

## **CABINET: MINUTES**

**Date:** Tuesday 17<sup>th</sup> December 2013

**Time:** 10.00 a.m. – 11.00 a.m.

**Present:** Chairman: Councillor M Curtis

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

**Apologies:** None

**Also present:** Councillors K Bourke, N Kavanagh, M Leeke and L Nethsingha

### **109. MINUTES**

The minutes of the Cabinet meeting held on 26<sup>th</sup> November 2013 were agreed as a correct record and signed by the Chairman.

### **110. DECLARATIONS OF INTEREST**

The following members declared non-statutory disclosable interests in line with paragraph 10.1 of the Members' Code of Conduct:

- Councillors Bates and Count in relation to Minute 117, Allocation of Section 106 Developer Contributions to Transport Schemes in Cambridge City, Fenland and Huntingdonshire and Response to Cambridge Community Infrastructure Levy (CIL) Consultation, Councillor Bates as the local member for the Hemingfords and Fenstanton and Councillor Count as he had lobbied for the March schemes.

### **111. PETITIONS**

Cabinet received one petition.

Calling for the Improvement of the Junction between Barton Road and Grantchester Street in Newnham, Cambridge

The petition had been submitted by Cambridge City Councillor Rod Cantrill. It had 110 signatures on paper and read:

We the undersigned request that Cambridgeshire County Council improve the junction between Barton Road and Grantchester Street in Newnham. The junction at present is unsafe for crossing from the Barton Road cycle path into Newnham Croft and is badly designed for pedestrians.

Cambridge City Councillor Cantrill addressed Cabinet on behalf of the petitioners, highlighting concerns for the safety of pedestrians, cyclists and motorists using the junction.

Responding to the petitioner, the Cabinet Member for Highways and Community Infrastructure, Councillor McGuire, noted that since the junction had been improved in 1998, it was no longer considered an accident blackspot, with only two slight accidents recorded in the last five years. He also reported that an application had been made through the Local Highway Improvement Initiative to look at options to improve this junction, which would be considered together with other applications in the new year. As there was no relevant agenda item, a full written response would be sent to the petitioner within ten working days of the meeting.

#### **112. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES**

There were no matters arising from Overview and Scrutiny Committees.

#### **113. EXEMPTIONS FROM CONTRACT REGULATIONS FOR THE DELIVERY OF SOCIAL CARE SUPPORT SERVICES**

Cabinet's approval was sought for an exemption from Contract Regulations. The request related to seven contracts for services to vulnerable young people aged 16-25 years. Without these services, the young people supported were likely to be homeless. The contracts were with voluntary and community sector organisations and housing associations and were currently due to end in March 2014. Officers were asking to extend the contracts for two years. The extension would enable continuity of provision from existing premises and would also avoid financial losses that would be incurred if the contracts had to be retendered.

It was resolved:

To agree that the seven services for vulnerable young people aged 16-25 years old can be exempt from Contract Regulations for a period of two years (March 2014 - March 2016).

#### **114. EXEMPTION REQUEST FOR A TRANSITIONS PROJECT FOR SIX YOUNG PEOPLE WHO HAVE A LEARNING DISABILITY**

Cabinet approval was sought for an exemption from Contract Regulations. The request related to a group of six young people who were currently living at the Kisimul School in Lincolnshire. The young people were due to finish their education and leave the School in July 2014, but because of their complex needs would continue to require accommodation and support in a specialist setting. Following the Winterbourne View investigation, Government advice was that adults with learning disabilities should whenever possible be placed within their local authority area.

The proposal for these young people was therefore for the Kisimul Group to set up a new whole-life service in Cambridgeshire, which could support both the young people already identified and four others at the Kisimul School who would be leaving by July 2015. As well as bringing the young people back in county, this proposal would also

enable the young people to continue to be supported by an organisation who understood their specific and complex needs. Members noted that the proposal was fully supported by the young people's families.

It was resolved:

To approve an exemption from Contract Regulations for the establishment of provision of support and accommodation for six young people by Kisimul Group.

#### **115. OLDER PEOPLE'S STRATEGY AND THE BETTER CARE FUND (FORMERLY THE INTEGRATION TRANSFORMATION FUND)**

The Cabinet Member for Adult Services presented two draft documents setting out plans to improve services and outcomes for older people and to respond to the demographic and financial pressures faced by this sector. Cabinet noted that the Older People's Strategy had been developed by Children, Families and Adults and the Integration Transformation Fund vision and principles document by the Clinical Commissioning Group. The two documents and their priorities and principles were closely aligned, making it useful to consider them together. Members noted that once consultation on the documents was complete, they would be presented to the Health and Wellbeing Board for approval.

Members were advised that the Integration Transformation Fund had recently been renamed the Better Care Fund. It was agreed to update the title of the report to this meeting as published on the web.

Two non-Cabinet members spoke on this item:

- Councillor Nethsingha, the Liberal Democrat Spokesman for Health and Adult Care, emphasised the vital importance of these proposals. She reported that her group supported their overall direction. She highlighted the crucial role of partnership working and the need for effective communication, particularly with the voluntary sector, which was not represented on the Health and Wellbeing Board. She commented on the need for clear language and potentially a glossary, since most members of the public were not familiar with terms such as 'reablement'. In relation to supporting older people to live in their own homes, she agreed that it was important to support older people to live independently, but appropriately housed, not necessarily in family homes they had occupied for many years. She also emphasised the importance of effective communication between all involved in providing end of life care; and welcomed the references to mental health.
- Councillor Bourke, the Chairman of the Adults, Wellbeing and Health Overview and Scrutiny Committee, reported that the Committee had considered the proposals at their last meeting. Members had welcomed the more explicit formulation of the policy framework, but had expressed concern at the number of priorities identified and had felt that it might be necessary to prioritise these further. Members had also noted the transformational intent of the Better Care Fund and had expressed concern that it should not be allowed to become a mere transfer of existing responsibilities.

Cabinet members discussed the following issues:

- Shared the speakers' views on the importance of the two documents and the vital role of partnership working. It was confirmed that the purpose of the Better Care Fund was to aid transformation of services.
- Sought assurance that Cambridgeshire and Peterborough would not lose financially through the creation of the Better Care Fund. Officers advised that the detail was due to be announced on 18<sup>th</sup> December 2013 as part of the Local Government Finance Settlement. There was not expected to be any new funding available; money would be transferred from acute to preventative services, making it essential for the transformation to be effective.
- Noted the increasing impetus to draw together health, social care and housing, to optimise efficiency and outcomes. In particular, there was scope to work with developers to build houses that could readily be adapted as their occupants' needs changed; and to investigate possible demand for retirement villages, such as were being built elsewhere in the country. In addition, as fewer people were able to buy their own homes, it would be important to ensure appropriate provision for older people in the rented sector.
- Agreed that the voluntary sector played a vital role in providing care and support to older people and that the documents should highlight this more. Active older people could themselves play a key role in volunteering to help the more infirm.
- Agreed that professionals should be given flexibility to develop appropriate services and solutions but suggested that carers and relatives should also be involved, as they might be better aware where flexibility might be possible. Members also suggested that the support offered to older people by family carers should be more fully recognised in the two documents, together with the respite care that could be so necessary to them.
- Noted that funding for Disabled Facilities Grants was likely to be included in the Better Care Fund. Concern was expressed that these budgets were already stretched.
- Noted that the outcomes of the consultation would be reported back to members. The two documents would be living documents and members would continue to be kept up to date following the implementation of the new Committee system.

It was resolved:

- a) To comment on the draft Older People's Strategy prior to a consultation with professionals, partners, service users and other stakeholders
- b) To delegate authority to the Cabinet Member for Adult Services and the Executive Director: Children, Families and Adults to finalise the strategy and explore its development into a joint strategy with the Clinical Commissioning Group (CCG) and other partners. If the consultation results in significant changes, Cabinet will be invited to consider an updated version

- c) To consider the vision and principles set out for the use of the Better Care Fund (formerly the Integration Transformation Fund) and confirm the strategic intent described in the paper
- d) To delegate authority to the Cabinet Member for Adult Services and the Executive Director: Children, Families and Adults to further develop the detail of plans for the use of the Better Care Fund, in discussion with the CCG and other stakeholders, and to develop proposals for approval through the Health and Wellbeing Board.

## **116. FUTURE MANAGEMENT OF THE NATIONAL CAREERS SERVICE CONTRACT 2014-17**

The Chairman of Cabinet, Councillor Curtis, agreed to exercise his discretion under Section 100B (4) of the Local Government Act 1972 to allow this report to be considered, even though it had not been dispatched to members five working days before the meeting, for the following reasons:

- Reason for lateness: Further details regarding the potential managing agent were required and this combined with the need to assess the benefits and disbenefits of this contract has delayed the preparation of the report.
- Reason for urgency: An in principle view of the approach towards this contract is needed from Cabinet in December in order to allow the Council to signal as early as possible whether it would be prepared to accept the contract if offered.

Cabinet considered proposals for the future management of the National Careers Service contract for the Eastern region. It was noted that the Council's Adult Learning and Skills Team currently provided careers advice and guidance for adults across Cambridgeshire and Peterborough, sub-contracting to Realise Futures to deliver 10,000 careers advice sessions. The Adult Learning and Skills Team had now successfully passed the pre-qualifying stage of a tendering process to manage the whole of the National Careers Service for the Central Eastern area, comprising Cambridgeshire, Hertfordshire, Central Bedfordshire, Bedfordshire, Luton, Northamptonshire, Milton Keynes, Suffolk, Norfolk and Peterborough.

A tender bid to manage the contract had been made on 13<sup>th</sup> December 2013. If the tendering process was pursued and the Council was successful, the contract would start in October 2014 with a potential annual value of up to £7 million. Cabinet members' attention was drawn to the advantages and risks to the Council of securing the contract. Cabinet members agreed unanimously that the Council should seek to have as much control over the delivery of this service as possible.

It was resolved:

- a) To agree that the Council should accept the management of the National Careers Service contract for the Eastern Region if offered

- b) To work with Realise Futures as managing agent for the contract, should it be offered to the Council.

**117. ALLOCATION OF SECTION 106 DEVELOPER CONTRIBUTIONS TO TRANSPORT SCHEMES IN CAMBRIDGE CITY, FENLAND AND HUNTINGDONSHIRE AND RESPONSE TO CAMBRIDGE COMMUNITY INFRASTRUCTURE LEVY CONSULTATION**

Cabinet considered proposals for the allocation of Section 106 developer contributions to transport schemes in St Neots, St Ives, Huntingdon, March and Cambridge. It was noted that contributions in Cambridge City and South Cambridgeshire were collected primarily through the Corridor Area Transport Plan and in Fenland and Huntingdonshire through the Market Town Transport Strategies. Contributions had to be spent in accordance with the Plan and Strategies and through formal processes involving the County and District/City Councils.

Cabinet also considered the Council's proposed response to Cambridge City Council's consultation on its Community Infrastructure Levy Draft Charging Schedule.

One non-Cabinet member spoke on this item:

- Councillor Kavanagh, the Labour Spokesman for Economy, Transport and Environment, welcomed the number of cycleway infrastructure schemes proposed. However, he expressed concern that some schemes could be less than perfect in their delivery, highlighting an example of a dangerous cycle junction between Cherry Hinton Road and Hills Road in Cambridge and noting that design was all-important. Councillor Kavanagh drew attention to a new practitioner certificate in Cycling Infrastructure Planning and Design recently launched by the Institute of Highway Engineers. He suggested that the Council should encourage relevant staff and contractors to pursue this qualification.

The Chairman reported the support of one of the local members for Huntingdon, Councillor P Brown, for the contribution towards the Huntingdon Market Town Strategy.

Councillor Count expressed his support as a local member for the March schemes, noting that he had been lobbying for these for some time. He commended the processes underpinning the preparation of the Market Town Strategies, especially the involvement of local people.

Councillor D Brown expressed his support as a local member for the proposals relating to the Cambridge Eastern Gateway. He asked officers to ensure that this work was linked to other proposals for the area, particularly in relation to Newmarket Road.

Cabinet members welcomed the schemes linking cycleways to railway stations, emphasising the need to develop a more integrated approach to transport needs and to make best use of existing rail infrastructure as well as roads.

It was resolved:

- a) To approve the allocation of Section 106 contributions to the following schemes:

- 1) Cycleway improvements within St Neots - £730,000
  - Route 4 Great North Road
  - Route 7 Little Paxton to the Railway Station
  - Cycle parking at St Neots Railway Station
- 2) Improvement to bus stop infrastructure (St Neots) - £40,000
- 3) Real Time Passenger Information (St Neots) - £3,500
- 4) Cycling schemes within St Ives - £640,615
  - Route 6 St Ives to the south
  - Route 11 St Ives to The Hemingfords
  - Route 12 St Ives to Bluntisham
- 5) Norwood Road Bridge shared use path in March - £10,000
- 6) South bound cycleway from the Railway Station to St John's Road, March - £10,000
- 7) North bound route from the town centre to the Railway Station through Robin Goodfellow's Lane, March and linking with the National Cycle Network - £7,500
- 8) £50,000 - Eastern Gateway, Cambridge Special Planning Document Feasibility Study (Newmarket Road Junction with Coldhams Lane and Newmarket Road)
- 9) Additional £80,000 for the 'Remodelling Long Road Cycleways' project in Cambridge

- b) To approve the response to the Cambridge City Consultation Community Infrastructure Levy (CIL) Draft Charging Schedule and delegate to the Cabinet Member for Growth and Planning authority to make changes prior to submission.

## **118. CORPORATE RISK REGISTER UPDATE**

The Cabinet Member for Resources and Performance presented an update on the Corporate Risk Register. He noted that the Council's Strategic Management Team (SMT) had reviewed the Register on 18<sup>th</sup> November 2013, taking into account the recommendations recently made by the Local Government Association peer review team. SMT had made three changes to the Risk Register:

- Risk 1a) now read 'Failure to effectively plan how the Council will deliver services over the five-year Business Plan period commencing 2014/15'. The wording of this risk had been widened, clearly to identify the longer-term planning risk, and Risks 1a) and 1b) had been switched to place the planning risk before the delivery risk. The probability of the planning risk had been moved from 'very rare' to 'possible', changing the risk rating from green to amber.
- Risk 14 now read 'Increased demand for services arising from increased financial and social pressure on individuals, families and communities'. The wording of this risk had been changed, more clearly to identify the implications for the Council.

- For Risk 23, 'Major fraud or corruption', the probability of the risk occurring had been reduced from 'possible' to 'unlikely', in view of the controls identified in the Corporate Risk Register.

It was resolved:

To note the position in respect of corporate risk.

#### **119. LOCAL GOVERNMENT OMBUDSMAN – RESPONSE TO MALADMINISTRATION FINDING**

Cabinet was informed of an investigation by the Local Government Ombudsman that had resulted in a finding against the Council of maladministration causing injustice. The investigation had identified delay in carrying out a core assessment for a disabled child and faults within the assessment process. The investigation had also found that the Council had failed to progress the initial complaint made by the child's father through to Stage 2 of the statutory complaints process. The Ombudsman's full report had been circulated with the agenda.

Members were informed of the actions taken in response to the Ombudsman's report, including an apology to the complainant, which was restated at the meeting by the Cabinet Member for Children and Young People, Councillor D Brown; financial compensation; and steps to improve services and outcomes for the future.

It was resolved:

To support the response made by officers to the findings by the Local Government Ombudsman to address previous shortfalls in service delivery.

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

Members received an update following on from the last report, presented to Cabinet on 10<sup>th</sup> September 2013, on progress on matters delegated to individual Cabinet Members and/or to officers.

In relation to item 3, Negotiations on the City Deal for Greater Cambridge, the Chairman reported that it was the Government's ambition to agree the City Deal by the time of next year's Budget.

It was resolved:

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

#### **121. DRAFT CABINET AGENDA PLAN**

Members noted the draft agenda for the meeting to be held on 14<sup>th</sup> January 2014.

Chairman – 14<sup>th</sup> January 2014