

**Strategy and Resources Scrutiny Committee**1 September 2008  
5.00pm – 8.25pm

**Present:** Councillors Bick, Blackhurst, Dryden, Herbert, Howell, Shah, Taylor (Chair) and Ward

**Also Present:**

Councillor Ian Nimmo-Smith, The Leader

Executive Councillor for Customer Services and Resources, Rod Cantrill

**For the Information of the Council****08/SR/41 Change to Committee Membership**

The committee noted the change in membership as Councillor Dryden replaced Councillor Bradnack as Labour spokesperson for Customer Services and Resources. The Chair thanked Councillor Bradnack in his absence for his contribution to the Committee over many years.

**08/SR/42 Minutes**

The minutes of meetings on 19 November 2007 and 14 April 2008 were agreed as correct records and signed by the Chair. Minutes of the 22 May 2008 would be brought to the next meeting.

**08/SR/43 Apologies**

Apologies were noted from Cllr Ellis-Miller and Cllr Blair (Alternate).

**08/SR/44 Declarations of Interest**

Councillor Ward declared an interest in item 08/SR/55 as a Conservator of the River Cam

**08/SR/45 Public Questions**

Mr Richard Taylor, asked a question relating to item 08/SR/50 The question was taken with the item.

**08/SR/46 Cambridge Climate Change Strategy & Action Plan**

The Climate Change Officer introduced the item and detailed the consultation process. The Officer summarized the key elements of the action plan:

revision to the carbon footprint target, a clarification of the assessment process, an increase in the action points from 83 to 92 and an increased reference to national action targets. Cllr. Herbert asked what additional paperwork was available for members to inspect. Cllr Blackhurst pointed out that all councillors would be debating the issue at Full Council and would need to see the document. The Climate Change Officer would arrange for the Action Plan to be placed on the Council website.

Union involvement with the action plan was discussed. The unions were reported to be supportive of environmental staff activity. The engagement of respondents to the consultation exercise was being maintained through regular Newsletters. Cllr Howell suggested that the private sector and the individual could be asked to do more. He also questioned the amount of resources this issue was consuming and said more attention should be paid to the cost benefit analysis.

The Officer responded that this point was raised during the consultation exercise and has been addressed in section 8 of the amended strategy. For example, the Climate Change Fund focused on projects with a costing of £100 per ton of CO2 over the lifetime of the project and with a financial payback of under 5 years. The action plan was a framework for making future decisions over the next 5 years.

The Leader agreed that the document should be on the web-site as soon as possible. He stated that the Council was aware of National and International action and that, as a leader in the local community, the City Council had a role to play. Partnership working will be encouraged to avoid duplicating work done by others.

The Committee supported the recommendations set out in the officers' report by votes 5 to 0

The Leader approved the recommendations

## **08/SR/47 Annual Equalities Review**

The Head of Strategy and Partnerships introduced the report. He stated that good progress had been made and services were now fully engaged with the equalities philosophy. Further legislation was expected in the autumn with the six diversity strands merging to become a part of the cohesive communities agenda. The Officer suggested this was a time of change both within the Council and externally. Some services were under review and the picture on resources for the future was currently unclear.

Cllr Bick expressed concern that the debate was becoming polarized with the drive to create bonds across communities devaluing diversity and multiculturalism. Cllr Herbert responded by stating that the two dimensions did not exclude each other. He suggested that community cohesion was a major focus in several parts of Britain but is not evident as the main issue in Cambridge. Debate followed on merits of an overarching strategy which might be seeking to do too much as opposed to a more targeted approach, focusing on known problem areas.

Access to Council buildings, staff behaviour and recruiting BME groups to senior post were highlighted as problems. The Head of Property and Building Services outlined the improvements to access that had been made to date and said that further improvements were in the pipeline, such as improved access to the Guildhall and the Council Chamber.

The Head of Human Resources stated that BME figures were improving and a number of policies had been revised to improve and monitor staff behaviour and attitudes. These included, Dignity at Work and the Grievance Policy. She suggested that further work was planned around the problems faced by those with a disability in the workplace. The Executive Councillor for Customer Services and Resources stated that the Council took a proactive approach to improving access.

Cllr Herbert was concerned that there was limited opportunity for scrutiny of this issue and the wider issues within the community as the report responded to legislation rather than current strengths and weaknesses.

The Chair asserted that diversity should be a central feature of all debates. The Leader stated that the report supported and celebrated diversity while not seeking to impose a national approach that may not be appropriate for Cambridge. He supported Cllr Bick's comments and suggested that there was potential for community groups to drift apart. BME groups were themselves aware of the risks to their young people and were working to address the issues. Members could also request to scrutinize specific issues of the equalities agenda

The Leader thanked Sigrid Fisher, the Equalities Strategy Officer, for her valuable contribution over the last five years that had resulted in considerable progress for the City Council in this area.

The Safer Communities Section Manager highlighted the good work that had been done in engaging sensitive groups through joint working and surgeries. The Chair said that courses on Islam were available to members and some have already taken this up. There was on-going consultation with Muslim groups who want to build a Mosque in the Mill Road area.

The Committee supported the recommendations set out in the officers' report by 5 votes to 0

The Leader approved the recommendations

### **08/SR/48 Medium Term Strategy 2008/09 to 2012/13**

The Director of Finance introduced the report and outlined the financial challenges ahead. Service reviews were on-going to reduce costs.

The vastly above predicted spend on free bus travel for older people and the impact this was having on other budgets was discussed. Negotiating with Stagecoach to reduce the figure was needed urgently. Lobbying central government, in conjunction with other local authorities, to introduce a fairer system for apportioning costs was also a priority.

The Director of Finance referred members to the amendment which had been tabled. A subsequent revision of this document had inserted the figure £36,000 into the project appraisal for electrical re-wiring at the Mill Road Depot.

Cllr Howell questioned the scrutiny of this document. He suggested that the Council Tax figure was set at just below a level which would result in capping and budgets structured to fit that figure. The Director of Finance responded that scrutiny happened at this Committee and then again at Council. The Council Tax level was set to achieve the Medium Term objective of the next three years and was not set at the maximum allowed.

Cllr Howell also questioned the carry forwards which he viewed as very large and in some case inexplicable. The Director of Finance would ask the Head of Environmental Services to contact Cllr Howell to explain some specific carry forwards such as food safety.

Cllr Herbert stated that the scrutiny process lack clarity. Council tax payers would be asking why the increase is consistently 4.5%. Efficiency savings needed to be revisited along with a detailed examination of budgets and carry forwards.

The Committee supported the recommendations set out in the Officers' report by 5 votes to 1

The Leader approved the recommendations

### **08/SR/49 Public Question**

Mr Taylor was pleased to see the RIPA report on the agenda. He questioned the deployment of two cameras on Jesus Green in April of this year to monitor the behaviour of independent punt operators. He asked why this deployment of the cameras had not been included in the review of covert CCTV usage before the committee today. He suggested that the Council had not used its redeployable CCTV system as this would have required authorisation under the Regulation of Investigatory Powers Act (RIPA). Instead officers used equipment borrowed from another department, deployed through holes drilled in the bowling pavilion and covered them with wire mesh.

Mr Taylor asked the Committee to note that RIPA authorisation had been requested on a previous occasion to use the overt camera system to count beggars.

Mr Taylor called on the Leader to:

- Note the omission of this event from the report.
- To monitor refusals of authorisation under RIPA
- To ensure that individual officers do not exceed their authority by claiming they did not think RIPA applied.
- To ensure a consistent approach is taken across departments

Mr Taylor expressed concerns that members might not have all the information they needed to monitor RIPA and to ensure that it was being applied proportionately and was firmly under democratic control.

The Leader responded that this item was on the agenda at his request following a letter from Sir Simon Milton's Chair of the Local Government Association. He stated that Mr Taylor was not entirely accurate in his interpretation of the Jesus Green situation. On that occasion the cameras were not used to survey individuals but to observe City Council property (the River frontage) to monitor unlawful activities. This was not intrusive as defined by the Act and was considered reasonable.

The Leader agreed that the Council might need to look at cases where RIPA was not needed. It was difficult to comment on situations where requests had been turned down by senior officers.

The Head of Legal Services suggested that RIPA authorisation was not needed as the CCTV use was not covert and the use of cameras in the area

was well advertised. However, if members wanted more information on the use of CCTV this could be produced.

Mr Taylor responded by saying he felt the Leader's reply was inconsistent. On the one hand he accepted that the cameras had been used to monitor the behaviour of individuals but on the other that they had been used to protect Council property.

### **08/SR/50 Review of the Council's use of powers under the Regulation of Investigatory Powers Act**

The Head of Legal Services stated that the Council took privacy issues seriously. The report was intended to clarify how the powers may be used.

Cllr Herbert responding to Mr Taylor's point on counting beggars expressed the opinion that the use of cameras to watch unauthorized use of Jesus Green was not in itself covert action.

The committee agreed that a robust process needed to be in place for reviewing requests for RIPA authorisation. When RIPA was introduced the Council had not wanted the powers. The use of CCTV fell into three broad categories namely, routine, RIPA and grey in-between areas.

The Leader suggested a more in depth report was needed. However, he did not think reporting all refusals of RIPA would be helpful. The current processes were rigorous and Officers able to authorise under RIPA had been well trained to determine what was appropriate and proportional. RIPA uses could be challenged legally and were subject to inspection by the Office of Surveillance Commissioner.

Debate followed on the merit of increasing the number of officers enabled to sign off RIPA requests from the current 4 to 7. The Leader was happy to leave this decision to the Chief Executive.

Cllr Herbert expressed concern that the council's use of RIPA powers were increasing but was reassured by the restraint shown in the use of those powers. He asked for clear leadership to avoid any abuse of power and suggested the use of cameras to count beggars was questionable. He further questioned why the current approach had not picked up the Jesus Green deployment.

The Leader called for a more in depth report on this issue to be brought to Committee in November or, if time pressure made this impossible, by February at the latest.

The Committee supported the recommendations set out in the officers' report by 6 votes to 0

The Leader approved the recommendations

**08/SR/51 Cambridgeshire Constabulary Application for renewal of a Dispersal Order Under s.30 of the Anti-Social Behaviour Act 2003 covering Mill Road, Parker's Piece, Christ's Pieces and Riverside Locality of Cambridge City.**

This item was brought to the committee for noting. Following a meeting with the Police it was agreed that the Order had been successful and the anti-social behaviour in the area had reduced significantly. The geographical area covered by the order had therefore been reduced. The focus of services away from Mill House had also contributed to an improved situation in the area. The Safer Communities Section Manager reminded the Committee that the Police could redefine the area covered by the Order at a later date if needed. The police now have new powers under Section 27 of the Violent Crime Reduction Act 2006 that are more specifically targeted at individuals.

Problems of displacement of the problem to other areas was discussed.

The Committee noted the report

**08/SR/52 Report for The Supply of Fuel for All Fleet Vehicles and Plant**

The Director of City Services introduced the report. Cllr Herbert asked for clarification on reduction targets. There were targets for reductions and these would be achieved using three initiatives: digital tracking of individual vehicles to monitor usage and improve route choices, speed limiters and fuel additives.

Cllr Bick questioned the figures that appeared to show usage increasing. The Officer undertook to investigate this.

Cllr Herbert questioned the need for a five year contract and asked what the advantages would be. The new contract would supply fuel at a discount with prices tracking the market. Spot purchase of fuel was also possible as the Council was not tied to the contract.

The Committee supported the recommendation set out in the Officers' report by 6 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendations.

### **08/SR/53 Appointments to Outside Bodies**

Cllr Herbert questioned the principle behind the Council appointing to Cambridge United Charities.

The Executive Councillor for Customer Services and Resources responded that the relationship went back many years and was both complex and sensitive. The matter needed to be resolved. However, the current method of appointing, while not ideal, offered an interim solution.

The Committee supported the recommendation set out in the Officers' report by 4 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendations.

### **08/SR/54 Framework Contracts for the provision of external Legal Services**

The Head of Legal Services introduced the report that sought to put the procurement of external legal services into a proper framework. On the advice of consultants, five firms would be appointed in each of the main legal areas of work relevant to the Council. The Executive Councillor for Customer Services and Resources confirmed that this would allow purchasing power to be applied to achieve the best price.

The Committee supported the recommendation set out in the Officers' report by 5 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendations.

### **08/SR/55 Decisions by Executive Councillors**

Cllr Herbert asked for discussion of the out of cycle decision taken on the Quayside Steps. He was concerned that an urgent decision had been

deemed necessary, on health and safety grounds, when to date, no action has been taken. The Head of Legal Services responded that the Council believed it was the owner of the Quayside. However, Cam Conservators would not allow gates to be installed until proof of ownership was provided through the Land Registry. An application had been lodged with the Land Registry but this was likely to be a lengthy process. Therefore, the health and safety issue remained unresolved.

### **08/SR/56 Exclusion of Public: Appendix 1 to Agenda Item 15 and Items 16, 17 and 18**

#### **Resolved -**

To enable the Committee to discuss Appendix 1 to report 15 and the reports numbered 16,17 and 18, the public was excluded from the meeting by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

### **08/SR/57 Guildhall Projects**

The Director of Finance reminded the Committee that the Medium Term Strategy was based on an assumption that the recommendations would be approved.

The Head of Property and Building Services, introduced the report and outlined options one and two.

The Executive Councillor for Customer Services and Resources explained the philosophy behind the project; to increase the utility and to increase a source of revenue from the Guildhall outside central government.

Cllr Herbert asked why the project had taken so long to reach this point. It was noted that staff changes had caused the delays. However, there was now a Project Manager in post.

Jamie Oliver's proposal was agreed to be the most financially sound option as it was felt his brand could withstand the credit crunch.

Cllr Herbert asked if the brief for the proposed Coffee shop could include the provision of an alcohol-free evening venue for young people. Officers undertook to include this for consideration.

The Committee supported the recommendations set out in the Officers' report by 6 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendations.

### **08/SR/58 Lion Yard Project**

The Committee supported the recommendations set out in the Officers' report by 4 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendations.

### **08/SR/59 General Debts – Bad Debts for Write Off**

The Committee supported the recommendations set out in the Officers' report by 4 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendations.

### **08/SR/60 NNDR-Benefits Irrecoverable Debts To Be Written-Off**

The Committee supported the recommendations set out in the Officers' report by 4 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendations.

The Meeting closed at 8.25pm

**CHAIR**