

CABINET: MINUTES

Date: 11th September 2007

Time: 10.00 a.m. – 11.08 a.m.

Present: S Johnstone (Chairman)

Councillors, M Curtis, D Harty, V H Lucas, L W McGuire, A Melton, D R Pegram (Vice Chairman), J E Reynolds, J M Tuck and F H Yeulett.

Also in Attendance

Councillors: P Downes, D Jenkins and J West

Apologies: None

406. MINUTES 2nd JULY 2007

The minutes of the meeting of the Cabinet held on 2nd July 2007 were approved as a correct record.

407. DECLARATIONS OF INTERESTS

Cllr Lucas declared a personal and prejudicial interest in item 7 “County Council Response to the Mental Health Trust Consultation on Future Plans: Proposed Response” as a non Executive Director of Hinchingbrooke Hospital Trust and left the room during discussion of this item.

Cllr Johnstone declared a personal and prejudicial interest in item 7 “County Council Response to the Mental Health Trust Consultation on Future Plans: Proposed Response” as a non Executive Director of Addenbrookes Hospital and left the room during discussion of this item.

408. PETITIONS

A) Petition relating to road closures and disruption to Histon, and Impington during the building of the Guided Bus junction.

A combined petition of over 1200 signatures had been received regarding the road closures and disruption to Histon, and Impington during the building of the Guided Bus junction consisting of:

- Approximately 1136 signatures, plus a number of other e-mails from residents against the road closures and disruption to Histon, Impington and the surrounding villages during the autumn and winter.

- 78 signatures from traders of Histon and Impington calling on the Cabinet to reconsider the decision to close Gatehouse Lane (between Histon and Girton/Oakington) completely for through vehicular traffic when the junction with the Guided Bus was built. It requested that Cabinet should look at alternatives to closure as a matter of urgency and consider not just the direct costs associated with the Guided Bus, but also the losses which the traders might incur, and the costs to the local economy of the closure of the road and the associated diversion. In order to facilitate the review, the traders indicated they were willing to share relevant trading data relating to the closure earlier this year with appropriate confidentiality. (A hard copy of the text of the presentation is attached as an appendix to these minutes)

Letters of support for the traders were received from the Co-operative Society, Tesco's, Cambridge Building Society and Barclays Bank.

As there was no report on the agenda, the Cabinet received the petition following a presentation on behalf of the traders and local residents by Tim Broad from Lighthouse Toys, Histon, which was then be passed to the appropriate officers to investigate further to prepare a response in consultation with the Cabinet Member for Highways and Transport.

B) A petition of over 100 signatures was received by Cabinet on behalf of residents of Great Shelford and Stapleford requesting that the route of the Number 31 bus service along the diversion route used for the Long Road closure should continue as a permanent change (e.g. along Hinton Way, Great Shelford and the A1307 to Addenbrookes and Cambridge, thus giving back that part of the former No 32 route which served the Macquale Avenue estate and the eastern end of Hinton Way). The 31 bus route has been using this diverted route during the 6 weeks duration of the Long Road closure.

The local Member for the Shelfords and Stapleford provided a statement to Cabinet endorsing his full support for the petition request, which he saw as a specific attempt to counter the problems of access to Cambridge from the south. He also highlighted that even better bus services would be required to make an impact in an area that was seeing more and more housing growth.

As there was no report on the agenda, the petition was passed to the officers to provide an appropriate response on behalf of the County Council in consultation with the Cabinet Member for Highways and Transport.

409. NEW SCHOOL COMPETITION ARRANGEMENTS

Cabinet received a report advising it of the competition regulations which now applied to all new build schools. The report set out the decision-making process it was proposed to establish for new school competitions and the policies that it was proposed should inform the specifications for all new schools.

Cabinet members raised questions/commented as follows:

- Whether, as a result of the new competition requirements, the timescales for the

completion and opening of new schools proposed in the new development areas were likely to increase. The Cabinet Lead Member for Service Infrastructure indicated that he had no doubt that the new competition requirements and the need to take into account market forces when building schools would significantly lengthen the lead-in time for establishing new schools. Estimates were that these could add around ten months to the overall timeline.

- Further challenge would be required following the minister's decision not to grant an exemption to the third primary school in Cambourne.
- Whether the average capital funding for new schools had been identified? It was explained that estimates for the capital costings of new schools/design specifications currently used the Government's building bulletin guidance circulars 98 and 99. Officers highlighted the need to ensure that specifications were fully agreed and understood between all partners and the developers. Section 106 contribution negotiations were proceeding on the basis of the need to safeguard the County Council's interests and, as such, contributions were designed to be inflation proof.
- Confirmation was received that revenue costs would be met from the Direct Schools Grant. However, while the Government was still being lobbied to ensure an appropriate uplift in resources to take into account special circumstances in the number of new schools required in growth areas, where 4-5 new schools were being built at the same time, this would inevitably (in the short term) have a severe impact on the primary and secondary funding quantum. The issues regarding section 106 financing and the provision of adequate Housing Growth Grant would require continued dialogue with the Government.
- As the climate change section did not address issues in respect of the design and running of schools, members required reassurance that new schools would be designed to high eco-friendly standards to ensure that their building and operation would result in minimal carbon emissions and impact on the environment. In reply it was explained that a policy on the design of new schools would be the subject of a report to a Cabinet meeting later in the autumn. Currently officers were still awaiting the long anticipated announcement from the Government on appropriate standards/guidelines. The Cabinet Member for Children and Young People's Services also expressed caution on being forced to agree standards that might be economically unviable, stating that there needed to be a careful balance established between affordability and value gained.
- Confirmation was received that as the Government had a clear policy regarding a preference for the establishment of foundation and voluntary schools, there were unlikely to be other circumstances beyond that set out in the report (merger of infants and junior schools) when the authority would apply to the Secretary of State for permission to publish a proposal for a new community status school. In all circumstances where the County Council decided it would want to establish a community school it would need to apply to the Secretary of State for permission for exemption from competition or to bid to do so as part of the competition process.
- Confirmation that the decision on whether to install sprinkler fire suppression systems in the design of new schools (which was recommended to be taken on a case-by-case basis following a rigorous risk assessment) would include relevant consultation with the Cambridgeshire Fire and Rescue Service.
- The need to ensure that all schools in Cambridgeshire were made aware of the funding pressures that would result from the demands for resources in respect of the new schools being built in the Growth areas. In response it was indicated that work was being undertaken to convey this information through the appropriate primary and

secondary school headteacher forums.

- That the principles policies set out in Section 4 of the report informing the specifications for all new schools should made clearer in terms of making reference to ensuring the commitment too and capacity to deliver the five outcomes as set out in “Every Child Matters” national guidelines.

It was resolved to:

- i) Note the competition regulations, which applied to all new schools;
- ii) Endorse adoption of the decision-making process set out in Section 3 of the officer’s report when there was a requirement for a competition for a new school as follows;
 - a) Agree that the process set out in Appendix 2 and the checklist in Appendix 3 of the officer’s report should be adopted for all new school competitions, and that each report requesting Cabinet approval to start the competition process should include a standard recommendation that the Service Infrastructure Portfolio Holder and OCYPS Spokes be asked to review the position at the third month checkpoint and advise the Deputy Chief Executive OCYPS whether a County Council sponsored bid for a school is submitted.
 - b) The Authority would not, as a matter of course, enter its own proposals to establish a new school;
 - c) The Authority would only seek approval from the Secretary of State for an exemption from having to run a competition where:
 - 1. New schools were being established following a decision to amalgamate existing infant and junior schools; and/or
 - 2. There was an educational imperative resulting from either the need to address issues over the quality of education being provided in a local area or the urgent need to address pressure of pupil numbers.

- d) Where the Authority entered a competition, the default option would be the establishment of a foundation school, and for the Authority to actively seek the establishment of foundation schools with a Trust, dependent upon local circumstances.
 - e) Where the Authority was required to run a competition for a new school to be established in place of existing infant and junior schools, it should seek approval from the Secretary of State to establish a new community school in those cases where one or both schools are community schools and consultation indicated a clear desire to maintain community status.
- iii) Endorse the recommendation that the policies set out in Section 4 should inform the specifications for all new schools as follows ensuring their commitment to and capacity for the delivery of the 5 outcomes as set out in “Every Child Matters” national guidelines.

a) The number of places to be provided at the school

1. Primary schools should be established, where possible, as either 210 or 420 place schools.
2. The Council should continue to operate without a strict policy on size of secondary school in order to promote diversity and reflect local circumstances and opportunities.
3. Only in exceptional circumstances should the Council consider establishing a school smaller than 4 forms of entry (600 places) or larger than 11 forms of entry (the size of the former Queen’s School, Wisbech).
4. The impact of building work on school sites should be minimised by having no more than two building phases to take new schools to their planned operational capacity.
5. The Council should state its formal support for the establishment and development of school federations.

b) In respect of the age range including any proposed sixth form or early years provision agree that

1. Primary schools should be established to serve the 4-11 age range, with children being offered admission in the September term following their fourth birthday.
2. Secondary schools should be established to serve the 11-16 age range, unless the best option for securing additional post-16 capacity in response to demographic growth is identified as the provision of an 11-18 school.

3. Where 11-16 schools are established they should be designed in a way which provides sufficient flexibility to support the implementation and delivery of the 14-19 diplomas.
4. Where a new primary school was being established in a new community, consideration to establishing a maintained nursery class at the school should be given on a case-by-case basis to establishing a maintained nursery class at the school, taking account of the availability of early years provision in the local area.
5. Children's centres should be established in areas of growth to be integral to planned primary school provision

c) Mixed Sex Schools

to approve the adoption of a formal policy of establishing mixed sex schools, but to note that there is the potential for parental representations for single sex schools.

d) The proposed admission number

1. To be determined by the planned size of the school. New schools to operate within the Authority's established co-ordinated scheme for admissions and comply with the DCSF Codes of Practice on Admissions and Admission Appeals.
2. All new schools will need to adopt the Authority's Hard to Place Pupil Protocol once this has been approved.

e) The location including playing field provision and transport links

1. Where possible, schools should be sited as central to the communities they will serve as possible, unless location is dictated by physical constraints and/or the opportunity to reduce land take by providing playing fields within the green belt or green corridors.
2. Where possible, primary schools should be sited so that the maximum journey distance for a child is less than 2 miles, the statutory walking distance for children of this age.
3. Where possible, secondary schools should be sited so that the maximum journey distance for a young person is less than 3 miles, the statutory walking distance for children of this age.
4. Schools should be located close to public transport links, and be served by a good network of walking and cycling routes.

5. Where possible, MUGAs and AWP's should be provided in partnership with district councils to encourage wider community use of school facilities and reduce overall land take from development areas.
6. Schools should not be sited in areas where there is the potential risk of flooding.

f) The school opening date

1. New primary schools should be planned to open in time to ensure places are available to serve the first children to live in the new communities being created, thus avoiding the need for children to have to travel outside of their communities for their primary education.
2. New secondary schools should be planned to open when it is expected that there would be around 150 pupils, a sufficient cohort size to provide students with a range of curriculum subjects.

g) Any provision that will be reserved for pupils with special educational needs (SEN)

Reaffirm the commitment to the policy of inclusion of children and young people in their local mainstream school whenever this is in the interests of the child.

h) The area and community to be served by the school

That new schools should have a defined catchment area which is informed by existing schools' catchment boundaries and the Council's Sustainable Travel Strategy, which promotes walking and cycling to school.

i) the preferred specialism the school should have

That the Council's policy should be to name its preferred specialism taking account of existing local schools' specialisms, but to make clear to promoters that they will be able to put forward proposals for alternative specialisms.

j) The extended services or community use the Authority would like to see provided

- 1) to adopt a formal policy statement which makes clear that the County Council would wish to see as many services as possible provided from school sites.
- 2) As all schools are expected to provide the full core offer from 2010, all new schools will be expected to secure delivery of this target. In

addition, new schools will be expected to play an active part in their identified school cluster, to promote their role as a major provider of community facilities and to adopt Cambridgeshire's Culture strategy, (due for publication shortly).

k) Proposed arrangements for transport to the new school, sustainable transport, alternatives and how they will discourage car use

This would be a reaffirmation of the statements in e)

l) School Design

1. All schools should be designed and organised in a way, which reflected the principles set out in the Council's 'Vision for Education: Schools for the Future'. A particular emphasis should be on school design that:
 - Supported the delivery of "human scale education"
 - Enabled children and young people to be known and valued as individuals
 - Enabled the particular needs of learners to be met as effectively as possible
2. That the decision on whether fire sprinklers were included in the design of new schools would be taken on a case-by-case basis following a rigorous risk assessment.

410. CORPORATE PARENT PROJECT PLAN 2007

Cabinet received a report providing details of the Corporate Parent Strategy and which sought approval to the contents of the Corporate Parent Project Plan which being a very large document (43 pages) had only been made available in paper format to Cabinet Members as a separate appendix.

Cabinet Members raised the following issues/noted responses to questions as follows:

- Receiving confirmation that the performance target "increasing Children Looked After (CLA) participation in out of school activities" (item 19 page 34) which currently had no agreed % increase would be set as a stretch target as the aim was to achieve outstanding inspection results.
- Confirmation that existing projects were fully costed and therefore the risks set out under paragraph 3.2 of the report could be met. Any new development proposals would require formal funding bids.
- Questions were raised regarding what training proposals were being proposed for partner organisations in order to ensure objectives were achieved. In reply it was indicated that the Government White Paper proposals would make it a statutory responsibility for the principal partner agency the Primary Care Trust (PCT) to also have corporate parent responsibilities and they would be working closely with the

County Council. Partners training issues regarding the corporate parenting role were being addressed through the appropriate steering group.

- There was a general question with reference being made to missing information to pages 23 and 34 on when the appropriate start/ milestones would be inserted. The details on progress were orally reported and it was confirmed that the final document would include relevant milestones as appropriate work streams were developed. It was noted that 16 social work vacancies had been filled and officers expected that the Retention and Recruitment Strategy would fill other vacancies.
- Details were provided regarding discussions being undertaken with partners with regard to the exit strategy on the Empowering Young People Project to ensure valuable information was obtained on the positive choices/benefits made by the young people involved. There would be a need to ensure through benchmarking/best practice data that in future as part of the budget process higher quality more relevant services for young people in the County were provided that would also help reduce anti-social behaviour.

It was resolved:

To approve the Corporate Parent Project Plan and its implementation.

411. COUNTY COUNCIL RESPONSE TO THE MENTAL HEALTH TRUST CONSULTATION ON FUTURE PLAN: PROPOSED RESPONSE

Further to the previous declarations of interest from Councillors Johnstone and Lucas in respect of this report and their departure from the room during the subsequent consideration of this report, Councillor Pegram took over the chairmanship.

Cabinet received details of the proposed draft County Council response to the Mental Health Trust's Foundation Trust consultation regarding the Trust's future plans for services and its governance arrangements. An updated version of the proposed response was tabled at the meeting with additional comments following a subsequent meeting after the despatch of the original version included on the agenda between officers and the Cabinet Member for Children and Young People's Services and the Lead member for Enhanced Services.

In drawing attention to an error in the Mental Health Trust's original consultation document in respect of governor composition proposals, officers provided reassurance that the revision on which there would now be a further extended consultation period, had already been addressed in paragraph six of the County Council's recommended response.

Cabinet Members made the following comments/ noted the following responses to issues raised:

- In response to a question on whether enquiries were made with partners on whether their new policy proposals took into consideration climate change issues, officers reported that partners shared responsibilities to help counter climate change and address gaps had been discussed at appropriate Local Area

Agreement meetings and would be further addressed in a general statement of agreed principles and working practices.

- Assurances were provided that should the Mental Health Trust seek to renegotiate its contracts with the County Council as a result of a tightened financial regime, the County Council would be able to negotiate the level/standard of service it would wish to purchase.

It was resolved to:

- i) Agree the proposed response to the Mental Health Trust's consultation as set out in the revised version of the report tabled at the Cabinet meeting.
- ii) Delegate to the Director of People and Policy in consultation with the Cabinet Member for Children's and Young People's Services and the Lead Member for Enhanced Services responsibility to agree any final changes to the County Council response before its final submission.

412. POST COMPULSORY EDUCATION DISCRETIONARY AWARDS

Cabinet received a report explaining that in accordance with the Local Education Authority (Post Compulsory Education Awards) Regulations 1999 (S.I. 1999/229) local authorities were required to make an annual determination relating to Post Compulsory Education Discretionary Awards. This duty was regardless of whether a Local Authority had previously determined that it would not exercise its power to offer discretionary awards.

Cabinet noted that up until 1998 Cambridgeshire offered discretionary awards (as did many Local authority's) but that due to budget cuts at the time, an annual determination was made by the County Council not to offer any new discretionary awards. As few Local authorities (LA's) offered discretionary awards there appeared to be no compelling reasons to reintroduce them again, especially as the report set out the alternative sources of funding available to those areas where discretionary awards were previously offered.

It was resolved:

To agree to continue the County Council's existing policy of not exercising the power to make discretionary awards for post compulsory education.

413. PERFORMANCE MONITORING

Cabinet received the first of a new style performance monitoring report setting out details of the County Council's performance against the 2007/08 corporate scorecard for performance up to August 2007 providing a view from four perspectives: Outcomes and Quality, Organisational Health, Customer Focus and Learning and Growth.

The report focussed attention on exceptions (areas that required investigation with details of action being undertaken to ensure improvements were being made) and Cabinet's

attention was drawn to specific targeted priority indicators. (Cabinet Members had received colour copies of the report)

Members commented/noted replies provided as follows:

- Highlighting the continued concerns at the performance of trading services in respect of continued overspends in schools catering services and Cambridge Instrumental Music Agency (CIMA), although recognising that the former was a national problem, with the Cabinet member for Corporate Services due to undertake further discussions with officers on possible action to address the overspends.
- In respect of the current estimate for the number of working days/shifts lost to staff sickness absence (excluding school staff) while this was currently predicting at a cumulative total above the target of 7.4 days per annum (at 8.5 days per annum), the expectation was that over the course of the year the original target would be achieved and that identified rises would be managed robustly. The point was made that the County Council had an excellent staff sickness record and valued its staff and would wish to support, not penalise staff who became sick. Reference was made to the fact that the County Council had one of the best records in the country (in the top quartile performance band in 2006/07) with the performance also better than many private sector.
- Highlighting the issues around Best Value Performance indicator 54 “Older People aged 65 or over helped to live at home” where the County Council’s performance had been lower than other Councils, with a contributing factor being the different ways of recording activity and that the parameters used in the past had not captured all relevant activity for inclusion in the indicator. Revised targets had now been, set including appropriate information received from the Contact Centre. Cabinet was assured that in future, the County Council would aim to capture data consistent with that submitted by other County Councils to ensure Cambridgeshire also submitted like for like data with any anomalies being identified. One Member commented that this was a misleading performance indicator especially as the Government did not allow the inclusion of people receiving services from County Council grant aided voluntary organisations in the numbers recorded. The Member’s view was that a more realistic measure would be to record the health of a County Council’s elderly population.

It was resolved:

To note the current performance as set out in the report and the remedial action being taken to address areas of under-performance.

414. BUDGET MONITORING REPORT

Cabinet received a report outlining the 2007-08 financial position for revenue, capital and trading units as at the 31st July 2007 and which also reviewed the position on reserves, efficiency & the Invest to Transform Fund and the position on debt management and prompt payment.

The report highlighted the action being taken to address the forecast overspends detailed in the report, to ensure all Offices delivered a balanced financial position by year-end.

In respect of a recommendation regarding the technical change to the budget it was explained that when setting the budget for 2007-08, the following recommendations had been approved:

'2. That approval be given to a County Budget Requirement in respect of general expenses applicable to the whole County area of £291,894,188'.

'10. The only adjustment subsequently required was in relation to a net collection account surplus of £347,874 which was applied to the Uncertainty and Development Reserve'

The report explained that it had been intended that the collection fund would be transferred straight to the reserve, and not channelled through the authority's revenue account. On further reflection, officers advised that it would be better to show this in the revenue account, and include it as part of the Council's financing, and report it via budget monitoring.

One member requested to know whether in the purchase of goods and services Council officers took into account a company's environmental/climate change record/policies and whether pressure could be brought in ensuring that those companies the County Council did business with took into account the County Council's requirements to reduce carbon dioxide emissions in their manufacturing processes etc. The Cabinet Member for Corporate Services reminded Cabinet that in the current climate of severe budget constraints the primary objective was still to obtain the best value for money for County Council taxpayers and that such issues could not be addressed without short term/medium term budget implications. However it was recognised in the longer term there was a need in respect of all County Council procurement activities to make political choices to take into account environmental implications as well as monetary considerations, to ensure greener purchasing, including increasing local purchasing options.

It was resolved:

- i) To note the revenue expenditure of Services in 2007/08 as at the 31st July 2007 and in particular, the forecast overspends in the Office for Environment and Community Services (OECS), Office for Children and Young People's Services, (OCYPS) and Office for Corporate Services (OCS) (excluding debt & financing budgets) (section 3 of the report) and the actions intended to deliver balance.
- ii) To note the capital spending and financing in 2007/08 (section 4.1 – 4.3 of the report)
- iii) To note the trading units' performance in 2007/08 (section 3.9 – 3.11 of the report)
- iv) To note the performance on debt management (section 4.4 – 4.6) and prompt payment (section 4.7 – 4.8)

- v) To approve the proposed technical amendment to the Council's Budget as set out below:

Original	£291,894,188
Collection Fund Surplus	£347,874
Take from reserves to maintain Council Tax divisible by 9	-£10,814
Revised Budget	£292,231,248

415. DELEGATIONS FROM CABINET TO CABINET MEMBERS/OFFICERS

Cabinet received a report detailing the progress on delegations. In respect of item 2

“Horizons Quality of Life Strategies” it was clarified that the relevant Deputy Chief Executive was the Deputy Chief Executive for Environment and Community Services.

It was resolved:

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.

416. CABINET DRAFT AGENDA PLAN 16TH OCTOBER 2007

The Cabinet Agenda Plan was noted with the following changes:

Item 7 Environmental Standards in Schools Moved to November

Three new “other decision” reports would be required for the October meeting as follows:

Cambridgeshire Guided Busway: Histon Station Car Park
Adult Improvement Programme – Invest to Transform Bids
Learning Disability Day Service Review

A further key decision report to the October meeting would be a report on the Section 29 Committee Draft Terms of Reference.

Chairman
16th October 2007