

DELEGATIONS FROM CABINET TO CABINET MEMBERS / OFFICERS

To: **Cabinet**

Date: **16th November 2010**

From: **Chief Executive**

Electoral division(s): **N/a**

Forward Plan ref: **N/a** *Key decision:* **No - Monitoring report for noting**

Purpose: **To report progress on matters delegated to individual Cabinet Members and / or to officers to make decisions on behalf of the Cabinet up to 26th October 2010. This includes in respect of the Coalition Government's decision on the A14 the need to amend some existing delegations.**

Recommendation: **Cabinet is asked to;**

- a) note the progress on delegations to individual Cabinet Members and / or to officers previously authorised by Cabinet to make decisions / take actions on its behalf.**
- b) Agree the changes of delegation proposed under item 3 'A14 Ellington To Fen Ditton Improvement Scheme Draft Orders' on page 4.**

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DELEGATIONS TO INDIVIDUAL CABINET MEMBERS OR OFFICERS

CABINET MEETING	SUBJECT MATTER	ACTION TO BE TAKEN BY
26th February 2008	<p>1. Minute 517 - Property Issues - Land at Fordham</p> <p>It was agreed to declare land at Fordham (north and south of Landwade Road) surplus to the Council's requirements and at that time to authorise the Director of Finance, Property and Performance to agree terms for its disposal.</p> <p>The land north of Landwade Road has been sold. Negotiations are still ongoing in respect of the land south of Landwade Road.</p> <p>Action ongoing with completion expected to be some months away with negotiations currently ongoing.</p>	LGSS Director of Finance
10th June 2008	<p>2. Minute 578 - Northstowe Trust Update</p> <p>To delegate to the Cabinet Member for Communities in consultation with the then Deputy Chief Executive: ECS, after consultation with local members, the authority to explore and implement the best possible mechanism to ensure community involvement in the establishment of the new settlement called Northstowe, including the creation of a community trust if appropriate.</p> <p>At the meeting of the Trust and Governance Group held on 23rd January 2009, reports were received on the latest position regarding the slippage in the development, the ongoing discussions between the Homes and Communities Agency (formerly English Partnerships) and Gallagher's and the work undertaken regarding the formation of the Trust. It was agreed that given the changes, further work to establish the Trust should be suspended until the situation became clearer.</p> <p>It was also resolved that in place of the existing Trust Shadow Board, a Community Partnership Group should be established, representing South Cambridgeshire District Council, the County Council, Horizons, the Primary Care Trust, Cambridgeshire and</p>	Cabinet Member for Communities / Executive Director: Environment Services.

Peterborough Learning Trust (CPLT) and the Promoters to oversee the development of a Community Project Plan bringing together all work on governance, public realm, community and sports facilities and community development. This Community Partnership Group will report to councillors on the existing Trust and Governance Group on a regular basis.

It was also agreed that the funding set aside to establish the Trust should be retained until its future use is clarified. (The County Council holds this budget on behalf of all of the partners, each partner contributed £50k)

Action status: In terms of the Trust, the situation remains that action is currently still suspended / in abeyance, until Northstowe regains some critical momentum.

**15th
December
2009**

3. Minute 98 - A14 Ellington To Fen Ditton Improvement Scheme Draft Orders

It was agreed as part of the resolutions to the report to:

- Delegate to the Lead Member for Highways and Access in consultation with the Executive Director: for Environment Services, authority for approving the scope of the Traffic Regulation Orders (TROs),
- Delegate to the three Lead Members (for Growth, Infrastructure and Strategic Planning; Highways and Access; Economy and Environment) in consultation with the Executive Director Environment Services authority to make any detailed changes to the objections and negotiate any withdrawal of objections.

Officers had discussed with the Highways Agency before the election how they would work through both the identification of the draft TROs that will be needed on new and existing County Roads as a result of the scheme, as well as agreeing on how to negotiate the changes that the Agency is prepared to make to the scheme design / provision as a response to the County Council's objections.

Lead Member for Highways and Access / the now Acting Executive Director: for Environment Services,

Lead Members (for Growth, Infrastructure and Strategic Planning; Highways and Access; Economy and Environment) / the now Acting Executive Director Environment Services

Originally the delegations were required until the end of the calendar year and in terms of the draft TROs needing to be the subject of a consultation exercise and a report back to Cabinet. The objections delegations would have been needed up to and throughout the Inquiry. Following the Comprehensive Spending Review, it is understood that the Government will not proceed with the A14 Ellington to Fen Ditton Improvement Scheme but will instead undertake a Multi-modal study of the transport needs A14 corridor from Felixstowe to the M6 at Catthorpe / West Midlands.

Consequential changes to delegations are therefore required:

1. To agree to withdraw the existing delegations set out above.

2. In due course the draft orders for the A14 scheme will be withdrawn and the Public Inquiry will be formally abandoned. Also, as a consequence the draft TROs already published by the County Council in relation to anticipated position of the County roads following the completion of the former A14 scheme will need to be withdrawn- **Requested Delegation – to the Lead Member for Highways and Access/ the now Acting Executive Director: for Environmental Services to agree to withdraw the draft TRO orders published by the County Council.**

3. In view of the interests that the County Council would have in the DfT's proposed A14 corridor Multi-modal Study, there is the need to agree to participate and assist the study subject to the terms of reference and funding arrangements- **Requested Delegation – to the Lead Member for Infrastructure and Strategic Planning / Acting Executive Director: for Environment Services to make the necessary arrangements for the County Council to participate in the study with any financial implications to be reported back to Cabinet"**

Action ongoing

**27th April
2010**

4. Minute 159 - Agency Agreement for the Delivery of Highways Related Functions In Cambridge

It was agreed to delegate to the Acting Executive Director: Environment Services the powers to negotiate a new highways function agency agreement

**Acting Executive
Director:
Environment**

with Cambridge City Council, in consultation with the Cabinet Member for Highways and Access.

**Services /
Cabinet Member
for Highways and
Access.**

Negotiations are in hand with Cambridge City Council with the expectation of a new agreement being put in place by March 2011.

Action ongoing

**25th May
2010**

5. Minute 178 Parking Policy Review

Agreeing to an informal review of parking policy in Cambridge led by the portfolio holder for Highways and Access, following the introduction of a further residents' parking scheme.

It is not expected that any new residents parking schemes will be implemented until next year 2011, following which an informal review will be undertaken.

**Acting Executive
Director:
Environment
Services / Cabinet
Member for
Highways and
Access**

Action ongoing

**7th
September**

6. Developer S06 Deferral request - Section 106 Papworth Bypass Contribution.

Following a decision to agree the Section 106 deferral request and to agree that this obligation can be paid in instalments as requested by the developer as follows:

- £270,000 plus indexation payable on 31st January 2011
- £270,000 plus indexation payable on 18th March 2011
- £270,000 plus indexation payable on 29th July 2011.

It was also agreed to delegate to the lead Member for Growth, Infrastructure and Strategic Planning in consultation with the Acting Executive Director for Environment Services and Corporate Director for Finance Property and Performance, the authority to agree any further reasonable changes to the instalment dates.

Action ongoing (The delegation will only be needed if the timescale agreed by Cabinet expires).

**26th
October
2010**

7. Winter Policy Review

Cabinet agreed to note that any changes to the precautionary or secondary network would be agreed

**Highways and
Access / Service**

by the portfolio holder for Highways and Access in consultation with the Service Director for Highways and Access.

Director for Highways and Access.

Action ongoing

8. Street Lighting Private Finance Initiative (PFI) - Award of Contract

- (a) delegated authority to the Local Government Shared Services (LGSS) Director of Finance or in his absence the LGSS Director of Legal Services to enter into the Street Lighting PFI Contract Documents listed at Appendix A of the report and any other related contracts, agreements and instruments required to give effect to the Project (including, but not limited to, collateral warranties and direct agreements) once (a) final and formal confirmation of PFI funding for the Project has been received from the DfT; and (b) any final outstanding issues had been addressed to the satisfaction of the Acting Executive Director: Environment Services and the LGSS Director of Finance in consultation with the Cabinet Members for Growth Infrastructure and Strategic Planning and the Cabinet Member for Resources and Performance ensuring this was the most comprehensive value for money solution.
- (b) i) that the LGSS Director of Finance or in his absence the LGSS Director of Legal Services be authorised to give certificates of vires under the Local Government (Contracts) Act 1997 in respect of the Private Finance Initiative (PFI) Project Agreement, Funder's Direct Agreement (and for any other of the Project Contract Documents as may be considered necessary by the LGSS Director of Legal Services); and (ii) that the LGSS Director of Finance or LGSS Director of Legal Services (as the case may be) be indemnified by the Authority in accordance with the provisions of the Local Authorities (Indemnities for Members and Officers) Order 2004 in respect of any liability arising from his/her signing of such certificates and that the terms and form of such indemnity be finally settled by the LGSS Director of Legal Services;

Local Government Shared Services (LGSS) Director of Finance (or in his absence the LGSS Director of Legal Services)

Acting Executive Director: Environment Services and the LGSS Director of Finance / Cabinet Members for Growth Infrastructure and Strategic Planning and the Cabinet Member for Resources and Performance

Action ongoing

Source Documents	Location
Minutes of the Cabinet meetings held on 26 th February, 10 th June, 15 th December 2009, 27 th April, 25 th May 5 th July 7 th September and 26 th October 2010	Room 114A Shire Hall Cambridge