

## **CABINET: MINUTES**

**Date:** Tuesday 5<sup>th</sup> March 2013

**Time:** 10.00am – 1.00pm

**Present:** Chairman: Councillor N Clarke

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

### **736. MINUTES**

The minutes of the Cabinet meetings held on 29<sup>th</sup> January and 4<sup>th</sup> February 2013 were agreed as a correct record and signed by the Chairman.

### **737. DECLARATIONS OF INTERESTS**

The following Member declared a non statutory disclosable interest in line with paragraph 10.1 of the Members Code of Conduct:

Councillor Orgee in item 751 “Proposed response to Cambridge City Council Local Plan and South Cambridgeshire District Council Local Plan Issues and Option 2 consultation (January 2013)” as a Member of South Cambridgeshire District Council.

### **738. PETITIONS**

There were no petitions.

### **739. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES: RESOURCES AND PERFORMANCE OVERVIEW AND SCRUTINY COMMITTEE – THE COUNCIL’S USE OF CONSULTANTS AND INTERIM WORKERS – MEMBER LED REVIEW**

Councillor Fred Brown, Chairman of the Resources & Performance Overview & Scrutiny Committee, presented a report on the finding and recommendations from a Member Review regarding the Council’s engagement of consultants and interim managers.

In outlining the findings of the report, he explained that one of the Committee’s main concerns had been the difficulties faced by the Senior Scrutiny Officer when collating information on consultants and interims across the Council. There were particular issues regarding the lack of a definition of “consultant” and various budget heads that consultants and interim managers could be paid under. Recent National Audit Office guidance on the use of consultants recommended closer working between Human Resources (HR) functions and procurement. There was also confusion

caused by using the term 'consultant' e.g. for services provided under the Highways Contract with Atkins. The Leader commented that he and the Deputy Leader had also looked at this particular issue, and whilst the Highways Contractor Atkins was the County Council's "highways consultants", this was not a consultant in the sense of this report.

The Leader acknowledged the point about recording and categorising consultants and interim managers, and that this information should be easily accessible. He asked if the Committee had any overall concerns about the use of consultants. The Chairman advised that the Committee acknowledged that there were many instances where consultants were used legitimately, but urged greater care should be taken when using consultants on a longer term basis.

Councillor Tierney welcomed the report for the wealth of useful information it contained. He asked Councillor Brown to elaborate on the issues relating to Freedom of Information (FOI) requests. Councillor Brown advised that when the Member Led Review team was trying to gather information for this Review, a problem was that many services were responding to FOI requests (he stressed that a FOI request was not used to obtain any of this information). It was noted 59 FOI had been received across the Council in one week, and the volume of these requests resulted in significant costs to the authority.

Councillor Count, Cabinet Member for Resources and Performance, presented the Cabinet response to the Review. He thanked the Member Led Review team for their valuable work on this subject and advised that most of the recommendations would be fully accepted, particularly the points around recording information, and clarity in defining 'consultants' and 'interims'. He added that many of the recommendations were already being implemented. Additionally, expenditure on consultants had already reduced, and he reassured the Committee that he would continue to monitor this issue closely.

In response to a Member query, Councillor Count expanded on point 2.12 of the report: *"The Consultancy Justification form should also apply to interim engagements"*, which was partially accepted. He explained that currently, Directors had to seek approval from the relevant Cabinet Member when appointing to permanent management roles. This practice would now also apply to the recruitment of consultants and interims, and this action had already been implemented. It was agreed that the accompanying statement would be amended to read *"a written record of decisions taken will be noted by the Director approving engagements, involving the portfolio holder as appropriate"*.

The Leader thanked Councillors Brown and Smith for their hard work on this valuable Review. He stressed that the Council kept the use of all types of temporary staff to a minimum, and added that the information in the report was historical, and fewer consultants were currently being employed by the Council.

It was resolved to:

- (1) note the recommendations from the Resources & Performance Overview & Scrutiny Committee;

- (2) approve the responses as set out in section 2.0 of the Cabinet response, without amendment.

#### **740. CAMBRIDGESHIRE LOCAL FLOOD RISK MANAGEMENT STRATEGY**

Cabinet considered a report on the proposed framework for managing flood risk within the county. The Local Flood Risk Management Strategy had been produced in response to the Flood and Water Management Act (FWMA) 2010, which required the County Council as a Lead Local Flood Authority (LLFA) to produce this document in line with the National Flood Risk Management Strategy. It was noted Cambridgeshire was very much “ahead of the game”, as it was first authority to develop such a strategy.

Councillor Bates, Cabinet Member for Growth and Planning outlined the main objectives of the Flood Risk Management Strategy:

- Understanding Flood Risk in Cambridgeshire;
- Managing the likelihood and impacts of flooding;
- Helping the county’s citizens to manage their own risk;
- Ensuring appropriate development in the county;
- Improving flood prediction, warning and post flood recovery.

The Strategy also covered the Department for Farming and Rural Affairs (Defra) funding formula for flood risk management activities and provided information on how the Grant in Aid scheme was administered.

In relation to funding, it was noted that the new funding system administered by Defra was outcome based. Cambridgeshire took a proactive, partnership approach to funding work to reduce flood risk, and always looked to reduce costs and resources required for flood management through working in partnership.

Some Members expressed concern about appropriate development in the county, noting that historically there had been cases in the county where adoptable highways had not been completed in a timely way, drains had been inadequate, etc. It was suggested that a stronger incentive was needed to compel developers to provide adequate highways and drains on developments within reasonable timescales. On a related issue, it was suggested that this point needed to be reinforced in the Council’s responses to Local Plan consultations by other authorities in the county.

A Member commented that the Council needed to work closely with insurance companies, providing information when requested. There was currently an agreement which allowed insurers to insure flood risk properties, but this agreement ran out in June, and there could well be significant number of households in the county who could not insure their properties. Officers reassured Members that they were alert to these issues.

A Member referred to local experience of the benefits of the County Council now being the lead local flood authority, which avoided some of the previous “buck passing” issues. He felt that the proposed policy encapsulated the importance of

working with partners and ensuring that funding was available in the right places at the right times.

Another Member commented that flooding was such a big issue for Cambridgeshire, and caused so much damage and distress. He stressed the importance of communications, as often members of the public were confused e.g. where to get sandbags – Local Members were often inundated with requests when there were flood events.

In response to a question on the short timescale covered by the report (2013-2015), officers explained that it was very much an evolving document, so they were keen to have an early opportunity to review the content, and make sure it was on track.

It was resolved to:

1. endorse Cambridgeshire's Local Flood Risk Management Strategy;
2. delegate to the Cabinet Member for Growth and Planning in consultation with the Executive Director - Economy, Transport and Environment, the authority to make revisions to reflect issues raised in the Cabinet debate;
3. request Full Council consider Cambridgeshire's Local Flood Risk Management Strategy for approval.

## **KEY DECISIONS**

### **741. CAMBRIDGESHIRE'S FLOOD RISK ENFORCEMENT POLICY**

Cabinet considered a report on the proposed Flood Risk Enforcement Policy. This would enable the Floods and Water team officers to operate effectively and transparently to an agreed management policy.

Introducing the report, Councillor Bates, the Cabinet Member for Growth & Planning, commented that this report focused on working with landowners, developers, farmers, businesses and individuals, to communicate and educate where necessary. Whilst compliance would be encouraged through discussion and negotiation wherever possible, strong and appropriate enforcement action would be taken when necessary. The policy was consistent with the policies of partners e.g. the Environment Agency, and used a risk based approach.

A Cabinet Member observed that most City/District authorities within the county provided sandbags, but not all. He stressed that it was vital that individuals knew who was responsible and where they could get help in flood events. Officers commented that the information was available on the County Council's website: <http://www.cambridgeshire.gov.uk/environment/floodandwater/>, and they worked with the Council's Emergency Planning team who passed on information to those who telephoned them. In addition, information was also available from the Environment Agency, and officers worked proactively with Parish Councils and provided written information e.g. leaflets for households who had a watercourse on the curtilage of their properties. It was further noted that the Council had a duty under the Civil Contingencies Act to "warn and inform" communities.

Arising from the report, Cabinet Members:

- asked if the Council was reimbursed in cases where it had to undertake remedial works where landowners had been negligent. It was confirmed that under the current legislation, this was possible. The Leader commented that it needed to be made clear that the Council would enforce and seek recompense in situations where landowners had been negligent. It was noted that the flowchart on the final page of the report needed to be updated to reflect this, and also related policies, standard letters, etc;
- discussed how the Council worked with larger partners e.g. Anglian Water, on determining strategic priorities and releasing funds. It was confirmed that under the Flood Water Management Act, partners were obliged to provide the Council with information and work with the Council as lead local flood authority;
- commented that road closures during flood events often caused frustration, especially when there was inaccurate signage or poor quality barriers. Officers confirmed that they were working with the highways teams, the Police and other partners on this issue. Members also stressed the importance of having good communications on road closures both during and after the flood events;
- requested that a firm but fair, even-handed approach be taken to enforcement with landowners. Often landowners who fulfilled their obligations were frustrated when it appeared no action was taken about landowners who did not.

The Leader thanked officers for an excellent report.

It was resolved to:

Adopt the Flood Risk Enforcement Policy as attached as appended to the report, subject to the strengthening of the section regarding the County Council's cost recovery intentions and measures

## **742. INTEGRATED RESOURCES AND PERFORMANCE REPORT – JANUARY 2013**

Cabinet received the Integrated Resources and Performance Report for the period ending 31<sup>st</sup> January 2013. The Cabinet Member for Resources and Performance, Councillor Count, outlined particular issues for both revenue and capital budgets. He drew Members' attention to the forecast underspend of £5.5M. He commented that this was all the more remarkable given the huge savings the Council had had to make in 2012/2013, and the continued saving pressures in subsequent years. The majority of these savings had been met through efficiencies, and not cuts to services.

The Cabinet Member outlined the amber and red Key Performance Indicators (KPIs), noting:

- whilst the proportion of 16-19 year olds in education, employment or training fell marginally short of the target (92.4% against a 92.8% target), it was still a very pleasing result, and one of the highest in the region;
- similarly the target for the proportion of Cambridgeshire residents actively using a library (23.26%) fell only slight short of the 25% target. It was noted that Cambridge City library had the fourth highest footfall of any library in the country;

- the target for “The proportion of people using social care services who have chosen how their support is provided” (70.3%) fell short of the challenging 80% target, but again was one of the highest percentages for this indicator in the country;
- the ratio of desks to staff in corporate offices was an ongoing objective, and was expected to reduce as buildings were closed;
- response time for customer complaints continued to receive special attention by Cabinet Members and the Strategic Management Team.

Arising from the report, Cabinet Members:

- noted the pleasing reduction in the Adult Social Care overspend, reflecting the huge amount of hard work by staff in this Service. Liberal Democrat Spokesman for Children’s Services & Adult Social Care, Councillor Batchelor, was thanked for his positive support on this issue;
- in relation to the customer complaints KPI, performance in Economy, Transport & Environment was beginning to settle down, and more complaints were being acknowledged, even if they were not resolved, within the timescales;
- noted that library usage had changed over recent years, and the KPI figures may not reflect all users, e.g. those who download e-books or use the computers in libraries, but do not borrow books;
- commented that some of the KPI targets were very challenging indeed, which was the right approach to take, but sometimes gave a skewed perspective of the good progress that was taking place.

The Leader commented that the pleasing performance must be seen against a massive and continuing reduction in spending over the last few years – the performance of officers and Services in meeting these challenges had been extraordinary, especially as services to users remained largely unaffected. He asked the officers present to pass on Cabinet’s thanks to all their staff, and gave particular thanks to the Service Director – Adult Social Care, for the work of the Adult Social Care team.

It was resolved to:

note the resources and performance information and note the remedial action currently being taken.

## **743. TRANSFER OF THE SOCIAL FUND TO CAMBRIDGESHIRE**

Cabinet received a report on the action taken to ensure a smooth transfer of emergency assistance from the Department for Work & Pensions’ (DWP) Social Fund to the County Council run Cambridgeshire Local Assistance Scheme (CLAS).

The Cabinet Member for Adult Services, Councillor Curtis, introduced the report. He outlined the complex challenges faced in transferring this Fund to the County Council, not least because of the short timescales given to adopt this role, but also due to the lack of information and funding available from the DWP. The scheme and eligibility criteria were being deliberately designed to help reduce demand whilst

ensuring that those with genuine needs and who were particularly vulnerable were still able to access the fund. He added that it was crucial to review the CLAS scheme in the next 12 months, to inform decisions about the future of the scheme and whether changes would need to be made to the scheme. The Council would be working in close collaboration with the contractor with weekly contact in the early months, reducing to monthly as the scheme became more established. It was clarified that the funding for this scheme was not ringfenced.

It was resolved to:

- a) note the actions being taken and progress to date;
- b) agree the eligibility criteria at Appendix 1 to the report; and
- c) agree that the CLAS scheme is reviewed during the next 12 months to enable the County Council to consider the longer term provision of assistance.

#### **744. THE FUTURE OF OLDER PEOPLE'S SERVICES**

Cabinet received a report presenting options on future arrangements for the provision of older people's social care services.

The Cabinet Member for Adult Services, Councillor Curtis, advised that as Cambridgeshire Community Services had been unsuccessful in its bid to become a Foundation Trust, those functions currently undertaken by CCS would need to be delivered by other organisations. The need to return the social care services for Older People that CCS have been providing on behalf of the County Council quite quickly was important, for continuity of service to service users, and for recruitment and retention purposes. It was clarified that most front line care staff would continue to provide the functions that they currently undertake at the point of transfer.

Whilst the intention was for a smooth transfer with no disruption to service users, Councillor Curtis observed that the Adult Social Care environment was constantly changing, so change may be necessary in the future to respond to this environment.

Councillor Batchelor, Liberal Democrat Spokesman for Children's Services & Adult Social Care, spoke on the report. He commented that the size of this project was not insignificant, and it came on top of many changes already taking place within Adult Social Care. He noted that there was no budget provision for the transfer, and felt that it was inevitable that some costs would be incurred in the process. He observed that the intention was to effect the transfer by September 2013, but that CCS would not be winding up until April 2014. He concluded by saying that there was strong cross party support for the Council's Adult Social Care teams.

In discussion, Members:

- stressed the ongoing commitment to deliver joined up services with health partners, an area of work that was being progressed through discussions with local GP commissioners;
- noted that CCS staff would not be physically moving from their current office bases;

- noted that the CCS staff and service involved were only one part of that organisation, which provided a number of other services;
- noted that it was recognised that this was a significant area of work to take on, but much officer time had already been spent working with CCS and other health partners to deliver services for older people;
- asked officers to inform Cabinet if there were any difficulties, especially in respect of capacity, during the transfer process.

It was resolved to:

a) agree to progress work to end the current Section 75 agreement for Older People and Occupational Therapy Services between the County Council and Cambridgeshire Community Services with a view to transferring some or all services covered by the Section 75 agreement to the management of the County Council

b) delegate authority to the Cabinet Member for Adult Social Care in consultation with the Executive Director – Children and Young People's Services and Adult Social Care to finalise arrangements.

#### **745. CONTRACTED PARTNERS' OCCUPATION AGREEMENTS (GENERIC DISPENSATION FOR "LESS THAN BEST" TRANSACTIONS)**

Cabinet received a report which sought authority to obtain a limited delegation from Cabinet for some 'less than best consideration transactions' to enable smarter working. This related to occupation agreements for a range of private, public and voluntary sector partners that provided services under contract. The intention was to delegate to the Cabinet Member, in conjunction with the relevant Directors, authority to agree Occupation Agreements in these circumstances within certain limits.

Presenting the report, the Cabinet Member for Resources & Performance, Councillor Count, stressed that these delegations would only apply where the annual rent reduction was less than £25,000, and the lease was for less than seven years, i.e. Occupation Agreements above those limits would still need to be agreed by Cabinet.

It was noted that the change in delegation would be reflected in the Constitution.

It was resolved to:

Delegate to the Portfolio Holder for Resources and Performance in consultation with the Head of Finance (Section 151 Officer) and the relevant Executive Director or Corporate Director, the ability to grant on a case by case basis leases and licences at less than best consideration on transactions where external providers occupy County Council property assets.



#### **746. MAKING ASSETS COUNT PARTNER OCCUPATION AGREEMENTS**

Cabinet considered a report which sought authority to adopt a standardised partner occupation agreement. The overall objective of this proposal was to enable partners to more effectively share premises whilst reducing the inherent costs of establishing and managing more formal occupation agreements between Making Assets Count (MAC) partners.

The Cabinet Member, Councillor Count, advised that this was related to the previous report on the agenda, and the objective was to develop a simple re-charging mechanism that will apportion the costs of occupation between MAC partners as a single end of year activity. This would avoid the need for frequent invoicing and lengthy legal agreements to account for the use of each others' premises.

The Leader advised that the Leaders & Chief Officers' Group for Cambridgeshire were enthusiastically supporting this principle of sharing facilities and minimising bureaucracy. Other Members commented that this was a common sense approach, and it was regrettable it had not happened before.

It was noted that the change in delegation would be reflected in the Constitution.

It was resolved to:

Delegate to the Portfolio Holder for Resources and Performance in consultation with the Head of Finance (Section 151 Officer) and the relevant Executive or Corporate Director the ability to grant, on a case by case basis, simplified agreements (licences) between Making Assets Count partners to use Council premises.

#### **747. HILLS ROAD/REGENT STREET (CATHOLIC CHURCH JUNCTION) CONSULTATION AND RECOMMENDATIONS**

Cabinet considered the outcome of a public consultation on proposed changes to the Catholic Church junction (Hills Road/Lensfield Road/Gonville Place/Regent Street) and to determine if the proposed scheme should be implemented.

The Cabinet Member for Community Infrastructure, Councillor Orgee, explained that the main aim was to reduce road accident casualties, given the heavy volume of car/HCV drivers, cyclists and pedestrians using this junction. The proposed scheme would also reduce the visual impact of street clutter.

The Leader noted that regrettably, none of the Local Members had requested to speak on this item.

Various Cabinet Members commented positively of the preferred option, noting that it provided a balance between the priorities of pedestrians, cyclists and drivers. It was noted that a shared space/no-priority regime had also been considered for this site, whereby traffic signals were all switched off or removed. Whilst this may be an

option for a quieter site, it was felt that this location was too busy and could lead to an increase in injury accidents.

A Member suggested that the Department for Transport's (DfT) permission was not required to use advanced green filter signals for cyclists, as this was covered by the Council's general powers of competence. It was noted that DfT permission was being sought, although Cabinet Members urged officers to let them know if they met with opposition, as they could take this up at a Ministerial level.

It was agreed that the decision on this item should be amended to reflect that it was contingent on the project being awarded government funding.

It was resolved to:

- a) note the results of the public consultation; and
- b) approve the proposed scheme for construction, subject to securing Department for Transport funding.

#### **748. TREASURY MANAGEMENT QUARTER THREE**

Cabinet received a third quarterly update on the Treasury Management Strategy 2012-13, approved by Council in February 2012.

The Cabinet Member for Resources & Performance, Councillor Count, commented that favourable returns continued to be achieved, despite the gloomy and volatile economic environment.

It was resolved to:

Note the Treasury Management Report, Quarter Three 2012-13.

#### **749. CORPORATE RISK REGISTER UPDATE**

Cabinet considered the current status of corporate risk for the County Council, including recent changes made to the Corporate Risk Register.

The Cabinet Member for Resources & Performance, Councillor Count, highlighted the changes that had been made to the Corporate Risk Register. These included Risks 1a and 1b (*Failure to deliver the 2012/13 Integrated Plan* and *Failure to effectively plan how the Council will deliver services in 2013/14*). Both risks had reduced from 'unlikely' to 'very rare', as the forecast for 2012/13 outturn at this late stage was a £5.4M underspend, and the Business Plan for 2013/14 had been approved.

Following a query from the Leader on Risks 16, 21, 9 and 15, the Cabinet Member agreed to provide a written response on these risks.

It was resolved to:

Note the position in respect of corporate risk.

## **750. ALCONBURY WEALD: OUTLINE PLANNING APPLICATION – DRAFT CONSULTATION RESPONSE**

Cabinet received a report on the key issues arising from the consultation on the Alconbury Weald Outline Planning Application. Alconbury Weald was a proposed major development, which included an Enterprise Zone and 5000 homes, on a former airfield and neighbouring farmland, near Huntingdon.

Whilst there were no speakers, written comments had been received from Councillors Downes and Lucas, relating to specific issues on schools and highways issues respectively, which were noted by Cabinet.

Councillor Bates, Cabinet Member for Planning & Growth, introduced the report, outlining the background to the development and the key issues outlined in the proposed response, giving detail on highways issues, location of the secondary school and the issue of the recycling centre.

Councillor Harty stressed the importance of the developers identifying sites for private, voluntary and independent daycare facilities from an early stage, and for the first primary school to be available when the first residents move in. After lengthy discussions with the developer and partners, an acceptable site for the secondary school, within the housing areas of the development, had now been put forward. Councillor Harty thanked Graham Thomas, Head of Growth & Economy, for his help and guidance in this matter.

Other Members made the following comments:

- it was essential for housing growth to be balanced with jobs growth;
- 'play' areas should include facilities not just for children, but also young people, e.g. skate parks, mountain bike tracks, outdoor gym areas;
- queried whether there would be access by the residents to the woodland areas;
- noted that there were no allotments, and suggested that these should be considered, as they were very popular;
- stressed the need for consideration to be given to bus services and provision for cyclists.

The Leader thanked those involved for their work on this issues, particularly the Cabinet Member for Learning, Councillor Harty, for his negotiations with the relevant parties regarding the location of the secondary school.

It was resolved to:

- a) approve the County Council's consultation response to Huntingdonshire District Council on the Alconbury Weald Outline Planning Application (planning reference: 1201158OUT);
- b) delegate to the Cabinet Member for Growth and Planning in consultation with the Executive Director: Economy, Transport and Environment the authority to

make any changes to the consultation response prior to submission.

**751. PROPOSED RESPONSE TO CAMBRIDGE CITY COUNCIL LOCAL PLAN AND SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL LOCAL PLAN ISSUES AND OPTIONS 2 CONSULTATION (JANUARY 2013)**

Cabinet considered a report on the proposed County Council response to Cambridge City Council Local Plan and South Cambridgeshire District Council Local Plan Issues and Options 2 Consultation (January 2013).

Introducing the report, Councillor Bates, Cabinet Member for Growth & Planning, advised that the specific issues raised previously by Cabinet e.g. Broadband and sprinklers, were not part of this consultation, but there would be an opportunity to raise these type of specific policy points at a later date.

A correction was noted on page 11 of the report: references to the A1307 should read A1301.

The Leader commented that there had to be compulsion, ideally through bonds, for developers to meet their obligations in terms of bringing highways up to an adoptable standard, and within a reasonable time. Officers advised that this was included in the proposed responses, and they were very aware of the Cabinet view on this issue, and would continue to emphasise this at all stages of the process. Officers also suggested that limiting this to bonds may deter some developers, but there were other mechanisms that could be used to achieve the same result.

Other comments from Cabinet Members included:

- the importance of having a policy on sprinklers;
- including cycling provision at the Master Planning stages;
- the importance of the unmet need for a Household Recycling Centre to serve Cambridge South;
- play areas should also include facilities for adolescents;
- noting that the *South Cambridgeshire Further Site Options* document considered ten new site options, in addition to the 52 potential sites in the Issues and Options 1 consultation, stressed that the cumulative impacts of proposed developments were difficult to assess unless they were presented together.

Councillor Orgee stated that he did not support Option CS5 (land south of Trumpington Meadows, Hauxton Road, Cambridge) for a community stadium, which he considered inappropriate. He also felt that the transport implications of this proposal had not been fully considered.

It was resolved to:

- a) agree the consultation response attached as Appendix 1 to the report, and send it to Cambridge City Council and South Cambridgeshire District Council in response to their Local Plans Issues and Options 2 Consultation (January 2013);

- b) delegate to the Cabinet Member for Growth and Economy in consultation with the Executive Director, Economy, Transport and Environment, the authority to make amendments as necessary prior to submission.

## **752. REVIEWING PLANNING FEES**

Cabinet considered a report on a proposed consultation with stakeholders on a number of planning and development related fees prior to being introduced to support the Council deliver good quality planning and development services and advice in 2013/14 and beyond.

A Member commented that given future funding, all sources of income for services where a charge could be levied would become more important.

It was resolved to:

- (1) approve the planning and development fee as set out in Appendix 1 to the report, for a period of four weeks consultation with stakeholders;
- (2) delegate to the Cabinet Member for Growth and Planning in consultation with the Executive Director – Economy, Transport and Environment the authority to make minor revisions to the fee structure following consultation, for both Appendix 1 and Appendix 2 to the report, prior to introducing the fees in the 2013/14 financial year;
- (3) approve the principle that the fees for the planning and development services outlined in this report be updated annually, to align with the actual cost of providing the service.

## **753. KING'S DYKE LEVEL CROSSING**

The Chairman in introducing the report indicated that as it was a late report, circulated less than five working days before the meeting, and he had agreed to take the report under the discretion given to him under Section 100B (4) of the Local Government Act 1972, the reasons for lateness and urgency being:

Reasons for Lateness: Some early outputs from the feasibility study on the Kings Dyke crossing had been required before the report could be completed, and these were only available less than five working days before the meeting.

Reasons for Urgency: Conditions in the area had become particularly difficult over the winter with regular road closures due to flooding, which had adversely impacted on the Whittlesey area. Combined with the early findings of the feasibility study, this had determined that there was an urgent need to commence work on the development of the scheme so a solution to the problems could be implemented as soon as possible.

The Cabinet Member for Growth & Planning, Councillor Bates, introduced the report, outlining the need to provide a bridge for the A605 over the railway, thus avoiding the King's Dyke Level Crossing, which was becoming increasingly busy i.e. the

increasing number of trains meant that the level crossing gates were down more frequently. This was further exacerbated when there was flooding in winter months, which meant that traffic could not use the B1040 which was an alternative route to Peterborough, avoiding the King's Dyke Level Crossing.

Councillor Curtis spoke as a Local Member. He fully supported the proposals, and he stressed that this was a huge issue for Whittlesey, as the traffic problems led to the town becoming increasingly isolated, and had a detrimental effect both on the community and the local economy. He advised that his comments had the full support of the other Local Member for Whittlesey, Councillor Butcher

Other Members spoke, stressing the impact of this problem not only on Whittlesey, but further afield e.g. March.

Councillor Bates advised that a feasibility study was already underway, and funding options were being explored. A further report would be presented to Cabinet at a later date, when more information was available.

It was resolved to:

1. commit to the development of the King's Dyke level crossing replacement scheme with Network Rail, local partners and other rail industry partners;
2. subject to a funding package being agreed with partners including Network Rail, agree the finalisation of the business case and the necessary statutory approvals being put in place, commit to the delivery of the A605 King's Dyke level crossing replacement scheme and to bring a further report back to Cabinet on the details of the scheme.

#### **754. DRAFT CABINET AGENDA 16<sup>TH</sup> APRIL 2013**

Members noted the draft agenda for the Cabinet meeting to be held on 16<sup>th</sup> April 2013 as updated.

Chairman  
16<sup>th</sup> April 2013