

## **CABINET: MINUTES**

**Date:** Tuesday 26<sup>th</sup> November 2013

**Time:** 10.00 a.m. – 11.30 a.m.

**Present:** Chairman: Councillor M Curtis

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

**Apologies:** None

**Also present:** Councillors P Bullen, N Kavanagh, G Kenney, M Leeke, M Mason, L Nethsingha  
and P Sales

### **93. MINUTES**

The minutes of the Cabinet meeting held on 29<sup>th</sup> October 2013 were agreed as a correct record and signed by the Chairman.

### **94. DECLARATIONS OF INTEREST**

The following members declared non-statutory disclosable interests in line with paragraph 10.1 of the Members' Code of Conduct:

- Councillor Bates in relation to Minute 95, Petition Calling for the Opening of the Northern Access, St Neots, as he had been the Leader of Huntingdonshire District Council whilst this development was being built
- Councillor Brown in relation to Minute 99, Trinity School, Hartford Centre – Replacement and Relocation, as a member of the temporary governing body that had set up the Trinity School
- Councillor Orgee in relation to Minute 100, Property Disposal: Caius Farm, Great Shelford, since as Chairman of South Cambridgeshire District Council, the Arthur Rank Hospice Charity had been one of his Chairman's charities for the past two years.

In relation to Minute 100, Property Disposal: Caius Farm, Great Shelford, the Chief Executive, Mark Lloyd, noted that he was a Trustee of the Arthur Rank Hospice Charity and left the room whilst this item was discussed. Both he and Councillor Orgee confirmed that they had taken no part in negotiations on this issue.

### **95. PETITIONS**

Cabinet received one petition.

## Calling for the Opening of the Northern Access at Love's Farm, St Neots

The petition had been submitted by Marcus Pickering, Chairman of the Love's Farm Community Association. It had 335 electronic signatures and read:

I call upon Cambridgeshire County Council to permanently open the northern access to Love's Farm to all vehicle traffic, providing the following significant benefits:

- Improved access to and egress from the development and reduced traffic movement and congestion within the development
- Reduced traffic flows resulting in a far safer environment for pedestrians, cyclists and vehicle users
- Reduced congestion on Cambridge Road/ Cambridge Street and St Neots Town Centre by providing good alternative routes to St Neots town car parks, etc.
- Reduced travelling by up to 3.5 miles on return journeys to Huntingdon and other destinations north with little or no increase in traffic on Priory Hill.
- Reduced carbon pollution.

The northern access has proved safe and incident-free for both pedestrians and vehicle users while open during extended periods of road works.

Mr Pickering addressed Cabinet on behalf of the petitioners and circulated a leaflet showing a map and photographs of the site. He noted that a new pedestrian bridge over the railway was to open shortly and suggested that it was therefore timely to consider whether the existing railway bridge providing access to the north of Love's Farm could be opened permanently to vehicles.

Cabinet members asked Mr Pickering a number of questions, covering the volume of use during the recent period when the northern access had been open to vehicles; how traffic flow through the northern access might be managed if it were permanently opened to vehicles; and the discussions Mr Pickering had had with officers about this issue to date.

The Cabinet Member for Highways and Community Infrastructure, Councillor McGuire, thanked the petitioner. As there was no relevant agenda item, a full written response would be sent within ten working days of the meeting.

## **96. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**

There were no matters arising from Overview and Scrutiny Committees.

## **97. TWINNING WITH KREIS VIERSEN**

In view of the representations received, Cabinet agreed to withdraw this item pending further consideration.

**98. INTEGRATED RESOURCES AND PERFORMANCE REPORT FOR PERIOD ENDING 31<sup>st</sup> OCTOBER 2013**

The Chairman of Cabinet, 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 18<sup>th</sup> November 2013.
- 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 31<sup>st</sup> October 2013. The Cabinet Member for Resources and Performance, Councillor Count, noted that the forecast year-end overspend was £0.7 million, an increase of £223,000 from the previous month's forecast. However, he emphasised that the forecast overspend remained very small relative to the Council's overall budget and that officers were working hard to achieve a balanced budget by year-end.

It was resolved:

- a) To note the resources and performance information and the remedial action currently being taken
- b) To approve the closure of the Service Invest to Transform funds, with the combined balance of these funds (£675,000) being transferred to the General Fund (section 3.2.8 of the report).

**99. TRINITY SCHOOL, HARTFORD CENTRE – REPLACEMENT AND RELOCATION**

Cabinet's approval was sought to proceed with proposals for the purchase of land and buildings in Almond Road, St Neots, currently in the ownership of Huntingdon Regional College. If acquired, the buildings would be converted as replacement accommodation for the Trinity School's Hartford Centre in Huntingdon and as replacement for mobile accommodation used for the delivery of early years and childcare on the Priory Park Infant School site, St Neots.

Members noted that the current settings both at the Hartford Centre and for early years and childcare at the Priory Park Infant School site were unsatisfactory. The proposed new site would meet existing need and allow future expansion of provision both for children with social, emotional and behavioural difficulties and of early years and childcare places. Provision had already been made in the Council's Business Plan for replacement of the Hartford Centre, at a cost of £7.8 million. Purchasing and refurbishing the site now proposed was expected to cost around £5.5 million, a saving of £2.3 million on the original cost estimate.

Cabinet members commended the proposal, noting that the location of the new site close to the centre of St Neots would be beneficial for students and staff and welcoming the saving on the original estimated cost of replacing the Hartford Centre. Members noted that there would be some disruption for pupils currently attending the Hartford Centre. However, the proposal was fully supported by the Head Teacher and Governing Body of the Trinity School, who clearly felt that the long-term benefits of the move would outweigh the short-term disruption.

Support for the proposal from one of the local members, Councillor P Brown, was reported.

It was resolved:

- a) To acquire the Almond Road site in St Neots from Huntingdonshire Regional College on detailed terms to be agreed by the Cabinet Member for Education and Learning and the Cabinet Member for Resources and Performance, in consultation with the Executive Director: Children, Families and Adults (CFA) and the Council's Chief Finance Officer
- b) To then convert the accommodation for use:
  - As replacement accommodation for the Hartford Centre of the Trinity School; and
  - For delivery of early years and childcare in St Neots
- c) To meet the purchase and refurbishment cost in full from the CFA five-year programme of capital investment
- d) To declare the Hartford Centre in Huntingdon surplus to educational requirements once vacated.

## **100. PROPERTY DISPOSALS**

### Caius Farm, Great Shelford

Cabinet considered a request to declare surplus 0.8 hectares of land at Caius Farm, Great Shelford, to enable it to be sold on a long leasehold basis to the Arthur Rank Hospice Charity. Arthur Rank were seeking to build a new and enlarged hospice to cater for the population growth of Cambridgeshire, on the edge of Cambridge and close to Addenbrooke's Hospital. They had considered a large number of sites but, taking into account planning and land ownership issues, this site appeared to be both the most suitable and the most readily deliverable.

One non-Cabinet member spoke on this item:

- Councillor Kenney, one of the local members for Sawston, expressed concern at incremental development in the Green Belt. She suggested that if a hospice were built on this site, over time other developments would be permitted between the site and Addenbrooke's, resulting eventually in the coalescence of Cambridge and Great Shelford.

Cabinet members expressed support for the proposal, noting that the new hospice would provide much-needed facilities for people requiring end of life care, close both to Addenbrooke's and to the Park and Ride. Councillor Kenney's comments on the Green Belt were noted, but it was felt that there was already some small-scale development close by and that the District Council, if minded to grant planning permission, were likely to seek a high quality building sympathetic to the setting.

It was resolved:

To declare the land as surplus to requirements and to authorise its leasehold transfer on detailed terms to be delegated to the Cabinet Member for Resources and Performance in consultation with the Head of Finance.

### Gypsy and Traveller Sites

Cabinet was asked to declare as surplus to requirements eleven sites held by the County Council for Gypsy and Traveller purposes.

The Cabinet Member for Resources and Performance, Councillor Count, explained that at present, the sites were owned by the County Council but managed by the District Councils and that this arrangement was obstructing good practice.

If agreed, the ten operational sites would be transferred to the relevant District Councils, who would continue to run them. An eleventh site at Willingham was closed. This site was not of interest to South Cambridgeshire District Council and so would be offered for sale in accordance with the Council's disposal policy, to the Parish Council at market value in the first instance.

It was resolved:

- a) To declare the ten operational sites and one closed site at Willingham as surplus to Council requirements
- b) To delegate approval for the detailed terms of disposal (on long leasehold interests) of the operational sites to the District Councils managing the sites (including any less than best transaction) to the Cabinet Member for Resources and Performance in conjunction with the Head of Finance
- c) To agree the disposal of the closed site at Willingham in accordance with the Council's disposal policy.

### Hilltop Day Centre, Primrose Street, Cambridge

Cabinet was asked to declare as surplus the former Hilltop Day Centre at Primrose Street in Cambridge. The property had formerly been used as a day centre for older people and for people with early onset dementia. However, this use has ceased in December 2012 when the facility had transferred to the newly refurbished Horizon Centre at Coldhams Lane, Cambridge. A subsequent temporary use of the building by Age Concern had also now come to an end.

It was resolved:

To declare the former Hilltop Day Centre, Primrose Street, Cambridge as surplus to requirements and to authorise its disposal on detailed terms to be delegated to the Cabinet Member for Resources and Performance in consultation with the Head of Finance.

## **101. BUS LANE ENFORCEMENT**

Cabinet considered a proposal to enforce the Traffic Regulation Orders applying to bus lanes in Cambridge. Data collected in August and September 2013 at three locations showed a high level of bus lane contraventions, suggesting that enforcement would be worthwhile in supporting law-abiding motorists and aiding buses, cyclists, emergency service vehicles and taxis.

Department of Transport guidance required the Council to set the standard penalty at one of three levels. It was recommended that Cambridgeshire adopt the £60 standard level, as applied by most other authorities, with a 50% reduction for payment within 14 days.

It was noted that the Council had been awarded funding by the Department for Transport, through the Better Bus Area Fund, to implement the enforcement measures proposed. Revenue from fines would be used to administer the enforcement scheme, with any surplus used for highway improvements.

Two non-Cabinet members spoke on this item:

- Councillor Kavanagh, the Labour Economy, Transport and Environment Spokesman, fully welcomed the proposal but questioned whether the £60 penalty was too low and could be raised. He also suggested that cameras could be installed at busy junctions where advance stop boxes for cyclists were frequently contravened.
- Councillor Mason reported that he had been contacted by local residents who welcomed the proposal as it would improve safety for cyclists using bus lanes. However, he suggested that the introduction of cameras would not be universally welcomed and referred to Bristol's experience of introducing a similar scheme. He asked whether provision would be made physically to remove vehicles parked in bus lanes. He also asked whether the scheme could be used to tackle vehicular infringements of the Cambridgeshire Guided Busway.

Responding to Councillor Mason, the Cabinet Member for Growth and Planning, Councillor Bates, suggested that he could discuss Busway infringements as a separate issue outside the meeting.

Cabinet members welcomed the proposal to introduce bus lane enforcement and discussed the following points:

- Agreed that it would be important to ensure that all road markings and signs relating to bus lanes were clear, to help avoid inadvertent infringements. Members referred particularly to the bus lanes on Newmarket Road, Cambridge.
- Welcomed the plan for infringements to be individually reviewed by an officer before penalty notices were issued, to ensure that there were no extenuating circumstances such as needing to pull over to let through an emergency vehicle.
- Agreed that a penalty greater than £60 would be desirable. However, members were advised that this was the maximum penalty currently permitted by legislation, the options being £40, £50 or £60. Local authorities introducing bus lane enforcement were required to specify which of these penalties they would be introducing and the sum could not be index-linked. Cabinet members expressed frustration at the inflexibility of this situation and agreed to add a delegation to those set out in the report, enabling the penalty to be increased when legislation permitted.

It was resolved:

- a) To authorise the Council to introduce the civil enforcement of bus lane and bus gate contraventions pursuant to the Transport Act 2000, Traffic Management Act 2004 and all other enabling powers
- b) To authorise the Council to use approved devices (cameras) to enforce bus lane and bus gate contraventions pursuant to the Transport Act 2000
- c) To authorise the LGSS Director of Law and Governance to enter into a legal agreement with the Bus Lane Adjudication Service Joint Committee (BLASJC) in pursuance of Section 101(5) of the Local Government Act 1972 in order for the Council to become a member of the BLASJC
- d) To appoint a representative to the BLASJC to act on behalf of the Council
- e) To agree a penalty charge of £60 for bus lane and bus gate contraventions. Motorists discharging this penalty within 14 days pay at a 50% discount rate of £30
- f) To delegate to the relevant Portfolio Holder in consultation with officers the authority to effect an increase in the penalty charge when legislation allows an increase to the maximum charge.

## **102. TREASURY MANAGEMENT QUARTER 2 REPORT**

Cabinet received the second quarterly update on the Treasury Management Strategy for 2013/14, which had been approved by Council on 19<sup>th</sup> February 2013. This report would also be presented to Council on 11<sup>th</sup> December 2013.

It was resolved:

To note the Treasury Management Report, Quarter Two 2013-14.

### **103. CAMBRIDGESHIRE'S CULVERT POLICY**

Cabinet was asked to approve a Culvert Policy for Cambridgeshire. Under the Flood and Water Management Act 2010, the Council was a Lead Local Flood Authority, responsible for managing flooding from ordinary watercourses outside the Internal Drainage Board areas. In 2012 the Council had also become the consenting authority for works to ordinary watercourses under the Land Drainage Act 1991, including applications to culvert ordinary watercourses. Agreeing a formal culvert policy would provide clear guidelines enabling Council officers to work effectively with members of the public and other stakeholders.

One non-Cabinet member spoke on this item:

- Councillor Mason welcomed the policy but suggested that an accompanying guidance note would help to educate the public that culverting was subject to regulation and not always a recommended solution. This would help to prevent landowners from taking unauthorised actions that subsequently had to be remedied.

Cabinet members also welcomed the policy and emphasised the need for effective implementation and enforcement, given both that Cambridgeshire was a low-lying area and that the incidence of flash floods was increasing. Cabinet members agreed that the policy should be communicated clearly to the public and to partner agencies, including Town and Parish Councils.

It was resolved:

To adopt Cambridgeshire's Culvert Policy attached as Appendix 1 to the report.

### **104. CAMBRIDGE PARK AND RIDE – PARKING CHARGES**

The Chairman of Cabinet, 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: The offer from Stagecoach required careful consideration and several meetings to bottom out including considering revisions made by Stagecoach to their initial offer.
- Reason for urgency: The Stagecoach offer needs to be resolved as quickly as possible. In October, Cabinet decided they would receive a report on this matter in November.

The meeting of Cabinet held on 10<sup>th</sup> September 2013 had agreed to implement a £1 parking charge at the five Cambridge Park and Ride sites, subject to further discussion with key stakeholders. This decision had subsequently been called in and considered by the Enterprise, Growth and Community Infrastructure Overview and Scrutiny Committee at its meeting on 12<sup>th</sup> September 2013. Cabinet had been asked to reconsider its decision and had therefore considered a further report including additional information on 8<sup>th</sup> October 2013.



On the morning of 8<sup>th</sup> October 2013, the Managing Director of Stagecoach Cambridge had made an offer to run the Cambridge Park and Ride sites at no cost to the Council. Cabinet had therefore agreed an additional recommendation, that urgent discussions take place with the bus operators to investigate further whether this represented a deal overall, with a report to be brought back to Cabinet in November.

Cabinet now received an update on the discussions that had taken place with Stagecoach and the details of their offer. Introducing the report, the Cabinet Member for Highways and Community Infrastructure, Councillor McGuire, explained that the Stagecoach offer had been considered carefully but was not considered to be in the public interest.

During discussion, Cabinet members thanked Stagecoach for their interest and work in preparing the offer but set out the reasons why the Council would not be accepting it, including:

- Increased fares for passengers
- Reduced opening hours for buildings on Park and Ride sites
- Reduced County Council influence on the management of the Park and Ride sites
- Loss of the departure charge currently paid to the County Council
- Loss to the County Council of potential income from commercial use of the sites
- Some continuing costs to the County Council for cyclical maintenance of Park and Ride facilities.

Cabinet members agreed that the Council should continue to be innovative in its operation and use of the Park and Ride sites, to ensure that their full potential was realised. One member suggested that a shuttle bus could run from the Newmarket Road site to Cambridge United on match days.

It was resolved:

To note the details of the offer to run the Cambridge Park and Ride sites by Stagecoach and the officer assessment of that offer.

Cabinet confirmed that the earlier decision to implement a £1 parking charge at the five Cambridge Park and Ride sites should now be implemented.

## **105. DRAFT CABINET AGENDA PLAN**

Members noted the draft agenda for the meeting to be held on 17<sup>th</sup> December 2013, including the following updates:

- Items deferred – Secondary Provision to Serve Yaxley and Farcet; Review of Secondary Education in Cambridge City.

**106. EXECUTIVE DIRECTOR: ECONOMY, ENVIRONMENT AND TRANSPORT**

As this was the last meeting of Cabinet to be attended by Alex Plant, Executive Director: Economy, Transport and Environment, members joined in thanking him for his work on behalf of the Council and wishing him well for his future career.

**107. EXCLUSION OF PRESS AND PUBLIC**

It was resolved:

To exclude the press and public from the meeting during 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 12A 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)).

**108. 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  
17<sup>th</sup> December 2013