

**ENVIRONMENT SCRUTINY COMMITTEE**

8 July 2014  
5.00 - 8.40 pm

**Present:** Councillors Gawthrope (Chair), Perry (Vice-Chair), Moore, Ratcliffe, Robertson, C. Smart, M. Smart and Tunnacliffe

Executive Councillor for Environment, Waste & Public Health: Peter Roberts

Executive Councillor for Planning Policy and Transport: Kevin Blencowe

Officers:

Director of Environment: Simon Payne

Head of Planning Services: Patsy Dell

Head of Refuse & Environment: Jas Lally

Interim Head of Services, Streets and Open Spaces: Adrian Ash

Project Delivery & Environment Manager: Andrew Preston

Senior Operations Manager: Bob Carter

Accountant (Services): Richard Wesbroom

Committee Manager: James Goddard

Other Officers:

WSP Consultant Neil Poulton

<b>FOR THE INFORMATION OF THE COUNCIL</b>
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**14/38/Env Apologies**

Apologies were received from Councillor Pitt. Councillor Tunnacliffe was present as the alternate.

**14/39/Env Declarations of Interest**

No declarations of interests were made.

**14/40/Env Minutes**

The minutes of meetings held on 11 March and 12 June 2014 were approved and signed as correct records.

**14/41/Env Public Questions**

A member of the public asked a question as set out below.

Dr Morrison raised the following points:

- i. Spoke on behalf of many concerned residents who support a 20 mph speed limit on Victoria Road.
- ii. Expressed particular concern that Cambridgeshire County Council is likely to be against implementing the 20 mph speed limit because:
  - The County Council suggested there was not a clear majority of support for the proposal in the consultation.
  - It involves a departure from existing County Council policy.
  - Of a strong objection from the bus company, Stagecoach.
- iii. Dr Morrison made the following points in response to the County Council's perceived concerns:
  - The response to the short consultation was 56% in favour. The more significant result was that 71% of local residents were in support of the 20 mph speed limit. Victoria Road is hazardous. It has very narrow pavements, low kerbs, no cycle lanes and the pavements are an obstacle course on bin collection days.
  - In the 2013 Department of Transport Guidance on setting local speed limits, it is stated that traffic authorities can introduce 20 mph limits on major streets where there are significant numbers of journeys on foot and on bicycles and this outweighs the disadvantage of longer journey times for motorised traffic. Nowhere in this Government document is there any mention of precluding A or B roads from this policy. Dr Morrison suggested the County Council's policy was not consistent with the Government's most up-to-date guidance on speed limits.
  - Stagecoach objected on principle, not wishing any 'A' road to have a 20 mph limit and the County Council deemed this to be a strong objection. However, the Department of Transport Guidance requires the Council in setting 20 mph limits, not to deal in generalities, but to consider specific circumstances. Victoria Road is half a mile long; within it there are six bus stops, one major road junction with traffic lights and one pelican crossing. Therefore reducing the speed limit to 20 mph is unlikely to significantly add to journey times.

**The Executive Councillor for Planning Policy and Transport noted Dr Morrison's points.**

**14/42/Env Future Meeting Times for Environment Committee**

The Committee discussed future meeting start times. It was unanimously agreed to start at 5:30 pm in future.

### **14/43/Env Oral Report From the Executive Councillor and Proposals for 'Lead Councillors'**

The Executive Councillor for Environment, Waste and Public Health gave a statement on his priorities:

- i. Reversal of the cessation of the Pest Control Service.
- ii. Protecting key front line services such as public realm enforcement.
- iii. Social and mixed housing.
- iv. Making Cambridge cleaner and greener. For example, roll out of cigarette and dog foul bins.
- v. Moving consideration of planning applications from Area Committees to the Central Planning Committee. Area Committees would be more community focussed in future.
- vi. Opening up information on council services to the public. For example, Dog Warden patrol times to be based on community feedback (through Area Committees) where there is greatest need.
- vii. To focus on restorative justice, to make this the first option before imposing fines. People will be given the option of community work instead of a fixed penalty notice for offences in future.
- viii. Mapping assets for Office and Councillor information.
- ix. Joint working with South Cambridgeshire District Council.
- x. Councillor Perry would be the Lead Councillor for Recycling. The purpose of the role is to:
  - Advise the Executive Councillor.
  - Increase levels of recycling.
  - Review council recycling provision for households and businesses, including options for improved communications and joint working with other councils and partners.

### **14/44/Env 2013/14 Revenue and Capital Outturn, Carry Forwards and Significant Variances - Environment and Waste Portfolio**

#### **Matter for Decision**

The Officer's report presents a summary of the 2013/14 outturn position (actual income and expenditure) for services within the Environmental and Waste Services portfolio, compared to the final budget for the year.

It should be noted that outturn reports being presented in this Committee cycle reflect the reporting structures in place prior to the recent changes in Executive

portfolios. In light of those changes (together with the requirement to report outturn on the basis of portfolios in place during 2013/14) members of the committee were asked to consider the proposals to carry forward budgets and make their views known to The Executive Councillor for Finance and Resources, for consideration at Strategy & Resources Scrutiny Committee prior to his recommendations to Council.

### **Decision of Executive Councillor for Environment, Waste and Public Health**

- i. Agreed the carry forward requests totalling £57,400 as detailed in Appendix C of the Officer's report, to be recommended to Council for approval.
- ii. Agreed to seek approval from Council to carry forward capital resources to fund rephased net capital spending of £410,000 from 2013/14 into 2014/15 and future years where relevant, as detailed in Appendix D.

### **Reason for the Decision**

As set out in the Officer's report.

### **Any Alternative Options Considered and Rejected**

Not applicable.

### **Scrutiny Considerations**

The Committee received a report from the Accountant (Services).

In response to Members' questions the Director of Environment plus Head of Refuse and Environment said variances in the final budget and outturn increase (P36 - 37 Appendix A & B of the Officer's report) showed there had been a significant over achievement of income from an increased number of contracts and income from various services (eg Trade Refuse), plus underspend in others (such as Street Cleaning). Therefore performance was higher than previously expected, particularly as the Trade Waste Team were in competition with the private sector.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendations.

### **Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

## **14/45/Env Proposed Shared Single Waste Service**

### **Matter for Decision**

A review is being carried out on the potential to create a single waste service, based at Waterbeach, to serve both Cambridge City Council and South Cambridgeshire District Council. The Officer's report considered the outline business case for co-location of the two waste services at Waterbeach and the creation of a Single Shared Waste Service. This update shows initial financial saving benefits from a combined domestic waste service, with further benefits likely to be delivered from co-location, a single trade waste service and joint vehicle and equipment procurement. Based on this, it was recommended that Councillors agreed to the preparation of a final business case proposal, to be reported back in October 2014 for a final decision.

A vital part of the approach to deliver the advantages above, would be the ability for the Single Shared Waste Service to be democratically accountable to both Councils. It is therefore proposed to establish a single Governance Board made up of the Executive and Cabinet Councillors from the District Council and the City Council. The Board would be responsible for setting the strategic vision of the service, agreeing the key operational performance targets and, crucially, ensuring the Service is accountable for the delivery of the performance targets. In turn there would be a mechanism to regularly report the work of the Board to members within each Council each quarter. It is further proposed to jointly appoint a single, Head of Service to run the single waste service, who will be responsible for operational decisions and operational delivery, accountable through line-management to the Board.

### **Public Questions**

Members of the public asked a number of questions, as set out below.

#### **1. Mr Carter raised the following points. Queried:**

- i. If there had been assessment on the impact of vehicles travelling extra mileage to the proposed new shared waste site located outside the city boundary.**
- ii. If it would be cost effective to provide the shared service from the proposed new location (due to the extra mileage).**

#### **2. Mr Watson expressed concern regarding the financial impact on his family from having to move sites. It was expected that it would cost him more to travel to the proposed new site instead of the current one.**

- 3. Mr Roberts raised the following points on behalf of City Council and South Cambridgeshire District Council GMB members. Queried:**
- i. Why the City Council was moving from a site that it owned (current waste service site) to a new one that it would have to lease.**
  - ii. If the site move would be cost effective.**
  - iii. If the reduction of two collection rounds was realistic given the rate of city growth, plus the service would also have to cover South Cambridgeshire residents too.**
  - iv. How Council tax would be charged/allocated as Cambridge City Council and South Cambridgeshire District Council charged different rates for the same service.**
  - v. Referred to Appendix 4 (P57 of the Officer's report). The City Council operated three rounds one week, and four the next.**
- 4. Mr Bannister queried why the City Council was undertaking a shared service with South Cambridgeshire District Council when the City Council waste service was profitable and the South Cambridgeshire service less so.**

The Director of Environment responded to questions 1 – 4 as follows:

- i. The proposed shared site would be based at Waterbeach, to serve both Cambridge City Council and South Cambridgeshire District Council.
- ii. The site was chosen as it was next to routes for the current disposal site, so should not lead to an increase in overall mileage.
- iii. The proposed site has capacity that can be extended, the current Mill Road one does not.
- iv. The City Council had committed to moving from the Mill Road site in its Local Plan, to provide a new site for housing. It was considered good practice not to locate a site near housing.
- v. Stated that if the Officer recommendations were agreed, he as Director of Environment would look into the impact on staff of the proposed shared service as part of the business case.
- vi. The intention of sharing services was to reduce costs. Cost issues and answers to these would be set out in the final business case.
- vii. If collection route issues and reductions to collection round numbers could be clarified, this should lead to cost savings, therefore there was a business case to share the service. If a business could not be proved, the proposal would not go ahead.
- viii. The City Council's income from trade waste was higher than South Cambridgeshire's, any settlement would have to be beneficial for both parties or the service would not be shared.

The Executive Councillor for Environment, Waste and Public Health said:

- i. The intention of setting up a shared waste service with South Cambridgeshire District Council was to provide a better service to the public.
- ii. Cambridge City Council did exceptionally well at recycling trade waste. It was hoped that South Cambridgeshire District Council would continue its good work and rise to the same level as Cambridge City Council.
- iii. The impact on staff of setting up a shared service would be reviewed as part of the business case process.
- iv. The Executive Councillor had liaised with Mr Roberts and welcomed feedback in future regarding staff issues and questions.

**5. Mr Roberts asked for reassurance the shared waste service was not an outsourcing exercise.**

The Executive Councillor for Environment, Waste and Public Health responded:

- i. This was not a privatisation exercise. The intention was to make a statutory service more effective.
- ii. This was one way of sharing services with South Cambridgeshire District Council.

**6. Mr Carter asked if redundancies could be expected from the proposed shared waste service.**

The Head of Refuse and Environment responded:

- i. He could not say there would be no redundancies, but the emphasis would be on natural wastage and reducing vacancies.
- ii. The next stage of the process (if Officer recommendations were agreed by the Executive Councillor) would be to inform City and South Cambridgeshire staff of proposals through consultation on change management.

**7. Mr Bannister asked if workers or managers would be more affected by redundancies.**

The Director of Environment responded:

- i. Changes were subject to organisational change policy.
- ii. The shared service should lead to a slimmer management structure, so less managerial positions were likely through a slimmer structure.
- iii. The proposed Shared Waste Head of Service role will have a strategic Management function to it.

## **Decision of Executive Councillor for Environment, Waste and Public Health**

- i. Agreed to work with officers at the City Council and South Cambridgeshire District Council to prepare a final business case for co-location of current services and the creation of a Single Shared Waste Service based at Waterbeach and that this case is reported back to both authorities for a final decision in October 2014.
- ii. Agreed that the final model be explored for the Single Shared Waste Service comprising of a single management structure employed by one Council, with staff on separate terms and conditions linked to either the City Council or South Cambridgeshire District Council, leading to a single organisation wholly run and managed by the two Councils.

### **Reason for the Decision**

As set out in the Officer's report.

### **Any Alternative Options Considered and Rejected**

Not applicable.

### **Scrutiny Considerations**

The Committee received a report from the Director of Environment.

The Committee made the following comments in response to the report:

- i. Residents appreciated the Waste Service as a valuable front line service.
- ii. The business case would look at:
  - Environmental and workforce impact.
  - Governance and scrutiny arrangements.
- iii. The City Council welcomed staff comments on the proposed shared service and would liaise with Trade Unions at joint forums to explore issues.

In response to Members' questions the Executive Councillor for Environment, Waste and Public Health said the following:

- i. It will be clarified in future which Councillors will be involved in decisions regarding the shared service. Both City and South Cambridgeshire Councillors would be involved. The Executive Councillor noted that City Liberal Democrat Councillors wished to be involved in the process.
- ii. The Executive Councillor undertook to regularly meet with Officers to keep staff informed on developments.

- iii. Initial details had been published as part of the Environment Scrutiny Committee report pack in order to meet legal publication deadlines. These would be further developed through the business case.
- iv. The business case would set out options for leasing the Waterbeach site, such as a long term lease that would reflect any investment in the site to get the best deal. If arrangements were not practicable, they would not go ahead.

In response to Members' questions the Director of Environment said City and South Cambridgeshire staff would have different terms and conditions in the shared waste service, to reflect discussions with trade unions and Human Resources. These would be protected through TUPE arrangements. It was acknowledged this may complicate arrangements as staff undertaking the same work could be on different terms and conditions.

The Committee unanimously resolved to endorse the recommendation.

The Executive Councillor approved the recommendations.

### **Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

### **14/46/Env New Environmental Initiatives (Education, Engagement and Enforcement)**

#### **Matter for Decision**

It was felt that Streets and Open Spaces is overdue for a review which would help performance and equip the service for the evolving future. Part of this review will incorporate the new environmental priorities identified in the Cambridge City Council Annual Statement, whereby the focus will be on Education, Engagement and Enforcement.

In Refuse and Environment there are also important changes identified within the Annual Statement which include the reintroduction of the Pest Control Team and bulky waste days.

### **Decision of Executive Councillor for Environment, Waste and Public Health**

- i. Agreed to proceed with the recruitment of the Enforcement Officers and increase the Dog Warden role to a full time equivalent.

- ii. Agreed to implement the changes and environmental priorities identified within the Annual Statement and this report.
- iii. Agreed to request Officers to continue to investigate improved methods of Efficiency, Engagement, Education and Enforcement.

### **Reason for the Decision**

As set out in the Officer's report.

### **Any Alternative Options Considered and Rejected**

Not applicable.

### **Scrutiny Considerations**

The Committee received a report from the Interim Head of Services, Streets and Open Spaces.

The Committee made the following comments in response to the report:

- i. Welcomed the focus on education.
- ii. Felt restorative justice was an interesting idea. The punitive focus was less favoured as this could have long term criminal record implications.
- iii. Queried if people could volunteer to help clean up the city (as they do now), instead of only becoming involved as a result of enforcement action.
- iv. Queried how the impact of environmental measures would be evaluated as there was no process in place to do so now (as a benchmark). Also asked what measures would be used. For example, how to measure if streets and open spaces were becoming cleaner.
- v. Welcomed targeting services at key times when they were most needed.
- vi. It was important to have a clean city in order to attract people to live, work and visit; this affected the economy.

In response to Members' questions the Executive Councillor for Environment, Waste and Public Health said the following:

- i. The new initiatives would do more than just expand on previous ones.
- ii. The Executive Councillor was looking at ways to improve the service, such as amending Dog Warden patrol hours to focus on when people were most likely to be outside exercising their pets. Services would set their operating hours for best service provision.
- iii. The timing of Enforcement Officer patrols was key to getting the best impact. The Executive Councillor asked Councillors and Officers to feed into the reporting process to evaluate the impact of services so they could be targeted where needed.

- iv. A future workshop is proposed to get officer input on how to make services more efficient. Area Committee Chairs would also be consulted to get Councillor input.
- v. There were ways of measuring the impact of services. Information would be monitored and made available to Ward Councillors for use at Area Committees etc to decide how to target resources, hotspots for enforcement etc.
- vi. Area Committees would have the discretion to request when services would be made available as part of 'Ward Blitzes'.
- vii. Extra service capacity would enable Officers to target resources where needed, such as supporting recycling in areas of low take up.
- viii. Restorative justice would enable people to undertake community work instead of paying fines for offences. A range of powers would be available for Officers to use.

In response to Members' questions the Interim Head of Services, Streets and Open Spaces plus the Senior Operations Manager said the following:

- i. Officers were working with Keep Britain Tidy to address issues such as dog fouling in streets and open spaces.
- ii. An experiment to reduce dog fouling by putting up posters (with pictures of eyes and a caption saying "you are being watched") had some success. This experiment would be used at other locations across the city in future. This would be used together with other tools such as Dog Warden patrols and dog fouling bins that could be allocated to wards by Area Committees.

The Committee resolved by 5 votes to 0 to endorse the recommendations.

The Executive Councillor approved the recommendations.

### **Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

### **14/47/Env Oral Report From the Executive Councillor and Proposals for 'Lead Councillors'**

The Executive Councillor for Planning Policy and Transport gave a statement of his priorities:

- i. The Local Plan, the public examination of which had been delayed until November 2014.

- ii. Working with South Cambridgeshire District Council on shared planning functions and services.
- iii. The City Deal.
- iv. New neighbourhoods and growth areas.
- v. Improving planning enforcement to ensure building work matched applications and conditions.
- vi. Working with the County Council on transport and infrastructure growth, plus reducing congestion.
- vii. Councillor Martin Smart would be the Lead Councillor for Cycling. The purpose of the role is to:
  - Advise the Executive Councillor.
  - Lead on cycling-related projects including design for cyclists in new major planning applications and transport schemes.
  - Work with the City Council Cycling Officer plus County Council Cycling Champion on cycling matters.
  - Cycling would link into other portfolios such as health and transport.

### **14/48/Env 2013/14 Revenue and Capital Outturn, Carry Forwards and Significant Variances - Planning and Climate Change Portfolio**

#### **Matter for Decision**

The Officer's report presents a summary of the 2013/14 outturn position (actual income and expenditure) for services within the Planning & Climate Change portfolio, compared to the final budget for the year.

It should be noted that outturn reports being presented in this Committee cycle reflect the reporting structures in place prior to the recent changes in Executive portfolios. In light of those changes (together with the requirement to report outturn on the basis of portfolios in place during 2013/14) members of this committee are asked to consider the proposals to carry forward budgets and make their views known to The Executive Councillor for Finance and Resources, for consideration at Strategy & Resources Scrutiny Committee prior to his recommendations to Council.

#### **Decision of Executive Councillor for Planning Policy & Transport**

- i. Agreed the carry forward requests totalling £33,790 as detailed in Appendix C of the Officer's report, to be recommended to Council for approval.
- ii. Agreed to seek approval from Council to carry forward capital resources to fund rephased net capital spending of £484,000 from 2013/14 into 2014/15 and future years where relevant, as detailed in Appendix D.

**Reason for the Decision**

As set out in the Officer's report.

**Any Alternative Options Considered and Rejected**

Not applicable.

**Scrutiny Considerations**

The Committee received a report from the Accountant (Services).

In response to the report the Committee commented that Councillors would welcome briefings on financial programmes by Finance Officers.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendations.

**Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

**14/49/Env Cambridge 20 mph Project - East Phase & Victoria Road****Matter for Decision**

To provide infrastructure (signs and lines) for a new 20 mph speed limit on the public highway across the city. The new 20 mph infrastructure would include repeater signs mounted on existing lamp columns, and white coloured 20 mph roundel road markings. Entry into new 20 mph limits would be via entry points highlighted by larger 20 mph terminal signs, roundel road markings and on more main roads, patches of coloured road surface material.

**Decision of Executive Councillor for Planning Policy and Transport**Financial recommendations

- i. Approved commencement of the implementation of phase 2.
- ii. Approved implementation of Victoria Road work.
- iii. Approved consultation for phase 3 of this scheme, which is already included in the Council's Capital & Revenue Project Plan.
  - o The total cost is estimated to be £222,200 funded from the 20mph project capital allocation SC532.
  - o There are no on-going revenue costs for the project.

### Procurement recommendations

- iv. Approved the carrying out and completion of the procurement of:
- Phase 2 traffic order making process including street notices - £8000.
  - Implementation of Phase 2 (in line with the roads recommended for inclusion by East Area Committee on 10/04/14, see below, but limiting implementation on Cherry Hinton Road to section 1 at this stage) - £125,000
  - Commuted sum maintenance contribution to Cambridgeshire County Council for Phase 2 - £20,700
  - Implementation of Victoria Road (in line with the recommendation from North Area Committee on 08/05/14) - £8,500
  - Phase 2 post implementation automatic traffic count (ATC) monitoring - £4000
  - Phase 3 pre-consultation ATC monitoring - £8000
  - Phase 3 consultation and public engagement including exhibitions - £12,000

#### Subject to:

- The permission of the Director of Business Transformation being sought prior to proceeding if the quotation or tender sum exceeds the estimated contract.
- The permission from the Executive Councillor being sought before proceeding if the value exceeds the estimated contract by more than 15%.

### Recommendations from East Area Committee

- v. Inclusion of all unclassified roads in the east phase area.
- vi. Inclusion of the following 'C' class roads:
- Cherry Hinton Road Section 1: Clifton Road to Perne Road.
  - Cherry Hinton Road Section 2: Perne Road to Walpole Road.
  - Remaining section of Mill Road.
  - Brookfields.
- vii. Exclusion of the following C class roads:
- Both sections of Coldham's Lane.

### **Reason for the Decision**

As set out in the Officer's report.

### **Any Alternative Options Considered and Rejected**

Not applicable.

## Scrutiny Considerations

The Committee received a report from the Project Delivery & Environment Manager.

The Committee made the following comments in response to the report:

- i. Welcomed the proposal to impose a 20 mph speed limit in appropriate areas.
- ii. Referred to Dr Morrison's comments in minute item 14/41/Env and said these reflected issues very well.
- iii. Suggested downgrading Victoria Road from an 'A' road if this would make it easier to impose a 20 mph limit.
- iv. The City Council wanted to send a strong message to the County Council regarding the need to change speed limits on certain roads, and enforce these.

Councillor Martin Smart expressed concern regarding going against County Council policy. The Project Delivery & Environment Manager said his report was based on County Officer feedback. County Officers would not be recommending imposing the 20 mph speed limit to County Councillors, who would make the final decision in public at the Highways and Community structure Committee. The County Council will review its 20 mph policy in future in light of national policy. The Executive Councillor for Planning Policy and Transport said the City Council was making recommendations for County Councillors to deliberate on, then make a decision based on the recommendations and the County Councils' ability to deliver.

Councillors requested a change to recommendation (i). Councillor Catherine Smart formally proposed to amend the following recommendation from the Officer's report by splitting the first bullet point into three:

*(Former text)* The Executive Councillor is asked to approve the commencement of the implementation of phase 2 and Victoria Rd and consultation for phase 3 of this scheme, which is already included in the Council's Capital & Revenue Project Plan.

- The total cost is estimated to be £222,200 funded from the 20mph project capital allocation SC532.
- There are no on-going revenue costs for the project.

*(New text)* The Executive Councillor is asked to approve:

- i. The commencement of the implementation of phase 2.
- ii. Implementation of Victoria Road.

- iii. Consultation for phase 3 of this scheme, which is already included in the Council's Capital & Revenue Project Plan.
  - The total cost is estimated to be £222,200 funded from the 20mph project capital allocation SC532.
  - There are no on-going revenue costs for the project.

The Committee unanimously approved this amended recommendation.

At the request of the Committee the Chair decided that the recommendations highlighted in the Officer's report should be voted on and recorded separately:

The Committee endorsed (amended) recommendation (i) unanimously.

The Committee endorsed (amended) recommendation (ii) unanimously.

The Committee endorsed (amended) recommendation (iii) unanimously.

The Committee endorsed recommendation (iv) unanimously.

The Committee endorsed recommendation (v), (vi) and (vii) unanimously.

The Executive Councillor approved the recommendations.

### **Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

### **14/50/Env New Convention for Planning Committee Relating to Decisions Contrary to Officer Advice**

#### **Matter for Decision**

Planning Committee Members considered a report in January 2014 examining the council's performance with planning appeals and the recent appeal case relating to the redevelopment of 32 – 38 Station Road Cambridge.

The committee agreed a number of follow up actions including the holding of a facilitated member review session and the introduction of a new convention to be followed in the event that the committee is minded to refuse/approve major/significant planning applications against the advice of its officers. The review session was held on 14 April and was supported by external facilitators.

Planning Committee considered a further report in late April detailing how the new convention might be introduced and agreed by a majority that Environment Scrutiny Committee should be asked to look at this issue.

Environment Scrutiny Committee is asked to review the operation of the convention being proposed, to take account of the previous comments of Planning Committee and make a recommendation to Full Council that the convention is introduced.

### **Decision of Executive Councillor for Planning Policy and Transport**

Recommended to Council:

- i. To approve an amendment to the constitution to include a new convention for the Planning Committee involving an adjourned decision making process for appropriate cases.
- ii. The convention process to be introduced for a 12 month trial period from September 2014. The convention to apply in the circumstances where the committee resolves that it is minded to refuse or approve major applications schemes contrary to the recommendation of its officers and be subject to the operational arrangements outlined in Appendix C.
- iii. To delegate to the Heads of Legal and Planning Services authority to amend the constitution to include the new convention, amend procedures, update guidance, provide training as necessary to ensure the smooth implementation of the new convention.
- iv. To request the Head of Planning Services to provide a review report to Environment Scrutiny Committee on cases where the convention has applied, after 12 months operation.

### **Reason for the Decision**

As set out in the Officer's report.

### **Any Alternative Options Considered and Rejected**

Not applicable.

### **Scrutiny Considerations**

The Committee received a report from the Head of Planning Services.

The Committee made the following comments in response to the report:

- i. Suggested the wording of Appendix B paragraph 3.7 (P132) of the Officer's report should be reworded so that the Head of Planning Services would advise Chairs (or Vice Chairs in the Chair) to initiate the

- protocol if Councillors appeared to be minded to go against Officer recommendations.
- ii. Appendix C: References to “deferral” in the report should be changed to “adjourned” as proceedings would be put on hold then resumed from the same point at a future meeting, not restarted.
  - iii. Appendix C: Suggested that members of the public speak once, there was no need to hear their comments again when the committee reconvened after an adjournment, unless Council agreed a mechanism to allow public speakers to address the Planning Committee in exceptional circumstances.
  - iv. If the Planning Committee was quorate, it could consider applications. If a Member was not present when the application was first considered, they should not participate in the discussion/decision when a committee reconvened after an adjournment.

Officers undertook to revise text in the Officer’s report in light of the above comments; then include the amended text in the report to 24 July 2014 Council. The Executive Councillor for Planning Policy and Transport plus Environment Committee approved the above text changes nem con (recommendations in the Officer’s report were generally not affected; except (i) where “adjourned” replaced “deferred”).

In response to Members’ questions the Head of Planning Services said other local authorities generally allowed members of the public to address a planning committee once (on the same application). If the City Council were to give two opportunities, it would be a way of mitigating the risk of challenge to the process but would add to the time needed to consider planning applications. The protocol would have to operate with the same members taking the decision at the second meeting (i.e involving those who had heard the public speaking at the first meeting) to address this. There would be an opportunity for Councillors to review their decision after one year.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendations.

### **Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

### **14/51/Env Changes to the Consideration of Planning Applications at Area Committees**

**Matter for Decision**

The Officer's report considered the issues inherent in moving to a single planning committee dealing with development management and enforcement decisions in the City, reverting to the way decisions were made prior to 2003. The report set out advantages and disadvantages of this change. A transition period would be necessary in the implementation of this change; 1 October 2014 was suggested as the start of any new arrangements. There should be a review of the issues arising with the operation of any new arrangement after 6 months.

**Decision of Executive Councillor for Planning Policy and Transport**

Recommended to Council:

- i. To rescind the delegation of powers to Area Committees to determine planning applications and enforcement matters set out in paragraph 11.3 of the terms of reference for Area Committees (section 11 of Part 3 of the Constitution) to come into effect from 1 October 2014.
- ii. To delegate responsibility for determining those applications and enforcement matters to the Planning Committee with effect from 1 October 2014.
- iii. To endorse the operating principles for the Planning Committee set out in paragraph 3.10 of the Officer's report and adopting the approach set out in option 1 of the report.
- iv. To delegate authority to the Heads of Corporate Strategy, Legal and Planning Services to make changes to the constitution, committee operating arrangements, publications, procedures and any other matters as necessary to secure the smooth implementation of this change, consulting with the Executive Councillor, Chair and Vice Chair and opposition spokes of Planning Committee as appropriate and necessary.

**Reason for the Decision**

As set out in the Officer's report.

**Any Alternative Options Considered and Rejected**

Not applicable.

**Scrutiny Considerations**

The Committee received a report from the Head of Planning Services.

The Committee made the following comments in response to the report:

Liberal Democrat Councillors

- i. Took issue with details in the Officer's report, and the justification for it.
- ii. Were not in favour of the principle of changing consideration of planning applications from Area Committees to the Planning Committee.
- iii. Ward Councillors were best placed to consider domestic applications as they knew their local areas.
- iv. Councillors could act as advocates under the current Planning/Area Committee system.
- v. Suggested more councillors could attend evening than day time meetings.
- vi. Queried the impact of policy change on officer delegations.
- vii. Referred to the Labour press release on rejuvenating Area Committees and suggested this was not the best way.
- viii. Asked for a cost/benefit analysis of the proposal to change consideration of planning applications.

#### Labour Councillors

- i. Were in favour of the principle of changing consideration of planning applications from Area Committees to the Planning Committee.
- ii. Suggested councillors would prefer to consider planning application during business hours, and would make better decisions if applications were not considered late at night.
- iii. Queried if members of the public could be given guidance on how to present their case to committee (in a separate session) whilst Councillors were given training/briefings pre-10:00 am meeting start.
- iv. The intention was to replace Area Committee planning application sessions with ward specific community items.

The Committee resolved by 4 votes to 3 with 1 abstention to endorse the recommendation.

The Executive Councillor approved the recommendation to adopt the approach set out in option 1 of the Officer's report.

#### **Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

#### **14/52/Env A14 Cambridge to Huntingdon Improvement Scheme - Public Consultation Response**

#### **Matter for Decision**

As part of the proposals to improve the A14 between Cambridge and Huntingdon, the Highways Agency has recently undertaken preapplication consultation on the proposed improvement scheme.

Consultation started on 7 April and ended on 15 June 2014.

Due to the timescales of the consultation and gaps in some of the key information necessary to consider the Council's position on this scheme, the City Council has agreed with the Highways Agency that its response will be submitted as soon as practical after the close of consultation.

The Officer's report set out the background to the A14 improvements and outlined the details of the proposed scheme.

### **Decision of Executive Councillor for Planning Policy and Transport**

- i. Agreed the Council's interim response to the Highways Agency consultation as set out in Appendix B of the Officer's report.
- ii. Agreed the Council's final response be submitted by the Head of Planning Services in consultation with the Executive Councillor and Chair and Spokes of Environment Scrutiny Committee.
- iii. Agreed that, in the interests of expediency, delegated authority be given to the Head of Planning Services to prepare and submit reports, proofs of evidence, technical papers, statements of common ground and other such documents, undertake appropriate negotiations and make further minor additions to the councils case at the examination of the A14 scheme if in the opinion of the Head of Planning Services it is appropriate and necessary to do so and to take such other necessary steps as are conducive or incidental to the presentation of the councils case at that examination. The exercise of this delegation to be reported back to Development Plan Scrutiny Sub-Committee at the end of the examination process.

### **Reason for the Decision**

As set out in the Officer's report.

### **Any Alternative Options Considered and Rejected**

Not applicable.

### **Scrutiny Considerations**

The Committee received a report from the Head of Planning Services. She referred to paragraph 3.11 (P157) and said that a response was still pending from the Highways Agency.

The Committee made the following comments in response to the report:

- i. Councillors were unable to comment on the proposal without data from the Highways Agency. Suggested Officers seek this prior to drafting a response for consideration by Councillors.
- ii. Agreed the Council's final response should be submitted by the Head of Planning Services in consultation with the Executive Councillor and Chair and Spokes of Environment Scrutiny Committee (as per the recommendation). Later report text only referred to consultation with the Chair and Executive Councillor.
- iii. The location of the crematorium was close to the highway, appropriate access and noise mitigation measures were required.
- iv. The A14 would benefit from investment/improvement.

In response to Members' request the WSP Consultant outlined the following summary of the A14 improvement scheme:

- i. It was hard to quantify the impact of the scheme on the city due to a lack of information from the Highways Agency.
- ii. Without information on the Highways Agency transport model it was difficult to evaluate:
  - Accuracy of the model.
  - The impact on some areas if others are congested.
  - Noise impact on the crematorium.
- iii. The current crematorium access from the A14 was not ideal.
- iv. Welcomed the new cycle scheme.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendations.

### **Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

### **14/53/Env Procurement of a Security Contract for the Car Parks and Mill Road Depot**

The Environment Scrutiny Committee resolved to exclude members of the public from the meeting on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

**Matter for Decision**

Procurement of a Security Contract for the Car Parks and Mill Road Depot.

**Decision of Executive Councillor for Planning Policy and Transport**

Approved procurement of a Security Contract for the Car Parks and Mill Road Depot as per recommendations in the Officer's report.

**Reason for the Decision**

As set out in the Officer's report.

**Any Alternative Options Considered and Rejected**

Not applicable.

**Scrutiny Considerations**

The Committee received a report from the Director of Environment.

The Committee unanimously resolved to endorse the recommendations.

The Executive Councillor approved the recommendations.

**Conflicts of Interest Declared by the Executive Councillor (and any Dispensations Granted)**

No conflicts of interest were declared by the Executive Councillor.

The meeting ended at 8.40 pm

**CHAIR**