

DELEGATIONS FROM CABINET TO CABINET MEMBERS / OFFICERS

To: **Cabinet**

Date: **6th September 2011**

From: **Chief Executive**

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

Forward Plan ref: **N/a**

Key decision: **No - Monitoring report for noting**

Purpose: **To report since the last report presented to Cabinet in May 2011 on progress on matters delegated to individual Cabinet Members and / or to officers to make decisions on behalf of the Cabinet up to August 2011.**

Recommendation: **Cabinet is asked to 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.**

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DELEGATIONS TO INDIVIDUAL CABINET MEMBERS OR OFFICERS

**CABINET
MEETING**

SUBJECT MATTER

**ACTION TO BE
TAKEN BY**

**10th June
2008**

1. Minute 578 - Northstowe Trust Update

To delegate to the Cabinet Member for Communities **(Would now be the Deputy Leader and Cabinet Member for Community Engagement)** 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.

Cabinet Member for Community Engagement / Executive Director: Environment Services.

Action status: There have been no further developments with regard to the Northstowe Trust given that progress on the development had stalled. However discussions have now recommenced with Gallaghers and Homes and Communities Agency, as joint promoters for Northstowe with a view to their submitting a revised outline planning application in January 2012. Management and governance arrangements will be the subject of future discussions, which will help to inform the decision whether a Northstowe Trust would still be the preferred vehicle for community engagement.

Action ongoing.

27th April 2010

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

Acting Executive Director: Environment Services / Cabinet Member for Community Infrastructure

Negotiations are ongoing with Cambridge City Council for final legal approval, with all parties now working to the provisions contained within the agreement.

Action ongoing

25th May 2010

3. Minute 178 Parking Policy Review

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

Acting Executive Director: Environment Services / Cabinet Member for Community Infrastructure

At the time it was not expected that any new residents parking schemes would be implemented until 2011, following which, an informal review was to be undertaken. The current position was that no further parking schemes had been introduced to facilitate the review.

Action ongoing

**7th
September
2010**

4. Minute 225 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 then 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).

**Lead Member for
Growth and
Planning
Executive
Director
Environment
Services
and LGSS
Director of
Finance**

**14th
December
2010**

5. Minute 286 Investment in the College of West Anglia

Cabinet delegated the agreement of the site acquisition terms (for the Wisbech office facility) and the terms of the £5m grant funding for the new engineering block to the LGSS Director of Finance in consultation with the then Cabinet Member for Resources and Performance. The agreement was to ensure that the Council's long term interest in the office facility was protected and that the £5m grant funding was used for the purpose of the provision of a new engineering block on the Isle Campus, Wisbech. It was also agreed that the provision of a £5m grant contribution to the engineering block should be conditional on the agreement to the use of the COWA site for the new office facility.

**LGSS Director of
/ Cabinet Member
for Resources
and Performance**

As an update it can be reported that final draft heads of terms were agreed on 4th August.

Action discharged.

6. Minute 289 Future Options for the Park and Ride Service

Cabinet agreed to instruct the Acting Executive Director, Environment Services in consultation with the Cabinet Member for Highways and Access to undertake a full option appraisal in respect of the future arrangements for the provision of Park and Ride bus services and sites for Cambridge.

**Executive Director,
Environment Services / Cabinet Member for
Community Infrastructure**

A Policy Development Group (PDG) Member Task and Finish Group worked with officers to develop the proposals further. It was originally anticipated that Cabinet would be requested to approve the way ahead and invitation to tender for the Cabinet meeting on 6th September. Officers have however allowed operators slightly more time (p until 25th August) to come back with ideas, expressions of interest and therefore the report is now expected to go forward to the 27th September meeting.

Action ongoing.

**22nd
February
2011**

7. Minute 323. County Farms Estate: Wind Farm Development

It was agreed to grant leasehold interests in Cambridgeshire County Council land in four parishes for the development of windfarms on terms to be agreed by the Portfolio Holder for Resources and Performance and the Local Government Shared Services: Director of Finance

Cabinet Member for Resources and Performance / Local Government Shared Services (LGSS) Director of Finance

No exclusivity agreements or leases have been completed. A report is included on the current agenda.

**15th March
2011**

8. Minute 348. Building Schools for the Future Fenland Phase 2

Authority was given to the Cabinet Member for Learning and the Executive Director CYPS to continue negotiations to seek an early solution to securing a site for the Fenland Junction Pupil Referral Unit.

**Cabinet Member
for Learning /
Executive
Director CYPS**

An update report on Building Schools for the Future was received at the July Cabinet meeting. A report on site selection is due to come forward to the 27th September Cabinet meeting.

Action ongoing.

9. Minute 351. Civil Parking Enforcement (CPE)

As part of the recommendations agreed Cabinet authorised the responsibility for agreeing a service level agreement with East Cambridgeshire District Council for Off-Street Parking enforcement to the Executive Director for Environment Services in consultation with the portfolio holder for Customer Services.

**Executive
Director for
Environment
Services /
portfolio holder
for Community
Infrastructure**

A draft agreement is currently being prepared with an expectation that it would be signed by both authorities in the winter, ahead of CPE starting in April 2012.

A report is scheduled to go to Cabinet on 25th October titled "Civil Parking Enforcement – South and East Cambridgeshire".

The agreement will not be finalised until Cabinet has approved the CPE application and powers have been granted by Government. Officers have an expectation that an agreement will be signed towards the end of the financial year.

Action ongoing.

**5th April
2011**

10. Minute 372. Cambridgeshire Public Sector Network (CPSN) Framework Contract Award

In agreeing a number of recommendations Cabinet authorised:

a) Confirmation that CPSN contract documents be entered into, in line with Contract and Financial details as set out in Appendix One to the confidential report, on completion of final due diligence checks to the satisfaction of the Corporate Director: Customer Services and Transformation in consultation

with the Cabinet Member for Customer Services and Transformation.

Approve the reallocation of any surplus in the CPSN capital budget, as described in Section 2.4 of the confidential report to address the currently unfunded IT Resilience risks faced by the County Council, subject to final approval by the Corporate Director: Customer Services and Transformation in consultation with the Cabinet Member for Customer Services and Transformation.

Corporate Director: Customer Services and Transformation / Cabinet Member for Resources and Performance.

Update

Clarifications regarding the framework agreement have been completed and the Corporate Director: Customer Services and Transformation (Pat Harding) and the Cabinet Member for Resources and Performance at the time (Linda Oliver) were briefed and approved finalisation of the contract. The framework contract was sealed and the initial call down order for network core and access were placed in line with planned timescales at the beginning of June.

The transition and implementation planning project is now underway and good progress is being made. Schools make up the largest proportion of locations and site surveys are being undertaken during the summer holiday so that a rollout schedule can be created for the new calendar year.

Call down contracts for additional services under the contract (including Local Area Network (LAN) services and infrastructure related services) are expected to be placed within the next 2-3 months as are call down contracts from partners.

Planning is underway for the Information Technology resilience work to be undertaken with the remaining CPSN capital and a schedule of work will be formulated within the next 2-3 months.

Action ongoing

**24th May
2011**

11. Minute 376 Speed Management Issues

Cabinet agreed to delegate to the Cabinet Member for Community Infrastructure in consultation with the Acting Executive Director Environment Services the authority to look to create a deferred payment scheme for parishes with small precepts wishing to fund a

Cabinet Member for Community Infrastructure / Executive Director

reduction in speed limits where it is a local priority, but falls outside of the Council's implementation criteria and to report back to cabinet on progress as soon as practicable.

**Environment
Services**

Progress update

The LGSS Finance Director reports that a facility to lend money to parish councils and other public sector partners already exists and forms part of the Invest to Transform Scheme.

Parishes wishing to take advantage of the scheme to support road traffic improvements and similar, should make this clear when agreeing the scheme with Highway Officers. Highway Officers will then liaise with Finance Colleagues to complete necessary documentation and release the funds. Loans are normally for a maximum of five years, repayable in equal instalments. No interest is usually payable however for larger sums, i.e. over £10,000 the Authority reserves the right to charge interest at Public Loans Fund Bank rates.

Action discharged

12. Minute 383 Cambridgeshire Surface Water Management Plan and Cambridgeshire Preliminary Flood Risk Assessment (PFRA)

a) to delegate authority to the Cabinet Member for Growth and Planning in consultation with the Acting Executive Director: Environment Services to make final amendments to the PFRA ahead of submission to the Environment Agency; and

**Cabinet Member
for Growth and
Planning /
Executive
Director:
Environment
Services**

b) to note the tabled recommendations of the Overview and Scrutiny Committee and to delegate to the Cabinet Member for Growth and Planning in consultation with the Acting Executive Director: Environment Services the authority to look at the recommendations in more detail outside of the meeting and prepare a response.

No changes were suggested for the PFRA at Cabinet or scrutiny and the document was submitted to meet the 25th May Environment Agency deadline and is now subject to their review with final comments / acceptance expected in October.

Action discharged.

**14th June
2011**

13. Minute 392. Future of Educational Provision in Gamlingay

Cabinet agreed to delegate authority to the Cabinet Member for Learning and the Executive Director: Children and Young People's Services to take forward the statutory consultation on Option 1 to federate Gamlingay Village College with Stratton Upper school.

**Cabinet Member
for Learning /
Executive
Director: Children
and Young
People's Services**

Progress Update

Following the Cabinet decision on 14 June 2011, advice was sought from the Department for Education (DfE) in respect of the appropriate route for securing a formal partnership arrangement between Gamlingay Village College and Stratton Upper School, Biggleswade, Bedfordshire.

Stratton Upper School has completed consultation on proposals to change status from a community school to an academy and anticipates that conversion taking place in mid autumn 2011.

As an Academy, which is a publicly funded independent school, cannot enter into a federation with a maintained school, the advice received was that Gamlingay Village College would need to apply to change its status from a foundation school to an academy as the first step towards a formal partnership with Stratton. Gamlingay Village College's Governing Body met at the end of July and passed a formal resolution to apply to become an academy. An application has now been submitted. The school will undertake consultation in the autumn term on the proposal that the school should become an academy operating in formal partnership with Stratton Upper School.

Action ongoing.

14. Minute 397 Provision of Secondary School in Cambourne

Cabinet agreed to delegate to the Local Government Shared Services (LGSS): Director Finance and the Cabinet Member for Resources and Performance

agreement of the terms for the acquisition of the land required for:

**Local
Government
Shared Services
(LGSS): Director
Finance / Cabinet
Member for
Resources and
Performance**

- the new Cambourne secondary school and access road;
- a fourth primary to safeguard the Council's position should such a school be needed in future; and
- That should the Comberton Education Trust's (CET) application to establish the new secondary school as a Free School be unsuccessful, the County Council supported the establishment of the Cambourne Secondary school as an academy promoted by the CET.

Following negotiations terms have provisionally been agreed.

Action ongoing.

15. Minute 398. Cambridgeshire Guided Busway

- a) Cabinet approved the establishment of a Busway Contract Resolution Group in accordance with the Terms Of Reference set out in Appendix A to the original report;
- b) delegated the authority to this group to:
 - direct any necessary legal action to secure resolution of the dispute and to enter into negotiations or mediation on behalf of the Council arising from the dispute;
 - consider any settlement proposal made to the Council by BAM Nuttall Ltd and if, in consultation with the Leader, Cabinet Member for Growth and Planning, Cabinet Member for Resources and Performance and the Chief Executive, they consider that such a settlement represents best value to the Council, taking all relevant factors into consideration, recommend the proposal to Cabinet; and subject to consultation with the Leader, the Cabinet Member for Growth and Planning, the Cabinet Member for Resources and Performance, and the Chief Executive, reject any settlement proposal by BAM Nuttall Ltd that does not, taking all relevant factors into consideration, represent best value to the Council.

- c) to approve the raising of the defective maintenance track in the River Great Ouse flood plain to resolve the flooding and drainage issues.
- d) Approve in principle the blacktop surfacing of the maintenance track between Swavesey and St Ives, thus completing the blacktop surfacing of the whole of the maintenance track. The final details, programme and funding of this to be approved by the Cabinet Member for Growth and Planning in consultation with the Acting Executive Director, Environment Services.

No meetings of the Group have yet taken place but it is ready to meet and address the issues as and when necessary.

Action Discharged.

**7th July
2011**

16. Minute 409 Withdrawal Of Bus Subsidies And The Judicial Review

a) To authorise the Executive Director: Environment Services:

- i. In consultation with the Director of Legal Services, to continue to pursue the Council's defence against the claim for Judicial Review of the decision to remove subsidies.
 - ii. To undertake a review of the decision to withdraw subsidised bus service funding over four years, including consultation of relevant groups and the in depth assessment of the impact of the proposals in the context of the Council's public sector equality duty, linking this to progress on the Cambridgeshire Future Transport project. The output from this review to inform the Integrated Planning process for the financial year 2011-12.
- b) That no further bus subsidy reductions were to be implemented before the adoption of the 2012-2013 Integrated Plan.

**Executive
Director:
Environment
Services /
Director of Legal
Services**

Action ongoing

**19th July
2011**

17. Minute 422. Cambridgeshire Guided Busway – Contract Resolution

Cabinet agreed to authorise the Director of Legal Services, in consultation with the Executive Director:

Environment Services, and through the Council's external legal advisers, to commence legal proceedings in the Technology and Construction Court for the recovery of money owed by BAM Nuttall in respect of the Cambridgeshire Guided Busway and to take all steps necessary to pursue those proceedings.

Director of Legal Services / Executive Director: Environment Services

Legal action has commenced through papers being served in the Technology and Construction Court.

Action Discharged

15th August 2011

18. Minute 424. Investment In Superfast Broadband

Cabinet delegated to the LGSS Director of Finance and the Executive Director: Environment Services agreement to the detailed terms for the investment, in consultation with the Cabinet Member for Resources and Performance and the Cabinet Member for Growth and Planning.

LGSS Director of Finance / Executive Director: Environment Services

Action Ongoing

Source Documents	Location
Minutes of the Cabinet meetings held on 10 th June 2008: 27 th April, 25 th May, 7 th September, 14 th December 2010: 22 nd February, 15 th March 5 th April, 24 th May, 14 th June, 7 th July 19 th July, 15 th August 2011.	Room 114A Shire Hall Cambridge