

WEST / CENTRAL AREA COMMITTEE

24 February 2011

7.30 - 11.00 pm

Council Members Present:

City Councillors for:

Castle (John Hipkin, Simon Kightley, Tania Zmura)

Market (Mike Dixon, Colin Rosenstiel)

Newnham (Rod Cantrill, Sian Reid, Julie Smith)

Co-opted non-voting members:

County Councillors: Brooks-Gordon (Castle), Nethsingha (Newnham)

Council Officers Present:

Cambridge City Council:

Lynda Kilkelly – Safer Communities Manager

Christine Aliison – Licensing Manager

Peter Carter – Development Control Manager

Glenn Burgess – Committee Manager

Additional attendees:

Steve Kerridge – Police Inspector

FOR THE INFORMATION OF THE COUNCIL

11/11/WAC Apologies

Apologies were received from City Councillor Bick and County Councillor Whitebread.

Apologies were also received from the Head of Road Safety and Parking Services and the Census Area Manager.

11/12/WAC Minutes

The minutes of the meeting of 6 January 2011 were approved and signed as a correct record.

11/13/WAC Declarations of Interest

Councillor	Item	Interest
Zmura	11/19/WACa	Personal: An associate of the public speaker
Reid	11/19/WACb	Prejudicial: A personal friend of the neighbours of the applicant
Rosenstiel	11/19/WACb	Personal: As a member of CAMRA

11/14/WAC Matters and Actions arising from the Minutes11/6/WAC – Tree Planting

Councillor Cantrill (Executive Councillor for Arts and Recreation) confirmed that he was working closely with officers to ensure that residual soils and barriers would be removed as soon as possible.

11/8/WAC – 20mph speed limit in the City Centre

The Chair read out the following statement on behalf of the Head of Road Safety and Parking Services:

“The County Council had expected to have started the review on the effectiveness of the 20mph limit at the end of January but unfortunately due to other pressures this has not happened. Therefore there is nothing to report back at this stage. However when the review is taken forward the Area Committee will be asked to contribute. It may be beneficial to ask the police if they could clarify their enforcement policy, as there seems to be a lot of confusion over this. “

The Police Inspector agreed to feedback on this at the next meeting.

11/15/WAC Census 2011 - Presentation

The Chair confirmed that the Census Area Manager was unable to attend the meeting. Members of the public were directed to information leaflets available at the meeting.

Councillor Reid emphasised the importance of accurately recording the number of Cambridge residents, as this had a direct effect on the level of funding received by Local Authorities.

11/16/WAC Open Forum

1) Councillor Kightley: Residents of Belmore Close have indicated to me that prostitution is still a big problem in their area. They have asked me to highlight this issue to the police.

A) This comment was noted by the Police Inspector.

2) Barry Higgs (Friends of Midsummer Common – FoMC): I begin by expressing FoMC 's appreciation of the tree planting on Midsummer Common. It is going well, so thank you.

Now to my question. I start with some context:

1. This Committee's October meeting agreed (subject to approval by the Executive Councillor for Arts and Recreation) that FoMC should be given written permission for a small tool shed to be placed on the community orchard. However, Council officers subsequently claimed that Planning Permission would be needed

Dr Baxter (Chair of FoMC) twice met with them and they eventually withdrew this objection. They were once again wrong, and nevertheless no letter was sent.

2. At your last meeting Councillor Cantrill (Executive Councillor for Arts and Recreation}, sharing our frustration, agreed to discuss this issue with the relevant officers and said he would give written approval for the shed as soon as possible. At the same meeting the Committee approved CCF funding for the aforementioned shed and is now in receipt of money. This has to be spent by March, and we want to buy the shed. However written permission is still lacking.

3. Dr Baxter and I met Council officers to discuss this matter. Whereas all we sought was a short letter giving the still outstanding permission that, in the designated area occupied by the orchard, we may dig holes and plant and tend trees, erect a temporary protective fence and install a

small tool shed with all other bye-laws continuing to apply. However, Council officials presented us with a closely typed 14 page draft.

Remember, this remit has been with them since November 2009, a total of 16 months.

4. Unsurprisingly, Dr Baxter our Chair took exception to much that was in the draft.

a. First it had been written for a Trust whereas FoMC is an unincorporated Association.

b. Then it included many ludicrous clauses such as:

i. FoMC must put a first class stamp on letters written to the Council;

ii. Digital documents could be transferred by fax but not by Email.

iii. It required us to understand and implement half a dozen employment laws even though FoMC has no employees.

iv. Then it required compliance with the Freedom of Information and Environmental Information Regulations even though FoMC is not subject to these statutes.

The draft contained many such irrelevant clauses yet failed to address the main issue - to authorize the planting of trees etc and to place a shed - but it did make reference to a letter that the Executive Councillor would write giving such permission. It terminated with a clause requiring FoMC to get Council permission for the words it put onto its website and an order not to speak to the press about the orchard. Dr Baxter explained that he couldn't possibly sign such a document on behalf of FoMC. Lawyers agreed to think again, but 6 weeks later, written permission is still lacking. I hope you share our irritation.

5. FoMC understands that Councillors will not want to criticise officials in public but it is clear that this Committee's wishes in this matter have been constantly frustrated and unnecessarily complicated. An 'expensive stall' has been undertaken. We cannot understand who allowed this to happen or why. Is FoMC being intentionally frustrated or is this simply incompetence? It cannot be pressure of work because so much 'stall' effort has been wasted.

6. Will Councillors please exercise their political authority so as to move this matter on in a sensible, timely and efficient manner? The Orchard is just about fully planted. FoMC has done its bit.

A) Councillor Cantrill (Executive Councillor for Arts and Recreation) shared Mr Higgs' frustration and it was evident that Council officers were taking a very legalistic view. The Executive Councillor agreed to continue to work with officers to progress the issue.

3) Jeremy Waller (Brunswick & North Kite Residents Association – BruNK): At a recent meeting we voted against the idea of a shed on Midsummer Common and fully agree with the Councils legalistic view.

A) This comment was noted. The Chair confirmed that no further action was required by the Area Committee, and that Council officers and the Executive Councillor would now progress the issue.

4) Richard Taylor: A Black Poplar Tree was proposed on the triangle down by the Cutter Ferry Bridge. This will be right in the middle of an open space – is this still going ahead?

A) Councillor Cantrill (Executive Councillor for Arts and Recreation) agreed to confirm the details with officers and contact Mr Taylor outside of the meeting.

5) Richard Taylor: It has been reported in the papers that the County Council have banned students from getting parking permits – this is ridiculous. They are also enforcing Cambridge University rules and I feel this is very dangerous. Can you ask the County Council to clarify this?

A) Councillor Rosenstiel confirmed that, whilst proctorial licences could be given, it was not common practice for students to be issued parking permits. The City Council had empty garage space at St Matthews Street and these were available for students to rent.

Councillor Brooks-Gordon highlighted the problems caused by student parking in Castle Ward, and confirmed that post-graduate student could be issued permits in exceptional circumstances.

It was agreed that the Committee Manager would formally contact the County Council for clarification.

6) Roger Chatterton (Brunswick & North Kite Residents Association – BruNK): My question is concerning vehicles parking unlawfully on Midsummer Common (MSC). The gate nearest to the Fort St George and MSH Restaurant is continually unlocked, and private vehicles and taxis have free access to the Common.

Since John Roebuck's era, BruNK has tried to get the City Council to take action regarding illegal access and parking outside both the pub and on MSH Restaurant. The debate is still ongoing, and to date I am unaware of any action to prevent vehicles parking etc.

Both BruNK and FoMC are involved with MSC Management Meeting, and have continually been promised some sort of measures to prevent this problem.

So, I would like to know what action if any is in progress, and why it is that no prosecutions have been made. I would also like to have a definitive answer as to who should make such prosecutions.

Alistair Wilson has been in contact with the Enforcement Manager but we have no knowledge of any outcome.

A) Councillor Cantrill (Executive Councillor for Arts and Recreation) confirmed that the Council had previously looked into fitting the gates with automatic locks. To date no satisfactory solution could be found, but the Executive Councillor agreed to raise the issue again with officers. It was also agreed that the restaurant and the new landlord of the Fort St George pub would be reminded about their responsibilities.

11/17/WAC Alcohol related ASB associated with the Night Economy

The Committee received a report from the Safer Communities Manager and the Police Inspector.

On behalf of the City Council, Councillor Reid very much welcomed the proposal to create a 'City Centre' Patrol Team. The Council looked forward to working closely with the police on these issues.

Q1) Richard Price (Park Street Residents Association): I am a member of Park Street Residents' Association. The area we live in is bounded by Quayside, Park Parade, Jesus Lane and Bridge Street. It lies wholly within the City Centre cumulative impact zone. I refer to Agenda item 7: Alcohol Related ASB associated with the Night Economy.

Firstly, thank you for permitting this matter to be brought to this meeting and to all those who have contributed to the various papers.

I have read the report by the Safer Communities Manager but have a number of comments and questions.

We should all be pleased that some success is claimed (page 2) for a reduction in ASB but it is nevertheless acknowledged that the nuisance, noise and ASB experienced in the City Centre is of considerable concern to the public. It extends of course to the residential areas through which those who have visited late night licensed premises pass on their way home.

My first question is this:

1. Is disturbance of city centre residents by late night alcohol fuelled ASB an underreported problem?

It seems likely that it is - we are a largely tolerant people. But please note (bottom of page 6) that the City Council's Environment Health Service is

"Specifically unable to use its powers to deal with noise from patrons in the street".

So who has power to do so? Many of us hesitate to worry the police when we know that they have, what many would say, are more important problems to tackle at night.

2. Community Safety Partnership (Page 2). Using the Cardiff model, how many problematic venues were identified and what action was taken 'for engagement and intervention'?

3. Love Cambridge and CAMBAC (page 7). I think we all know (and are grateful to her) that the CAMBAC Manager works very hard to try to minimise the problems we are talking about. How committed to CAMBAC are the licensees of the many City Centre licensed premises that are

owned by nationwide chains? There is no reference to this in the report. Without their active support what hope is there of a solution to the problems?

Policing in the City Centre (pp 7-8). It looks as if everyone is looking to the police to solve the problem. But is this is fair on the police? I have two questions about it:

4. Have the Cambridgeshire Police ever asked the City Council to use the powers granted to the council under Section 13 of the criminal Justice and Police Act of 2001 (as amended by Section 26 of the Violent Crime Reduction Act 2006 and the Local Authorities (Alcohol Consumption in Designated Public Places)' Regulations 2007 for a Designated Public Place Order (DPPO)?

These powers make it easier for local authorities to designate places where restrictions on public drinking will apply (they are not alcohol exclusion zones with which they are often confused - see next question). A local authority can make a DPPO for a public place where nuisance or annoyance to members of the public or a section of the public or disorder has been associated with consuming alcohol in that place. How about the City Centre cumulative impact zone?

5. Of even more interest, given the squeeze on local authority and police funding is this question: Have the Cambridgeshire Police ever asked the City Council to use the powers granted to the council under the Violent Crime Reduction Act 2006, which enables local authorities to recover the costs of additional enforcement activity from licensees in designated areas of alcohol-related disorder?

6.If the answer to either of these questions is yes, what response did the City Council give to the police?

7. If the answer to either of the questions is no, could we ask the Council to make use of these powers because it would seem that this might help the police.

8. Government proposals are referred to (Page 5). From reports in the media one wonders how effective the coalition government's proposals for dealing with this problem are going to be. All they seem to amount to is a few 'pledges' by the alcohol industry to put information about units of alcohol on bottles, cans and beer mats. The coalition has refused to

allow any discussion by their working group on moving to pricing per unit which a Sheffield University study published last year in the Lancet showed could have a real impact in reducing harmful drinking, and which the then Chief Medical Officer, and other health professionals have endorsed. Discussion of irresponsible marketing and promotion and of licensing hours have also been forbidden.

We need to be clear about this. The number of hospital admissions for alcohol-related harm in England increased by 47% (an increase of more than 800 a day) over the five years between 2004 and 2009 (British Medical Journal 11 September 2010, p 522). This includes chronic illness directly related to alcohol such as liver disease and mental health conditions but excludes acute injury or illness caused by alcohol (see below).

A recent report (<http://www.nhsconfed.org>) states that the cost to the NHS of treating alcohol related problems has doubled in the last five years (i.e. since the 2003 Licensing Act came into force in 2005) and now stands at £2.7billion a year. Quoted in the BMJ, it says that most of the cost to the NHS falls on hospitals and ambulance services which, when added to the long term health problems (see 3 above) caused by heavy drinking over years "puts an unacceptable strain on hospitals ..." The report concludes that the burden on the NHS will be unsustainable. (BMJ 9 January 2010, page 67).

This should worry us all.

9. Do we shrug our shoulders and say that this is a national problem? If localism and the big society means anything then surely, if anywhere in the country has the resources to deal with the problem, it is Cambridge?

A) Councillor Smith (Chair of the Licensing Committee) confirmed that a Bill regarding the Licensing Act was currently being taken through the House of Commons. If passed this would give more flexibility to Local Authorities to review licenses, and also allow more community involvement in decisions regarding cumulative impact zones.

It was also noted that the introduction of a Late Night Levy was being considered. This would allow costs related to the night time economy, such as extra policing and street cleaning, to be recharged to the licensed premises.

Councillor Rosenstiel (Vice Chair of Licensing Committee) confirmed that the Late Night Levy would only be applicable to premises that opened after midnight and 70% would be allocated to the Police with the remainder going for clean up activities.

A DPPO had been considered by the City Council but, as this mostly addressed street drinking issues, it was not felt appropriate to introduce. It was hoped that with the introduction of this new legislation, the City Council would have many more powers with which to address the problem.

Councillor Brooks-Gordon confirmed that recommendations regarding health and alcohol issues had been presented to the County Council's Scrutiny Committee and that most had been accepted. These included issues around data sharing and an extended detox 'buddy system'.

Q2) Councillor Hipkin: The figure provided in the last report received by this committee noted a 40% increase in crime, yet this report indicates an improvement.

A) The Safer Communities Manager confirmed that the 40% figure reported in the last Neighbourhood Profile related to *all* crime (from August 2010-Novemebr 2010) and not just alcohol related anti-social behaviour. This also included bike crime that traditionally peaked during August, due to the new school term.

Q3) Councillor Hipkin: This is a very 'gentle' report in terms of proposed measures. This is a very serious problem that needs to be tackled.

I feel more could be done to identify which licensed premises troublemakers have been drinking in. Do the Police ask these questions when interviewing suspects after arrest?

A) The Police Inspector confirmed that suspects were questioned about which premises they had frequented. It was noted that prosecution rates for violent crime in the City were very good, and that this was partly due to the presence of CCTV.

Q4) Member of Park Street Residents Association: I had an incident in May 2008 when I awoke to find an intruder in my house. The Police were called and luckily the drunken intruder was dealt with. Cambridge is a magnet for people seeking a good time and sometimes this gets out of hand. We need to address this culture if we are to solve the problem.

A) These comments were noted.

Q5) Member of FoMC: Cleaning of the pavements during the summer months would improve the appearance of the City.

A) These comments were noted.

Q6) Jeremy Waller (BruNK): The toilets on the Market Square could be refurbished and reopened. With adequate security in place, these could be open 24 hours.

A) These comments were noted.

Q7) Jeremy Waller (BruNK): Aggressive punt touting is a big issue in the City, and should be looked at by the new 'City Centre' Patrol Team.

A) These comments were noted.

The Committee agreed to:

Support the proposed actions by the Police and other partner organisations.

11/18/WAC Sex Establishments Draft Statement of Licensing Policy

The Committee received a report from the Licensing Manager.

Q1) Councillor Brooks-Gordon: The views of senior Police officers need to be taken on board, as these may differ from the local Police. The general view of senior Police officers seems to be that sex clubs are not a source of serious issues.

I would also suggest that the unions of sex workers and dancers, and the leading academic looking into the issue be consulted.

A) These comments were noted.

The Committee agreed to:

- i. Make the public aware of the 12-week public consultation period on the draft Sex Establishment Statement of Licensing Policy, between 31st January and 26th April 2011 and to involve them in the consultation process.
- ii. Request that any comments regarding the draft statement be submitted to the Licensing Manager before the close of the consultation period on 26th April 2011.

11/19/WAC Planning Applications10/0968/FUL - 36 Barton Road, Cambridge

The committee received an application for full planning permission.

The application sought approval for the erection of a zero carbon 4-bed dwelling house.

The committee received a representation in objection to the application from the following:

- Dr Spooner

The representation covered the following issues:

- i. The proposal was not in keeping with the area.
- ii. The proposal amounted to 'garden-grabbing'.
- iii. The proposal would have a detrimental affect on residential amenity.

Resolved (by 8 votes to 0 - unanimously):

With the following added as the first reason for opposing the proposed development, the previously-recommended reasons becoming 2 and 3:

1. The application provides no explanation or justification for the erection of an additional dwelling on this residential garden site, which is a low priority for housing development. The loss of the front garden and its open aspect are therefore not justified, and the development would be in conflict with policies

3/4, 3/10 and 5/1 of the Cambridge Local Plan 2006, and with government guidance in PPS3(2010).

That the committee report as updated by the amendment sheet could act as the basis of the case for the local planning authority at appeal, giving **delegated authority** to officers to update and renumber the report to a single statement, but with the new reason 2 (reason 1 on the original report) amended to make specific reference to the Barton Road Suburbs and Approaches study. Members requested that officers ensure that the comments of the Urban Design team, attached as Appendix A to the amendment sheet, also be forwarded to the Planning Inspectorate to form part of the case.

Officers to send a copy of the final amended 'report' and attachments to all members and to Dr Spooner.

Amended Reason 2 (new) to read,

2. The combination of the position, height, depth, roof form, materials and mass of the new house proposed would make the building unduly prominent and intrusive in the street and, instead of achieving good interrelations between buildings and creating an attractive built frontage that would positively enhance the local townscape, the proposal would have a harmful impact on the character of Barton Road, eroding the qualities identified in the 'Barton Road Suburbs and Approaches study'. The proposal therefore constitutes poor design, inappropriate for the context and failing to take the opportunities available for improving the character and quality of the area and the way it functions, and would be contrary to policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006, and to government guidance in Planning Policy Statement 1 'Delivering Sustainable Development' (2005) and Planning Policy Statement 3 'Housing' (2010).

10/1249/FUL - Land Rear Of 34 - 38 Windsor Road, Cambridge

The committee received an application for full planning permission.

The application sought approval for the erection of three 2-bed dwellings, together with two integral garages and one integrated car port.

The committee received a representation in objection to the application from the following:

- Guy Snape
- David Lawrence

The representations covered the following issues:

- iv. Loss of amenity
- v. Noise disturbance
- vi. Overshadowing of neighbouring properties
- vii. Overlooking and loss of privacy
- viii. Loss of character to surrounding area
- ix. Hazardous to pedestrians and cyclists

The applicant's agent (Justin Bainton) addressed the committee in support of the application.

Resolved (by 7 votes to 0) to reject the officer recommendation to approve the application.

Resolved (by 7 votes to 0) to refuse the application contrary to the officer recommendations for the following reasons:

1. The application provides inadequate explanation and justification for the erection of three houses at the ends of the gardens of 34, 36 and 38 Windsor Road. The loss of these gardens would critically erode the open aspect of the head of the Warwick Road cul-de-sac and the development is, therefore, not justified and the development would be in conflict with policies 3/4, 3/10 and 5/1 of the Cambridge Local Plan 2006 and with advice in Planning Policy Guidance 3 – Housing (2010).
2. The proposed development is unacceptable in that the proximity of the houses to the street is out of character with other houses in the immediate area and would make them appear unduly intrusive at the head of the cul-de-sac. The design and layout of the scheme and in particular the dominant presence of the garages and car port illustrates that the proposal has failed to respond to context or to draw inspiration from key characteristics of the surrounding area and instead of having a positive impact on its setting, will detract from the prevailing character and appearance of the area. For these reasons the proposal constitutes poor design that is in conflict with policy ENV7 of the East of England Plan 2008, policies 3/4, 3/7, 3/10 and 3/12 of the Cambridge Local Plan 2006 and with advice in Planning Policy Guidance 1 Delivering Sustainable Development (2005)

3. The proposed development is unacceptable in that the relationship of the housing proposed to the adjacent housing in Warwick Road to the north and the gardens of the houses 32 and 40 Windsor Road is such that it will unreasonably overshadow and dominate those neighbours, materially adversely affecting the amenity that the occupiers should properly expect to enjoy. It follows that the proposal is not in context with or well related to its surroundings and is in conflict with policy ENV7 of the East of England Plan 2008, policies 3/4, 3/7 and 3/10 of the Cambridge Local Plan 2006 and with advice in Planning Policy Guidance 1 Delivering Sustainable Development (2005)
4. The proposed development with its three vehicle access points will, because of the relationship with and the immediate proximity to the footpath linking Windsor Road and Warwick Road, prejudice the movement and safety of users of that important access, much used by children attending the adjacent nursery and primary schools in Warwick Road. For this reason the proposal is considered to prejudice the safety and movement of users of the public highway and is therefore contrary to policy 8/2, 8/4 and 3/7 of the Cambridge Local Plan 2006

In the event that the decision is the subject of an appeal, officers are instructed to make the Planning Inspectorate aware of the scale of development proposed and allocated nearby on the NIAB site.

10/1222/FUL - 19 The Crescent, Cambridge

The committee received an application for full planning permission.

The application sought approval for the erection of a dwelling.

The applicant's agent (Steve Jenneson) addressed the committee in support of the application.

Resolved (by 8 votes to 0 - unanimously) to accept the officer recommendation and approve the application for the following reasons:

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies:
East of England plan 2008: SS1; T9; ENV6 and 7 and ENG1;
Cambridge Local Plan (2006): 3/1; 3/4; 3/6; 3/7; 3/11; 3/12;

4/11, 4/13; 5/1, 5/4, 8/6, 8/10 and 8/16;

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at

www.cambridge.gov.uk/planningpublicaccess

or visit our Customer Service Centre, Mandela House, 4 Regent Street, Cambridge, CB2 1BY between 8am to 6pm Monday to Friday.

10/1096/FUL - 60 King Street, Cambridge

The committee received an application for full planning permission.

The application sought approval for change of use from A1 (shop) to A3 (Restaurant café) /A4 (Drinking Establishment).

The committee received a representation in objection to the application from the following:

- Mr Dorrington

The representation covered the following issues:

- i. Noise from revellers
- ii. Disruption caused by taxi/delivery traffic
- iii. Increase in alcohol related disorder

The applicant (James Hoskins) addressed the committee in support of the application.

Resolved (by 7 votes to 0) to accept the officer recommendation and approve the application with the following additional condition:

The first floor accommodation at 60 King Street shall be occupied only by a person solely or mainly employed or last employed in the business occupying the ground floor, or a partner or any resident dependants of persons employed in the ground floor Class A3 or Class A4 use.

Reason: To ensure that the first floor residential accommodation is not occupied by persons unassociated with the ground floor use, who might suffer unreasonable disturbance because of the proposed use of the premises. (Cambridge Local Plan policy 4/13)

for the following reasons:

1. This development has been approved, conditionally, because subject to those requirements it is considered to conform to the Development Plan as a whole, particularly the following policies: East of England plan 2008: SS1, ENV6, ENV7 Cambridge Local Plan (2006): 3/1, 3/4, 3/7, 4/11, 4/13, 6/6

2. The decision has been made having had regard to all other material planning considerations, none of which was considered to have been of such significance as to justify doing other than grant planning permission.

These reasons for approval can be a summary of the reasons for grant of planning permission only. For further details on the decision please see the officer report online at www.cambridge.gov.uk/planningpublicaccess

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The meeting ended at 11.00 pm

CHAIR

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