

1 Executive Councillor Records of Decision and Community Services Scrutiny Committee Minutes

22 April 2009

1:30pm to 4:50pm

PRESENT:

Executive Councillors:

Cllr Smith, Executive Councillor for Arts and Recreation
Cllr Nimmo-Smith, Leader

Scrutiny Committee:

Councillors Blair (Chair), Al Bander, Blencowe, Kightley, Lynn, McGovern, and Walker

Non-voting co-optees: Diane Best, Brian Haywood, Mrs Anna Vine-Lott (Tenant/Leaseholder Reps)

PCT Representative: Tom Dutton (Assistant Director of Strategic Planning)

Also Present: Cllr Boyce, Benstead, Wright, Howell and Nimmo-Smith

09/CS/43 Apologies

Cllr Levy, Sanders and Ellis-Miller

09/CS/44 Declarations of Interest

The following personal interests were declared:

Councillor	Item	Interest
Boyce		Members of Folk Dance and Song Society which sponsored the Folk Festival
Boyce		Member of co-operative party
Lynn		Member of co-operative party
Walker		Member of co-operative party

09/CS/45 Public Questions

Authorising the Felling of Five Leyland Cypress on Empty Common

The speaker stated that the trees served useful functions such as screening throughout the year. He questioned what steps the Council had taken to ascertain the local opinion as his survey indicated that 83% were unhappy. He stated that an adviser from Scotsdales inspected the trees and indicated that they were viable. As a result, he questioned whether the trees were deceased, and the diagnosis that had been made on the cherry trees in Addenbrookes. He ended by saying the trees were British and as they were a part of our heritage, they should not be removed.

Cllr Blair responded by stating that there was awareness of the tree situation as it had come to Planning Committee and Community Services Scrutiny Committee. The Arboricultural Officer stated that she was confident that all residents and those adjacent to Queensway and Hobsons Brook Ward and City Councillors were consulted comprehensively. She confirmed that 191 letters were sent to interested parties, and residents group. Four objections and five letters of support were received. Only one objection was received from Queensway and some from allotment holders.

The Arboricultural Officer stated that they used a standard procedure in order to deal with the tree works application. They instructed the Cambridge University Botanic Garden Superintendent to inspect the trees who subsequently confirmed the trees were deceased. The Arboricultural Officer went on to confirm that the Leyland tree was not British as its parent tree was from America.

The speaker followed up by stating that carrying out a consultation did not amount to its full execution. He stated that 282 people had indicated their objection to the tree felling and that he was aware of two letters of support. Therefore one had to assess and weigh up the local people's opinion.

Cllr Smith, Executive Councillor for Arts and Recreation responded to say that the petition did not ask for people's views. The petition which although represented people's objections may not be completely accurate.

***Prior to continuing with the remainder of the meeting, Cllr Blair stated the following:*

'As Chair I rule that under 100B(4)(b) of the Local Government Act 1972, the report from the Director of Community Services (Item 4) and the Director of Environment and Planning (Item 5) be considered, despite not being made publicly available for this meeting five clear days prior to the meeting.

*The reason for this was that the information was not available at the time notice of the meeting was given'.***

**09/CS/46 Arts & Entertainment Action Plan for Folk Festival
Procurement and Project Management Arrangements
(Key Decision – Agenda Item 4)**

Matter for decision: The report set out the progress of plans for the 2009 Folk Festival and the implementation of the action plan. It addressed specific issues relating to on-line ticketing and 2009 Folk Festival, together with project management practices and procurement within Arts and Entertainments and to consider the setting up of a member level Committee of Inquiry in due course.

Decision of Executive Councillor for Arts and Recreation :

1. To agree the action plan, as amended, arising from the report considered by the Civic Affairs Committee on 30 March 2009, relating to the Arts and Entertainments Service.
2. To note the progress in putting in place improved procurement practice and project management as part of the preparation for the 2009 Folk Festival.
3. That the Director of Community Services report in October on the operational and financial aspects of the 2009 Folk Festival.

The Community Services Scrutiny Committee is recommended:

3a To consider whether to set up a Members' Committee of Inquiry.

3b If the recommendation at 3a is accepted, to ask for an officer's report to the next scheduled meeting proposing terms of reference, membership, timing and timescales.

Reason for the Decision:

Any alternative options considered and rejected: These are set out in the officer's report.

Scrutiny Considerations:

The Leader confirmed in response to a question that the meeting of the Civic Affairs Committee on 30 March 2009 had considered the first report to members on the issue of procurement of services for the 2008 Folk Festival. This report followed on from the discussion at that meeting and invited members to consider the Action Plan for the 2009 Festival and related aspects.

Cllr Boyce said the matters of corporate concern raised at Civic Affairs on 30 March would be referred to the Strategy and Resources Scrutiny Committee and the relevant Executive Councillors.

The Chair said that issues affecting the Folk Festival were in the Community Services Scrutiny Committee's remit and monitoring of the Action Plan would be carried out by the Committee and relevant Executive Councillor.

Action Plan

In response to members' questions the Director of Community Services said that proposals for resourcing for the Folk Festival in 2009 had been set out in the budget setting report. It was necessary to ensure that good practice was embedded in the operation of the Folk Festival. She said that the Festival had had a 40 year history of success and while there had been no specific Project Plan, many of the elements required for one were in place.

Members asked how the officers would guarantee the procedures that were in place would be observed to avoid a repeat of the problems experienced in 2008. The Director of Community Services said that additional procurement training had been given to staff and continued support would be received from Financial and Legal officers.

Cllr Kightley referred to paragraph 2.F14 and suggested that the words 'and resolution be added so that the Action read: 'Testing *and resolution* to begin on 23 April for dummy bookings.' Members agreed to recommend this addition to the Action Plan to the Executive Councillor.

09/CS/47 **To authorise the felling of five Leyland Cypress on Empty Common and the Felling of Five Trees on Midsummer Common** (*Key Decision - Agenda Item 5*)

Matter for Decision: The Director of Environment and Planning referred the decision over whether to fell the trees to the Executive Councillor for Arts and Recreation, as she was responsible for the management of open spaces. The Executive Councillor requested the opinion of Planning Committee on both proposals in order that her decision could be made with the benefit of its expertise.

Decision of Executive Cllr for Arts and Recreation:

- Empty Common – Having taken into account the comments of Planning Committee at its meeting on 4 March 2009, to authorise the felling of five Leyland cypress trees growing on Empty Common.
- Midsummer Common – Having taken into account the comments of the Planning Committee at its meeting on 1 April 2009 to authorise the felling of five trees growing on Midsummer Common: T37 (Silver lime), T42 (Purple leaf maple), T104 (Horse chestnut), T129 (London plane) and T132 (Lime).

Reason for the Decision: The Executive Councillor for Arts and Recreation approved the authorisation to fell the trees.

Any alternative options considered and rejected: None.

Scrutiny Considerations:

Cllr Howell questioned what was the urgency concerning the immediacy to fell the trees. He asked what would be the consequence of not felling the trees and also the financial implications of the £6,000. The Arboricultural Officer stated that the reasons behind the felling had been discussed at great length at both Planning Committees and were detailed in the reports that went out. The £6,000 was in relation to the cost of felling the trees on Empty Common and re-planting the replacements.

Cllr Walker questioned the reasons behind the removal of replacement of the trees on Empty Common. The Arboricultural Officer briefly explained the reasons and also highlighted that this issue had also been discussed

at length at Planning Committee and that the information was in the report. The Arboricultural Officer went on to state that if the issue was not addressed soon, the silver birch would be lost as the Leyland Cypress trees would swamp the area. They would be unable to plant trees until the Leyland was felled.

Cllr Walker asked how screening would be for Queensway residents. The Arboricultural Officer stated that it would be unfortunate for some people, however it would provide better screening in the long term.

The Scrutiny Committee considered and endorsed the recommendations in the report for Empty Common by 4 votes to 2.

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The Executive Councillor for Arts and Recreation approved the recommendations and added that Cambridge City Council should consult more effectively than the past and should take into account the objections. There were suggestions to look at how the papers came to Planning Committee.