

**ENVIRONMENT
SCRUTINY COMMITTEE**5 November 2002
(10.00 - 4.05pm)

PRESENT: Councillors Dixon (Chair), Bailey, Baker, Blencowe, Bradnack, Durrant, Hipkin, Pinnington, Stuart and Ward.

ALSO PRESENT: Councillor Nichola Harrison, Executive Councillor for Environment. Councillor Howell (for item 02/ENV47)

FOR THE INFORMATION OF THE COUNCIL

02/ENV/28 MINUTES

Councillor Durrant requested that he be recorded as being present on 9 July.

Subject to the above, the minutes of the meetings held on 9 July and 20 September were confirmed as correct records.

02/ENV/29 APOLOGIES FOR ABSENCE

There were no apologies for absence.

02/ENV/30 DECLARATIONS OF INTEREST

The following personal interests were declared:

02/ENV/40 Councillor Baker being on the Governing Body of Emmanuel College, one of the owners of Bradwell's Court.

02/ENV/35 Councillor Durrant being Co-Chair of Cambridge Futures.

02/ENV/37 Councillor Durrant being a Council appointee on Hobson's Conduit Trust

02/ENV/31 PUBLIC QUESTION TIME

Ms H Macbeth-Hornett (Abbey Ward resident) asked a question concerning future growth of air travel and at Cambridge Airport in particular and whether the Council would support protection for those people who lived in the immediate area. The Executive Councillor responded that both locally and nationally safety and environmental considerations must be a priority in planning the growth in air travel.

Mr R Wells, Chairman of the Hobson's Conduit Trust addressed the Committee under 02/ENV/37 (page 6)

**02/ENV/32 PETITION – REMOVAL OF FLOWER BEDS IN AKEMAN STREET
AND DARWIN DRIVE AND AT THE STRETTON AVENUE
JUNCTION (See also Record of Decision 02/Env/25)**

A petition with over 200 signatures had been submitted in favour of removing the

flower beds at the junctions of Akeman Street, Darwin Drive and Stretten Avenue.

“We the residents of this area are requesting that the flower beds at these junctions are removed. This follows yet more accidents this weekend 13 July – 14 July 2002. There have been four accidents in the last two weeks. The child could not see because of the over grown bushes. The flowerbeds obscure the view of the roads, coming from either direction you are unable to see what is around the corner. We would like to see what is around the corner. We would like to see some action before the children’s summer holidays as we feel that before long there is going to be a very serious accident involving a child”.

Kate Green of Akeman Street and Colin Dickens, Chair of the Residents Association addressed the Committee. The Committee noted that some action had been taken since the receipt of the petition to improve visibility.

The Committee was advised by the officers that a further option would be for some limited re-planting of smaller shrubs (costing £1,500 within existing budgets), which with regular maintenance, would keep the beds at a suitable level for road visibility. The petitioners indicated that the proposal was acceptable. The Director of City Services anticipated that the proposal could be maintained within existing resources.

In response to questions from Labour members regarding the maintenance regime, the Director of City Services undertook to report back to March Committee on the work City Services undertook on environmental improvement projects which required maintenance and the resources allocated.

The Committee agreed to the recommendation proposed by the officers as stated above.

The Executive Councillor agreed.

02/ENV/33 **PETITION – REPAIRING SERVICE ROAD TO BRAMPTON AND CROMWELL ROADS** (*See also Record of Decision 02/Env/26*)

A petition with 94 signatures has been submitted as follows:

“We the undersigned, call upon the Cabinet Member responsible for the Environment to explore the method of funding for the repair of the service road to Brampton Road and Cromwell Road”

Mr P Brookes, Ms D Higgins and Mr N Wakelen addressed the Committee. In summary, the petitioners requested that the Council establish the ownership, re-consider part funding improvements, come up with accurate prices and investigate methods for spreading the cost.

The Chair ruled under 100B(4)(b) of the Local Government Act 1972 that the report from the Director of City Services/Director of Environment and Planning, which had

been listed on the agenda, be considered despite not being available five clear days before the meeting.

The Environmental Projects Manager introduced the report and highlighted that the Environment Committee had resolved not to fund improvements through the Environmental Improvement Programme in January 2002. It was also noted that the Head of Legal & Democratic Services had advised that the Council was under no legal obligation to repair or maintain the road. The officers had also investigated whether an addition to the Council Tax could be employed to enable repairs to be funded, but the Head of Legal & Democratic Services had advised this would not be legal. In response to a question about the costs of any works to the road, a contractor's estimate of £100,000 was for a tarmac surface.

The Director of City Services stated that the decision to stop collecting refuse from the rear of the affected properties had been taken on health and safety grounds following site specific risk assessments. In response to points made by both petitioners and members, he stated that the change to collecting refuse from the front of the affected properties had operationally been effective with 60-70% of bins being kept at the front and without blocking the pavement. He stated that city-wide over 30% of properties had worse access for refuse collection.

Councillor Durrant requested that officers should investigate a compromise solution. He suggested either the use of commercial (4-wheeled) bins, or a management agreement amongst the residents. The Director of City Services stated that he would have some concerns about the use of commercial bins because of the lack of space at the rear of the properties and the question of which households would be responsible for the bins.

Councillor Stuart stated that the Council should assist the residents to establish the ownership of the land as there appeared to be conflicting advice from officers and residents. Councillors Stuart and Bradnack suggested that the officers needed to investigate further the costs of any works and establish the options for both the Council and the residents.

The Executive Councillor stated that the matter was open for further discussion but that since the Council had no legal responsibility to repair the service road, the residents must take the lead and overall responsibility in coming forward with any proposals which might involve the Council in assisting in the repair of the road. Residents were also responsible for obtaining legal advice if they wished to try and establish legal responsibility on the part of the Council. The Executive Councillor reminded the Committee that a decision had been taken in January 2002 not to fund any works to the service road. She also stated that the Council was not prepared to resume refuse collection from the service road until it was put into a satisfactory state of repair.

In response to the discussion, the Chair proposed an amendment revising recommendation 2.1 of the report:

'That officers are authorised to work with residents to carry out further investigations

to establish legal responsibility for the roadway and to consider options for its improvement.'

The Committee agreed to amend recommendation 2.1 as proposed. The Committee agreed to recommendation 2.2 by 7 votes to 0.

The Executive Councillor agreed to the recommendations from the Committee bearing in mind her comments made above.

02/ENV/34 **SERVICE PLANS** (*See also record of decision 02/Env/27*)

Councillor Bradnack asked the Executive Councillor which elements of the Service Plans she attached the greatest importance. Councillor Harrison stated that broadly it was the services most closely associated with the Council's Medium Term Objectives and Annual Statement.

Development Services

The Head of Development Services updated the estimates for BV109 a & b to be between 25-30% and 45-50% respectively. The Committee noted that the Government was to propose a new target of 50% for determining major planning applications within 13 weeks in 2003/04. Councillor Baker stated that the combination of public participation and numerous s106 agreements, although bound to delay the process, did benefit the community. The Executive Councillor stated that the quality of decision making was equally important to the quantity. In response to further questions relating to the number of manual tasks undertaken, the Head of Development Services stated that the upgrade to the development control computerised system as part of the Council's NLIS project would result in significant improvements and efficiency savings.

Economic Development & Tourism

The Committee was advised that the recent recruitment to the Head of Service had been unsuccessful.

Environmental Health

Environment and Planning Policy & Projects

In response to questions concerning the Environmental Improvements Programme, the Head of Policy & Projects stated that a report on the Programme will be submitted to Committee in March. The Service Plan in January will reflect the proposals for decentralised decision making.

Street Services

Councillor Hipkin wished it to be placed on record his appreciation of the improvements to street cleaning and the work of City Services. In response to a

question from Councillor Stuart on BV85, the Director of City Services indicated that the Government were dropping this indicator after 2001/02. The Council had engaged consultants to assess the cost effectiveness of this area of service with a report expected for Committee in March.

Transport Services

Waste Management

The Committee was advised that cardboard would be included in the Green Bin scheme from December and arrangements for publicity and leafleting had been put in place. In addition, the effectiveness of the Council's recycling centres and Black Box scheme would be reported to Committee in January.

Parks & Recreation (Cemeteries and Crematorium)

The Committee agreed (by 6 votes to 0) the recommendation for the Executive Councillor as stated in the report.

The Executive Councillor agreed the recommendation.

02/ENV/35 KEY DECISION REGIONAL PLANNING GUIDANCE (RPG) (See also record of decision 02/Env/28)

In introducing the report, the Director of Environment & Planning emphasised that there could be further amendments to the RPG response pending further discussions with the County Council and South Cambs DC.

In response to points made by Councillor Bradnack, the Scrutiny Committee agreed that the text from 41.1 was better placed under 45.1, and to amend 49.1 to read 'These factors are fundamental and will always need to be....'

The Scrutiny Committee agreed (by 6 votes to 0) to the recommendations with the two amendments.

The Executive Councillor agreed to the recommendations as amended.

02/ENV/36 KEY DECISION FUTURE DEVELOPMENT OF AIR TRANSPORT IN THE SOUTH EAST (See also record of decision 02/Env/29)

In introducing the report, the Head of Policy & Projects indicated that the key areas for the authority were identified in para 5.1. Regarding the growth of Stansted, the Executive Councillor stated that the airport already had the capacity to expand three-fold on 12 million passengers per annum (at 2000 levels). It would, therefore, be reasonable for the Council to have a sceptical view of any further growth as referred

to in the Government's consultation. The Executive Councillor stated that 'sustainable' should be added to the recommendation in 2.3 to read 'asks the Government to ensure that sustainable surface based alternatives to short haul flights'

In response to points made by Councillor Bradnack, the Executive Councillor agreed that under Q7 (of the attached questionnaire) the Council was not in the position to offer an opinion regarding the increased demand for water.

Councillor Bradnack proposed an amendment to recommendation 2.6: 'supports further feasibility studies on Alconbury to assess its suitability as a regional facility.' The amendment was lost by 4 votes to 6.

The Scrutiny Committee agreed the recommendations for the Executive Councillor (with the amendment to recommendation 2.3 and Q7 as above) by the following votes:

Recommendation 2.1 by 7 votes to 0
Recommendation 2.2 by 5 votes to 1
Recommendation 2.3 by 7 votes to 0
Recommendation 2.4 by 7 votes to 0
Recommendation 2.5 by 5 votes to 1
Recommendation 2.6 by 6 votes to 1
Recommendation 2.7 by 6 votes to 0.

The Executive Councillor agreed to the recommendations. The Committee was advised if, following further discussions with the County Council and South Cambs DC, amendments were required to the response, Chair and spokes would be consulted.

02/ENV/37 KEY DECISION CAMBRIDGE LANDSCAPE AND CHARACTER ASSESSMENT *(See also record of decision 02/Env/30)*

Mr Wells, Chairman of Hobson's Conduit Trust addressed the Committee and related his remarks to the commentary on pages 42/43 of the report. He expressed concern that the Trust was not formally being consulted on relevant development both currently under consideration or in the longer term. These developments had to take into account any potential impact on Vicar's and Hobson's Brooks. The delicate environment around both Brooks needed to be preserved.

In response, the Head of Policy & Projects stated that the southern fringe studies would have to include drainage and the matters raised by the Trust would be included. The Council would expect for the developers to pay for any hydrological studies undertaken. The report would be amended on page 43 to include the pressures on drainage.

Some members of the Committee did not agree that the Assessment should be approved because the consultation undertaken had been too narrow and interested

parties who may be affected (e.g. landowners/developers) needed an opportunity to consider the document before it became a material planning consideration. The Director of Environment & Planning advised the Committee that the document was a technical background paper and would not form Supplementary Planning Guidance.

The proposal to defer consideration of the report was carried by 5 votes to 4. The Committee requested that it be brought back to a future meeting..

The Executive Councillor agreed to the recommendation.

02/ENV/38 **KEY DECISION SUSTAINABLE DEVELOPMENT GUIDELINES** (See also record of decision 02/Env/31)

The Scrutiny Committee agreed the recommendations for the Executive Councillor.

The Executive Councillor agreed the recommendations.

02/ENV/39 **CAMBRIDGE HISTORIC CORE APPRAISAL** (See also record of decision 02/Env/32)

Councillor Durrant requested that the reference to Grand Arcade in appendix 3 , 1.2 be re-phrased. In discussing certain University of Cambridge buildings, the Executive Councillor suggested that it would be appropriate for a member briefing with University officials to cover the University's current land strategy, which could inform the Historic Core consultation.

The Scrutiny Committee agreed the recommendations for the Executive Councillor.

The Executive Councillor agreed the recommendations.

02/ENV/40 **KEY DECISION BRADWELL'S COURT PLANNING BRIEF** (See also record of decision 02/Env/33)

The Committee noted the comments from Planning Committee on 9 October which had been tabled.

Following discussion, the Committee agreed that the Brief included:

a presumption against any in-fill of the open space fronting St Andrew's Street;
that the 'tunneling' effect onto St Andrew's Street and Christ's Lane be ameliorated;
that A2 uses (financial and professional) should be added to the list of acceptable uses within the new development;
that the need to maintain levels of cycle parking be added;
clarification that all servicing via Drummer Street be carried out off the public highway.

The Scrutiny Committee agreed the amendments to the Brief for the Executive

Councillor.

The Executive Councillor agreed the recommendations.

02/ENV/41 **REVIEW OF ROOF EXTENSIONS DESIGN GUIDE** (*See also record of decision 02/Env/34*)

The Scrutiny Committee agreed the recommendations for the Executive Councillor.

The Executive Councillor agreed the recommendations.

02/ENV/42 **ABANDONED VEHICLES** (*See also record of decision 02/Env/35*)

Councillor Bradnack stated that the Labour Group was of the view that the Council should charge £15 for the service. He also asked for further information regarding Exeter's performance. Councillor Ward suggested that the officers investigate the enforcement powers available to recover the Council's costs. The Executive Councillor stated that the Council had previously considered and rejected an option to charge £25, which would have raised in the region of £10,000. However, she believed that the Council's current policy was working and was minded to continue with a free service. The Executive Councillor requested that the Scrutiny Committee agree to make further representations to the County Council regarding it meeting the disposal costs the City Council incurred for providing the current service. In addition, she recommended that the Council should investigate with partners in the Joint Waste Strategy Area whether there were further economies of scale to be achieved through joint procurement for the service.

The Scrutiny Committee agreed (by 9 votes to 0) to the above two requests from the Executive Councillor and to defer any decision on charging until officers reported back on the use of enforcement powers available to the Council to cover costs and informed by further details from the Family Group.

The Executive Councillor agreed to the recommendations

02/ENV/43 **THE USE OF LOCAL AUTHORITY POWERS TO REQUIRE DRIVERS TO SWITCH OFF ENGINES WHEN PARKED** (*See also record of decision 02/Env/36*)

The Executive Councillor advised the Committee that there would be further promotion for the proposals using existing budgets.

The Scrutiny Committee agreed the recommendation for the Executive Councillor.

The Executive Councillor agreed the recommendations.

02/ENV/44 **CREMATORIUM AND CEMETERIES REVISED REGULATIONS** (*See also record of decision 02/Env/37*)

The Scrutiny Committee agreed the recommendations for the Executive Councillor.
The Executive Councillor agreed the recommendations.

02/ENV/45 **KEY DECISION PROJECT APPRAISALS FOR THE REPLACEMENT OF GONVILLE PLACE AND PARK STREET PUBLIC CONVENIENCES** *(See also record of decision 02/Env/38)*

The Scrutiny Committee (by 7 votes to 0) recommended approval of the Project Appraisals.

The Executive Councillor approved the Project Appraisals.

02/ENV/46 **APPOINTMENT TO OUTSIDE BODIES** *(See also record of decision 02/Env/38)*

The Committee was required to recommend appointments to the Joint Strategic Planning Panel and Cambridge Transport Forum Reference Group.

Councillor Ward proposed Councillors Howarth (5 votes in favour) and Harrison (5 votes in favour) respectively. Councillor Bradnack proposed Councillors Durrant (4 votes in favour) and Blencowe (3 votes in favour).

The Executive Councillor agreed to appoint Councillor Howarth & herself.

02/ENV/47 **CAR TRADING FROM THE HIGHWAY**

Councillor Howell addressed the Committee and referred to the commentary included on the agenda page. He was concerned at the lack of legal powers available to the local authority to tackle the issue effectively. He proposed that the Council should either be able to act under a by-law or by extending street trading controls.

The Head of Legal & Democratic Services advised the Committee that Counsel's opinion was being sought on a range of remedies which the Council may choose to employ. The Executive Councillor stated that a working group of key officers had been investigating the problem and Councillor Howell would be included in future meetings. She stated that the report to Committee would illustrate that the Council had been progressing the matter, despite the fact that it continued to be challenging because of the number of City and County Council services involved and the various legal avenues which needed to be explored in detail.

The Committee agreed that a report on the matter raised by Councillor Howell should be submitted to the next meeting.

The meeting ended at 4.05 pm

CHAIR