

## **CABINET: MINUTES**

**Date:** 15<sup>th</sup> December 2009

**Time:** 10.00 a.m. – 12.15 p.m.

**Present:** Chairman: Councillor J. Tuck

Councillors: Sir P Brown, M Curtis, S. Criswell, D Harty, T Orgee, L W McGuire, R Pegram, J Reynolds and F H Yeulett

**Apologies:** None

**Also Present:** Councillors I. Bates, K Bourke, P Downes and D Jenkins.

### **91. MINUTES 24<sup>th</sup> NOVEMBER 2009**

The minutes of the meeting of the Cabinet held on the 24<sup>TH</sup> November 2009 were approved as a correct record.

### **92. DECLARATIONS OF INTERESTS**

Councillor T Orgee declared a personal interest in report 6 'Accident Remedies and Traffic Management Programme - Medium Sized Schemes' under Paragraph 8 of the Code of Conduct as several of the schemes included within the report fell within the division he represents on South Cambridgeshire District Council. He also declared a personal interest in report 8 'The Hive Project – A Major Project Delivering Low Carbon Economic Enterprise and Growth' as a Member of the Hive Programme Board.

### **93. PETITION RECEIVED TITLED “SUPPORTING THE BID FOR WORKS ON THE A1101 SUTTON ROAD GYPSY LANE / ROMANIES AREA”**

Cabinet received a petition with 145 signatures reading “We the undersigned request that Cambridgeshire County Council Cabinet on 15<sup>th</sup> December supports the bid for works to the A1101 Sutton Road Gypsy Lane / Romanies area as presented to the Fenland Traffic Management Area Joint Committee and agreed and supported by that committee on the 16<sup>th</sup> October which included works for road widening and alignment, double white lines, road elevation and other remedial works to implement the most effective measures to improve the terrible accident record at this black spot”.

The spokesperson was Virginia Bucknor (The A1101 Sutton Road Accident Black-Spot Team Campaign co-ordinator) who supported the proposal set out in recommendation iii) of the original report agenda Item 6 “Accident Remedies and Traffic Management Programme – Medium Sized schemes” tabled for Cabinet Members information a colour one page fact sheet with details of all the accidents that had occurred in the last five years at the accident blackspot.

Additionally, she also requested that as an intermediate measure that officers' should consider adding to the bend at the black spot corner passively safe (flexible) chevrons to help alert drivers to the oncoming danger to help avert further tragedies. *(Note: The full transcript has been provided and is included as appendix 1 to these minutes).*

## **CHANGE IN THE ORDER OF THE AGENDA**

In order to allow the above petition representatives to hear the decisions as early as possible on the report which they had made representations, it was agreed to take the report at item 6 titled 'Accident Remedies and Traffic Management Programme - Medium Sized Schemes' next in the agenda running order.

### **94. ACCIDENT REMEDIES AND TRAFFIC MANAGEMENT PROGRAMME – MEDIUM SIZED SCHEMES**

Cabinet was reminded that each autumn the priorities for the Medium Sized Traffic Management and Safety Schemes, funded from the Local Transport Plan (LTP), are set for the following financial year. The schemes, which cost of between £30,000 - £500,000, were presented with the support of the relevant Area Joint Committee. It was noted that in due course Cabinet would be asked, as part of the Integrated Planning Process (IPP) process, to determine the funding available from the Local Transport Plan (LTP) Integrated Transport Block to facilitate implementation of traffic and safety management medium sized schemes. The final programme would then be set out in the 2010/11 Network Service Plan. Cabinet noted details of the progress against the 2009 /10 programme as set out in section 2 of the report.

In terms of priorities for 2010/11, Appendix A to the report contained the list of schemes ranked in accordance with the current agreed process using a points scoring system to rank them in terms of their effectiveness. This was required to be undertaken each year as there were always many more schemes than available budget.

It was noted as a correction that the heading at paragraph 2 of the report should have read "Progress with the 2009/10 Programme" and not 2008/09 Programme as printed.

A question was raised by the Cabinet member representing Sawston regarding the reasons for the slippage to the works at the A1307 Pedestrian Island, Abington, as this had originally been expected to be completed in the Autumn. It was explained that this was due to BT services requiring to be moved and until this was undertaken, the scheme could not be completed and therefore the timescale was now as set out in the report.

The local member for the Hemingfords and Fenstanton speaking at the meeting thanked the petitioner for the professional approach of her presentation and requested that his appreciation should be recorded. With reference to Appendix A, page 1 he indicated that he supported that both Priority No. 9 - Potton Road, Hilton and Priority No. 10 - A1123 should remain on the list. In respect of both schemes he indicated his disappointment that they were not included higher on the list, stating that Cabinet needed to ensure that environmental issues were taken into sufficient consideration when ranking the final priority list. In respect of Priority No. 16 - A141 Wyton roundabout - which he understood was to be deleted for reasons he was unclear about *(Note as indicated in the title of appendix C of the report schemes scoring zero or less for overall score, or accident reduction, were as a*

*matter of agreed policy recommended to be removed from future lists*) he also supported the scheme remaining on the list at Appendix A for consideration of future funding.

The local member for Willingham who was unable to attend, provided the following comments which were brought to Cabinet members' attention: "I am extremely disappointed that neither scheme for Willingham is included for further work. Whilst I accept the criteria rules out their inclusion, it does not appear that a holistic approach to the issues of the B1050 have been taken into account. As Cllr McGuire confirmed at Council only last week, some £240,000 has already been spent on maintaining the Earith Bank (compared to a cost of £1200 per km on a normal road) and involving a complete closure of the road on several occasions, with all the additional cost and inconvenience to motorists that involves. At present the road already runs at capacity and there are on average two Heavy Commercial Vehicles (HCV's) per minute that run along the B1050, causing yet more damage to the road. Surely the environmental impact should rank higher when considering the October list. None of these factors appear to have been taken into account. Willingham constantly loses out when it comes to funding from the County Council. On the last occasion, the A14 traffic calming scheme, by the time the council reached Willingham, all the money had run out, yet it was confirmed that the safety record was the third worst of all villages in the A14 area. No doubt officers will say that Willingham has twice turned down a traffic calming scheme. I would like it placed on record that this is simply not the case. The schemes that parishioners requested were not accepted by officers and as a result, funding was withdrawn - that is not the same thing. I hope that Cabinet will look at the scoring system in the light of all these factors and consider whether Willingham gets a fair deal or not."

The local Member for Roman Bank and Peckover who was also unable to attend provided the following comments: ".....expressing profound support for the A1101 Gypsy Lane Plan. This section of road is the cause of much upset, misery, injury and unfortunately death. It is the most dangerous blackspot in Cambridgeshire by a significant amount, a chilling statistic which is acknowledged by the officers and authorities as accurate. Given that it so obviously needs something done urgently, please approve it as top priority and give it all the assistance and encouragement within your power. Strong and urgent action will save lives."

Taking into consideration the views of the Petition spokesperson and local members, some Cabinet Members questioned whether the current scoring system process was still appropriate, highlighting that the highest ranked schemes were not always those with the identified highest number of accidents ( e.g. numbers 1, 6 and 13 would have been the top three priorities if the only criteria had been the number of accidents) and also raising concerns about whether the budget available and cost of specific remedial schemes might have an undue weighting in the calculation of the final ranking order. Cabinet also wished to ensure the importance of recognising the environmental impact of the schemes. Cabinet therefore agreed a review should be undertaken with regard to the ranking process used to ascertain priorities and whether it was still fit for purpose and that officers should report back to an early, future Cabinet meeting and if necessary, also provide a revised list of priorities beyond the one already agreed. (Although it was indicated that it was not expected that there would be substantial changes to the list order)

Cabinet fully supported that the current scheme 1 included as the highest priority in appendix A, the A1101 Gypsy Bends proposal, was still the most appropriate, due to the number of accidents on the bend and supported that the commencement of feasibility and initial design work on this highest listed priority should be undertaken as soon as possible

following the Cabinet meeting. In addition, having checked with officers orally at the meeting on feasibility, it was also agreed that the additional proposal put forward by the Petition spokesperson for passively safe chevrons should also be pursued and installed as soon as possible as an immediate intermediate measure to help reduce the risk of further accidents in the period before the more substantial (and therefore more time consuming) widening, resurfacing works etc were completed. As a result, the original recommendations were amended as set out below.

**It was resolved:**

- (i) To note the progress on programme delivery as set out in Section 2 of the report.
- (ii) To approve the first Medium Sized Scheme set out in Appendix A of the report, the A1101 Gypsy Bends proposal, as the priority for 2010 / 11.
- (iii) To delegate to the Lead Member for Highways and Access in consultation with the Executive Director: Environment Services the authority to review the process for medium sized schemes and to bring a revised list to an early future meeting of the Cabinet.
- (iv) To approve the commencement of feasibility and initial design work on scheme 1 in Appendix A (A1101 north of Wisbech); and
- (v) To support the relegation of schemes listed in Appendix C in accordance with the 'October List management procedure' approved by Cabinet on 18<sup>th</sup> December 2007.

**95. ISSUES FROM SCRUTINY COMMITTEES – ENVIRONMENT AND COMMUNITY SERVICES SCRUTINY COMMITTEE FINDINGS REGARDING THE HIGHWAYS SERVICES CONTRACT AND RESPONSE**

As this report had been included on a late despatch the chairman agreed to take the report using her discretionary powers under Section 100B (4) of the Local Government Act 1972 and having taken account of the following reasons for lateness and urgency provided:

**Reason for lateness**

The Scrutiny response missed the first despatch as relevant officers only received the final draft on 1st December, and due to work pressures it was not possible for the lead officer to provide the necessary response report in time for the first despatch which was often the case in respect of providing responses to Scrutiny reports.

**Reason for urgency**

It is customary to try to get the response to the Scrutiny observations heard at the same meeting as the Scrutiny presentation but there are no technical reasons why the response could not be heard at a future Cabinet.

In relation to this and other late reports agreed to be considered on the current agenda, the Chairman wished to place on record that Cabinet discouraged the production of late reports which missed the original deadline and requested that officers should look at ways of ensuring papers were produced earlier to ensure members were given sufficient time to read the papers in advance of the meeting.

In relation to the background to this report, Cabinet was reminded that Cambridgeshire Highways, a partnership between the Council and Atkins that delivers the Highways Services, was initiated in 2006 and that the Environment and Community Services Scrutiny Committee had the responsibility for scrutinising the performance of the contract annually.

It was reported that at its meeting on the 10<sup>th</sup> November 2009, the Scrutiny Committee received an Annual Review for 2008/09, the Business Plan for 2009/10 and a confidential annex providing performance benchmarking information against two substantially similar Atkins contracts. As a result, the Committee had made a number of comments about the Contract, which it decided to bring to the attention of Cabinet.

As a result the following recommendations were recommended for Cabinet to give further consideration to.

- (i) Performance benchmarking for the Highways Contract should be expanded to other Local Authority areas, including non Atkins contracts
- (ii) Countywide performance information should be disaggregated to District level
- (iii) Future performance reports to include comparator information regarding third party compensation claims
- (iv) Targets to reduce carbon emissions are identified for future years
- (v) Work should be undertaken to further investigate the reasons for relatively high costs, where they exist, and to respond accordingly
- (vi) Cabinet should keep track of the slowdown in efficiencies achieved
- (vii) Satisfaction levels of staff operating contracts on behalf of Cambridgeshire Highways to be monitored
- (viii) The mechanisms to enable Members to provide local intelligence to Cambridgeshire Highways should be strengthened
- (ix) Cabinet consider exercising a more defined role in the management of Cambridgeshire Highways

Cabinet was reminded that under the County Council Constitution where a scrutiny committee made recommendations to Cabinet there was a requirement for it to receive a report back in order to agree a response and as a result, Cabinet also received a report with proposed responses to each of the Scrutiny Committee's nine recommendations.

With reference to the recommendation on benchmarking, highlighted was the importance of ensuring any comparisons made were like for like, when using specific local authority

comparators, in view of the real dangers of obtaining inaccurate data where data was not being measured in the same way.

One Member highlighted that Atkins had a corporate target of reducing their carbon footprint by 5% per year which was considered to be a move in the right direction and that this target information would be used for the 2009/10 Review.

In relation to paragraph 3.2 of the Scrutiny report another Member raised the question regarding the disparity between the much higher level of savings achieved in 2007/08 compared to 2008 /09. In response, it was explained that the savings were not cumulative and represented savings in a particular year. Officers had been in discussions with Atkins regarding better information interchange and it was expected that more accurate figures would be possible in future years.

A suggestion made during the presentation of the scrutiny committee report that the Chairman of the Scrutiny Committee should meet with the Cabinet Member for Highways and Access on a bi-monthly basis to assess progress on the recommendations, would be the subject of further discussions outside of the meeting.

**It was resolved:**

- (i) To thank the Scrutiny Committee for the report.
- (ii) To approve the proposed actions to be taken by Environment Services in response to the recommendations from the Scrutiny report as set out in appendix 2 to these minutes .

**96. COUNCIL DECISIONS**

**None**

**97. EARLY YEARS - SINGLE FUNDING FORMULA**

The Cabinet Member for Learning reported that since the report had been written and sent out on the first despatch, the Government on the 10<sup>th</sup> December had announced that it would be delaying the national implementation of the Early Years Funding Formula to April 2011 and therefore as a direct result the report would need to be deferred until the February Cabinet meeting at which time an update version would be produced with the revised implications.

The point was made that from the information collected, less than a third of authorities would have been in a position to implement the proposals by the original April 2010 deadline which many had found extremely challenging.

**It was resolved:**

To defer consideration of the report due to a Government announcement made following publication of the agenda that the requirement placed on all local authorities by the Department for Children, Schools and Families (DCSF) to develop a funding formula for early years provision for three and four year olds by April 2010 had now been put back to April 2011.

## **CHANGE IN THE ORDER OF THE AGENDA**

As there were a number of Members who had indicated that they wished to speak in respect of agenda Item 11 “A14 Ellington to Fen Ditton Improvement Scheme Draft Orders” it was agreed that this report should be moved up the order of the agenda and considered next in the agenda running order.

### **98. A14 ELLINGTON TO FEN DITTON IMPROVEMENT SCHEME DRAFT ORDERS**

As this report had been included on a late despatch the chairman agreed to take the report using her discretionary powers under Section 100B (4) of the Local Government Act 1972 and having taken account of the following reasons for lateness and urgency provided:

Reason for lateness

The officers required to clear the wording of the proposed objections with the appointed Barrister.

Reason for urgency

The deadline for objections was 6<sup>th</sup> January. The next Cabinet meeting was not until 15<sup>th</sup> January and therefore if the report which would result in the Council being out of time.

Cabinet received a report informing it of the implications of the A14 Ellington to Fen Ditton Improvement Scheme Draft Orders published by the Highways Agency, and seeking for it to determine the County Council's response to those draft Orders.

It was noted that the current proposals for the improvement of the A14, by the Highways Agency formed a key recommendation of the Government's A14 Cambridge to Huntingdon Multi-Modal Study (CHUMMS), which had been published in August 2001. That Study which was supported by widespread consultation, advocated a multi-modal range of transport solutions (its Preferred Plan) to the traffic problems of the A14 corridor. For the improvement of the A14 itself, the main scheme was identified as needing to provide for a new free flow route between Ellington and Fen Ditton, built to a three lane dual carriageway standard. Since 2002, the Highways Agency has been in consultation with the Local Authorities developing its proposals for the improvement of the A14 between Ellington and Fen Ditton.

The detail of the A14 scheme, as proposed, was the largest single scheme in the Highway Agency's programme and its various elements, which followed the CHUMMS strategy was as set out in paragraph 3.2 of the report. It was noted that the draft Orders for the scheme were published by the Highways Agency on the 30<sup>th</sup> September 2009 and the period for objections extended until the 6<sup>th</sup> January 2010.

The Cabinet Member for Growth Infrastructure and Strategic Planning in presenting the report drew attention to the fact that not only would long distance traffic benefit from the scheme, but also those Cambridgeshire villages that currently suffered rat running traffic from vehicles avoiding the congested A14. In addition, Huntingdon would benefit from a more environmentally improved town centre. The scheme proposed had received the overall support of the Council but it was considered that there were still a number of

concerns and issues that needed to be addressed by the Highways Agency and Government as part of the design, delivery and wider implications of the scheme. It was these that formed the basis of the eighteen objections listed, as set out in Appendix 1 to the report.

Cabinet's attention was drawn to the recommendation that it should support the inclusion of a half junction on the A1198 within the A14 scheme. This was a change from that advised in a report to Cabinet in 2006 and reflected more conclusive evidence which had subsequently been made available showing that this junction would further benefit the centre of Huntingdon, ease traffic on other routes and reduce rat running through some further villages.

The Local Member for Brampton and Kimbolton spoke in support of paragraph 4.9 regarding a direct non motorised footpath link between Brampton and Brampton Wood and the Brampton Hut services at the Junction of the A1 and A14, where a strong case existed for a more direct link (it was explained that many young people from Brampton were employed at the travel lodge) than that proposed via Park Road and Grafham Road, which currently added 1.5km to the direct route. He provided evidence of the historical context of re-establishing a more direct link via a bridge, tabling a map to show the detour that would be needed to access Brampton Wood and highlighting the logic of the alternative suggested, which was more along the lines of the traditional footpath which had been broken with the A1 dualling. Cabinet supported the Highways Agency being asked to review its position in terms of looking again at providing a more direct link at this particular location.

The Local Member for Hemingfords and Fenstanton spoke in support of the following:

- The proposal on page 4 of the report, paragraph 2.9 - the upgrading of the Felixstowe to Nuneaton rail line;
- in the third bullet point of paragraph 2.9 he suggested that there should be some reference that the A428 from Caxton Common to the Black Cat should be upgraded;
- page 16, Appendix 1, paragraph 5 in terms of the need to confirm the payment of de-trunking costs and classifications he indicated that this should include underpasses, with Fenstanton having an underpass under the A14 which was in a very poor state and which had been the subject of a long standing dispute. Cabinet supported being robust in taking forward the issue of payment of costs;
- page 17, Appendix 1, paragraph 9 the uncertainty over the source of materials – he questioned how heavy materials, which could not be supplied locally and would have to be bought in from places such as Leicestershire would be transported and how this would impact on the local transport network. In respect of this point, a response provided was that the intention would be for it to be transported by rail adjacent to the A14;
- Page 18, Appendix 1, paragraph 11) he drew attention to the fact that there was a 2.5m high embankment on the stretch of proposed road from Hemingford Abbots, Hemingford Grey, Hilton, to Fenstanton (due to flood alleviation measures) and as a result there needed to be extra provision made for both noise and visual impact, particularly relating to Pear Tree Close, Fenstanton. In response the Cabinet Member for Growth Infrastructure and Strategic Planning commented that currently (subject to any proposed future change of responsibility being considered by the Government) noise mitigation, (including erecting barriers) and appropriate road surfacing to reduce noise would be the responsibility of the Highways Agency;



- Page 18, Appendix 1, paragraph 14 - reference was made to Hall Green Brook and West Brook which flowed through Hilton and Fenstanton and went on to the main river and for which the Member was unconvinced that either had the capacity to take off the water in the case of extreme conditions and also whether they were deep enough to avoid the risk of increased flooding. In response to this, the point was made by the Cabinet Member Growth, Infrastructure and Strategic Planning that flooding mitigation was the responsibility of the Environment Agency who were also a current consultee to the proposed scheme. As set out in objection 13 detailed in the report, a more precautionary approach to drainage system resilience was required to ensure that drainage capacity and flooding mitigation had been adequately addressed.

The Local Member for Papworth and Swavesey, via a written submission brought to Cabinet's attention, wished to draw attention to the fact that the Joint Venture Consortium (JVC) appeared not to be taking all issues raised by Conington Parish Council into consideration. As she had been unable to attend the meeting to elaborate on the particular issues of concern, the Cabinet Member for Growth, Infrastructure and Strategic Planning undertook to ascertain the exact nature of the concerns and ensure they were conveyed to the officers, in order for them to be able to respond accordingly.

Other points made in discussion included:

- Members highlighting that the removal of the viaduct and the addition of a link road coming off the A14 would be a significant improvement for Godmanchester.
- The missed opportunity by the Highways Agency to provide rest and service areas coming off the major roads, with their stated intention to provide standard laybys not being considered adequate. This related both to the problems associated with those already provided, as well as with the issue of lorries parking overnight in villages.
- A question was raised regarding whether there was the intention to expand any of the existing Service areas. In response, it was indicated that it was understood that the owners of Brampton Hut Services would be open to acquiring additional land to expand, if suitable surplus land became available within the interchange works.
- Highlighting the importance of ensuring adequate signing to rest areas.
- The local Member for Bar Hill made the point about the missed opportunity to build an all movements junction at Girton to help facilitate future regional growth with his hope still being that the Highways Agency would build an important access link to the Northstowe Development, as part of the main scheme.
- Reference was made to the concerns of rat running in Boxworth and suggesting that provision should be made to ensure Boxworth Road was only used as a local road and not by long distance traffic wishing to gain access to the A14. Also highlighted was the need at the junction for a service area to reduce the incidence of the villages being used as an overnight stopping place by lorries.

Bob Tuckwell the Strategic Transport Advisor and his team were thanked for doing an excellent job in the work undertaken in the preparation of the various reports / presentations to Members and in respect of the negotiations that had been undertaken with the Highways Agency.

**It was resolved to:**

- i) reaffirm overall support for the A14 Ellington to Fen Ditton scheme and seek its early implementation,

- ii) Confirm the scope of the objections listed in Appendix 1 to this report,
- iii) Support the provision of a half junction (west facing slip roads) on the A1198 at the future A14 crossing,
- iv) Authorise the advertisement in early 2010 of appropriate traffic regulation orders (TROs) on County roads along the route of the scheme and in the Huntingdon area, for the Cabinet's own final determination,
- v) Delegate to the Lead Member for Highways and Access in consultation with the Executive Director: for Environment Services, authority for approving the scope of the TROs,
- vi) Authorise officer attendance at the prospective Public Inquiries to present the County Council's case,
- vii) Delegate to the three Lead Members (for Growth, Infrastructure and Strategic Planning; Highways and Access; Economy and Environment) in consultation with the Executive Director Environment Services authority to make any detailed changes to the objections and negotiate any withdrawal of objections.

## **99. THE HIVE PROJECT: A MAJOR PROJECT DELIVERING LOW CARBON ECONOMIC ENTERPRISE AND GROWTH.**

Cabinet received a report advising it of the principal features of The Hive Project and the opportunity for the Council in leading it as a flagship partnership project, as well as seeking approval to proceed with the project and to agreeing the outline Partnership Agreement in principle.

It was highlighted that The Hive Project was an education and enterprise park for the low carbon economy, comprising eco-excellent facilities that would deliver low carbon new skills, education and training, business advice and partnership with activities focussing on a sustainable built environment.

The Local Member for Petersfield made the following comments which were brought to Cabinet's attention: "Whilst I declare a personal interest as a Member of the HIVE Programme Board I would like to express my support for the project which I believe will provide an extremely important / excellent facility for advancing the Council's objectives in respect of sustainable growth and climate change."

An oral update at the meeting confirmed that Cambridgeshire Horizons had agreed priority funding for a Housing Growth contribution at their meeting on 9<sup>th</sup> December.

### **It was resolved:**

To approve the County Council's involvement in the Hive Project and to delegate to the Cabinet Member for Economy and the Environment in consultation with the Executive Director: Environment Services the authority to sign the Partnering Agreement on behalf of the Council.

## **100. LOCAL GOVERNMENT SHARED SERVICES**

As this report had been included on a late despatch, the chairman agreed to take the report using her discretionary powers under Section 100B (4) of the Local Government Act 1972 and having taken account of the following reasons for lateness and urgency provided:

### **Reason for lateness**

The need for additional time to help refine and quantify the ongoing work in respect of the business case, including embracing findings from the wider review of overall resources being undertaken as part of the "Making Cambridgeshire Count" project which is looking at how we can make better use of shared resources collaboratively with our partners.

### **Reason for urgency**

Cabinet needs to see an initial report at its December meeting setting out the scope of the proposals in order to be in a position to assess the priority of the Shared Services programme compared to other policy initiatives and to help facilitate Cabinet being sufficiently briefed in advance of receiving any report to its next meeting in January where it may be asked to consider more detailed recommendations.

This report provided Cabinet with an update in respect of the Local Government Shared Services Programme and an overview of related initiatives and issues prior to formal consideration of the future direction for the Local Government Shared Services Programme in early 2010. The Chairman welcomed to the meeting as an observer, Paul Blantern the Corporate Director, Customer and Community Services from Northamptonshire County Council.

It was highlighted that whilst the Local Government Shared Services Programme (LGSS) had made progress, the context within which the programme operated had been changing significantly, not least with the changes to the economic and financial position for public authorities, the recent publication by Government of 'Putting the Frontline First: Smarter Government' and, at a more local level, the potential implications and opportunities arising from the 'Making Cambridgeshire Count' Project.

Since the initial achievements set out in the report, the LGSS programme had been actively working to develop a formal target operating model which would enable the three authorities to further integrate functions and activities to create greater efficiency gains and savings, whilst maximising the capacity to deliver functions by bringing them into a single operating arrangement. The potential scope of LGSS had widened to include a number of professional support services. It was reported that an Outline Business Case, developed by the three Councils working with Deloitte, was nearing completion and would underpin the consideration of the scope, future direction and ambition that the County Council had for developing the LGSS programme. The case would form the basis of a report to Cabinet in early 2010 which would include non confidential details of the business case.

In receiving the report Cabinet provided a clear steer that in the current financial climate it supported progressing such an agreement to the next formal stage as the appropriate way

forward and due to the recognised benefits, the district councils and city council should also be encouraged to join the scheme at some point in the future.

**It was resolved:**

To receive details of the progress made with the Local Government Shared Services Programme to date and to note the related activities that may influence or impact upon the future direction of this Programme.

**101. BUILDING SCHOOLS FOR THE FUTURE (BSF) - APPOINTMENT OF SELECTED BIDDER**

As this report had been included on a late despatch the chairman agreed to take the report using her discretionary powers under Section 100B (4) of the Local Government Act 1972 and having taken account of the following reasons for lateness and urgency provided:

Reason for lateness

The report required to be cleared at a meeting of the BSF board and with senior officers / members at meetings after the deadline for the first despatch.

Reason for urgency

Any delay on agreeing the report will delay the whole BSF programme and timetable which requires a selected bidder to be agreed before the end of the year.

The report to Cabinet recommended the appointment of a Selected Bidder following the evaluation of Final Bids as well as providing details to allow Cabinet to consider the implications for the next stage of the Building Schools for the Future programme.

Cabinet was reminded that since July 2008, the Authority has been engaged in a major procurement process to select the Private Sector Partner (PSP) for the Local Education Partnership (LEP) in Cambridgeshire (The LEP being the prescribed delivery model for BSF and which would be a joint venture between the Authority (10%), Partnerships for Schools (10%) and the PSP (80%).

It was reported that four consortia had responded to the Authority's request for expressions of interest in July 2008. One consortium had been de-selected at the pre-qualification stage with a second consortium de-selected after the evaluation of Initial Bids in April 2009. Following an extensive process of "competitive dialogue" (European public sector procurement prescribed model for complex and large scale public sector procurements) with the remaining two consortia – Equitix Learning Community Partnerships and Inspiredspaces [Carillion] – the dialogue stage of the process concluded on 6 October 2009 with final Bids being received from both consortia on 15 October 2009. These had been the subject to a detailed evaluation as set out in the Cabinet report.

Cabinet noted that the recommendation of the evaluation panel was that, as the highest scoring Bidder, Equitix Learning Community Partnerships should be appointed as the Selected Bidder for BSF in Cambridgeshire, subject to the terms of the Selected Bidder Letter while paying tribute to the contribution brought to the process by the involvement of Inspiredspaces. The recommendation to appoint Equitix Learning Community Partnerships

had also been endorsed by the BSF Programme Board at its meeting on 1 December 2009. It was also highlighted that the BSF schools had been involved in the evaluation process and were content with the recommendation. The project was seen as providing welcome improvement to facilities in Fenland and that the amount of local labour to be utilised would help contribute to the overall Fenland economy.

In response to a question about the Council's potential liabilities to a successful bidder (referred to in the first full bullet point on page 6 of the report in relation to enabling works of £1.7m if contract close did not occur and the contracts for the sample schools were not entered into), the BSF Project Director explained that the enabling works were to ensure the main works started in July. To help illustrate the potential liabilities, he discussed three possible scenarios as follows:

1. Financial Close being achieved by late June 2010. In this scenario the Council would take on the contractual liabilities associated with the agreed contracts but there would be no liability to meet Enabling Works costs incurred to that point because Enabling Works costs would be subsumed within the payments due under the main contracts.
2. Financial Close not being achieved by late June 2010 and there being no prospect that Financial Close would be achieved at some future date. In this scenario the Council would be liable for up to £1.7m of Enabling Works costs incurred to June 2010. The rationale for Enabling Works was to undertake some of the preparatory work early in order to facilitate the main works programme starting on site during the 2010 school summer holiday period. This would have an overall programme and price benefit.
3. Financial Close not being achieved by late June 2010 but being ultimately achieved at a later date. In this scenario, the current bid price and works programmes, including the Enabling Works liability, would need to be re-negotiated with the consequential risk of an increase to the bid price, a delay to the works programme or both.

Reassurance was provided orally that:

- the terms of agreement to be signed limited the County Council's exposure to additional expenditure if at a later date, the Government changed its commitment to BSF funding and
- the Selected Bidder letter would include details of the Council's limited liability prior to entering into these agreements.
- Demolition of schools was not part of the enabling works.
- In relation to any slippage of the programme, the project was still expected to be within the procurement budget if contract close was obtained by June 2010.
- Until contracts were signed, the Council's liability related only to the enabling works described above.
- The risk to the overall Capital Programme in the short to medium terms would be a cost of the order of £45k per year.
- In terms of a question raised regarding seeking a bond from the developer to safeguard the Council's position, it was indicated that parent company guarantees were being sought as part of an overall financial security package. It was confirmed that due diligence would ensure that these guarantees and /or bonds were in place before works commenced.

It was noted that a further report would be brought to Cabinet in April 2010 and Full Council in May 2010 seeking approval to establish the LEP and award the Sample School contracts.

Cabinet expressed its thanks for the work undertaken by the Project Team, as well as to the two bidders who had submitted final bids.

**It was resolved:**

- i) To agree that Equitix Learning Community Partnerships should be appointed as the Selected Bidder subject to the terms of the Selected Bidder Letter.
- ii) To authorise the Executive Director, Children & Young People's Services, in consultation with the Cabinet Member for Learning, to sign the Selected Bidder Letter with Equitix Learning Community Partnerships once any outstanding issues have been addressed.
- iii) To note the significant implications set out in section 4 of the report of progressing towards the conclusion of contracts with Equitix Learning Community Partnerships.

**102. INTEGRATED RESOURCES AND PERFORMANCE REPORT – OCTOBER 2009**

As this report had been included on a late despatch the chairman agreed to take the report using her discretionary powers under Section 100B (4) of the Local Government Act 1972 and having taken account of the following reasons for lateness and urgency provided:

**Reason for lateness**

The final figures for the report required to be finalised at a meeting with senior officers and Members which had taken place after the deadline for the despatch of the first agenda.

**Reason for urgency**

Cabinet is required to receive up to date information on the current year's integrated plan / budget in order to take remedial action as soon as possible on issues such as projected overspends, action plans, requests for virements and Section 106 Developer Deferral requests.

The report presented financial and performance information in order for Cabinet to assess progress in delivering the Council's Integrated Plan. Cabinet was asked to approve the permanent virement of £547k from Corporate Reserves to the Services to fund the 1% Local Government inflationary pay uplift. The inflation applied to pay during 2009/10's Integrated Planning Process which had been taken back centrally earlier in the year, as the announcement had not been made at that stage.

In terms of performance these were set out in Paragraph 3.1 of the report. The main issues in terms of resources was in relation to the overspend areas. In terms of resources the main issues highlighted were as follows:

- Overall the budget position was showing a forecast year-end overspend of £1m (0.3%). This was a decrease of £797k from last month. The position still needed to be rectified as there was little reserve flexibility to support such an overspend in year and no possibility of supporting such an overspend in future years (due to the overall financial position).
- In Environment Services (ES) an underspend of -£569k was being predicted, mainly due to savings in Environment & Regulation and on the Waste PFI Contract.
- In Community and Adult Services (CAS) an overspend of £3.7m had been predicted, mainly due to pressures within Adult Social Services. Further examination of the factors behind this overspend were being examined with the Primary Care Trust (PCT) with indications that the forecast overspend could be significantly reduced and/or attributed to unexpected changes in demand.

An oral update was provided as presented to the Health and Social Care Scrutiny Committee on the 11<sup>th</sup> December. There had been a number of factors that had contributed to the overspend projection which fell into the following three 3 main groups:

- An unrecognised recurrent underlying pressure with respect to expenditure on social care services (£1.4m)
- Consequences of savings and efficiencies targets not being achieved (total £2.5m),
- Greater activity and therefore expenditure than demographic predictions – combined with unmodelled shifts in the types of services purchased leading to budgetary pressures in the region of £1.1m to £1.5m.

The Executive Director: Community and Adult Services indicated that the Recovery Action Plan which was considered deliverable, would reduce the shared pool overspend to £4m of which the liability to the County Council would be £2.6m. The Service Director, Adult Support Services and himself had been working since September on how to reduce this further, and were confident that they could find a further £1m savings to reduce the shortfall to the sum of £1.6m being liable to the County Council. It was explained to the scrutiny committee that the Integrated Planning Process would consider all options in relation to addressing this overspend but that no decision on how to tackle the overspend had yet been made, but remedial action to achieve a balanced budget and address future pressures was being pro-actively considered.

A question was raised regarding when the overspend was first notified, in that the budget report of January 2009 indicated a balanced budget for 2008 / 09. In response it was reported that there had been a £334k overspend at the end of March 2009, due to underlying pressures in home care and residential nursing care. This pressure had been mitigated by Cambridgeshire Community Service (CCS) and NHS Cambridgeshire's savings and efficiencies. The result was an unrecognised pressure amounting to £1.4m which had continued to rise during the year. An overspend was reported to the Care Partnership in July 2009 which by September had risen to a figure of £4.9m.

In respect of other Directorate budgets the following was reported:

- In Children and Young People's Services (CYPS) a balanced budget was being predicted.

- In Corporate Directorates (CD) an underspend of -£29k was being predicted, which was mainly due to savings identified within People, Policy and Law.
- In Corporate Directorates – Financing, an underspend of £2m was being predicted due to savings on Debt Charges.
- Spending on the council's capital programme was currently proceeding slower than estimated.
- There were no significant debt problems to report and there were no noticeable effects arising from the economic downturn.

Cabinet was also asked to consider and approve / reject the S106 deferral requests as detailed in appendix 6 of the report.

**It was resolved:**

- i) To note the resources and performance information presented.
- ii) To approve the permanent virement of £547k from Corporate Reserves to the Services to fund the 1% Local Government inflationary pay uplift.
- iii) To agree the following in relation to the Section 106 deferral requests (referred to in section 3.2 and appendix 6 of the report).
  - 17-21 Victoria Avenue £17,518 East Corridor Area Travel Plan (ECATP) - to accept the deferral request
  - Leys Lodge £2, 910 Education pre-school and Life Long Learning - to accept the deferral request
  - Land at Parkway, Huntingdon – Transport Contribution recommendation – to accept the deferral request
  - Wenny Road Chatteris Development – Education contribution of £27,000 – to accept the deferral request
  - 16 Dwellings 55 The Chase Leverington, Wisbech - £45,000 Education contribution – to refuse the deferral request.

## **103. THE PRE - BUDGET REPORT AND LOCAL GOVERNMENT FINANCE SETTLEMENT**

As this report had been included on a late despatch the chairman agreed to take the report using her discretionary powers under Section 100B (4) of the Local Government Act 1972 and having taken account of the following reasons for lateness and urgency provided:

**Reason for lateness**

The report could only be written following the Government's Pre-Budget Announcement made the previous week which was after the original agenda despatch.

**Reason for urgency**

The report was required to be considered at the current Cabinet meeting as its contents would help confirm the approach to the Integrated Planning Process and in addition, following a steer from Cabinet Members at the meeting, would enable officers to agree a response to the Government on the notified settlement at the earliest opportunity.



The report updated Cabinet on the Government's Pre-Budget Report and the financial settlement for Cambridgeshire and asked it to consider possible representation to Government.

Cabinet noted that the Chancellor of the Exchequer had presented the 2009 Pre-Budget Report to the House of Commons on Wednesday 9<sup>th</sup> December detailing the proposed economic policies and Treasury forecasts in advance of the Budget to be announced in the Spring. The provisional Local Government Finance Settlement for the final year of a three year settlement was confirmed on Thursday 26<sup>th</sup> November. The impact on Cambridgeshire was seen as being especially tight, with an increase in Formula Grant of only 2.2% which was well below that of the Shire average of 4.0%. This ranked Cambridgeshire as being 27<sup>th</sup> out of 34 Shire Counties and represented an average increase of only £2.17 per head of population.

It was agreed that the final response letter to be drafted under the delegation should consider highlighting issues such as those listed below, in order to highlight both the perversity of the current settlement during the current economic downturn, as well as how the settlement would hinder the authority's plans to drive economic growth in the region:

- That from 2007/08 to 2010/11 Cambridgeshire had received the third lowest increase in formula grant per head for shire counties.
- To request that the funding of additional development burdens from the Government such as increased free school meals / social care should be made transparent e. g. specific grant announcements.
- Questioning whether the Government grant formula which had been created at a time of economic growth was still relevant and fit for purpose during the current recession.

There was also discussion questioning the ability of the Government to continue to service its current debt / pension provision should the recession continue for a longer period than currently forecast and concerns regarding the borrowing triple A rating being downgraded.

**It was resolved:**

- i) To include commentary on the financial settlement for Cambridgeshire discussed at the meeting, in order to make representation to Government.
- ii) Delegate responsibility to the Leader of the Council and the Corporate Director: Finance, Property and Performance to finalise the response to Government.

#### **104. COUNTY COUNCIL INFORMATION TECHNOLOGY (IT) STRATEGY 2009 - 2012**

As this report had been included on a late despatch the chairman agreed to take the report using her discretionary powers under Section 100B (4) of the Local Government Act 1972 and having taken account of the following reasons for lateness and urgency provided:

Reason for lateness

The Policy Development Group in November which had been due to consider the strategy had been cancelled and therefore extended consultation with Members had to be undertaken outside of the original timetable to allow time for comments to be received, which in turn had resulted in delaying the final wording of the strategy and prevented the early release of the report.

#### Reason for urgency

The IT Strategy needed to be agreed as soon as possible as it had a material bearing on the planning for next year's IT service.

The report, for Cabinet's approval, proposed the IT Strategy for the Council for 2009 – 2012, including the rationale used for it, with the strategy setting out IT principles to help guide IT decision making.

Cabinet noted that the IT Strategy was produced in a three year cycle, and had been prepared in order to look forward to the forthcoming three years and beyond. It set out the key features in relation to the point reached as a result of the implementation of previous IT Strategies, where the organisation wanted to be in three years time and how officers planned to use IT to help the County Council meet the objectives set.

#### Issues raised included:

- Questioning whether partner organisations had been involved in its preparation. In response it was indicated that it had been the subject of consultation with both NHS and District Council IT officers.
- Asking what progress was being made to integrate adult social care IT systems with NHS partners. In response it was explained that officers for both organisations were working closely to improve connections but that the National Programme of IT, which the NHS was required to be part of, still continued to restrict compatibility.
- Concerns were again expressed regarding IT business continuity should the worst case scenario occur in relation to the Octagon. It was reported that this was being looked at as part of the IT Resilience Plan, which included factoring in BSF time requirements.
- In term of explaining the reference to agile collaboration (meaning responding quickly to changed circumstances) in bullet 7 on Page 3, there was a request that in future the report should be written in plain English / simple language explaining any technical terms.
- In terms of no risk implications being included, these were to be the subject of separate risk logs. Officers were asked to explain outside of the meeting why there was no longer a specific risk implications paragraph in cabinet reports. (*Democratic Services officers would provide the response*)

#### **It was resolved:**

To endorse the County Council IT Strategy 2009-2012.

#### **105. DRAFT CABINET AGENDA 26<sup>th</sup> JANUARY 2010**

The draft agenda for the 26<sup>TH</sup> January was noted with the following amendments since the agenda was published:

New key decision report (and possibly Council) report: Local Government Shared Services  
New Other Decision report: Annual Performance Assessment Action Plan for Adult Support Services

Chairman  
26<sup>th</sup> January 2010

## **TRANSCRIPT TO PETITION**

I'm Virginia, a member of the A1101 Sutton Road Accident Black-Spot Campaign team which includes Roy Ashton, who's wife died at the blackspot, Carol Carlisle, who lost her best friend and business partner, Fred McGrath who lives by the blackspot and is usually the first to deal with the horrors, Michael Bucknor and myself – our son lost his best friend there - and Fred's partner, Josie McClinton who can't be here as she's still having hospital treatment today for injuries received at this spot 4 years ago.

As you're all aware, the Council have a duty to provide a safe highway network. Figures 1 and 2 (of the tabled colour A4 fact sheet) shows the accidents that occurred at this blackspot in a 5 year period.

Councillor Tuck wrote in the latest Council magazine "We've made reducing road accidents a top priority and as a resident of Fenland, I understand only too well people's concerns about safety on Fenland Roads."

In the same magazine, Cllr McGuire said "Reducing accidents is a top priority for the Council ... there's always more we can do".

Cambridgeshire as a whole has seen impressive reductions in accidents following the Council's proactive policies, which the team applauds.

But the black-spot which is just 250 metres of the A1101 Sutton Road has seen an increase in serious and fatal accidents even though minor works have been undertaken. For example unique signs were installed this summer. Within a few weeks, one of the signs was knocked down. (Figure 3 of the tabled colour A4 fact sheet).

When your officers were on site shortly afterwards, they witnessed another accident occurring. Whilst assisting with that accident, a 2<sup>nd</sup> occurred which, but for their intervention, would have been even more serious.

The Council has stated "this is the worst blackspot in Cambridgeshire". Your own statistics show this 250 metres of road has 3 times more accidents than the national average, and mile for mile is probably the worst black-spot in the whole of the UK.

There's a combination of reasons why accidents occur at this black-spot and it requires a combination of measures.

Based on Council statistics and assuming today's bid is supported, it's projected that a further 2 fatal or serious accidents will occur before work even commences. Therefore we request that in the meantime passively safe chevron signs could be installed on the bend, (and we've indicated how they could look in Figure 4 of the tabled colour A4 fact sheet). These are quick to erect and cost-effective. This small intervention whilst we wait for the more sophisticated engineering work to begin could help avert further tragedies.

Therefore we urge unanimous support for this bid and hope that works can start as a matter of urgency. Thank you.

**CABINET RESPONSE TO ENVIRONMENT AND COMMUNITY SERVICES SCRUTINY  
COMMITTEE FINDINGS REGARDING THE HIGHWAYS SERVICES CONTRACT**

**a) Recommendation (i): Benchmarking**

At the Committee meeting it was explained that Cambridgeshire Highways has an aspiration to provide more comprehensive benchmarking information than they were currently able to provide. It is recognised that there would be value in being able to consider more regional benchmarking information if it could be made available. It was noted that it is important to ensure that benchmarking data is comparing “like with like”. Cambridgeshire Highways will investigate opportunities to provide better benchmarking data, and this will be included in the Annual Review for 2009/10.

**b) Recommendation (ii) - Disaggregation of Performance Information**

The Highways Services Contract operates its maintenance activity based on three geographical areas. This restructure was part of an earlier efficiency included in previous corporate IPP processes. It is not possible to split the majority of activity down to District level, but work will be undertaken over the next year to identify those Performance Indicators that can be disaggregated, and this will be included in the Annual Review for 2009/10.

**c) Recommendation (iii): Comparator Information Regarding Third Party Claims**

The sharing of third party claim data between contractors is not something that is generally considered. Performance of contractors and their supply chain in this regard is part of the quality assessment that is undertaken prior to award of any contract. The Service Director of Highways and Access will discuss this recommendation further with both the Cabinet Member for Highways and Access and the service provider, to see if such information could be obtained and whether it can be presented in any future report in a meaningful way.

**d) Recommendation (iv): Targets for Carbon Emissions**

This year's Annual Review was the first time that we have been able to report our Carbon Emissions with confidence. The Service Director of Highways and Access will be holding discussions with the Cabinet Member for Highways & Access and our partners in Cambridgeshire Highways, to agree a suitable target for future Business Plans. It should be noted that Atkins, our service provider, have a corporate target of 5% annual reduction which will be used for the 09/10 Annual Review.

**e) Recommendation (v): Investigating High Costs Where They Exist**

This recommendation is accepted and officers will continue to investigate high costs where they exist.

**f) Recommendation (vi): Keeping Track of Efficiencies**

It was reported to Scrutiny that the 08/09 year was one of consolidation. A significant amount of work was undertaken to streamline processes and systems. This work has provided Cambridgeshire Highways with a sound base for moving forward and delivering further efficiencies. It is anticipated that the 09/10 Annual Review will show an increase in efficiencies identified in the year compared to 08/09.

#### **g) Recommendation (vii): Staff Satisfaction**

Staff satisfaction is already measured for both Cambridgeshire County Council staff and Atkins staff. Cambridgeshire Highways will discuss what survey work is undertaken within the supply chain, and include this information in the Annual Review of 2009/10.

#### **h) Recommendation (viii): Member Involvement with Cambridgeshire Highways**

This recommendation is welcomed and the Service Director of Highways and Access will discuss how best the current Member involvement can be enhanced. The result of these discussions will be put in place as soon as is practicably possible.

#### **i) Recommendation (ix): Cabinet Involvement in Cambridgeshire Highways**

This recommendation is welcomed and the Cabinet Member for Highways and Access has now joined the Supervisory Board for the contract.