

CABINET: MINUTES

Date: Tuesday 18th June 2013

Time: 10.00am – 12.25pm

Present: Chairman: Councillor M Curtis

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

15. MINUTES

In terms of accuracy Councillor Count requested a change to Minute 2 “Declarations of Interest” so that it was amended to read that he was a developer in Fenland who owned land in the area and not as the minute stated, as a member of Fenland District Council, which he was not. (His declaration had been in his view one that could be seen as a prejudicial interest by members of the public and as a result, he had removed himself from the meeting during the item in question as had been recorded in the minutes).

Subject to the above change, the minutes of the Cabinet meeting held on 28th May were agreed as a correct record and signed by the Chairman.

16. DECLARATIONS OF INTERESTS

None.

17. PETITIONS

It was noted that at the request of the petition organiser, the petition on “reversing bus cuts” had been deferred to the July Cabinet meeting.

18. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES:

None.

19. TREASURY MANAGEMENT OUTTURN REPORT

This report provided the fourth quarterly update on the Treasury Management Strategy 2012-13 for the period to 31st March 2013.

The main highlights for the quarter were:

1) That In house investment returns received on cash balances compared favourably to the benchmarks with a return of 0.88% being achieved compared to the 3 month London Interbank Bid Rate (LIBID) benchmark of 0.38% with the detail as set out in section 7.7 of the report.

2) A favourable outturn variance of £1.2m was reported against the Capital Financing and Interest budget for 2012-13, with the detail as set out in section 5.3 of the officer's report.

The Cabinet Portfolio holder for Resources and Performance in his introduction highlighted the table on page 5 in relation to the funding of the Capital programme, explaining that of the £528m capital investment to be financed by borrowing, £152m was borrowed from Cashflow, which was a prudent use of resources. He also highlighted paragraph 7.4 of the report reading "The Council has exposure to AAA rated Money Market funds as a way to diversify and manage investment risk whilst providing daily liquidity" explaining that this reflected the County Council's high standing in financial circles, as this type of lending was only accessible to those who were able to demonstrate effective financial management / prudent use of resources.

In relation to the section on the Economic Environment, the Leader updated the position regarding unemployment, stating that it had fallen by 5,000 up to June, which indicated a reverse to the position included in the report, which commented that the labour market's recent resilience was coming to an end.

It was resolved:

- a) to note the Treasury Management Report, Quarter Four, 2012-13; and
- b) To recommend it to full Council for final approval.

20. INTEGRATED RESOURCES AND PERFORMANCE REPORT FOR YEAR ENDING 31ST MARCH 2013

This report detailed the performance of the Council for the 2012/13 financial year and was the management report that preceded the production of the Council's formal Statement of Accounts.

The key exceptions included in the summary analysis were:

- Revenue Budget; the overall the outturn position was a -£5.7m underspend (-1.4%) for 2012/13 and was recognised by Cabinet as a tremendous achievement following the significant savings target the Council had faced in the financial year with section 3.2 of the report providing more details. Cabinet wished to place on record their thanks to the Chief Executive, Executive Directors and all staff who had helped achieved this.
- Of the 12 Key Performance Indicators within the Council's basket, 5 were on target at year end. In relation to some of those achieving a red indicator as a result of not achieving the target, some further explanation was provided in relation to:
 - 'The average number of days lost to sickness per full time equivalent staff member' which had a final total of 8.73 compared to a target of 7.8 and was showing a downward direction of travel. It was clarified that this had been a result of an increase in the fourth quarter and was fractionally higher than the national average.

- 'The ratio of desks to staff in corporate services' which was showing a year end red status, it was explained that while the ambitious target had not been achieved, page 20 of the report set out the reasons for this and actions taken that would result in the target being achieved by June.
- The indicator titled 'The proportion of people using social care services who had chosen how their support was provided' which had an achieved score of 67.8% compared to a nationally imposed target of 80%. It was explained that out of 13,600 service users, 3,400 were not suitable for self directed support. If they had been excluded it would have resulted in a 90% achievement measure. Cabinet members agreed that it was bizarre that the Council was being required to measure a proportion of the population for which a performance indicator was not appropriate.
- On the 'Key Milestones' section set out under paragraph 9.3 of the report, attention was drawn to the fact that the number of primary schools deemed to be underperforming had reduced significantly from 21 to 8, with staff continuing to work hard to improve this further.
- Capital Programme; 73 out of 195 current projects were on time and budget at year end. The majority of projects not to time and budget were as a result of expenditure rephasing, with a few being the result of changes to total budget, with section 10.2 of the report providing further details.
- Balance Sheet Health; end of year figure showed that net borrowing was less than originally planned. It was explained that the Council's cash flow profile varied considerably throughout the year as payrolls and payments to suppliers were made, and grants and income were received. Cabinet noted that there had been investments of £35.4m at the end of the year and that the budget had come in with an underspend of -£1.25m, with the detail as set out in section 11.2 of the report.
- Section 6 of the report on the review of other reserves in relation to 'Other Adjustment' balances highlighted that these would include -£4.9m written back to revenue, subject to agreeing the proposal to close the Corporate ITT Fund. It was explained that any future ITT bids could still be made via the Business Planning Process (BPP) or from the General Reserve if timing prevented the BPP being used. Cabinet was now formally asked to approve the closure of the ITT Fund as part of the exercise to consolidate corporate reserves.

Cabinet Members commenting on the report included:

- congratulating the hard work of staff involved:
 - In achieving the Adult Social Care underspend of £448k and requested that the Executive Director pass on the thanks of Cabinet.
 - In the 8% underspend to the Home to School Transport Mainstream underspend.
- Councillor Orgee highlighted that however prudent Management were in controlling budgets, some spend was often out of the control of the Council,

providing the example of the adverse weather conditions during the winter of 2012/13. These conditions had contributed in a Winter Maintenance overspend of £1m resulting from the additional gritting runs required to keep the County's roads open during the heavy snows. He however also highlighted that the County had received widespread favourable comments on the winter gritting service provided by the County Council from local radio including the comment made "that the County was getting it right" etc, especially when comparing the performance of Cambridgeshire with other neighbouring counties, who had not performed so well during the recent severe cold spell.

It was resolved:

- a) to note the revenue expenditure of Services in 2012/13, and in particular the delivery of a better than break-even position; and
- b) to approve the closure of the Corporate Invest to Transform (ITT) Fund.

21. LATE REPORTS

The chairman agreed to allow the following late reports not dispatched to Members five working days before the meeting under the chairman discretion under Section 100B (4) of the Local Government Act 1972 for the reasons set out below:

Draft Transport Strategy for Cambridge and South Cambridgeshire

Reasons for Urgency

The draft Transport Strategy needs to be considered and agreed by Cabinet in June to enable it to be consulted on at the same time as the Draft Local Plans for Cambridge & South Cambridgeshire. This Draft Strategy is important supporting evidence regarding how the local transport network will support committed and predicted levels of growth and as such needs to be available in support of the Draft local plans.

Reason for Lateness

The Draft Transport Strategy needed to incorporate additional modelling information and comments from partner organisations and accordingly had only just been finalised.

Energy - the Green Deal and Collective Energy Switching

Reasons for Urgency

Further work had been required to finalise the proposals with partners.

Reason for Lateness

The decision was needed to allow implementation of the proposal to be implemented from Autumn 2013.

With particular reference to the Transport Strategy, the chairman indicated that he considered that it was unacceptable that a report with such a large appendix should be produced so late in the day. He asked that the Chief Executive ensure that in future the number of late reports was reduced to a minimum, especially as the Administration wished to work more closely with opposition groups and that late reports with large appendices made early discussion impossible.

22. TRANSPORT STRATEGY FOR CAMBRIDGE AND SOUTH CAMBRIDGESHIRE DRAFT STRATEGY

Cabinet received details of the Draft Transport Strategy for Cambridge and South Cambridgeshire (TSCSC) which had been produced at the same time as the new Local Plans for Cambridge City and South Cambridgeshire to ensure integrated planning for sustainable growth and continued economic prosperity.

The TSCSC had two main roles:

- to provide a policy framework and programme of schemes for the area to help address current problems, and set out how the County Council intended to manage and develop the local transport network in support of committed and predicted levels of growth.
- to detail the transport infrastructure and services necessary to deliver growth.

Details were provided of the public consultation undertaken on issues and options in 2012 which had confirmed a broad consensus regarding the challenges the strategy needed to address. The consultation responses also demonstrated support for the long term vision and objectives for the strategy, as well as significant support for 'doing more' to improve accessibility. Following this initial consultation, much work has been undertaken with Members across the three authorities (County Council, Cambridge City Council and South Cambridgeshire District Council) working through the Joint Strategic Transport and Spatial Planning Member Group to progress the transport strategy alongside the development plans.

As part of the development of the transport strategy, land use and transport modelling had been undertaken with initial results demonstrating that significant growth in travel demand was expected, with traffic growth of up to 41% across the wider sub region, and slightly less at 39% for the Cambridge & South Cambridgeshire area to 2031. The draft strategy proposed, recognised that there was finite capacity on the transport network as a whole, and that significant increases in general vehicular traffic could not be accommodated, but that there was capacity to accommodate more trips and movement, by using the network differently to maximise its potential. This would involve more people needing to walk, cycle and use passenger transport for journeys with the aim of maintaining current or reducing the levels of car traffic into Cambridge to help minimise congestion meaning the modal share for car use would need to drop within the City to approximately 25% of total journeys.

To achieve this, the Draft Strategy proposed a range of measures including prioritisation within Cambridge and its fringes for bus services, pedestrians and cyclists as detailed in the report.

It was explained that In the medium to longer term, if traffic levels within the City were to be reduced, it was likely that further demand management measures would be needed including a comprehensive scheme to manage on-street parking across the city and in fringe areas along with access controls. The Strategy also proposed restrictions on through trips by car in the city, with additional capacity for orbital car movements around the city was likely to be required in the medium to longer term.

It was reported that 'The Joint Strategic Transport and Spatial Planning Group' had considered the proposed Draft Local Plans alongside the Draft Transport Strategy and while supportive of a more integrated approach to planning and transport, some members had queried the realism of delivering the strategy aims, in particular some of the more ambitious proposals, given the lack of funding currently available. Members were also keen to ensure honesty with local communities regarding the funding context and what was necessary and realistically deliverable and the need to establish priorities.

Officers confirmed that priorities would be established and that work was being undertaken in a holistic way working across the authorities to agree priorities for Community Infrastructure Levy funding and other sources. Also clarified was the importance of setting a long term vision and aspirations for the area and that without such plans, the step change necessary to sustain growth and quality of life might not be achieved:

While the current funding context was challenging and had implications for what could be delivered over time, it was highlighted that as set out in another report on the agenda, work was underway to help secure significant future investment through the potential for a City Deal. This it was explained could make an enormous difference by delivering additional funding for investment in infrastructure and other agreed priorities. If such a deal were secured, this could provide greater potential for delivering improvements early and potentially for larger interventions to be delivered in support of enhancing accessibility and supporting sustainable growth and continued economic prosperity.

Subject to Cabinet approval, it was proposed that the Draft Transport Strategy should be the subject of public consultation and following this the strategy would then be further refined, prior to final presentation to members for adoption.

Other Members who had requested to speak made points which included:

- Councillor Jenkins praised the proposed strategy as a good and exacting document but was disappointed that it was not strategic in its aspirations and did not contain clear objectives highlighting that paragraph 2.7 was more a statement of what was being undertaken.

He also highlighted that:

- there was no information data on congestion numbers, or commitment

carbon reduction and therefore in his view it represented an absence of hard commitment.

- As the document also did not quantify its cost, there would be a need to prioritise objectives as the list was currently too long to be realistically achievable.
 - in his opinion 'Cambridgeshire Future Transport (CFT)' had failed and should be dropped.
 - He also asked that the term "sustainable" should have a clear definition provided in the document in terms of what it meant in the context of the strategy.
 - The need to decide which should be the main local airport, Stansted or Luton, and to then work on appropriate improvement transport solutions.
 - From a local point of view he also wished to see reference made to the B1049 as an important route.
 - More detail was needed on how the hubs and interchanges would work as currently they were just referred to.
- Councillor Kavanagh spoke next, congratulating officers on what was a very bold and ambitious document. He hoped that the document would be one that would continue to be adjusted to take account of new factors, as his experience was that it was sometimes hard to revisit a document, once it had been agreed.
 - He suggested that one of the biggest challenges with a rising, aging population was the need to improve public transport, as they were the group most likely to be isolated and suggested public transport was currently in an abysmal state in Cambridge City.
 - He disagreed with the last Member's views on CFT as he supported it as a way to compensate against the monopolistic bus companies, whose only concerns were profit. He supported the proposed continued investment in bigger and better cycle routes.
 - He did however highlight local residents concerns regarding the 'Chisholm Trail' and how this might impact on green land, if it was proposed that a bus route would cut across Stourbridge Common / Ditton Fields. In response to this point officers confirmed that they were looking at all orbital movements around Cambridge, including links from Addenbrooke's to the Science Park and the demand for improved accessibility to main employment centres. This would be tested further at the consultation stage.
 - He supported proposed infrastructure in railway lines including the re-opening of the Soham Line and the Wisbech/ March Line and suggested this needed to be moved from the medium to the short term.
 - Councillor Hipkin spoke in relation to the Strategy's impact on the city, welcoming the emphasis on public transport / cycling and walking.

- He agreed that the strategy would only succeed when sufficient funding became available to be able to implement all the measures proposed.
- He welcomed the demand management approach and would wish to see more of it, including a city wide resident parking scheme. He made the point that the streets around where he lived had issues of parking from people coming into Cambridge from other parts of the County. They left their cars parked all day and then walked to their workplace. What he believed was required was a bold, imaginative scheme to deal with the current problems referred to.
- He welcomed the moves to revive the Wisbech station as part of the Wisbech to March Bramley Line and supported all proposals that would improve Fenland rail links.
- Councillor Orgee wished to highlight the importance of the Cambridge - Huntingdon transport corridor, especially when the Alconbury development commenced and made the point that there would be movements both ways both in and out of Cambridge that would need to be accommodated. Further to this he also highlighted that currently the diagram on page 4-28 of the Strategy had all the arrows focusing towards Cambridge. He hoped that the Strategy would be flexible when developing transport solutions.
 - He also made reference to the need to take account of the social changes which would be brought about by the roll-out of High Speed Broadband and the positive effect this could have in terms of many more people working from home and not having to travel so often to a fixed workplace.
 - Locally he highlighted the A10 Foxton level crossing over the Kings Cross main rail line as an area that suffered from severe bottleneck issues with Harston badly impacted by the A10. He suggested that there was a very good case for constructing a bypass around Harston to help relieve traffic congestion.
 - Further afield he also highlighted the importance of making representations in relation to transport initiatives outside of the County which had important implications including the Felixstowe to Nuneaton west coast rail proposals and rail developments concerning Ipswich and Harwich.
- Attention was drawn to comments received from Councillor van de Ven, which had been circulated to Cabinet members a few days before the meeting, with hard copies also made available for other members / the public at the meeting.
 - Her opening comments supporting "...this ambitious and comprehensive transport strategy for the city and surrounding rural district which looks to supporting modal shift away from car travel." were read out and welcomed by Cabinet.
 - Also noted were her comments on "the worthy goals of the Cambridgeshire Future Transport (CFT)" while then also going on to suggest that there was a need to consider a dedicated CFT team to provide capacity support for improving the effectiveness of the initiative, including helping progress work

undertaken by South Cambridgeshire District Council on Demand Responsive Models. She also highlighted that while the Guided Busway had done better than predicted in terms of passenger numbers, she believed peak time capacity issues would be more effectively tackled through rail rather than the Guided Bus. She also posed questions on whether immediately south of Cambridge, the officers needed to consider a new Guided Bus line to Hauxton, or the re-opening of Harston Station.

- Councillor Shutter in supporting what he believed was a very ably presented strategy required it to be more ambitious in terms of aligning it with Business / school transport requirements, highlighting that with news of more big employers moving to Cambridge this would create its own pressures that needed managing by the Council working along side businesses. He suggested the need to invest in technology as a lot could be achieved by the use of applications to warn people when there were congestion issues, help with suggested routes etc.
- Councillor Count made the point that Cambridgeshire was fortunate that its boundaries were close to both airports referred to earlier in the discussion and agreed that the Council may want to look at opening a two way dialogue in terms of which the County wished to influence. On prioritisation, he made the point that there would; be a need for flexibility as the money came in and agreed that as technologies advanced in future years the strategy needed to be able to respond to change to make the best use of further technological innovations that might appear at some later point.
- Councillor Yeulett supported the Wisbech rail link and all proposals to help reduce the isolation in the north of the county.
- The Leader of the Council made reference to an article in the Cambridge News on the feasibility of a metro for Cambridge City and indicated that this could not be ignored and reference needed to be made in the consultation document to seek views.
 - He confirmed that the County would wish to support large scale infrastructure scheme proposals including the A14 Upgrade and investigating the potential for re-opening the Wisbech Line etc. to ensure that infrastructure benefits helped the whole of the County and recognised the need to address the current isolation of the north of the county.
 - He also expressed his concerns regarding public transport in Cambridgeshire with the money available nationally a shrinking pot and the monopolistic tendencies of the major bus companies and stated that he wished to seek greater clarity regarding the objectives of CFT and to work closely with other political parties and particularly with Cllr van de Ven on how CFT could be made to work better. The Deputy Leader would be progressing this.

He asked that officers ensure that the points raised at the meeting were included in the consultation document.

- Councillor Bates made reference to a meeting of the London Stansted Cambridge corridor the previous week looking at some of the issues already raised, including rail connections and widening the M11.

Councillor McGuire in summing up acknowledged the points being made, while also pointing out there were a number of transport corridors in the strategy with a number of other districts involved and their views were just as important as those expressed by Members championing local initiatives. He thanked Councillors Kavanagh and Hipkin for their positive comments while rejecting Councillor Jenkins view on CFT as there was a need for partnership working in finding alternative transport provision. He welcomed the strategy and hoped that Central Government would be able to provide the necessary infrastructure, but was under no illusions on how difficult it would be to secure sufficient funding in the current economic climate.

It was resolved:

- a) To approve the Draft Transport Strategy for Cambridge & South Cambridgeshire for public consultation as set out as Appendix 1 to the report to commence on 19th July and ending on 30th September.
- b) To delegate to the Cabinet Member for Growth and Planning in consultation with the Executive Director, Economy, Transport & Environment authority to make amendments to the Draft ahead of issuing it for public consultation on 19th July 2013.

23. SPECIAL EDUCATIONAL NEEDS (SEN) SPECIAL PLACEMENT COMMISSIONING STRATEGY

Cabinet considered a report setting out the expectations of the demand for specialist provision to meet complex educational needs over the next 10 years as a result in the growth in the numbers of children and young people with SEN. From this the report recommended the need for an increased capacity in the number of County special schools to meet this growing need.

It was highlighted that currently in Cambridgeshire there were approximately 3000 children aged 5 -16 years in with Statements of Special Educational Need (Statement), and approximately 800 young people over 16 years of age in Further Education (FE) who had a Learning Disability Assessment (LDA). Over two thirds of children and young people in Cambridgeshire with Statements had their needs met in a mainstream school, but approximately 30% of children and young people with Statements with specialist needs attended a special school.

The evidence showed nationally that the number of families with a disabled child had continued to rise, which was mirrored in Cambridgeshire as detailed in the report which showed an increase in both numbers of children with special educational need and the levels of complexity. The 2011 Census data had clearly identified Cambridgeshire as the fastest growing population in the country and a proportion of this growth would inevitably be SEN children. In addition, Cambridgeshire currently had more SEN children then the national average, with the County already experiencing huge pressure for places in special schools.

The report detailed the number of possible reasons for the increase nationally in the numbers of families with a disabled child. It was explained that currently Cambridgeshire had six Area Special Schools which catered for a range of complex and severe learning needs and serve a local catchment area. In total, there were currently 713 children in these schools. The report provided data on the expected growth in the County Population and the modelling used to estimate the number of special school places that would be needed.

On the basis of the analysis provided and the rationale presented, officers had estimated the need for the creation of three additional area special schools co-located with mainstream schools where-ever possible, in order to provide flexibility, promote inclusion and reduce costs by sharing facilities e.g. sports, dining etc. The proposals were for:

- The first school to be established by 2016 with 100 places which was already reflected in the current capital programme (although the costs would need to be amended to take account of the fact that the school was no longer residential).
- The second school to be established by 2018/19 providing a further 100 places.
- The third, if still required i.e. following ongoing analysis of data and if as estimated the numbers continued to rise, would be established by 2022 providing a further 100 places.

The preferred locations for two of the new schools were Northstowe and Littleport. The third site was expected to be within the Huntingdon area for the reasons set out in the report, with a map tabled at the meeting (referred to in the report but missed off in error) illustrating the mapping of children attending special schools. This illustrated that due to the distances some children currently had to travel to access an available special school place, there was a need to plan for a new school in both the East Cambridgeshire and Fenland area.

To support forward planning for new special schools it had been agreed that the Council would establish a similar formula to the one currently used for forecasting the total child population from new housing developments and apply this to special school numbers as detailed in the report.

It was reported that commissioning discussions were to take place with the Education Funding Agency to establish how the High Needs Block would meet the costs of any new places in new special schools. The revenue implications of up-front funding for new schools was an issue which was already subject to discussion with the Department for Education, as currently it was a pressure on the Dedicated Schools Grant.

The capital cost of three new area special schools was estimated at being in the region of approximately £39 million plus the cost of land. The first school was already included with the Council's Capital Plan, while the remaining two were to be included in the 2014/15 Plan, subject to affordability. It was highlighted that the provision of the places these schools would provide would be at a considerably lower cost than if the children were to be placed in independent special schools.

Officers were looking to part fund the latter two schools using Section 106 contributions. However, if all the funding was to come from prudential borrowing, the cost to the Local Authority would be approximately £1.4m per annum per school.

Cabinet also noted:

- the need to consider the cost of providing the additional number of school places. Work was continuing to develop this support in the business planning approach for April 2014 onwards, as detailed in the report.
- That due to the rise in the numbers of children requiring special school places and the need for an intermediate response to alleviate the pressure until new schools were established, officers were proposing investing in providing additional facilities within existing area special schools across Cambridgeshire with specific recommendations to be brought forward as part of the development of the 2014/15 capital plan.

It was confirmed that the children and Young People Overview and Scrutiny Committee had received the report before the May local elections and it had received cross party support.

Councillors who had requested to speak made the following points:

- Councillor Downes supported the recommendations as set out in the report. In highlighting the information set out in paragraph 2.4.2 he also emphasised the importance of co-location as being a benefit to pupils from both schools, as it enabled special schools to access the facilities of the local school and enabled able bodied pupils to see and have a better understanding of the issues and requirements of special needs pupils.

Referring back to the report and specifically paragraph 2.12 on the possible reasons for the increase in the number of disabled children, in terms of health and well being, he stated that more needed to be done in consultation with health colleagues to warn potential parents of lifestyle dangers. It was brutally clear that parents who smoked, overindulged in alcohol, took drugs or were obese increased the chances of having children with health related conditions. He indicated that this was then a wider issue for society in terms of increased cost, as well as the issue for parents that their actions could decrease their own child's future life chances. He also highlighted a research link to parents conceiving in the two months after Christmas having improved education standards then those children conceived in the two months before Christmas.

- Councillor Kavanagh speaking on behalf of Councillor Onasanya (who had been unable to attend) raised the issue of a recent statement from the Secretary of State regarding the employment of unqualified teachers, making the point that in SEN schools / SEN related education provision, it was hugely important to have skilled staff and was glad that such staff were within the control of the County Council.
- Councillor McGuire declared a personal interest as his grand-daughter attended Spring Common Special Needs School. While supporting the need for Special

Needs Plans, he queried what other authorities were doing in relation to providing SEN provision and questioned whether more partnership work should be undertaken with other authorities, so that pupils went to the nearest school to their home address which provided the necessary specialist provision. He considered that this should be regardless of whether the school was in or out of county, in order to minimise the travel that the child had to undertake. He suggested that what was required was a national strategy to facilitate this.

- Councillor Bates suggested the report should be sent to all the district councils' planning departments so that the need for section 106 monies / CIL monies was clearly highlighted.
- In supporting co-location on the basis that children from both schools benefitted from it, Councillor Orgee pointed out that the previous Government had put pressure on local authorities to close down special schools and the current report clearly showed the benefits of resisting such a move, as there were some children with specific needs for whom the best provision was still within a special school.
- Councillor Count supported the proposals on the basis that while wherever possible SEN provision should be within mainstream schools and that this could be a difficult balancing act, there was also a need to facilitate choice and at the moment it was not sufficient.

He made reference to the detail in paragraph 2.4.7 of the report and the statement that using the calculation set out in the report would yield 1% of the pupils in the County requiring a special school place and that given the low numbers involved, it would only be practical to apply the formula in section 106 negotiations to large developments of approximately a 1000 units. As a result, it further stated that to ensure there was not a shortfall on the necessary resources required, it would be necessary to also use the same formula in Community Infrastructure Levy (CIL) negotiations, which he suggested would have to be carefully monitored to ensure there was no slippage, in order to secure the necessary contributions.

It was resolved:

- a) to note the analysis which suggests that both numbers and complexity of SEN need is rising in Cambridgeshire and that further work was required to explore underlying drivers of this rise, what services would be needed to support children and how they could be commissioned across partners;
- b) to note and agree on the need for three more special schools in Cambridgeshire, with one school already within the current capital plan for 2016/17 and for two more schools to be added, subject to affordability, to future capital plans for projected opening in 2018 and 2022;
- c) to support intermediate plans to develop further provision within the existing special schools, subject to detailed discussions about cost, affordability and location; and

- d) to note the need to understand the development of the single plan and the implications of additional numbers of early years, post 16 and a wider group of children with additional needs being subject to the Education, Health and Social Care plan.

24. NEGOTIATIONS ON THE CITY DEAL FOR GREATER CAMBRIDGE

Cabinet received a report updating it on progress since the report presented to the 18th December 2012 Cabinet meeting on negotiations for a city deal. It was explained that local partners were looking for an agreement between Government and the Greater Cambridge area to devolve greater powers and funding, to promote sustainable economic growth through keeping a share of taxes raised by the Exchequer and using this to help fund transport and other infrastructure to support housing and economic growth.

It was reported that an Expression of Interest was submitted to Government in January 2013 by the five core partners promoting the City Deal (Cambridgeshire County Council, Cambridge City Council, South Cambridgeshire District Council, the Local Enterprise Partnership and the University of Cambridge). As a result, Greater Cambridge was then invited to progress to the next stage, as one of the first groups of the Wave 2 Cities. The Expression of Interest made the case for the need for significant additional investment in infrastructure in the Greater Cambridge area to unlock suppressed demand, retain the quality of life that makes it an attractive place for businesses and high-skilled individuals to locate, and to deliver its full economic growth potential. It also set out that growth in Greater Cambridge was largely net growth to the UK as a whole, as Cambridge competed on the world stage with cities such as Boston and San Francisco rather than other UK cities.

Details were provided of the substantial research undertaken over recent years to identify the barriers to growth in Greater Cambridge. The research concluded that there was a significant existing infrastructure gap, and that the rate of growth over recent years had seen increasing problems in relation to congestion, limited public transport provision and poor connectivity between housing areas, businesses and the city centre. This was constraining business growth and productivity.

Also highlighted were the problems associated with Housing affordability and that existing local government funding sources, including Community Infrastructure levy (CIL) / Section 106, business rates etc were insufficient to meet all the infrastructure needs identified. Following on from the positive reaction to the Expression of Interest, the joint team working on the City Deal had developed the proposition in readiness for negotiations with Government over the summer with the details /key events as detailed in the officer report was based on a series of “offers” and “asks”.

The timeframe was set out as follows:

| DATE | ACTION |
|----------|---|
| Mid June | Meeting with Greg Clark, Cities Minister, to discuss City Deal proposal |
| 4 July | Cross-departmental Ministerial Meeting – presentation to Ministers |

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|---------------------------|--|
| | and negotiation around proposal details |
| July- November 2013 | Agreeing and signing off implementation plans. |

Paragraph 4.7 of the report set out the detail of the package of transport schemes being developed to achieve the objectives based around four broad categories namely: 1) Facilitating major new developments, 2) Facilitating key labour markets, 3) Enhancing capacity in and around Cambridge and 4) enhancing orbital capacity. The focus would be on early delivery, particularly in the first 10 years to accelerate growth.

For Cambridgeshire County Council the “offer” was likely to involve pooling a proportion of revenue streams currently held, as detailed in the report. The precise form of the governance arrangement (outlined at paragraph 4.4 of the report) was yet to be determined, but officers were exploring with Government whether a variant on the “Combined Authority” model might be the most appropriate approach. Pending the outcome of the negotiations with Government, any emerging deal would be brought back to full Council for a decision before an implementation plan was agreed with Government and was anticipated to over the coming Summer/Autumn. .

Other Members commented as follows:

- Councillor Leeke welcomed and supported the concept of the City Deal.
 - He indicated that in governance terms there was a need to ensure broader accountability in terms of the membership drawn from the three authorities. Councillor Curtis agreed to talk to him following the meeting in relation to this.
 - He also wished to clarify local views regarding the Waterbeach development and the way that it was implied that it had already been agreed by the district council. He explained that while local residents supported proposed development up to 2031, it was contentious to imply any support for greater development which would create what would be a new town.
- Councillor Jenkins in supporting the proposals for the City Deal which he praised as being great work and which he was glad to be part of, expressed concerns regarding:
 - the possible loss of businesses as described in paragraph 4.2 of the report unless measures were taken to make improvements to infrastructure.
 - The brand image of Cambridgeshire from the perception of people arriving at Stansted Airport which he did not believe was a positive one.
 - That the report had a major focus on transport infrastructure when other infrastructure was also needed.
 - The need for caution in relation to governance arrangements.

Attention was drawn to comments provided by Councillor Reynolds who supported the scheme.

The Leader summed up by saying that along with the A14, the City Deal was the most important scheme the Council was currently involved in, as if the money was made available, it could make a massive difference and would help finance better links around the Greater Cambridge area, which would also help to improve connections for example to the north of the County, which would give many more people access to affordable housing.

It was resolved:

- a) to note the outline of the City Deal and approve this as a basis for continuing negotiations with local partners and with Government; and
- (b) to delegate to the Executive Director, Economy, Transport and Environment, in consultation with the Leader of the Council the authority to continue work on the City Deal with the Government and local partners and to enter into negotiations with Government towards devising a deal; bringing any final City Deal to full Council for approval.

25. ENERGY - THE GREEN DEAL AND COLLECTIVE ENERGY SWITCHING

This report sought to determine the Council's role in delivering better energy efficiency in Cambridgeshire through improving its own buildings and through 'Collective Energy Switching' schemes to save residents money.

It was explained that 'The Green Deal', the Government's flagship energy policy was based on the principle that investment in energy efficiency and energy generation could pay for itself through the resulting savings on fuel bills. The intention was to work with a householder requesting a *Green Deal Assessment* and identify a range of energy efficiency and generation measures (such as a new boiler, heat pump, insulation or windows) which would then generate enough savings and subsidies to pay back the cost of a loan. The other option to fund improvements would be through a 'Green Deal Finance' with the various details of how the loans could be financed, as detailed in the report.

It was explained that in addition to the Green Deal, under the Energy Company Obligation (ECO), utility companies had a duty to deliver energy efficiency measures to vulnerable households, including residents claiming certain benefits and pension-age customers and that the Government believed that local authority involvement was key to realising Green Deal benefits for local communities by choosing to deliver the Green Deal, either directly themselves or in partnership with commercial partners and local organisations. Details were provided of the total investment potential for energy efficiency using the Green Deal market framework which in Cambridgeshire was worth £830m, based on the estimate of the number of properties that could benefit.

It was explained that Cambridgeshire Local Authorities, together with the company Sustainability East, had appointed consultants to identify how to capture and maximise the benefits of the Green Deal. They had reported back recommending that the Local Authorities should partner with a Green Deal provider and develop a long term relationship via a procurement process to secure the investment in

residential buildings. (A Green Deal provider being an organisation that was authorised by Government to provide finance under the Green Deal to residents, following the completion of a Green Deal Assessment)

It was highlighted that Cambridgeshire District Authorities were keen for the County Council due to its excellent track record on procurement to lead the procurement exercise and provide legal support for the procurement which was expected to cost less than £15,000 with the breakdown of the costs as set out in the report. The Cabinet Member for Resources and Performance made the point that this would require a balanced approach to ensure that the Council did not get caught taking the lowest price, if this was not the best value overall deal and that it would need to continue to be monitored to ensure it was still achieving best value. Another Member made the point that most gas and electricity suppliers now also offered other services such as phones etc which could be taken advantage of, to make further savings.

It was explained that Collective Switching was the term used to describe a scheme which allowed local residents to combine with others and thereby use their collective buying power, supported by a third party, to save money on their gas and electricity bills by negotiating with the energy suppliers to secure reduced energy costs. Many Councils across the country had entered into such agreements and negotiated cheaper energy deals for residents through 'energy auctions' as described in the report, which often had the effect of saving residents £200-£300 per annum on their energy bills. The two main options for setting up a collective switching mechanism for residents was either an in-house solution, or by outsourcing the work to a third party provider. The report set out the benefits and disadvantages of each, which for the reasons given, recommended that an outsourcing arrangement with a third party was pursued.

Members commented as follows:

- Councillor Jenkins pointed out that Shire Hall was a very energy inefficient building and therefore consideration needed to be made to moving to a more energy efficient building or undertaking further energy saving measures. In response to this point the Cabinet Member made the point that all reasonable energy saving measures had been undertaken and a relevant certificate obtained which would last a number of years. It would be too expensive to undertake further measures up and above those required to meet the current certification standard.
- Councillor Jenkins was also concerned that the report was low on numbers in terms of the return on the investment being made. He suggested that energy switching would be an area that Adult Social Care should be involved in, in terms of potential savings for third sector providers.
- Councillor Brown supported the proposals while highlighting whether there was opportunities to involve the SmartLIFE low carbon centre and Agritech.
- The Leader made the point that it was important that elderly / vulnerable people, who were often the most needy in terms of energy usage required to have their attention drawn to the opportunities offered through appropriate signposting by organisations such as Age UK, care networks, care workers etc.

It was resolved to agree:

- a) to the procurement of a Green Deal Provider for Cambridgeshire;
- b) to the procurement of a company to run a collective energy switching scheme for Cambridgeshire residents; and
- c) to approve a delegation for finalising and signing the above contracts to the Cabinet Member for Enterprise and Skills, and the Executive Director for Economy, Transport and Environment.

26. CHANGES TO COUNCIL'S POLICY FOR THE REGULATION OF INVESTIGATORY POWERS (RIPA)

Cabinet was reminded that at its meeting on 17th September 2012, it approved a number of updates to the Council's RIPA policy and also recommended that additional steps should be taken to the approved policy for the use of the Regulation of Investigatory Powers Act 2000 ("RIPA"), to achieve greater transparency and accountability for authorisations made. The current report detailed the action proposed in relation to the three main recommendations (shown as italics below) as follows:

- (a) *that the portfolio holder for enterprise and skills should receive an annual report on the number of authorisations made and their circumstances.* In respect of this it was explained that the Code of Practices issued by the Office of the Surveillance Commissioner recommended that an annual review of the RIPA policy was undertaken by Members and therefore it was proposed that this annual report should additionally be made to Cabinet to highlight any changes to the RIPA policy and to provide a summary of authorisations made and their circumstances. The proposed amendment to the policy to reflect this was shown as a tracked change to the policy annexed at appendix 1 to the report. In introducing the report Councillor Shuter, while indicating that he was not aware of any critical / sensitive authorisations made, believed it was appropriate for the report to come forward to the September Cabinet meeting.
- (b) *the publication of information relating to RIPA authorisations on the Council's website subject to ensuring compliance with data protection requirements.* In response it was recommended that an adapted form of register of RIPA authorisations granted from April 2010 (included at appendix 2 to the report) should be adopted to provide a summary of the Council's RIPA central record of authorisations which should be published on the Council website.
- (c) *that the LGSS Director of Legal services clarify whether the RIPA policy could be legally changed so future updates to the list of authorising officers were by job title rather than named officer.* The current report explained that the monitoring officer now advised that it was acceptable to identify authorising officers by job title rather than by name, but for clarity it would be helpful to provide names. In order that changes could be made to the list of Authorising Officers swiftly in the future, it was recommended that the Council's Monitoring Officer should be

granted delegated authority to review the list of Authorising Officers from time to time and to amend that list to take account of changes in personnel and any other requirements of legislation or of the operational needs of the Council. Following further personnel changes, a new list of Authorising Officers was included in the policy for approval, with assurance provided that the individuals selected had an appropriate level of seniority and the requisite operational skills and/or a legal or audit background and the required training to ensure that authorisations would be made in strict compliance with the Act and regulations.

The report also detailed minor amendments required to be made to the RIPA policy following a recent Office of Surveillance Commissioner's inspection. These were shown as track changes in the policy attached as an appendix to the report, which were also recommended for approval. In addition, to ensure that the RIPA policy remained up to date, Cabinet was also recommended to delegate authority to the Council's Monitoring Officer to make such amendments to the RIPA policy from time to time as required by legislative changes or to give effect to the recommendations made by the Office of the Surveillance Commissioner. This was on the basis that Cabinet would be provided with the opportunity to review any changes made, as part of the annual review of the policy.

Councillor Scutt who had requested to speak supported the changes proposed. She supported elected councillors having an oversight of what decisions were being taken under the legislation provisions and also supported the names of officers being published, as she believed it was appropriate for the public to know who was actually making the decisions. She also requested that the information should be easily accessible on the Council's website, as this also a good test of accessibility for those with disabilities.

It was resolved:

- a) to approve the changes to the RIPA Policy annexed to this report
- (b) to approve the form of the RIPA register to be made available to the public as annexed to the report at appendix 2;
- (c) to delegate to the Monitoring Officer the ability to make changes to the individuals named and appointed as authorising officers in the RIPA policy document as appropriate, to take account of changes in personnel and any other requirements of legislation or of the operational needs of the Council.; and
- (d) To delegate to the Monitoring Officer the ability to make changes to the RIPA Policy as appropriate to reflect changes in legislation or recommendations of the Office of the Surveillance Commissioner.
- (e) In relation to the new requirement agreed as part of a) above, which included approving that an annual report is presented to Cabinet to highlight any changes to the RIPA Policy and to provide a summary of authorisations made and their circumstances, it was agreed that the report should come back to the September Cabinet meeting

27. DELEGATIONS FROM CABINET TO CABINET MEMBERS AND / OR OFFICERS

Cabinet received a report providing updates on delegations agreed and actions taken since the last update report in December.

It was resolved;

To note the progress on delegations to individual Cabinet Members and / or to officers.

28. DRAFT CABINET AGENDA 8th JULY 2013

Members noted the draft agenda for the Cabinet meeting to be held on 8th July orally updated at the meeting with the following changes since the publication of the current agenda:

Item 5 major Priority Schemes – Moved to September meeting

Item 6 Traffic Signal Junction Box Switch Off Trial Criteria - moved to 29th October meeting

Item taken off agenda:

Item 7 SmartLIFE Business Proposal

Items added:

1) Winterbourne Review Response

2) Transfer of Highways Contract

29. EXCLUSION OF PRESS AND PUBLIC

It was resolved that:

The press and public be excluded from the meeting during the consideration of the following report on the grounds that it was likely to involve the disclosure of exempt information under paragraph 3 and 5 of Part 1 Schedule 12A of the Local Government Act 1972 and that it would not be in the public interest for the information to be disclosed (information relating to the financial or business affairs of any particular person (including the authority holding the information) and information in respect of which claim to legal professional privilege could be maintained in legal proceedings).

30. CAMBRIDGESHIRE GUIDED BUSWAY MEDIATION DELEGATION ARRANGEMENTS

Cabinet received a late, tabled report in relation to the mediation with BAM Nuttall regarding the construction of the Cambridgeshire Guided Busway that had only taken place on 11th, 12th and 13th June. The Leader of the Council agreed to take the report as part of his chairman discretion powers set out under Section 100B (4) of the Local Government Act 1972.

Following discussions on the issues set out in the confidential report and having received clarification on questions raised by Members:

It was resolved:

To note the updated position on the mediation and approve the recommendations set out in the confidential report with slight amendments.

Chairman
18th June 2013