



CAMBRIDGE CITY COUNCIL

INFORMATION PACK

Date: Thursday, 22 October 2020

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For information of the Council

Leader of the Council-change to the Executive with effect from 12 October 2020

Deputy Leader (Non-Statutory)- Cllr Martin Smart in place of Mike Sargeant

Consequential changes as a result of the change to the Executive:

Planning and Transport Scrutiny Committee- Cllr Mike Sargeant replaces Cllr Martin Smart

Environment and Community Scrutiny Committee- Cllr Carina O'Reilly replaces Cllr Martin Smart

Other changes:

Joint Local Plan Advisory Group- Cllr Martin Smart replaces Cllr Mike Sargeant

Combined Authority Overview and Scrutiny Committee- Cllr Davey replaces Cllr Kevin Price

Combined Authority Audit and Governance Committee-Cllr tba replaces Cllr Kevin Price as alternate member

Employment (Senior Officer) Committee- Cllr Alex Collis replaces Cllr Patrick Sheil

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Agenda Item 2

Oral Questions-Council 22 October 2020

Question 1

From: Cllr Grace Hadley
To: Executive Councillor for Communities

Can the executive councillor provide an update on the results of the Cultural Recovery Fund applications for the Corn Exchange and the Folk Festival.

Question 2

From: Cllr Martinelli
To: Executive Councillor for Climate Change, Environment & City Centre

Two years ago this Council agreed that we would make Cambridge's market free - has this been achieved?

Question 3

From: Cllr Sargeant
To: Executive Councillor for Strategy & External Partnerships

What is the latest position with Government proposals for local government reorganisation?

Question 4

From: Cllr Price
To: Executive Councillor for Planning and Open Spaces

What do Cambridge and South Cambs councils plan to say in response to the Government white paper "Planning for the Future" and the risk that a hasty and ill-considered set of changes to the planning system risking serious damage to the economic recovery in Cambridge and across the UK?

Question 5

From: Cllr Chadwick
To: Executive Councillor for Transport and Community Safety

I recently received a worrying report from a resident that a leaflet full of coronavirus misinformation and scare stories had been posted through her door. From talking to

other members who have heard similar reports this resident is clearly not alone in receiving such leaflets and they are cropping up around the city. As cases rise it is critical our public health messaging is not undermined. What can the city council do to help combat coronavirus misinformation?

Question 6

From: Cllr Gehring
To: Executive Councillor for Strategy & External Partnerships

Given that the UK Government has announced that a trade deal with the EU is now very unlikely, it seems likely that we all are facing yet another Brexit cliff-edge on 1 January 2020 how is the City of Cambridge preparing for the impact?

Question 7

From: Cllr Collis
To: Executive Councillor for Communities

Can the executive councillor update us on the support the council is giving to community resilience work in the eventuality of rising Covid-19 cases and an increased tier level.

Question 8

From: Cllr Dryden
To: Executive Councillor for Housing

Last week was Street Aid Week. Can the Executive Councillor report back on how that went, as well as updating council of efforts made to make it easier for the public to contribute to the fund?

Question 9

From: Cllr Page-Croft
To: The Executive Councillor for Communities.

In light of significant delays, could th Excutive Councillor provide an updated schedule for delivery of the new Nightingale Recreation Ground Pavillion?

Question 10

From: Cllr Barnett
To: Executive Councillor for Planning and Open Spaces

What is the executive councillor's view of Government plans to end the requirement for affordable housing to be included in developments of between 11 and 49 homes?

Question 11

From: Cllr Matthews
To: Executive Councillor for Strategy & External Partnerships

We welcome the news that a COVID testing site will be available at the Abbey Leisure Centre—but will the Council Leader join us in making clear our support for the Director of Public Health to lobby for walk-in, 7-day-a-week sites in other parts of the city (the centre, for example) to avoid people without cars having to use public transport while exhibiting symptoms, and be nearer to various student populations?

Question 12

From: Cllr Porrer
To: Executive Councillor for Planning Policy and Open Spaces

Could the Executive Councillor for Planning Policy and Open Spaces update members on whether or not the city council have now stopped using herbicides under our contract with the county council, as raised in oral questions at the council meeting on 28th May 2020?

Question 13

From: Cllr Todd-Jones
To: Executive Councillor for Housing

Can the Executive Councillor provide an update to the council on progress made in building the new council homes this city desperately needs?

Question 14

From: Cll Payne
To: The Executive Councillor for Communities

The work of the mutual aid groups across the city has been of vital importance throughout the lockdown, and this has received cross-party recognition and thanks. As the second wave begins, many people will still be in need of support. Could the Executive Councillor please confirm what support the Council will offer to the mutual aid groups on a longer term basis?

Question 15

From: Cllr Dave Baigent
To: Executive Councillor for Strategy & External Partnerships

What is his view on the Government now proposing “No Deal” on Brexit and its impact on Cambridge - after Boris Johnson earlier said that the chances of getting no deal were a million to one?

Question 16

From: Cllr Baiju Thittala
To: Executive Councillor for Strategy & External Partnerships

What is the current position on coronavirus cases in Cambridge?

Question 17

From: Cllr Ashton
To: Executive Councillor for Housing

Could the Executive Councillor inform council of what work has been done since its last meeting in supporting homeless people affected during the coronavirus pandemic?

Question 18

From: Cllr Dalzell
To: Executive Councillor for Planning Policy and Open Spaces

Due to the excellent work by the Streets and Open Spaces team, our play parks have remained open during the summer months and have been a huge help to many families across the city, especially those with little or no access to gardens and open spaces at home. Will the Exec Councillor commit to doing everything possible within Government guidelines to keep these vital play spaces open to our residents over the winter months, including providing hand sanitisers on site where possible, and continuing to provide guidance notes for users about how to access these spaces safely?

Question 19

From: Cllr Robertson
To: Executive Councillor for Climate Change, Environment & City Centre

What work has the Council done linked to the recent return of our two Universities to keep students, University staff and the wider community safe during the pandemic?

Question 20

From: Cllr O'Reilly
To: Executive Councillor for Transport and Community Safety

What is the executive councillor doing to tackle cycle crime in the city?

Question 21

From: Cllr Tunnacliffe
To: Executive Councillor for Climate Change, Environment & City Centre

Does the Executive Councillor believe she has done as much as possible to facilitate social distancing for people using the pavements in the city centre?

Question 22

From: Cllr Bird
To: Executive Councillor for Transport and Community Safety

What is the executive councillor's view of the electric scooter trial in Cambridge?

Question 23

From: Cllr Bick
To: Executive Councillor for Strategy & External Partnerships

Is the Leader content that the eventual plan for the redevelopment of the Park Street car park is going to adequately safeguard unrelated activities within the city?

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Briefing on motion for Full Council: Trans rights are human rights

Background to the motion

Following an oral question by Councillor Matthews at Full Council on 16 July 2020 regarding national media coverage of potential changes to the Gender Recognition Act by Government, the Executive Councillor for Communities, Councillor Anna Smith, agreed to chair a meeting with voluntary and community sector groups and activists supporting transgender and non-binary people.

Attendees at the meeting, which was held on 19 August 2020, raised a number of issues. One of the key points raised was a request that the council share the message that trans rights are human rights through our communication channels, in the context of transphobic reporting in sections of the national media.

Since the meeting, the Government issued a [formal response on 22 September 2020 to issues raised in the public consultation on the Gender Recognition Act](#). The three main points of the government's response were:

- The requirements necessary to legally change gender will remain the same, but the process will be modernised
- The application fee for a Gender Recognition Certificate will be significantly reduced to ensure cost is not a barrier for anyone
- Government is also taking action to ensure transgender people can access the appropriate healthcare they need

Independent Legal Advice on the motion

The Head of the Council's Legal Service has asked for independent legal advice from Counsel on the legality of this motion in relation to the Equality Act 2010 and the Public Sector Equality Duty. The advice received from Counsel was:

"I don't see any legal problems with the motion.

"During debate on motions in full Council meetings, councillors are more or less allowed to debate the issues without limitation. Resolutions adopted following debates are in the majority of cases not subject to the PSED. Policies or decisions which are made as a result of such resolutions in most cases will be. This was decided in R (Jewish Rights

Watch) v Leicester City Council [2016] EWHC 1512 (Admin) in which resolutions calling for the boycott of products made in the occupied territories were unsuccessfully challenged.

“This resolution is not calling for any material changes in existing Council policy or anything that would be unlawful under the Equality Act 2010 - especially with the final "recommitment".

The Council’s current equalities policies

The Council’s [Comprehensive Equalities and Diversity Policy](#) sets out our approach to challenging discrimination and promoting equality of opportunity in our roles as an employer, as a service provider, and as a community leader (in compliance with the [Equality Act 2010](#)).

This council motion is in keeping with the broad approach stated in the Policy to “eliminate unlawful discrimination and to promote equality of opportunity and good relations between people of different and diverse communities” (included in our Policy and taken directly from the [Public Sector Equality Duty](#)). It does not conflict with any specific provisions in the Policy.

The motion is also broadly consistent with the Cambridgeshire-wide [Equality Pledge, which the Council is a founder signatory to](#). The Pledge reads: “We believe in the dignity of all people and their right to respect and equality of opportunity. We value the strength that comes with difference and the positive contribution that diversity brings to our community. Our aspiration is for Cambridge and the wider region to be safe, welcoming, and inclusive”.

Counsel’s advice highlights the issue of whether non-binary people have the protected characteristic of gender reassignment under the Equality Act which “*has been an open question but the Employment Tribunal has very recently confirmed that they do.*” This means that transgender and non-binary people are protected under the Equality Act 2010. The motion therefore complies with our Public Sector Equality Duty in this regard.

In Safer Spaces and Transgender Awareness training provided for staff (explained below) and in the Equality and Diversity Terminology Guide for staff members, they are advised to ask groups or individuals how

they wish to be identified e.g. a transwoman as defined by the Equality Act may wish to be identified as a transwoman or a woman.

How the Council may undertake actions listed in the motion:

Flying the Progress Pride flag as soon as possible, and at every occasion where the Pride flag would previously have been flown; the progress pride flag also represents LGBT+ communities of colour in line with our commitment to support the BLM movement.

There is a flag flying protocol for the council. It currently flies the rainbow flag during LGBT History Month in February and for Pride in June. Council Officers would suggest consultation with organisers of Cambridge Pride and the voluntary and community sector groups and activists that attended the meeting on 19th August, and Cambridge Ethnic Community Forum on this. The progress pride flag is one of a [number of different flags used in different cultures to celebrate pride](#).

Facilitating and strongly encouraging all Councillors to attend Safer Spaces training

Safer Spaces training for councillors was delivered on 24th February 2020 for the first time and officers can run further sessions. Officers have also been asked by Cllr Smith to book transgender awareness training for councillors. The council also provides 2 training sessions on transgender awareness per year for staff delivered by The Kite Trust.

Ways that the council currently helps promote trans people's rights:

- The council is a [Safer Spaces](#) signatory and provides Safer Spaces training to frontline staff to help them identify LGBTQ+ discrimination, challenge it and report it.
- The council provides transgender awareness training to staff to identify means they can effectively support transgender and non-binary people. The training also aims to help develop a greater understanding of the experience of trans and gender variant people and gain an increased empathy towards trans and gender variant people.

- The Council has supported The Kite Trust, Pink Festival Group, and The Encompass Network's activities to support LGBTQ+ people (including relating to coordination of LGBTQ History Month) through community grants funding – [in 2020/21, they received a combined total of £23,500.](#)
- Cambridge City Council helped support the first Cambridge Pride celebrations in 2019 to help fight discrimination and build social inclusion. This was partly through grant funding for a performance piece and we also supported the organisers to run the event on Jesus Green. The Council is also looking into how it might support Pride celebrations in 2021 if they are able to happen again then in the context of Covid-19.

Labour amendment to Motion 7a: Trans Rights are Human Rights

*Trans women are women. Trans men are men. Non-binary individuals are non-binary. We believe in the dignity of all people and their right to respect and equality of opportunity. We value the strength that comes with difference and the positive contribution that diversity brings to our community. Our aspiration is for Cambridge and the wider region to be safe, welcoming and inclusive*¹.

The Council notes:

1. ~~That despite 3 years of promises and consultations by successive Conservative governments that have created a storm of anti trans disinformation, hatred, and violence, the Government has scrapped its plans to reform the Gender Recognition Act. The failure of the Tory Government to keep its promise to reform the gender recognition act, claiming that these reforms are not a priority for the trans community, it now suggests that those reforms aren't a priority for the transgender community despite overwhelming support from that community to de-medicalise the process, removing the spousal veto, and allowing non-binary individuals to gain legal recognition.~~
2. The concerning number of reported hate crimes against LGBTQIA+ people, with hate crime against trans people having quadrupled in the last 5 years².
3. The strong partnership the council has had with LGBTQIA+ groups in the city, including the Kite Trust, Dhiverse, the Encompass Network and Cambridge Pride and the desire to continue to build and develop these relationships as part of our equality work.
4. Council's support for LGBTQIA+ initiatives including:
 - i. participation in schemes such as the Encompass Network Safe Spaces initiative,
 - ii. financial support to LGBTQIA+ groups through the grants programme, with grants of £23,500 in the period 2020/21,
 - iii. LGBT+ History Month and Cambridge Pride,
 - iv. arranging awareness training for staff and councillors.

¹ City council equality pledge Text starting 'we believe' onwards

² <https://www.bbc.co.uk/news/av/uk-54486122>

5. That despite many positive initiatives there is always more to do to ensure that we are a genuinely supportive, inclusive and welcoming city.
 6. Our commitment to the Black Lives Matters movement, and our recognition that LGBT+ people of colour face particular challenges and prejudices.
- ~~The Council thanks the representatives and campaigners from the Kite Trust, Dhiverse, and the Encompass Network, that met with cross party councillors and officers and expresses its optimism that despite the Government, ongoing talks will reinforce and develop empathy and inclusivity in Cambridge.~~

~~The Council will alongside this continuing work to push for local progress show solidarity that Cambridge will always be inclusive to transgender people by:~~

This Council therefore resolves to:

- ~~Flying the Progress Pride flag as soon as possible, and at every occasion where the Pride flag would previously have been flown; the progress pride flag also represents LGBT+ communities of colour in line with our commitment to support the BLM movement. Recognising that it should be up to LGBTQIA+ groups to decide what flag is flown to represent them, continue to consult with all LGBTQIA+ community support and voluntary groups within the city about flying the Progress Pride Flag, at every occasion where the Pride flag would previously have been flown. This also represents LGBTQIA+ people of colour, in line with our commitment to supporting the BLM movement.~~
- ~~Stateing publicly that trans rights are human rights, and affirm the legal rights of all protected groups under the 2010 equality act.~~
- ~~Facilitateing and strongly encourageing all Councillors to attend Safer Spaces training relevant training, such as Safer Spaces and trans awareness training.~~

- Fly the trans flag on international trans day of visibility (March 31st) and international trans day of remembrance (November 20th)
- Look into what we can do as a council to further promote our equality pledge and to raise awareness of the community grants fund amongst LGBTQIA+ groups.
- ~~The Council also recommits.~~Recommit to ensuring a welcoming, inclusive, and respectful relationship with all groups recognised under The Equality Act as having protected characteristics³, and to reviewing what additional work can be done to support all these groups as part of the upcoming review of the Single Equalities Scheme. And recommit to doing this in an environment of kindness, compassion and mutual respect.

³ Age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation.

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