



**GREATER
CAMBRIDGE
CITY DEAL**

Securing future prosperity

Report To: Greater Cambridge City Deal Executive Board 1 September 2016

Lead Officer: Graham Hughes, Executive Director (Cambridgeshire County Council)

Cambridgeshire County Council – Milton Road petition

Purpose

1. The purpose of this report is to consider the views expressed by the County Council at its meeting on 19 July 2016 in relation to a petition opposing the Greater Cambridge City Deal plan to widen Milton Road to four lanes of traffic.

Recommendations

2. It is recommended that the Executive Board considers the views expressed by County Councillors at the Council meeting on 19 July 2016 in respect of the petition opposing the Greater Cambridge City Deal plan to widen Milton Road to four lanes of traffic.

Background

3. The County Council received a petition presented by Charles Nisbet at its meeting on 19 July 2016. As the petition contained over 3,000 signatures, the organiser had asked, as set out in the Council's Petitions Scheme, for the petition to be debated at the meeting. **Appendix A** sets out the text of the petition and debate.
4. At the end of the debate, the County Council agreed the following proposal from Councillor Scutt:

“That this petition is referred to the City Deal Executive Board and Assembly with the views expressed in the Chamber”.

Considerations

5. The Executive Board is invited to consider the content of the petition and the views expressed by the County Council at its meeting on 19 July 2016.
6. The Joint Assembly and Executive Board received a petition from Mr Nisbet entitled 'save the trees and verges on Milton Road' at their meetings on 2 June 2016 and 9 June 2016, respectively, and considered this as part of the item at those meetings entitled 'Milton Road bus priority, walking and cycling measures: report on initial consultation and selection of a preferred route'.

Options

7. The Executive Board could note content of the petition, or agree any other necessary action.

Implications

8. In the writing of this report, taking into account financial, legal, staffing, risk management, equality and diversity, climate change, community safety and any other key issues, there are no significant implications.

Background Papers

The following background papers were relied upon in the writing of this report:

Agenda and minutes of the Cambridgeshire County Council meeting held on 19 July 2016:

https://cmis.cambridgeshire.gov.uk/ccc_live/Meetings/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/170/Committee/20/SelectedTab/Documents/Default.aspx

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COUNTY COUNCIL – 19 JULY 2016

ITEM 5 – PETITIONS

Text of a petition containing 3,356 signatures presented by Mr Charles Nisbet

“Save our Trees and Verges

The Greater Cambridge City Deal plan to widen Milton Road to four lanes of traffic. To do this they want to remove 83% of our lovely flowering trees. There are alternatives.”

Petition Organiser Mr Charles Nisbet

Thank you Chairman . . . This petition was drafted in the middle of winter when the first proposals became known for the destruction of Milton Road as we know it. It's acquired 3356 signatures, half of which are online and half of which are in hard copy obtained by a lot of hard work by your voters throughout the town.

The meaning, the wording rather, of the petition is `the Greater Cambridge City Deal are proposing to widen Milton Road, chopping down the beautiful cherry trees, removing the grass verges and replacing them with acres of tarmac. As many as 83% of the trees on Milton Road are destined to be removed if these proposals go ahead. The local residents are horrified that their avenue will be turned into a treeless corridor, closing key routes into side streets and splitting the community in two. Recent research has encouraged towns and cities to plant trees and shrubs along roads, citing the environmental advantages not only for air quality, but also for the wellbeing of citizens by reducing stress. Grass verges, in addition to tree roots, help with drainage problems. Some cities in the UK have actually changed their road layouts to incorporate trees. Cambridge should be at the forefront of such developments. There are many alternatives to widening the road.'

Now as you heard that was addressed to the City Deal. So why am I bringing it to you the County Council? Well the reason is that when you delegated to the City Deal, you delegated authority for the exercise of their functions. You actually said “to delegate exercise of their functions to the Executive Board to the extent necessary to pursue and achieve the objectives of Greater Cambridge City Deal.” You didn't delegate responsibility; indeed I don't believe you can. So the ultimate responsibility for those functions, including highways, remains with you.

The second reason is that when City Deal comes to an end, either in its natural course or if it hurries, because they run out of money or because the changed attitude of the new prime minister suggests that we no longer give to those who have but they move money elsewhere; if that happens you will be left picking up – dealing with the outcome. If that includes the wreck of Milton Road, there'll be a lot of very angry voters whose ire will be directed against you of course, not against the non-existent City Deal.

And the third reason relates to funding. The latest version of the do something plans for Milton Road appear to show not that 83% of the trees will be removed, but that every tree will be removed. Some will be replanted though only on one side of the road. But it's completely unclear whether or not the Greater Cambridge City Deal's funding will allow it to pay for tree planting. Is that transport infrastructure? It might well be argued that it isn't. So, if they cut down all the trees and then say “but we're not allowed to replant them”, you will be presented with a very short term decision as to whether or not you're going to fund a lot of planting of new trees to replace the ones that could have been left there. So that's why I think it's your business.

What do the residents want their County Council to do?

Well we think you ought to exercise a measure of oversight of the City Deal by requiring regular reports from them about issues that affect you. Secondly and this is an odd one, we think you ought to remind your officers who it is that takes the decisions at Shire Hall. I would have thought that was an extraordinary and unnecessary remark, but one quite senior officer of the Council was recently heard telling a local pressure group that they didn't have to bother about the fact that they weren't on local liaison forums and so forth, because ultimately the decisions would be taken by the officers. I don't think that's right and I don't think you think that's right either. When you receive advice, I think you need to challenge deeply the officers' advice and insist on proper replies. Supported by real evidence, not waffle and generalities which justify the officers' prejudices.

Above all, we think you ought to delay any irreversible destruction of the existing trees and verges until all other methods of resolving the congestion problem have been properly tried and tested. The avenue of trees on Milton Road were recently described to me by a resident in another part of the City as one of the glories of Cambridge. They're an asset created by your farsighted predecessors and now, they're in your custody. Please ensure that they're not wantonly destroyed.

(Chairman. Thank you very much Mr Nisbet for your petition. Right. Members. The petition can now be discussed for a maximum of 15 minutes if you desire. You will need to decide how to respond to the petition at this meeting. . . .)

Councillors speaking to the petition

Councillor Jocelyne Scutt

Thank you. Labour has always been for trees and verges and I stand here for trees and verges now, thanking Charles Nisbet for bringing the petition to the County Council and Maureen Mays, Clare Hughes and the many who assisted in ensuring that more than 3000 signatures were received.

I note Labour's support for trees and verges because I want the City Deal Board and the Assembly and us here to remember this history affirming this country's past commitment for trees and verges, a commitment that must be present and future for the City Deal, Milton Road and the wards and divisions surrounding.

The garden city movement led into the new city movement and it wanted everyone to have the free gifts of nature, fresh air, sunlight, breathing room and playing room in all needed abundance. Renowned Labour and Fabian member H G Wells wanted for everyone all the beauty that is here and more also and none of the distresses. Even one of our Fabians died in support of trees. George Bernard Shaw was trimming an apple or cherry blossom in his garden and fell and consequently he died of pneumonia which often follows the hip-breaking that affected him. He ended his life in that way. The Atlee government introduced a new town movement complementing garden cities. The New Towns Act of 1946 and Town and Country Planning Act 1947 created a revolutionary machinery for positive town construction. Twenty eight new towns were constructed over the next half century, with Labour ministers determined to bring the project to fruition. Hugh Dalton, Richard Crossman, Anthony Greenwood.

Trees at roadside, along verges and pedestrian and cycle segregation are major new town features, together with well treed extensive parks and green wedges lined by trees and verges coming into the centre of town. We have an assurance that trees, verges and public realm will be included in every workshop for Milton Road local liaison forum and this is the message coming from us here at the County Council to the City Deal Board and Assembly.

Trees matter, verges matter; trees count, verges count. They count for Cambridge; they count for Milton Road. We want and I will be asking a commitment from the City Deal Assembly and Board that if in the end construction requires removal of any single one of the trees in Milton Road, then the City Deal monies return to Milton Road mature trees lining Milton Road's verges, making Milton Road the impressive vista it should be – a lead into Cambridge of which us, all of us, can be proud – and I commend the petition to the County and I ask that the County send it to the City Deal Board and Assembly as coming from the County because of our having delegated the matter to the City Deal Board. Thank you.

Councillor Bill Hunt

Thank you Chair. I think I'd have to declare an interest in this matter as I was actually born in Milton Road and therefore it's always been a very special entrance to Cambridge for me.

I think Cambridge is special. Cambridge is unique and it isn't Harlow or Milton Keynes and I think the City centre is approached by roads and vistas, not by transport corridors. And I think we should be aware, and in this case I'm urging balance and reasonable thought, because Cambridge is not just a place to do business. It's a place where people have homes and they want to have communities that thrive and they are not just houses along a route into a trading centre.

I think there is potential huge damage being done to our environment if these trees are needlessly attacked and I recognise the need to move people around for the benefit of business and private lives. I do however have experience with this mini-Holland experience in the London Borough of Waltham Forest and it's a nightmare. It's an Orwellian nightmare. Only the main roads work. All the back roads are blocked up, so when there's a traffic accident the emergency services can't get there, they can't get the people into hospital. Please be very cautious about this mini-Holland. Add to it, PCCPs, which really sound lovely and workplace parking levies and you end up with a place that people are not going to say "let's go to Cambridge", they're going to say "let's avoid Cambridge, it's a nightmare".

So, I'm actually urging that a really considered view is taken by the City Deal and that they do recognise that support for this vista and these trees comes not just from one side of this chamber but across the chamber and it comes from me.

Councillor Fiona Onasanya

Thank you Chair. I just wanted to say thank you for bringing the petition but also just to note that we had delegated powers for making the decision to the City Board at City Deal, that I just wanted to make that comment because I know there were questions raised in the petition about why we as the County are not doing something, and also to say that there have been no final decisions made as yet and it is still going through consultation. So please do keep your feedback coming to us and we will put forward what you have said but we have to go to the City Deal Board. Thank you.

Councillor Paul Bullen

Thank you Chairman and thank you Mr Nisbet and the residents of the vicinity for bringing this to this chamber. I think we all remember that in a meeting not that long ago we voted on whether we give this authority to the City Deal Board. My party voted unanimous against doing so and as much as I hate to say "I told you so", I think this is the first instance where that decision is going to come back and bite us. And I do feel for you and the residents because this chamber cannot do anything. We've given away that authority, and if we also vote through the devolution deal we're going to give even more authority from our highways to that assembly. So I think we as a chamber need to really seriously think about what we've

done, learn from this and consider whether we wish to take those powers back again from the City Deal Board and I'm not sure that we can even do it. But I agree, I think it is an Orwellian scheme. It's outdated, it's been proven not to work elsewhere and there are other schemes for easing congestion and I give Liverpool as a prime example, where actually they've taken bus lanes away and taken traffic lights away and it's actually eased congestion.

So I firmly believe that the City Deal Board do need to look again at this idea and to have a look at all the other ideas before they decide to put it back to public consultation. I personally think it was a bad decision we made in the first place and that this scheme is bad for the City and for the residents.

Councillor Anna Bailey

Thank you Chairman. I welcome the petition. It's the view of the local people about their area and they clearly care about it passionately. I would welcome some clarity about the legal situation, about the issue that has been raised by the petitioner on the delegation. Ultimately I believe this authority retains overall responsibility for highways, so I think perhaps away from this meeting I would welcome some clarification on that.

I've got great sympathy with the plight of these trees and the residents who care about them. You know, it's not easy if you're the one asked to cut it down with the chainsaw and it's in your area, it's unbelievably difficult and trees are really important. These particular trees have been under threat many times over the years and I should think the residents are fairly fed up of having to mount this challenge over and over again. Officers of this Council will be aware of my concern about overall loss of trees across the whole county. It's something which I am trying to address and I do see this as the potential thin end of a wedge which might ultimately take into its ultimate end, you know, we could start looking at what to do with Jesus Green and Parker's Piece and Midsummer Common.

These are special and important features of our landscape. However there is a governance structure in place as other people have said and the City Deal, whether you agree with the plans or not, have carefully put out some very considered plans and the place to talk about those is during this consultation. They are only plans and I for one have heard that 3300 odd residents are deeply unhappy about one element of those plans and I think the City Deal needs to take very careful note about that, because it is their area. But we shouldn't undermine the governance of the City Deal and our partners who share responsibility in the City Deal and therefore I would urge the City Deal to look at this petition very, very carefully and see whether there are more creative solutions and ways around it.

Thank you Chairman.

Councillor Roger Henson

Yes Mr Chairman .my home Norman Cross, is miles away from Milton Road, and I've had four phone calls to me . . . and I look at it from this point of view. It's got 3300 residents in this paperwork; they're 3300 voters and we keep doing useless things and wasting money in my opinion in various places and when you drive through these avenue of trees they are part of our history. And also remember that the 3300 voters will be the ones you won't get next year if you go against them. Thank you very much.

Councillor Ian Manning

Thank you Chair. To say I welcome the words from Councillor Scutt. . . . thanks so much for (*inaudible*) the history lesson. I didn't quite follow all of it but I think history's quite important here and Councillor Bullen mentioned the history of our delegations earlier, where his party and my party voted against the removal of powers from Cambridge Joint Area Committee

which would of course have put us in a decision - with the City Council – put us in a position of being able to stop this scheme. Having said all that I do welcome her words and I welcome the implication that her fellow Labour party member Councillor Lewis Herbert will be working hard as a voting decision maker on the City Deal Executive Board to make sure this doesn't go through. That said, you'll have a White Paper in front of you with what I would like to propose as a response to this petition. Do you want me to read it out Chair?

Chairman

Yes, and if you could make it clear perhaps that this is a statement rather than a motion. Councillor Count are you raising a point of order?

Councillor Steve Count

Yes I am, a point of order on the handling of petitions. It's very clear that the petition should have called for an action in order to be heard. It's not up to this Council to supply one. To supply one 13 minutes into a 15 minute debate, it's not appropriate because now we have to debate something and we've got about two minutes left on. It's entirely inappropriate.

Chairman

Having taken legal advice on this matter, the reality is that anything put forward by any member simply will be a straight yes or no vote, so if you don't support what Councillor Manning is going to propose then vote against it. There were also suggestions I think from Councillor Scutt and indeed from Councillor Bailey of ways that Council might move forward which we will come to. Councillor Manning.

Councillor Ian Manning

So just to read out the wording. 'This Council wishes to express its opposition to any plan that would result in the removal of the majority of trees from Milton Road. Further, Council believes the measures contained in the City Deal do not represent efficient or desirable ways of cutting congestion and ask that more options be considered in the public consultation.'

Chairman

Thank you. We have no other speakers, so we have a series of – Councillor Count.

Councillor Steve Count

Yeah. Very simple response. It's not possible for us to digest that simple motion. For example it talks about majority of trees, so we don't know what schemes would or would not happen if the majority of trees are there. Etc etc. It's simply not possible to come to a rational decision. I therefore will be voting against.

Councillor Maurice Leeke

I indicated that I wished to speak Chairman. Is it that you ran out of time. . . ?

Chairman

Very sorry Councillor Leeke. You did and I did not write your name down. I do apologise. If you can keep it brief then I shall, as form of apology, allow you to rise.

Councillor Maurice Leeke

That's very kind Chairman. I should just like to make some very quick points. As Councillor Bailey mentioned, it's not the first time it's come to this chamber. I remember with colleagues opposing a similar move when I was Councillor at West Chesterton and I'm glad that we were successful then, and all of the Liberal Democrats opposed the proposal for the changes on Milton Road at the City Deal Assembly. It is as Mr Nisbet suggested I think a case of spending money, rather than spending money wisely and in this case it really is the wrong way round, because so much that the City Deal is and should be doing is about reducing traffic and therefore reducing the need for schemes such as the one on Milton Road and I think it's inappropriate that this is coming before the effects of those changes are introduced.

Councillor Ashley Walsh

I'm no constitutional lawyer Mr Chair but, is there any power you have Mr Chair to extend the debate because this motion does not actually relate just to the trees. It relates to the measures contained in the City Deal, all of them. We can't debate that in 30 seconds. This holds the process of (*inaudible*) in contempt.

Chairman

So Members, the constitutional position is that we accept the petition, you are entitled to debate the petition for 15 minutes. Council then will decide what action to take and it has been left fairly open and I read from the notes. 'It may decide to take the action the petitioner requests, not to take the action requested, to commission further investigation for example by the relevant committee.' So on that basis it is fairly fluid but what is very clear is that there should be no debate of any of the proposals. So it's a clear vote yes or no. Councillor Count.

Councillor Steve Count

I'm sorry Chairman, I must challenge the advice that you've received in that quote in accepting the petition. Petition guidelines, types of petitions, format of petitions, 'the petition submitted to the Council must include the following. A clear statement of your concerns and what you want the Council to do.'. It did not include the second. On a subsequent page it states clearly, 'petitions will not be accepted unless they're in the correct format.'. It's missing that. I was perfectly content for us all to have this debate because I think it's an important subject but to be dragged into a two minute discussion on actually a motion put forward which we are answering on the basis of an ordinary debate where the time is unlimited compressed into two minutes is wholly unreasonable. The petition actually should not have been accepted under those rules.

Chairman

Thank you Councillor Count. I did seem to recall that Mr Nisbet did make a series of proposals about how we might proceed.

Councillor Steve Count

Chairman we have a written petition in front of us. That is the petition we've heard. Speaking to the petition is not the petition.

Chairman

Well, I think Councillor Count on that note I shall take further legal advice. (*Pause for legal advice*). Right. Councillor Count. I think the first point I would make is that this would have been a more useful point to raise before the meeting began or indeed, at the beginning of the debate. But anyway given that it wasn't, the way I intend to treat this is as follows. Councillor Manning has put forward a statement that he wishes the Council to vote on. Councillor Bailey has put forward a proposal I understand in that you wanted to refer this for further investigation . . . and Councillor Scutt put forward initially the fact that you wanted to put the City Deal Board to take our views into account.

Councillor Jocelyne Scutt

It was that we refer the petition to the City Deal Board with an imprimatur that we want them to take it into account. Yes.

Chairman

In which case, we will now take votes and we will take three and we will take them in chronological order. We will start with Councillor Scutt's proposal, we will then move on to yours Councillor Bailey and then we will move to Councillor Manning's. . . . do you wish to drop yours? (*Councillor Bailey confirms she does*). OK. We will then have two votes. The first will be on Councillor Scutt's proposal . . . we will take a vote firstly on Councillor Scutt's proposal, or suggestion rather, that this is referred to the City Deal Executive with the views as expressed in the chamber and the second vote will be on the statement, it is not a motion but a statement, as submitted by Councillor Manning and it is up to you to vote yes or no in support of either of those two positions. Is everybody clear?

(*Agreement. Proceed to vote*). (See main Minute)