

Minutes of a meeting of the Community & Environment Committee held in the Council Chamber, The Grange, Nutholt Lane, Ely on Tuesday, 15<sup>th</sup> January 2013 at 5.30pm

**P R E S E N T**

Councillor Richard Hobbs (Chairman)  
Councillor Allen Alderson  
Councillor Lavinia Edwards  
Councillor Colin Fordham  
Councillor Sheila Friend-Smith, MBE  
(substitute for Councillor Harris)  
Councillor Tom Kerby  
Councillor Peter Moakes  
(substitute for Councillor Ellis)  
Councillor James Palmer  
Councillor Joshua Schumann  
Councillor Pauline Wilson

**OFFICERS**

Allison Conder – Principal Community & Leisure Officer  
Darren Dixon – Head of Community Services  
Louise Duffield – Accountancy Assistant  
(Agenda Item No 11)  
Liz Knox – Head of Environmental Services  
Janis Murfet – Democratic Services Officer  
James Nairn – Community Development &  
Engagement Officer

**IN ATTENDANCE**

Councillor Mike Rouse

2 members of the public attended the meeting

58. **PUBLIC QUESTION TIME**

The following questions were received in relation to Agenda Item No 7 – Consultation on Proposed Improvements to the Slipway, Riverside, Ely:

Ms Ann Blyth

“1. Please could you clarify exactly how the proposed gate across the slipway at Waterside is intended to stop the passage of ducks and geese from the river

area onto the public highway, since by – albeit limited – observations of ducks and geese would suggest that, when obstructed in their passage across land, they have a tendency to take to the air and fly over any obstacle?

2. Please could you clarify whether, other than for the obstruction of wildfowl, there are any other motives or reasons for the erection of the proposed gate?"

Mr George Peacock

[Background:

For many centuries the slipway was the most important entry point to Ely and the Isle of Ely. It is still used routinely as a right of way on foot and with vehicles. Boats come and go. Lads ride their bikes into the water. Children come and paddle. Canoeists launch their canoes here. Intrepid swimmers plunge in. In hard winters, skaters venture onto the ice and in one renowned case a local drove his car onto the ice. Amphibious vehicles drive into the river and continue their journey on the waterway. Now the Council is talking of putting a locked gate across the slipway, which will hinder all these people.

It seems that the slipway has not yet been registered as a highway. Many rights of way are not registered, but are still protected by the law from unlawful obstruction. The County Council has set up a county-wide project (called Lost Highways) to discover what historic routes might exist in Cambridgeshire, and to seek to register these on the definitive Map and Statement where they perform a useful modern-day function (I am quoting from their website). The right of way along the slipway appears to be a classic case of a "lost highway", and the County Council has been asked to register it.]

I have 3 questions:

1. Does the district council accept that if this is an unregistered highway it will not be legal to erect a gate across it?
2. If not, has the district council considered what procedures need to be followed if this is an unregistered highway?
3. Will the district council co-operate with the County Council to protect this highway, or will it spend time and money trying to obstruct an important, useful and historic right of way?

Mr Bryan Watson

I have been advised that a council meeting has been arranged to discuss both the above issues. As a resident who lives directly opposite the site in question, and uses the slipway with my grandsons for fishing and paddling and watching small boat owners launching their craft, I would like to ask if the following points have been or could be considered:

- A. I understand that a gate on the slipway is proposed as a control measure to prevent the ducks on to the tow path and green area. How will this give control?
- B. Could you advise the cost of installing and maintaining the proposed barrier and how will boat owners launch their craft?
- C. Feeding fines have been introduced, who enforces these and how many have been prosecuted since introduction?
- D. Over feeding mainly by adults has resulted in increased level of vermin which results in health and safety issues especially to the young. Who has responsibility for the area and what insurance cover do they have if any?

The Chairman thanked the members of the public for their questions and said that all would receive a written response to the points raised. The written responses are appended to these minutes.

59. **APOLOGIES AND SUBSTITUTIONS**

Apologies for absence were received from Councillors Kevin Ellis, Lindsey Harris and Hazel Williams, MBE.

It was noted that Councillor Peter Moakes would substitute for Councillor Ellis, and Councillor Friend-Smith, MBE, for Councillor Harris for the duration of this meeting.

It was further noted that Councillor Sue Austen had been due to substitute for Councillor Williams, but was now unable to attend the meeting due to ill health.

60. **DECLARATIONS OF INTEREST**

There were no declarations of interest.

61. **MINUTES**

It was resolved:

That the minutes of the meeting held on 21<sup>st</sup> November 2012 be confirmed as a correct record and signed by the Chairman.

62. **CHAIRMAN'S ANNOUNCEMENTS**

The Chairman announced that Agenda Item No 8 – East Cambridgeshire 2012-13 Play Audit & Action Plan 2013-14, had been withdrawn from the agenda, and a revised report would be brought back to Committee in March 2013.

The Chairman said that he had agreed, as a matter of urgency, to accept a late exempt report on The Maltings. In view of the timescales involved, consideration of this item could not wait until the next Committee meeting in March.

The Chairman wished to place on record his appreciation of all the hard work undertaken to successfully secure funding from the "Supporting Weekly Collections Fund".

63. **ELY COUNTRY PARK IMPROVEMENT PRIORITIES 2013-15**

The Committee received a report (previously circulated) which provided Members with an update on progress made on the Ely Country Park project to date, and to seek agreement regarding the priorities for a third phase of improvement works to be undertaken in the financial years 2013-15.

Allison Conder, Principal Community & Leisure Officer, summarised the main points of her report and drew Members' attention to paragraph 3.2 which set out some of the works completed as part of Phase 1 of the development, and 3.3, which gave an update on the second phase of improvement works.

She explained that the Council needed to continue to build on the success of the Country Park project and:

- Continue to develop Ely Country Park as an area of high quality open space usage for a growing local population;
- Ensure a high quality visitor experience; and
- Achieve good value for money for both current and new investment put into the facilities on the site.

Three priority improvement areas had been identified in Phase 3, these being signage, improving play and family facilities, and entranceway and access improvements. The report gave the rationale for each area, along with details of the work item, the planned budget and the work required before implementation.

It was noted that a total project budget of £150,000 was required to deliver the third phase of works between 1<sup>st</sup> April 2013 and 31<sup>st</sup> March 2015. Of this, £133,000 would come from the S106 strategic project budget for Ely Country Park, and £17,000 would come from the Country Park & City Cycling improvements S106 budget. This would leave £172,280 remaining for future improvement works as they were identified.

During the course of discussion, Councillor Schumann asked why there was such a difference between the actual cost of the way markers and the approved budget, and whether anything was in place to avoid this happening in the future. Ms Conder replied that it was not an overspend; they had decided to go for sculptured markers because they were more interesting. It had been possible to pay for them with money saved from play equipment remedial works.

Councillor Schumann next enquired whether Ms Conder was working with any Member of the Committee and taking advice regarding costs. The Head of Community Services interjected, saying that he had overall responsibility for the budget and had approved the expenditure. He added that Councillor Rouse, Member Champion for the Country Park, had had much input.

With regard to the waymarkers, Councillor Alderson said that they could prove to be very expensive because there would be nothing to stop them from being stolen, and he could foresee them going missing. Councillor Palmer agreed and said that, from a Member point of view, the Council had been working hard to be as tight on budgets as possible, so why spend £6,000 when £2,000 would do? He felt this to have been an antiquated decision, and would prefer to see things coming in under budget, and asked that this be borne in mind for the future.

Councillor Wilson remarked that £120,000 seemed rather a lot for “Imaginative play, Collaborative play and Toddler play”, and asked whether the Council could apply for grants to help with the cost. Ms Conder said she was not sure but would investigate and advise the Committee accordingly.

At the invitation of the Chairman, Councillor Rouse addressed the Committee. He thanked Ms Conder for the “huge” amount of work done and said he was confident that the Council was on the right track. There had been consultation regarding signage and the groups felt that they wanted better quality signs; he believed it was right to aspire to do better than standard. He concluded by saying that they would seek good value for money if they could get it below budget.

The Chairman suggested, and the Committee agreed that it would be useful to have a site visit to the Park, and a presentation at the next meeting. Whereupon,

It was resolved:

- i) That the third phase of Ely Country Park improvement priorities for 2013-15 and a budget of £150,000 from S106 funding, be approved.
- ii) That a site visit to the Park and a presentation to the Committee be arranged for the next meeting in March 2013.

64. **CONSULTATION ON PROPOSED IMPROVEMENTS TO THE SLIPWAY, RIVERSIDE, ELY**

The Committee received a report (previously circulated) from which Members were asked to agree a consultation exercise being undertaken regarding the proposed improvements to the slipway on the riverside, Ely.

Liz Knox, Head of Environmental Services, reminded Members that every year the Council received complaints from members of the public regarding the wildfowl population living by or near the riverside in Ely. The main area of

complaint related to the fouling on the footpath between the Slipway, Jubilee Gardens and The Cutter.

Paragraph 3.2 of the report set out a number of initiatives that had been trialled in an effort to resolve or reduce the problem, but it was noted that they had had limited success.

In response to the concerns and complaints raised by residents, Ely City Council and the City of Ely Perspective Riverside Group, a project group was set up to consider long term solutions to the ongoing problem. It was noted that discussions had taken place with local residents, Ely City Council, City of Ely Perspective Riverside Group, The Wildfowl Trust, Environment Agency and the RSPB, and an action plan (Appendix 1 of the report refers) agreed as a way forward.

The Council now owned the land at the "Slipway" and "Cutter Corner" following a successful adverse possession application, and this provided an opportunity to consider a long term solution to the issue by preventing access from the slipway to the wildfowl from the river. Appendix 2 of the report illustrated the proposed improvements which would mean the birds having reduced accessibility to the footpath along the water's edge.

The Head of Environmental Services advised the Committee that it was necessary for the Council to obtain consent from the Environment Agency prior to any work being undertaken. An application had been submitted and the outcome was expected in early 2013. She also stressed that this was the very beginning of the process and no decisions had yet been made. A period of consultation on the proposed improvements would enable residents and other stakeholders to make known their views.

The Chairman stated that the questions submitted at this meeting would also be fed into the consultation process.

During the ensuing discussion, the Head of Environmental Services responded to comments and questions from the Committee, and she made the following points:

- Natural England had said that low fencing could be effective because geese preferred to walk rather than fly to get to their food;
- Although the Environment Agency would prefer the gate to the Slipway to be locked, the gate on the steps would not be locked. If Members were so minded, both gates could be spring-loaded.

Councillor Palmer reminded everyone that, at the last meeting of Full Council, it had been resolved that one in every three quotes for works to be carried out should come from local firms. In the light of this, he asked that the Council approach all the suitable companies in the local area and pick an East Cambridgeshire firm to produce the fencing and gates etc.

The Chairman noted that the recommendation within the report made no mention of timescales and asked if this was deliberate. The Head of Environmental Services advised that officers would be looking at the whole of the riverside and a timetable had been set for a consultation period. It was suggested, if Members were minded to agree, that this be “piggybacked” with the overall work.

Councillor Rouse highlighted the poor state of the slipway, saying that it needed to be properly restored, and Councillor Moakes sought assurance that this would be picked up as part of the overall exercise.

It was noted that a report on the Riverside Improvement Plan would be brought to Committee in September 2013. Councillor Palmer said he felt this was too long to wait because it was a sensitive issue and he would like to see something sooner than that. The Principal Community & Leisure Officer explained that there were three elements to the Improvement Plan: byelaws, improvement works, and repairs and maintenance. They were all big pieces of work, and when the 8 week consultation period was taken into account, she did not see how the timescales could be shortened.

Councillor Palmer responded by saying that he appreciated it would take time, but the public would still want answers to their questions, and he found the situation very frustrating.

The Chairman stressed the importance of officers taking the time to get things right rather than rushing and making mistakes.

Councillor Kerby asked whether there was anything that could be done in the interim to help resolve the fouling problem. The Head of Environmental Services replied that there was no long term solution, but in the short term she would go back to Veolia about cleansing.

It was resolved:

- (i) That Members agree to the consultation exercise being undertaken regarding the proposed improvements to the slipway, Ely;
- (ii) That the results of the consultation be brought back to a future Community & Environment Committee;
- (iii) That a report on the Riverside Improvement Plan be brought to the Community & Environment Committee in September 2013.

65. **EAST CAMBRIDGESHIRE 2012/13 PLAY AUDIT & ACTION PLAN 2013/14**

This item had been withdrawn from the agenda.

66. **NEIGHBOURHOOD PANELS**

The Committee received a report (previously circulated) from which Members were asked to review the performance of the Neighbourhood Panels.

The Head of Community Services introduced his report by reminding the Committee of the background to the introduction of the Panels, which were made permanent across the District in 2008.

It was noted that the District Council provided administrative support to the five Neighbourhood Panels, despite this not being a statutory requirement for any public body other than the Police Service. The estimated cost to the Council of providing this function was £13,000 per annum.

(Councillor Sheila Friend-Smith, MBE left the meeting at 6.20pm).

Appendix A to the report set out a breakdown of attendance levels recorded since the June/July 2011 round of Panel meetings, and paragraph 4.1 detailed the levels of attendance by members of the public between June/July 2011 – October 2012. The statistics showed that attendance by the Parish Councils and members of the general public was decreasing, and also that less key priorities and new issues were being raised at Panel meetings.

As a key partner in the Panel process, surveys were sent out to the Parish Councils to seek their views on the value of the Neighbourhood Panels. Response rates were disappointing and general feedback indicated that the meetings were perceived to be more beneficial for Parish Councils than community members, this being evidenced by declining public attendance. In terms of responses from specific Parish Councils, Ely thought that the meetings were very valuable, whereas Littleport Parish Council felt that they were of limited value, with the exception of information sharing, presentation and consultation, and were not a good use of resources. There was, however, recognition across most of the Panel areas that cross agency working was valuable and worked well. Suggested improvements included focusing on more community issues, advertising more, or changing the current format to “drop in sessions”.

The Committee was reminded that “ShapeYourPlace “ was launched in April 2012, and had 5 East Cambridgeshire web pages that mirrored the Neighbourhood Panel areas. The common District Council issues raised across the site were waste and recycling, road improvements, and general information regarding funding bids and consultations. ECDC officers had been pro-active in posting information, consultations and changes to services. Since May there had been in excess of 5,000 unique visitors and 14,500 total visits across the East Cambridgeshire sites. It was felt that this had identified the changing nature of consultation, as social media had become a more accessible tool for community engagement.

The Scrutiny Committee on 27<sup>th</sup> November 2012 considered the findings of this paper and was broadly in agreement with the conclusions raised in this report. It was suggested that Ely was a panel meeting that had maintained its initial purpose whilst others needed to be reviewed, particularly in the rural areas. The role of the Parish Councils was discussed, encouraging operational issues to be dealt with outside the panel meeting and for Parish Councils to meet more regularly with fellow Parish Councils. Recognition was given to the needs of the

residents and the ability to provide a choice of both meeting and web based engagement. The Committee resolved to recommend that these issues be considered by way of a Service Review.

Councillor Moakes said that despite being sceptical at first, he believed the Panels were very useful and got the impression that people in the West Panel area thought they were good. However, there was some concern at the moment that the villages were getting the police service they wanted at an affordable price. If the Police cut costs and reduced their service, everyone would lose out. He wondered whether it might be possible to cut back on the number of Panel meetings, although he would be worried about anything too radical.

The Head of Community Services reminded Members that the Panels were a statutory function only for the Police, and they would still have to fulfil their obligation whether or not the District Council supported them. In connection with this, Councillor Schumann asked whether the new Police & Crime Commissioner would be contacted regarding the use of funds, as his response could potentially affect the outcome of the review.

Councillor Wilson said that a reduction in the number of meetings would mean people having to wait longer for feedback. She believed that much was a failure on the part of the Parish Councils to publicise the meetings, and they should be warned that they risked losing them if they did not use them.

The Head of Community Services concluded by reminding Members that the Terms of Reference of the review would be brought to the next Committee meeting.

It was resolved:

- (i) That the issues raised in this report and the comments identified at the Scrutiny Committee (held on 27 November 2012), be noted;
- (ii) That officers be instructed to instigate a Service Review of Neighbourhood Panels with a draft Terms of Reference presented to the next Committee meeting.

67. **COMMUNITY FACILITIES & SMALL VILLAGES FUND (S106) GRANT SCHEMES**

The Committee received a report (previously circulated) from which Members were asked to consider and make decisions on three applications, and to note one grant offered under officer delegated powers from the East Cambridgeshire S106 Grant Schemes.

- 1) St Andrews Swimming Pool Association

This was an application for grant aid towards the development of a new indoor swimming pool at St Andrews School, to replace the outdoor pool which was no longer fit for purpose.

Councillor Palmer said that there had been some concern regarding the long term sustainability of the project and he did not want to see the District Council being blamed for any failure. However the community would appreciate having a swimming pool in Soham, and he was delighted to see the application before Members. Whereupon,

It was resolved:

That St Andrews Swimming Pool Association be awarded a grant of £55,000 from the existing Section 106 budget.

2) The Parish Church of Saint George

This was an application for grant aid towards repairs to St George's Church Tower.

It was resolved:

That the Parish Church of St George be awarded a grant of £6,000 from the existing Section 106 budget.

3) Littleport Parish Council

This was an application for grant aid towards the refurbishment of St George's Church War Memorial Clock Face.

It was resolved:

That Littleport Parish Council be awarded a grant of £5,000 from the existing Section 106 budget.

4) Cheveley Parish Council

This was an application for grant aid towards the provision of a new notice board for the North Ward, Cheveley.

Councillor Kerby remarked that he thought the cost of the notice board to be rather expensive. He wondered where it was to be sited, as there was still a notice board near Centre Drive, and he asked that the quotes be revisited.

The Chairman reminded him that the funding had already been awarded under officer delegation, and suggested that he discuss the matter with the Community Development & Engagement Officer outside of the meeting.

It was resolved:

That the award offered under officer delegated powers, of £1,623.37 grant aid to Cheveley Parish Council from the East Cambridgeshire S106 Grant Schemes, be noted.

68. **BUDGET MONITORING REPORT**

The Committee received a report (previously circulated) which updated Members on the Council's current financial position for 2012/13, based on the reporting period to the end of October 2012. The report covered both the Council's projected revenue and capital expenditure.

It was noted that there was an overall underspend of £14,351 against this Committee's original budget. However, when funding from the Council's earmarked reserves was taken into account, the true financial position was a projected underspend of £17,128.

Referring to paragraph 3.8 of the report, Councillor Wilson informed the Head of Community Services that money (and water) was being wasted in the Cloisters public conveniences because the automatic taps were not working properly.

It was resolved:

That Members note that, since the last report, a projected overspend of £15,666 has been identified giving an overall underspend across the Committee's services of £14,351 against the original budget. However, when funding from the Council's earmarked reserves is taken into account, the true financial position is a projected underspend of £17,128.

69. **EXCLUSION OF THE PRESS AND PUBLIC**

It was resolved:

That the press and public be excluded during the consideration of the remaining item no. 13 because it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during the item there would be disclosure to them of exempt information of Categories 3 & 4 Part 1 Schedule 12A to the Local Government Act 1972 (as Amended).

70. **THE MALTINGS**

The Chairman said that he had agreed, as a matter of urgency, to accept this report as a late item of business. In view of the timescales involved, consideration of this item could not wait until the next Committee meeting in March.

The report updated Members on the progress of the agreed actions arising from the Maltings Service Review and sought agreement regarding the way forward.

The Head of Community Services summarised the main points of his report and advised Members of the options available to them and the financial implications.

It was resolved:

That the recommendations, as set out in paragraph 2.1 of the report, be agreed.

The meeting closed at 7.01pm.