

**ENVIRONMENT SCRUTINY COMMITTEE**

9 October 2012

5.00 - 7.40 pm

**Present:** Councillors Kightley (Chair), Saunders (Vice-Chair), Johnson, Marchant-Daisley, Owers, Reiner, Brierley and Herbert

**Also Present:**

Executive Councillor for Environmental and Waste Services: Jean Swanson

Executive Councillor for Planning and Climate Change: Tim Ward

**Officers Present:**

Director of Environment - Simon Payne

Head of Planning Services - Patsy Dell

Head of Corporate Strategy - Andrew Limb

Head of Refuse & Environment - Jas Lally

Head of Streets and Open Spaces - Toni Ainley

Planning Policy Manager - Sara Saunders

Senior Planning Policy Officer - Bruce Waller

Democratic Services Manager - Gary Clift

Committee Manager - Toni Birkin

**FOR THE INFORMATION OF THE COUNCIL****12/48/ENV Apologies**

Apologies were received from Councillor Reid and Councillor Brierley was present as an alternate.

**12/49/ENV Declarations of Interest**

<b>Councillor</b>	<b>Item</b>	<b>Interest</b>
Saunders	12/57/ENV	Personal: Member of Cambridge Past, Present and Future
Reiner	12/57/ENV	Personal: Members of Cambridge Past Present and Future Personal: Members of Camra

**12/50/ENV Minutes**

The minutes of the meeting of the meeting of the 26<sup>th</sup> June 2012, were approved and signed as a correct record subject to the following correction.

Minute Number 12/34/ENV: Decision incorrectly attributed to the Executive Councillor for Planning and Climate Change and should read Executive Councillor for Environmental and Waste Services.

**12/51/ENV Public Questions**

Alistair Cook and Nigel Bell addressed the committee. Details are listed under item 12/ 56/ENV.

**12/52/ENV Change to Published Agenda Order**

Under paragraph 4.2.1 of the Council Procedure Rules, the Chair used his discretion to alter the order of the agenda items. However, for ease of the reader, these minutes will follow the order of the agenda.

**12/53/ENV Decision Taken by Executive Councillors**

The Scrutiny Committee noted the decisions.

**5a** Hackney Carriage Fair Fare Scheme

**5b** Grand Arcade Car Park Repairs

**12/54/ENV Update on Recycling****Matter for Decision:**

To decide on the way forward in terms of increasing recycling.

**Decision of Executive Councillor for Environmental and Waste Services:**

- i. Agreed that officers carry out further detailed work taking into consideration the final report from MEL and look at the effectiveness of different strategies to increase the overall recycling rate.
- ii. Agreed to include the strategy within the Portfolio plan for 2013/14

**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 Refuse and Environment regarding recycling options. This was accompanied by a consultant presentation. Phillip Wells of M-E-L Research presented his research report regarding evaluation of kerbside waste and recycling via compositional analysis and participation monitoring.

In response to members' questions Mr Wells and Head of Refuse and Environment confirmed the following:

- i. There was high participation with the current recycling options.
- ii. The public engage less well with food waste recycling. It was suggested that there are a variety of reasons for this including; lack of appropriate storage within the home, fears of leaving waste food loose in the bin between fortnightly collections and waste food being disposed of still in it's original packaging.
- iii. Free food caddies and brown paper bags were currently available to the public for food waste. At members' suggestion, the cost of caddies with carbon filters to minimise odours would be investigated.
- iv. Recycling champions had been recruited and their role would be increased in future. A new member of staff has been recruited and would lead on this. Improved publicity around the champions was also planned.
- v. Future options for recycling partners would be considered in the near future. The existing partnerships had worked well and Viridor had provided a good service.
- vi. A decision on the bid to the Department of Communities and Local Government for funding for the collection of food waste from flats was expected shortly. If the bid was successful there would be resource implication including funding for the scheme in years 4 and 5 and officer time.
- vii. Options for recycling textiles would be investigated.

- viii. Future research would investigate the socio economic spread of recycling with a view to targeting promotional and education initiatives.
- ix. Members also suggested that further work was needed to encourage safe disposal of hazardous domestic waste such as light bulbs and batteries.

The Committee resolved unanimously to endorse the recommendations.

The Executive Councillor approved the recommendation.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted)**

Not applicable.

**12/55/ENV Introduction of Dog Control Orders**

**Matter for Decision:**

The Officer's report outlined the process that has to be undertaken to introduce Dog Control Orders and requested approval from the Executive Councillor to implement Dog Control Orders.

The introduction of Dog Control Orders would offer transparency and consistency within the City Council boundary and would give Police Community Support Officer's (PCSO's) the ability to issue fixed penalty notices for offences.

**Decision of Executive Councillor for Environmental and Waste Services:**

- i. Approved the implementation of Dog Control Orders.
- ii. Approved a schedule of Dog Control Orders for public consultation and representations.
- iii. Agreed that the finalised Dog Control Orders would be approved following consultation with Spokes.
- iv. Approved the fixed penalty charge of £75 full cost, £50 reduced cost.

**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 Streets and Open Spaces regarding the introduction of dog control orders.

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

- i. Members welcomed the report and were pleased to see joint working with the Police and PCSO's.
- ii. The consultation process was discussed and the Officer confirmed that the Area Committees would be included in the process.
- iii. Members asked for more information in the evidence that supported the need for such measures. It was suggested that public complaints and feedback from the street cleansing services showed that dog fouling was a problem across the city.
- iv. Members agreed that education and encouragement, such as the provision of free dog waste bags, were the most effective way to change public behaviour.
- v. Bin stickers to inform the public that dog waste could be placed in any bin were suggested.

The Officer confirmed that the Enforcement Officers would have some discretion about how the orders were used. The new powers would allow enforcement of dog exclusion areas such as children's play areas, which had previously been advisory.

The Committee resolved unanimously to endorse the recommendations.

The Executive Councillor approved the recommendation.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted)**

Not applicable.

**12/56/ENV Cambridge City Council Climate Change Strategy**

**Matter for Decision:**

The City Council has consulted on a revised Climate Change Strategy for 2012-2016 that will set the framework for action by the Council to address climate change over the next five years. An updated draft of the Strategy was attached at Appendix A to the Officer's report. The Strategy set out three strategic objectives for action by the Council aimed at reducing carbon emissions and managing the risks associated with climate change. It included

an Action Plan that set out the key steps the Council would take over the following four years to deliver these objectives.

**Decision of Executive Councillor for Planning and Climate Change:**

Approved the revised Climate Change Strategy for 2012-2016 with the acknowledgement that targets would be revised in 2014 when there would be more robust baseline data available.

**Reason for the Decision:**

The City Council made a formal commitment to tackle climate change by signing the Nottingham Declaration on Climate Change in September 2006 and published its first Climate Change Strategy and Action Plan in 2008, which set out a vision and framework for action over a five-year period. This strategy expires in 2012 and is therefore due for revision.

**Any Alternative Options Considered and Rejected:**

Not applicable.

**Scrutiny Considerations:**

The Committee received a report from the Strategy and Partnership Manager regarding Cambridge City Council Climate Change Strategy.

The committee made the following comments:

- i. The high calibre of the public responses was praised.
- ii. The quality of the data was questioned and the Officer acknowledged that the current monitoring of energy use by the council on some of its sites was problematic, as the equipment did not give currently provide real time reading. This problem should be resolved by 2014 with a combination of automatic meter reading and visual readings.
- iii. Members also questioned how the impact of Cambridge City Council actions across the city could be measured. The Executive Councillor agreed that it was hard to measure impact but suggested that partnership working was the way to achieve results.
- iv. Members were reminded that the strategy also had a role in mitigating the impact of climate change on local residents by considering risks such as flooding and future fuel poverty.

Members thanked the officers involved for their hard work and agreed that the report highlighted a need to concentrate efforts where they could have an influence. However, members also noted that Cambridge had a role as an educator, with good practice from Cambridge being replicated elsewhere, notably on planning policy.

Members agreed that the recommendation should be amended to read: To approve the revised Climate Change Strategy for 2012-2016 with the acknowledgement that baselines and targets would be reviewed in 2014 when there would be more robust data available.

The Committee resolved unanimously to endorse the amended recommendations.

The Executive Councillor approved the recommendation.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted)**

Not applicable.

**12/57/ENV Adoption of Interim Planning Policy Guidance (IPPG) on the Protection of Public Houses in Cambridge**

**Public Speakers**

**Alistair Cook, Public Affairs Officer, Cambridge & District Branch, CAMRA** addressed the committee and made the following points:

- The Council's recognition of the value of Public Houses is welcomed.
- Article 4 should be pursued as a city-wide approach.
- The proposed policy would not have prevented recent closures.
- The report contains inaccuracies and should include any premises shown to have been a Public House in the relevant period.
- The proposal does not offer anything to existing communities will low provision.

In response to the speaker, the Planning Policy Manager acknowledged that the guidance has its limitations. However, Article 4 was a separate issue, which could be considered along with the revised Local Plan. Article 4 powers rest with the Secretary of State and not the City Council.

Councillor Ward reminded the committee that preservation of building and preservations of Public houses were different issues covered by different regulation.

The Head of Planning confirmed that this document was ground breaking as no other authority had taken this approach. Therefore, there was no evidence

of the likely impact. She also stated that while new applications for existing communities would be welcomed, the council was unable to actively make this happen.

**Nigel Bell, Cambridge Past Present and Future addressed the committee and made the following points:**

- Many Public Houses had already been lost.
- Additional provision is already needed.
- Planning policy needs to balance the needs of businesses and communities.
- Small breweries and independent operators would be willing to take on existing Public Houses.
- The document does not address permitted development rights.
- Could additional safeguard be added to ensure that any if any Public Houses was lost, a replacement was required.
- Cambridge Past, Present and Future had asked for further Public Houses to be included in the protection because they had been omitted.

The Planning Policy Manager responded. Demolition of a Public house does not give an automatic change of use consent. The survey is a snapshot and care would be needed regarding retrospective inclusion.

**Matter for Decision:**

The Council, in response to local concern regarding the loss of public houses in Cambridge, commissioned consultants to produce the Cambridge Public House Study and Interim Planning Policy Guidance (IPPG) on The Protection of Public Houses in the City of Cambridge.

The decision relates to the adoption of the IPPG on The Protection of Public Houses in the City of Cambridge.

**Decision of Executive Councillor for Planning and Climate Change:**

- i. Agreed the draft responses to the representations received to the draft IPPG (Appendix A of the Officer's report) and the consequential amendments to the IPPG;
- ii. Agreed to adopt the IPPG (Appendix B of the Officer's report) with immediate effect;
- iii. Agreed the contents of Cambridge Public House Study (Appendix C of the Officer's report) and to endorse it as an evidence base document with immediate effect.

**Reason for the Decision:**



The Cambridge Public House Study explains how public houses are an important part of the Cambridge economy, not just for the direct and indirect jobs they provide in the pub, supplier, food and brewing industries, but in supporting the city's main industries by attracting and providing a meeting place for students, academics, scientists and entrepreneurs, and in attracting office workers, shoppers and tourists.

**Any Alternative Options Considered and Rejected:**

Not applicable.

**Scrutiny Considerations:**

The Committee received a report from the Senior Planning Policy Officer regarding the Protection of Public Houses in the City of Cambridge.

Members made the following comments;

- i. There was an urgent need to do something now and this could be improved on in the Local Plan.
- ii. The broader issues regarding the demolition of building needed to be considered.
- iii. Members would welcome further investigation of Article 4.

The Director of Environment stated that the IPPG was at the cutting edge of Planning Policy. Article 4 would create legal and resource implications for the authority and would need careful consideration. The IPPG and the Local Plan offered a good solution.

Councillor Marchant-Daisley proposed an additional recommendation to instruct officers to take forward research to investigate the use of Article 4 in relation to protection of Public Houses in Cambridge. It was agreed that officers would carry out some research and therefore a formal amendment was unnecessary.

The Committee resolved by unanimously to endorse the recommendations.

The Executive Councillor approved the recommendation.

**Conflicts of interest declared by the Executive Councillor (and any dispensations granted)**

Not applicable.

## **12/58/ENV Council Appointments To The Conservators Of The River Cam**

### **Matter for Decision:**

The terms of office for the seven Conservators of the River Cam appointed by the City Council end on 31 December 2012.

The report updated the committee on progress and set out the next steps to making these appointments.

### **Decision of Executive Councillor for Planning and Climate Change:**

- i. Agreed to recommend to Council on 25 October 2012 the appointment of four members of the public along with three City Councillor appointments, to the Conservators of the River Cam commencing 1 January 2013
- ii. Agreed to write, on behalf of the Council to those Conservators whose term will end thanking them for their valuable contribution.

### **Reason for the Decision:**

As set out in the Officer's report.

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

Not applicable.

### **Scrutiny Considerations:**

The Executive Councillor for Planning and Sustainable Transport, Councillor Ward, introduced the item. He pointed out a small error in the report and stated that although he had not had a vote, he had taken part in the discussions at the selection panel.

The committee thanked the selection panel for their work and accepted their recommendations.

The Committee resolved unanimously to endorse the recommendations.

The Executive Councillor approved the recommendation.

### **Conflicts of interest declared by the Executive Councillor (and any dispensations granted)**

Not applicable.

The meeting ended at 7.40 pm

**CHAIR**