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Community Services Scrutiny Committee

CmSrv/1

Thursday, 6 October 2016

COMMUNITY SERVICES SCRUTINY COMMITTEE

6 October 2016

5.00 - 6.10 pm

Present: Councillors Ratcliffe (Vice-Chair), Abbott, Austin, Barnett, Bird, Gillespie, R. Moore and O'Connell

Executive Councillors: Johnson (Executive Councillor for Communities) and Smith (Executive Councillor for Streets and Open Spaces)

Officers:

Strategic Director: Suzanne McBride

Head of Community Services: Debbie Kaye

Operations Manager – Community Engagement and Enforcement: Wendy Young

Sport & Recreation Manager: Ian Ross

Urban Growth Project Manager: Tim Wetherfield

Senior Asset Development Officer: Anthony French

Committee Manager: James Goddard

Others Present:

Managing Director, Cambridge Live: Steve Bagnall

Head of Events, Cambridge Live: Jon Gower

FOR THE INFORMATION OF THE COUNCIL

16/86/Comm Apologies

Apologies were received from Councillor Sinnott. Councillor R. Moore was present as the alternate.

16/87/Comm Declarations of Interest

Name	Item	Interest
Councillor Bird	16/95/Comm	Personal and prejudicial: Council appointed Trustee of Cambridge Live.

		Would not vote on this item.
Councillor O'Connell	16/95/Comm	Personal and prejudicial: Council appointed Trustee of Cambridge Live. Would not vote on this item.

16/88/Comm Minutes

The minutes of the meeting held on 30 June 2016 were approved as a correct record and signed by the Chair.

16/89/Comm Public Questions

There were no public questions.

16/90/Comm Petition

Ms Wheeler made a presentation about the petition she had submitted regarding the cycling on the footpath near Petersfield Mansions. Ms Wheeler made the following points:

*“In August last year, Cambridge City Council sent information to residents of Petersfield asking for comment on a proposal to widen the ‘Palmer’s Walk’ footpath. At the time, their main objective seemed to be to cater for increased usage of the path by cyclists following the expansion of ARU.*¹ No alternative options were offered and, despite a majority of respondents opposing the scheme, councilors voted to proceed. This decision gave rise to a formal complaint, which was subsequently referred to an Independent Complaints Investigator. He identified maladministration by the council and asked for a proper local consultation that allowed more than one option to be considered.*

Since then, Petersfield residents have made several attempts to persuade council officers of the risks to pedestrians from fast moving cyclists. The footpath passes right in front of the exits from flats in Petersfield Mansions and we believe that widening the path by a metre will encourage more cyclists to use it, probably in both directions at once. It will also destroy about 140 square metres of green space in a conservation area in the Petersfield ward, which

¹ CCC consultation document, August 2015 (copy attached)

*already has less public open space than any other ward in Cambridge.*² The Cambridge Cycling Campaign - an independent body that promotes safe, legal cycling – considers that even if the path was widened by a metre it would still not be suitable for safe shared use between cyclists and pedestrians, and that there are better routes for cyclists heading to ARU.*³ Both their safety concerns and their offer to advise on improving access routes to ARU have been ignored by the officers involved, whose attention continues to focus on the single issue of whether ‘Palmer’s Walk’ should be widened or not.*

*By August this year, the repeated refusal of council officers to address safety issues caused residents to seek other ways to raise their concerns. A survey of the hundred or so dwellings closest to the footpath*⁴ showed that a cycling ban is widely supported, and 76 people signed the petition that is under consideration here. This was presented to a site meeting on Petersfield Green in July, but the consultation leader told residents the issue should be referred to Cambridgeshire County council not the City.*⁵ Subsequent contact with the County Highways department showed this information to be inaccurate as both Petersfield Green and the footpath belong to the City council, who can both impose and enforce a cycling ban if they choose to do so. It required the intervention of the Democratic Services team before it was agreed that a question about a cycling ban could be included in the consultation document but this document continues to be amended and, as of yesterday, revisions were still being made.*

I therefore request the committee to agree that the action requested by petitioners can, and will, be carried out.”

Ms Wheeler said the following in response to Members’ questions:

- i. She had seen a version of the consultation document dated 3 October 2016. She understood there had been amendments to the consultation document since 3 October, but had not seen the latest version.
- ii. She had asked for the petition to be included on the Community Services Scrutiny Committee agenda as a mechanism to ensure the wording/question she requested was included in the consultation.

The Senior Asset Development Officer said the following in response to Members’ questions:

² Labour party newsletter 23 Feb 2014 http://petersfield.cambridgelabour.org.uk/protect_our_green_spaces

³ Roxanne de Beaux to Clare Rankin– in response to consultation in August 2015

⁴ i.e. the houses and flats in Petersfield, Petersfield Mansions and Bradmore Court.

⁵ See CCC minutes of meeting held on 29 July 2016

- i. The footpath near Petersfield Mansions was 1.2m wide. It was used by cyclists and pedestrians, although it was a footpath.

Councillor Gillespie said that cyclists should not ride on the footpath. People used the route to access Anglia Ruskin University. This required better planning in future as bike usage was expected to rise due to the Chisholm Trail.

- ii. City Officers liaised with other organisations to get intelligence to help decision making. For example, City Deal proposals.
- iii. There had been various minor amendments to the consultation document since 3 October to reflect feedback from stakeholders. It was a live document.
- iv. The consultation was focussed on a separate local issue to the petition. The wording Ms Wheeler's petition had requested was included in the consultation document.

16/91/Comm Record of Urgent Decision by the Executive Councillor for Communities

16/91/Comma Appointment to Outside Body – The Junction

The decision was noted.

16/92/Comm Abandoned Shopping Trolley Review

Matter for Decision

The Officer's report sought Executive Councillor authorisation to consult on the proposed abandoned trolley policy, as set out in Appendix 1; and associated increase in service charges for dealing with abandoned trolleys, as set out at Appendix 2.

Decision of Executive Councillor for Streets and Open Spaces

Authorised officers to consult on the proposed abandoned trolley policy, as set out in Appendix 1 of the Officer's report; and the increase in charges for dealing with abandoned trolleys in accordance with this policy, as set out at Appendix 2.

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 Operations Manager – Community Engagement and Enforcement.

The Operations Manager said the following in response to Members' questions:

- i. It cost £150 to replace a trolley, which was the same as the destruction cost.
- ii. The fee was a mechanism to encourage people to re-use trolleys and mitigate fly tipping. Most collected trolleys were re-used.
- iii. Under 1% of trolleys could not be returned to an owner due to lack of identification. These were recycled.

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.

16/93/Comm S106 Priority-Setting Arrangements (Streets & Open Spaces)**Matter for Decision**

This was the first of two reports on this agenda on arrangements for prioritising the use of generic S106 contributions in 2016/17. It focused mainly on S106 contribution types in this portfolio: informal open space, provision for children & teenagers, public art and public realm.

The Council sought S106 contributions to mitigate the impact of development (extra demands on facilities). Whilst there was still around £1.6 million of generic S106 contributions in this portfolio available, Section 3 of the Officer's report explained how changes over the last couple of years had major implications for S106 priority-setting.

These constraints necessitate some changes to the arrangements for the next S106 priority-setting round (set out in Section 4).

Different S106 contribution types have different purposes. They can vary significantly in both the level of funding available and the nature and cost of the mitigation projects that they support. Report Section 5 highlighted particular issues relating to the public realm S106 category and explained why it was proposed not to include this contribution type in the next S106 priority-setting round.

Decision of Executive Councillor for Streets and Open Spaces

2016/17 S106 priority-setting round

The Executive Councillor for Streets and Open Spaces approved the proposed approach to the 2016/17 S106 priority setting round (set out in Section 4 of the report) which:

- i. Updated the S106 selection criteria for priority-setting (Appendix B);
- ii. Revised the S106 devolved decision-making arrangements to enable area committees to decide how **all** unallocated S106 funding from the 'informal open spaces' and 'provision for children and teenagers' contribution types from their areas should be used;
- iii. Focused the bidding process on seeking eligible proposals for improving open spaces and play areas and running small-scale public art projects from those parts of the city where relevant S106 funding is available;
- iv. Envisaged that the S106 bidding process will take place from late October to early December 2016, followed by priority-setting reports to relevant committees in March - April 2017.

Public realm improvements

The Executive Councillor for Streets and Open Spaces approved the proposed approach to public realm improvements (see Section 5):

- v. Instructed officers to develop (and report back to the Community Services Scrutiny Committee) proposals for public realm improvements, in line with the Eastern Gate Development Framework Supplementary Planning Document, which would mitigate the impact of a major development on Harvest Way);
- vi. De-allocated the public realm funding allocation of up to £42,000 for the existing Mill Road Gateway sign project;
- vii. Offered community groups on Mill Road the opportunity (before any other suggestions are invited) to put forward alternative proposals for a Mill Road Gateway project, which could be considered by the Community Services Scrutiny Committee by June 2017;

- viii. Not to seek any new project proposals for the use of available funding for public realm improvements until after June 2017.

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 Urban Growth Project Manager.

The Urban Growth Project Manager said the following in response to Members' questions:

- i. Contingency arrangements were in place so that, if necessary, relevant Executive Councillors could intervene and remove from devolved funding arrangements any S106 contributions which were at risk of going past expiry dates. This was a mechanism to ensure funding was spent on time.
- ii. Projects that could make use of time-limited S106 contributions were identified in advance in order to minimise this risk. If, even so, it appeared there may be difficulty with making use of them on time, this would be reported back to the next scrutiny committee, so the funding could be allocated to appropriate alternative projects instead. If the matter could not wait until the next scrutiny committee, Officers would liaise with relevant Executive Councillors and Spokes Persons in order to expedite the proper use of the contributions on a suitable project.
- iii. As part of the proposed arrangements for the next priority-setting round, no ward would lose out through the recommendation to combine available S106 contributions currently in devolved and strategic funds.
- iv. Officers had already been in touch with community groups on Mill Road, which were associated with the Mill Road gateway sign proposals, and would be back in contact with them once the Executive Councillor had made her decision about the future of this project.

Councillor Gillespie sought clarification that alternative funding sources were being investigated to take over when S106 ran out. The Executive Councillor undertook to ask officers to arrange a briefing on funding succession planning after today's scrutiny committee.

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.

Post Meeting Note

The Urban Growth Project Manager made some corrections to his report which are available as an addendum to the agenda. The changes corrected some inconsistencies, omissions and typographical errors and did not materially affect the decision of the Executive Councillor. The Urban Growth Project Manager advised committee Members and the Executive Councillor of the changes to the report text post meeting.

16/94/Comm S106 Priority-Setting Arrangements (Communities)

Matter for Decision

This was the second of two reports on the agenda on arrangements for prioritising the use of generic S106 contributions. It focused on the S106 contribution types in the Communities portfolio (community facilities, indoor sports and outdoor sports). The approach to these three types differs from those covered in the first report because:

- a) The strategic review of community provision was on-going - it would be premature to prioritise S106 funding for further community facilities projects until the outcomes of that review are known.
- b) Outdoor and indoor sports facilities were recognised as 'city-wide resources' and would benefit from a consistent, city-wide approach;
- c) Future priorities for improving sports provision were already set out in recent sports strategies.

Decision of Executive Councillor for Communities

Agreed to:

- i. Defer the next round of inviting S106 proposals and carrying out priority-setting for community facilities projects until after the completion of the strategic review of community provision;
- ii. Discontinue devolved decision-making for the outdoor sports S106 contribution type and, instead, combines all unallocated contributions for this type into a city-wide outdoor sports S106 fund;

- iii. Focus priority-setting in March 2017 over the use of outdoor and indoor sports S106 funding on project proposals which are ready to be considered and already identified as priorities in the Playing Pitches and Indoor Sports strategies. This would be without seeking further S106 proposals/grant applications for sports facilities in autumn 2016;
- iv. Use the same selection criteria for S106 priority-setting as agreed by the Executive Councillor for Streets and Open Spaces (report Appendix B).

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 Urban Growth Project Manager.

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

- i. Expressed concern about the development of recent sports strategies without sufficient consultation with young people.
- ii. Expressed concern regarding access to facilities.

The Head of Community Services, Sport & Recreation Manager plus Urban Growth Project Manager said the following in response to Members' questions:

- i. The needs analysis behind the sports strategies included engagement with sports groups, educational facilities, and national bodies, all of whom have junior clubs and engagement with young people.
- ii. It was a strategic analysis that enabled the City Council to seek funding from developers for priority projects.
- iii. Combining generic devolved and strategic S106 sports funding in city-wide funds meant the City Council could deliver against significant strategic needs.
- iv. The playing pitch strategy also clearly identifies a need for more junior pitches, and reconfiguration of pitches has already been undertaken at Coleridge, St. Albans and Nightingale Avenue recreation grounds for this season to allow for more junior teams.
- v. There was a range of formal (eg tennis courts) and informal (eg basketball hoops) sports facilities across the city, as detailed in a current sports activity map.

- vi. The Urban Growth Project Manager undertook to ascertain if on-site funding from East Chesterton Train station was anticipated.
- vii. The Sports Team work to offer a range of activities to encourage participation, for all age groups, including young people and family games this coming half term holiday.
- viii. The Recreation Manager confirmed that community use agreements protect community access to sports facilities, so people could use facilities in schools etc in the evenings and at weekends, and throughout holiday periods. This was also subject to planning conditions of use (eg times when flood lighting could be used).

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.

Post Meeting Note

The Urban Growth Project Manager made some corrections to his report which are available as an addendum to the agenda. The changes corrected some inconsistencies, omissions and typographical errors and did not materially affect the decision of the Executive Councillor. The Urban Growth Project Manager advised committee Members and the Executive Councillor of the changes to the report text post meeting.

16/95/Comm Midsummer Fair 2017

Matter for Decision

In March 2016 the Executive Councillor for Communities took a decision to cancel the funfair at Midsummer Fair. In a debate on the issue at an Extraordinary General Meeting of the Council on 26 May 2016, the Council agreed that proposals for the 2017 event should be brought forward for discussion and approval at the Community Services Scrutiny Committee. Cambridge Live has now considered options for the 2017 event, discussed these with stakeholders and taken into account their feedback. Council officers were supportive of the final proposals.

Decision of Executive Councillor for Communities

Agreed the arrangements proposed by Cambridge Live and supported by officers for the Midsummer Fair 2017.

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 Community Services.

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

- i. The Council needed to manage residents' expectations as it was trying to cut car usage in the city, but at the same time was providing car parking facilities for Midsummer Fair 2017.
- ii. Blue badge holders would want to use the Fair car park as well as Travellers.

The Head of Community Services and Cambridge Live Head of Events said the following in response to Members' questions:

- i. There would be one footpath closure and some intermittent ones in the market area and car park. Intermittent closures would be phased to avoid peak travel times.
- ii. It was inevitable that the event infrastructure needed to manage events safely incurred costs. The City Council would discuss these with event providers and aim to minimise these for all parties. Officers were not in a position to give details of the final financial arrangements for next year's event at present, but could provide them upon request to committee members at a later stage.
- iii. It was impracticable to not provide a car park at the event. The car park was an important source of revenue. Participants travelled from across the country and the car park would be an integral part of the event.
- iv. The car parking plan for the event was the same as in previous years.

The Committee resolved by 6 votes to 0 to endorse the recommendation.

The Executive Councillor approved the recommendation.

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

No conflicts of interest were declared by the Executive Councillor.

16/96/Comm Review of Governance Arrangements for Clay Farm Community Centre

Matter for Decision

The Clay Farm Centre is currently being constructed in the new housing developments in the south of the city. The governance arrangements for the centre primarily affect Trumpington Ward; however due to the scale of the centre and its multi-agency stakeholder features, it has a wider catchment. Both principal stakeholders (the City and County Councils) together with the Clay Farm Centre Company Limited (the joint venture company - referred to as 'the JVC'- established by the Councils to manage the centre) now believe the governance structure is more complicated than it needs to be and adds costs through taxation issues. As a result, the stakeholders wish to revise the governance arrangements put in place in 2014.

Decision of Executive Councillor for Communities

- i. Agreed that the City and County Councils work together to dissolve the JVC and formulate a new Partnering Agreement for the governance of the community centre that replaces the 2014 Collaboration Agreement.
- ii. Agreed that this new Partnering Agreement will establish an advisory group to provide community and democratic oversight of the centre management. This will incorporate elected members.
- iii. Agreed that the detail of recommendations (i) & (ii) is worked through between the City and County Councils and the Directors of the Joint Venture Company. Once agreement is reached, authority to enter into the new arrangement on behalf of the City Council is delegated to a Strategic Director in consultation with the Executive Councillor for Communities, the Chair of Community Services Scrutiny Committee and the Opposition Spokesperson.

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 Community Services.

The Head of Community Services said the following in response to Members' questions:

- i. The City Council had set up various arms length management organisations. It had learnt from each experience and the joint venture company had developed from this.
- ii. Clay Farm construction work had recommenced after a hiatus.

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 6.10 pm

CHAIR

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