

CABINET: MINUTES

Date: Tuesday 28th January 2014

Time: 10.00 a.m. – 11.05 a.m.

Present: Chairman: Councillor M Curtis

Councillors I Bates, D Brown, S Count, D Harty, T Orgee, M Shuter and F Yeulett

Apologies: Councillor L W McGuire

Also present: Councillors N Kavanagh, M Leeke, L Nethsingha, J Reynolds and S Rylance

129. MINUTES

The minutes of the Cabinet meeting held on 14th January 2014 were agreed as a correct record and signed by the Chairman.

130. DECLARATIONS OF INTEREST

Councillor D Brown declared a non-statutory disclosable interest in line with paragraph 10.1 of the Members' Code of Conduct in relation to Minute 138, Provision of Housing Primarily for Rent on the County Council's Portfolio, as the local member for Burwell.

131. PETITIONS

No petitions had been received.

132. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were no matters arising from Overview and Scrutiny Committees.

133. COUNCIL DECISIONS

There were no decisions for Council.

134. INTEGRATED RESOURCES AND PERFORMANCE REPORT FOR THE PERIOD ENDING 31st DECEMBER 2013

The Leader of the Council, Councillor Curtis, agreed to exercise his discretion under Section 100B (4) of the Local Government Act 1972 to allow this report to be considered, even though it had not been dispatched to members five working days before the meeting, for the following reasons:

Reason for lateness: This report needed to be reviewed by Strategic Management Team (SMT) before being released for Cabinet. The SMT meeting at which this report was discussed took place on 20th January 2014.

Reason for urgency: To enable Cabinet to receive the most up-to-date resources and performance information available.

Cabinet received the Integrated Resources and Performance Report for the period ending 31st December 2013. The Cabinet Member for Resources and Performance, Councillor Count, noted that the forecast year-end overspend was £0.8 million, an increase of £0.3 million from the previous month's forecast. This was due to the accumulation of a number of small items in Children, Families and Adults. Officers were continuing to work hard to achieve a balanced budget by year-end.

Members' attention was drawn to Key Performance Indicators (KPIs), particularly a red one relating to the number of complaints received by Local Government Shared Services (LGSS) that were answered within minimum response times. The Cabinet Member for Resources and Performance reported that new procedures were being implemented to improve performance in this area.

Members noted a forecast underspend of £40.2 million on the capital programme; due to further slippage. Cabinet members suggested that the number of capital projects being rephased should be monitored closely. The Cabinet Member for Resources and Performance noted that this was already reported monthly. He also noted that some rephasing was due to factors beyond the Council's control, such as planning and land acquisition processes.

It was resolved:

- 1) To analyse resources and performance information and note the remedial action currently being taken
- 2) To approve the realignment of £0.7 million capital funding in 2013/14, with regards to the Building Schools for the Future (BSF) scheme (section 6.5 of the report).

135. CONTRACT ARRANGEMENTS FOR TEMPORARY STAFF (AGENCY)

The Cabinet Member for Resources and Performance, Councillor Count, presented proposals for the Council's supply of agency staff when current contractual arrangements came to end. He noted that the use of agency staff was an appropriate way to manage fluctuations in the demand for staff across the organisation. Historically, the Council spent 3.3% of its payroll costs on agency staff, equating to approximately £4 million.

The proposal was for the Council to award the contract to a single supplier, Carlisle Managed Solutions (CMS). This supplier was already supporting a number of other large organisations, including Northamptonshire County Council. Cabinet members noted that the proposed contract with CMS included a clause enabling the Council to seek agency staff elsewhere in the event of CMS being unable to meet its needs.

It was resolved:

- 1) To approve the recommendation to extend the current contractual arrangements for agency staff until 30th June 2014 to allow transition to the proposed new arrangements
- 2) To approve the recommendation to award a new contract to Carlisle Managed Solutions for the provision of agency staff for the period 1st July 2014 until no later than 31st August 2016.

136. CAMBRIDGE CITY COUNCIL 20MPH PROJECT: PHASE 1 (CAMBRIDGE NORTH)

The meeting of Cabinet held on 29th October 2013 had received a report on Cambridge City Council's project to implement 20mph speed limits on all appropriate roads across the city. Cabinet had agreed to proceed with the statutory consultation and the advertisement of the necessary Traffic Regulation Orders (TROs) for Phase 1, covering the north of Cambridge.

Members were reminded that the informal consultation had recorded 63% of respondents to be in favour. During the statutory consultation stage, four objections had been received to the TROs, which were set out in the report together with officers' comments on them.

One non-Cabinet member spoke on this item:

- Councillor Nethsingha, Liberal Democrat Deputy Group Leader, fully welcomed the project. She noted that 20mph speed limits would encourage people of all ages to use more active forms of transport such as cycling and walking, reducing congestion and promoting health and wellbeing. She commended the City Council on identifying the funding needed for implementation and maintenance. She suggested that the County Council should promote similar projects elsewhere in the County.

Cabinet members also welcomed the City Council's project and noted the extensive consultation and high level of responses. They noted that the County Council's role was to support local initiatives and that Town and Parish Councils could put forward requests and help to identify funding as the City Council had done. However, it would be important to ensure that 20 mph limits were implemented appropriately, with the needs of all road users being considered in each case.

It was resolved:

- 1) To note the objections and representations
- 2) To approve the proposed scheme as advertised.

137. MOBILISING LOCAL ENERGY INVESTMENT

The meeting of Cabinet held on 29th October 2013 had agreed that the Council should proceed with the Mobilising Local Energy Investment (MLEI) project, by developing an

outline business case for energy performance contracting and by borrowing up to £15 million as an investment in MLEI schemes. The Cabinet Member for Enterprise and Skills, Councillor Shuter, now presented proposals to take the project forward, by procuring an energy performance contracting supplier for schools and public buildings and by setting up an investment fund to support specific projects.

One non-Cabinet member spoke on this item:

- Councillor Nethsingha, Liberal Democrat Deputy Group Leader, fully welcomed the proposals but expressed disappointment that they had not been brought forward sooner, meaning that opportunities to improve energy performance and to generate revenue for the Council had been lost.

Responding to the speaker, Cabinet members noted that not being an early adopter of this initiative had enabled the Council to learn from other local authorities' experience. Whilst tariffs had changed over time, infrastructure costs had fallen, meaning that financial gains overall remained at a similar level. Cabinet members noted that the administrative costs of the project would be identified and recovered so that there was no cost to Council Tax payers.

It was resolved:

- 1) To proceed with the procurement of an energy performance contracting supplier for schools and public buildings, using the Greater London Authority's REFIT 2 Framework
- 2) To offer schools and the County Council's buildings estate the opportunity to participate in an energy performance contracting service and to provide access to finance via the investment fund (on a first come first served basis)
- 3) To support the set-up of an internal local authority investment fund, decisions on projects to be funded to be made by Cabinet or the relevant Committee to take forward an Investment Programme of energy projects
- 4) To support further development work on the investment fund.

138. PROVISION OF HOUSING PRIMARILY FOR RENT ON THE COUNTY COUNCIL'S PORTFOLIO

The Cabinet Member for Resources and Performance, Councillor Count, introduced proposals to declare as surplus two parcels of land owned by the County Council and to develop housing on them, primarily for rent. He explained that as a substantial landowner, the County Council had a responsibility to use its assets as effectively as possible. Members noted that the request at this stage was for permission to develop a full business case, which would be brought back to members in due course.

Councillor D Brown spoke as the local member for Burwell and reported that there was significant support in the village for the proposal now being considered. Local residents supported the development of additional housing and of a number of sites reviewed, this was felt to be the most appropriate.

Comments from Councillor Taylor, the local member for the Worts Causeway site, were noted.

Cabinet members supported the proposals, noting that in addition to generating revenue for the Council, by developing the housing primarily for rent the Council would be increasing the supply of affordable housing and helping to address the considerable housing waiting lists in the County. However, members noted that the new developments would create additional pressure on schools and other services, which would need to be taken into account.

It was resolved:

- 1) To declare surplus both the parcels of land for circa 350 homes at Newmarket Road, Burwell and 230 homes at Worts Causeway, Cambridge
- 2) To delegate authority to the Portfolio Holder for Resources and Performance in consultation with the Head of Finance to agree detailed terms with appropriate parties where needed for the taking forward of planning applications in respect of the above sites
- 3) To delegate to the Portfolio Holder for Resources and Performance in consultation with the Head of Finance the agreement of detailed terms for the sale of all or part of either of the above sites or dwellings constructed on them
- 4) To agree the development of a Full Business Case to be considered by Cabinet in respect of the above named sites which if attractive can be taken forward as the first large scale schemes where the County develops housing to generate long term income streams.

139. INFRASTRUCTURE FOR CAMBRIDGESHIRE COUNTY COUNCIL SERVICES ON NEW DEVELOPMENT SITES

Cabinet considered a proposal to develop a range of templates for use in Section 106 or Community Infrastructure Development (CIL) negotiations with developers on County Council services on new development sites. Two such templates had been circulated with the agenda, one for primary schools and the other a standard property transfer document. The Cabinet Member for Resources and Performance, Councillor Count, explained that negotiations with developers could be lengthy and complex. The intention of the proposed templates was to provide greater clarity to discussions, facilitating and speeding the process.

Cabinet members made the following comments:

- Welcomed the principle of the templates but expressed concern that they should not be overly prescriptive, since this could cause problems later, for example at Design Quality Panel meetings. The Cabinet Member for Resources and Performance explained that the templates were intended as a basis for discussion and that some flexibility would be possible, to take into account the specifics of individual sites and their settings.

- Suggested that in the template for primary schools and in other future templates, a distinction should be made under 'General site issues' between green field sites and brown field sites, since the latter could require considerable remedial work to address contamination. It was also suggested that under 'Communications masts/above ground high tension cables', a distance should be specified, rather than stating only that these should not be situated 'near' site boundaries.
- Suggested that consideration also be given to streamlining and standardising the legal agreements between the County Council and developers.

It was resolved:

- 1) To endorse the principle of using standardised templates to obtain suitable sites for new schools and other new Cambridgeshire County Council infrastructure
- 2) To adopt and approve for use, the template for primary schools and standard property transfer document
- 3) To delegate the approval of additional templates and amendments to existing templates to the appropriate Portfolio Holder and Head of Service for the facility the template covers in consultation with the LGSS Director of Law, Property and Governance and Head of Finance (Section 151 Officer).

140. EUROPEAN UNION STRUCTURAL AND INVESTMENT FUNDS STRATEGY: GREATER CAMBRIDGE GREATER PETERBOROUGH LOCAL ENTERPRISE PARTNERSHIP SUBMISSION

Cabinet members considered the draft European Union (EU) Structural and Investment Funds Strategy, which had been prepared by the Greater Cambridge Greater Peterborough Local Enterprise Partnership (LEP). It was noted that the Strategy would be submitted to the EU as a funding bid, to attract investment to the area. The investment would be used to stimulate local business, for example through skills development, support to small and medium enterprises (SMEs) and low carbon investment. This would complement the Growth Strategy, which sought investment in infrastructure.

Members noted that the Greater Cambridge Greater Peterborough LEP's notional funding allocation was approximately £65 million. However, the LEP would be competing with other LEPs nationally for resources and so needed to submit a robust Strategy setting out deliverable projects.

It was resolved:

- 1) To note the process and progress for finalising the Local Enterprise Partnership (LEP)-led European Union Structural and Investment Funds Strategy due for submission by the end of January 2014
- 2) To endorse the Draft Strategy as set out in Appendix A to the report

- 3) To agree that officers work with the LEP to make any suggested changes to finalise the Draft for submission.

141. ECONOMY, TRANSPORT AND ENVIRONMENT CHARGES REVIEW

The Council's 2013/14 Business Plan had outlined the need to review charges applied by Economy, Transport and Environment, to ensure that they were appropriate to support and improve service provision. The review had now been completed and proposed charges for 2014/15 were set out in Appendix A to the Cabinet report, together with predicted income.

Members noted an additional recommendation to those set out in the report, as highlighted in bold below.

It was resolved:

- 1) To agree that the principles outlined in Section 3 of the report be adopted when reviewing charges in future
- 2) To agree that the Council will continue not to levy charges for temporary road closure orders for charities and non-commercial community events
- 3) To approve the charges outlined in Appendix A to the report for 2014/15
- 4) To approve the use of February Retail Price Index for uprating charges in line with inflation where applicable
- 5) To note that the following pieces of work are being taken forward:
 - Review of highways searches charges
 - Investigating charging for pre-application planning advice in relation to Public Rights of Way
 - Further benchmarking against other authorities including to ensure that overheads are being applied consistently
- 6) **To delegate to the Service Director: Infrastructure Management and Operations, after consultation with the Portfolio Holder for Highways and Community Infrastructure, to make any minor amendments to the Proposed Charges for 2014/2015 (Appendix A to the report).**

142. BUS SERVICE OPERATORS GRANT: DEVOLUTION OF FUNDING

Members were reminded that a revised report and recommendations had been issued for this item.

Cabinet noted that Bus Service Operators Grant (BSOG) had to date been paid by central Government directly to bus operators. From January 2014, BSOG was being devolved to local authorities, giving them discretion over its use.

Members welcomed the opportunity for the Council to administer the grant and in particular the proposal to use part of it to work with the local public transport industry to deliver services innovatively. However, concern was expressed that no provision had been made for the cost of administering the grant; and that it was guaranteed only until 2017, after which time there was a risk that it would cease.

It was resolved:

- 1) To note the changes being made by Government
- 2) To agree to pass at least 90% of the devolved BSOG funding to the operators of bus services contracted by the County Council, provided those services continue to operate in their current form. The remaining funds (up to 10%) will be retained by the County Council to help to fund innovation in the provision of local bus services
- 3) To delegate to the Lead Member for Highways and Community Infrastructure, in consultation with the Executive Director: Economy, Transport and Environment, the final decision on the detailed devolving of BSOG funds.

143. ADULT SOCIAL CARE PROCUREMENT STRATEGY

The Cabinet Member for Adult Services, Councillor Yeulett, presented the proposed Adult Social Care Procurement Strategy, which would define the Council's approach to purchasing services across adult social care. He explained that given both the financial pressures faced by the Council and the increasing demand for services, it would be essential to deliver services innovatively and cost-effectively. The Procurement Strategy set out the roles to be played by a range of organisations, including commercial providers and the voluntary and community sectors. Service users would be fully involved in the development, monitoring and review of services.

One non-Cabinet member spoke on this item:

- Councillor Nethsingha, Liberal Democrat Deputy Group Leader, emphasised the importance of this Strategy both to the Council's financial situation and to the wellbeing of a large number of people. She noted that in promoting 'market development across social care and health', the Council would be creating a planned economy. Whilst there were benefits to this, there were also risks, particularly in relation to forecasting levels of need. Councillor Nethsingha welcomed the Strategy's emphasis on workforce development, which would be key in making the care system function more effectively.

It was resolved:

To agree the Adult Social Care Procurement Strategy.

144. DRAFT CABINET AGENDA PLAN

Members noted the draft agenda for the meeting to be held on 4th March 2014 and the following updates reported orally at the meeting:

- Items added – Northstowe Phase 1 Section 106 Funding Provision; Investment Case for Park and Ride Photo-Voltaics; North-East Cambridge Action Plan
- Items deferred – Making Assets Count Joint Venture Company; Warboys Community Asset Transfer; Cambridge Science Park Station; Clay Farm Community Centre.

Cabinet members drew attention to a recent agreement that the Cessation of Smoking at Work Policy should if possible be determined by full Council. Members also asked that if possible, the item should go directly to Council without prior consideration by Cabinet.

145. LOCAL GOVERNMENT SHARED SERVICES: SHARING SERVICES WITH HUNTINGDONSHIRE DISTRICT COUNCIL

Members noted that this item had been withdrawn.

146. EXCLUSION OF THE PRESS AND PUBLIC

It was resolved:

To exclude the press and public from the meeting during the consideration of the following report on the grounds that it was likely to involve the disclosure of exempt information under paragraph 3 of Part 1 Schedule 12 A of the Local Government Act 1972 and that it would not be in the public interest for the information to be disclosed (information relating to the financial or business affairs of any particular person (including the authority holding the information)).

147. CAMBRIDGESHIRE GUIDED BUSWAY: LAND ACQUISITION

Cabinet considered a report relating to a piece of land acquired by the County Council for the construction of the Cambridgeshire Guided Busway and the negotiations taking place on the price to be paid for it.

It was resolved:

To agree the recommendations as set out in the report.

Chairman
4th March 2014