# **CABINET: MINUTES**

**Date:** 12<sup>th</sup> April 2005

**Time:** 10.00 a.m. – 11.55 a.m.

**Present:** Councillor J K Walters (Chairman)

Councillors: S F Johnstone, V H Lucas, A K Melton, L J Oliver, D R Pegram, J A Powley, J E

Reynolds, F H Yeulett and R Wilkinson

Also in Attendance

Councillors J L Gluza, S J E King\*, A C Kent and P

L Stroude

\* for part of the meeting only

Apologies: None

## 637. MINUTES 1st MARCH 2005

The minutes of the meeting of the Cabinet held on 1<sup>st</sup> March 2005 were approved as a correct record and signed by the Chairman.

#### 638. DECLARATIONS OF INTERESTS

Councillor A K Melton declared a personal interest in relation to agenda item 22, Property Disposals, under paragraph 8 of the Code of Conduct as his wife was a trustee of the Chatteris Centre Association. He considered that he did not have a prejudicial interest in the item as the interest was not so significant that it would prejudice his judgement of the public interest.

### 639. SECTION 31 AGREEMENTS

The development of partnership arrangements, particularly the integration of older people's services in 2004, had refined the Council's approach to working in partnership and as a consequence, a review of existing section 31 agreements had been undertaken with regard to adult social care functions.

Cabinet received a report providing details of revisions to the section 31 agreements for the integrated delivery of older people's, occupational therapy, adult mental health and learning disability services.

This review had resulted in major updates being made following consultation with the relevant Health Service Primary Care Trusts in

respect of those section 31 agreements covering Older People's Services, Occupational Therapy Services, Adult Mental Health Services and Learning Disability Services. Proposals included integrating previous separate occupational therapy agreements into a revised Older People's Services agreement.

It had not been possible to complete the performance targets for Older People's Services and the Learning Disability Partnership in time for inclusion within the section 31 agreements. As a result, authority was sought to sign off revised agreements at a later date with the portfolio holder, when the information became available. As this was likely to be after the local elections, it was agreed to amend the recommendation in the officers' report to delegate authority to the appropriate new portfolio holder.

There was also a discussion regarding paragraph 34.1 and 34.2 in respect of treatment of year end underspends, as greater clarity was required with the current wording open to misinterpretation. Members also requested that the documents should be the subject of a Plain English check.

Attention was also drawn to Point 9 page 33 in respect of complaints as there were still concerns about the different way Primary Care Trusts (PCTs) dealt with complaints, compared to the County Council's procedures for responding to social care complaints. A Member indicated that it was important that complaints regarding health care services dealt with under the NHS complaints procedure were shared with the County Council, as this was very useful for gauging the effectiveness of the service.

On the Section 31 agreement "Integration of Health and Social Care Services for Adults with Mental Heath Needs", attention was drawn to paragraph 28.2 page 20 regarding the "In Year Financial Arrangements". In answer to a question raised, assurances were given that the standing financial institutions were considered sufficient by the officers to undertake the necessary financial administration and accounting arrangements in respect of the agreement. As the Trust was to be funded on a monthly basis, attention was drawn to the importance of the County Council receiving regular monthly budgetary control reports of social care spending (paragraph 28.7) against agreed timescales. The officers' confirmed that arrangements had been made to ensure these would be available in time for the in-house monthly member budget briefing arrangements. It was also noted that there would be separate detailed agreement in respect of the financial administration of the pooled budget.

It was resolved to RECOMMEND that Council:

(a) Agrees the revised section 31 agreements for:

- Older Peoples and Occupational Therapy Services
- 2. Adult Mental Health Services
- 3. Learning Disability Services
- (b) Approves the termination of the existing section 31 agreements for Occupational Therapy Services.
- (c) Delegates authority to approve and sign the proposed Section 31 agreements to the Cabinet member for Social Services or, if after the 5<sup>th</sup> May local elections to the appropriate new portfolio holder in consultation with the Director of Adult Support Services.
- (d) Cabinet has additionally agreed to ask the officers to revise for greater clarity the wording of paragraphs 34.1 and 34.2 under the heading "Treatment of Year End Underspends" on the Section 31 agreement in respect of the Integration of Health and Social Care for Older People and Occupational Therapy Services.

# 640. NATIONAL PERFORMANCE FRAMEWORK AND FOOD LAW ENFORCEMENT SERVICE DELIVERY PLANS FOR TRADING STANDARDS

Cambridgeshire County Council's Trading Standards Service continued to be recognised as being one of the best in the Country. The current report provided background on the Plans to be agreed, outlining the service provision for the key service areas.

Cabinet noted that the Trading Standards Service was required to submit an annual Food Service Delivery Plan to the Foods Standard agency (FSA). In addition, a Service Delivery Plan had been compiled in order to implement the National Performance Framework (NPF) developed by the Consumer Affairs Directorate of the Department of Trade and Industry.

In the current year, the plan had also incorporated a detailed Animal Health work profile to meet the requirements of the Department for the Environment, Food and Rural affairs (DEFRA) with regard to the animal health and welfare duties of the Trading Standards Service. Concern was expressed by Cabinet members at the continued additional Central Government requirements placed on the service, involving a great deal of officer time spent on additional bureaucracy, giving the impression that the service was an agent of government.

#### It was resolved:

To approve the National Performance Framework and Food Law Enforcement Service Delivery Plans for Trading Standards.

### 641. INTERIM CHILDREN'S AND YOUNG PEOPLE'S PLAN 2005/06

Cabinet received a report seeking endorsement for the Interim Children and Young People's Plan (CYPP) for 2005/06, produced as a part of the Council's and partners' Strategic Partnership objectives to redesign and improve services for children and young people.

The joint plan set out the high level strategic vision for the County and was intended to reduce the burden of planning on local authorities by replacing a number of existing statutory plans. As an excellent authority, Cambridgeshire had not been required to provide a CYPP, however all partners had agreed that a plan was fundamental for developing best practice and continuous service improvement. The plan detailed the priority actions to support the delivery of better outcomes, particularly in response to Every Child Matters, the Children Act 2004 and the National Services Framework for Children, Young People and Maternity Services.

The current plan was an interim document that would be amended during 2005/06 in order to form the basis for the joint plan for 2006/07. Changes still required included amending the wording on page 11 under the Title "Be Healthy" in bullet point 5 from "choosing not to take illegal drugs" to "avoiding drugs that may cause harm" to recognise that some drugs which were harmful were not illegal. More work was also needed in respect of the structures set out in appendix 5 to the officers' report.

#### It was resolved:

To approve the Interim Children and Young People's Plan for 2005 – 2006.

# 642. NETWORK MONITORING REPORT 2004 AND NETWORK SERVICE PLAN 2005 CHANGE IN STREET LIGHTING POLICY

Cabinet received details of the Network Monitoring Report 2004 included as separate section individual reports on Traffic Monitoring (detailing traffic flows in Cambridgeshire), Road safety Monitoring (setting out details of progress against the County Council's targets for casualty reductions including those for deaths and serious injuries) and the Joint Road Casualty Data Report produced by the partnership for Road Safety in Cambridgeshire and Peterborough containing data collected by Cambridgeshire Police and the National Health Service.

The Network Service Plan 2005/06 detailed the objectives, priorities and programmes for transport schemes for the forthcoming year.

Details were also provided in respect of the Draft Transport Asset Management Plan required under Local Transport Plan Guidelines.

The report also brought forward recommendations on changing street lighting policy regarding light sources, following research by the electricity generators regarding alternative, more efficient alternatives. Other changes suggested followed pressure from developers and planners for the Council to provide a wider selection of lantern types. The type being recommended was an efficient lantern/column/bracket combination in four styles in order to provide a choice, but which would have limited effect on maintenance. Developers had also requested the use of wall mounted street lighting brackets on some developments. However in respect of the latter, these had maintenance and efficiency issues which had lead officers to conclude that they should not be permitted generally without there being strict agreement requirements on the developer. These had been set out in section 6.3 of the officers' report.

It was resolved to approve:

- a) The Network Monitoring Report 2004
- b) The Network Service Plan 2005
- c) The following changes in street lighting policy:
  - A change of light source from 35 watt low pressure sodium (yellow) to 70watt CDM-TT (white) for new developments.
  - The use of a selection of lantern/column/bracket combination in each of four types (functional, modern, 1930's and heritage) for new developments.
  - The restricted use of wall mounted brackets for new developments.

### 643. CUSTOMER SERVICE STRATEGY

Cabinet received a report on the proposed Customer Service Strategy and Implementation Plan for the County Council to enable a coordinated corporate approach to ensure continued improvement in relation to customer focus and measures to increase customer satisfaction. It was recognised that the County Council needed to state clearly what its priorities were, the services it was responsible for and the standards customers could expect.

There was a discussion on the proposed targets for responding to letters and e-mails and it was agreed that they should be standardised at 10 working days which would require amendment to the e-mail target timescale. It was also suggested that where practicable, e-mails should also be the subject of similar standards to that being suggested for letters. The main point made was the need to ensure quality responses were provided, encompassing a positive/can do approach.

It was reported that the last satisfaction survey had shown overall satisfaction levels of 65%. However, it was noted that satisfaction in the way complaints were handled, was only at 19%. For this latter statistic, on investigation it was found that many of the complaints were for services that the Council did not provide. However, Cabinet Members stated that in future they would wish to receive details of dissatisfaction for Council provided services broken down into the individual service areas provided by the relevant offices.

#### It was resolved:

- 1) To endorse the initial Customer Service Strategy with the following suggested amendments:
  - That the response times to both letters and e-mails should be within 10 working days and that if a full reply can not be given within this timeframe, the public should be kept informed as to the progress of the inquiry.
  - That emails should also be jargon free and of a font size that is appropriate to their target audience.
- 2) That the policy should be reviewed after a year in order for Cabinet to consider setting more specific and challenging targets.

### 644. NETHERHALL SCHOOL

Cabinet received a report requesting approval for the Netherhall Lower School site (excluding the playing field) to be classed as surplus to educational requirements and for approval to its subsequent disposal and the re-investment of the proceeds of the sale to provide replacement educational facilities on the existing Netherhall Upper School site, Queen Ediths Way, Cambridge. Cabinet approval was required, as the proposal for the re-use of the capital receipt was a departure from the normal policy on the use of capital receipts.

An additional Recommendation (d) was recommended to ensure that the new Council was not liable to additional debt without having the opportunity to receive further information before making any decisions on where the extra resources should come from, should the capital receipt be insufficient to fully finance the proposals.

It was reported that local Member Councillor Heathcock was content with the proposal, although he had expressed a wish to be provided with details of the final application.

### It was resolved:

- a) To declare the part of the Netherhall Lower School site on which the school buildings currently stood and its immediate environs as being surplus to educational requirements.
- b) To approve the subsequent disposal of this site.
- c) To approve the re-investment of the capital receipt to defray the costs of the necessary replacement educational facilities on the Netherhall Upper School site.
- d) That if there was a shortfall between the subsequent capital receipt and the costs of providing the necessary replacement facilities, there should be a report back to Cabinet on proposals to meet the shortfall.

# 645. ST NEOTS (SOUTH) PEDESTRIAN/CYCLE BRIDGE COMPULSORY PURCHASE ORDER (CPO)

The Local Transport Plan (LTP) supported by the St Neots Transport Strategy had identified that severance caused by the River Great Ouse was a significant deterrent in the development of a comprehensive walking and cycling network within the town and surrounding area.

To address this and as part of the 2004 LTP bid, it had been proposed to introduce a foot and cycle bridge spanning the River Great Ouse between Eaton Socon and Eynesbury. Public consultation had been undertaken on three options for the location and style of the bridge. The majority view supported the most direct route option.

The route of the bridge spanned several different landowners, including the town Council, private family interests and investment companies. It was reported that whilst the Town Council were willing to enter into negotiations, the remaining parties had indicated that they would oppose any sale and therefore Compulsory Purchase Powers (CPO) powers were required.

It was noted that local Member Councillor Giles had expressed her support for option 2.

It was resolved:

To endorse the Option 2 route for the southern cycle and pedestrian bridge crossing the River Ouse in St Neots and to publish the associated Compulsory Purchase Order.

# 646. PROPOSED CHANGES TO THE SCHOOLS ACCESSIBILITY STRATEGY

Cabinet noted that the County Council's Schools Accessibility Strategy detailed how the Council discharged its duty to increase the accessibility of schools for all pupils. The strategy promoted disabled pupils' participation in schools, through improving the physical environment of schools, by taking appropriate steps to enable pupils to access the curriculum, and by improving the availability of information in formats preferred by pupils and their parents/carers.

The budget for 2005/6 for accessibility works was £500,000. This had to fund as a priority, pupil-specific adaptations, as well as the Council's rolling programme of increasing accessibility to all schools over time, required by the Disability Discrimination Act 1995.

It was reported that in the past year, the majority of the capital building funding had been required to fund individual pupils, with the result that there had been insufficient resources to support the rolling programme, which had consequently fallen behind schedule. In order to balance the Council's duties in respect of the Disability Discrimination Act with the available resources, it was considered necessary to revise the County Council's policy on investment in adaptations to schools to meet parental preferences. A change in policy was therefore proposed, whereby the County Council would only meet parental preference for disabled pupils to attend the school of their choice, where this was consistent with the efficient use of resources.

It was agreed that the change of policy would need close monitoring, to ensure costs were contained within budget.

It was resolved:

To agree the revised Accessibility Strategy for Schools subject to the costs associated with the change in policy being contained within the allocated budget.

## 647. ANNUAL EFFICIENCY STATEMENT (AES)

Cabinet approval was sought for the submission of the Council's first

Annual Efficiency Statement (AES).

It was noted that at the bottom of page 3 a line had been lost which should have read "we will use our current performance indicators as a guide for quality cross checks"

The report set out the requirements for producing an AES in response to the Gershon Report on public sector efficiency, which had identified the need for efficiency gains across the whole public sector. The forward look element of the statement required to be submitted to the Office of the Deputy Prime Minister by 15<sup>th</sup> April. This outlined the Council's strategy for achieving efficiency gains, the key actions that would be taken during the year and the efficiency gains expected as a result.

The AES target for 05/06 was £6.23m of which 50% required to be cash savings. The figures in the current statement had already been identified in the budget book /service plans and totalled £4.5m. A further £500k would be brought forward from 04/05. Other areas being looked at were set out in paragraph 3.4 of the officers' report. It was expected that the statement would be finalised by the required deadline.

#### It was resolved:

To authorise the Leader of the Council, in consultation with the Deputy Chief Executive (Corporate Services) should agree the final statement for submission on 15<sup>th</sup> April.

# 648. PROPOSED CYCLEWAY NETWORK FOR THE CAMBRIDGE SOUTHERN FRINGE DEVELOPMENT

Cabinet had previously received a report explaining that the existing and future developments proposed for south Cambridge would place a significant strain on the local transport infrastructure. The Government had allocated Growth Area Delivery Grant (GADG) funding to the County to provide improved transport links between the new developments and the existing transport network. Officers had therefore prepared a programme to enhance the local cycle network infrastructure, as an important part of the required improvements, reflecting the emphasis placed on cycling within the city. The recommendations followed a consultation exercise carried out, whereby the overwhelming majority of respondents being in favour of the proposals.

The cycle path section at Coe Fen (Map ID 1of the officer s report) had been completed and it was noted that the construction of a new cycle route at Hobsons Conduit (Map ID 8) between Brooklands Avenue and

Long Road had currently been excluded, as the County Council had been unable to negotiate a route with Sustrans.

At the invitation of the Chairman, the local Member for Trumpington spoke on the proposals before Cabinet. She drew attention to the section of the scheme between Brooklands Avenue and Long Road currently excluded as a cycle path and which she proposed should instead be provided with a public footpath along the Brook. She also proposed that it should act as a wildlife protection corridor. The local Member tabled a more detailed plan showing the aspiration for a public footpath to run from the city via Hobson's Brook to Nine Wells and eventually on to the Gog Magog hills. The creation of a wildlife buffer zone south of Long Road, would reduce current concerns about the proximity of the new settlement to the Brook.

The portfolio holder for Environment and Transport supported officers looking at the proposal, but gave a health warning that the GADG funding had to be spent within the 05/06 timescale. Officers might have to look at other sources of funding to bring the proposal forward.

## It was resolved:

- a) To approve construction of the schemes listed in 1.1 and Appendix A of the officers' report, subject to any minor changes within the framework required by GADG funding by Cambridge Area Joint Committee as a result of its meeting on 18<sup>th</sup> April.
- b) To agree that officers should look into the request from a local member for a walking route to be provided between Brooklands Ave and Long Road along the Brook as part of a longer path to run from Mill Lane to 9 Wells.

# 649. SUMMARY OFFICE SERVICE PLANS 2005/06

Cabinet received a report seeking endorsement of the new format of service plans for all offices, which was consistent with the Council's reshaped office service structure. The format had been amended in order to ensure a common co-ordinated approach to achieve the Council's priority objectives and vision.

#### It was resolved:

To endorse the summary Office Service Plan for 2005/06.

# 650. CONTRA FLOW CYCLING FACILITY CORN EXCHANGE STREET/WHEELER STREET CAMBRIDGE

It was noted that the Cambridge Environment and Transport Area Joint Committee had considered a report on the provision of contra-flow cycling facilities along Corn Exchange Street and Wheeler Street, Cambridge. The scheme formed an important part of the transport strategy for the Grand Arcade development and without it was reported that access for cyclists using the cycle park in the development, would be adversely affected.

The joint Committee had resolved to:

- note the safety audit report on the preliminary scheme design;
- ii) support the scheme amendments and comments made in response to the safety audit; and
- iii) ask the County and City Councils to determine whether they wished to support the detailed scheme design with regard to the area in the vicinity of the car park exit.

The report to the Area Joint Committee had considered the design and safety audit process for the scheme. Whilst the safety audit had raised various concerns, the Project Team considered that these could be resolved through design or were not of sufficient weight and/or gravity to justify not proceeding with the scheme. The exception to this was the layout in the vicinity of the Lion Yard car park exit.

Several Cabinet members continued to be unhappy at the potential key risks highlighted by the safety auditors. These were in respect of conflict at the car park exit associated with limited visibility to the right for drivers leaving the car park. There were also concerns regarding the potential liability to the County Council as a result of any accidents involving cyclists using the contra-flow lane. The majority of Cabinet members were of the view that the scheme should not be supported at the current time, until more detail had been provided in respect of the concerns raised.

#### It was resolved:

a) Not to support the contra-flow cycling measures proposed for Corn Exchange Street at the current time until further information was received to address concerns highlighted by the safety auditors regarding the risks associated with potential conflict at the car park exit.

- b) That the officers organise a site visit for Cabinet members to aid further discussions.
- c) To receive a further report in due course.

(Councillor Johnstone requested that her support for the original recommendations should be recorded)

### 651. PLAYWORK POLICY FRAMEWORK - TIME AND SPACE TO PLAY

In January 2004, the Children and Young People's Strategic Partnership commissioned the Director of Education, Libraries and Heritage to lead work on the creation of its policy framework for play. The preparation of the document drew considerably on the government report, "Getting Serious About Play", which indicated sources of Lottery funding would be available to partnerships that had a clear strategy for the development of play strategies in their area.

The Cambridgeshire Children and Young People's Strategic Partnership had accepted the revised strategy as attached to the officers' report and had communicated it to partner organisations for endorsement.

A Member drew attention to a reference in the document to playing in car parks and after discussion on what this meant, it was suggested that it should be reworded in the document. The member stated that while children playing might be acceptable in quiet residential streets where there were parking spaces, it was not acceptable in large busy public car parks e.g. supermarkets etc.

Issue was also taken with the reference to the age ranges on page 7 which referred to children as young as ten being classed as young adults. It was suggested that the document needed to be consistent (Annex 1 uses different definitions) when referring to age ranges and it it would be more appropriate to use terms such as pre-school, primary and secondary.

It was resolved to:

- a) Endorse the Policy Framework for Play, titled "Time and Space to Play".
- Ask officers to request greater clarity in respect of references to playing in car parks and to ensure consistency when describing age ranges.

# 652. MONITORING OF RECOMMENDATIONS OF JOINT REVIEW OF SOCIAL SERVICES

The outcomes of the Cambridgeshire Joint Review of Social Services

had been reported to Cabinet in October 2003 and included an action plan in response to the recommendations made. It had been agreed that Cabinet should receive quarterly progress reports on the action plan.

The current report demonstrated continued ongoing activity and good progress in responding to the Joint Review Action Plan. The impact of the work undertaken helped provide improved services to vulnerable adults and children across Cambridgeshire.

It was resolved:

To note the progress being made to implement the recommendations of the Joint Review.

# 653. DELEGATIONS FROM CABINET TO CABINET MEMBERS AND OFFICERS

Cabinet received a progress report on matters delegated to individual Cabinet members or to officers on behalf of the Cabinet.

It was resolved to:

- a) Note the delegations from Cabinet to individual Cabinet Members and/or to officers to make decisions/take actions on behalf of the Cabinet, which had been, or were still to be discharged.
- To agree to any necessary revisions to portfolio holder titles with regard to any actions likely to be outstanding following the local elections.

## 654. CABINET DRAFT AGENDA - 24th MAY 2005

It was reported that item 5 Cambridgeshire Guided Bus Secretary of State's decision – had been withdrawn and would be rescheduled.

It was resolved to note the Cabinet Draft Agenda Plan for 24<sup>th</sup> May 2005.

# 655. EXCLUSION OF THE PRESS AND PUBLIC

It was resolved:

To exclude The Press And Public from The meeting under Section 100 (A) 4 Of The Local Government Act 1972 during The Consideration of the following report on the grounds that it was likely to involve the disclosure of exempt information under paragraph 9 of schedule 12a of the Local Government act 1972 by virtue of the report referring to any terms proposed or to be proposed by or in the course of negotiations for a contract for the acquisition or disposal of property, or the supply of goods and services.

## 656. PROPERTY DISPOSALS

As a consequence of the *Local Government Act 1972: General Disposal Consent 2003*, where the Authority identified specific reasons for doing so i.e. social or economic, Councils had been given greater authority to approve disposals at less than full consideration within a threshold limit, where the unrestricted value of the interest to be disposed of and the consideration accepted was less than £2 million. The Cabinet received details of proposed disposals falling within the definition of these provisions.

Cabinet was asked to confirm the disposal of interests in land at less than full consideration at Chatteris (King Edward Centre), Cottenham (Mill Hill and North Fen Farm), and March (Estover Road). Cabinet was also asked to agree the disposal of an interest in a property at Oakington (March & Morris Farm).

In respect of the King Edward Centre, it was agreed to amend the officer recommendation for a new lease from two years to two and a half years at a discounted rent to give them every opportunity to put together a funding package but that this would be on the basis that it would not be extended for any further period.

In answer to a question raised, it was confirmed that the County Council would have no ongoing financial obligations to the land as part of the lease agreement in respect of Cottenham (Mill Hill and North Fen Farm). The only obligations would be if the County Council wished to take the land back for educational use.

In respect of the proposed disposal of an interest in the property at Oakington, this was to ensure there were no problems for the Northstowe development in terms of required infrastructure.

It was resolved to:

1) Agree the disposal of interests in land at less than full consideration as follows:

Chatteris (King Edward Centre)

(a) That the Trustees be offered a new lease for two and a half years (maximum) at a below market rent of one peppercorn (if demanded), under full tenant repairing obligations but with a rolling break option, and otherwise on terms to be agreed by the

Director of Property and Asset Management. This will allow the Association time to fully explore opportunities to obtain funding for the refurbishment of the building, or make arrangements for an alternative site; and

(b) To assist the Association with obtaining funding at a later date, by entering into an Agreement to lease the building for a term of 25 years at a full Market Rent, and on other terms agreed by the Director of Property and Asset Management. (The commencement of this lease to be triggered within the next two and a half years by the Association obtaining sufficient funds to complete the refurbishment programme and the Director of Property and Asset Management being satisfied that there were robust and sufficient plans in place to execute that programme). In the event of this 25 year lease not being triggered, full vacant possession would revert to the County Council.

# COTTENHAM (Mill Hill and North Fen Farm)

Agree that the land be leased to Cottenham Parish Council for a term of 99 years for a one-off premium of £18,000, subject to the restrictions limiting the use to public recreation and/or open space. The remaining lease terms to be agreed by the Director of Property and Asset Management.

# MARCH (former playing fields, Estover Road)

- a. To note the long term development value of this site and the request for a long term lease for the Estover Road Playing Field association
- b. To grant the Estover Road Playing Association a further 3 year lease at a concessionary rent of £1 per annum.
- (2) To agree the disposal of an interest in the property at Oakington (March and Morris Farm to include the additional parcel of land (highlighted on the map attached to the officers report) in the option agreement for Old Farm, Longstanton.

Chairman

24<sup>th</sup> May 2005