

CABINET: MINUTES

Date: 13th December 2011

Time: 10.00 a.m. – 12.15 p.m.

Present: Chairman: Councillor N Clarke

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

Apologies: None

Present by invitation: Councillors N Bell, K Bourke, B Brooks-Gordon, L Nethsingha, T Sadiq, T Stone, V de Ven and F Whelan

484. MINUTES: 15th NOVEMBER 2011

The minutes of the meeting of the Cabinet held on 15th November 2011 were approved as a correct record.

485. DECLARATIONS OF INTERESTS

Councillor McGuire declared a personal and prejudicial interest under Paragraph 10 of the Code of Conduct as his wife was employed as a care worker and left the meeting during the duration of the discussion on items 8 “Adult Social Care: Exemptions from Contract Regulations for the Delivery of Social Care and Support Services” and 18, Adult Social Care Personal Support Service Home Based commissioning Strategy.

486. PETITION - MAKE ELY ST JOHN'S SCHOOL A SAFE PLACE FOR CHILDREN

Cabinet received details of the above titled petition with over 840 valid signatures, which read: “Our school is not a safe place for our children to cross...My proposal is to alert drivers that there is in fact a school ahead as there are no signs, speed limits or lights highlighting this fact.... At the moment the zebra crossings could potentially be more dangerous than not having any at all because they do not comply with the Zebra, Pelican and Puffin Crossings Regulations 1997 therefore sending mixed messages to the pedestrians and drivers ... We also need a crossing of sorts on Beresford Road as there is no way of crossing safely on this road.....We demand that roads are made safer to protect the most precious things in the world to us our children.....”

The organiser of the petition Ms Zoe Camilleri also acted as the spokesman providing more details for Cabinet of the dangers children faced walking to school along St Johns Road and Beresford Road and her personal experience of her six year old son being hospitalised following an accident. She highlighted that all local schools except St Johns had signage alerting drivers that they were approaching schools and this needed to be rectified. She also suggested the need for additional safety improvements and a reduction in the speed limit to 20mph along the road.

Normally in relation to a petition where there was not a relevant report on the agenda, officers undertook to provide a full response within 10 working days following the meeting. However in this case the opportunity was to be taken to arrange a site visit at the earliest practicable date before agreeing a full response, and as a result, the final response was likely to be sent after the normal deadline.

It was resolved

That officers should arrange a site visit with the petition spokesman and the Cabinet Member for Community Infrastructure, before the latter provided a written response.

487. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES

There were no matters arising from Overview and Scrutiny Committees.

488. CAMBRIDGESHIRE AND PETERBOROUGH MINERALS AND WASTE SITE SPECIFIC PROPOSALS PLAN, AND THE RECAP WASTE MANAGEMENT DESIGN GUIDE SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Cabinet received a report setting out the detail and composition of the final two documents that together with the already adopted development plan documents will constitute the new Minerals and Waste Plan jointly prepared with Peterborough City Council in order that Cabinet could consider it before recommending them for approval by the full Council in February.

The current report detailed the site specific proposals to ensure the provision of raw materials to meet the needs of future developments around the County (including the future upgrade of the A14) and to support more recycling. It was highlighted that the Core Strategy and Proposals Map C had been found to be 'sound' by an independent Planning Inspector in March 2011 and had been adopted by Cambridgeshire County Council and Peterborough City Council in July 2011. Of the three Supplementary Planning Documents (SPD) which provided detailed advice on particular aspects of the Minerals and Waste Plan two had been adopted by the County Council in July 2011, at the same time as the Core Strategy. The third, the Recycling Partnership for Cambridgeshire and Peterborough (RECAP) Waste Management Design Guide had been subject to a further round of public consultation as a result of representations seeking more guidance about developer contributions for the household recycling centre network.

It was reported as an oral update that the County Council's Development Control Committee had considered the Plan and the RECAP Waste Management Design Guide at their meeting on 8th December 2011 and were content with the recommendations.

Officers were congratulated on all the work undertaken which had culminated in the Inspector's overall conclusion that the Plan provided an appropriate basis for the planning of minerals extraction and waste disposal over the next 15 years and that all procedural requirements had been met. During the Examination the Inspector considered a number of matters relating to the proposals of the Plan and after taking the Examination in Public hearings evidence and written representations into account, his findings on specific proposals put forward in the Plan were as follows:

- Site W1X South of Addenbrookes Access Road - Household Recycling Centre (HRC) to serve the Cambridge City south area and neighbouring local villages: The proposed allocation was unsound for the reasons set out and he had recommended the removal of this site from the Plan which was binding on the County Council. In response to a question it was confirmed that while it was not possible to find a new site before the February Council meeting, the removal of the site did not prevent the County Council meeting from adopting the Plan and did not undermine the overall strategy of the Plan. It was indicated that both Cambridge City Council and South Cambridgeshire District Council were planning to review their local Planning Frameworks during the next two to three years. Consequently there was an opportunity to work in collaboration with the other councils to try and identify a new recycling site taking into account the distribution of other recycling centres. There was a request to ensure local members early involvement. During the debate on this issue, Councillor Orgee declared a personal interest as a member of South Cambridgeshire District Council who had made representations on this specific site.
- The proposed changes detailed in the report resulted in him judging that the allocations proposed to the Warboys Industrial Estate and Cottenham sites were sound. All other waste allocations for waste management (waste recycling and recovery and landfill) were found to be sound.
- In relation to Minerals sites, the inspector concluded that an extension to the Needingworth Quarry and the A14 Borrowpits were sound subject to the changes set out in the report. All other mineral allocations for sand and gravel, chalk marl, brickclay and specialist minerals were found to be sound. The Councils approach to the provision of limestone and engineering clay provision (through criteria based policies in the Core Strategy) was also found to be sound. He further concluded that there was no need for any additional or alternative allocations to be made.
- Sustainable Transport Zone, Chesterton Sidings, Cambridge: the inspector concluded the allocation was sound.
- Mineral Consultation Areas, Waste Consultation Areas, Waste Water Treatment Works Safeguarding Areas and Transport Safeguarding Areas – The Inspector found their designations to be sound.

Cabinet noted that the RECAP (Recycling for Cambridgeshire and Peterborough) Waste Management Design Guide had been created to support policies of the adopted Cambridgeshire and Peterborough Minerals and Waste Core Strategy by providing advice on the design and provision of waste management infrastructure in residential and commercial developments. It also included a toolkit to be used by developers to assist them in addressing waste management requirements as part of their planning applications.

The report set out the details of the public consultation undertaken, the representations received and the changes proposed. The adoption of the RECAP Waste Management Design Guide was being considered concurrently by Members of Peterborough City Council and it was possible that they might require additional amendments to the response to the representations. Given this, it was suggested that the best way forward was to request Cabinet to delegate powers to the portfolio holder for Growth and Planning, in consultation with the Executive Director Environment Services to approve the final amendments to the SPD, prior to the SPD being considered for adoption by Council in February 2012.

It was resolved:

- a) to recommend that the Council at its meeting on 21st February 2012 agrees to adopt the Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals Plan (as amended by Planning Inspector J G King); and the Cambridgeshire and Peterborough Minerals and Waste Proposals Maps A: Mineral and Transport Zones and B: Waste and
- b) that the Council also be recommended to agree to adopt the RECAP Waste Management Design Guide SPD;
- c) To delegate to the Cabinet Member for Growth and Planning, in consultation with the Executive Director, Environment Services, the authority to approve the final amendments to the RECAP Waste Management Design Guide SPD, prior to the SPD being considered for adoption by the Council.

489. ELY CROSSING

Cabinet received a report outlining the proposals to relieve congestion at the A142 Level crossing at Ely which it was explained was having a detrimental affect on the Ely economy and had resulted in senior members from the County Council and the relevant district council agreeing the need to progress a solution as a priority issue.

Cabinet noted that the level crossing was currently closed an average of 8 times per hour during the day with an average total closure time of 35 minutes per hour. This resulted in heavy goods vehicles waiting at the level crossing blocking the A142 and all traffic being caught in queuing at various times during the day. In addition, Network Rail's proposals for upgrading the Felixstowe to Nuneaton Freight Route which passed through Ely, indicated that there would be a possible 18 additional freight trains per day by 2014 which could increase level crossing closure times by between 4 to 6 minutes per hour, bringing a potential closure time to an average of 40 minutes per hour.

It was reported that a seminar / workshop had been held in Ely on 9th July 2011, which included representatives of the County Council, District Council, City of Ely Council, Network Rail and major stakeholders. Various options were discussed with the following 5 options considered worthy of further assessment:

- Bypass Route B - estimated cost £28M
- Bypass Route D - estimated cost £23M
- The Underpass - estimated cost £15M
- HCV Stacking Areas - estimated cost £1M
- HCV Queuing Lane - estimated cost £2.5M

Following a consultation exercise undertaken in October and November on the above, the evaluation of the 1700 replies received showed 81% supported route option B. An outline appraisal of the options using criteria agreed at the seminar / workshop in July also showed that the bypass proposal would provide the best solution.

The local member for Ely North and East, the area affected by option B, spoke against the proposal and instead supported the Underpass option as a far cheaper and less environmentally damaging option, which would also attract outside funding and would not result in the closure of the road. He estimated that Option B could cost ratepayers £200 per household when also taking into account the costs of the statutory approval requirements. He also stated that the consultation responses only involved a small proportion of the people in Ely.

During the debate Councillor David Brown the Cabinet Member for Children and Young People's Services declared a personal interest as a member of East Cambridgeshire District Council highlighting that the residents in the four parishes he represented were of the view that the current situation acted as a disincentive to travel to Ely, with many residents preferring to shop in Newmarket.

In response to questions regarding why the underpass option was not being recommended, officers indicated that it did not address the wider brief of East Cambridgeshire District Council for opening up rail access, improving the area around the station and the resultant other development / economic opportunities that would be opened up, including being able to walk from the station to the cathedral. While the underpass option was confirmed as being technically feasible, even with the advances in technology there was still a flooding risk that would need to be mitigated, which was the reason this option had been rejected in the past.

In supporting the recommendations Cabinet took account of the public responses received, the benefits the proposal would achieve locally and in relation to the wider transport network, as well as recognising that without substantial investment, congestion would continue to increase.

It was noted that further detailed evaluation of the preferred route and the other options would form an integral part of the planning process and the development and planning application for the scheme, which would also include further high level community involvement which was likely to take place in spring 2012. The public would be asked for comments on the draft planning application which would include the choice of route options, outline design, detailed evaluation of the environmental impacts, and visual effects. Comments received would then be reviewed and fed into both the detailed design work and final planning submission.

The timeline for moving forward the scheme was set out in paragraph 4.5 of the report (which required amendment to highlight the further public consultation to be undertaken as referred to in paragraph 4.3) and included a further report to Cabinet, currently scheduled for June 2012. Subject to all planning approvals being agreed, construction was expected to begin in April 2014 with a target opening date of September 2015.

It was resolved to approve:

- a) The development of a design and evaluation towards the submission of a planning application for the preferred route, option B.
- b) The preparation of Draft Compulsory Purchase Orders, Side Road Orders and Navigation Orders associated with preferred route option B.

- c) The acquisition of the options to purchase required land and rights to facilitate early scheme delivery.

490. CIVIL PARKING ENFORCEMENT (CPE) – SOUTH AND EAST CAMBRIDGE

Cabinet received an update report on the consultation exercise undertaken with stakeholders following decisions made in March 2011 regarding proposals to extend CPE powers to South Cambridgeshire and East Cambridgeshire and introduce on-street parking charges in Ely to support the finance of parking management / enforcement. Due to the pressures on council budgets, the report questioned the priority that should be given to CPE at the current time.

It was reported that following the district council elections in May, the new East Cambridgeshire District Council administration had reviewed its approach to car park management, significantly revising its parking charge proposals for Ely and had reviewed and rescinded its earlier support for CPE. Their Development and Control Committee had also recently asked for proposals:

- to enhance on and off street parking enforcement, in consultation with the County Council and the Police.
- to enhance on street car parking in the Ely city centre in consultation with the County Council.
- for joined up car parking infrastructure procurement with the County Council.

A summary of the replies received to the CPE consultation indicated that especially in South Cambridgeshire, there was very limited support for extending CPE. It was noted that while the financial risks associated with operating CPE in the South Cambridgeshire area were much less than in East Cambridgeshire, it would require significant initial outlay capital investment. It was reported that CPE in East Cambridgeshire was only considered to be financially viable if on and off street parking charges were introduced and if the District Council agreed to underwrite any CPE operational deficit. The most recent decisions taken by the District Council brought into question the proposal to move to CPE in the district. However further collaboration with the district council and police might result in being able to strengthen the existing arrangements.

The local Member for Bassingbourn Councillor Oliver had written in expressing her support in relation to the recommendations.

Two non cabinet Members spoke to the report:

- The local Member for Duxford Councillor Stone suggested that the poor response to the consultation reflected that the Council was not good at community consultation and engaging with parish councils, citing that only 10% of local parishes had responded (or wished to respond).
- The Liberal Democrat Member for Transport Councillor van de Ven expressed concern at the deferral of the South Cambridgeshire CPE proposals, agreeing with the previous speaker that consultation appeared to be an issue and asking how Cabinet intended to reinvigorate consultation in the district.

The Leader in response made it clear that both previous contributions had not actually addressed the issues around CPE and also made the point that the purpose of consultation was to listen to the views of local people / parishes and take them into account, rather than trying to impose set views on them. The issues around CPE related to responding to a Central Government initiative, with the latest guidance stressing that ultimately the matter was for highways authorities to determine. The Leader indicated he had no particular ambitions for the County Council to be a parking authority and was clear from the responses that there was no appetite amongst district or parish councils.

A view was expressed that while towns might have parking problem issues any solution should not be imposed on surrounding villages. Another view was that the issue of controlled parking should be for districts to decide. Reference was also made in the discussion to the fact that Fenland District Council did not support the introduction of CPE and Huntingdonshire District Council were planning a joint review of on and off street parking in the market towns, which would be the appropriate time to engage with them on any need for CPE.

It was resolved:

To defer a decision on extending CPE:

- a) to East Cambridgeshire to allow further collaboration with the District Council and the Police in support of the introduction of off-street parking charges in Ely; and
- b) to South Cambridgeshire to allow further engagement with local communities and the Police,
- c) to receive a further report on the outcome of the consultations in due course.

491. ADULT SOCIAL CARE: EXEMPTIONS FROM CONTRACT REGULATIONS FOR THE DELIVERY OF SOCIAL CARE AND SUPPORT SERVICES

Cabinet received a report outlining the case for the approval of contract exemptions for a range of adult social care and supporting people contracts which were due to expire in either March or April 2012 and were recommended for short term extension to allow more time to either:

- address a number of issues with the market before undertaking fundamental changes,
- to ensure a smooth transition between contracts to ensure potential savings were maximised which required a longer timescale,
- in some cases to give more for the market to be sufficiently developed to offer synergy, savings efficiencies and choice of service across the County,
- investigate whether providers were willing to adapt to proposed changes,
- Not to retender at the current time as it would lead to increased costs to the Council and disruption at a time when budgets were under pressure

With the full details provided in the report.

It was resolved

to approve the following Adult Social Care Exemptions:

- a) PERSONAL SUPPORT SERVICE (HOME BASED) (PSSH) – 39 providers all operating under the same contract: extension from 31 March 2012 to 30 September 2012
- b) SPECIALIST HOME AND COMMUNITY SUPPORT SERVICES (DISABILITY SERVICES) – 48 providers all operating under the same contract: extension from 31 March 2012 to 30 September 2012
- c) SPECIALIST HOME AND COMMUNITY SUPPORT SERVICES (MENTAL HEALTH) – 5 providers all operating under the same contract: extension from 31 March 2012 to 30 September 2012.
- d) SUPPORT IN SHELTERED HOUSING, 18 contracts, to March 2013 SUPPORT CONTRACTS IN EXTRA CARE SCHEMES so they align with the end dates of existing contracts for social care.
- e) SERVICES FOR SINGLE HOMELESS PEOPLE, HOMELESS FAMILIES, YOUNG PEOPLE AT RISK AND VICTIMS OF DOMESTIC ABUSE – six contracts, extension of 2 years from 31 March 2012 to 31 March 2014

492. INTEGRATED RESOURCES AND PERFORMANCE REPORT FOR PERIOD ENDING 31ST OCTOBER 2011

Cabinet received the most recent Integrated Resources and Performance Report presenting financial and performance information to assess progress in delivering the Council's Integrated Plan. It was noted that subject to Cabinet deploying reserves as recommended and detailed in the report (in relation to meeting identified overspends in the Adults Social Care Service and the Library Service libraries service and a virement to assist in funding Cambridgeshire Future Transport), the overall budget position would show a forecast year-end underspend of -£2.2m.

The Cabinet Member for Resources and Performance placed on record his thanks to all the staff in Services involved in the continued efforts to reduce overspends and find further savings during the current municipal year which had resulted in a further £1.1m savings being identified in Adult Social Care and £0.5m of additional savings identified from within Environment Services in respect of Road Safety and the Waste Private Finance Initiative (PFI) contract, which included the impact of the agreed actions to address overspends as set out in section 3.2 of the report.

Also highlighted was a recommendation to approve a revised risk share arrangement for 2011/12 as a one year only agreement for the Older People's Pooled budget requiring each party (Cambridgeshire County Council (CCC) and Cambridgeshire NHS (CNHS)) to take responsibility for their own overspend. It was highlighted that in the past few years, the contribution into the Pool by the two parties as a proportion had remained broadly consistent, but in 2011/12, due to the different budget strategies of the two organisations the link had been broken, with the Council's contribution significantly lower than that of CNHS. As a result, retaining the status-quo of the risk share based on the value of contributions into the Pool was no longer appropriate.

At the request of the chairman, the LGSS Director of Finance Nick Dawe provided an update regarding the Chancellor's Autumn statement, the details of which had only become available the previous Friday. He was able to confirm that the detail was broadly as had been expected by the Council's officers with the grant announcement of £107m being exactly as expected, which was a £30m / 12% reduction on the previous year. The Academy top slicing was also as had been expected. The Leader of the Council placed on record his thanks to Nick Dawe and his team for their accurate predictions which had resulted in there being no major surprises for the County Council and as a result, did not require any reconsideration of the proposed budget strategy.

Three non cabinet members spoke as follows:

- Councillor Nethsingha the Liberal Democrat Deputy Leader and their spokesperson with responsibility for Resources highlighted the fact that all three areas requiring support from reserves as part of the current report recommendations were areas the Liberal Democrat group had challenged when considering the budget strategy for 2011/12 having questioned at the time whether the Adult Social Care budget was realistic or achievable. She suggested that the overspend situation of the service was a result of poor planning / bad management as it should be possible to predict the budget more accurately and as a result led to poor staff morale. In response the point was again made that the overspend represented less than 1% of the Council's overall budget.
In terms of the Library Service the Group had supported not cutting the service and she suggested that the u-turn regarding the creation of the Library Trust represented a huge amount of wasted time and effort for officers / members and the public in respect of the consultation undertaken. The Leader of the Council challenged this statement as suggesting that it was wrong to undertake consultation, with the position being that following the consultation results and after listening to the people of Cambridge the current Cabinet undertook a change of policy which was the right course of action and represented localism in action. In addition, the point was made that the Library Trust option was now no longer available as a result of a change of legislation by the Coalition Government.
- Councillor van de Ven the Liberal Democrat Group Transport spokesperson made reference to the virement to Passenger Transport to support funding the Cambridgeshire Future Transport initiative and highlighted her concerns of whether the initiative would deliver in April when the next round of cuts were due to take effect and suggesting that if money could be found for a virement, then why should such a sum of money not have been used to support subsidised bus services. In response the point was made that in the current economic climate the subsidised bus services supported in the past were no longer financially affordable and there could no return to such a model for many years and therefore the approach to passenger transport was one of partnership with the commercial sector and the voluntary sector and local communities to identify affordable joined up solutions. The approach would be influenced by the results of the current pilot schemes and the point was made that throwing money at a problem was never a solution.
- The Leader of the Labour Group Councillor Sadiq highlighted that the Adult Social Care overspend had been a year on year problem for several years and highlighted that the current national government was a coalition between the Conservative and Liberal Democrat national parties and asked the question of

what the local Liberal Democrat Party and the local Conservative party was doing in term of lobbying the national government for more resources. In response reference was made to the Dilnot Commission which had been commissioned by the previous Labour Government to review the funding for care and support services and which when making its recommendations ignored the significant problems faced by local authorities in relation to demographic pressures nationwide . It offered solutions but implementation was the issue in terms of its cost, estimated at £2 billion. In the short term the emphasis would need to be on continuing to squeeze inefficiencies out of the system. Reference was made to the lobbying being undertaken through the relevant regional group to make the money available to implement the recommendations. In addition the point was made that the joint funding of adult social care had proved to be very complicated with the Cabinet Member for Adult Services having been tasked with investigating and identifying the current costs with the view to ensuring improvements were put in place for the next municipal year. He would be supported by Adrian Loades the Executive Director CYPS who would also now have lead responsibility for Adult Social Care and would bring with him the experience of having been the County Council's Social Services Finance Director a number of years ago. The point was also made that Adult Social Care had spent less money than in the previous year (the service had been asked to make a £22m saving which was always a stretching target and was recognised as such by the late Executive Director at the time of setting the budget) and yet the service had still been able to find a large part of the target savings without changing the eligibility criteria. The ambitious savings had been recognised by ensuring there was a reserve contingency available in the event that not all the savings could be achieved.

- Councillor Sadiq also expressed concern in relation to the £400k underspend on Road Safety and the current restructuring of the service to find more savings when one of the major priorities of the Council had been to reduce the number of deaths and seriously injured on the roads making reference to page 12 of the report and the fact that the killed and seriously injured (KSI) continued to go up and whether this highlighted a need to reinvest in more road safety resources including more preventative education and appropriate engineering measures to slow down traffic and protect the life and limbs of residents of the county. The Leader of the Council reiterated that road safety was a very important issue for the current administration which was why it had agreed a change of policy to allow decisions on local speed limits to be devolved down from the County Council to parishes to allow them to take responsibility for helping fund local speed limits considered to be a priority in specific local communities. The point was also made that the KSI figures also included trunk roads which were not the County Council's responsibility and that while the current figures represented a blip, the overall trend was still a reduction in the number of people killed and seriously injured on the County's roads and the rise was largely as a result of pedestrians / cyclist accidents. A comment was made regarding the number of cyclists who persisted in cycling at night in Cambridge without lights, thereby increasing their personal risk of injury and even death. The point was also made that the £400k forecast underspend had not been reallocated elsewhere, and if the saving could not be made, the money was still there to be used. More work was being undertaken through the Road Safety Partnership to make cyclists more aware of their personal responsibility for their own safety.

In relation to the Performance target figures it was indicated that the proportion of 16-19 year olds in education, employment or receiving training was 92.1% which was a

better figure than the rest of the region and the Cabinet Member Children and Young People's Services paid tribute to the staff involved in obtaining this figure.

It was resolved to:

- a) note the resources and performance information and the remedial action currently being taken.
- b) approve the virement of £200k from the Pressures and Developments (P&D) Reserve to Passenger Transport (ES) (the detail as set out in section 3.2 of the officers report).
- c) approve the virements of £3.5m and £800k from the P&D Reserve to Adult Social Care and the Library Service respectively (the detail as set out in section 3.2 of the officers report).
- d) approve a revised risk share arrangement for 2011/12 (only) with regard to the Older People's Pool (the detail as set out in section 3.2 of the officers report).
- e) approve a further non-refundable Invest to Transform loan of up to £250k to support the Library transformation project in 2011/12 (the detail as set out in section 3.2 of the officers report).

493. BUDGET 2012/13 - REPRESENTATIONS REGARDING CHANCELLOR'S AUTUMN STATEMENT AND GRANT NOTIFICATION

Although listed on the agenda as a separate report to follow, as there was very little to update Cabinet, a brief oral information update was provided as part of the report above (referred to in minute 493).

494. CORPORATE RISK REGISTER UPDATE

Cabinet received a report updating it on the status of the main risks to the achievement of Council objectives noting that the was reviewed by the Audit and Accounts Meeting on 23rd November during which officers of the Council answered Committee concerns in respect of corporate risks relating to the Integrated Performance Plan, Community Engagement and Community and Adult Services budget management. That Committee had not suggested any changes to the Corporate Risk Register as presented.

The main changes to the Corporate Risk Register from that previously reported to the Committee (September 2011) were given as follows:

- Risk 1 in respect of the Integrated Plan had been widened to reflect both the planning and delivery of the plan for 2011/12 and 2012/13. The risk entry has also been updated to reflect the continuing very difficult economic picture facing the Council.
- The probability of Risk 16, 'Resourcing Provision for Children and Adults' had been increased from moderate to high, chiefly to reflect the possible effect of Government changes to welfare benefit arrangements.

- The scoring of Risk 19 in respect of Information Technology (IT) Resilience had been reduced to an amber rating, to reflect the enhanced control environment which now operated.
- The probability of Risk 20, 'Non Compliance with Legislative and Regulatory Requirements' had been reduced to reflect management action.

It was resolved:

To note the proposed updates to the Corporate Risk Register and confirm contentment with the risks as described in the report, the controls which already existed to manage the risks and the details of any mitigating actions planned.

495. DELIVERY OF PUBLIC SERVICES FOR NORTHSTOWE

Cabinet received a report inviting it to endorse the emerging model of public service delivery at Northstowe and proposals for the establishment of a joint team between the County Council and South Cambridgeshire District Council to oversee the planning process for Northstowe in order to move the Northstowe Project through the formal planning process and towards delivery as quickly as possible.

The report set out the details around why the Northstowe project had stalled in recent years. It was further noted that the withdrawal of the A14 improvement scheme during 2010 and its subsequent cancellation had resulted in the joint promoters wishing to submit a planning application for a Phase 1 development during early 2012 with the details as set out in the report. The key issue for public service providers was how 'discrete' or co-located service provision should be.

The report proposed a model of two community hubs one to be focused around the first primary school in Northstowe and the other around early provision of an initial 4 form of entry secondary school, with the detail and benefits as set out in the report. The intention was to provide early and critical support for all parts of the community as Northstowe commenced to its first phase.

The local Member for Willingham Cllr Johnstone in a written submission welcomed the report and the principles behind it. She was particularly pleased to see reference to innovative ways of funding and the potential use of social impact bonds. She indicated that co-location of services would enable a one-stop offer for the early residents and provide a model for the future. She highlighted that some of the services identified for future phases needed to be provided from the outset; including youth services and support services. Making reference to the recent member led review, she highlighted that depression was known to be a common condition of new developments and it was vital for the success of Northstowe (and helping contain the social cost of the development) for intensive support to be offered from the outset and would require ongoing revenue support. She also highlighted the need for increased general practitioner (GP) provision as she did not believe any of the neighbouring surgeries had capacity to support an additional "village" the size of Willingham in the first stage. She also suggested that as GP services demand might be above average, and also until the development of a town centre, it might be reasonable to suggest a dispensary was also part of the first phase.

It was agreed that in relation to the points made above, officers should go away and consult with GPs and that at the same time consideration needed to be given to

expanding dental provision using Bottisham as a potential model. Another member made the point that the hub buildings needed to be designed so that they could accommodate changed use as a communities needs changed.

It was resolved:

- a) to endorse the proposed model for delivery of public services to Northstowe set out in paragraph 2.1 of the report; and
- b) agree the principles of a joint team between the County Council and South Cambridgeshire District Council to oversee the planning process for Northstowe as set out in paragraph 2.8 of the report.

496. FUTURE OPTIONS PARK AND RIDE

The chairman agreed to take this report (which had been circulated on a late second dispatch) under the discretion given to him under Section 100B (4) of the Local Government Act 1972 with the reasons for lateness / reasons for urgency having been included on the covering letter of the second dispatch.

Cabinet was reminded that in December 2010, it had considered how to take forward the operation of the Cambridge Park and Ride service as the agreement was due to expire in March 2011. As the comprehensive spending review had significantly changed the financial climate for the Council, officers had been tasked to undertake a full Park and Ride options appraisal to reduce the funding the Council put into the service and to identify the extent of competition in the market. Officers undertook an initial review and presented their findings to a non decision making Policy Development Group in March 2011 which agreed to set up a Member Task and Finish Group to develop proposals which are set out below in *italics* followed by a brief update of the work undertaken):

1. *concessionary eligibility on the Park and Ride was considered anomalous and removal would be acceptable if achieved legally;*

Update: Park and Ride Services were included in the English National Concessionary Travel Scheme (ENCTS) giving free travel for pass holders. Several other Local Authorities (including Norwich) had recently taken the decision to remove their Park and Ride services from the ENCTS and had replaced it with a discretionary scheme, whereby a small charge was made. Advice had been sought from Counsel on the ability to remove the Park and Ride services from the ENCTS which suggested it was defensible, although challenge would be possible.

2. *those using the sites simply for free parking and not for using the bus service should be made to pay for this facility;*

Update: Although there was not generally a significant problem of the Park and Ride sites being used for parking only in order to walk elsewhere, one exception was the Babraham Road site, due to its proximity to Addenbrooke's Hospital, with some 200-300 cars parked on a daily basis while their occupants walked to work.

3. *current staffing costs were unacceptable and should be reduced as soon as possible in line with County terms and conditions of employment;*

4. *subject to detailed consideration, the ongoing staff review should continue and future models should assess the need for continuous site staffing;*

Update: A review of the staffing arrangements on the Park and Ride sites was now nearing completion. Stage 1 of the staffing review would see savings of £70,000 by harmonising all staff employment terms and conditions to those working on the sites. It was proposed that a further Stage 2 should be introduced and would realise additional savings of £48,000.

5. *the net cost of the Park and Ride should to be minimised, or even better turned into a profit for the Council.*

It was highlighted that although the measures noted above had the potential to reduce the net operating cost of the service to the Council through both revenue generation and cost reduction, they would not in themselves eliminate the subsidy the Council puts into the service.

Points 1-4 had been considered and the recommendations were contained in the report. To address point 5, the initial stages of a procurement exercise had been commenced through issue of a Prior Information Notice (PIN) to gauge interest from potential operators of the service and seek ideas as to how the costs of the service could be reduced. Cabinet noted that only five companies had shown any interest and only three of them had submitted any feedback of which none contained detailed or innovative proposals. The findings from the work had however helped to shape two broad options:

- the Council could contract out the services and therefore take a greater control over their provision
- or it could seek commercial models of operation.

The report set out the benefits and risks in relation to the two models and while contracted services initially appeared attractive, it had substantial risks if only one dominant operator was to bid as they could dictate their price, while the operational risk remained entirely with the County Council. In this latter model Cabinet noted that the operator had no incentive to improve services and seek efficiencies to benefit the Council. Early work suggested that some variants of the commercial services model might be capable of recouping operating costs, but that business models required to be studied in more detail in order for Cabinet to make a final decision in January 2012.

Written comments were received from Councillor Batchelor the local Member for Linton read out at the meeting supporting the recommendations to retain concessionary fares and to charge for those who park but do not ride. His understanding was that at the Babraham Park and Ride Site, about one third of all places were taken by staff and visitors to Addenbrookes and as he understood the hospital charged staff £2.50 per day, he believed the level of charge at the park and ride should be designed to make parking at the hospital a better option. He also suggested building on the success of the park and rides around the city the Council should establish mini park and rides in the larger villages on well served bus routes. This he believed would do much to reduce the number and length of car journeys.

During the debate Councillor Bates declared a personal interest as a concessionary fares permit holder.

Five non-Cabinet members spoke on this item:

- Councillor van de Ven the Liberal Democrat Spokesman for Highways was keen to know what the County Council was doing to support Norfolk County Council's Fair Deal Campaign on Concessionary Fares. (In response it was indicated that the County Council had joined the campaign). She supported full consideration of different model options and referred to the need for the Park and Ride system to be an integrated transport system for all forms of transport including park and cycle provision and also supporting the need for mini hubs further out of Cambridge. In response it was indicated that park and ride sites were already a hub for other transport services e.g. National Express paid a fee to use sites and it was also highlighted that provision was made for cyclists to use the current sites although there was a recognised need for more secure cycle racks.
- Councillor Kenney spoke as one of the local members for Sawston welcoming the proposal not to remove concessionary fares but requested reassurance that Cabinet would not look again at this option in the future. In response Cabinet members indicated that they supported not removing the Park and Ride services from the ENCTS, recognising the mobility benefits it provided, especially to those in the more vulnerable groups in Cambridgeshire, and that this decision would be in place for as long as the Council could afford it. However they could not rule out a change of policy in future should an adverse government grant settlement be received, as all budgets would need to be looked at in terms of potential efficiency savings. She also supported charging those using the site to walk to work as an alternative to prohibiting them from using it, suggesting that perhaps an area of the site could be allocated for their use and also pointing out the health benefits of walking for part of their journey which should not be discouraged.
- Councillor Sadiq spoke as the Labour Group Leader raising concerns that some of the recommendations were pre-empting the work being undertaken by the Southern Area Parking Group which was not reporting until January. Officers in response indicated that they had officer representation on the Group and that the business case was being developed as a joined-up approach. Councillor Sadiq also suggested officers should consider a charging model by car rather than by passenger. He also opposed excluding contracting out services as an option at the current time and suggested that it should still be included as part of a further more detailed feasibility study, even if it required a longer timescale.
- Councillor Bourke spoke as the Leader of the Liberal Democrat Group, highlighting his concern that the last review had resulted in an agreement which had reduced operator fees (departure charges) by 25% in return for freezing fares but that the company had only undertaken the freeze for a year after which time ticket prices had risen. He believed that departure charges should be linked to ticket price increases and for best value considerations should be greater than any ticket price increase. He disagreed with any proposal as set out in paragraph 2.14 suggesting that the operator should run the site as he believed that operator savings and commercial savings should be kept separate. Officers indicated in response that various options would be looked and reported on in the further report to Cabinet. Councillor Bourke supported in principle proposals for open access to sites by operators, provided they were not in direct competition to established routes to the city. (Note: this was currently the case with National Express)

- Councillor Brooks-Gordon spoke as the local member for Castle, highlighting the need for operators to run more buses at certain times of the day and at certain peak time of the year to meet increased demand, citing the example of the Madingley Road Park and Ride site not having enough buses to meet the increased demand for the service on the Friday evening at the end of the University year, which she highlighted was a predictable event. She suggested that this should be looked at when renegotiating future contracts and should also involve consultation on likely demand with bodies such as the University. In response the point was made that a contractor would only arrange additional buses at given times if it was considered commercially viable.

As it was the Head of Passenger Transport Glen Edge's last meeting with the Council Members of Cabinet lead by the Leader the deputy Leader placed on record their appreciation of the work undertaken during his time with the Council and wished him well for the future.

It was resolved:

- a) to note the issues around concessionary fares on the Park and Ride system and not to pursue their removal as set in paragraph 2.4 of the report;
- b) to approve the introduction of parking controls at the Babraham Road Park and Ride site to manage use by non Park and Ride users as set out in paragraph 2.5 of the report;
- c) to note the current measures in place to reduce staffing costs at the Park and Ride sites set out in paragraph 2.6 of the report;
- d) to note the options that had been considered for the future operation of the Cambridge Park and Ride service (paragraphs 2.9 to 2.14 of the report);
- e) to request that officers complete a fully costed business case based on the provision of commercial Park and Ride bus services for approval by Cabinet in January 2012 (section 3 of the report)
- f) Cabinet noted and welcomed some of the constructive comments made by other Members speaking at the meeting.

497. PRESCRIBED ALTERATIONS EXPANSION OF HARDWICK PRIMARY SCHOOL

Cabinet received a report seeking approval to proceed with plans to increase the size of Hardwick Community Primary School by increasing its Published Admission Number (PAN) from 45 to 105 from September 2012. This was to be undertaken by adding a second campus to the school in order to meet the additional demand for places required in Cambourne which could not currently be met from the three primary schools based in Cambourne. The proposal would involve expanding the catchment area of Hardwick Community Primary School to include the shared catchment area currently served by Jeavons Wood and the Vine Inter Church Primary schools.

Details of the consultation exercise were set out in the report and this included the two responses received, one from the local County Councillor for the Bourn electoral division, Councillor Lister Wilson and one from Councillor Fiona Whelan the Local Member for the Hardwick electoral division. Councillor Whelan also attended the Cabinet meeting and spoke in support of the recommendations.

It was resolved:

- a) To note the response from the local County Councillors for the Bourn and Hardwick electoral divisions received in response to the statutory notice published on 3rd November 2011.
- b) To approve the prescribed alteration to increase the size of Hardwick Community Primary School by the addition of a second campus with effect from 1 September 2012.

498. BUILDING SCHOOLS FOR THE FUTURE - THE COUNTY SCHOOL (FENLAND LEARNING BASE) STAGE 0 SUBMISSION

Cabinet received a progress in respect of the Stage 0 Submission for the County School (Fenland Learning Base) seeking its endorsement for the timetable, resourcing, affordability and risk implications associated with progressing this project under the Building Schools for the Future programme.

Cabinet was reminded that The Building Schools for the Future (BSF) programme in Cambridgeshire included £2.5m of Government funding to modernise the former Fenland Junction Pupil Referral Unit (PRU) as the PRU's current premises in March were time-expired and not fit for purpose. The BSF Outline Business Case (OBC) had proposed relocating the unit to a new, purpose-built facility in Wisbech or March. Confirmation of the full 100% funding had been received by the Partnerships for Schools subject to Stage 0 and the final business case being approved. On 27th September 2011 Cabinet agreed that part of a County Council owned site at Somers Road in Wisbech could be made available for the development of the County School (Fenland Learning Base).

Paragraphs 2.1 to 2.3 of the report set out the detail of the stage 0 process required to be undertaken in order to secure the necessary funding.

It was reported that Cllr King the local Member for Wisbech South had provided written comments making Cabinet aware that there was strong opposition to the proposal in Wisbech. He further stated that a constituent had already collected nearly 300 signatories on a petition, which he suggested made it imperative that the Cabinet instructed officers to pursue the alternative site near the Hudson as a matter of urgency. In response it was noted that there were considerable practical difficulties associated with securing a site near the Hudson. Furthermore, it was agreed that such a proposal, which would have the effect of removing some of the most vulnerable children to the edge of town, was not one that could be supported and would send out the wrong message suggesting that the children were not valued. It was recognised that any site was likely to attract opposition and it was considered that many of the potential issues could be designed out. The proposals also added significant investment to one of the most deprived areas of the county.

It was resolved:

- a) to note recent developments with progressing the County School (Fenland Learning Base) project;
- b) to note the implications and principal risks set out in section 4 of the report; and
- c) to confirm the Authority's commitment to proceed with the County School (Fenland Learning Base) project by endorsing the timetable, resourcing and affordability implications set out in section 2 the report.

499. CABINET AGENDA PLAN

Members noted the draft agenda for the Cabinet meeting to be held on 13th December 2011, including the following changes made since publication of the agenda for this meeting:

Additions: Other Decisions:

- St Ives Town Busway Stop
- RECAP Partnership Charter

Deletions:

- Item 5 Oasis Nursery Review (Note Moved to March as a result of a petition seeking that the Council review the options available and re-consider retaining the ownership and running of the Oasis Nursery).
- Item 6 Establishing a new Primary School in Northern Gateway, Soham : Selecting a Promoter (Moved to a later meeting)
- Item 7 Chesterton Station Business Case – moved to 31st January

CHANGE IN THE ORDER OF THE AGENDA

At the request of the chairman, Cabinet agreed that agenda item 19 "Local Government Ombudsman - Response to Maladministration Finding" should be brought forward into the part 1 public agenda as he did not believe for reasons of transparency that where things went wrong or there had been failings in Council systems they should be discussed as part of the private and confidential business of the meeting. It was explained that the decision to classify it as a private and confidential report had been due to an officer misunderstanding and that as the Ombudsman had published their report on their own website there was no reason for the Cabinet report to be taken in closed session. Further to this decision, additional copies of the report were tabled and made available to the public.

It was resolved:

- a) That the report should no longer be classified as exempt and should be taken as part of the open meeting.

500. LOCAL GOVERNMENT OMBUDSMAN - RESPONSE TO MALADMINISTRATION FINDING

Cabinet received a report informing it of the outcome of the Local Government Ombudsman's investigation into the way that Cambridgeshire County Council handled the transfer of responsibility for providing education for a young man with a statement between Cambridgeshire County Council and Authority B. The report found that the County Council was responsible for maladministration. The issues of the case were that:

- The due process in relation to making a placement decision based on an Annual Review of a Statement of SEN was not adhered to.
- Cambridgeshire County Council did not act in a coherent way, initially, in meeting the Childs needs.
- The legal advice, on a very complex area of SEN legislation, was incorrect and therefore communication with Authority B about responsibilities was also incorrect.
- Due to the delay in resolving the issue of responsibility there was a subsequent delay in identifying post 16 educational provision for the Child. Had the 14+ Transition Annual Review been more robust, planning would have already been in process.

Cabinet was reminded that the County Council received around 25 Local Government Ombudsman complaints every year and that this case was the first finding against the Council since 2004, which suggested the Council's systems were robust and that while on this occasion officers had got it wrong, it would not happen again with the report setting out the actions that had been taken (detailed in paragraphs 2.2.2 to 2.2.8) to identify and implement improvements needed to ensure coherent decision making and ensure statutory responsibilities were better understood.

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.

501. 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 report on the grounds that it was likely to involve the disclosure of exempt information under paragraph 3, of Part 1 Schedule 12 A of the Local Government Act 1972 as amended and that it would not be in the public interest for this information to be disclosed as it contained information relating to the financial or business affairs of any particular person (including the authority holding the information).

502. ADULT SOCIAL CARE PERSONAL SUPPORT SERVICES HOME BASED COMMISSIONING STRATEGY

Cabinet received a report which considered a revised approach to commissioning personal care and support services. The proposals detailed in the exempt report would result in the further development of the home care market across Cambridgeshire in order to meet the needs of an increasing population of vulnerable people. The strategy outlined a range of initiatives to assist with the development of a wider range of services able to meet the needs of a variety of client groups across the County, whilst also ensuring value for money.

It was resolved:

To approve the approach to commissioning personal care and support services in order to ensure effective delivery of services within the budget available and to facilitate improved working with providers.

Chairman 17th January 2012