

MEETING OF HIGHWAYS AND COMMUNITY INFRASTRUCTURE POLICY AND SERVICE COMMITTEE: MINUTES

Date: Tuesday 1st March 2016

Time: 10:00am-11.45am

Present: Councillors Ashwood, Butcher, Connor, Criswell, Gillick, Hickford (Chairman), Hipkin (substituting for Councillor Chapman), Hunt, Moghadas, Reeve (Vice-Chairman), Rouse, Scutt and Taylor

Apologies: Councillor Chapman (Councillor Hipkin substituting)

179. DECLARATIONS OF INTEREST

There were no declarations of interest.

180. MINUTES AND ACTION LOG

The minutes of the meeting held on 2nd February 2016 were confirmed as a correct record and signed by the Chairman.

The Action Log was noted.

181. PETITION

There were no petitions.

182. LIBRARY SERVICE TRANSFORMATION – INCOME GENERATION UPDATE

The Committee received an update on the work of the Member Review Group considering income generation options for the Library Service. Members were reminded that at its Special Meeting on 26th June 2015, the Committee agreed that a Member Review Group be established to look at alternative options for increasing income at libraries. The first meeting of this Group, chaired by Councillor Ashwood, had taken place on 17th September, and there had been eight meetings since then. The Group's initial report had been presented to the December 2015 Highways & Community Infrastructure Committee meeting.

The Chairman thanked Councillor Ashwood on behalf of the Committee, commenting that this was tremendous report, reflecting lots of hard work by Councillor Ashwood and all those Members and officers involved.

Councillor Ashwood thanked those who worked on the group with her, commenting that whilst the group had only met 8 or 9 times, there had been a lot of work going on in between meetings. The report sets out a framework for libraries to pursue, focusing on the following three areas:

- Sponsorship for libraries countywide;
- Café @ Central Library;

- Redesign of the third floor of the Central Library.

Much was dependent on developing a successful sponsorship strategy, and giving those involved with the libraries the time and encouragement to deliver the work. It was clarified that whilst the focus appeared to be on Cambridge Central Library, this would provide a template that could be rolled out across all libraries.

On a related matter, a Member raised the issue of the Cambridgeshire Collection, which was still housed at Central Library, and proposed that the Committee record its support for the Cambridgeshire Collection, Huntingdonshire Archives, and other archives, to ensure sufficient staff were available. It was further suggested that the Friends of Central Library be encouraged to establish a working group to look to arrange an annual archives festival, and secure sponsorship for this event with assistance from County Council officers. The Member advised that she had discussed this matter with the City Council Leader, and he had suggested that the Guildhall could be used as a venue for the archives festival, which would be of both local and international interest. It was agreed that it would be appropriate for the Friends of Central Library to look at this issue. It was agreed that the Friends Group could feedback via the Committee if they had any specific proposals for the Cambridgeshire Collection. Members noted that the recent consultation on the Cambridgeshire Collection focused specifically on access/opening hours.

It was resolved unanimously to:

1. Note the report and agree the way forward for further work on income generation in libraries.

183. LOCAL HIGHWAY IMPROVEMENT (LHI) SCHEMES 2016-17

Members considered a report on the outcome of the prioritisation of LHI applications by the Member Panels in each District area. Members were reminded of the budget totals approved, to facilitate a programme of Local Highway Improvements. These budgets were agreed as part of the Transport Delivery Plan (TDP) approved at the January 2016 Highways & Community Infrastructure Committee. Applications had been assessed and prioritised by Member Panels for each district, in line with the process summarised in the report.

Arising from the report, a Member commented that this scheme was beneficial not only in terms of achieving good outcomes in terms of local schemes, but that it had generated community action e.g. in Bateson Road, West Chesterton, where residents had worked together to formulate a proposal.

It was resolved unanimously to:

1. Approve the prioritised list of schemes for each District area, as set out in Appendix A to the report.

184. BUILDING COMMUNITY RESILIENCE

The Committee considered a report on *Stronger Together – Cambridgeshire's Strategy for building resilient communities*. Members' views on the actions taking place in support of this strategy were sought. It was noted that the high level of volunteering for ETE probably reflected the number of volunteers in libraries and library access points.

Members were reminded that a report had been considered by the General Purposes Committee in October, at which stage it was agreed that all Committees would receive an update in March, highlighting community resilience activity in their service area. The official launch of the Community Resilience Strategy was scheduled for May. The first cohort of Councillors as Community Connectors was now complete, two further cohorts were scheduled, and Members noted examples of good work with Parish Councils and other local bodies.

Members discussed their experiences of Community Resilience work, and a Member commented on the importance of engaging with communities on planning and built environment issues, noting alarming statistics such as the high number of suicides in new communities.

It was resolved to:

1. Comment on the actions proposed to support the Community Resilience Strategy.

185. GREATER CAMBRIDGE CITY DEAL EXECUTIVE BOARD DELEGATIONS

The Committee received a report on the delegation of powers to the Greater Cambridge City Deal Executive Board. Full Council on 16th December 2014 approved the formation of the Greater Cambridge City Deal Joint Assembly and Executive Board, and agreed to delegate certain functions to the Executive Board as the decision making body for the Greater Cambridge City Deal. This item had been considered by Constitution & Ethics Committee, and that Committee had suggested that it would be helpful for both Highways & Community Infrastructure and Economy & Environment Committees to have a view. The functions in question within the remit of H&CI Committee were Traffic Regulation Orders (TROs), Compulsory Purchase Orders (CPOs), Side Road Orders (SROs), Transport and Works Act Orders (TWAOs) and Grant of Planning Consent. Only those schemes which were being led by the City Deal were affected, usual arrangements would apply (i.e. H&CI Committee or Cambridge JAC) for County Council led schemes.

Three members of the public spoke on this item. All Committee Members had received written copies of the statements presented by the speakers, and also a written statement from Edward Leigh, who was unable to attend the meeting.

Richard Cushing commented that whilst supporting the City Deal in principle, he was concerned that the proposed delegation would result in a major and unacceptable disenfranchisement of the electorate in the City Deal area. He noted that the primary justification for the delegation appeared to be *"the delivery of the infrastructure investment programme on a very tight timescale"*. Currently, members of the public

were able to make representations to County Council meetings, whereas the arrangements for the City Deal were less transparent. In addition, the County Council had responsibility for the whole range of relevant functions – e.g. highways, street lighting, so it has a broad perspective of the issues under consideration. Additionally, whilst the City Deal will be spending £100M on capital projects, there was no evidence that consideration was being given to ongoing costs. Mr Cushing also had a question about the statement to undertake a public consultation, but this had subsequently been answered (see attached email at Appendix 1). Mr Cushing asked about the potential conflict of interest by officers acting on behalf of both the City Deal Board and the County Council. In general he felt that the City Deal appeared to have significant powers with little responsibility, and observed that there were no proposed timescales for any of the delegations.

Lynne Hieatt spoke as a resident of Newnham, and as Chairwoman of her local Residents' Association. From a resident's perspective, she observed that it appeared that the City Deal had a huge workload and ambitious agenda, with only a small team of officers. A number of basic issues had not been satisfactorily resolved, specifically there was no Code of Conduct for the consultation process, Terms of Reference or any indication of processes being used: the recent A428 consultation had highlighted some of these problems. Summarising, she felt that it was premature to delegate more powers before the governance arrangements, including the Code of Conduct for consultation, was in place.

Wendy Blythe spoke as the Chairwoman of the Federation of Cambridge Residents Associations (FeCRA), which acts as a conduit for information and as a support network for Residents Associations across Cambridge. She advised that concerns were being expressed by Cambridge residents on the moves to give City Deal decision makers more power. Those residents believed that clearer Terms of Reference, greater accountability, a clear Code of Conduct for consultations, and above all a clear statement of high level priorities that included environmental, social and aesthetic objectives, were required before the City Deal could move forward. The city's attractive suburban approaches, which were also the homes and neighbourhoods of many of the city's communities, needed much more positive consideration, especially on environmental issues e.g. air quality, flooding. The City Council had previously commissioned a study into suburban approaches, but this had never been completed. Environmental guidelines needed to be in place for the City Deal Board.

Presenting the report and responding to the public questions, the Executive Director, Economy, Transport and Environment, reminded those present that a full meeting of the County Council had already delegated these decision making powers to the City Deal Board. In addition, a report had been presented to and endorsed by the Economy & Environment Committee, with respect to the powers within their remit.

With regard to the City Deal Executive Board having met fewer times than this Committee, the Executive Director advised that the City Deal Executive Board had a full programme, and would meet as often as required. The Board was currently focusing on major strategic issues, and the decision on the detail of schemes, including the determination of Traffic Regulation Orders, would be taken further down the line. It was also noted that a written response had been sent to Mr Cushing by the Service Director for Strategy and Development, quoting the relevant legislation, which include the requirement to consult when making a Traffic

Regulation Order (*see response at Appendix 1 to these minutes*). This responsibility would be passed on to the City Deal Board as part of the delegation. Moreover, it would be the same team of County Council officers who would be dealing with these processes and so there was no reason to assume the processes would change.

Mr Cushing accepted these points, but commented that when full Council took the decision to make the delegations last year, they did not have the benefit of hindsight of the City Deal activities over the previous twelve months. He suggested that Members of the Committee may wish to recommend that full Council reviews the decision to delegate. The Executive Director reiterated that the responsibility for delegation sat with full Council, and that decision had already been made. Any review would have to be at Members' request.

The Executive Director advised that Local Liaison Forums had been proposed by officers as one part of the consultation process. The constitution, composition and operation of the Local Liaison Forums would be a decision for those elected Members who sat on the City Deal Board. It was noted that the period of operation for the Cambridge City Deal was 15 years.

With reference to the "small team of officers", the Executive Director advised that this team comprised County Council officers with the requisite experience and expertise. This team would be increasing by about 10-15 people, specifically to resource the City Deal projects.

With regard to the consultation procedure, there had been considerable discussion on this, and Tanya Sheridan, the City Deal Director, had had email exchanges with Wendy Blythe on 22/02/16. The Board had stipulated that the consultation procedures of the host authority, the County Council, be used. These were the County Council's Listening and Involving Strategy, and also the principles in the Statement of Community Involvement, i.e. the same processes used on all County Council schemes. Meaningful and thorough consultation had been carried out to date thorough leaflets, meetings, etc, and it was still only the very early stages of City Deal. It was also noted that one of the references to a lawyer's letter (Richard Buxton QC), the County Council's legal team had responded to Mr Buxton's letter, and Mr Buxton had accepted the points raised. With regard to the environmental and public realm consultation, these were not within the remit of this Committee. It was noted that there had been debate at the City Deal Board about a Design guide, and the City Deal Board had indicated they would like an Environmental Design guide, although this would be subject to approval, and was more likely to be relevant to the design issues from bigger issues, not those relevant to this Committee.

Ms Hieatt welcomed now having clarification on the name/references to the Code, and commented that the test would be whether it was being observed, and she commented that she did not regard previous City Deal consultations as "meaningful consultation". The Executive Director commented that this did not directly relate to the delegation today, but was part of the enabling process.

The Executive Director reiterated that most of Ms Blythe's questions had been addressed in Tanya Sheridan's email of 22/02/16, explaining the consultation procedures, or were issues for the City Deal Board, rather than the delegation under discussion today. Similarly the Suburbs Approach report was a Cambridge City Council matter.

A Member commented that the Committee appeared to have been presented with a fait accompli, and was being asked to rubberstamp decisions that had already been made. The report referred to the delivery of an ambitious infrastructure programme against a time limited schedule, and was concerned about the hurry to deliver within the timescales set out. Whilst the City Deal focused on major infrastructure to improve routes and transport, there was a danger of the communities on those routes being neglected, and he gave the example of the recent Histon and Milton Road bus and cycle improvement schemes being one such example, provoking significant protest from residents affected. The participation of partners such as the University of Cambridge and the LEP also caused concerns, as their range of interest was beyond both city and county, and he had particular concern regarding the University's role, especially as the University was aggressively challenging the Local Plan, and wanted to develop on Green Belt land.

The Chairman acknowledged the points raised, but reminded Members that they were looking at the delegations from this Committee, and not at City Deal issues more generally. The Executive Director also clarified that organisations such as the University of Cambridge contributed to local authority planning costs through Planning Performance Agreements, which gave assurance to developers that they would receive certain services. Participation in these Agreements did not give those organisations that made the payments special consideration or privileges in the planning processes.

In response to a Member question, it was confirmed that the delegations had been agreed by the County Council, Cambridge City Council and South Cambridgeshire District Council, and also the Economy & Environment (E&E) Committee, and there had been no dissent from any of these bodies, although it was clarified that the delegations from those bodies were different. It was also clarified that Richard Preston was the Project Manager leading the Milton Road and Histon Road schemes, with Bob Menzies overseeing the process as Service Director.

Councillor Scutt proposed the following Amendment:

1. that there be a report back to the Highways & Community Infrastructure Committee on further safeguards that will be put in place to ensure that consultation with residents will be undertaken in reference to the Traffic Regulation Orders in the City Deal Plan;
2. these safeguards:
 - (a) to include the establishment of Local Liaison Forums within a specified timeframe, or an alternative process to be adopted to ensure local consultation is undertaken in a timely and comprehensive manner; and
 - (b) to be set out precisely and specifically so that they are clear and transparent and made known to the public;
3. request a report to be provided to the next Highways & Community Infrastructure Committee meeting, with an undertaking from the City Deal Executive Board that these safeguards are affirmed and will be adhered to; and

4. that the operation of safeguards be reviewed by the Highways & Community Infrastructure Committee twelve months from the date of the delegation.

The Executive Director reiterated that the powers had already been delegated to the City Deal by full Council last year, so that it was now for the City Deal Board to ensure that adequate consultation was carried out.

The majority of Members voted in favour of the Amendment, which was carried.

A Member thanked the speakers for raising important issues on process and environmental matters, but pointed out that the focus of the report was whether the Committee should delegate the responsibility for TROs, etc, in order to ensure the smooth functioning of the Cambridge City Deal. She commented that the issues were the quality of decision making, openness, fairness and subsidiarity, with reference to the City Deal processes. Whilst acknowledging the time imperatives, she did not feel that this should lead to the diminution of processes, and it was questionable whether the evidence so far indicated that the City Deal's processes were up to County Council standards. The County Council's current arrangements for TROs in Cambridge i.e. either through the Cambridge Joint Area Committee or this Committee, worked well, and this was particularly accountable and transparent in terms of receiving representations. It was important not to lose the input of local people, and every effort should be made to ensure that they had access to decision makers, as it was less clear how to get in touch with the City Deal Board members.

A Member applauded Councillor Scutt's Amendment, commenting that this helped to stress the local accountability and consultation aspects in making the delegations, and he stressed the importance of Local Members making the decisions on Cambridge City Deal matters.

A Member asked if the City Deal money was ringfenced to the Cambridge City Deal area, and whether there was any impact for other areas of the county, e.g. in terms of reduced officer availability. It was confirmed that City Deal was being appropriately resourced and there would be no consequential impact on other areas of the County. The City Deal area was the same as the Cambridge City and South Cambridgeshire District administrative areas. It was noted that central government were funding the City Deal (£500m over 15 years) to be spent on major capital schemes.

A Member expressed grave concerns, commenting that whilst the delegations had been agreed by full Council, little information had been provided, and the City Deal as it had evolved looked very different. She expressed particular concern about the City Deal Board taking responsibility for TROs, as there needed to be good engagement with the Local Members and their communities.

A Member commented that she had been concerned about public consultations, but she felt that the Amendment that had been agreed had addressed those concerns. The membership of the City Deal included Local Members, and other Local Members would be able to feed in comments from their residents. There was also a statutory requirement to undertake public consultation. The Chairman agreed, commenting that as City Deal Assembly member, he was already responding to queries from the public.

Another Member commented favourably on Councillor Scutt's Amendment, stating that it was up to Local Members to determine these local issues. He was pleased with the Executive Director's assurance about resources allocated to the City Deal, and how this would not be to the detriment of other parts of the county.

A Member spoke against the delegations, observing that the County Council had already delegated traffic matters to the Cambridge Joint Area Committee and Highways & Community Infrastructure Committee respectively. The Executive Director pointed out that City Deal Board members would only be asked to determine TRO decisions relating to City Deal schemes.

It was resolved, by a majority, to:

1. Endorse and propose to Council that the responsibility for making decisions regarding Traffic Regulation Orders for City Deal infrastructure schemes was confirmed as being delegated to the Greater Cambridge City Deal Executive Board, subject to the amendment above;
2. that there be a report back to the Highways & Community Infrastructure Committee on further safeguards that will be put in place to ensure that consultation with residents will be undertaken in reference to the Traffic Regulation Orders in the City Deal Plan;
3. these safeguards:
 - (a) to include the establishment of Local Liaison Forums within a specified timeframe, or an alternative process to be adopted to ensure local consultation is undertaken in a timely and comprehensive manner; and
 - (b) to be set out precisely and specifically so that they are clear and transparent and made known to the public;
4. request a report to be provided to the next Highways & Community Infrastructure Committee meeting, with an undertaking from the City Deal Executive Board that these safeguards are affirmed and will be adhered to; and
5. that the operation of safeguards be reviewed by the Highways & Community Infrastructure Committee twelve months from the date of the delegation.

186. REVIEW OF HIGHWAYS & COMMUNITY INFRASTRUCTURE COMMITTEE INDICATORS FOR 2016/17 FINANCE AND PERFORMANCE REPORTS

The Committee considered a report on the key performance indicators to be included in the Economy, Transport and Environment Finance and Performance reports for 2016/17. The current set of H&CI indicators in Finance & Performance report had been reviewed to ensure that each indicator linked to at least one of the Operating Model outcomes or enablers, or has significant financial implications for the Council.

It was proposed that three indicators be removed:

- Number of problem rogue traders brought back into compliance;

- Number of unique visits to library web pages;
- Book issues per head of population – narrowing the gap between the most deprived areas and others.

It was resolved unanimously to:

1. Comment and approve the proposed Highways and Community Infrastructure key performance indicators for the 2016/17 Finance and Performance Report as set out in Appendix A to the report.

187. FINANCE AND PERFORMANCE REPORT – JANUARY 2016

The Committee received a report setting out financial and performance information for Economy, Transport and Environment (ETE) as at the end of January 2016. Members noted that for the areas under the stewardship of the Highways & Community Infrastructure Committee, a £742K revenue underspend was forecast for the year-end in relation to the revenue budget. For the Capital budget, a year-end slippage of £37.1M was predicted.

The position in relation to winter maintenance had changed since the end of January, as up to that point there had been few gritting runs due to the mild weather, so the outturn was showing a significant underspend. The cold weather since then meant that there had been more frequent gritting runs, so the overall underspend had reduced.

Members were reminded that until very recently, ETE was predicting a very small overspend, and some managers had been asked to deliberately underspend against their budgets to achieve balance. Because the position had now changed, due in part to the underspend in winter maintenance, there was more scope to spend those budgets, and the Head of Local Infrastructure and Street Management and the Service Director had been asked to review budgets such as cyclic maintenance and gully clearing. The Executive Director was still absolutely confident that the budget would balance at year end. Members indicated support for this point, commenting that it would improve highways and help secure additional government funding.

In response to a Member question, it was confirmed that the funding for the new Archives centre/Ely Hub remained the same, but the cost would be spread over two years.

It was resolved to:

1. Review, note and comment on the report.

188. AGENDA PLAN, TRAINING PLAN AND APPOINTMENTS TO OUTSIDE BODIES

Members noted the Agenda Plan and Training Plan, and the following change:

Addition to the May meeting of the following item:

- Highways Maintenance Steering Group

Dear Mr Cushing

I refer to your question below. In answer to your specific query Traffic Regulation Orders (TRO) are made under Parts I, II and IV of the *Road Traffic Regulation Act 1984*, as amended.

The procedure for making a TRO, which includes the requirement to consult, is set out in: the *Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996* (SI 1996/2489) as amended see <http://www.legislation.gov.uk/uksi/1996/2489/part/II/made> ; in particular sections 7, 8 and 13 cover requirements to notify persons affected, the objection process, and the requirement to consider objections.

These Obligations will be passed to the City Deal Board

The City Deal Standing Orders already include public speaking rights. The Standing Orders are appended to the Terms of Reference which can be found at http://www.cambridgeshire.gov.uk/citydeal/info/6/home/4/about_the_greater_cambridge_city_deal/5

The ability of the public to make representation will therefore be unchanged. All that will change is the body considering that representation.

Bob Menzies

Service Director Strategy and Development