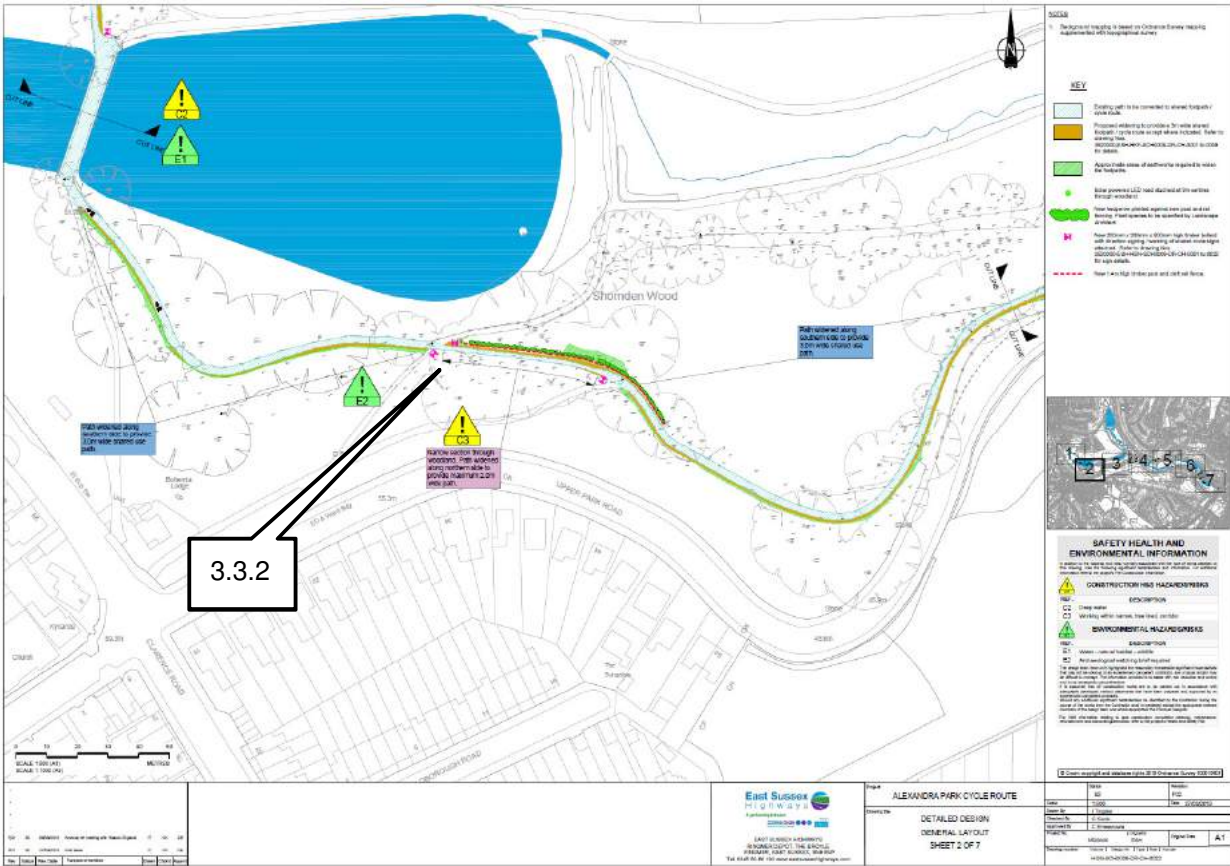


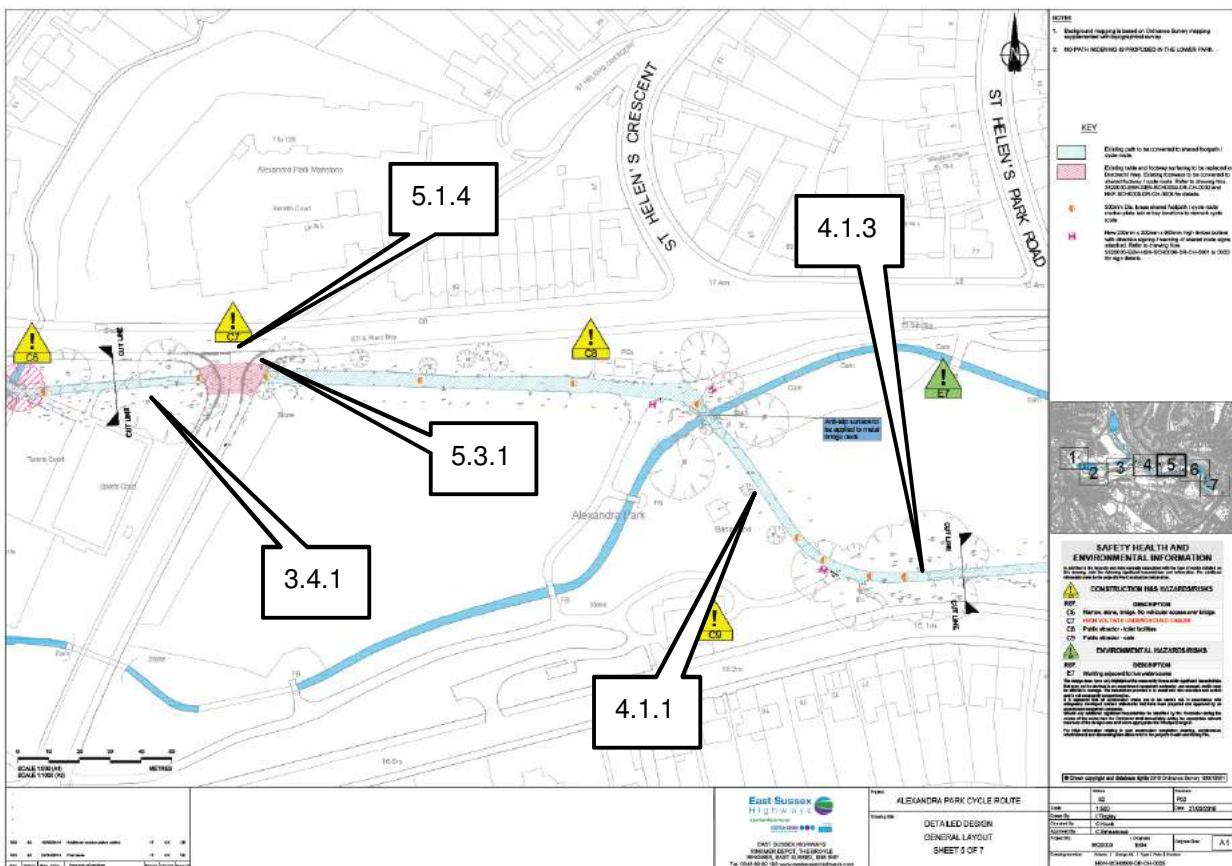
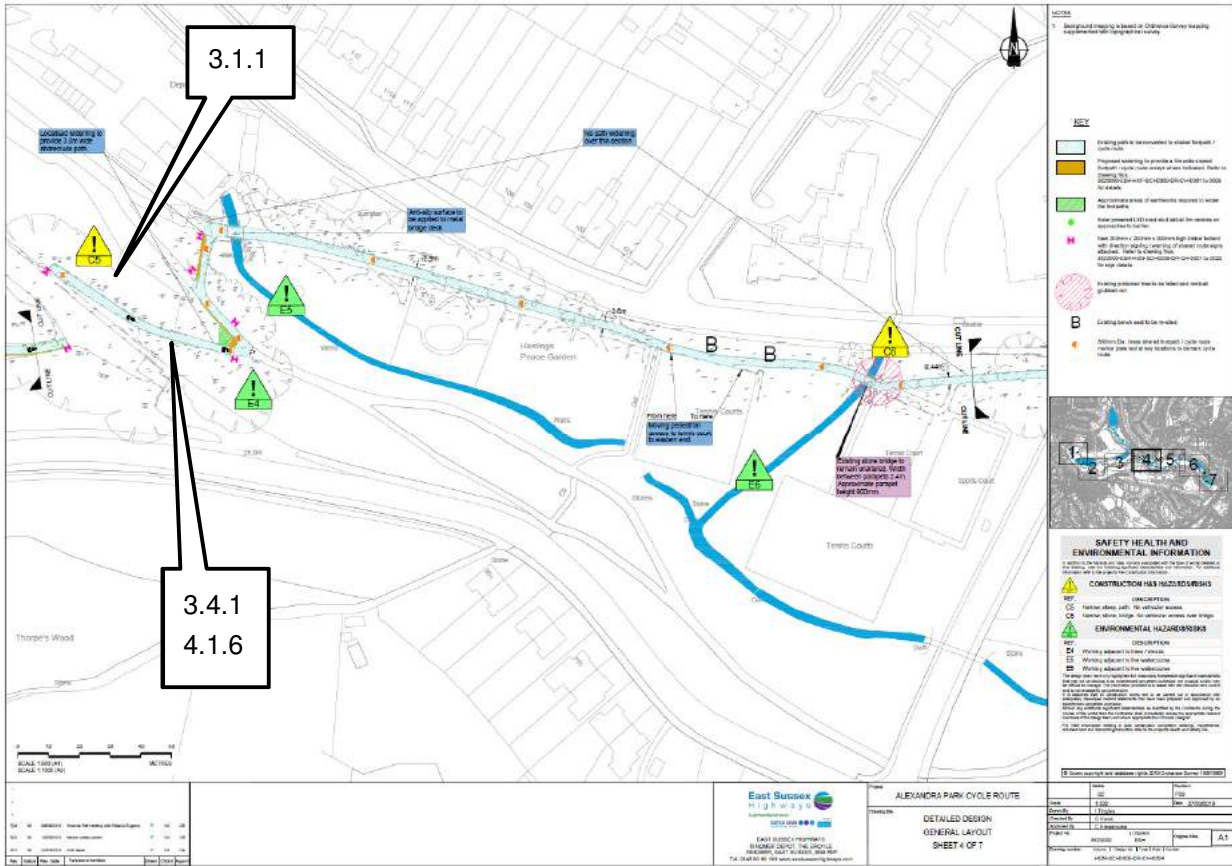
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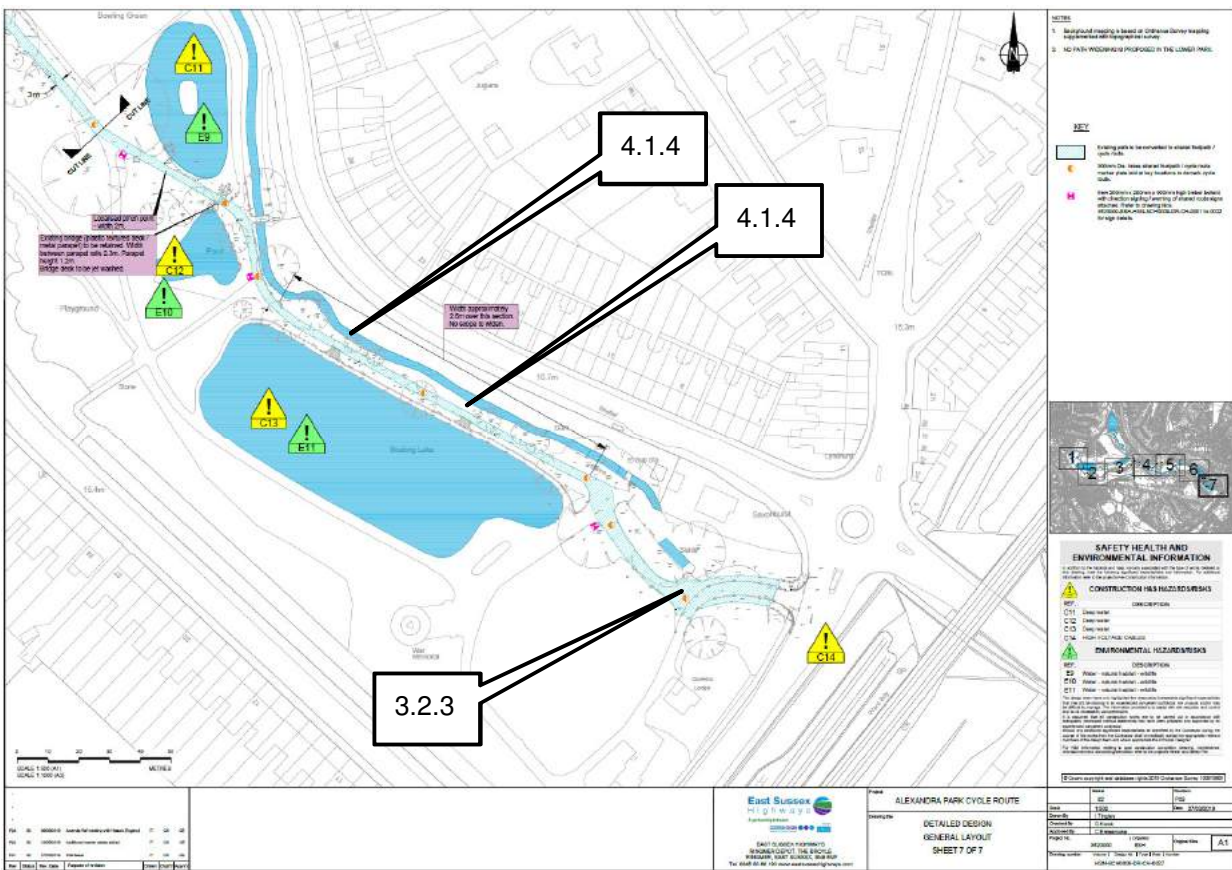
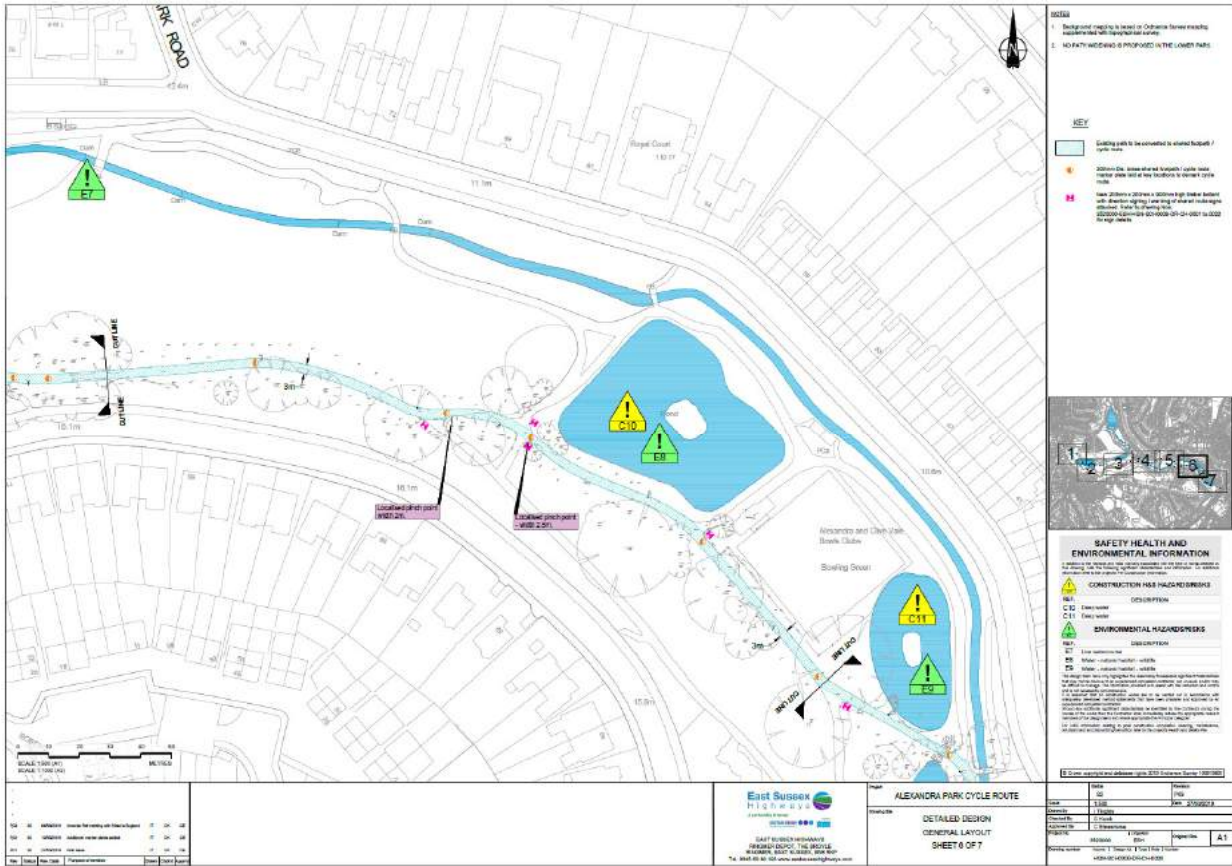
Appendix C. Key Plan

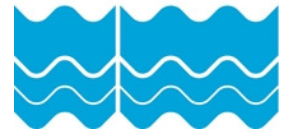
Issues throughout the scheme: 2.1.1, 3.2.1, 3.3.1, 3.3.3, 3.3.4, 3.3.5 (Lower Park only), 3.4.2, 5.1.1, 5.1.2, 5.1.3 and 5.2.1.











Equality Impact Assessment

Project or Service Template

Name of the proposal, project or service
<i>Provision of a shared cycle/footway facility in Alexandra Park, Hastings</i>

File ref:	<i>SCH009-RP-0002</i>	Issue No:	<i>P02</i>
Date of Issue:	<i>22 February 2018</i>	Review date:	<i>February 2019</i>

Contents

Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)	2
Part 2 – Aims and implementation of the proposal, project or service	5
Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.....	8
Part 4 – Assessment of impact	12
Part 5 – Conclusions and recommendations for decision makers	20
Part 6 – Equality impact assessment action plan.....	22

Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”

These are sometimes called equality aims.

1.4 A “protected characteristic” is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21stCentury Families and Communities, 2008]

Equality Impact Assessment

- Literacy/Numeracy Skills
- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

1.7 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:

1.7.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.7.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equality aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.7.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.

Equality Impact Assessment

- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.7.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, project or service

2.1 What is being assessed?

a) Proposal or name of the project or service.

The project is to convert sections of existing footpath within Alexandra Park, Hastings to a shared route to permit cycling through the Park.

The overall route extends between Beaufort Road at the western end and Bethune Way at the eastern end. Refer to Appendix A showing the route being proposed through the Park.

Further details of the route can be found within Alexandra Park, Hastings Cycle Route Review document (SCH009-RP-0001) prepared by East Sussex Highways (ESH) in December 2017.

b) What is the main purpose or aims of proposal, project or service?

East Sussex County Council (ESCC) developed a Walking and Cycling Strategy for Hastings. The Strategy focused on identifying a boroughwide network of cycle routes and was prepared in partnership with Hastings Borough Council (HBC) together with the voluntary sector and local walking and cycling groups. The Hastings Walking and Cycling Strategy was approved by ESCC Lead Member for Transport and Environment on 15 September 2014.

Alexandra Park forms a key link within the Walking and Cycling Strategy and will provide a continuous off carriageway route for cyclists to use.

c) Manager(s) and section or service responsible for completing the assessment

James Vaks – Project Manager, East Sussex Highways

ESH are responsible for the implementation of local transport schemes, on behalf of ESCC, which meet the objectives of the Council's third Local Transport Plan, namely: improving road safety, reducing congestion, improving accessibility, reduce the need and demand to travel, enhance the environment and maintain/manage the transport network.

2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?

Allowing cyclists to share Alexandra Park with pedestrians will provide a safer alternative to using on road routes. Allowing cycling in the Park will mean pedestrians will be sharing the space with cyclists with the potential for conflict between these groups of users.

2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?

HBC own, manage and maintain Alexandra Park and are leading the delivery of the proposal to introduce a shared pedestrian and cycle facility within the Park, with ESCC providing design support through ESH. ESH will construct the shared facility in the Park.

To permit cycling within the Park a local byelaw will need to be amended. The byelaw change will be made by HBC.

Once the scheme and associated mitigation measures come into effect HBC will be responsible for the enforcement of cycling in the park. HBC propose to work with all groups including cycle groups to enforce a self-management approach, and to work with park users to highlight and challenge unacceptable behaviour by all users of the park.

In the initial stages, HBC officers, will design a programme for the Rangers and Wardens to have a heightened presence in the Park at specific times to engage with cyclists and deter unsafe use. Cycling outside the designated route would be liable to potential Fixed Penalty Notices for contravention of the byelaws set by HBC.

Following on from this initial phase of education and enforcement, HBC, with support from ESCC, will continue to monitor how the shared route is used, and should any serious concerns arise, will deploy enforcement staff to address them.

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

HBC is leading on the delivery of the proposal with ESCC providing design support through ESH. ESH will construct the shared facility in the Park.

The Walking and Cycling Strategy for Hastings, in which the route through the Park forms part of, was prepared in 2014 by ESCC in partnership with HBC together with the voluntary sector and local walking and cycling groups. Details of the key stakeholders who were engaged with in preparing this document can be found within Appendix 3 of the Strategy document.

2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?

To permit cycling within the Park a local byelaw will need to be changed. The byelaw change will be made by HBC.

The Walking and Cycling Strategy for Hastings prepared by ESCC is a strategy focused on identifying a boroughwide network of cycle routes.

2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.

Alexandra Park is open to the public at all times.

Equality Impact Assessment

2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.

Not Applicable

2.8 How, when and where is your proposal, project or service provided? Please explain fully.

Subject to ESCC Lead Member for Transport and Environment approval (programmed for April 2018) ESH will progress with the detailed design of the scheme. Given that Alexandra Park is designated by Historic England (HE) as grade II registered status due to its historic significance, HBC will undertake further consultation with HE during the detailed design stage. Subject to this consultation, together with further consultation with other key stakeholder groups and the outcomes of the Stage 2 Road Safety Audit process, construction will look to commence from Spring 2019. At this stage the construction programme has yet to be determined but it is anticipated that the share cycle/footway scheme will come into effect in Summer 2019.*

Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
	Service User Data		Contract/Supplier Monitoring Data
	Recent Local Consultations		Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
	Complaints	X	Risk Assessments
	Service User Surveys	X	Research Findings
	Census Data	X	East Sussex Demographics
	Previous Equality Impact Assessments	X	National Reports
	Other organisations Equality Impact Assessments	X	Any other evidence? Consultation feedback conducted by Hastings Borough Council in 2015.

3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

During the development of the Walking and Cycling Strategy for Hastings, ESCC carried out a consultation exercise in 2014. The consultation provided the opportunity for key stakeholders and members of the public to provide their opinion on whether the appropriate strategic routes had been identified to connect people with the places that they access for everyday journeys including for work, education and leisure town centre facilities. Of the feedback received concerns were raised on the Alexandra Park in respect to potential conflict between cyclists and pedestrians.

With specific reference to Alexandra Park route, this is being promoted by HBC. As scheme promoters, HBC conducted a consultation exercise in 2015 to seek feedback to proposals for a shared cycle/pedestrian route through the Park. Through this process 177 responses were received. Of these 84 responses were against the proposal to introduced shared facilities.

HBC also received a petition with 63 signatories against the proposal. The petition did not contain a single statement for signatories to acknowledge and add their signature against but was a collection of various comments against the proposed route. Specific concerns raised included issues of safety, signage and enforcement, as well as opposition to the principle of introducing cycling in the Park.

3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

Design guidance/studies

In developing the scheme reference was made to the following documents:

- *Department for Transport (DfT) Local Transport Note (LTN) 1/12 'Shared Use Routes for Pedestrians and Cyclists';*
- *DfT LTN 2/08 Cycle Infrastructure Design;*
- *Shared Use Operational Review - Atkins 2012 (produced for the DfT).*

For shared use schemes LTN 1/12 acknowledges that these are often implemented to improve conditions for cyclists and it is essential that they are designed to consider the needs of everyone expected to use the facility. The guidance states that poorly designed schemes and schemes where the available width is insufficient to comfortably accommodate the expected flows of pedestrians and cyclists are likely to reduce the amenity value of the route. It is acknowledged in the guidance that disabled people and older people can be particularly affected by shared use routes, but ultimately this will depend on the quality of the design. Therefore the consideration of their various needs is an important part of the design of shared use schemes and the guidance refers to the need for authorities considering the possible implementation of shared use scheme to consider their duties under the Equality Act 2010.

LTN 1/12 also identifies a typical scheme development process whereby the promoter of a scheme considers whether suitable and viable cycle routes can be provided on the carriageway before considering a shared use route.

This suggested process identified in LTN 1/12 has been followed together with the findings detailed within the Atkins 2012 Shared Use Operational Review. The outcomes of the consultation exercise carried out with those affected by the scheme, including those with particular protected characteristics, have also been taken into consideration.

Consultation

Walking and Cycling Strategy for Hastings:

ESCC carried out a consultation exercise in 2014. The consultation provided the opportunity for key stakeholders and members of the public to provide their opinion on whether the appropriate strategic routes had been identified to connect people with the places that they access for everyday journeys including for work, education and leisure town centre facilities.

Alexandra Park route:

HBC, as scheme promoters, conducted the consultation exercise. In April 2015, they established a Reference Group of interested groups (Friends of Alexandra Park, The Greenway Group, The Ramblers Association, Hastings and Bexhill Disability Forum, Hastings Urban Bikes) to assess the initial proposals ESCC had prepared and give early feedback to the County Council.

Equality Impact Assessment

HBC carried out a public consultation from 15th June until 21st August 2015. They invited comment through the HBC website, invited comment in person at the Community Contact Centre and held a specific consultation event at Armed Forces weekend on 28th June 2015, where officers from the HBC and ESCC were available to discuss the proposed route and invite further comment.

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?

Consultation

Walking and Cycling Strategy for Hastings:

The 2014 consultation resulted in 95 representations being received with significant support for the strategy. With 71% of responses either strongly agreed or agreed that they were happy with the strategy overall. Of the feedback received concerns were raised on the Alexandra Park in respect to potential conflict between cyclists and pedestrians.

Alexandra Park route:

There were 177 single responses to the consultation HBC conducted from 15th June until 21st August 2015. 82 responses were identified as supporting a scheme to allow cyclists using the Park and 84 responses were against proposal to introduced shared facilities.

A petition with 63 signatories against the proposal was also submitted to HBC. The petition did not contain a single statement for signatories to acknowledge and add their signature against but was a collection of various comments against the proposed route. Specific concerns raised included issues of safety, signage and enforcement, as well as opposition to the principle of introducing cycling in the park.

Research

Reference: DfT LTN 1/12 'Shared Use Routes for Pedestrians and Cyclists'

For shared use schemes LTN 1/12 acknowledges that these are often implemented to improve conditions for cyclists and it is essential that they are designed to consider the needs of everyone expected to use the facility. It is acknowledged in the guidance that disabled people and older people can be particularly affected by shared use routes, but ultimately this will depend on the quality of the design.

Reference: Shared Use Operational Review (Atkins, 2012)

Consultants Atkins produced a report in 2012 considering the operation of Shared Use routes. This was an evidence based study into the factors which influence the design and operation of segregated (white line separating pedestrians and cyclists) and unsegregated pedestrian and cyclist shared use facilities.

Segregation by white line was found to be ineffective at supporting full compliance with segregation by pedestrians and cyclists. Their findings

Equality Impact Assessment

indicate that average cycle speeds are not significantly faster on segregated routes compared with unsegregated ones.

Observations indicated that maximum cycle speed decreases as pedestrian flow increases on shared use routes. This suggests that cyclists moderate their behaviour in the presence of pedestrians.

On shared use routes, segregating cyclists and pedestrians reduces the width available to each user group. This reduction could have implications for the level of comfort for all users.

Behaviour observed during the study by both pedestrians and cyclists on segregated and unsegregated routes was judged to be considerate by both user groups. Agreement was strongest on unsegregated routes, suggesting that behaviour is more considerate on these routes, where the requirement to interact with other types of user is clearer.

No collisions and no conflict of any significance took place during video surveys undertaken as part of the study. Most of the interaction recorded was relatively inconsequential, where one or more users adjusted their speed/position. The most severe category of interaction observed was that of marginal conflict, where cyclists or pedestrians slowed down or changed direction but movement was calm and controlled.

Part 4 – Assessment of impact

4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

The following details have been provided by ESCC, East Sussex in Figures. These represent a projected population profile, by age, for the County and Hastings for 2018.

Population by age profile				
Age Group	County		Hastings	
	Numbers	%	Numbers	%
0-10	64,373	12	12,160	13
11-17	41,157	8	7,022	8
18-24	35,464	6	7,183	8
25-34	52,653	10	11,204	12
35-44	57,278	10	10,564	11
45-54	78,101	14	13,496	15
55-64	75,257	14	11,985	13
65-74	74,843	14	10,334	11
75-84	45,623	8	5,478	6
85+	22,916	4	2,619	3
All	547,665	100	92,045	100

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

Those who are likely to be more affected by the scheme are young children or older people. As the table in section (a) shows the age profile for Hastings is similar compared with those for the County for these age groups. Hastings has a marginally higher proportion of its population who are 17 years old or younger.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

Yes - Older people may be more adversely affected than the general population. Older people may be less mobile or have hearing or visual impairments and consequently feel more vulnerable/less safe sharing the Park with cyclists.

Young children may also be more adversely affected than the general population as they may be less aware of their surroundings, potentially walking into the path of an approaching cyclist if left unsupervised.

d) What is the proposal, project or service's impact on different ages/age groups?

Negative Impacts:

Older people who feel more vulnerable/less safe sharing sections of the Park with cyclists may stop using the Park.

Families with young children may consider the Park's environment being less safe when sharing with cyclists and may stop visiting this amenity.

Feedback from the consultation HBC carried out raised concern about the safety of pedestrians, particularly those who are less mobile. There were also concerns for the safety of young children who will be less aware of approaching cyclists.

Response from consultation process conducted by HBC:

"I see this as exceptionally dangerous proposition. Children run around in the park without fear of being knocked over which will undoubtedly happen if the scheme goes ahead as per consultation plans."

Positive Impact:

By allowing cycling in the Park provides less confident cyclists, such as children or older people, a safe environment to cycle. Allowing cycling in the Park will also provide an environment for older people to cycle safely and remain active. This may encourage more people to cycle and use the Park.

Response from consultation process conducted by HBC:

"Glad to see that HBC are planning to develop a cycle path / shared use path in Alexandra Park. Roads around the park are hairy! With fast traffic and narrow roads (due to parking) so this is a welcome safe zone for families and kids alike. You have my full support for the scheme."

e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?

In December 2017 ESH carried out a review of the proposed route of the shared facility through the Park. Reference Alexandra Park, Hastings Cycle Route Review document (SCH009-RP-0001). The purpose of this document was to determine the suitability to introduce a cycle route in the Park and identify where measures are required to reduce the potential risks associated in providing a shared facility.

The review used a risk based approach to assess two scenarios. Initially a risk assessment of the proposed route considered how a cycle facility can be introduced without any modifications to the existing layout of the Park. From this exercise, it was possible to identify areas where, if left unmodified, the risks to public safety would be unacceptably high and unsuitable for the introduction of a cycle route.

Equality Impact Assessment

The risk assessment was then repeated assuming that practicable mitigation measures had been carried out to reduce the level of risk. From this second assessment, it was possible to identify the residual risks and make a direct comparison between route options to determine which route, if any, presented the lowest level of risk.

The proposed mitigation measures are discussed in the following section.

f) Provide details of the mitigation.

The following mitigation measures will be introduced to facilitate cycling in the Park:

- (i) Where space permits existing paths will be increased in width to provide an effective width of 3.0m. This is the minimum recommended width for a shared use route.*
- (ii) Existing features, such as benches, signs etc. will be repositioned to provide an effective width of 3.0m.*
- (iii) To ensure sufficient forward visibility is provided along the entire route it is proposed to cut back vegetation at key locations where visibility is currently restricted. These locations have been identified in the Route Review document ESH have prepared. By improving forward visibility will allow users of the route to see other approaching users and react accordingly.*
- (iv) The use of coloured surfacing and effective use of signing and lining will be introduced at sections of the route where it is not practicable to introduce an effective width of 3.0m or at locations that are considered a higher risk of user conflict, such as locations of adjoining paths.*

In addition to the above measures it is recommended that the scheme will proactively seek to influence the behaviour of all those using the Park through the promotion of a Code of Conduct encouraging everyone to take account of and respect each other's needs. It is proposed to introduce 'Code of Conduct' signs throughout the route.

As part of the design process an independent safety review (Road Safety Audit) will be conducted. The purpose of this audit will be to identify potential risks in the proposed design so that these risks can be mitigated. A post construction Safety Audit will also be conducted.

Once the scheme and associated mitigation measures come into effect HBC will be responsible for the enforcement of cycling in the park. HBC propose to work with cycle groups to enforce a self-management approach to cycling, and to work with park users to highlight and challenge unacceptable behaviour by all users of the Park.

In the initial stages, HBC officers, will design a programme for the Rangers and Wardens to have a heightened presence in the Park at specific times to engage with cyclists and deter unsafe use. Cycling outside the designated route would be liable to potential Fixed Penalty Notices for contravention of the byelaws set by HBC.

Equality Impact Assessment

Following on from this initial phase of education and enforcement, HBC will continue to monitor how the shared route is used, and should any serious concerns arise, will deploy enforcement staff to address them.

g) How will any mitigation measures be monitored?

It is recommended that HBC should undertake follow up user surveys once the permanent scheme and associated mitigation measures come into effect to assess the quality of their experience when using the route.

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County /District/Borough?

The following details have been provided by ESCC, East Sussex in Figures. These represent a projected population profile, by disability, for the County and Hastings for 2018.

Category	County		Hastings	
	Numbers	%	Numbers	%
<i>Higher severity disability</i>	<i>29,405</i>	<i>12</i>	<i>5,257</i>	<i>12</i>
<i>Lower severity disability</i>	<i>66,858</i>	<i>27</i>	<i>11,897</i>	<i>27</i>
<i>Locomotor disability</i>	<i>71,850</i>	<i>29</i>	<i>12,893</i>	<i>29</i>
<i>Personal care disability</i>	<i>37,438</i>	<i>15</i>	<i>6,718</i>	<i>15</i>
<i>Hearing disability</i>	<i>26,639</i>	<i>11</i>	<i>4,791</i>	<i>11</i>
<i>Sight disability</i>	<i>13,142</i>	<i>5</i>	<i>2,241</i>	<i>5</i>
<i>All</i>	<i>245,332</i>	<i>100</i>	<i>43,797</i>	<i>100</i>

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

As the table in section (a) show, the profile for Hastings is the same as the population in the County.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

Yes - People who are less mobile, have balance problems or have hearing or visual impairments may feel more vulnerable/less safe sharing the Park with cyclists.

d) What is the proposal, project or service's impact on people who have a disability?

Negative Impact:

By allow cycling in the Park there is a risk that disabled people and other vulnerable groups are concerned for their safety and avoid using the Park.

Concerns raised through the consultation process related to the shared use environment and the safety of pedestrians, particularly those with disabilities. One of the main concerns was that cyclists would not be considerate to other users of the park and more vulnerable pedestrians may not be aware of approaching cyclists.

Response from consultation process conducted by HBC:

“I do not think that a cycle path in Alexandra Park is a good idea due to the following: -

- The park is used by walking groups, dog walkers and people with disabilities. Bicycles can be a nuisance if they go fast.*
- The lower park is used by small children who could be in danger as they often run out.*
- Presumably some cyclists will be going straight from Silverhill to the Town and will be cycling fast. I believe there is no speed limit for cycles.”*

Positive Impact:

By creating an off-road cycle facility through the Park will provide people who do not feel confident in cycling with a safe route to use.

- e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

Refer to 4.1 (e)

- f) Provide details of any mitigation.**

Refer to 4.1 (f)

- g) How will any mitigation measures be monitored?**

Refer to 4.1 (g)

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact.

It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact Consider men, women, transgender individuals.

It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

The following details have been provided by ESCC, East Sussex in Figures. These represent a projected population profile, by age, for the County and Hastings for 2018.

It is considered the likely age range of those who potentially will fall within this protected characteristic is between 16 and 54.

Population by age profile				
Age Group	County		Hastings	
	Numbers	%	Numbers	%
0-10	64,373	12	12,160	13
11-17	41,157	8	7,022	8
18-24	35,464	6	7,183	8
25-34	52,653	10	11,204	12
35-44	57,278	10	10,564	11
45-54	78,101	14	13,496	15
55-64	75,257	14	11,985	13
65-74	74,843	14	10,334	11
75-84	45,623	8	5,478	6
85+	22,916	4	2,619	3
All	547,665	100	92,045	100

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

As the table shows the age profile for Hastings is marginally higher compared with those for the County for these age groups.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

New parents but more particularly their young children may be more adversely affected than the general population as they may be less aware of their surroundings, potentially walking into the path of an approaching cyclist if left unsupervised.

- d) **What is the proposal, project or service's impact on different ages/age groups?**

Negative Impacts:

Women who are pregnant, may feel more vulnerable/less safe sharing sections of the Park with cyclists may stop using the Park.

New parents with young children may consider the Park's environment being less safe when sharing with cyclists and may stop visiting this amenity.

Positive Impact:

By allowing cycling in the Park provides less confident cyclists, such as families with young children, a safe environment to cycle.

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

Refer to 4.1 (e)

- f) **Provide details of any mitigation.**

Refer to 4.1 (f)

- g) **How will any mitigation measures be monitored?**

Refer to 4.1 (g)

- 4.7 **Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.**

It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.

- 4.8 **Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.**

It is not considered that this protective characteristic will experience disproportionate, negative, neutral or positive impact by the scheme to allow cycling in Alexandra Park.

- 4.9 **Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.**

There are no other groups which have been identified which are likely to experience disproportionate, negative, neutral or positive impact.

4.10 Human rights - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.

The scheme will not have human rights implications.

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 & 7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)
A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)
P1.A3	Right to free elections (Elected Members)

Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

Introducing a package of measures to support and facilitate the scheme to allow cycling within the Park will reassure people about the behaviour of cyclists through use of code of conduct information and thereby help mitigate the negative impacts that have been identified and promote the Park as accessible and safe for all users.

5.2 Impact assessment outcome Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
	A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	<i>A package of mitigation measures will be introduced to facilitate cycling in Alexandra Park. These are described in paragraph 4.1 (f) of this assessment.</i>
X	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	<i>Once the scheme and associated mitigation measures come into effect HBC will be responsible for the enforcement of cycling in the Park and will work with cycle groups to enforce a self-management approach to cycling, whilst engage with all park users to highlight and challenge unacceptable behaviour by cyclists.</i>
	C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	
	D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	

5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?

It is recommended that HBC should undertake further user surveys 12 months from when the permanent scheme and associated mitigation measures come into effect to determine/assess the quality of peoples experience when using the Park.

5.6 When will the amended proposal, proposal, project or service be reviewed?

12 months from when the permanent scheme and associated mitigation measures come into effect.

Date completed:	<i>14 Feb. 18</i>	Signed by (person completing)	<i>James Vaks</i>
		Role of person completing	<i>Scheme Project Manager for East Sussex Highways</i>
Date:	<i>22 Feb.18</i>	Signed by (Manager)	<i>Chris Weedon</i>

Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

ü

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

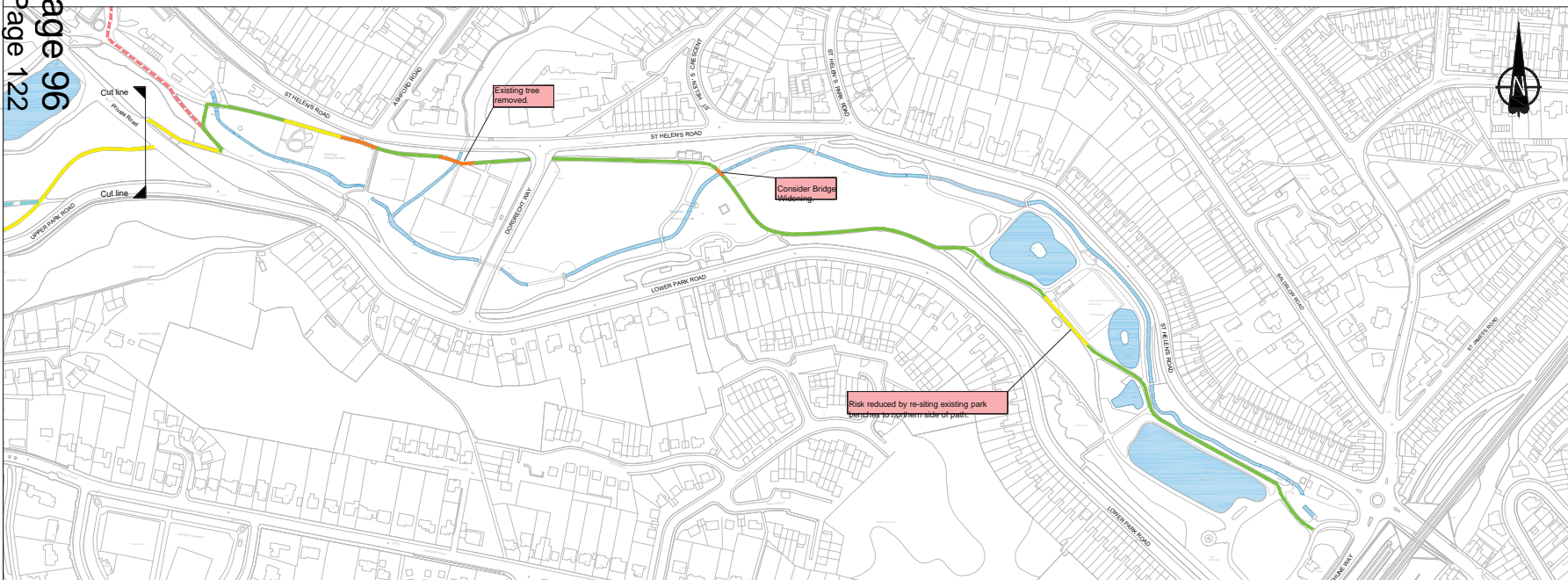
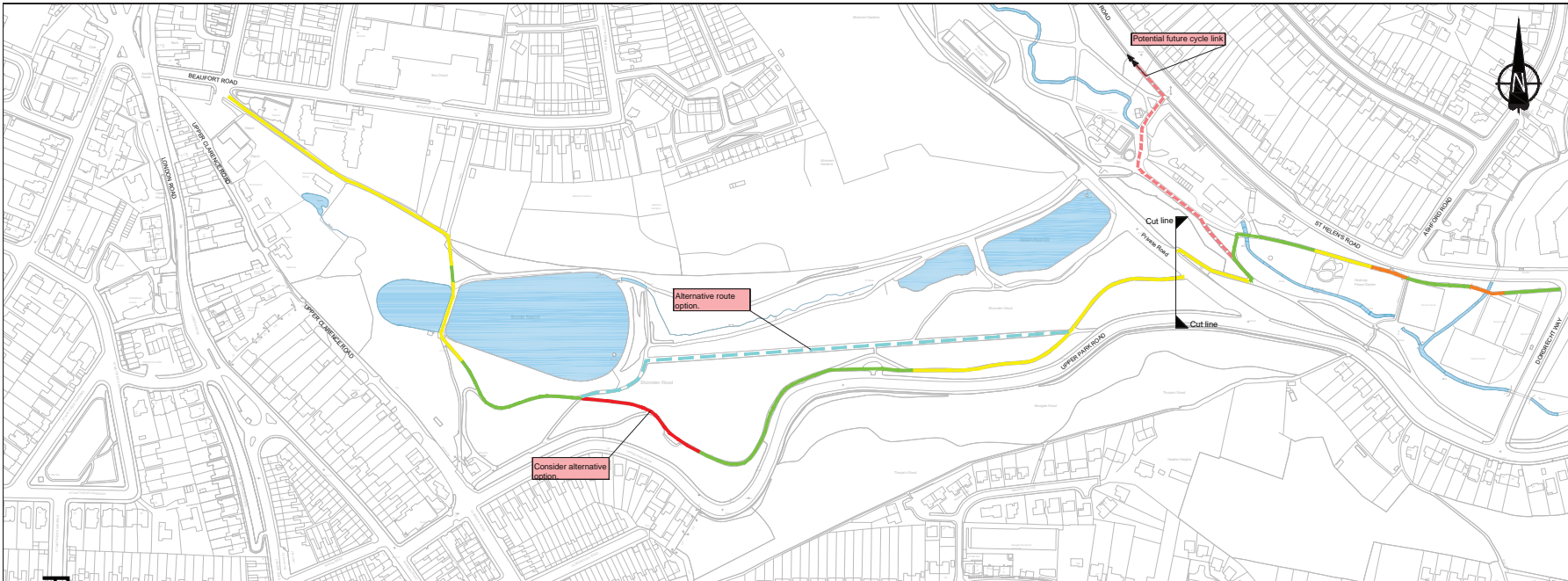
Page 120

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)

6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)



- NOTES:**
- 1 Background based on Ordnance Survey mapping only.
 - 2 Refer to Risk Assessment Matrices in Appendix D of Review Report for additional details.
 - 3 Risk assessment is based on the proposed layout following the introduction of mitigation measures.

- KEY**
- Sections that achieve a low risk score (1-3) and are broadly acceptable.
 - Sections that achieve a medium risk score (4-6) and are tolerable only if further mitigation measures are not reasonably practical.
 - Sections that achieve a high risk score (7-9) and are not acceptable unless further mitigation measures are applied or the design amended.
 - Sections that achieve a very high risk score (10-12) but no suitable alternative route option is available.
 - Potential future cycle link to Hastings District General Hospital.
 - Potential alternative route alignment to avoid narrow section through woodland.

Appendix A – General Arrangement Plan

Page 96
Page 122

Rev	Status	Rev. Date	Purpose of revision	Drawn	Checked	Appr'd
P03	B3	11/05/2018	Route alignment updated through Lower Park	IT	JV	JV
P02	B3	22/01/2018	Minor amendments to risk classifications	IT	JV	JV
P01	B3	04/03/2017	Final Review	IT	JV	JV

KEY PLAN:

East Sussex Highways
A partnership between:
COSTAIN CH2M

EAST SUSSEX HIGHWAYS
RINGMER DEPOT, THE BROYLE
RINGMER, EAST SUSSEX, BN8 5NP
Tel: 02345 6000 400 www.eastsussexhighways.com

Project: ALEXANDRA PARK CYCLE FACILITY

Drawing title: PRELIMINARY DESIGN
SUGGESTED ROUTE OPTION

Status	Revision
B3	P03
Scale	Date
1:2000	01/12/2017
Drawn by	Checked by
I Tingley	J Vaks
Approved by	Drawn by
C Weedon	I Tingley
Project No.	Original Size
3620000	A1
Volume / Design Alt / Type / Role / Number	Drawing number
3620000-ESH-HGN-SCH0009-DR-CH-0016	3620000-ESH-HGN-SCH0009-DR-CH-0016

Appendix 5 Proposed changes, signs, and visuals – Proposed shared cycle route, Alexandra Park (illustrative purposes)

Timber Bollards

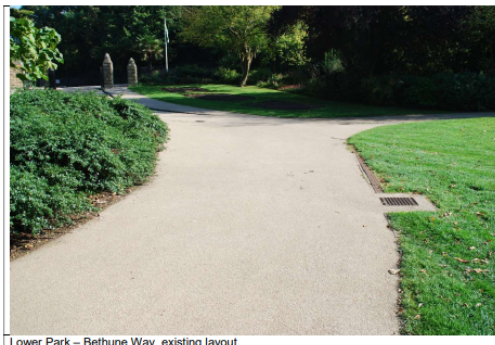
New oak bollards will be manufactured and installed. The bollards will be 900mm high x 200mm x 200mm and manufactured in Oak. They will be installed at key locations to demarcate the route.



Illustration of an oak timber bollard with sign

Marker Plates and finger posts

There are 31 bronze marker plates proposed to delineate the cycle route through the park. They will be set into the ground flush with the adjacent surface and slip resistant.



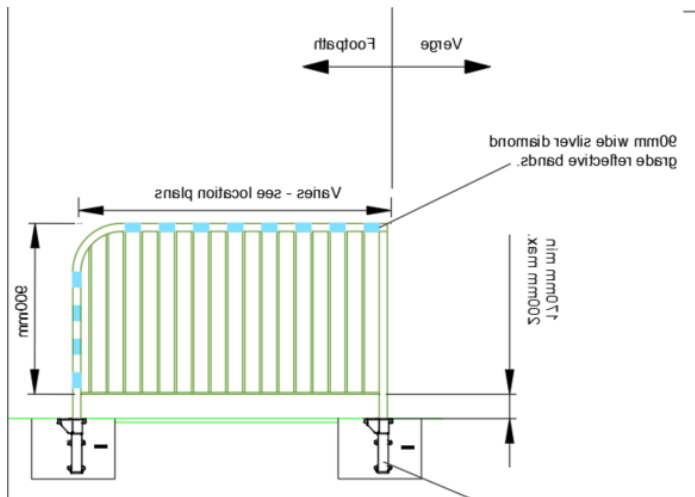
Lower Park – Bethune Way, existing layout.

Illustration showing proposed marker plates and finger posts



Lower Park – Bethune Way, proposed layout – new fingerpost sign and marker plate.

Barriers



Pedestrian barriers with reflective bands to keep cycle speeds down.

Lighting

No lighting will be introduced into the park. 3 new columns only to be installed along Strood Road access to illuminate down to the proposed speed-reducing barriers. This falls outside of the park boundary.

Cats-eye type LED studs to be installed on the immediate approaches to the barriers in the Upper Park. These are not intended as illumination for the barriers, more as a reminder to users that the barriers are present.



Left: Existing layout of route at the top of the upper park

Right: Illustration of same path widened with green barriers with reflective detail and LED studs in the footpath

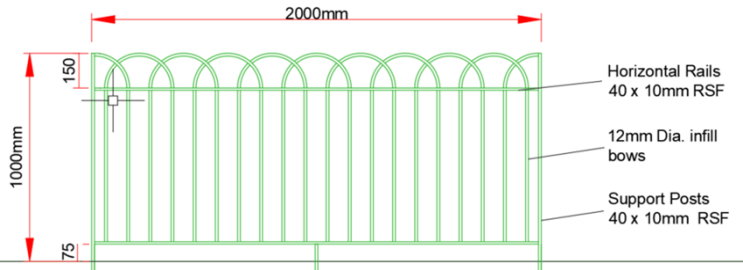


Fencing

New timber fencing will be erected in keeping with the character of the park– to be provided in three locations within the Upper Park:

1. Along the southern side of the widened access from Strood Road to replace the metal fence currently in place.
2. To protect users through the woodland adjacent to Shornden Reservoir.
3. To extend an existing fence alongside the ramp leading from the access track adjacent to Harmers Reservoir.

New metal fencing to be provided on the approaches to the existing bridges to protect users from drops to the watercourse.







Proposed Sussex Post and Rail fencing as found throughout the park

Proposed hooped metal fencing for the approaches to bridges in keeping with existing hooped fencing in the park

Signs

- New signs will be manufactured in the colours used throughout the park – Olive Green and Cream.
- Direction arrows will be attached to new timber bollards.
- The use of road markings to be kept to an absolute minimum. 'No Cycling' markings to be used at key locations.

<p>Cycle route confirmation signs – attached to timber bollards at key locations.</p> <p>Width 115mm x Height 165mm</p>	
<p>Cycle route confirmation signs – attached to timber bollards at key locations.</p> <p>Width 115mm x Height 135mm</p>	
<p>Cycle route direction signs – attached to new finger post assemblies in the Lower Park.</p> <p>Width 165mm x Height 90mm</p>	
<p>Shared Use warning sign – attached to timber bollards at key locations</p> <p>Width 160mm x Height 205mm</p>	

Path at the Tennis Courts



Existing layout showing the bench on the path and gate to tennis courts

Proposed layout with bench set back from path entrance to tennis court moved



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Appendix 6 Consideration of alternative routes

East Sussex County Council design team considered a range of alternative routes for the cycle scheme, both inside and outside the park.

The County Council provided the following information regarding alternative route proposals and why those were rejected.

1 St Helens Road - converting the existing footway running alongside the northern boundary to the park.

- Insufficient corridor width, particularly between Dordrecht Way and St Helens Park Road.
- Narrow pavement with spiked railing on Alexandra Park side. The railings are a protected heritage feature of the park.
- Widening the pavement into the carriage way would reduce the capacity of a main arterial road into and out of the town and impact users of the bus stops along this route.

Significant widening would be required over this whole length, which would be extremely costly, on-street parking and trees would have to be removed and the proximity of the spiked railings meant this was not a viable option.

2 Upper and Lower Park Roads – converting and widening existing footway or on-road provision or converting Upper and Lower Park Roads to one-way only traffic.

- Protected heritage spiked railings run the length of the footway.
- Widening the footway and reducing the carriageway width would remove on-street parking along the length of the widened section.
- Converting the road to a one-way system was considered which would require diverting traffic onto neighbouring roads which already carry high levels of traffic.
- A one-way carriageway would require speed reducing measures.

Widening the footway or converting the roads to a one-way system were not considered viable, cost effective, or options likely to be supported by residents.

3 Clarence Road / Upper Clarence Road– upgrading and providing on-road provision.

- Both Clarence and Upper Clarence Roads are unadopted Highway. Bringing these up to adoption standards would require significant work, including carriageway construction and drainage works.
- A steep section exists between the two sections of road over which it is unlikely that a fully DDA compliant route could be provided.
- The cost of upgrading these roads to form a part of the cycle route is likely to be prohibitive.

Due to its unadopted status and steep middle section and extent and cost of works required to bring them to adoptable standards this route was not considered a viable route option.

4 Beaufort Road / Eversley Road – converting existing footway or on-road provision.

- On-street parking is provided along both sides of the road.
- Widening a footway to provide the minimum level of provision - shared use - would require the loss of parking along the whole of one side.
- Stagecoach depot on road and need adequate widths for buses.


The introduction of a cycle facility along these roads would require a greater corridor width than is currently available without the removal of on-street parking and was not considered a viable option.

5 Vale Road - converting existing footway or on-road provision.

- On-street parking is provided along both sides of the road.
- Widening a footway to provide shared use would require the loss of parking along the whole of one side.

The introduction of a cycle facility along Vale Road requires a greater corridor width than is currently available without the removal of on-street parking and was not considered a viable option.



<p>Existing and Proposed Cycle Routes</p> <p>Date: Nov 2022</p> <p>Scale: 1:28,000</p>	<p>Use of this data is subject to terms and conditions. You are granted a non-exclusive, royalty free, revocable licence solely to view the Licensed Data for non-commercial purposes for the period during which Hastings Borough Council makes it available. You are not permitted to copy, sub-license, distribute, sell or otherwise make available the Licensed Data to third parties in any form. Third party rights to enforce the terms of this licence shall be reserved to OS.</p>	 <p>Hastings Borough Council</p>	<ul style="list-style-type: none"> Cycle Route Existing Cycle Route Proposed Alexandra Park Borough Boundary
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Report To: Cabinet

Date of Meeting: Monday, 5th December

Report Title: Buckshole Reservoir finance update

Report By: Cameron Morley, Waste and Cleansing Manager

Key Decision: Y

Classification: Open

Purpose of Report

To brief Cabinet on the likely shortfall in the capital budget to complete the mandatory safety improvement works at Buckshole reservoir and seek approval to increase the capital budget of this project as presented in the accompanying part 2 report

Recommendation(s)

- 1. Cabinet approves the report for consideration at Full Council with the recommendation to increase the capital budget for the Buckshole Reservoir safety improvement works in line with the figures provided in the associated part 2 report.**
- 2. To give delegated authority to the Managing Director in consultation with the Lead Member for the Environment to make provision for the additional budget.**

Reasons for Recommendations

Several factors, including the global pandemic, have led to an increase in the cost of materials which has had the effect of increasing the costs of the project above the current capital budget.

Introduction

1. The Buckshole Reservoir safety improvement project is for the reconstruction of the reservoir spillway channel and the installation of a new emergency drawdown outlet pipe. These works are required to satisfy statutory recommendations made for reservoir safety improvement works. The contractor undertaking these works is Jackson Civil Engineering (JCE), appointed in 2021 following a tendering process.
2. Previous Cabinet reports on this project have set out the legal and safety background to the works. Councillors will be aware the works are mandatory on the council.

Project Update

3. Work started in 2021. However due to the late commencement of the project, the works were postponed over the winter of 2021/22. They re-commenced again in Spring 2022 with the contractor's stated completion date of 2nd August 2022.
4. In July 2022 a Southern Water (SW) burst water main near St Helens Road, resulted in the construction site being flooded. Works were significantly delayed and coupled with further delays mostly related to poor ground conditions and ground water ingress, the contractor has since reviewed their completion date back to 9th November 2022.
5. As a result of delays, the implications on the project from the Sothern Water incident, and compensation claims being filed by the contractor for delays, officers need to provide Councillors with an early warning that the current capital budget is insufficient to complete the project.
6. It is noted that HBC has submitted our own claim for compensation to SW.

Financial implications and risks

7. Whilst a risk assessment matrix is continually reviewed and updated by officers and the Project Board, the major risk currently relates to the shortfall in the capital project to complete the works. The Part 2 report presents detailed financial implications for councillors' consideration.

Timetable of Next Steps

8. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Report presented to Full Council for approval	Cabinet 5 th December 2022	Full Council, 15 th December 2022	Cameron Morley, Waste and Cleansing Manager

9.

Action	Key milestone	Due date (provisional)	Responsible

Wards Affected

Braybrooke; Silverhill; St Helens;

Policy Implications

Reading Ease Score:

Have you used relevant project tools?: Y/N

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	N
Crime and Fear of Crime (Section 17)	N
Risk Management	Y
Environmental Issues & Climate Change	N
Economic/Financial Implications	Y
Human Rights Act	N
Organisational Consequences	N
Local People's Views	N
Anti-Poverty	N
Legal	N

Additional Information

Officer to Contact

Officer Murray Davidson
Email Mdavidson@hastings.gov.uk
Tel

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Report to: Cabinet

Date of Meeting: 5 December 2022

Report Title: East Hill Cliff Railway – Major Works

Report By: Aaron Woods, Resort Manager

Purpose of Report

- To update cabinet on the current closure of the East Hill Cliff Railway (EHCR).
- To request delegated authority to proceed with the required maintenance as soon as possible to minimise lost income and complete the works in a timely manner ahead of next summer.
- To request derogation from procurement procedure to enable the issuing of contracts immediately to a preferred contractor.

Recommendation(s)

- 1. Cabinet recommends to Council that the Council Leader and Managing Director are delegated authority to proceed with capital works and allocated a suitable budget.**
- 2. Cabinet recommends to Council that the Council Leader and Managing Director are granted derogation from normal procurement process, to instruct the preferred contractor immediately, and complete works as soon as possible.**

Reasons for Recommendations

The East Hill Cliff Railway, the steepest operational funicular in the country, is currently closed the public and unable to operate for health and safety reasons. Until works are completed the service will remain unavailable to users, and no income will be received.

Derogation from standard procurement protocol is requested in order to expedite works – these works are specialised and have a limited number of potential contractors with the expertise and means to deliver the project. Embarking on a likely lengthy procurement exercise will only result in lost revenue, with material costs continuing to increase over time. Therefore, derogation should be given for officers to deviate from standard procurement practice and engage directly with competent specialists to deliver the project as promptly as possible, whilst still ensuring that value for money is delivered.

1. Background and current service status

- 1.1. The Council operates two funicular railways as non-statutory, income generating, heritage assets. The West Hill Cliff Railway (WHCR) opened in 1891 and is the second oldest operating cliff railway in the UK, it is also unusual in mainly running through a tunnel; the East Hill Cliff Railway (EHCR) opened in 1902 and is the steepest operational cliff railway in the UK. Both provide environmentally sustainable access to stunning views from the West Hill and East Hill respectively.
- 1.2. Both cliff railways are popular with visitors, catering for an estimated 200,000+ passengers per year combined. Passenger profiles vary slightly between sites, with WHCR generally serving visitors to the West Hill, Hastings Castle and caves, and a substantial number of residents who use the lift for access between the West Hill and Hastings Old Town. EHCR caters more for larger numbers of seasonal tourists, holiday makers staying locally in the Tackleway area, and visitors to Hastings Country Park.
- 1.3. Historically on average approx. 20% of total annual turnover for the service is profit, with the remaining 80% of turnover covering operational costs including staffing and maintenance.
- 1.4. Both cliff railways are subject to annual routine maintenance funded from revenue budgets, this maintenance ensures that the lifts continue to comply with their complex health and safety requirements (both sites fall under the same legislation as passenger lifts, railways, and mines), and ensures that downtime is kept to a minimum, in order to provide continued service and generate income.
- 1.5. Occasionally capital investment over and above routine works is also required to uplift maintenance given the age and design of the assets. Recently in 19/20 major works were undertaken at WHCR to replace worn components on the main drive, prior to that in 2008-2010 major works were undertaken at EHCR to overhaul the drive and replace the carriages to make them fully accessible.
- 1.6. There are no records held of the last major maintenance carried out to the track at EHCR but based on the age of the running rails this can be assumed to have taken place sometime around 1973-1976, when the lift was converted from water balance operation to electric power, and new glass fibre carriages provided (themselves replaced 2008-2010 as noted above). Since 2018 we have been monitoring some minor movement of the trackside, with some areas showing signs of dipping as carriages transit over them.
- 1.7. In 2020 a light rail specialist was commissioned to provide a condition report on the trackside, some minor issues were identified, including the movement of some sleepers, though this was not deemed of major concern and a recommendation was made to continue with further monitoring.
- 1.8. In 2022 staff and independent consultants noted that the movement of the rails and sleepers had seemingly significantly increased. Further surveys were commissioned with a cliff railway specialist to determine the cause of the

movement. A ground penetrating radar survey of the concrete track bed was conducted, along with a rail alignment and condition survey, and some targeted non-destructive testing.

- 1.9. The surveys identified that there were no major voids below the concrete track bed as had been feared as a reasonable worst-case scenario, however sleepers were moving in some locations and therefore these would likely need some targeted rebedding and localised repair. More concerningly the running rails were found to be significantly misaligned, rail condition was also corroded in some places and worn, with rails approaching end of life. Fishplates (which connect rail to rail) and Pandrol clips (that connect rail to track) were found to be fractured and corroded and almost universally in need of replacement. The cable guide rollers (which support the cable and stop it from dragging on the track as the carriage moves) were found to be worn and requiring replacement. The haulage ropes (which move the carriages up and down the track and were not included within the main report) are in good serviceable condition having been replaced in early 2022. The recommendation was that significant remedial works to replace the running rails, fishplates, clips, and rollers were needed as soon as feasibly possible, and no later than the end of the operating season.
- 1.10. To establish an estimate of the capital budget needed to complete the required works contractors were approached for outline proposals, estimated budgets, and estimated mobilisation and completion dates.

2. Financial summary

- 2.1. The total budgeted income from cliff railways for 22/23 was £459k, with WHCR and EHCR each projected to generate £226.5k of income. However, this income figure has already been achieved and indeed exceeded.
- 2.2. A total of £496k income has already been received, with EHCR generating £252k before its closure in October, and WHCR generating £244k to date.
- 2.3. The total projected income by end of the year at WHCR is £260k, bringing the combined end of year income projection to £512k.
- 2.4. Operational costs for both lifts by year end are projected at £311.5k, therefore the service expected to make £200.5k profit this year.
- 2.5. Despite there being five months left of the financial year income is already at highest ever levels. Prior to this year our most successful year ever produced £432k income.
- 2.6. With the return of foreign student visitors to the town, increasing numbers of foreign tourists and sustained levels of domestic visitors it is not unrealistic to

aim for sustained income around the £500k level moving forwards in a two-lift operational scenario.

- 2.7. Accordingly, the target income for 23/24 had been set at £505k prior to EHCR closure. This figure is higher than the initially projected income for 22/23, but lower than the revised income projected, as usage levels are expected to revert closer to average.
- 2.8. With the closure of EHCR for the remainder of the 22/23 financial year we expect to lose out on projected income of £16.5k for that site, however we will also save on approx. £17.5k of staffing costs, so overall we are neither significantly worse nor better off during this short period.
- 2.9. The major challenge is if the EHCR closure is to continue into the 23/24 visitor season. Given that the lift operates for a shorter period than WHCR and produces equal income, downtime amplifies the impact of closure – with the income loss remaining equal to WHCR but the savings from operational costs contributing a much smaller benefit.
- 2.10. Closure of EHCR would have a significantly detrimental effect on the overall service profit margin. Projected income of £252.5k would be lost from that site, against savings of approx. £98k on staff and building costs for that site. It would also impact indirectly on the town's visitor economy, as it is known that some tourists travel mainly to enjoy the cliff railway, and others see it as an integral part of our offer. Both cliff railways are promoted by tourism marketing colleagues as an integral element of the unique Hastings offer
- 2.11. A total income of £252.5k would be expected for the entire service (all from WHCR), with total operational costs for the service of approx. £213.5k. The total operational costs do not simply half, as savings of staffing costs at EHCR are less given the shorter operating season, and even during closure a basic level of maintenance and upkeep will be required.
- 2.12. The profit margin for a WHCR only operational service would fall from a projected £193.5k to only £39k i.e. the closure of the EHCR will reduce income to the council by c£154.5k.
- 2.13. Though there is still some uncertainty about the final cost of works required, we can estimate a suitable budget, including a level of contingency for unknown factors and variations in material costs due to fluctuation in the market.

3. Discussion

- 3.1. As noted above, prior to closure, during the seven months of operation the site exceeded budgeted income for the entire financial year; bringing in £252k through fares.
- 3.2. The annual revenue budget allocation for maintenance is insufficient to enable large scale, low frequency, major works such as those proposed. Once

completed, further large scale works to the trackside at the site are unlikely to be required within the next 30 years.

- 3.3. Proposals for remedial works have been provided by a number of contractors in order to inform the projected cost and duration of works needed.
- 3.4. One contractor can commence works quickly once instructed and has provided a projected works programme, which would complete ahead of the peak summer period in 2023 if instructed by mid-December 2022. This means that works could be delivered within the services' lowest demand period, and complete by the peak demand period, allowing the majority of the budgeted income for 23/24 to be achieved.
- 3.5. A capital budget value has been requested for delegation, although it is unlikely that this full amount will be required. The budget figure includes a suitable contingency value for unforeseen works, fluctuation in material costs within the market, and potential for weekend working to prevent project overrunning.
- 3.6. Derogation from standard procurement protocol is requested in order to expedite works – these works are specialised and have a limited number of potential contractors with the expertise and means to deliver the project. Embarking on a likely lengthy procurement exercise will only result in lost revenue, with material costs continuing to increase over time. Therefore, derogation should be given for officers to deviate from standard procurement practice and engage directly with competent specialists to deliver the project as promptly as possible, whilst still ensuring that value for money is delivered.

4 Recommendations

- 4.1 That Cabinet recommends to Council that that the Council Leader and Managing Director are delegated authority to proceed with capital works and allocated a suitable budget.
- 4.2 That Cabinet recommends to Council that the Council Leader and Managing Director are granted derogation from normal procurement process, to instruct the preferred contractor immediately, and complete works as soon as possible.

Timetable of Next Steps

1. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Authority to proceed	Cabinet/full council decision	December 2022	Resort manager

Work starts on site	Contractor mobilised	February 2023	Resort manager
Work completed	Work signed off and EHCR safe to reopen	June 2023	Resort manager

Wards Affected

Insert the list of wards affected Old Hastings/All

Implications

Relevant project tools applied? Yes/No

Have you checked this report for plain English and readability? Yes/No

Climate change implications considered? Yes/No

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Yes
Crime and Fear of Crime (Section 17)	No
Risk Management	Yes
Environmental Issues	Yes
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No
Anti-Poverty	No

Additional Information

Officer to Contact

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