

Subject: Elm Tree at Seven Dials - Extract from the Proceedings of the Council Meeting held on the 28 March 2013

Date of Meeting: 30 April 2013

Report of: Monitoring Officer

Contact Officer: Name: **Mark Wall** Tel: **29-1006**
E-mail: mark.wall@brighton-hove.gov.uk

Wards Affected: All

FOR GENERAL RELEASE***Action Required of the Transport Committee:***

To receive the item referred from the Council for consideration:

Recommendation:

- (1) That the petition be referred to the Transport Committee for consideration; and
- (2) That officers be requested to prepare a report for the 30th April Transport Committee, detailing alternative options for Vernon Terrace and Seven Dials that could retain the tree.

COUNCIL

**4.30 pm 28 March 2013
COUNCIL CHAMBER, HOVE TOWN HALL**

DRAFT MINUTES

Present: Councillors Randall (Chair), Meadows (Deputy Chair), Barnett, Bennett, Bowden, Brown, Buckley, Carden, Cobb, Cox, Deane, Duncan, Farrow, Fitch, Gilbey, Hamilton, Hawtree, Hyde, Janio, Jarrett, Jones, Kennedy, A Kitcat, J Kitcat, Lepper, Littman, Mac Cafferty, Marsh, Mears, Mitchell, Morgan, A Norman, K Norman, Peltzer Dunn, Phillips, Pidgeon, Pissaridou, Powell, Robins, Rufus, Shanks, Simson, Smith, Summers, Sykes, C Theobald, G Theobald, Wakefield, Wealls, Wells, West and Wilson.

PART ONE**101. (a) ELM TREE AT SEVEN DIALS**

- 101.1 The Mayor stated that the council's petition scheme provided that where a petition secured 1,250 or more signatures it could be debated at a Council meeting. He had been notified of one such petition which had sufficient signatures to warrant a debate and therefore would call on the lead petitioner to present their petition before opening the matter up for debate.
- 101.2 The Mayor also noted that there was an amendment from the Green Group to the recommendation contained in the covering report on the petition, which Councillor Jason Kitcat would move during his response to the petition.
- 101.3 The Mayor then called on Ms. Ferguson to present the petition concerning the Elm Tree at Seven Dials.
- 101.4 Ms. Ferguson thanked the Mayor and stated that the petition sought to secure the future of the Elm Tree at Seven Dials and called on the Council to review the options in relation to the proposed scheme at Seven Dials so that the tree could remain rather than being destroyed. The petition had been signed by 4,318 people and it was only because of the vigorous campaign to save the tree that it has not been felled on the 7th March. She hoped that the council would reconsider and listen to the views of the local residents and find a way to save the tree. The petition stated, "There is an ancient tree at 7 Dials at the corner of Vernon Terrace. There is a plan to cut the tree. Why? The planners say that they want to replace the traffic lights in Vernon Terrace by a zebra crossing. If that happens then according to them, the elm tree which has been there for more than 100 years may obstruct visibility when people are waiting at the kerb for traffic to stop. The planners have decided to chop down the tree to open visibility. This action was not part of the consultation process for 7 Dials and therefore was not considered by residents who in any case find both zebra crossings and the removal of the tree unacceptable. It is better for the survival of this tree (and many users of the crossing at Vernon Terrace) to keep the traffic lights in Vernon terrace and scrap the zebra crossing."
- 101.5 Councillor J. Kitcat thanked Ms. Ferguson for presenting the petition and stated that he was pleased to report that the tree was in good health having recently been checked for any sign of disease. He hoped that a positive way forward could be found and moved an amendment to the report to add a further recommendation requesting officers to bring a report to the transport Committee on the 30th April outlining options for the proposed traffic calming scheme and the possible retention of the tree. He also noted that the Seven Dials area was the second most dangerous junction in the city and hence the consultation process on the scheme and the previous report to the committee in January.
- 101.6 Councillor Buckley formally seconded the amendment and stated that she was pleased to do so and hoped that a way to retain the tree within the scheme could be found. She noted that two other elm trees had been previously lost and therefore felt that there was a need to look at saving the current one. She also noted that the last report to the Transport Committee in January had been approved unanimously and

had included the felling of the tree; however she noted the public concern and hoped that a revised scheme could be identified.

- 101.7 Councillor Mitchell stated that she wished to pay tribute to the campaign to save the tree and she fully supported the amendment moved by Councillor Kitcat. There was a need for road improvements in the area but she hoped that changes could be made to save the tree within the scheme. She also noted that the previous report had made it clear that the tree had been designated to be felled and felt that officers had been unfairly treated. However she was now hopeful that a way forward could be found.
- 101.8 Councillor Cox stated that he also wished to pay tribute to the campaign and welcomed the comments of the Leader of the Council. The report had been clear on the proposed loss of the tree as part of the improvement scheme and there had been representations from the Federation for the Disabled on the dangers of the tree, and the need for it to be felled had been made clear at the public meeting on the scheme. He supported the proposed amendment and hoped that an alternative solution could be found.
- 101.9 Councillor Phillips stated that as a member of the Transport Committee she had received representations on aspects of the proposed scheme but not about the felling of the tree. However, she recognised that there was a large amount of support for the tree and that this should be taken into account and welcomed the opportunity to give the matter further consideration.
- 101.10 Councillor Mitchell noted that the consultation process reported to the Transport Committee in January had not been approved by the committee in the first instance.
- 101.11 Councillor Hawtree stated that he had recently spent some time at the request of the Federation for the Disabled going around the Seven Dials area blindfolded and with a guide dog, for which he had tremendous regard. It had been an illuminating experience and one which highlighted the dangers faced by disabled people in the area, albeit that he passed the tree unscathed.
- 101.12 Councillor C. Theobald stated that the elm tree had been saved in past from proposals to fell it and she believed that it should remain in situ. She noted that the improvement scheme did include additional planting of trees but did not think that it should be as a replacement to the felling of the elm tree.
- 101.13 Councillor Peltzer Dunn noted the concerns raised by the Federation for Disabled in regard to the dangers in and around the Seven Dials area and felt that these and the concerns over the tree should have been accounted for before the improvement scheme was agreed. He also noted that the city held the national elm collection and stated that this needed to be protected and therefore an alternative scheme should be considered.
- 101.14 Councillor Mears stated that it appeared from the level of support for the tree that the consultation process had not made it clear that the tree would be lost and welcomed the opportunity for further consideration by the committee in April.

101.15 The Mayor noted that Councillor Kitcat was happy to move to the vote and that an amendment had been moved. He therefore put the recommendations as amended to the vote which was carried.

101.16 **RESOLVED:**

- (1) That the petition be referred to the Transport Committee for consideration; and
- (2) That officers be requested to prepare a report for the 30th April Transport Committee, detailing alternative options for Vernon Terrace and Seven Dials that could retain the tree.