

## **CABINET: MINUTES**

**Date:** 18<sup>th</sup> April 2006

**Time:** 10.00 a.m. – 11.40 a.m.

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

Councillors: S F Johnstone\*, V H Lucas, L W McGuire L J Oliver, D R Pegram J A Powley, J E Reynolds, J M Tuck and F H Yeulett.

### Also in Attendance

Councillors: M. Ballard\*, G. Kenney, S King, A. Kent and J West

\* for part of the meeting only

**Apologies:** None

## **148. MINUTES 28<sup>TH</sup> FEBRUARY AND 20<sup>TH</sup> MARCH 2006**

The minutes of the meetings of the Cabinet held on 28<sup>th</sup> February and the special on 20<sup>th</sup> March 2006 were approved as a correct record and were signed by the Chairman.

## **149. DECLARATIONS OF INTERESTS**

None.

## **150. PETITIONS – PUBLIC BYWAYS CONCERNS**

The County Council had received a petition of over 350 signatures from the Ramblers Association with the contents introduced by Dr Roger Moreton. It was confirmed that he was representing the South Cambridgeshire District of the Ramblers Association as one of the Joint Footpath Secretaries.

The petition highlighted the fact that a number of important public byways in Cambridgeshire were made impassable to walkers and riders during the winter, having been turned to morass by irresponsible use of recreational off-road motor vehicles. This loss of access was especially keenly felt by the less able bodied, who were restricted to pathways that could be negotiated by wheelchairs or buggies. While the petitioners did not wish to curtail reasonable recreational activities, the petition called upon the County Council as the Highways Authority to extend its successful seasonal traffic restriction orders to a number of specific byways and to limit usage of motor vehicles to what was fair and reasonable. Those highlighted were the Aldreth Causeway (Willingham Byway 9) Fox Road (West Wratting Byway 1 and Weston

Colville Byway 4) and the Roman Road near Balsham (Linton Byway 23 and Balsham Byway 4). They concluded requesting the Council's support to the Countryside Access team both in principle, and if necessary financially, in achieving better protection of the byways.

As no report was included on the agenda to discuss the points made in greater detail, the petition was passed to officers to provide a written response directly to the petitioners on the issues raised.

## **151. CHILDREN AND YOUNG PEOPLE'S PLAN**

The Children's Act 2004 had established a new statutory duty on all local authorities to produce a single, over arching plan for all services affecting children and young people where outcomes required to be improved. The Plan also required agreement by the full Council.

The Plan has been produced in consultation with partners and had also been adopted by the Children and Young People's Strategic Partnership. The scope of the plan covered the range of services provided by statutory agencies to children and young people in Cambridgeshire. The five Government "Every Child Matters" stated outcomes for children and young people had been used as the main organisers for the document. The report set out the six key outcomes identified in the Plan, which required improvement over the next three years.

It was noted that some of the demanding targets were dependent on partners' contributions and would need to be the subject of regular monitoring to ensure effective performance.

One Member stated that he would have wished to have seen more emphasis in the Plan on parental responsibility in influencing the conduct of children. In response, it was reported that this was an area being looked at by the Children's Leadership Team and could result in further reports going to relevant Service Development Groups to ensure that the right approach was adopted.

### **It was resolved:**

To agree the draft of the Children and Young People's Plan for submission for final approval by the Council.

## **152. BEST VALUE PERFORMANCE PLAN 2006/07**

The County Council was required to produce a Best Value Performance Plan under the Local Government Act 1999 for publication by 30<sup>th</sup> June 2006 to include:

- Outturn performance over the past year on all Best Value Performance Indicators.

- Targets for the current year and subsequent two years for all Best Value Performance Indicators that were both stretching and achievable. As a result of this, some indicator targets would be lower for 06/07.
- A brief Statement on Contracts.

One member asked that there should be reference in the Plan under the section headed “Social Care and Health” to reflect a recommendation for improvement made by the Audit Commission as part of its conclusions on the review of the County Council’s Supporting People Programme to ensure greater “accessibility of services and information”.

In respect of Best Value Performance Indicator 102 “ Local Bus Services” and the target to increase bus passenger journeys per year, there was some concern whether an increased target was achievable, as a result of some of the restrictions resulting from introduction of the Governments “Concessionary Bus Fares” scheme. With full fares being charged for those over 60 using some Park and Ride facilities, this could result in less people using buses in and around Cambridge. The County Council was continuing to press the Government to provide increased future funding, to enable the implementation of a fairer subsidised Countywide bus fares scheme.

A query was raised regarding the Local Public Services Agreement performance indicator target of 29% for premises found selling alcohol to those aged under 18, which appeared to be a high figure. In response, it was indicated that the current target had been over 40% and therefore the 05/06 performance result which was also 29% represented a large improvement, due to the robust action taken by officers (The lower the figure, the better the performance). Officers were requested to provide statistics on the number of prosecutions that had led to licences being revoked.

It was noted that the date for publication was 30<sup>th</sup> June 2006 not 2005 (Paragraph 3.3)

**It was resolved:**

- i) To recommend that Council approves the draft Best Value Performance Plan 2006/07, subject to any minor changes and final figures which may be added before the publication date, to be agreed in consultation with the Leader of the Council.
- ii) To request that officers make reference under the section on “Social Care and Health” to improving accessibility to services and information.

- iii) To note the performance to date and the expected performance for 2005/06.

### **153. AWARD OF HIGHWAYS SERVICES CONTRACT 2006/2016**

This report to Cabinet sought approval to the award of the Highways Services Contract 2006-2016.

The Highways Services Contract brought together all the existing highways contracts, except for the Major Works Framework Contract, into a 10 year single design and build contract based upon collaboration and partnership working. The contract would ensure that Best Value was obtained in terms of quality and over the longer term, the potential to provide future savings. An extended period contract also allowed services to be planned on the longer-term basis.

Collaborative working with one service provider would ensure risks were minimised through benchmarking nationally and through encouraging high quartile performance. Sharing staff and other resource costs would also help reduce costs and minimise relationship clashes.

As this was such a major new contract, Cabinet requested officers should provide more details on the quality and best value process used in the evaluation of the four companies assessed, and the criteria used for assessing risk management and performance. As the additional information was likely to involve commercially sensitive details, it was agreed that further discussion should be in the exempt/confidential section of the agenda, at the end of the meeting.

In the discussions held in closed session, assurances were provided that the contract would include break points, should performance on the whole or any part of the contract's service provision be deemed unacceptable. The details were still to be negotiated, once Cabinet approval had been given to the award of the contract.

More detailed Information was also provided on the reality check undertaken with organisations that had used the recommended tenderer's services. These showed high satisfaction levels on work carried out. In terms of risk management, as the contract was a shared pain/gain agreement, the traditional contractor add on costs for risk would now no longer be an unknown quantity.

Having been provided with more information on the process used in respect of the 60%/40% quality and price split which had concluded that Atkins would provide the best quality and price model, Cabinet were minded to approve the original officer recommendation.

**It was resolved:**

To approve the award of the Highways Services Contract for the period 2006-2016 to W.S Atkins.

#### **154. WASTE PRIVATE FINANCE INITIATIVE**

Cabinet received a progress report in respect of recent developments on the Waste Management Private Finance Initiative (PFI) Project. One of the project's main objectives would be to reduce the amount of waste sent to landfill sites (which was becoming increasingly expensive as a result of Government levied landfill taxes). This was to be achieved by increasing the amount of waste recycled and composted as well as providing new waste treatment facilities for waste that could not be recycled. The report also detailed the Governance arrangements for the process and the key dates for the procurement phase.

It was noted that of the eight waste management companies expressing interest in the project in April, four had been short-listed and one had subsequently withdrawn. A detailed technical and financial evaluation of the bids had been carried out and the Procurement Board on 26 April was due to consider the results of the evaluation, and would then decide which bid or bids to take forward to the next phase of the process.

It was reported that depending on the results of the evaluation, the Procurement Board could, within the powers delegated to it, decide to invite two or more bidders to submit their Best and Final Offers (BAFO) in response to issues identified during the initial evaluation.

Alternatively, the Procurement Board could recommend appointing a Preferred Bidder without inviting Best and Final Offers if the Board felt that it was a significantly better bid than either of the other two bids and a BAFO round would be unlikely to change the position. A further variation was to enter into a period of exclusive negotiation with a single bidder to help decide whether to go to a Preferred Bidder or BAFO. This latter option had not been anticipated in the original delegations, and therefore the report requested a new delegation approval.

It was also reported that the Environment & Community Services Scrutiny Committee had held an Examination in Public to investigate the implications of different waste treatment technologies. Their subsequent report recommended that:

- 1) The Waste PFI Procurement Board should be satisfied that it had adequate answers to the questions set out in this report before it made any further decisions in the PFI process.
- 2) The Project Procurement Board (PPB) should recommend to Cabinet that a response to the scrutiny report would be published.

Cabinet noted that the Board had asked that more information should be available for its meeting on 26 April in relation to some of the issues raised by the scrutiny report, in order to help them arrive at a considered decision on how to proceed with the Waste PFI Project.

In respect of Glebe Farm, Trumpington, which had been identified as a possible contingency site for a Household Waste Recycling Centre, the issues raised in respect of this site, including representations received from local residents, would form part of a report to the next Cabinet meeting. It was hoped that alternative sites would still come forward as part of the consultation process on sites for possible inclusion in the Minerals and Waste Local Development Plan.

**It was resolved to:**

- i) Agree that a response should be published from the Waste PFI Procurement Board in response to the Environment & Community Services Scrutiny Committee Report following its meeting on 26 April.
- ii) Note the developments with the Waste PFI project to date.
- iii) Note the timetable for future Cabinet decisions.
- iv) Agree the following additional delegation option to the Waste PFI Procurement Board:

Agree a period of exclusive negotiation with a single bidder prior to the appointment of a Preferred Bidder or inviting Best and Final Offers as appropriate.

**155. STATEMENT OF COMPREHENSIVE PERFORMANCE ASSESSMENT**

Following on from the Council's most recent Comprehensive Performance Assessment (CPA) a statement had now been produced to inform staff, partners and the general public of the Council's aspirations for the next CPA round.

As an indicator of service delivery, the Cabinet was asked to agree that the authority should seek to strengthen the current score of 3 stars, and achieve a Direction of Travel rating of 'Improving Strongly'.

The focus for improvements in 2006/07 should be in those areas that the Council has previously identified for improvement, particularly services for children and social care for adults, medium term planning and financial management. As it was fundamental to achieve full partner support, it was emphasised that the County Council's priorities needed to be effectively communicated to all relevant partners.

**It was resolved:**

- i) To approve the Comprehensive Performance Assessment statement of aspirations as set out in the appendix to the officer's report.
- ii) That officers should ensure that all appropriate partners were made aware of the County Council's areas for focussing improvements, particularly in relation to services for children and social care for adults.

**156. ANNUAL EFFICIENCY STATEMENT**

This report sought Cabinet's approval for the submission of the Council's second Annual Efficiency Statement (AES) to the Office of the Deputy Prime Minister (ODPM).

Following the publication in July 2004 of Sir Peter Gershon's report 'Releasing Resources to the Front Line' and the subsequent setting of efficiency targets across the public sector, the Office of the Deputy Prime Minister (ODPM) had established a process by which Local Authorities could report their plans and achievements for reaching their efficiency targets. The report detailed the process and the three stages required by the ODPM for reporting efficiency gains. The process commenced with the submission of a forward-looking Annual Efficiency Statement (AES) reporting to the ODPM on the County Council's plans for the forthcoming year.

It was noted that the target for 06/07 was to identify £8.5m of savings of which 50% required to be cash released savings. Currently £8.6m savings had been identified as set out in Appendix A to the officer's report. Caution was expressed by a member of the need to ensure that efficiency savings did not result in cuts being made to front line services. In response, it was indicated that part of the monitoring measurement was to provide proof that savings achieved did not result in an adverse affect on performance.

It was noted that quarterly monitoring would allow changes to be made to the action plan should it become apparent that some areas were not able to deliver the expected savings.

**It was resolved:**

- i) To authorise the Deputy Chief Executive (Corporate Services) in consultation with the Cabinet Member for Corporate Services to submit the final statement to the ODPM.

- ii) That Cabinet should receive regular updates regarding the progress made against the target savings identified in the appendix to the officer's report, as part of future performance monitoring reports.

**157. INSPECTION OF SUPPORTING PEOPLE NOVEMBER 2005:  
AUDIT COMMISSION INSPECTION REPORT**

This report provided a briefing on the Inspection of Supporting People, November 2005: Audit Commission Inspection Report Commission which had assessed Cambridgeshire County Council as providing a "fair" one-star Supporting People Programme that had uncertain prospects for improvement.

The Council and partners were committed to working to make the necessary improvements and the report also provided an action plan drawn up to address the seven recommendations in the Audit Commission Inspection report and the progress achieved to March 2006. It was confirmed that the level of administration grant received from the Government would be sufficient to deliver the actions set out in the action plan.

**It was resolved:**

- i) To note the outcome of the Audit Commission Inspection of Supporting People conducted in November 2005 and progress on the subsequent action plan to March 2006.
- ii) To agree the action plan on behalf of the Council for submission to the Audit Commission by 16<sup>th</sup> March.

**158. SERVICE PLANS – DELEGATED AUTHORITY TO SIGN OFF**

In the past, Cabinet had been asked to approve Departmental Service Plans. However, as a result of the 'Reshaped' organisational structure, and the fact that the Corporate Plan and Best Value Performance Plan were already subject to Cabinet approval, it was considered more appropriate to delegate responsibility for signing off the detailed service plans to the relevant Cabinet Member for both the current year and in future years.

**It was resolved:**

To delegate authority to sign-off Service Plans for 2006/07 and for future years as follows:



Chief Executive's Department – to the Chief Executive, in consultation with the Cabinet Member for Corporate Services;  
Office of Corporate Services – to the Deputy Chief Executive (Corporate Services), in consultation with the Cabinet Member for Corporate Services;  
Office of Children & Young People Services – to the Deputy Chief Executive (CYPS), in consultation with the Cabinet Member for CYPS; and  
Office of Environment & Community Services – to the Deputy Chief Executive (ECS), in consultation with the Cabinet Member for ECS.

**159. DELEGATIONS FROM CABINET TO CABINET MEMBERS/OFFICERS**

Cabinet received a report on progress on issues that had been delegated to individual Cabinet Members and/or to officers to make decisions on behalf of the Cabinet up to the meeting held on 28<sup>TH</sup> February 2006.

**It was resolved:**

To note the progress on delegations/actions to individual Cabinet Members and/or to officers previously authorised by Cabinet.

**160. DRAFT CABINET AGENDA PLAN 23<sup>RD</sup> MAY 2006**

Cabinet noted the following change to the agenda:

Report "Policy for Offering Financial Support for Housing Adaptations Following Disabled Facilities Grant Means Test" - this report was to be moved to the June Cabinet meeting.

**161. EXCLUSION OF THE PRESS AND PUBLIC**

**It was resolved:**

That the press and public be excluded from the meeting during the consideration of the following reports on the grounds that they were likely to involve the disclosure of exempt information under paragraph 3 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))

**162. EXEMPTION FROM STANDING ORDERS – SUPPORTING PEOPLE CONTRACTS**

**It was resolved:**

To agree to withdraw the report and to receive a replacement, updated public report to the May Cabinet meeting.

**163. PARK HOUSE LEASE RENEWAL**

The Chairman has agreed to take the report under the urgency provisions set out under the Local Government Act 1972 as amended by Part V 100B (4b) of the Local Government Access to Information Act 1985 to consider any additional item of business by reason of special circumstances.

The reasons for urgency being that leading Spokesmen had previously asked the Director of Property and Asset Management to ensure that he negotiated on behalf of the County Council the best terms possible in terms of flexibility e.g. for assignment and sub-letting. The negotiations with the landlord's agents had only been concluded on Monday 10<sup>th</sup> April. It was necessary for Cabinet to consider the report at the current time, rather than wait until the May Cabinet meeting, in order not to jeopardise the new lease agreement and to ensure it was in place in advance of the expiry of the current lease.

The County Council currently occupied office accommodation at Park House, Castle Park, Cambridge, under the terms of a 10-year under lease from Bush Securities Limited. The lease was due to expire on 12<sup>th</sup> July 2006. The Head of Facilities Management had confirmed a continuing need in the short to medium term to accommodate the employees in the building. A new 6-year lease would maintain continuity of service provision until such time as the Corporate Office Accommodation Strategy brought forward alternative solutions.

**It was resolved:**

To agree to the renewal of the lease of Park House, Castle Park, Cambridge for a term expiring 27<sup>th</sup> September 2012 upon terms to be agreed by the Director of Property and Asset Management.

Chairman  
23<sup>rd</sup> May 2006