

March 13, 2008

Our ref: C 08 008

Simon Payne,
Director of Environment and Planning
Peter Carter,
Principal Development Control Manager
Cambridge City Council
The Guildhall
Cambridge

Cc: City/County Council Cycling Officers
Cambridge Evening News
Market Ward Councillors
Members of the Planning Committee



**Cambridge Cycling
Campaign**

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Dear Mr Payne and Mr Carter,

Grand Arcade Cycle Park

We write to set forth our concerns about the progress of the Grand Arcade Cycle Park and its requirement to be fully open and managed in time for the opening of the Grand Arcade, which is a planning condition. We have been given so many unfulfilled assurances about the delivery of this part of the Grand Arcade that we no longer believe any assurances we are given.

We write also to inform you of our intention to lodge a formal complaint to yourselves and thence escalate this if this matter is not resolved by the date of the opening of the Grand Arcade, which has been publicised as 27th March 2008.

Lastly, we make a set of requests for information below. Please treat these as formal requests for information under the Freedom of Information Act.

It would be a clear breach of planning consent if the Grand Arcade were to open on this date without resolution of the Planning Conditions, so we would seek a delay to the opening of the Grand Arcade if these are not resolved.

Formal conditions agreed by the City Council

We understand the two key texts (as reproduced in full in Appendix 1) to be:

- 1) Planning permission decision notice, 2003
- 2) Section 106 agreement [made in 2004]

We are not aware of any changes to these. Please would you confirm in writing (or by e-mail) whether any changes have been made, and if so, the text of those changes and by whom and when they were made, and under what authority.

We note that the Section 106 agreement has already been breached and would like a formal statement as to why.

We now list our concerns are listed below, in order of the points in the consents.

a. Cycle racks and spacing

(i) Spacing between stands

This for us is a very strong concern. The Cycle Parking Standards¹ in the Local Plan 2006 clearly show the minimum requirement for 900mm spacing between stands. The stands appear to have been mis-installed at a closer and therefore unacceptable distance.

Inadequate spacing will mean that bikes will not be easily parked, particularly those with shopping, as would be expected from a cycle park intended to service a shopping arcade.

We insist that all stands (not a proportion of stands, but all of them) in the cycle park be installed at least 900mm apart before the cycle park opens. We recognise this may require re-concreting, but correct spacing is an essential requirement of any cycle parking.

Opening with incorrect spacing would very likely lead to this key problem never being fixed and we feel such a situation must be avoided at all costs.

(ii) Number of stands

In February 2004, we reported² that some 511 spaces were to be installed³. This figure is also as noted in the report⁴ to the Planning Committee dated 7th January 2004 which approved the application.

If, having corrected the spacing between stands, it is found that the agreed number of stands required (511) cannot be achieved, then we would like a statement of why the Local Authority has approved plans which contain insufficient space. We also suggest that, if this is the case, the remainder of stands be installed in Fisher Square and other nearby locations (which we would be happy to suggest).

We remind you that a large number of public stands (over 135⁵) were removed as a result of the development, making it even more imperative that the cycle park is finalised and opened urgently.

b. Lockers and other facilities

We see no sign that lockers have been installed as yet. We regard the ability for members of the public to leave bags in the lockers as a useful and important part of the proposal.

c. Hours of opening

We would welcome reassurance on what hours have been agreed. We consider that the free-of-charge spaces (which from the start were intended for use by cyclists going elsewhere in the city centre as well as those going to the Grand Arcade)

¹ http://www.cambridge.gov.uk/ccm/cms-service/download/asset/?asset_id=5489009 also reproduced at <http://www.camcycle.org.uk/resources/cycleparking/standards/city.html>

² <http://www.camcycle.org.uk/newsletters/51/article5.html>

³ <http://www.camcycle.org.uk/newsletters/52/article1.html>

⁴ http://www.cambridge.gov.uk/public/councillors/agenda/2004/0107plan_files/04.pdf

⁵ <http://www.camcycle.org.uk/newsletters/51/article5.html>

should be available at all hours of the day and night just as the spaces removed as a result of the development were. If cycling is to be encouraged, the cycle park cannot have less favourable opening hours than the car park.

d. Management and charging regime

On the issue of charging, we feel strongly that the vast majority of stands must be free. It would be unacceptable for a development which has replaced much public cycle parking then to charge for its own cycle parking. We are not aware of any other development in the City having received planning consent under the Local Plan (and thus the mandatory Cycle Parking Standards) which has chargeable stands.

We understand that an on-site cycle shop may be installed, but we have seen no formal indication that this is to go ahead. A cycle shop would be a useful addition to the facility provided that it would not result in any reduction of the space available for public cycle parking. We would object strongly to any use of the cycle parking spaces provided under the terms of the planning permission for the parking of bicycles for sale or for hire.

e. CCTV and security, including gates

We have heard rumours that CCTV has not been installed, despite this clear requirement. The developers need to make urgent arrangements to ensure CCTV is installed if this has not already been done.

f. The establishment, terms of reference and membership of a user group

We are concerned that, only weeks from opening, no such User Group has been established.

We request to be included amongst the invitees, being the major cycling interest group in the city.

g. Cycle and pedestrian access arrangements to the cycle park including details of the location, design, gradient and materials

We would be grateful to receive details, though having had a look through the closed gates, these seem broadly acceptable on an informal look.

Requests for information

Condition 16 of the planning consent requires the developer to submit and receive approval for full details of the cycle parking facility. Please tell us:

- 1) exactly what these are
- 2) when they were received
- 3) when they were approved and by whom
- 4) whether any written variations have been agreed in advance as required by the condition, and when, why and by whom.

- 5) what steps have been or will be taken to ensure that the approved details have indeed been implemented prior to the opening of the arcades.

Regarding schedule 23 of the Section 106 agreement, please tell us:

- 6) what formal changes were made, when, by whom, and which Councillors were consulted regarding any changes; in particular, since the confirmation by the Director of Planning of completion of the cycle parking required by the schedule clearly cannot have been given, what was "agreed between the parties", the alternative allowed for in the schedule.
- 7) if no formal changes were agreed, why the car park was permitted to open in contravention of the agreement.

Please also write to confirm:

- 8) That all the pavement cycle parking in front of the Grand Arcade buildings will be reinstated as soon as the current highway works are completed. We understand that this requirement is specified in the planning documentation.
- 9) That the new Court building will have its own separate cycle parking, again as per the approved plans. We believe this amounts to some 26 spaces. Please also advise us how access to these spaces is to be provided and what the hours of opening will be.

Observations: comparison with the car park

Both car parks (offering 960 spaces) are now open⁶, whereas not a single cycle parking space is yet available as a result of the development.

We note the obvious point that the construction of the car park must have been significantly more difficult in engineering terms, so we fail to see why the relatively simpler cycle park remains incomplete and not open for use.

Observations: publicity

This section does not concern a planning condition but we offer the following comments by way of background:

We note the irony that the Grand Arcade website contains many pictures of bicycles, including one insecurely left against a wall, at a time when the cycle parking aspect of the scheme seems to be subject to a woeful lack of interest by the developers.

We note that the 'getting there' page of the Grand Arcade website also has no mention of cycling⁷. And the Scheme Overview section of the website does not include a page on the Cycle Park. These seem indicative of the low status apparently being given to the developer's duty to promote sustainable transport for access to their development.

⁶ <http://www.grandarcade.co.uk/Scheme/Overview/Car+Park.htm>

⁷ <http://www.grandarcade.co.uk/Location/>

Concluding remarks

We have every confidence that a high-quality facility can be created, despite its poor positioning within the overall development. We wish to work positively with the developers in helping to ensure high levels of use, as exemplified through our desire to be on the user group.

However, we remain extremely concerned that, only weeks away from completion, the facility is obviously incomplete, with no obvious sign that the spacing between stands or other issues is being addressed.

The developers must be well aware of our concerns over this issue. Their own statements to members of the public (see Appendix 2) make clear that there is “frustration” over the delays. Our own press work in the last 6 months has also raised the issue, and our representative challenged the developer’s representative on live radio (for which we have a recording) several months ago.

We remind you that the Section 106 agreement already seems to have been breached.

We reiterate our view that, in accordance with the planning consent, the development must not be allowed to open without the cycle park being properly fitted out and open. The developer has had so long to resolve the planning issues that it would be unacceptable for the planning department to permit any new variation..

We look forward to hearing from you.

Yours sincerely,
on behalf of Cambridge Cycling Campaign,

Martin Lucas-Smith
Co-ordinator

Appendix 1: Formal agreements

(Note: In the texts below, the sections IN CAPITALS are as per the original.)

Planning permission decision notice, 2003

16 Notwithstanding the applicant's submitted details, prior to the commencement of the development hereby approved (including any demolition or enabling works) or in accordance with an alternative timetable which may be agreed in advance to reflect the phasing arrangements agreed pursuant to condition 02, full details of the cycle parking facility shall be submitted to and approved by the local planning authority including:

- a. Cycle racks and spacing
- b. Lockers and other facilities
- c. Hours of opening
- d. Management and charging regime
- e. CCTV and security, including gates
- f. The establishment, terms of reference and membership of a user group
- g. Cycle and pedestrian access arrangements to the cycle park including details of the location, design, gradient and materials

Thereafter the arcades shall not be open for trade until the cycle parking facility has been completed and undertaken in accordance with the agreed details unless the local planning authority agrees to the variation of any detail in advance and in writing.

Reason: To ensure that the details of development are acceptable and meet cycle parking requirements generated by this development. (Cambridge Local Plan 1996 policies TR17 & TR18).

Planning permission decision notice, 2003⁸

Section 106 agreement

Cycle Parking Facility:

USS shall not open the New Car Park until the Director [of Environment and Planning] has confirmed in writing that the Cycle Parking Facility is completed and operational with the Cycle Parking Facility Operating Specification AND FOR THE AVOIDANCE OF DOUBT the New Car Park shall not be opened until the Director has given such confirmation unless otherwise agreed between the parties.

Schedule 23 of the Section 106 agreement between the developers and Cambridge City Council, 10 March 2004

⁸ http://www.cambridge.gov.uk/public/councillors/agenda/2004/0107plan_files/04.pdf

Appendix 2: History of assurances

31st May 2007

Lidia De Luca, Grand Arcade Information Centre Manager, stated to us in an e-mail to Committee member Jim Chisholm dated May 31, 2007:

“Following our conversation yesterday, I just wanted to inform you that the cycle park will open with the Annexe car park, external works in Corn Exchange Street (contra flow cycle lane) and the high level walkway. This should be at the end of September.”

[The contraflow did indeed open at the beginning of October, but the cycle park did not.]

17th August 2007

Russell Allport, Bovis Lend Lease Limited, Grand Arcade Project Cambridge, sent an e-mail to Jim Chisholm:

“As you know, the cycle park is built and is available for use for the 'parking' of bikes.

However, the contra-flow cycle lane is not yet available for use, this being aligned to the opening of the Annex Car Park (currently scheduled for end Sept) and we wouldn't want to expose cyclists to the hazard of exiting the facility and turning left into oncoming traffic, without there being proper lane demarcation in place.

There is also CCC's 'safety' issue with dismounted cyclists (i.e. pedestrians) exiting the facility onto a trafficked highway. This has yet to be resolved and until this is done/agreed/whatever, the facility cannot 'safely' be used.

We, Bovis, have completed our works and it is up to the 'politicos' thereafter to decide as to when and if, the facility can be opened.”

19th November 2007

One of our members reported to us that a John Lewis staff member had said to them while shopping in the store:

“Oh, there's no call for bike parking round here, people just leave their bikes leaning against railings everywhere.”

2nd December 2007

The following text was received from John Lewis Partnership by a member, after they used the enquiry form at www.johnlewis.com/Help/Email.aspx :

“With reference to your email regarding Bike Racks. We understand your concerns about bike parking, we are having an under cover bike park built with about four hundred spaces, which will be completed by March 2008.”

[We note in passing that this refers to 'about four hundred' spaces, a much lower number than that specified in the planning documentation.]

28th February 2008

In response to a member of the public's query, Kate.Horsfield@grosvenor.com replied:

"We are aware there has been some frustration over the delay in opening the Grand Arcade cycle park. We apologise for any inconvenience this has caused but it was important for us to ensure the management strategy for running the park enables the best possible service.

We have been working closely with the city and its planners to agree the balance between public and private funding needed to offer a full range of facilities. Services which the cycle park will provide include valet parking, bike hire facilities and a high quality shop amongst other plans. The valet parking area of the scheme will be manned by the cycle shop operator. This facility will have an operating charge, which is currently being finalised with the operator. The legal arrangements for this service are in their final stages and we hope to announce further detail well ahead of the centre opening on Thursday 27 March.

In the meantime, work on the cycle park is being carried out, in line with the city council planners and operators requirements. This includes minor work on the public access area to the park. This work will enable the public parking area, which is free of charge includes cycle racks, and is covered by the centre's CCTV, to be up and running by the centre opening.

The cycle park has always been an important part of the Grand Arcade scheme and we have been working hard to get it right. The Grand Arcade cycle park will be one of the biggest in the country offering excellent facilities to Cambridge cyclists far above anything currently available."

29th February 2008

In response to a different member of the public's query, a similar but slightly altered text was received, copied to the City Council's Walking & Cycling Development & Promotion Officers.

This version omitted "We have been working closely with the city and its planners to agree the balance between public and private funding needed to offer a full range of facilities."

Also, the first sentence of the third paragraph instead read, in the later version: "In the meantime, work on the cycle park is being carried out, in line with the city council planners and operators requirements, including widening of the stands and minor work on the public access area to the park."

Appendix 3: Photographs

These are reproduced by way of background.



1. Taken in November 2007 and used in our Newsletter and Press Release



2. Bikes left insecurely against the John Lewis store, causing blockage of the bus stop



3. Bikes left insecurely against the John Lewis store



4. Loss of cycle parking in Fisher Square now resulting in insecure cycle parking



5. Temporary laminated paper sign: no parking of cycles, right opposite the entrance to the cycle park, a clear demonstration of need



6. Not a very 'grand' impression to be setting