

## **CABINET: MINUTES**

**Date:** 17<sup>th</sup> April 2012

**Time:** 10.00 a.m. – 1.24 p.m.

**Present:** Chairman: Councillor N Clarke

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

**Apologies:** Councillor Criswell

**Present by invitation:** Councillors J Batchelor, K Bourke, S Hoy, S Johnstone, L  
Nethsingha, T Sadiq, P Sales, S Tierney, S van de Ven and  
K Wilkins

### **549. MINUTES: 6<sup>th</sup> MARCH 2012**

The minutes of the meeting of the Cabinet held on 6<sup>th</sup> March 2012 were approved as a correct record.

### **550. DECLARATIONS OF INTERESTS**

None

### **551. PETITIONS**

None received at the deadline.

### **552. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEE**

Dealt with under Minute 565 “Child Poverty Strategy and Response Report from Children And Young People Overview And Scrutiny Committee”.

### **LATE REPORTS**

The chairman agreed to take the following three reports under the discretion given to him under Section 100B (4) of the Local Government Act 1972:

#### **Reshaping Cambridgeshire Children’s Trust Arrangements**

**Reason for lateness:** due to officer sickness which had resulted in delays in the approval process, accentuated by the Easter Holidays.

**Reason for urgency:** in order for the revised Children’s Trust to be established and to seek additional dates as soon as possible for it to be able to meet bi-monthly and to also be able to schedule meetings either side of the dates of the Health and Well-Being Board.

## **B) Change to Waste Private Finance Initiative (PFI) Contract Mechanical Biological Treatment (MBT) Full Service Acceptance Testing**

**Reason for lateness:** AmeyCespa had completed the works required prior to testing earlier than expected and had recently indicated that they were now in a position to undertake the revised testing regime.

**Reason for urgency:** AmeyCespa only had until November 2012 to commission the MBT plant and therefore required approval to the updated testing regime, (which had been taken to the Delivery Board for approval), to be agreed as soon as possible so that they could make a start on site. Final approval to change the biodegradability testing (from BM100 to BMc) through a deed of variation was required to be agreed by Cabinet.

## **C) Draft Cabinet Agenda Plan 22<sup>nd</sup> May 2012**

**Reason for lateness:** To enable Cabinet to receive a more up to date version as the Cabinet forward plan changed on a regular basis.

**Reason for urgency:** To comply with the requirement for Cabinet to receive advance notice of reports expected for the next meeting in order to help facilitate forward planning.

## **CHANGE IN THE ORDER OF THE AGENDA**

It was agreed to bring the report titled "Change to Waste Private Finance Initiative Contract Mechanical Biological Treatment (MBT) Full Service Acceptance" up the agenda so that AmeyCespa could be contacted the same day to help facilitate AmeyCespa being able to undertake as early as possible start on site.

### **553. CHANGE TO WASTE PRIVATE FINANCE INITIATIVE CONTRACT MECHANICAL BIOLOGICAL TREATMENT (MBT) FULL SERVICE ACCEPTANCE**

Cabinet received a report seeking approval of the Waste PFI Delivery Board decision taken on 19<sup>th</sup> March 2012 to change the biodegradability testing from BM100 to BMc as a result of updated guidance requirements received from the Environment Agency since the contract was signed. Following legal advice it was confirmed that the terms of reference of the PFI Delivery Board required that contract changes should be recommended to Cabinet for approval.

#### **It was resolved:**

To approve the Waste PFI Delivery Board decision to accept the change of biodegradability testing from BM100 to BMc.

### **554. NETWORK SERVICE PLAN 2012/13 AND HIGHWAYS CHARGES**

Cabinet received a report seeking approval to the Network Service Plan 2012/13 (the full version of which had been provided in hard copy format for Cabinet Members, group leaders and opposition spokesman) as well as approval to revised highway services charges. The latter had been revised using mechanisms previously agreed

by Cabinet and for which inflation of 3.7% had been applied (based on the Retail Price Index in February) with the detail for other changes as set out in paragraphs 3.2 and 3.3 of the report.

It was noted that:

- The works programme has been developed for the available budget using a range of criteria including transport asset condition data and the potential contribution each scheme makes to the economy, road safety and the local community.
- An additional £15 million was being provided by the Council as part of the Integrated Plan to be allocated to a prioritised programme of highway asset improvements across the county and £90m over five years. As the costs for individual projects were currently estimates until detailed work was undertaken, the exact costs could not be confirmed and therefore there was a need for flexibility within the programme and that some schemes might need to be carried over into the 2013/14 work programme if required, to balance the budget for 2012/13.
- Funding of £1.9m had been identified in 2012/13 to make a start on repairs to drought damaged roads across the county which would only allow some of the drought damaged roads to be addressed and therefore priorities would need to be set. There was currently also a bid in with Central Government for additional funding but currently no allocation decisions had been made by them.
- The County Council had been successful in receiving £1.7M from the Government's 'Better Bus Area Fund'. Projects delivered from this funding would reflect projects in the bid document and would be approved separately.
- Various projects were under consideration for funding from developer contribution, section 106 funding. The agreed process for prioritising and allocation of this funding was ongoing, including liaising with local members, and would come forward to Cabinet for approval later in the year.

Four Non-Cabinet Members spoke on this item.

- Councillor Sadiq spoke as the Leader of the Labour Group and highlighted:
  - Concerns from both residents in his electoral division and from residents across Cambridge regarding the fact that winter gritting currently did not extend to covering some pavements leading to bus stops.
  - The need to keep local members informed regarding deadlines of area parking reviews.
  - Concerns regarding potential inconsistencies in different areas regarding decisions to be made on highway asset improvements.
- Councillor Wilkins spoke as the Planning, Enterprise and Environment Spokesperson also highlighting the need for more consistent processes in future in terms of agreeing Minor Highways improvements, with greater clarity required

regarding pavement and cycleway improvements and transparency on both the cost and the value of undertaking specific highways repairs.

- Councillor Tierney spoke as a local member and highlighted that in relation to scheme number 17 set out on page 24 of the Highways Services Plan relating to the carriageway repairs at North End / Sutton Road Wisbech while fully supporting the proposals, both Councillor Hoy and himself had met highways engineers earlier in the week and were looking for flexibility in terms of the order the works were carried out.
- Cllr van de Ven the Transport Spokesman for the Liberal Democrat Group congratulated officers on a very clear, well laid out report, suggesting that taking the example of the Guided Busway and the funding put in for that project, additional funding should also be found to help improve bus services for example in areas which only had one bus service a day.

Responding to some of the points made, Cabinet members noted that:

- Resource constraints would not allow all pavements to be gritted in severe weather and that many villages in a similar situation to Cambridge organised through the parish / district councils their own voluntary schemes with equipment provided by the County Council.
- Flexibility in undertaking the minor highways programme was implicit in the way the programme had been drawn up. This was the first year of the new decision making model and the experience would inevitably lead to an improved process in future years. It was also highlighted that the new system involved parish councils to a much greater extent than in the past as they would now be able to attend the relevant meetings and make representations.
- In relation to Cambridgeshire Future Transport as the overall Integrated Planning budget had been agreed , no more funding was available in the current year than had already been allocated.

Cabinet Members raised / highlighted the following issues:

- The need to continue to place pressure on the Government to make changes to the requirements on having to undertake expensive press advertising in respect of traffic regulation orders. In response it was indicated that this was the subject of current consultation with Central Government.
- With reference to the text in Page 7 paragraph 9 titled "Cycleways" this was currently too Cambridge City and its surrounding areas focussed, and should be re-worded to take account of other areas of the County.
- Page 23 the section "Traffic Systems and Signals" it was considered helpful to clarify whether this was section 106 monies as it was important to be transparent in terms of where funding was coming from. Phil Crack Head of Major Transport Infrastructure Delivery, ETE undertook to investigate, as he was not able to provide a definitive answer.

- The need where practicable to ensure enforcement of the Heavy Commercial Vehicle (HCV) ban on using specified minor roads in order to avoid damage to newly resurfaced sections.
- Reference was made to the success of the Guided Busway as set out on page 3 of the document with Stage Coach putting on additional buses to meet the demand, as well as the continued success of the park and ride system which was further expanding to meet the continued increase in bus demand.

Alex Plant and John Onslow and their team were congratulated on the hard work undertaken in putting together the Plan.

**It was resolved:**

- a) to approve the Network Service Plan 2012/13; and
- b) approve the revised highway charges set out in Appendix A to the report.

## **555. SOUTH CAMBRIDGESHIRE TRAFFIC MANAGEMENT SCHEMES**

It was reported that officers had been working with Foxton, Great Shelford, Meldreth and Teversham Parish Councils on proposals to address local safety and parking issues. The proposals had been subject to local consultation within the communities and, with the support of the local members, public notices had been formally advertised. The current report sought to determine representations received in relation to the following four traffic regulation orders:

**Foxton** Proposals: Waiting restrictions being put in place in Station Road which would continue to allow some on street parking to accommodate the needs of commuters, local residents and visitors whilst reducing the risk of traffic queuing back onto the A10 and improving vehicular access to and from the village. A 103 signature petition calling for more extensive restrictions has been received; 39 residents of Station Road had signed the petition. 12 supportive responses and 2 making general comments had also been received. A letter had been received from Foxton Parish Council supporting the officer recommendations which was circulated to Cabinet members in advance of the meeting with hard copies being available for viewing at the meeting.

One Non-Cabinet Member Councillor van de Ven spoke as a local member on this item while supporting the proposals, made reference to the issues of both Foxton and Meldreth villages within her electoral division. In relation to Foxton she made reference to the particular problems of parking for two residents as a result of the parking overspill problem in Foxton, with no parking being provided at the station. She considered that double yellow lines would not solve the problem, suggesting the need for a transport interchange and free parking being made available.

**Meldreth** Proposals: Prohibiting waiting around the station access would improve visibility and providing a bus stop pole with flag sign with an agreed a location outside number 8 Station Road. The bus stop clearway road marking would be effective Monday to Saturday 9am to 6pm. Local consultation received strong support for extending the proposed restrictions and for providing access protection markings across two private accesses. Four objections were received, one with 8 signatures.

Generally, the objectors felt that the restrictions were too onerous and that they should be relaxed. In response to the representations as Commuter parking only caused difficulties in the working day, officers proposed that it would be reasonable to relax the proposed restrictions on the east side of Station Road, outside the properties numbered 16 to 28 to prohibit waiting between 9 a.m. to 5.00 p.m. Monday to Friday, with the Parish Council and local member supporting the proposed relaxation.

**Teversham** Proposal: To restrict parking at the junction of Lady Jermy Way and Church Road and on a short length on Church Street to improve visibility at the zebra crossing near the school on Church Road to address concerns over congestion and visibility. Conscious of the potential to displace parking, the Parish Council had gained agreement from Marshalls, the Conservative Club and a restaurant, to allow cars to park on their properties at school drop off and pick up times. Four objections had been received three from parents of school children and one from the school itself. It was considered that the agreements that the Parish Council had secured for off-street parking was sufficient to mitigate against the loss of on-street parking.

**Great Shelford** Proposal: Road safety proposals the junction at the former Abberley House site in Granham's Road, Great Shelford. There have been 4 reported injury accidents at the junction during the last 5 years with right turn manoeuvres feature strongly in the analysis of the accident details. One objection had been received from a local resident. One of the local members for Shelford, Councillor Kenney had written in confirming her support to the proposals on the basis that they were supported by the Parish Council as set out in paragraph 14.4.

*(Councillor Bates and Alex Plant left the meeting before the conclusion of the item to speak to two residents from Foxton who had understood that they would be allowed to speak at the meeting - Note - there is no provision for speaking on TRO's for members of the public as petitions received are treated as part of the TRO statutory consultation process in line with the policy adopted at Area Joint Committee meetings)*

On the basis that the parish councils in all cases supported the proposed TRO's and having carefully considered the comments of officers in relation to objections made as described in detail in the report:

**It was resolved:**

- a) to note the objections and representations;
- b) to approve the proposed schemes as advertised, subject to an amendment to the Station Road, Meldreth proposals as shown on Plan 3 of the report and
- c) Inform the objectors accordingly.

**556. PROPOSED 50 MILE PER HOUR SPEED LIMIT B1095 PONDERSBRIDGE TO COUNTY BOUNDARY) MILK AND WATER DROVE**

Cabinet received a report to determine the objections to the proposed 50mph speed limit for the B1095 Milk and Water Drove (Pondersbridge to County Boundary). It was reported that the existing speed limits on the B1095 had been reviewed as part of the A and B road project, with the review concluding that a consistent 50 mph

speed limit should be applied between the county boundary through to its junction with the B1040.

The response to the consultation exercise and formal advertisement had resulted in mixed views on the proposal which were also reflected by the different views expressed by Fenland and Huntingdonshire Area Joint Committees. On balance the officers considered that there was the potential to reduce accidents and vehicle speeds through a reduction in the speed limit, and speed surveys undertaken as part of the review process had shown that the recorded mean speeds were closer to the proposed limit than the current speed limit.

Councillor Guyatt one of the local Members for Norman Cross had provided written comments supporting the proposed speed limit.

Having carefully considered the comments of officers in relation to the objections made as described in detail in the report:

**It was resolved:**

To approve the 50 mph speed limit as advertised.

*(Note Councillor Bates was still out of the room when this report was considered).*

**557. IMPLEMENTATION OF AN APPRENTICESHIPS STRATEGY FOR CAMBRIDGESHIRE COUNTY COUNCIL**

Cabinet received a report seeking Cabinet's support for a new Apprenticeships strategy in response to Local Authorities responsibility to increase the uptake of apprenticeships in their local area.

It was noted that Cambridgeshire as a county had in the past been under performing in respect of the creation of apprenticeships compared to both regional and national trends. This had therefore underlined the need for a coordinated effort to improve the apprenticeship offer and take up in Cambridgeshire.

An Apprenticeship Strategy for the County Council had been drafted setting out ambitions to increase participation, raise the skills and aspirations of Cambridgeshire residents and to meet the employment needs of the local economy. The strategy incorporated four channels to increase the apprenticeship offer within the County under the following headings with the detail as set out in the report:

- As an employer.
- As an Influencer.
- By supporting impartial Information, Advice and Guidance in schools.
- By supporting employers and business through enhanced employer engagement, working with the Local Enterprise Partnership, and other networks as an enabler to link the demand for apprenticeships more closely with supply.

Following publication of the original report and additional consultation with the Leader of the Council and Cabinet, the following amendments which were tabled at the meeting were proposed to the printed strategy in order to help clarify the targets which

the Council wished to have a direct influence over and to highlight the joint partnership approach needed to achieve the ambitious targets proposed.

**Paragraph 1.1 “The national context: More apprenticeships needed”**

**Deleting the first paragraph reading:** *Cambridgeshire County Council recognises the need to have young people and a workforce that is properly equipped to respond to the economic challenges we face. A major aspect of the future development of the workforce should be apprenticeships.*

**and replacing with:** *“We believe in a strong future for Cambridgeshire. A well-skilled and dynamic workforce is an integral part of our vision for the economic growth and success of Cambridgeshire for the benefit of all. Apprenticeships will play a hugely significant role in the development of the county's workforce, as well as the workforce of the County Council in particular. This strategy sets out a bold and ambitious plan to create new opportunities for young people and apprentices across Cambridgeshire over the next 4 years”*

**Paragraph 5 “Success Measures”**

*As an addition before the current line reading “Four central targets form the cornerstones to the measured success of the strategy”*

**Adding the following new introductory text:**

*“Our ambition is to generate 1000 new apprenticeships through the activities of Cambridgeshire County Council, our contractors and partners over the next year”.*

Three Non-Cabinet Members spoke on this item.

- Councillor Johnstone spoke as the chairman of the Children and Young People Overview and Scrutiny Committee who had received the report in advance of it going forward to Cabinet and who had highlighted issues including:
  - placing on record her thanks to the apprentices who had come and spoken to the committee on their experiences,
  - noting that the target for 2013 had reduced from an initial target when the strategy was originally drafted of over 220 internal apprenticeships to 50 and requested that in future, CYP overview and scrutiny committee should be informed in advance of any proposed changes. (in response it was highlighted that the stretch target being proposed was much higher at a 1000 in relation to the activities of the Council and its direct influence with partners).
  - Being pleased to see that now only one Cabinet Member had been identified as the lead, as the original draft report had four Cabinet leads (which was still partly reflected in the Member contact box details),
  - to encourage apprentice ambassadors to visit schools to share their experiences,
  - The need to promote apprenticeships in a positive light to shed the image that they were a poor relation to academic qualifications,



- Explore further how the Enterprise Zone and Local Enterprise Partnership (LEP) could be used to encourage apprenticeships,
- the need for more apprenticeships in Fenland to help young disadvantaged young people.
- Councillor Sadiq spoke as the Leader of the Labour Group welcoming the new focus on apprenticeships and included highlighting:
  - the need to investigate why the County had performed so poorly in the past against the national aspiration of 20% of 16 -17 year olds taking up apprenticeships in order to be able address previous shortcomings and to ensure the County did not continue to under perform,
  - the strategic role of the LEP not only in engaging employers but in helping direct the creation of apprenticeships to the areas of most need with the highest levels of unemployment / low skills base,
  - The need to follow up internal apprenticeships with permanent jobs as part of a succession scheme.
- Councillor van De Ven spoke as the Liberal Democrat Transport spokesman welcoming the strategy while highlighting the need for an aligned public transport strategy, as most apprentices in rural areas did not have access to cars. She suggested closer working with partners such as First Capital Connect who operated a student scheme and Job Centre Plus who operated a free transport scheme.

The Cabinet Member for Learning thanked the above members for their contributions and agreed that they would be taken into consideration when taking forward the strategy.

Cabinet Members comments included:

- Agreeing the need for the LEP to work closely with locality teams / district councils to ensure information was shared, including those with cross boundary issues, on what opportunities were available (as well as highlighting the lack of information available in some Fenland towns)
- Suggesting using the Prince's Trust, whose ambassadors did an excellent job selling the Trust, as a model for apprenticeship ambassadors.
- The agreed need for much closer working with partners and seeking to influence them to create more apprenticeships.
- Highlighting the four keys channels of influence that the County Council could contribute including: its role as an employer; as a substantial purchaser with the influence it could have on contractors; imparting information to schools; and working in networks with not only the LEP, but also in partnership with representatives from small and medium businesses as 80% of businesses in the County operated with less than 10 employees.

#### **It was resolved:**

To approve and adopt the Strategy as amended at the meeting in relation to paragraphs 1.1 and 5 (referred to in the body of this minute above).

## **558. ESTABLISHMENT OF NEW SCHOOLS - NEW LEGISLATION, POLICY AND STRATEGIC IMPLICATIONS**

Cabinet received a report on the new legislative framework governing the establishment of new schools following the Government's implementation of the relevant provisions of the Education Act 2011 which required Local Authorities to seek proposals for the establishment of an Academy or Free School whenever they identified the need for a new school.

It was highlighted that the Council had identified the need to open a new primary school to serve Soham in September 2013, a new primary school to serve the National Institute of Agricultural Botany (NIAB) development in North West Cambridge during 2013/14 and a new primary school to serve the University development in North West Cambridge in September 2014. In order to be in a position to open the Soham primary school in September 2013 and the NIAB primary school during the 2013/14 academic year, the Authority needed to have an approved promoter in place no later than the end of December 2012. As a result, the search for an Academy or Free School promoter needed to begin as soon as possible. In recognition of this, a specification had been developed setting out the Authority's standard requirements for a new primary school and its expectations of potential promoters. It was proposed that the template would be used as the basis for the individual specifications required for the Soham, NIAB and University primary school promotions.

For the reasons set out in the report it was proposed that the new primary school in Soham should open in its first year for reception age children only, in line with established practice. This would need to be reflected in the specification for the school.

The report sought agreement to new processes for seeking and assessing proposals for establishing new schools, granting new delegations and setting up a new joint officer/member and cross party panel to advise Cabinet on the proposals received and whether there was a preferred bid. The new arrangements would apply to securing and assessing proposals from potential sponsors to establish and run the new primary schools required to serve Soham and the NIAB development in North West Cambridge.

On timescales for new Academy / Free Schools it was proposed that on publication of a local and national press announcement of the need for a new school, potential promoters would be invited to submit their Academy or Free School proposals within a maximum of 10 weeks from the date of that notice. The Authority would then have 10 weeks in which to assess the applications received. A decision on whether to express a preference for any of the proposals to the Secretary of State for Education would then be taken at the next available Cabinet meeting. Cabinet would be advised by the joint member and officer panel to be chaired by the Cabinet Member for Learning and comprising the opposition group spokespersons and the appropriate local members. The Panel would be supported by the Service Director: Strategy and Commissioning and other officers.

With the Authority's role becoming increasingly focused on the commissioning of school places, questions had been raised by housing developers / promoters awarded competitions, over whether they should be able to take responsibility for the design and build of new schools rather than this being undertaken by the Authority. As it was

important for the Council to have a consistent and transparent approach to such enquiries and aspirations there was a need to adopt a policy based approach as proposed in paragraph 4.17 of the report. A detailed report on a proposed policy would be coming forward to Cabinet on 22<sup>nd</sup> May, by which time further legal advice would be available.

Councillor Johnstone speaking as the chairman of the CYP Overview and Scrutiny committee explained that she had originally thought that the report only related to the development areas referenced, rather than one changing general policy, and was why overview and scrutiny had not requested to see it in advance of Cabinet. She urged that in future reports changing CYP policy should come to the committee in advance of Cabinet as a matter of course. The Leader of the Council in response made the point that Overview and Scrutiny were responsible rather than Cabinet, for agreeing their work programme and deciding what reports they wished to see in advance of Cabinet.

Councillor Powley the local member for Soham provided written comments fully supporting the recommendations for the organisation of the third Primary School in Soham. He also indicated that as Soham Village College was currently an Academy School it would be to the advantage of pupils education if the three feeder primary schools in Soham (which included the third proposed Primary School) were to change status to become Academy Primary Schools.

Councillor Downes had also provided written comments expressing strong disapproval of the government's policies for the creation of new schools which he believed would prove to be financially wasteful, administratively cumbersome and socially divisive. He did however believe that the policy outlined was making the best of a bad job and welcomed the involvement of cross-party membership in the evaluation of new proposals.

**It was resolved:**

- a) to approve the new approach and timelines for the establishment of new schools for immediate implementation;
- b) to approve the template specification for new primary schools as set out in Appendix 2 of the report, and that the Cabinet Members for Learning and Children and Young People's Services be given delegated authority to approve all future new primary school specifications in consultation with the Executive Director: Children and Young People's Services;
- c) to approve the continued use of a joint officer and cross-party member Panel to evaluate the proposals received from potential sponsors of new schools, with reports from that panel being presented to Cabinet for consideration and a decision on whether or not the Authority should state a preference for one of the proposals where more than one is received;
- d) to approve the proposal to proceed with the new arrangements to secure a promoter to establish and run the new primary schools required to serve Soham, NIAB and the University developments in Cambridge either as Academies or Free Schools with immediate effect;

- e) to approve that in accordance with current Cambridgeshire practice, that the new primary school in Soham should open in its first year (2013) for Reception-age children only; and
- f) to approve the commissioning of a further report to be presented at its meeting on 22 May 2012 on the approach to the procurement of new schools including how to determine the policy approach and response to the developers of major housing sites who wish to take on responsibility for the design and building of the new schools to be established to serve their developments.

## **559. FUTURE MANAGEMENT OF THE OASIS DAY NURSERY, WISBECH**

Cabinet received a report informing it of the outcome of a review of the local authority run Oasis day Nursery in Wisbech and seeking Cabinet's agreement to its future management.

When first established, the Nursery had been managed by the Wisbech Community Development Trust. However, when the Trust found it difficult to sustain the provision financially, the Authority took on the responsibility in recognition of the very high needs within the Waterlees area and the lack of suitable alternative early years and childcare provision at the time, in line with the Authority's duty to secure sufficient and suitable childcare places. It was also highlighted that the Oasis Day Nursery was the only one of 316 early years and childcare schemes in the County run and managed directly by the Authority with all of other schemes being run by Private, Voluntary or Independent (PVI) providers.

It was highlighted that as the nursery had never operated at full capacity in September 2011, the decision was taken to launch a review into its future with two broad options for change identified as the basis for consultation with the local community:

1. Close the Oasis Nursery and direct parents to other Wisbech childcare providers.
2. Tender for another provider to take over the running of the Nursery.

Option 1 was rejected with the majority of responses supporting its continued running by the local authority. As a result a further consultation was undertaken regarding the differences between a local authority run and PVI run provision and the benefits the latter could bring. The conclusion reached from the second consultation was that parents / carers did not have a strong preference on who ran the nursery, with their main concern being that it should remain open.

Section 3 of the report set out the advantages of a tendered service. As time was required to plan, implement and evaluate a tender process, officers advised that the authority should continue to manage the nursery for a further academic year with any change taking effect from 1<sup>st</sup> September 2013, with the nursery manager's contract being extended by the same period.

Councillor Hoy the local Member spoke in support of the proposals, thanking the officers who had been involved in the preparation of the very thorough report and recognising the extensive work and research undertaken and that local concerns had been taken into account. She highlighted the need to not be overly prescriptive in

terms of future opening times, as this could deter potential providers and suggested their views should also be sought.

Cabinet recognised that as there was a lack of alternative local childcare provision available locally (reference was made to two recent closures of two local child care providers) this was an area where there was a need to attract a quality provider. The Cabinet Member for Children and Young People's Services highlighted the excellent job being carried out by other PVI providers in the County and suggested that any savings from a future contract would be used for the benefit of families in Wisbech.

In answer to a question raised, it was clarified that there was no on-going subsidy for a PVI provider, with financial support only being provided in terms of help relating to start up costs in the first year. It was agreed that to move forward would also require the increased promotion of the benefits of the current nursery to help attract more users.

**It was resolved:**

- a) to approve that the Authority continues to manage the Oasis Day Nursery for a further academic year; and
- b) to approve tenders being sought from external private, voluntary, and independent providers to take on the management of the Nursery with effect from 1 September 2013.

**COMFORT BREAK**

As there was an expectation of a long meeting the chairman agreed to a five minute comfort break from 11.40 a.m.

**560. INFORMATION SHARING**

Cabinet received a report informing it of progress amongst all public sector organisations in Cambridgeshire to establish efficient and effective working arrangements for information sharing to facilitate improved service delivery (including those for helping protect children at risk) across Cambridgeshire through reducing bureaucracy while still protecting the public from unauthorised disclosure. It was confirmed that all district councils, the police and fire authorities and NHS had been involved and were signed up to the proposed agreement.

Councillor Nethsingha speaking as the Resources Spokesman for the Liberal Democrat Group supported the proposed framework as a very necessary document and welcomed the progress in this very complicated area, while also cautioning of the need to get the balance right between the requirement for better services and still protecting individuals' confidentiality. She hoped that there would be a review of the policy in due course to establish that the right decisions had been made when actively implementing the policy. In response, it was agreed that the policy would be reviewed after a period of time to allow it to become embedded.

The lead officers were thanked for the work undertaken in preparing the framework.

**It was resolved:**

- a) to approve the Cambridgeshire Information Sharing Framework, Guidance, Agreement template and Public Charter produced by a joint working group of the County Council and partner organisations; and
- b) to note that the working group will continue to meet to ensure that there continues to be a collaborative approach to data sharing between partner organisations.

**561. A SECTION 75 JOINT COMMISSIONING AGREEMENT FOR OLDER PEOPLE'S SERVICES AND OCCUPATIONAL THERAPY.**

As part of an ongoing review of Adult Services Cabinet received a report setting out details of proposed revisions to the agreements between Cambridgeshire County Council, Cambridgeshire Community Services (CCS) and NHS Cambridgeshire (NHSC) for the integrated delivery of older people's (OP) and occupational therapy (OT) which were designed to help streamline the current complex arrangements.

It was explained that over the last year the Council, NHSC and CCS had reviewed the existing arrangements, and in particular the arrangements between the Council and NHSC, and reached a common view that the pooled budget and lead commissioning arrangements had led to a lack of clear accountability for CCS in delivering the statutory responsibilities delegated to them through the Section 75 agreement for integrated management and required change. Also, in 2011/12, the pooled budget had not operated on a pooled arrangement. Risk was not being shared within the arrangement and the position had been made complex with NHSC being the lead commissioner and commissioning OP and OT services from CCS on the Council's behalf. As a result this had created an overly complex arrangement for both accountability and the flow of funding. In addition, there had been a number of new services such as re-ablement, which were not adequately reflected in the current agreements.

It was therefore proposed that the current Section 75 agreement between the Council and NHSC ceased i.e. that the pooled budget and lead commissioning arrangements for OP and OT services ended. As a consequence and as further clarified at the meeting, the pooled budget with NHSC would be replaced with separate financial arrangements between each commissioning organisation i.e. a separate section 75 agreement between NHSC and CCS and a separate section 75 agreement between the Cambridgeshire County Council (CCC) with CCS. To support the ongoing commitment by both CCC and NHSC to work jointly as commissioners to ensure adequate oversight of integrated OP and OT services, a memorandum of understanding would be drawn up between the two organisations. The current Section 75 agreement between the Council and CCS had been refreshed with a revised agreement set out as Appendix 1 to the report.

In addition it was also proposed that the Cambridgeshire Care Partnership would cease to monitor the Section 75 agreement between the Council and CCS. In its place, two new groups were to be established, one a monthly officer group to monitor the revised agreement and a quarterly member and non executive group meeting to oversee governance arrangements and discuss high level issues. A delegation was sought to agreeing and signing the final document once financial contributions and

performance targets had been agreed for 2012/13. Also proposed and agreed at the meeting was some additional wording to expand the proposed delegation to sign off the terms of reference for the monitoring and the governance groups.

Councillor Batchelor speaking as the Liberal Democrat Group spokesman for CYPS and Adult Care supported the proposals but in relation to future governance issues required more detail of how members would be involved, highlighting that he hoped that opposition members would have a role. He still expressed concerns of whether the adult social care budget was led by need or a fixed budget (making reference to 5.1.1. of the report reading "...to ensure that services are delivered within the allocated budgets, especially with current financial constraints") and highlighted that if the budget was not realistic when drawn up and did not reflect identified need, it was a waste of time, as it would inevitably overspend in order to meet the statutory responsibilities.

Councillor Sales speaking as the Community and Adult Services Labour Group spokesman welcomed the proposed changes as being long overdue due to the structural complexities of the current agreements which made it a very difficult area to monitor and as he also considered that the Care Partnership had not been an effective meeting. (a view also shared by the previous speaker)

Cabinet Members commented:

- that in terms of outcomes for the revised Section 75 agreement with CCS it would be useful to have an advance view from Overview and scrutiny.
- The changes were supported.

The leader in summing up indicated that the radical changes proposed in the report were in the spirit of the new way Cabinet was undertaking business since May 2011 and he congratulated Adrian Loades and Claire Bruin and their team for the work undertaken in reaching agreement with the two partners. On the issue of working within budget, this was a requirement for effective partnership working and the current leadership had made it clear in various meetings with partners that it did not give prior permission to overspend any budget. If the budget was not adequate to meet additional needs identified arising during the year, this was a different issue.

**It was resolved:**

- a) to note the progress on revising the section 75 agreements for Older People and Occupational Therapy Services;
- b) to agree to end the existing section 75 agreement with NHS Cambridgeshire in respect of Older People and Occupational Therapy Services
- c) to delegate authority to approve and sign the final version of the Section 75 Agreement with Cambridgeshire Community Services and agree and sign off the terms of reference for the monitoring group and governance group to the Cabinet Member for Adult Social Care in consultation with the Executive Director – Children and Young People's Services and Adult Social Care.

## **562. INTEGRATED RESOURCES AND PERFORMANCE REPORT FOR PERIOD ENDING 29<sup>th</sup> FEBRUARY 2012**

Cabinet received the Integrated Resources and Performance Report for the period ending 29<sup>th</sup> February 2012. It was noted that the forecast year-end underspend was now £2.4 million, a decrease of £784K on the previous month which was 0.6% of the overall budget with all teams across the County Council thanked for their continued efforts in achieving such a minor variance against the original budget. It was also highlighted that although further savings had been identified across all four directorates, the Waste PFI expected underspend of £2.1m, which was a windfall saving, had been transferred to Corporate Reserves, in line with existing policy.

The current forecast outturn position assumed a further £0.9m would be available in reserves for 2012/13 which would provide the Council with some flexibility going into the new year which had not been planned for. However it was also highlighted that over the past two months Addenbrookes Hospital had been on “black alert”, its highest alert, and consequently the Council had been asked to take additional clients into intermediate care beds to help resolve their backlog. As a result, this could have implications on the Older People’s budget with the exact impact not currently known. This situation continued to be monitored, with an updated outturn position to be provided next month.

One non-Cabinet member spoke on this item: the Liberal Democrat Group Leader, Councillor Bourke commented that while acknowledging that some areas such as CYP and ES had made significant savings as a result of change models, he still raised concerns in respect of Community and Adult Services (CAS) and believed it was important to recognise that CAS had required monies from reserves to counter their budget overspend position. While supporting the proposed changes to section 75 agreements etc he expanded on his concerns on whether there was sufficient capacity at the highest management levels in CAS to make the necessary changes, suggesting there could be a case for seconding additional senior staffing capacity. In response it was indicated that capacity was continually being reviewed and Cabinet in consultation with Adrian Loades, the relevant Executive Director, would act swiftly if further changes were required.

Cabinet was reminded that the Council had taken £50m out of its budget and it was therefore a remarkable achievement that the budget was still estimated to be underspent at year end, and Mark Lloyd and his Strategic Management Team were congratulated for the efforts undertaken during the year. It was also highlighted that £6m had been specifically earmarked in the Integrated Plan for 2012/13 for Adult Social Care to recognise the challenges and uncertainties around the service transformation changes.

### **It was resolved:**

To note the resources and performance information and the remedial action currently being taken as detailed in the report.

## **563. EARLY YEARS PROVISION – POLICY AND SCHOOLS GUIDANCE**

Cabinet received a report seeking both comments and approval to a revised policy for



Early Years Provision. Cabinet was reminded that Under the Childcare Act 2006, local authorities had a specific duty to secure a sufficient early years places for the families of all three and four-year-olds living in their area of responsibility whose parents/ carers wish to take up their entitlement. Sufficiency was formally assessed through a statutory Childcare Sufficiency Assessment (required every three years) and reviewed on an annual basis.

The decision by the Schools' Adjudicator in Spring 2011, to grant the creation of a new Nursery School in place of the King's Hedges Primary School nursery class, highlighted gaps in the existing local policy framework, and the need for clarity on the rationale for funding more expensive types of early years provision, especially where run by schools. The proposed revised policy (attached as Appendix 1 to the report) set out for the first time the Authority's position as a market manager and facilitator, with it only being a provider in the last resort where the market was unable to do so.

Councillor Johnstone speaking on behalf of the CYP Overview and Scrutiny Committee noted that there had been a significant improvement in the Early Years Foundation Stage (EYFS) profile with improved results in both national indicators in 2011 and in narrowing the attainment gap between the lowest achieving 20% of children and the rest. She highlighted that the Early Years Service would be focussing on improving outcomes for the following groups in 2012:

- Boys
- Gypsy Roma Traveller
- Eastern European and Bengali home language
- Those living in areas of deprivation

In addition children not being able to access Early Years provision was an area of concern commented on the committee.

Councillor Nethsingha speaking as the Liberal Democrat Deputy Leader was concerned that the revised change policy was in respect of an issue not foreseen and was an example of the Council playing catch-up. She was also not convinced that there were sufficient places in Cambridge City to meet potential demand and highlighted difficulties still experienced in accessing provision. In the document itself she highlighted the lack of reference to the independent and voluntary sector and also pointed out an error on page 3 in the second paragraph second line under the title "c) Commissioning New Early Years Provision" where it appeared after the words "... high quality early, ...) the words "years provision" appeared to be missing and therefore the sentence as constructed, did not make sense. In response she was thanked for pointing out these omissions and appropriate amendments would be made to the final document.

**It was resolved:**

To approve the revised Early Years Provision policy for adoption with immediate effect.

**563. SPECIAL EDUCATIONAL NEEDS (SEN) PLACEMENT STRATEGY**

In response to growth in the number of children with special educational needs and

especially high level needs, Cabinet received a report providing details of the proposed strategy which had been developed with a view to:

- Keeping children and young people in Cambridgeshire with their families
- Providing high quality education provision as close to home as possible
- Reducing spend on independent specialist educational placements where provision can be made more cost effectively elsewhere
- Reducing the number of independent specialist educational placements where provision can be made elsewhere that was as good
- Providing effective and collaborative monitoring and review of placements
- Improving the review and monitoring of independent specialist educational placements.
- Consulting with families and young people in developing in county provision

The strategy was intended to reduce expensive independent specialist educational placement spend through improved commissioning to meet the needs of Cambridgeshire children and young people. It sought to ensure that there would be appropriate provision available within County and to reduce the number of high cost placements, taking account of the predicted future need and setting out how the authority would ensure that affordable provision was available. A multi agency commitment was considered essential to deliver the aims of the strategy as the response to meeting the needs of very complex children and young people and their families could encompass all services and agencies. The report detailed the key actions that were proposed in the strategy under the following headings:

- Shared Care Provision
- Special School Funding
- Area Special School Specification
- Commissioning an additional Area Special School
- Commissioning an Autistic Spectrum Condition Day School
- Reviewing existing provision
- Partnership working
- Providing Behaviour Management Guidance.

Councillor Johnstone speaking on behalf of the CYP Overview and Scrutiny Committee who had received the report as part of their overview role conveyed the Committee's strong support for the strategy while also highlighting concerns that until the new special school was delivered, there could be a potential shortfall in places to meet the new children entering the system.

Councillor Nethsingha speaking as the Liberal Democrat Deputy Leader commented on it being an impressive piece of work which had excellent forward prediction data and hoped that a similar model could be used to forecast future adult social care needs. She welcomed the new provision proposed for those children with high Autistic Spectrum Condition, emphasising the need to keep families fully involved in all changes and to listen to their views at all times.

One Cabinet Member wished to highlight that the strategy was not only the right approach for improving services for the people of Cambridgeshire, but would involve less cost through reducing the reliance on expensive out of county placements.

**It was resolved:**

To approve the Special Educational Needs Education Placement Strategy attached as appendix 2 to the report to address the increased financial pressure on the Special Educational Need Placement Budget.

**564. PRESCRIBED ALTERATION TO INCREASE THE SIZE OF THE GROVE PRIMARY SCHOOL, CAMBRIDGE**

Cabinet's approval was sought for plans to increase the size of the Grove Community Primary School to provide a total of 420 places, by increasing its Published Admission Number (PAN) from 30 to 60 with effect from 1<sup>st</sup> September 2012. Members noted that this would help the Council to respond to the increase in demand for places in the north of Cambridge to be met in September 2012.

**It was resolved:**

- a) To note the demographic forecast for Reception places for September 2012 and beyond.
- b) To note the fact that one written response was received to the statutory notice published on 20<sup>th</sup> January 2012.
- c) To approve the prescribed alteration to increase the size of The Grove Community Primary School to provide a total of 420 places with effect from 1<sup>st</sup> September 2012.

**565. CHILD POVERTY STRATEGY AND RESPONSE REPORT FROM CHILDREN AND YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE**

Cabinet received a report which attached Cambridgeshire's Children's Trust's Cambridgeshire's Child Poverty Strategy titled "Breaking the Cycle" for consideration of the implications for Cambridgeshire County Council. The strategy outlined joint objectives and included an underpinning action plan bringing together actions planned across all partners to achieve the objectives.

It was noted that The Child Poverty Act had been enacted in March 2010 with cross-party support, and placed statutory duties on the Government and on local authorities, with the aim of eradicating child poverty by 2020. The Act set four national targets in relation to relative poverty, material deprivation, absolute low income and persistent poverty, to be reached and sustained from 2020. Whilst the targets were national targets, local authorities and their partners were expected to act to decrease the levels of child poverty in their areas and to mitigate its effects.

Local Authorities (upper tier) had statutory responsibilities:

- To cooperate with their statutory partners to tackle child poverty
- To produce a Child Poverty Needs Assessment and joint Child Poverty Strategy
- To have regard to their child poverty duties when preparing or revising the Sustainable Community Strategy

As a result The Child Poverty Strategy – “Breaking the Cycle” - had been developed through cooperation and agreement across all partners in the Champions Group and including other wider representation through an extended workshop held in the summer. There had been an eight week consultation period during which statutory and voluntary organisations, and the public, were invited to comment upon the proposed strategy and these had contributed to the final version.

Cabinet also noted the findings and recommendations from CYP Overview and Scrutiny Committee set out as a separate report at item 17b) of the agenda. Councillor Johnstone in presenting the report highlighted that the committee was not criticising but supporting the importance of the policy. In response to a specific point in the committee’s report regarding inappropriate wording identified in objective three that could cause offence, the Cabinet Member for Children and Young People’s Services indicated he would consult with Job Centre Plus, as the paragraph had been provided by them.

Councillor Sadiq speaking as the Labour Group Leader also welcomed the report and the widespread acceptance of the concept of child poverty which he highlighted had an inextricable link with unemployment. He also referred back to his earlier comments on Apprenticeships and the need to target them in areas of known child poverty, as it impacted on all areas of Council Policy and was intergenerational, if not tackled. He highlighted the need for a more equitable economy and the need for the Council to place tackling inequality at the heart of all its planning activity. He suggested that the Council could make a start by ensuring all its employees were not paid below the minimum wage of £7.20 an hour. He also made the observation that monitoring of the action plan by the Champions Group would be critical to its success.

Councillor Batchelor speaking as the Liberal Democrat CYP Spokesman also welcomed the strategy while being sceptical on how much could be achieved in terms of the ambitious national target. He queried who would lead the strategy as reference was made to it being owned by the Children’s Trust which he indicated was due to be abolished, while paragraph 2.4 of the covering report suggested it was the Champions Group and elsewhere in the document that it was the responsibility of Cambridgeshire’s Children’s Trust Network (under the heading “Monitoring our Progress”). He highlighted that the document still needed clarifying. In response to this query his attention was brought to paragraph 2.1 of the report which provided the explanation sought, while another Cabinet Member highlighted that overall responsibility would be with the Health and Well Being Board. In response it was explained by way of a clarification that Cambridgeshire Children’s Trust was not being abolished but revised, as was made clear in the next report on the agenda.

Cabinet Members comments included:

- highlighting that as Cambridgeshire was a rural county a lot of child poverty was in very small pockets / involved isolated farm workers which were difficult to identify and did not show up in the official statistics, but which might be captured by data produced at the district / local GP level.
- That the strategy sat below those designed to increase the economic wealth in the County for which initiatives like Cambridge Science Park Station and superfast broadband were designed to stimulate.
- Identifying local members responsibility to helping ensure data was up to date.

**It was resolved:**

- a) To note the report from the Overview and Scrutiny Committee.
- b) That the Strategy would form part of Cambridgeshire County Council's operational business as of immediate effect.

**566. RESHAPING CAMBRIDGESHIRE CHILDREN'S TRUST ARRANGEMENTS**

Cabinet received a report which had been the subject of pre CYP overview and scrutiny committee attention at two earlier meetings, proposing revising operating arrangements for Cambridgeshire Children's Trust

It was highlighted that since the inception of the Trust, there had been a number of changes to the legislation and regulations for Children's Trusts, but with an expectation that local authorities should continue to lead Children's Trust arrangements at a local level. In addition, the formation of Cambridgeshire's shadow Health and Wellbeing Board (HWB) had necessitated consideration of the role of the Children's Trust and its relationship with the HWB. In light of these it had been considered timely to review and refresh the purpose and operating arrangements of Cambridgeshire's Children's Trust to ensure that arrangements were fit for purpose and well placed to link with Health and Well Being Board developments. The opportunity had also been taken to review the membership which had become unwieldy with 35 current members with the new proposals reducing this to 20. It was further clarified that the work undertaken by the three area partnerships were not proposed to be changed.

The report also set out the results of feedback received from the consultation exercise undertaken. A number of specific comments were received in relation to particular elements of the proposals and in the main, related to the membership of the Trust Board. The original proposal had only included one Elected Member, however in response to comments received, it was proposed that the Board would include two Elected Members: one from the County Council and one from a District Council. A wider group of Elected Members were also to be invited to participate in an annual conference, to look at priorities for the year ahead. Police membership arrangements would also need to be reviewed, given the advent of the Police and Crime Commissioner role, as would the future health representation, although for the time being there were benefits of having representatives from both the PCT and CCG during the period of National Health Service transition.

Councillor Johnstone speaking on behalf of the CYP Overview and Scrutiny Committee was pleased to report that concerns raised at an earlier Committee meeting in relation to potential overlap of responsibilities between the Trust and the Board and concerns regarding the democratic deficit in terms of limited member involvement had been dealt with in the final report.

Councillor Batchelor the Liberal Democrat CYP spokesperson still had concerns regarding the division of responsibilities and who set the priorities as the senior partner. He highlighted that it was still not clear from bullet points two and three under paragraph 2.2. He also queried the proposed future size of the trust which at 20 members could still result in unwieldy meetings. Finally he requested clarity on the

purpose of the annual conference and the role of those members attending. In response it was indicated that the points made would be looked at further and he was thanked for bringing them to Cabinet's attention.

**It was resolved:**

- a) to approve the proposals to reshape Children's Trust arrangements;
- b) to note the responses received from stakeholders in relation to the proposals; and
- c) to approve the proposed Children's Trust arrangements set out in section 2 of the report.

**567. CAMBRIDGESHIRE GUIDED BUSWAY APPOINTMENT OF EDISCLOSURE CONTRACTOR**

This report sought the use of an exemption from the Council's Contract Regulations for the appointment of expert contractors to manage the edisclosure process for the Council in the Busway dispute.

It was noted following the commencement of legal action by the County Council for the monies owed by BAM Nuttall in respect of the construction contract for the Cambridgeshire Guided Busway and the Order setting the timetable for managing the dispute, an important part of the process was Disclosure of all relevant documentation to the other party. Disclosure was due to be completed by 21<sup>st</sup> December 2012 and as it was a complex and lengthy process, electronic processes were used to manage it, known as edisclosure, of which there were a number of suppliers able to provide the service. However on legal advice only two suppliers were able to provide the service required and due to the timescales, number of suppliers and the cost of the work as detailed in the report, it was not possible to comply with the Council's Contract Regulations.

**It was resolved:**

To approve an exemption under Section 3.7 of the Council's Contract Regulations for the appointment of expert contractors to manage the edisclosure process for the Council in the dispute with BAM Nuttall over the construction of the Guided Busway.

**568. DRAFT CABINET AGENDA – 22<sup>ND</sup> MAY 2012**

Members noted the draft agenda for the Cabinet meeting to be held on 22<sup>nd</sup> May 2012, including the following changes since the publication of the agenda:

- Item 4 a Domestic Abuse Member Led Review moving to July as The Safer and Stronger O&S Committee would be asked to comment as part of its overview role in June.
- Item 19 Consultation Response to Alconbury Airfield Application - had been moved to the 10<sup>th</sup> July Cabinet meeting.

## **CHAIRMAN'S DISCRETION ON LATE REPORTS**

The chairman took the opportunity to comment on the number of late reports on the current agenda and reiterated that reports should only be coming forward late (circulated less than five working before the meeting) on an exceptional basis. He would be reviewing them at future meetings and warned that he might use his discretion to refuse to take them if he did not agree that the reasons for lateness / urgency were sufficiently compelling.

### **569. DELEGATIONS FROM CABINET TO CABINET MEMBERS AND / OR OFFICERS**

Members received a report on progress on matters delegated to individual Cabinet members and or/officers, up to 6<sup>th</sup> March 2012.

An oral update at the meeting indicated that on item 4 "Cambridgeshire Public Sector Network Framework Contract Award" the transition from CCN to the new CPSN contract had taken place on 8th April 2012 as planned. CPSN partner call down orders had now all been placed with Virgin Media Business with the total site count being 429 which was above the threshold of 400 sites needed to achieve the agreed discount. Officers were congratulated on this achievement.

#### **It was resolved:**

To note the progress set out in the report.

### **570. EXCLUSION OF THE PRESS AND PUBLIC**

#### **It was resolved**

to agree that the press and public be asked to leave the meeting before 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 as amended and that it would not be in the public interest for this information to be disclosed as it contained information relating to the financial or business affairs of any particular person (including the authority holding the information)

### **571. EXEMPTION FROM STANDING ORDERS AND CONTRACTS REGULATIONS - BLOCK CONTRACTS IN RESIDENTIAL AND NURSING HOMES FOR ADULT SOCIAL CARE**

Cabinet received a report seeking an exemption from Contract Regulations for Block Contracts for Residential and Nursing Care.

Officers had considered the rationale for continuing to block purchase beds in residential and nursing homes, recognising the need to balance access to affordable provision across the county and reduce the risk of paying for beds that were not being used or were unpopular with potential residents. It was highlighted that Cambridgeshire had a higher number of self-funders who paid for their own care compared with similar Adult Social Care authorities. As a result, the Council's ability to influence the market was more limited with care homes generally charging self-funders more than local authorities. While the majority of the County was well served

with care homes and spot purchasing not considered to be a significant risk and there being no need for a block contract, It was highlighted that Cambridge, South Cambridgeshire and Huntingdon were the exceptions, where it was difficult to source beds outside of the block contract.

The current contract was due to expire on the 31<sup>st</sup> March 2012, and the continuing need for block beds in Cambridge City, South Cambridgeshire and Huntingdonshire required new contractual arrangements to be in place on the 1<sup>st</sup> April 2012, or soon after, to ensure continuity of service and protect the County Council from any opportunistic increases in fees due to inflation. On the basis that the County Council would only enter into a block contract with care homes providing a quality service and a track record of compliance with essential standards and as the relative affluence in Cambridge City and South Cambridgeshire meant it was unlikely that homes would be interested in supplying beds to either the PCT or the County Council, it was recommended that the Council should continue to block purchase beds from Excelcare. In order to comply with Council Contract Regulations the report sought an exemption from subjecting this procurement to normal competition, which required an additional recommendation which was orally proposed at the meeting. It was also confirmed that in Huntingdon a competitive process would be developed to gain the most economically advantageous prices for a 3 year duration.

Councillor Batchelor speaking as the Liberal Democrat Adult Social Care spokesman made reference to the confidential figures in appendix 4 and queried the different levels of price uplift in the contract prices which in one case was 100% and how this was equitable when compared to the 0.5% increase allowed for other care operators. In relation to the figure showing a 100% increase this was an error and the figure corrected to 549. It was explained that each contract was negotiated on a case by case basis depending on individual factors, with the average uplift still being 0.5%.

**It was agreed:**

- a) to approve the proposal to enter into a 3 year block contract with Excelcare Ltd for residential and nursing care placements in Cambridge City and South Cambridgeshire.
- b) to authorise the Director of Children and Young People's and Adult Social Care to negotiate the terms and conditions of the contract in consultation with the LGSS Director of Legal Services and complete the agreement.
- c) to agree that officers contact care homes who expressed an interest in competing for the provision of residential and nursing home placements in Huntingdonshire and seek to secure the most economically advantageous arrangement for block provision for a period of three years through open competition.
- d) To approve an exemption under section 3.7 of the Council's Contract Regulations in relation to the proposed procurement.