

CABINET: MINUTES

Date: 30th March 2007

Time: 10.00 a.m. – 10.55 a.m.

Present: J K Walters (Chairman)

Councillors: S F Johnstone, V H Lucas, L W McGuire L J Oliver, D R Pegram, J A Powley, J E Reynolds and F H Yeulett.

Also in Attendance

No additional Councillors

Apologies: Councillor J M Tuck

334. MINUTES 27th FEBRUARY 2007

The minutes of the meeting of the Cabinet held on 27th February 2007 were approved as a correct record.

335. DECLARATIONS OF INTERESTS

Councillor Johnstone declared a personal interest in report 8 – Section 31 Agreements - as a non-executive director of Addenbrooke's Hospital.

Councillor Lucas declared a personal interest in Agenda Item 8 –Section 31 Agreements as a non-executive director of Hinchingbrooke Hospital.

336. PETITIONS

a) Petition from “Speaking Up”

A petition with 110 signatures had been received from the organisation “Speaking Up” in support of the petition to stop the County Council making any cuts to the Adult Social Care budget/services for people with disabilities.

Wendy Lansdown who was invited to speak on their behalf highlighted as part of the contention that no cuts should be made as the Commission for Social Care Inspection (CSCI) had rated the County Council 140 out of 150 Councils. She reminded the Cabinet that the public had made Adult Social Care their top priority and also made the point that with respect to the County Council having one of the lowest Council Tax increases in previous years, in their view local residents would have been prepared to pay a higher level of Council Tax to provide quality safe services for people with disabilities.

She referred to a report to the Council on 20th February which had recognised that not providing eligibility to those with the lowest level of needs could lead to them declining more rapidly, which in the longer term represented a higher cost on Council provided services. For the same reason, they opposed any cuts to respite care services and the closure of one centre. It was highlighted that respite services provided vital breaks for carers which if not available, could result in dependants no longer being able to live in their own homes. Examples were provided of the importance of such breaks to both carers and those that they looked after.

Wendy Lansdown was thanked for the quality of the presentation. An additional 75 signatures were handed over at the meeting to officers.

Cabinet Members raised the following issues:

- Whether the organisation now had a link into the County Council to make representations. In reply, Wendy Lansdown reported that they would now be meeting on a regular basis with the Lead member for Adult Services for which they were very grateful.
- Thanked the organisation for inviting several Cabinet members to their meetings.
- The portfolio holder for CYPS highlighted the success of the “Just Us” project who had just the previous day received a national award for the project “Getting a Life” resulting in Department for Education and Skills funding to develop the project further.

It was resolved:

That as there was no relevant report on the agenda, the officers were asked to take the details of the petition away and respond directly to the lead petitioner in consultation with the Lead Member for Adult Services.

337. YOUTH JUSTICE PLAN

Cabinet received a report requesting both its endorsement of the Youth Justice Plan before final approval by Council (The Plan being an annual statutory plan under the Crime and Disorder Act 1998 that required full County Council approval) and in order to review the performance of the Youth Offending Service in 2006/07.

The report set out the key performance targets and reviewed progress made in 2006/07 highlighting those areas of improved performance and areas where progress had not been possible.

In respect of a query in relation to pre-sentence report timelines, it was explained that while the Government target of 14 days had not been achieved, the more practicable target to ensure reports were submitted by the relevant court date had been achieved with a 100% success rate. The fact that the

Government was removing the target for 2007/08 reflected that the original target was not achievable.

Cabinet members raised the following main issues:

- On the partnership contributions referred to in paragraph 4.2 of the report, whether those received were equitable in terms of the services required to be provided. In reply it was reported that the Police contribution was substantial but those from some other areas, such as Health and Probation required further discussions. Cabinet noted that the Chief Executive and the Deputy Chief Executive Office of Children and Young People's Services were currently in negotiation regarding future contributions.
- Confirmation was requested of where the increased core grant support would be targeted. Members' attention was drawn to the details in section 4.1 of the report and it was confirmed that this would involve investing in areas where there was currently a deficit e.g. victim work.

It was resolved to recommend:

That the Council be requested to approve the Youth Justice Plan for 2007/08.

338. THE BUILDING SCHOOLS FOR THE FUTURE PROJECT – THE COUNTY COUNCIL'S STRATEGY FOR CHANGE PART 1

This report had been included as a second despatch and

- Provided background to the Building Schools for the Future (BSF) project
- highlighted the decisions that the Cabinet would need to consider in achieving the investment that was available to the County Council via the route being proposed; and
- recommended a process for securing approval of the Strategy for Change Part 1, which was required to be sent to the DfES before the next meeting of the Cabinet.

Tabled at the meeting was a new page 21 as the printed version had lost the last column. It was also highlighted that page 2 of the appendix had been printed in error after page 22. Cabinet noted that the key decisions required in due course related to the approval of the following key submissions/stages of the project were:

- The Council's Strategy for Change (SfC) which was to be developed and submitted in two parts. The first part by 11 April, with part 2 submitted by late August 2007.
- The Outline Business case – this set out in more detail the business case for the overall project, setting out evidence of the overall affordability,

priorities for change and an analysis of risks. This required to be submitted within 11 months of the project starting.

- The publication of an Official Journal of the European Union (OJEU) notice to attract bidders to the scheme – early 2008.

Circulated in advance to members of the Cabinet and tabled at the meeting were comments provided by the local member for Whittlesey North who fully supported the BSF Programme seeing the potential for significant benefits to both individual schools and to Fenland as a whole. He made the point that across the Country there was not enough being done to ensure that school was seen as a positive experience for those children less academically gifted. He believed that the BSF Programme provided a significant opportunity to change this and deliver genuine practical based education in areas like construction skills to not only offer better employment opportunities, but to also help increase the skills base to support continued housing growth in the County. He emphasised that BSF was only part of an improving educational infrastructure in and around Fenland, with moves for a University in Peterborough and with the relocation to March of the College of West Anglia. He also made the point that the County needed to take a wider, more strategic view of Fenland in order that its other infrastructure requirements were also be addressed and to ensure appropriate employment opportunities were created. He also called for a significant strategic investigation into the transport infrastructure shortcomings in the District.

Cabinet members commented:

- Expressing continued concern at the lack of a joined up approach concerning different Government departments' initiatives such as BSF and the Growth Agenda.
- On concerns regarding the Local Skills Council's ability to identify and deliver on time the required capital and revenue resources and whether there was effective engagement with local members and officers. In response it was indicated that the LSC had been very supportive of the BSF programme and in terms in terms of capital projects members attention was drawn to recent successes in respect of the relocation of the College of West Anglia and the investment in Cambridge Regional College. Attention was also drawn to the current successes in moving forward the 14-19 Curriculum where the County Council had been successful in two Gateway Pilots, which was more than any other East Anglian County Council.
- One Member expressing concern that there was no dedicated section in the current report on environment protection and climate change, and specifically any reference to build quality, energy efficiency, resource efficiency and the carbon footprint. She also highlighted that there had been some discussion that future reports on new building etc would in future have a dedicated paragraph on environment protection and climate change in the same way as a financial and risk management paragraphs were currently required to be included in all Cabinet reports. The chairman agreed that there needed to be sufficient emphasis in reports on such issues, but a separate paragraph included in only certain reports could encourage some

report authors to consider it was not an issue they had to address. He considered that it was more appropriate to be included under the existing risk assessment paragraph. The Children and Young People's Services portfolio holder agreed that environment protection and climate change issues required to be embedded in Council policies, but highlighted that the present document submission was prescribed by Government as to what could be included.

It was resolved:

To agree that final consideration and approval of Part 1 of the Strategy for Change, prior to its submission to the DfES, should be delegated to the Portfolio Holder for Children and Young People's Services, in consultation with the Deputy Chief Executive for Children and Young People's Services.

339. REVISED CONSTITUTION FOR THE CAMBRIDGESHIRE CARE PARTNERSHIP (CCP) FOLLOWING THE PRIMARY CARE TRUST (PCT) REORGANISATION

Cabinet received a report requesting approval to the revised Cambridgeshire Care Partnership Constitution presented to Cabinet following initial consideration at the Care Partnership meeting in January. The constitution had been re-written to reflect both the revised Cambridgeshire PCT structure and to address the new requirement for the Care Partnership to consider, not only the provision and monitoring of services, but also future commissioning strategies.

One member wished to receive assurance that the constitution would not allow any one organisation to be able to withdraw at short notice, as there appeared to be no timescale in respect of the dissolution arrangements. It was indicated that due to the complexity of the Section 31 Agreements this could not happen without the agreed consent of both parties. Officers would look to see if an agreed timeframe was required. *(Note - final approval on dissolution would need to be ratified by both the County Council Cabinet and the PCT Board).*

It was resolved:

- i) To agree the revised constitution for the Cambridgeshire Care Partnership as attached to the officer's report to empower it to provide the formal governance for the Section 31 agreements and the oversight of the joint commissioning strategies across all adult and older people client groups.
- ii) To agree to changes in the voting arrangements whereby in future there would be a single vote for each organisation being held by the Lead Member for Adults from CCC and by the Non-Executive Board Member from the PCT.

- iii) To endorse the continuation of the current arrangement of two seats (including the Lead Member for Adult Social Care) for the Conservatives, plus one seat for the Liberal Democrat and Labour parties.
- iv) To note that a report would be coming forward to the May Cabinet meeting with revised Section 31 agreements.

340. SECTION 31 AGREEMENTS

Cabinet received a report recommending minor amendments to the established Section 31 Agreements between the County Council and the new single, Cambridgeshire Primary Care Trust (PCT) as well as changes in respect of one agreement with Cambridgeshire and Peterborough Mental Health Trust.

The amendments put forward were stage 1 of a two stage review of the Section 31 Agreements to allow the agreements to commence from 1st April.

The agreements required review as a result of:

- The changes introduced in July 2005 referred to as "Commissioning a patient led NHS" that had resulted in a single Cambridgeshire PCT and also required PCTs to separate the commissioning and provider functions.
- The 2005-06 Commission for Social Care Inspection report indicated that a fundamental review of the Section 31 agreements was required.
- The pooled budget for the Older People and Occupational Therapy Service had been changed to include client contribution income and this therefore needed to be reflected in the agreement.

Tabled at the meeting were provisional revised contributions regarding the Primary Care Trust's contributions to the Integrated Community Equipment Store (ICES) and the Learning Disability Section 31 Agreements (detailed in appendix A to these Minutes) following further discussions between finance officers of the Council and the PCT.

Cabinet noted that Stage Two of the project involved carrying out a fundamental review and a re-write of the agreements during quarter 1, with a report expected to come back for approval at the May Cabinet meeting.

Cabinet members raised the following issues:

- Requesting assurances that the statement in paragraph 4.2 of the report reading "that the Finance and Performance Directors in the County Council and the PCT were of the opinion that significant increases in financial contribution were unlikely and that as a principle they would be looking for improved efficiency in delivery to compensate for any emerging contribution issues" could be achieved. In response, the lead officer, while acknowledging that the PCT faced significant financial issues, was able to assure Members that regular joint financial

monitoring meetings were undertaken to safeguard the County Council's and the relevant service issues, and that at the Care Partnership the previous day, details were provided of the current cover arrangements in place for the PCT Director Of Finance.

- That as part of the review of the Section 31 Agreement for Learning Disabilities an agreed mechanism should be looked at to jointly finance new packages agreed during the course of a financial year. Currently there was an inequality as the full cost of new packages agreed once the budget had been set was falling on the County Council, with no adjustments being made until the following year's budget. It was confirmed that officers would be looking into this as part of the Stage 2 detailed review.

It was resolved:

To approve the proposed Section 31 agreements set out in Appendices 1,2,3 and 4, as further amended by an addendum tabled at the meeting.

341. ADULT SUPPORT SERVICES PERFORMANCE IMPROVEMENT PROJECT

Cabinet received a report advising on the key issues in the Record of Performance Assessment (ROPA) for 2005/06, from the Commission for Social Care Inspection (CSCI) and providing a brief on the action taken in response to the ROPA which it was noted included the engagement of an external professional adviser to work as a "critical friend" through the set up of the project and for the short-term delivery phase.

Cabinet noted that:

- Resources had been brought together to support the Adult Social Care Improvement Project from across the organisation with the expectation that improved performance would be delivered.
- The PCT were fully committed to the Project.
- That the timetable was on track, although this was qualified by officers indicating that more work was required to be undertaken in certain areas.

Members raised issues in respect of:

- The reference in paragraph 2.4.9 whereby CSCI had expressed concern "that the instability in local NHS budgets could impact negatively on the delivery of social care services to the satisfaction of County Council officers". In reply it was pointed out that this statement had not been supported with any specific evidence. However as it had been included in the ROPA, it was appropriate for the County Council to respond. Cabinet noted that assurances had previously been requested and given that the PCTs had not used Social Care budget monies to support other areas of expenditure. Scrutiny members had also raised this issue and had received

confirmation that social care monies were not being used to offset pressure in the health budget.

- Requesting detail in respect of the “Area of Improvement Reference 1.7 on page 6 of the document in relation to putting appropriate processes in place to capture mental health performance data and which suggested additional administrative resources were being considered with longer term implications for investment in ICT solutions required. The question from a member was why this had not been an issue in a previous action plan and why data was not being accurately recorded. In reply it was explained that this was a SWIFT data inputting issue, mainly concerned with the Mental Health Trust using a different process resulting in some data not being captured. Discussions were in progress to ensure in future that relevant data in respect of community mental health teams was captured.
- One member expressing disappointment that the implementation of the Electronic social care record which timetabled to be completed by the end of 2006, had slipped to December 2007. It was explained that the timetable had been set by the Government and that the slippage experienced was a similar timeline being experienced by other local authorities.
- How monitoring was being undertaken and how would members be alerted should problems arise. In reply it was reported that monitoring was undertaken through monthly project update status reports to the Project Board and with the Director of Adult Support Services meeting on a monthly basis with all relevant officers. Issues requiring Member notification would be reported through the Community Business Development Area Board chaired by the Deputy Chief Executive, Environment and Community Services (ECS) to Strategic Management Team (SMT)/Cabinet.

It was resolved:

To approve the Improvement Plan to be submitted to the Commission for Social Care Inspection.

342. CAMBRIDGESHIRE MINERALS AND WASTE DEVELOPMENT SCHEME & REVISION TO THE TIMETABLE FOR THE PREPARATION OF THE CAMBRIDGESHIRE AND PETERBOROUGH MINERALS AND WASTE PLAN.

Cabinet was asked to consider a revised timetable for the preparation of the Cambridgeshire and Peterborough Minerals and Waste Plan, and consequential updating of the Cambridgeshire Minerals and Waste Development Scheme.

Cabinet noted:

- that the consultation on the Preferred Options Plan had prompted a significant response from stakeholders, with around 1400 responses and as expected, a number of important issues had been raised. As a result, a considerable amount of additional work was required to be undertaken prior to the Submission stage, and therefore officers had

concluded that an additional period of public consultation would be needed prior to submission stage, and that this would have to be via a formal Preferred Options consultation for a period of six weeks, as required by the Regulations. Additional time would also then be needed to prepare the documents, publicity and consultation material, analysis of responses and therefore leading to the suggested revised timetable.

- That Go East endorsed the revised proposals

It was resolved:

- i) to agree to amend the timescale for the preparation of the Minerals and Waste Plan (moving submission from June 2007 to September 2009, and adoption from February 2009 to December 2010), and to delegate to the portfolio holder for Environment and Community Services, in consultation with the Deputy Chief Executive of Environment and Community Services, the authority to approve the detailed amendments to the timetable and the consequential amendments to Minerals and Waste Development Scheme.
- ii) To approve the Cambridgeshire Minerals and Waste Development Scheme (to come into effect when the Council receives notification under Regulation 11 (3a) of the Town and Country Planning (Local Development) Regulations 2004, that the Secretary of State does not intend to serve a direction to amend the Scheme, under Section 15 (4) of the Planning and Compulsory Purchase Act 2004)

343. CABINET DRAFT AGENDA PLAN 17TH APRIL 2007

It was resolved:

To note the agenda plan with the following changes:

Item 12 Review of Virement Process and Budgetary Control Reporting – would no longer be a key decision

Deletion of Items

13 Review of existing Section 31 Agreements with PCTS and approval to revised constitution of the Cambridgeshire Care Partnership deleted as it had already been considered at the current meeting

20 Changes to Persistent Complaints Policy – moved to later cycle.

Chairman
17th April 2007