

Public Document Pack

Environment and Community Scrutiny Committee
Thursday, 29 June 2023

EnvCm/1

ENVIRONMENT AND COMMUNITY SCRUTINY COMMITTEE 29 June 2023
6.10 - 8.10 pm

Present: Councillors Divkovic (Chair), Flaubert, Glasberg, Hauk, Pounds, Swift and Wade

Executive Councillors: Carling (Executive Councillor for Open Spaces and City Services), Gilderdale (Executive Councillor for Community Wealth Building and Community Safety and Deputy Leader (Statutory)), Healy (Executive Councillor for Communities) and Moore (Executive Councillor for Climate Action and Environment)

Officers:

Assistant Chief Executive, Democracy, Inclusive Economy & Climate Group:
Andrew Limb

Community Engagement and Enforcement Manager: Wendy Johnston

Community Safety Manager: Keryn Jalli

Strategy and Partnerships Manager: David Kidston

Equality & Anti-Poverty Officer: Helen Crowther

Committee Manager: James Goddard

Meeting Producer: Sarah Steed

Others Present:

Sustainability Co representative: Jeff Laidler

FOR THE INFORMATION OF THE COUNCIL

23/1/EnC Apologies for Absence

Apologies were received from Councillors Nestor and Payne (Councillor Flaubert attended as her Alternate).

23/2/EnC Declarations of Interest

No declarations of interest were made.

23/3/EnC Minutes

The minutes of the meeting held on 23 March and 25 May 2023 were approved as a correct record and signed by the Chair.

23/4/EnC Public Questions

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

1. Councillor Ashton raised the following points:
 - i. Wanted to focus on protecting the already protected open and green spaces.
 - ii. Following the recent survey of Cambridge residents 'what matters most', the top three topics were:
 - a. Living and walking/cycling distances to open spaces.
 - b. Open and green spaces.
 - c. A sense of community.
 - iii. The city was going through a period of unprecedented growth, which put pressure on green space.
 - iv. The recent pandemic showed the need for open and green spaces.
 - v. Understood the need for (more) council housing but not at the expense of green spaces.

The Executive Councillor for Open Spaces and City Services responded:

- i. How to protect spaces:
 - a. Was happy to liaise with Councillors Ashton and Thornburrow (Executive Councillor for Planning, Building Control and Infrastructure) outside of committee.
 - b. Recognised the importance of green and open spaces.
 - c. The Cambridge Local Plan included policies to protect open spaces such as policy 67 that required the replacement of open space before it was lost.

Supplementary question:

- i. Some open spaces were already protected for a good reason. These should be kept. Policy 67 sought replacement of a 'protected' open space. How could the 'protected' open space be protected?

The Executive Councillor responded:

- i. Agreed with points being made.

- ii. For anything to happen on an open space, a 'good' replacement open space was required.

2. Raised the following points:

- i. The Save St Thomas Play Park group represented around seventy residents in Coleridge ward who wished to express their concerns about the way the Council was proceeding with its plans to develop housing on the St Thomas's Road play park, a protected open space and valued local greenspace.
- ii. The Council's process:
 - a. Housing Scrutiny Committee in September 2021 considered a housing development proposal primarily described as being on garage sites but also including St Thomas's play park.
 - b. The playpark was a protected open space in Coleridge ward.
 - c. Under-use and anti-social behaviour issues were given as a justification for developing on the play park. These justifications were not evidenced to the committee. The evidence that underpinned these justifications went unchallenged.
 - d. Information now made available under the Freedom of Information Act showed that between 2012 and 2023 the council recorded a single five-week period of problems in spring 2019. Housing Scrutiny Committee was advised that Anti-Social behaviour at the play park had been an ongoing issue but the Council's own records dispute this and the decision to proceed with a redevelopment in part because of these problems was flawed.
 - e. No discussion or engagement with play park users took place before the decision in principle to redevelop was taken, contrary to the decision-making standards the council said it would abide by.
- iii. The substitute open space proposed:
 - a. The Council decided to redevelop the St Thomas's Play Park site in September 2021.
 - b. The playpark was a designated, protected open space in the Cambridge Local Plan 2018.
 - c. The current play park was just over an acre in size. It was largely open with a central fenced area with children's play equipment in it. It was capable of, and well used for; active recreation, play,

football, ball throwing, dog walking etc. The seventy people, children and dogs who turned out for the photograph and who signed the recent E-petition clearly valued it.

- d. The Housing Scrutiny Committee project proposed a substitute play park space. However, the substitute space was not like for like, it was in two smaller, physically separated sites. These sites would provide a different offer but one that was more restricted and compromised for the range of active play currently possible and enjoyed at the play park now. They would not deliver an equal or better standard of open space than there was now, as required by the Council's own policies. The more limited size of the two separate, smaller areas and their closeness to housing would limit the flexibility in their use compared to now. The council's own policies also warned against creating potential conflicts that could arise by the location of open space areas adjacent to housing – the two replacement sites were constrained by their size and locations in a way that would inevitably lead to conflicts between users and new and existing occupants.
- e. The design of the open space area currently proposed adjacent to the new housing also meant perceptually it would be more like a private landscaped area serving those who would live there rather than being an asset for the wider community as now.
- f. The current site had a low level of biodiversity but there were trees and hedges that could make a greater contribution to the twenty percent uplift target with appropriate investment.
- g. The council had not invested in the play park or its environment since 2016.

The Executive Councillor for Open Spaces and City Services responded:

- i. Referred to the answer given to the question raised at 20 June 2023 Housing Scrutiny Committee.
- ii. Offered to continue to liaise with residents in future.
- iii. A consultation meeting would occur 4 July 2023 which the Executive Councillor and public speaker planned to attend.

- iv. Plans on how to develop the site would be submitted in future. This would be treated in the same way as other (non-City Council) applications.

Supplementary question:

- i. Felt there was a lack of due diligence in the process.
- ii. Queried what was the evidence for changing the use for a protected open space?

The Executive Councillor responded:

- i. Undertook to liaise with the public speaker after committee.

3. Pesticide-Free Cambridge raised the following points:

- i. Expressed concern about ongoing confusion about the precise scope/remit of the current Herbicide Reduction Plan, and what/ where was still being sprayed / designated herbicide-free. At the last Herbicide-Free Working Group meeting on 9 May 2023, learnt from City Council operatives that further to the County Council Highways decision in March to stop all spraying on land it owns, the City Council was no longer using any herbicides on hard and soft surfaces across the whole city, with the exception of Local Authority housing estates outside the four herbicide-free trial zones. Our assumption up to that point was that pavements outside the four herbicide-free wards were still continuing to be sprayed pending a decision to roll out herbicide-free methods across the whole city, and this was the indication that was given in the council's press release on 24 March when Trumpington and West Chesterton were added to the existing two Herbicide-Free wards of Newnham and Arbury (<https://www.cambridge.gov.uk/news/2023/03/24/cambridge-herbicide-free-ward-trial-extended>). Could you confirm that we have understood this revised position correctly as this contradicts general understanding across the community, and if so when this revised position was going to be shared with the public? We have seen several signs of post-herbicide pavement plant die-off at various locations in the city, and we're keen to know whether or not this was council activity, and if so how it fits with the above revised position, and if not, whether we're dealing with residents (or another local authority) taking matters into their own hands.

- ii. Please clarify what's happening about the Herbicide Reduction Working Group which was established further to the July 2022 Herbicide-Free Motion? This was running regularly until 9 May, with a proposed follow up meeting scheduled for 6 June. This never happened, and despite various follow up emails, we were still in the dark. What were the plans for its reinstatement? We were concerned about this lapse given that action points from the last meeting remain pending (<https://www.pesticidefreecambridge.org/post/record-of-our-meetings-with-councillors-schools-and-partners-groups>), and some of these, as outlined in the following questions, were pressing.
- iii. Were extremely concerned about suggestions that the city centre may be framed as an exclusion zone to the Herbicide Reduction Plan (HRP). Could we have an update on this please as this would obviously seriously undermine the message of the HRP.
- iv. Other action points included moving ahead with a planned herbicide-free workshop with Cambridge university and its colleges, as well as other landowners in order to compliment the council's HRP and to hopefully avoid the kind of backward step represented by a potential city-centre exclusion zone. Could we have an update on this please?
- v. Requested an update on the draft Communications Plan for residents that was circulated at the 9 May meeting. We're concerned that this should go out as soon as possible in order to maximise the impact of the council's own Herbicide Reduction Plan, and especially now that we're into mid-summer when private pesticide spraying tends to be at its highest.

The Executive Councillor for Open Spaces and City Services responded:

Question 1

- i. In terms of the City Council's own estate, there had been no change to the decision that was made at this Scrutiny Committee on 23rd March 2023, in accordance with officer recommendations; and what was reported in the corresponding press release of 24th March 2023. The Council was not using herbicide to treat vegetation growth on any of our City Council hard and soft surfaces, except for our Local Authority

- housing estate hard surfaces outside of the four approved herbicide-free trial ward areas of Arbury, Newnham, West Chesterton and Trumpington.
- ii. In terms of the County Council's adopted public highway estate in the city, which we maintain on their behalf, we were continuing to assist them with implementing their recently adopted policy of moving "from a County road network wide chemical weedkilling to priority based weed removal by non-chemical meant" (ref. Highways and Transport Committee of 7th March 2023), in accordance with our 23rd March 2023 Scrutiny Committee decision. To date, the County Council had not instructed us to apply herbicide on any of its Highway verges in the city. Instead, the City Council have been managing weeds in the adopted Highway using non-chemical meant, such as mechanical or hand removal. Now that we were several months into implementing this new approach, the County have asked us to assist with an evaluation of its effectiveness; and whether or not there were any associated issues, including available resource and associated costs and risks to health and safety and physical damage to sensitive Highway assets, such as streets with granite sett or York paving, where the County may want to consider specifying, on an exception basis, the targeted limited use of herbicide (via spot treatment).

Question 2

- iii. The Working Group had a critical role to play in engaging key stakeholders, such as Pesticide Free Cambridge, in the delivery of the HRP for the city; and so, would continue to meet to support our commitment to move towards a herbicide free Cambridge in a way that works best for the whole city. Would ask the lead officer, who chairs the group, to ensure there was a forward plan of meeting dates for the remainder of the year; and to keep the Executive Councillor briefed on the group and progress with the HRP's delivery.

Question 3

- iv. As per response to question 1 above, this was being led by the County Council, as it related to the management of the County Council's

adopted public highway assets with the city centre. Would ask the Working Group lead officer to convene a meeting involving County colleagues and yourselves to discuss the current evaluation work (as referred to in response to 1. above) and any resulting findings and associated recommendations on the use of herbicide weed treatment in specific locations in the city.

Question 4

- v. Would ask the Working Group lead officer to update you on this.

Question 5

Would ask the lead officer, who chairs the group, to update you on this.

23/5/EnC Review of Public Spaces Protection Order for Dog Control

Matter for Decision

The Officer's report considered the results of the statutory consultation exercise conducted by the council, during February and March 2023, in relation to the proposal to extend and vary the Public Spaces Protection Order (Dog Control) 2017 ("Order"), in respect of irresponsible dog control (including dog fouling, dog exclusion, dogs on leads seasonal requirements, meant to pick up dog faeces, restriction on maximum number of dogs able to be walked and dogs on leads in designated areas) within Cambridge.

The council received 736 responses to the consultation survey (735 via Citizen Lab and one paper copy), during February and March 2023. Several written responses were also received. The council had considered all of the responses and reviewed the proposal again against Public Space Protection Order (PSPO) evidential 'tests' and based on the results, was recommending the variation and extension of the current Order, as set out in Appendix A of the Officer's report, for a further three-year period, ending October 2026.

The Community Engagement and Enforcement Manager updated her report by saying Hobson Park would be excluded from the recommendations for seasonal dogs on leads restrictions.

Decision of Executive Councillor for Open Spaces and City Services

- i. Approved the extension and variations of the Order as set out in Appendix A of the Officer's report excluding Hobson Park for seasonal dogs on leads restrictions.
- ii. Approved the geographical areas covered by the Order, as indicated in the maps at Appendix B of the Officer's report excluding Hobson Park for seasonal dogs on leads restrictions.
- iii. Delegated to authorised officers' the authority to install, update and/or remove signage appropriate to the approved Order.
- iv. Increased the fixed penalty notice amount for breach of the Order to £100 (with a reduced amount of £60 for early payment).

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 Community Engagement and Enforcement Manager.

The Community Engagement and Enforcement Manager said the following in response to Members' questions:

- i. The number of complaints about dog attacks was low.
- ii. Hobson Park incidents would be reviewed over the next three years to see if it needed to be included in the PSPO. The three year review enabled officers to consider what was appropriate to protect the area/wildlife and allow dogs to exercise.
- iii. Officers would also monitor dog fouling on sport pitches over the next three years and liaise with council teams to see if any restrictions were needed eg putting dogs on leads.
- iv. Based on experience from Byron's Pool up to four dogs on a lead(s) to one walker was an acceptable number/ratio to allow responsible control of the dogs so this was used in the PSPO.
- v. The PSPO was put in place to deter irresponsible behaviour. Enforcement Officers would attend hot spots based on intelligence from residents and businesses. The PSPO did not set the number of officers needed and they did not 'patrol' the PSPO. There were six Enforcement Officers across the city and this amount was considered sufficient.

- vi. Signage was in place from 2017. Officers were looking to redesign and improve it to include details such as QR codes and how to report issues (if the PSPO was approved). Signage details and locations would be reviewed to ensure it was appropriate and informative.
- vii. Maps of the PSPO could be included on signage for areas such as Logan's Meadow.
- viii. Information on the reasons/need for seasonal dogs on leads requirements would be included in the signage.
- ix. The Council was learning lessons based on the signage experience of other local authorities.
- x. Officers could liaise with nature reserve friends' groups about signage and seek their views on proposals.

The Committee unanimously resolved to endorse the amended recommendations.

The Executive Councillor approved the amended recommendations.

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

No conflicts of interest were declared by the Executive Councillor.

23/6/EnC Cambridge City Centre Heat Network: Detailed Project Development

Matter for Decision

AECOM's 'Mapping and Masterplanning Study' (Work Package 1) suggested that the Cambridge City-Centre Heat Network was likely to be feasible. The subsequent 'Feasibility Study' (Work Package 2) was scheduled to report in summer 2023, enabling the Cambridge City-Centre Heat Network to move to Detailed Project Development stage.

The decision required related to Council approval and match-funding needed to move to the next stage of Detailed Project Development.

The Detailed Project Development would provide a more thorough assessment of the physical and financial aspects of the project. It could include options analysis and advice on governance, financing and commercial models.

Once the Detailed Project Development stage had been completed, a further decision on whether and how to proceed with build-out and delivery of a network, and if, or what investment, would be required.

Decision of Executive Councillor for Climate Action and Environment

- i. Provided 'in-principle' approval to use up to £180,000 of the Council's Climate Change Fund for match-funding of the next phase of Detailed Project Development, subject to a satisfactory outcome from the feasibility study; a successful second government Heat Network Delivery Unit grant application; confirmation of a match-funding contribution from the University of Cambridge, clarification of additional expected resourcing requirements and sources and approval from the Executive Councillor for Finance and Resources.
- ii. Approved delegated authority to the Assistant Chief Executive (as heat network Project Sponsor) to make the final decision in consultation with the Executive Councillor, chair of Environment and Communities Scrutiny Committee and opposition spokes, once the Feasibility Study was completed in summer 2023.
- iii. Noted the potential requirement for a further additional council and partner investment in technical assessment, at a later date, subject to exploration of alternative sources of funding (see section on risks and mitigations on pages 9-11 of 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 Assistant Chief Executive.

The Assistant Chief Executive said the following in response to Members' questions:

- i. The project had not happened earlier as officers had been exploring options for some years. It took time to find the finance and appropriate technology to make the project practicable to meet targets in the City Council's strategies.
- ii. No-one else had done a heat network in a historic city centre (they had in other settings such as rural areas) so the City Council would be a trail blazer.
- iii. There would be some disruption to the city centre if the network was installed. The intention to minimise this and further details on 'how' were

set out in the Officer's report. The intention was to work with partner organisations to mitigate disruption and risks; plus keep residents informed.

- iv. Central Government funding would be sought to minimise the cost to the Council.
- v. There were a lot of finance options for the project at present, and the pros and cons of each would be explored further during the next stage. There was a risk/reward review to decide which to use.
- vi. The impact of the project on open spaces (and any archaeology therein) would be reviewed (later) in the bore hole part of the project.

The Sustainability Co representative said the following in response to Members' questions:

- i. The City Council was showing an enabling role by bringing the project forward.
- ii. The next stage of the project would look at project finance and governance options.
- iii. The heat network tried to balance aims (e.g. addressing fuel poverty) with what was practicable. The ambition would be to explore the potential to connect the network to social housing in due course in the hope this would lead to decarbonisation of housing stock in future.
- iv. There would be disruption from boreholes. There was a chance to improve open spaces and increase biodiversity after the heat network was installed.
- v. It was necessary to do a physical dig on site to check how many bore holes were needed, and if it was suitable to dig them in the first place.

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.

23/7/EnC PSPO (Touting) 2016

Matter for Decision

The Anti-social Behaviour, Crime and Policing Act 2014 ("2014 Act") gave local authorities the power to make Public Space Protection Orders (PSPOs).

The Cambridge City Council Public Spaces Protection Order (Touting) 2016 was due to lapse on 14th September 2023.

Before the order lapses, Cambridge City Council must decide to either: a) extend the period of the order for up to three years, b) vary the order or c) discharge the order.

Decision of Executive Councillor for Community Wealth Building and Community Safety

- i. Extended the PSPO for a period of 3 years on the grounds of:
 - a. Consultation feedback highlighting concerns about nuisance re-occurring if the order was discharged
 - b. Support from residents and businesses, including punt operators, for the continuation of the PSPO
 - c. The need to address the disparity between low reporting to the council and ongoing community concerns about prohibited behaviours. It was proposed that updated signage was put in place to make clearer how people could report punt touting in the prohibited areas.
- ii. Increased the Fixed Penalty Notice issued for breaches of the order from £75 to £100, so that it was in line with all other Fixed Penalty Notices issued by Cambridge City Council as outlined in section 3.17 – 3.25 of 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 Community Safety Manager.

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

- i. Officers were looking to redesign and improve signage to include details such as QR codes and how to report issues (if the PSPO was approved). Signage details and locations would be reviewed to ensure it was appropriate and informative.

- ii. Officers were aware of touting around Cambridge Central Rail station. Touts had the land owner's permission to operate. Network Rail would have to agree to changes to make the PSPO cover that privately owned area. Currently there is not significant evidence the station is a hot spot. The situation would be reviewed.

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.

23/8/EnC Single Equality Scheme Annual Report 2022/23

Matter for Decision

The current Single Equality Scheme (SES) covered the period from 2021 to 2024. The council produced the SES to set equality objectives and therefore to ensure transparency and assist in the performance of its Public Sector Equality Duty (Section 149 of the Equality Act 2010).

This annual report presented information to demonstrate compliance with the Public Sector Equality Duty by providing an update on progress in delivering key actions set in the SES for 2022/23. It also proposed some new actions for delivery during 2023/24 under the Scheme's objectives.

Decision of Executive Councillor for Communities

- i. Noted the progress in delivering equalities actions during 2022/23 (full details set out in Appendix A of the Officer's report).
- ii. Approved the new actions proposed for delivery during 2023/24 (set out in Appendix B of 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 made no comments in response to the report from the Equality and Anti-Poverty Officer.

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.

23/9/EnC Anti-Poverty Strategy Annual Report 2022/23

Matter for Decision

The report provided an update on delivery of key actions in the Council's third Anti-Poverty Strategy, which covers the period 2020-2024.

During 2022/23 the Council delivered a range of planned actions to help address issues associated with poverty, including low pay, debt, food poverty, fuel poverty, digital inclusion, skills, employment, housing affordability, homelessness, and poor health outcomes. The report also provided an update on a range of activities that the Council delivered and helped facilitate to support residents with the rising cost of living.

Decision of Executive Councillor for Communities

- i. Noted the progress in delivering actions to reduce poverty in Cambridge during 2022/23 (as set out at 4.1 in the Officer's report and in the full APS annual report at Appendix A)
- ii. Noted the activities that were delivered during 2022/23 to support residents with the rising cost of living (as set out at 4.2 in the Officer's report and in the full APS annual report at Appendix A).

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 Strategy and Partnerships Manager.

The Strategy and Partnerships Manager said the following in response to Members' questions:

- i. The Ward Spaces Scheme was expected to continue. Officers were looking at 'how' in conjunction with the community and voluntary sector. People came for a sense of community/activities as well as warmth.

Councillor Swift said West Chesterton had a Community Drop-in Scheme similar to the Ward Spaces Scheme. It was a community asset that started since covid lockdown. Food security was an issue for residents. People could donate to food hubs, but primary schools and libraries were also getting involved (as food collection hubs) in his ward. Donations from supermarkets were variable in their quantity and selection of food offered. Queried if community grants could be made available to promote and extend the scheme.

The Executive Councillor for Communities said lots of volunteer work occurred across the city to fill gaps in the cost of living from Central Government. There was a grants program to support work which would open in autumn 2023.

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 8.10 pm

CHAIR