

|                                 |
|---------------------------------|
| To be Confirmed – 12 March 2009 |
|---------------------------------|

**Community Services Scrutiny Committee**

13 November 2008

9.30am to 7.40pm

**Present:** Councillors Blair (Chair), Al Bander, Blencowe, Kightley, Levy, Lynn, McGovern, Sanders, Walker

**Also Present:** Cllr Smith (Executive Councillor for Arts and Recreation), Cllr Stuart (Executive Councillor for Community Development and Health) and Cllr Smart, (Executive Councillor for Housing)

Diane Best, Brian Haywood and Anna Vine-Lott (Tenant or Leaseholder Reps)  
Cllrs Bick, Boyce and Wright (Ward Members)

|   |
|---|
| <b>FOR THE INFORMATION OF THE COUNCIL</b> |
|---|

**08/CS/72 Minutes**

The minutes of the meeting on 24 July 2008 were agreed as a correct record and signed by the Chair with the addition of the following...

**08/CS/73 Apologies**

No apologies

**08/CS/74 Declarations of Interest**

Code of Conduct personal interests were declared as follows:

| <b>Councillor</b> | <b>Item</b> | <b>Interest</b>  |
|-------------------|-------------|--|
| Al Bander         | 15          | Member of Cambridge Cycling Campaign                       |
| Levy              | 9           | Member of the Committee of Friends of Histon Road Cemetery |
| Lynn              | 13          | Non voting Member of the Junction Board                    |
| Walker            | 15          | Member of Cambridge Cycling Campaign                       |
| Wright*           | 16          | Was a stall-holder at Strawberry Fair                      |

No members declared a Code of Conduct personal and prejudicial interest.

\*Cllr Wright spoke at the meeting on the item indicated and is not a member of the Committee.

**08/CS/75 Public Questions**

Members of the Public had asked to speak on the items on Strawberry Fair/Use of Midsummer Common and the Heritage Lottery Fund Project Grant work on Jesus Green. Using her discretion to do so, the Chair agreed that speakers would be heard before the item was considered, rather than at the beginning of the meeting.

### **08/CS/76 Ten Year Housing Capital Investment Programme 2008/2009 to 2017/18**

The officers' report referred to the amount of capital funding available to the Council for spending on housing which had reduced considerably since the programme had been reviewed in January 2007, predominantly due to the combination of a significant increase in net HRA Subsidy payable from 2008/09 and a sharp reduction in receipts from Right to Buy sales.

A new programme of priorities for housing was recommended of capital investment for the ten-year period 2008/2009 to 2017/2018 within the context of this reduction in resources. No additional funding was being requested on top of the resources already ring-fenced for housing investment.

Recommendations on spending on the Council's housing stock and land through the Housing Revenue Account, and on investment in the private sector and on new affordable housing through the Housing General Fund were included in the report.

The current position was presented and any further significant changes in strategic priorities, resources or expenditure were likely to require changes to the programme in the future. It was therefore proposed to review the programme annually in line with the Council's budget process.

The Committee approved the recommendations by 6 votes to 0.

The Executive Councillor for Housing approved the recommendations.

### **08/CS/77 Older People's Housing Strategy**

The officers' report covered a draft strategy to meet the housing needs of older people in Cambridge. The need for a strategy arose largely from consideration of demographic data projecting an increase in the number of older people in the City, and the increasing pressure on resources, both internally and that available through Supporting People and the Primary Care Trust (PCT). Addressing the needs of older people were identified priorities within Cambridgeshire's Local Area Agreement and the Council's Medium Term Objectives, and this draft strategy had been drawn up within that context.

The proposed vision and priorities had been developed in consultation with Cambridge residents aged 50 and over, and a range of stakeholders. The strategy also drew on a range of data and information available both nationally and locally.

Once the Executive Councillor had approved the vision and priorities, an action plan would be drawn up with stakeholders to achieve the agreed priorities.

The Committee approved the recommendations by 9 votes to 0.

The Executive Councillor for Housing approved the recommendations.

### **08/CS/78 Land for Affordable Housing**

The officers' report provided guidance in respect of the provision of Land for Affordable Housing. The Guidance Note appended intended to complement the existing Affordable Housing Supplementary Planning Document and give clarity on the Council's expectations on the delivery of free land for Affordable Housing development in the City.

The Committee approved the recommendations by 9 votes to 0.

The Executive Councillor for Housing approved the recommendations.

### **08/CS/79 Affordable Housing Programme**

The officers' report recommended the first 3-year rolling programme of Council Housing sites to be brought forward for consideration for development, redevelopment or disposal under new procedures agreed by the Executive Councillor at the meeting of the Scrutiny Committee in 24 July 2008. The 3-year rolling programme covered the years 2008/09 to 2010/11. The purpose of the 3-year rolling programme was to indicate in which year detailed site appraisal and feasibility work to explore the development potential, together with public consultation, would take place on sites. Individual sites would be brought back to the Committee for scrutiny and to the Executive Councillor for specific approval before they progress for development, redevelopment or disposal.

The Committee commented on some of the individual sites and noted that the list would be made publicly available following this meeting of the Committee.

The Committee approved the recommendations by 9 votes to 0.

The Executive Councillor for Housing approved the recommendations.

### **08/CS/80 Bereavement Services Survey**

The officers' report set out the background to the proposals following the survey of Bereavement Services. The Council operated cemeteries in Newmarket Road, Huntingdon Road and a Crematorium on Huntingdon Road near Bar Hill village. The Regulations governing their management were last revised in November 2006. Subject to approval by the Executive Councillor, officers proposed to enhance the appearance of the grounds at the Cemeteries and Crematorium, by the enforcement of these rules and regulations. A lack of consistency and clarity in day to day management in applying the Regulations has created confusion in this sensitive area and had resulted in a wide range of memorabilia being left around the grounds and unauthorised planting in communal areas such as the formal rose beds. A comprehensive leaflet, detailing the regulations and other relevant information available to the bereaved, could ensure they are aware of the choices available to them at an early stage.

Analysis of the survey results of the questionnaire approved in July 2007 indicated that the area of most concern, particularly at the crematorium, related to mementos placed by individuals, overspill or creep resulting from the placing of these breakable materials e.g. glass, and the inappropriate nature of some items, e.g. saucepans, flags and jam jars. There was a clear but small majority in favour of restrictions being placed on the number, type of memento used and on overspill, most people were concerned about overspill. People said they would like to see rules displayed, but were less comfortable about rules being tightened, suggesting that the public should know what the rules are and would accept their enforcement in a consistent way.

Any change in policy would require a clear explanation to be acceptable by the majority. Any tidying up of memorabilia would need to be sensitively managed, carefully structured and carried out over a longer period of time.

The display of appropriate notices within the grounds and buildings, giving a substantial amount of time to clear/collect items and points of contact for any further clarification would be an essential requirement.

Councillor Walker's amendment to replace the existing recommendations was lost by 6 votes to 3.

The Chair's proposal to replace the officers' recommendation as follows was carried by 6 votes to 0.

Following further discussion the Committee agreed, by 6 votes to 0, to make the following recommendations to the Executive Councillor:

- 1 the implementation of the current Bereavement Services Rules and Regulations, subject to:

- I. the provision of separate regulations for the Cemeteries and the Crematorium to address the different concerns at each location;
  - II. a grace period of 12 months before implementation, during which period appropriate onsite and other publicity is to be given to the implementation of the regulations;
  - III. amendments to the text of the regulations, as shown in the officers' report and in consultation with the Chair and Labour Spokesperson to ensure their accessibility.
- 2 The adoption and display of 'guidance' signage' in the memorial gardens.
  - 3 To endorse the prohibition of planting or placing of mementos in formal rose bed areas.
  - 4 To approve the designation of areas for the placing of mementos, taking into account the site specific concerns raised in the survey and subject to available resources.

The Committee approved the recommendations by 6 votes to 0.

The Executive Councillor for Community Development and Health approved the recommendations.

### **08/CS/81 Installation of Mercury Abatement Equipment and New Furnace Installation at Cambridge City Crematorium**

The officers' report set out proposals to enter a formal agreement within a public sector procurement framework created by the organisation known as the 'Procurement Agency for Essex' for the supply and installation of mercury abatement equipment and new furnace installation together with associated building works at the city crematorium.

The installation of mercury abatement equipment was required to ensure Council compliance with statutory guidance about mercury emissions from crematoria. The statutory guidance issued by DEFRA required compliance by the end of 2012.

Additionally this work would provide the opportunity for the replacement of the existing furnaces with modern 'wider bodied' furnaces and for the provision of a more efficient and environmentally friendly operation. The associated building work would improve both the working environment and address issues that currently detract from a positive customer experience.

The Committee approved the recommendations by 6 votes to 0.

The Executive Councillor for Community Development and Health approved the recommendations.

**08/CS/82 Cultural Framework**

The officers' report clarified that Arts and Entertainment,, Community Development and Active Communities were developing updated strategic approaches for approval in 2009. The cultural framework provided a high level strategic overview to enable a consistent approach across strategies for these interlinked Council services. All these services had been brought together within the Community Services Department and a shared approach would also help to strengthen working across disciplines, partnership working, and achieving shared outcomes.

In January 2009 the Community Services Scrutiny Committee was to consider a suite of interrelated strategies for agreement by the Executive Councillors for Arts and Recreation and for Community Development and Health. If approved, these would then go out for further consultation with relevant stakeholders before for final reconsideration and adoption at the end of the year.

The Committee approved the recommendations by 9 votes to 0.

The Executive Councillors for Community Development and Health and the Executive Councillor for Arts and Recreation approved the recommendations relevant to their respective portfolios.

**08/CS/83 Arts and Entertainments Strategy 2008-2013 Scoping Document**

The officer reported that the current Council Arts Strategy would expire in 2008. It was prepared by the Council's then Arts Strategy Officer in 2003 and had not been widely used for some time. The report set out the approach to replacing and refreshing this strategy, which formed part of a suite of strategies being produced across Community Services.

The Committee approved the recommendations by 6 votes to 0.

The Executive Councillor for Arts and Recreation approved the recommendations.

**08/CS/84 The Junction**

The officer reported that The Junction has been through a period of significant upheaval and instability and was now under new leadership. At its meeting in April the Committee had requested a report be brought to this meeting to monitor the progress of the organisation.

The Junction's management was currently preparing a Business Plan but this had not been able to be considered by its Board at its meeting on 12 November

2008 as planned. The Plan would focus on the implementation of the strategy outlined in its Development Plan, produced earlier this year. An SLA would be brought to the January meeting of the Committee.

The Committee approved the recommendation by 6 votes to 0.

The Executive Councillor for Arts and Recreation approved the recommendation.

### **08/CS/85 Service Plans Progress Report: Active Communities Section and Arts & Entertainment Section**

The members were asked to consider the attached service plan progress reports and approve the actions proposed to ensure that objectives and performance targets for 2008-09 could be met. Members discussed the reports and noted the actions proposed.

### **08/CS/86 Public Speaking on Subsequent Item: Heritage Lottery Fund Project Grant work on Jesus Green**

Mr Richard Taylor made a number of comments on the process by which the decision reported below had been reached and the consultations undertaken to comply with the Council's constitution. He pointed out that the cost of the bid had increased during the preparation of the bid and additional elements had been added to the scheme. He said that he had asked for further information on the bid and that the terms of the Lottery Fund bid should be published on the Council's website. He also queried the use of external consultants to complete the grant application and the additional costs involved.

Alistair Wilson, Greens Manager, said it had not been possible to download the full application on to the Council's website, although some of the content was on line. He was working to make as much information available as possible. He was willing to make any further information accessible to the public that was not already available.

Cllr Smith, Executive Councillor for Arts and Recreation, spoke about the consultation process which had been undertaken and that the potential bid had been discussed at various open meetings of the Council. She pointed out that it made sense to submit a bid which could be tailored to the funding subsequently available rather than one which might fall short of residents' expectations or lead to additional funding needing to be sought at a later date.

Debbie Kaye, Head of Active Communities, further clarified the consultation process and said that there was intense competition for Lottery funding.

Mr Taylor commented on the delay before getting the result of the bid and the manner in which the decision had been taken without prior scrutiny.

Cllr Blair, Chair, said that due to the date by which the bid had been required to be submitted, the decision on the bid had been agreed under provisions for what the Council termed an Out of Cycle Decision. The provisions secured the agreement of the Chair and relevant Spokes of the Community Services Committee, along with the Chairs of two Area Committees and had met the requirements of the Constitution. In addition the two Area Committees had discussed the proposals.

Mrs Anne Garvey said that she represented a number of residents and other groups with an interest in Jesus Green and their strong feeling was that Jesus Green should be left alone. She accepted there was a need for improvements to some of the facilities but urged the Council not to turn it into a theme park.

Cllr Smith, Executive Councillor for Arts and Recreation, said that she was bemused by the suggestion that the Council planned to do more than residents sought in terms of improving current facilities. She said that the Jesus Green Association had been consulted and would discuss the bid in detail at their AGM in early December.

Mrs Anne Garvey felt that not all those with an interest in Jesus Green had been consulted and their views had not been represented.

Cllr Blair, Chair, pointed out that this project bid was only at an initial stage and that further consultation would take place with all interested parties should the bid be successful.

### **08/CS/87 Decision by Executive Councillor: Heritage Lottery Fund (HLF), Project Grant work on Jesus Green and Approval to continue to a HLF Stage One Application**

The Executive Councillor for Arts and Recreation had approved recommendations relating to the following decision:

Heritage Lottery Fund (HLF), Project Grant work on Jesus Green and Approval to continue to a HLF Stage One Application

### **08/CS/88 Public Speaking on Subsequent Item**

Mr D Baxter, Chair of Friends of Midsummer Common, set out the concerns of residents around Midsummer Common and emphasised that the main concern was the lack of control over alcohol consumption and the resulting abuse of residents' gardens by Fair goers. The residents favoured the option for an

earlier closure time for the Fair and the fencing of Brunswick Terrace to prevent access to the gardens. The prevention of alcohol being brought on to the common as an alternative to buying it at the Licensed bars would help control the intake of alcohol.

Mr N Levine, Friends of Midsummer Common, agreed with the suggested fencing of Brunswick gardens and noted the decline in complaints from the Milton Road residents as a result of actions taken by the organisers of the Fair and co-operation with the authorities. Irresponsible drinking and the ready sale of alcohol from off-licenses needed to be addressed by the Licensing authority and Police.

Mr S Maltby had a long term connection with the Strawberry Fair having run the associated Film Festival for a number of years. He spoke about the Fair in the context of the City's cultural and community life and the opportunities the Film Festival gave young people.

Mr Justin Argent, Chair of Strawberry Fair Committee, spoke on the background and history of the Fair. The Committee recognised the concerns of the residents and had worked with them and the authorities to mitigate the effects of the Fair on the community around the Common. He said that one of the options put forward was the earlier closure of the Fair which the Strawberry Fair Committee felt would exacerbate the problem and render the Fair unviable. The Committee were committed to resolving the problems being experienced and had made great progress over the years and would continue to work with the Police, the Environmental Health Service and other relevant authorities.

### **08/CS/89 Strawberry Fair / Use of Midsummer Common**

It was reported that a review of the Strawberry Fair 2008 had taken place, considering the extent to which the agreed improvement plan had been successful and had involved consultation with stakeholders including Strawberry Fair Committee (SFC), local residents and the Police. Following this consultation, the Council has identified a number of specific areas for which it believes further improvements are required in order for permission to be given for a future event.

Following discussion with the Council, the SFC has submitted mitigation proposals. The Council had sought feedback on these proposals from stakeholders so that it could reach an informed perspective on whether to permit the use of Midsummer Common for Strawberry Fair in 2009.

The decision to permit use of Midsummer Common for events would usually be taken by officers following consultation and consideration; however, the issues

surrounding the use of the Common by Strawberry Fair are complex in that the event has a very high profile, has evolved considerably over time, and the views of stakeholders often conflict. In these circumstances, and as permitted under point 4D of the Constitution, the Director of Community Services had referred the matter to the portfolio holder for decision.

The Chair moved that the recommendations be amended as follows (the text in italics and bold being the amended text):

2.1 The Executive Councillor is recommended to approve option a) but following scrutiny may wish to consider approving options b) or c) instead:

- a) Approve the use of Midsummer Common by Strawberry Fair in 2009 with the following two caveats:
  - i. Subject to agreement by the Strawberry Fair Committee to implement the specific conditions outlined in paragraph **3.27 i), ii) and iii)**
  - ii. Officers are required to evaluate the extent to which the organisation of the 2009 event is successful in reducing public nuisance before considering permission for future events **and to report back to the July 2009 meeting of the Community Services Scrutiny Committee.**

OR

- b) In addition to recommendation a) above, give further consideration to proposals for early closure of the Strawberry Fair in 2009. If this option is selected, given the concerns raised by both the Police and the SFC, further work would be needed to understand how the proposal would be managed, and a final decision would therefore need to be made in January 2009.

OR

- c) Refuse permission for Strawberry Fair to take place in 2009

3.27 The recommendation to the Executive Councillor is based on officers' assessment of the SFC proposals made in response to the remainder of the suggested improvements, and the views expressed at the stakeholders meeting on 24 October 2008.

- i) Officers recommend that the following improvements should be conditional to the granting of permission to SFC for the use of Midsummer Common for Strawberry Fair in 2009:
  - a) Increase the number of toilets in discussion with SAG.
  - b) Ensure **toilet facilities** are sited at strategic points.
  - c) Install fencing along path running along Brunswick walk. The distance from housing will be agreed by all parties. The fence is to be positioned so it funnels individuals toward pee pod locations.

- d) Publicise the penalties the Police may issue for public urination, both prior to and on the day of the event.
- e) Brief stewards and SIA staff to prevent/advise occurrences of public urination.
- f) Operate a challenge 21 policy at all Fair bars
- g) Engage Designated Premises Supervisor (DPS) registered personnel supervising the sale of alcohol and Security Industry Authority (SIA) personnel at all Fair bars.
- h) Work with all agencies to develop and deliver an effective strategy to prevent large quantities of off site sales of alcohol being brought onto Midsummer Common.
- i) Utilise signage at all entry points to advise against excessive alcohol consumption and preventive and corrective actions that may follow.
- j) Utilise SIA staff to highlight and address any potential problems of excessive drinking.
- k) Promote and support the Police in using the powers provided by Section 27 of the Violent Crime Reduction Act 2006.i
- l) Promote and support Police powers to confiscate alcohol from under 18s.
- m) Work closely with the Police and other agencies to send out a strong message both prior to and on the day of the event to promote responsible drinking.
- n) Facilitate an onsite presence for all Council services in the Joint Services Control.
- o) Liaise with the Council Licensing officer to provide a convenient timetable for submission of films to be shown at the Fair.
- p) Co-operate with the Council and the Police with regards to ensuring Council CCTV coverage meets licensing requirements.
- q) Liaise with County Council and the Police to enforce the 'access only' entrance points to the Brunswick area to prevent unauthorised usage.
- r) Liaise with the County Council, City Council and the Police to deter camping on Stourbridge Common and the illegal parking of vehicles in the Riverside and Brunswick areas.
- s) Continue to reinforce and embed the improvements required by the Council for the 2008 Fair.
- t) Promote a greater awareness of the impact of the event on local residents and the extent to which this is an issue in relation to permission for future event.

***ii) The issues that have been raised in the officer's report cannot be addressed by Strawberry Fair Committee alone. It is recommended that appropriate support from departments across***

***the City Council is sought and negotiated, in line with resource availability, to include:***

- a) Cross Council working group from Community Services, Environmental Health and City Services to support delivery of the recommendations with SFC.***
  - b) Arts & Entertainment support for event management, marketing and promotional advice prior to and on the day of the event.***
  - c) Continued support from Active Communities in respect of open space hire, management and premises licence requirements.***
  - d) Continued support from City Services in the following areas:***
    - Parking services to again liaise with SFC achieve road closures***
    - Enforcement as appropriate, e.g. parking, litter***
    - Streetscene to continue to provide clear up in the surrounding areas on and after the day of the event.***
  - e) Environmental Health to support Trading Standards and Police to implement proposals to prevent excessive consumption of alcohol in line with the Council's duties as the Licensing authority.***
- iii) The Fair Committee and the Council also rely on support and cooperation from the police in managing many aspects of Strawberry Fair. In order to ensure the smooth running of the Fair on the day, we recommend:***
- a) a meeting of police and council with stakeholders take place in January 2009 to address community response issues.***
  - b) Police Licensing officers work closely with Cambridge City Council Licensing team to ensure that the Licensing objectives are fulfilled in the lead up to and during the event.***

On a vote being taken the above amendment to the recommendation was agreed by 6 votes to 0.

A further amendment was agreed by consent that the text in 3.27 i) c) 'Install fencing along path running along Brunswick walk.. 'be replaced by install fencing at appropriate locations'.

As the recommendation required a selection between the options shown above, further votes were taken as follows:

On a vote being taken on the adoption of either option A or option B above, it was agreed to recommend option A, by 9 votes to 0.

On a vote being taken, it was agreed not to recommend option C by 8 votes to 0.

The Committee approved the amended recommendation set out as Option A above by 6 votes to 0.

The Executive Councillor for Arts and Recreation approved the recommendation as amended.