

CABINET: MINUTES

Date: 5th July 2010

Time: 10.00 a.m. – 12.25 p.m.

Present: Chairman: Councillor J. Tuck

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

Apologies: Councillor M Curtis

Also Present: Councillors: N Clarke, L Nethsingha and F Whelan.

203. MINUTES 15^h June 2010

The minutes of the meeting of the Cabinet held on the 15th June 2010 were approved as a correct record.

204. DECLARATIONS OF INTERESTS

No declarations were declared.

205. PETITIONS SUPPORTING A PROPOSAL TO LOWER THE SPEED LIMIT THROUGH KIRTLING AND UPEND FROM 40 MPH TO 30 MPH

Cabinet received a petition with over 100 signatures organised by the chairman of Kirtling and Upend Parish Council in respect of supporting the proposal to lower the speed limit through Kirtling and Upend from 40 mph to 30 mph for safety reasons and to bring them in line with the neighbouring villages. The chairman agreed for the petition to come forward to Cabinet as the East Cambridgeshire Area Joint Committee (AJC) which would normally consider a petition of this nature was unlikely to meet in the foreseeable future.

With the agreement of the chairman the spokesperson councillor Martin Goulding the Chairman of the parish council addressed the meeting to provide more details in respect of the petition request (a summary is included in appendix A).

An issue raised by the Cabinet Member for Highways and Access was to clarify whether the spokesperson was aware that while the County Council was the highways agency it was not the enforcement agency and that this would require either the support of the local constabulary or additional measures to help enforce the speed limit. This was understood by the spokesperson. As there was no report on the agenda, the Cabinet Member for Highways and Access indicated that he would be asking the officers to respond formally to the spokesperson and the local Member for Woodditton following the meeting indicating that he had already asked the officers to undertake a speed survey in the area.

LATE REPORTS

As the reports listed below (prefaced by their agenda item number) were not available / finalised / authorised for despatch 5 clear days in advance of the meeting for the reasons set out below the chairman agreed to exercise her discretion under Section 100B (4) of the Local Government Act 1972 to allow the reports to be considered having accepted the reasons for urgency:

4ii) Cabinet Response to Member led Review - Detailed Local Government Shared Services Business Case

Reason for lateness - It was not possible to finalise the response at the time of the earlier despatches.

Reason for urgency - Due to the need to provide a response to the scrutiny member led review recommendations at the same meeting as required by the Council Constitution.

11. Developer Section 106 Deferral Request (Summerfield Development in Papworth Everard)

Reason for lateness - Due to the need to agree details of the deferral with the developer and therefore to ensure that Cabinet received the fullest information to allow it to make a decision

Reason for urgency - The need to obtain an early decision and allow the developer to commence development within the current summer if the deferral was granted.

15. Annual Performance Assessment of Social Care Services for Adults Services for Cambridgeshire and Action Plan and

Reason for lateness – It was not possible to finalise and clear this report in time for the original despatch.

Reason for urgency – There is a commitment to report for the July Cabinet cycle in terms of a half year progress report and as the same report also to be considered by the Cambridgeshire Care Partnership layer in July, it would be useful to be able to receive Cabinet's support in respect on the progress being made against the Action Plan.

16. Cambridgeshire Guided Busway

Reason for lateness - In order to provide the most up to date position for Cabinet and to allow for further negotiations, this report is finalised as close as possible to the Cabinet meeting.

Reason for urgency - There is a commitment to report to the July Cabinet on the latest position regarding the outstanding identified defects.

206. LOCAL GOVERNMENT SHARED SERVICES (LGSS) DETAILED BUSINESS CASE AND JOINT COMMITTEE STRUCTURE (INCLUDING SCRUTINY PANEL CONSIDERATION)

Before receiving the revised version of the above report which had been presented as a draft at the June Cabinet meeting, Cabinet welcomed a report with recommendations from a scrutiny member level review panel.

Councillor Nick Clarke the scrutiny chairman introduced the report thanking those Members who taken part and gave special mention to the excellent work undertaken by Rob Jakeman, the Corporate Services Scrutiny Coordinator. In terms of the recommendations being presented in the main report on LGSS, while the scrutiny panel fully supported the business case which appeared to be sound and prudent in terms of the level of savings being proposed as well as the level of contingency funding appearing appropriate for the project, he highlighted that one of the key issues was the need for vigorous governance. The panel had highlighted that not only should Cabinet be kept informed on a regular basis when key milestones were reached, but that its specific approval should still be required in order to proceed to the next stage. In addition, where major changes were proposed, such as in the scope of services covered by LGSS or allowing further local organisations to join LGSS, these should remain Cabinet decisions.

Making reference to recommendation 4 from the scrutiny review requesting that the two County Councils “should agree to the establishment of a formal Joint Scrutiny Committee to enable Members to provide effective scrutiny of the LGSS Joint Committee”, the scrutiny chairman strongly opposed the proposed response which suggested that rather than a full scrutiny committee being set up, scrutiny should be provided by a sub group of members drawn from each of the County’s scrutiny committees. The scrutiny chairman also made the point that there were no dates for implementation provided in the initial response. The Cabinet Member for Resources and Performance as part of a further oral response indicated that consideration was still being given to what this would involve in practice, as well as needing to ensure that the requirements of both authorities were met. He also took the opportunity to thank Nick Dawe his team and their counterparts at Northamptonshire County Council for all their efforts in moving forward on what was a very substantial scheme which would provide even greater opportunities for future savings.

As a result of the concerns expressed and the issues raised by the scrutiny panel in their response and in the oral presentation made by the scrutiny chairman, it was agreed to authorise the Cabinet Member for Resources and Performance in consultation with the Corporate Director Finance Property and Performance to make final amendments to the response report and that a revised version should be included with the report going forward to the Council meeting. Cabinet also agreed it should receive regular update reports on progress being made and that these should be fully in the public domain.

Cabinet was reminded in the introduction to the report that The Local Government Shared Services Programme was driven by the requirement to provide cost effective and quality corporate services for a given and reducing level of resource. The changes envisaged by the Local Government Shared Services Programme (LGSS) through reductions in costs, improvements in effectiveness and through prioritisation of effort would support the delivery of the strategic objectives of the Authority.

As a very similar report had been presented to the June Cabinet meeting, the main area of difference highlighted was in respect of paragraph 4.11 providing updated financial details, explaining that expected project costs had further reduced and that there was currently no requirement for additional transitional funding and it could be expected that greater savings may be accrued at an earlier stage than reported previously.

It was also made clear that in terms of updating computer systems as much use as practicable would be made through purchase of “off the shelf” systems to avoid overly expensive development costs.

It was resolved:

- A. To note the content of the Detailed Business Case and confirmed its support and agreement for the establishment of a shared service arrangement between Cambridgeshire County Council (CCC) and Northamptonshire County Council (NCC) under the auspices of a joint committee.
- B. To note that the Detailed Business Case will deliver the shared service savings assumed in the Integrated Plan and that the investment required to deliver these savings can be accommodated within the existing repayable Invest to Transform Loan (set out in section 4.11 of the report).
- C. To confirm agreement to the arrangements for the discharge, by the Joint Committee, of functions and responsibilities and for the avoidance of doubt, confirm agreement to the delegation of the Executive functions and responsibilities as detailed in Schedule 2 of the draft Delegation and Joint Committee Agreement attached as Appendix 3 to the report.
- D. Delegate authority to the Chief Executive in consultation with the Leader of Council, to agree the terms of and complete the Delegation and Joint Committee Agreement between Cambridgeshire County Council and Northamptonshire County Council.
- E. To delegate authority to the Cabinet Member for Resources and Performance, in consultation with the Corporate Director of Finance and the Head of Legal Services to make any necessary adjustments and improvements to the paper following Cabinet discussion and prior to submission to Council.

To agree to recommend to Full Council on 20th July Cabinet that it:

- i) appoints a Joint Committee constituted in accordance with Schedule 1 of the Delegation and Joint Committee Agreement,
- ii) makes arrangements for the Joint Committee to discharge the functions as detailed in Schedule 2 of the Agreement, and
- iii) makes any consequential changes to the Constitution and Officer structures and responsibilities, in order to reflect the above and implement the LGSS.

The above to be contingent upon the completion of the Delegation and Joint Committee Agreement and subject to appropriate consultation amongst affected employees.

CHANGE IN THE ORDER OF THE AGENDA

The chairman with the approval of Cabinet agreed that two reports should be moved in relation to their original position on the agenda. Due to the need for appropriate senior level officer attendance at a Horizons meeting later in the morning agenda item 11 'Developer Section 106 Deferral Request - (Summerfield Development in Papworth Everard)' was

agreed to be considered next in the running order. In addition, due to a key officer not being able to be present until later in the morning, it was agreed that item 6 'Street Lighting Private Finance Initiative (PFI) – Selection of Preferred Bidder' should be included at the end of the key decisions section of the agenda.

207. DEVELOPER SECTION (S) 106 DEFERRAL REQUEST (SUMMERSFIELD DEVELOPMENT IN PAPWORTH EVERARD)

Cabinet received a report setting out details of a request from the developer of the Summersfield Development in Papworth Everard David Wilson Homes to defer their Section (S) 106 Papworth Bypass Contribution. Approximately two thirds of the bypass scheme had been funded by the Department for Transport, with the remaining third coming from developer S106 contributions. The road itself had now been completed and opened but there was one final S106 contribution which has not been received from the final Quadrant of the Summersfield development, which was yet to commence. Commencement of the development would trigger the final S106 Papworth Bypass payment of £810,000 index linked to the time of payment (from 2001 increasing the cost to as it currently stood to £1,040,431) of which, in answer to an oral question raised, it was confirmed that the company was fully aware of the index link element of the final cost, as it had been part of the original Section 106 Agreement.

Cabinet was reminded that it had previously considered and refused a deferral request from the same developer for the full £810,000 Papworth Bypass contribution on 8th September 2009 on the grounds that the Papworth Bypass has already been completed and the County Council required the contribution as soon as possible as reimbursement for the money it had already spent. It however noted that the developers had since produced financial evidence to support their claim that they could not afford to start the final Quadrant of the Summersfield development under the current arrangements of the S106 agreement which had now been accepted by Officers. This evidence demonstrated that significant investment would be required to provide internal roads, drainage and sewerage etc. prior to building the first houses resulting in development being currently unviable. Therefore in order to progress with the development, the developer sought to pay the Bypass contribution in instalments to ease cashflow until some houses were built and sold. Cabinet accepted that this proposal was also now the best way to try to ensure the outstanding payment was eventually received by the Council.

It was resolved:

To agree the Section 106 deferral request that the obligation can be paid in instalments as follows:

- £270,000 plus indexation payable on 30th September 2010
- £270,000 plus indexation payable on 18th March 2011
- £270,000 plus indexation payable on 29th July 2011 and as set out in the s106 agreement, indexation would be calculated from 1st January 2001 until the date of payment.

208. INTEGRATED RESOURCES AND PERFORMANCE REPORT MAY 2010

Cabinet has received the latest report presenting relevant financial and

performance information in order to be able to assess progress in delivering the Council's Integrated Plan.

Cabinet noted following performance issues which had been highlighted:-

- There were no new or changed exceptions to report and that two indicators previously reported as exceptions had made significant improvements:
 - (i) Local Indicator (LI) 206 - % of Young People Aged 13-19 Participating in Youth Service Activities (GREEN ↓) – a good start to the new financial year has been made in East Cambridgeshire, Fenland and Huntingdonshire. Cambridge City and South Cambridgeshire has had a slow start, but it is anticipated that its performance will improve and will be reflected in the next month's figures.
 - (ii) LI 136a CCC - % of Contact Centre Calls Answered within 20 Seconds (GREEN ↑).

Previously reported exceptions (2009/10) were as set out in paragraph 3.1 of the report with the reasons for the current performance position explained against each indicator.

Cabinet noted the following resource issues:-

- Overall the budget position is showing a forecast year-end overspend of £3m (0.9%).
- In Environment Services (ES) a balanced budget was being predicted.
- In Community and Adult Services (CAS) an overspend of £616k was being predicted, which was due to pressures identified within Adult Support Services and Libraries, Learning and Culture. In terms of the Adult Support Services element (in respect of Physical Disability and Sensory Services of £400k) the expectation was that this would come in on budget due to savings being pursued.
- In Children and Young People's Services (CYPS) an overspend of £2.2m was being predicted, which was due to pressures within Strategy and Commissioning as detailed in paragraph 4.4 of the Cabinet report).
- In Corporate Directorates (CD) an overspend of £200k is being predicted, which is due to pressures identified within the Customer Services and Transformation (see para 4.5 of the Cabinet report).
- In Corporate Directorates – Financing, a balanced budget is being predicted (see para 4.5 of the Cabinet report).
- Spending on the Council's overall capital programme is currently proceeding slower than estimated (see para 4.6 of the Cabinet report).
- There are no significant debt problems to report at this point in time and there are no noticeable effects arising from the economic downturn (see para 4.7 of the Cabinet report).

It was noted that some details of the new Government's £1.165bn in-year cuts for Local Government had become known with further cuts expected flowing from the 22nd June Budget and from reductions in the funding to central government departments. As a result of the known reductions, requests were made to approve a one off virement and to task Executive and Corporate Directors to resolve in-year budget pressures identified and commit to a 1% underspend as a contingency against further grant cuts and reductions and

to also review their capital programmes to take account of announced and possible further grant reductions

Cabinet was also asked to agree virements of £400k of Social Care demography funding and £500k of mainstream Home to School transport funding to the Placements – Social Care budget (as detailed in para 4.4.5 of the Cabinet report) as a consequence of the significant pressures faced by Children and Young People's Services who as a result, were undertaking a thorough review of all budgets and developing strategies to offset the known pressures. Key elements of the strategy were the removal of savings from unplanned vacancies (assumed saving -£1.4m), transfer of £400k of Social Care demography funding and £500k of Home to School transport funding to the Placement budget, and the commitment of savings in other areas being maintained throughout the year to offset pressures.

It was resolved:

- i) To note the resources and performance information.
- ii) To approve the one-off revenue virement of £2.9m from the Pressures and Developments Reserve to the Services to meet the shortfall in funding following the announcement of cuts to Local Government funding in 2010/11 (detailed in paragraph (para) 3.3 of the report).
- iii) To task Executive and Corporate Directors to resolve in-year budget pressures identified and commit to a 1% underspend as a contingency against further grant cuts and reductions (detailed in para 3.3).
- iv) To task Executive and Corporate Directors to review capital programmes to take account of announced and possible further grant reductions (detailed in para 3.3).
- v) To approve the virements of £400k Social Care demography funding and £500k of mainstream Home to School transport funding to the Placements – Social Care budget (detailed in para 4.4.5).

209. EAST CAMBRIDGESHIRE LOCAL DEVELOPMENT FRAMEWORK – IMPLICATIONS FOR PLANNING SECONDARY SCHOOL PROVISION

Cabinet received a report informing it of the feedback received from the consultation process on options for the future pattern of secondary education provision in East Cambridgeshire, and the resulting preferred option that a new secondary school should be established in Littleport to serve the community and advising of the work undertaken to assess the overall viability of this option.

Cabinet noted that the local authority had the challenge of responding to the high levels of housing and population growth identified in East Cambridgeshire District Council's Local Development Framework (LDF). This anticipated growth of 10,639 houses between 2001 and 2025, of which 5531 remained to be built, and would place pressure on current secondary school capacity within the District. Additional secondary school capacity, estimated at between 7 and 10 forms of entry (FE) or 1000-1500 places, would be required

and all the maintained secondary schools in the area would be affected to some degree. The greatest impact would be within the current catchment area of the City of Ely Community College with the combined effect of existing population needs and the proposed LDF growth ultimately leading to demand for 13 to 15 FE or 1950 to 2250 of secondary school places.

The following four broad options were identified and formed the basis for consultation with the four secondary schools and their partner primary schools:

1. Establish a new 5-8FE secondary school in Ely
2. Establish a new 5-8 FE secondary school in Littleport
3. Increase the size of City of Ely Community College to create a large 13-16FE secondary school in Ely
4. Increase the size of City of Ely Community College and the neighbouring Witchford, Soham and Bottisham Village Colleges (VC) to provide the new capacity required

After careful consideration of the feedback from an extensive consultation exercise and viability testing of the preferred option, the conclusion reached was that a new secondary school in Littleport to serve the Littleport community should be established. In the implementation of this proposal, the necessary steps would be taken to ensure that the school was popular and successful and retained its in-catchment pupils, as this was identified as a key issue in the viability testing.

Concern was expressed on whether with the current slow down in both housing growth and the subsequent section 106 capital receipts and other capital funding uncertainties there was a danger that the cost of the secondary school would have to be financed from prudential borrowing. In response it was indicated that if the economic situation was such that development did not take place as projected, then this would have a knock-on effect of delaying any requirement to build the school. In addition, recommendation three of the report made clear reference to the costs associated with building and operating a school being met from developer contributions which was a statement of policy to ensure that there were no future financial pressures placed on Council reserves.

In response to an invitation sent out for any local member comments the member for Haddenham had provided written comments reporting that he had attended various meetings on the subject at Witchford School and wished to go on record to state his "support to the building of a new Secondary School at Littleport which would help to make Littleport a sustainable community and also free off space at Ely to expand the "A" Level offerings". In answer to a question it was confirmed that no other specific comments had been received from any other local members but Cabinet was informed that the Children and Young People's Policy Development Group had received three reports on the proposals and the local members present at those meetings had supported the proposals, as had East Cambridgeshire Strategic Partnership.

It was also confirmed that work had commenced in identifying possible site locations. Cabinet Members made the point that officers needed to ensure that the new school will be accessible for community use including possibly a library access point.

It was resolved to approve:

- i) The proposal that a new secondary school should be established in Littleport to serve the Littleport community; and
- ii) For work to be undertaken with East Cambridgeshire District Council to secure a suitable site for the proposed new secondary school in Littleport within the District Council's Local Development Framework.
- iii) That the capital and revenue costs associated with the building and early operation of the new school and arising from the new housing developments are met from developer contributions and do not result in a future financial pressure on the Council's reserves.

210. INVESTIGATION INTO THE CHOICE OF SINGLE OR MULTI-STOREY DESIGN SOLUTIONS FOR NEW-BUILD PRIMARY SCHOOLS AND THE IMPLICATIONS FOR THE QUALITY AND DELIVERY OF EDUCATION

Cabinet received a report informing it of the key findings from research undertaken by the University of Cambridge into the potential benefits and disadvantages between single or multi-storey design solutions for the construction new build primary schools.

Cabinet was reminded that in September 2007, it had endorsed a series of policy recommendations to inform future new school specifications set out in a report entitled "*New Schools – Competition Arrangements, Policy and Decision- Making Process*". A policy area not covered was that of the storey height of primary schools. Further reports had been considered at later dates (as detailed in the current report) but these had not lead to any perceived requirement to change the policy. However recently, the pressure to provide sufficient school places to serve both the proposed housing growth and the existing population had significantly increased and in responding to the pressures on overall school capacity, the County Council had considered it necessary to review some of its existing policies on the size of schools, access to playing fields and external areas where additional capacity was required in new and existing schools which operate from restricted sites.

As a result, independent research by the University of Cambridge had been commissioned to help understand better the effect of the built environment and the impact that storey heights had for new build primary schools on the quality and delivery of education experienced by children and school staff. The conclusion from the study was that there was no overwhelming evidence in favour of either multi or single storey buildings and that each style presented a range of issues to be considered which were detailed in the Cabinet report.

Cabinet therefore agreed that it would be appropriate to change the County Council's current policy for primary school buildings to enable the construction of multi-storey schools if appropriate, and that consideration would be taken on a case by case basis with officers considering relevant factors as detailed in resolution ii) below. Reference was made by a Cabinet Member to the environmental benefits involved in multi storey design, in terms of significantly less land take, which was particularly important in inner city / urban areas where land was a particularly scarce, expensive resource.

It was resolved:

- i) To note the findings from the research undertaken by the University of Cambridge into the choice of single or multi-storey design solutions for new build primary schools; and
- ii) To approve a change to the County Council's current policy which favours single storey primary schools to one where multi-storey schools would be provided, *where appropriate*, taking account of site constraints and the overall development context within which the school site is located.

211. LIBRARY SERVICE REVIEW

Cabinet received a report setting out the proposals, options and recommendations from the Library Service Review Board in respect of the Library Service Review and the budget savings identified in the Council's Integrated Plan.

Cabinet noted that the aims of the Library Service Review were:

- To seek positive and innovative outcomes which will benefit customers and embody best practice and modernised services
- To achieve required budget savings in a way that minimises the impact on frontline service delivery, whilst reducing management and overhead costs to the minimum
- To ensure the long term sustainability of services which are fit for purpose and meet community needs
- To support staff and customers through the change and challenges ahead, ensuring they are kept well informed and able to engage and participate in the process.

Cabinet was reminded that the Council had agreed savings targets for the Service of £2.2m in February 2010 over three years, as part of the Council's Integrated Planning (IP) Process in response to the economic downturn triggered by the banking crisis. Since February, staff had been generating options and proposals to meet the 2010/11 budget targets, which were now brought forward to Cabinet for approval, prior to consulting on the proposals with service users, communities and stakeholders.

The initial changes to reduce expenditure and make savings in the current year were largely in relation to the Mobile Library service (which was being retained but with a reduced frequency of provision from mostly fortnightly to monthly stops, which would achieve similar levels of access but at lower cost, with fewer, longer stops in each community) savings in respect of stock provision including that to the Library Access points and savings in the Archive Service as detailed in the report.

Cabinet noted that in planning for savings targets for 2011-2013 detailed work was being undertaken on alternative options for governance, management and support. Work had also started on proposals to manage the 'Potential Library Closures' savings target and the Board was seeking an approach based on self service technology and greater community involvement. Cabinet supported that an initial urgent review was required in respect of Library provision in Cambridge City and the surrounding area, to reflect the enormous positive impact of the new Central Library and future development and population growth.

Cabinet Members made it clear that they wanted to reduce as far as possible the need to close libraries. It was stated at the Cabinet meeting that the Central Library, Huntingdon, Wisbech and the other hub libraries would not be part of the current review. Cabinet made it clear that the priority should be protecting frontline services, especially to remote communities, and supporting staff while reducing the budget by around 25 per cent.

Cabinet's attention was drawn to comments provided by the local Member for Bassingbourn supporting the sizeable social and health benefits of LAPs (better known in the community as a Book Café) and stating that in her opinion reducing the current level of support was undesirable and believing that recommendation (v) was premature.

The Cabinet confirmed its commitment to engaging with service users, the wider public, communities and other stakeholders in the discussion about the future of libraries, particularly in the light of the need to redesign services to make the most of diminishing resources, in a way which transformed rather than cut services. This could involve forming a Cambridgeshire Trust or even a third party running libraries. At the same time it was noted that local authorities across the East of England were working together to make savings from sharing support services (such as purchasing books). They were also considering whether one authority might deliver services for the others, or a single new independent body delivering services for all councils.

Cabinet noted that the consultation would consider wide-ranging issues such as:

- what people want and need from their library service for the future?
- how and to whom services should be targeted?
- which services have potential to generate more income?
- how far information technology can be used to a greater extent to deliver services?
- how services can be delivered beyond library buildings e.g. from regional colleges etc?
- the extent to which communities can become involved in the management and running of local libraries?

Questions at the meeting included querying why in the savings table on page 2 there were no overhead / management and support costs reductions in year 1 of the three year exercise. It was explained that the line needed to be linked to section 2.1 of the report in respect of the new governance, management and support arrangements being developed and the significant amount of work being undertaken by both management and support staff to develop new models in year 1, to enable the significant savings to be made in subsequent years.

Support was expressed for the LAP / localism model of community based facility which had been tremendously successful in some places and which justified the decisions taken by the Council 7 years previously which while not popular at the time, was increasingly seen as being the way forward in the present very difficult financial climate. Due to the local nature of LAPS, Cabinet wished to support the service they provided in the community but within the tight budgets available and ensuring that they consistently delivered value for money. The suggestion agreed was that new stock would not be used for LAPS but would be via replacing it with existing good quality library circulating stock and selected donations with less frequent deliveries.

It was resolved:

To agree to the recommendations and proposals set out in the report as the basis for full public engagement and consultation as follows:

- i) To endorse the work underway on alternative options for governance, management and support;
- ii) To agree to officers urgently pursuing an alternative approach to service delivery based on self service technology and greater community involvement,
- iii) To agree to officers undertaking an urgent review of library provision in Cambridge City and the surrounding area,
- iv) To agree to the approach suggested for identifying libraries for closure, should this be required,
- v) To agree to the implementation of proposals for savings on support for Library Access Points, especially in relation to stock provision,
- vi) To agree to the implementation of proposals for savings on the Mobile Service, based on a move to monthly stops,
- vii) To authorise officers to proceed with full public engagement about library services and consultation on the proposals above.

212. STREET LIGHTING PRIVATE FINANCE INITIATIVE (PFI) SELECTION OF PREFERRED BIDDER

Cabinet received a report providing an update on the Street Lighting Procurement project, recommending the appointment of a preferred bidder and proving associated recommendations relating to the procurement, following the rigorous evaluation of the final tenders. Cabinet noted the procurement process to date and the proposed timetable and arrangements for the remaining stages of the procurement process as set out in the report.

Cabinet was reminded that following its approval of an Outline Business Case (OBC) for Private Finance Initiative (PFI) credits in January 2007 and a further approval of a revised OBC in May 2008, the Council had been awarded £57.2 million in PFI credits by the Department for Transport (DfT) on 16 September 2008. The PFI credits would fund the replacement of about 60% (incorrectly referred to in the report as 80%) of the Council's street lighting stock together with all its illuminated signs and bollards. This much needed investment was necessary as for many years there had been a national under-investment in street lighting. As a result, there was a significant backlog and a high percentage of street lighting columns beyond their design life of 25 years. Failure to procure this work through the PFI process would put significant risk on the County Council as a result of the need to replace lamp columns as they became a safety risk to highway users. The Cabinet Member for Growth, Infrastructure and Strategic Planning highlighted that the output specification for the new contract would allow a 40% dimming of street lights in both traffic routes and residential roads on a phased programme to 2016 upon the conclusion of the core

investment programme, leading to the County Council experiencing significant savings in its energy costs.

It was reported that the final stage in the current procurement process had been the Invitation to Submit Final Tenders (ISFT) and following further detailed dialogue with the two remaining bidders, dialogue was closed on 14th April 2010 and Final Tenders were received on 12th May 2010 which had been evaluated using a set of pre-agreed evaluation criteria and weightings.

Cabinet noted that the Preferred Bidder stage was the final stage before Financial Close and the Council was not, at the current stage giving any commitment to enter into a contract with the Bidder and reserved the right to withdraw the Bidder's status as Preferred Bidder at any time. It was further noted that a final report would be coming forward to the October 2010 Cabinet meeting recommending the award of the contract.

In agreeing the recommendations it was noted that recommendation v and vi) were a repeat of the same recommendation and therefore one could be deleted. It was considered prudent to add the Head of Legal Services to the delegation on v) in terms of making any necessary amendments to the final business case.

Officers were asked to ensure that there was widespread consultation with the public to obtain their views on whether they were receiving an appropriate level of illumination in order to see if there were further opportunities to reduce lighting levels and enable greater energy savings to be made.

One Member suggested that the environmental impact as referred to in the last two lines of paragraph 5.14 was unnecessarily negative and did not reflect the carbon reduction benefits of using less lighting / energy and that this should be addressed in a future report.

It was resolved:

- i) To appoint the Bidder with the highest Final Tender evaluation score (Balfour Beatty)* as the Preferred Bidder as detailed in confidential Appendix A of the Cabinet report, which summarised the key elements of the two bids and the Final Tender evaluation outcome subject to the acceptance by the Bidder of the terms of the Preferred Bidder Letter.
- ii) To confirm that the Central Management System (CMS) as detailed in confidential Appendix B and proposed by the Preferred Bidder (Balfour Beatty)* should form part of the clarification with the Preferred Bidder with a view to it being included in the Contract.
- iii) Authorise the Acting Executive Director: Environment Services, following consultation with the Cabinet Member for Growth, Infrastructure and Strategic Planning, to sign the Preferred Bidder Letter with the Preferred Bidder appointed pursuant to recommendation (i) above once any outstanding issues have been addressed.
- iv) Request a further report be brought to Cabinet prior to the award of the Contract and to note that one of the criteria for formal award of Contract will be confirmation of funding from the Department for Transport.

- v) Approve the Final Business Case in Appendix C and to delegate to the Acting Executive Director: Environment Services and the Head of Legal Services, in consultation with the Corporate Director: Finance Property and Performance, the authority to make any necessary amendments to it and to submit the Final Business Case to the Department for Transport for final funding approval.
- vi) Authorise the Acting Executive Director: Environment Services, in consultation with the Cabinet Member for Growth, Infrastructure and Strategic Planning and the Head of Legal Services, to take any further actions necessary to give effect to the above decisions and ongoing procurement arrangements prior to award of the Contract.

* The name of the Preferred Bidder is stated in the confidential annexes to the report and was confidential to the Council prior to the decision being made at the Cabinet meeting. The name of the bidder is now in the public domain and has been added to resolutions i) and ii) in brackets.

213. END OF YEAR PERFORMANCE REPORT 2009/10 AND ANNUAL REPORT 2009/10

Cabinet received details of the provisional end of year performance data for National Indicators (NI) and key local indicators.

Cabinet noted that the targets had been amended since the Integrated Plan 2010 was published and was being asked to agree the revision of the targets as set out in section 9 (not section 10 as wrongly referred to in recommendation ii of the published report) of the report. Targets had been developed based on the wide-ranging discussions with Members as part of the Integrated Planning Process and the achievement of targets was dependent on the levels of funding outlined in the Integrated Plan. It was further noted that it might become necessary to revise some targets further during the year 2010/11 in response to changes in funding or priorities made by Central Government.

It was noted that the future of the National Indicator Set was currently uncertain. The new Government had recently announced that The Comprehensive Area Assessment (CAA), which used the National Indicator Set, had been abolished and it was expected that the National Indicator Set would also be amended in the near future, and possibly even abolished altogether. However as the Audit Commission had recently circulated a reminder for authorities to submit figures for some NIs that were due at the end of June for the time being the National Indicator Set remained in force.

Whilst there was still some uncertainty as to how in the future National Indicators (NIs) would support any national assessment of local government performance, they remained one of the primary ways in which the Council currently understood its performance locally and with partners. It was considered prudent for the Council to remain focused on delivering against the NIs until the national picture and indeed the Council's own intentions were clearer.

Cabinet agreed that it was important to maintain activities that were generally considered good practice. It was noted that the Corporate Performance Team would be widely consulting with and involving Members and officers in a discussion about the future of

performance management in the County Council over the next few months. The County Council is also leading this work with the other county councils in the region with a particular focus on looking at issues concerning comparative performance, 'localism' and what desire and scope there is for peer challenge and/or reviews.

Cabinet noted that overall, the picture was one of improvement, with 66% of indicators for which data was available showing performance on an upward trend. Of the indicators for which the target had been met, performance was also generally improving, with 84% showing performance on an upward trend. Amongst the indicators that had not met the target in 2009/10, a large proportion (51%) had not improved performance compared to the previous year. The economic situation had, had an impact in 2 cases, but all other commentary explained that the drop in performance were from specific factors that were likely to affect only the service that relates to the indicator. Targets were typically set at a level such that services were required to do better than the previous year in order to meet them. A missed target meant that the required improvement was not made, but not necessarily that the service performed worse than the previous year. It was highlighted that number of targets achieved and the direction of travel of indicators were relatively crude measures that did not take into account natural variation, complexity and the impact of other events.

It was also highlighted that many of the indicators within the report were 'partnership' indicators – which relied upon work led by a number of different agencies and with no single agency is in overall control.

It was resolved:

- i) To agree the provisional end of year results for 2009/10
- ii) To agree the revision of targets as set out in section 9 of the Cabinet report.

214. DRAFT GREAT OUSE CATCHMENT FLOOD MANAGEMENT PLAN – CONSULTATION BY THE ENVIRONMENT AGENCY

Cabinet received a report requesting consideration and its approval to a draft County Council response to a consultation by the Environment Agency (EA) on the Draft Great Ouse Catchment Flood Management Plan (CFMP).

Cabinet noted that it was intended that CFMPs would help the EA and partner organisations understand the current scale and extent of flood risk and how this is likely to change over the next hundred years. They were intended to inform decisions on flood protection, emergency planning, spatial planning, land management and conservation, as well as help Internal Drainage Boards, water companies and other businesses manage risk and plan their investments. CFMPs were strategic documents designed to set out broad policy rather than identify the need for specific projects. They were designed to work with natural processes and manage land and rivers in a more sustainable way. CFMPs reflect a change from an approach of flood prevention to one of flood risk management, which recognised that, in some places, constructing and maintaining flood defences would not be technically, economically or environmentally feasible. The Great Ouse CFMP highlighted the fact that current flood risk management activity may have been based on historic

decisions which had not been the subject of recent review. The Plan emphasised that difficult decisions would have to be made about prioritising investment to where it was most needed.

While the Plan's broad aims and objectives could be supported, officer highlighted for Cabinet attention a number of important issues, including:

- How the assessment of future flood risk has been arrived at, particularly regarding the assumptions behind the amount of development modelled for Cambridgeshire and its distribution within the County, as well as the allowance for increases in net sea level rise and peak river flows.
- The policy options chosen for particular areas of the County and the likely effect these would have on people, property and the environment.
- The regard given to the historic environment, biodiversity and green infrastructure.

Cabinet felt strongly that the final version of the response should draw attention to its concern about the extent to which the consultation had effectively engaged with communities and stakeholders affected by its proposals. Cabinet also noted that an increase in flooding events would place additional pressure on the County Council in its roles as a Lead Local Flood Authority and as Category 1 responder to emergency events.

It was resolved:

To agree the draft response set out in this report and to delegate to the Acting Executive Director, Environment Services in consultation with the Cabinet Member for Growth, Infrastructure and Strategic Planning the authority to amend the response for submission to the Environment Agency by 9 July 2010.

215. QUARTERLY UPDATE REPORT ON KEY PARTNERSHIPS

Cabinet received for information the latest partnerships update report in respect of the following seven partnerships:

- A) Cambridgeshire Together
- B) Cambridge Children's Trust
- C) Cambridgeshire Care Partnership
- D) Cambridgeshire Horizons
- E) Safer and Stronger Thematic Partnership (formerly Community Safety Strategic Partnership)
- F) Greater Cambridge Partnership
- G) Environmental Sustainability Partnership

Updates / specific attention was drawn to:

- That the Cambridgeshire Together Board would only be meeting once every six months
- That the Care Partnership Members were now receiving regular update reports in respect of the performance against targets / indicators and the up to date budget

position for the Older People and Occupational Health Services Section 75 agreement between the formal meetings of the Cambridgeshire Care Partnership.

- That as part of the review of all partnerships would be a review of all economic development, enterprise and growth activity work
- The Chief Executive briefly updated the meeting of a invitation from Government to respond by 6th September to a consultation paper on Local Enterprise Partnerships (LEPs) which were to replace Regional Development Agencies (RDAs) and would keep members briefed on project team proposals and the proposed response.

It was resolved:

To note the content of the report.

216. ANNUAL PERFORMANCE ASSESSMENT OF SOCIAL CARE SERVICES FOR ADULTS SERVICES FOR CAMBRIDGESHIRE AND ACTION PLAN

Cabinet received and noted a six month update report on the 2008/09 Annual Performance Assessment Action Plan for Social Care Services for Adults for Cambridgeshire.

Cabinet was reminded that In December 2009 the Care Quality Commission (CQC) had judged that overall Cambridgeshire County Council was performing 'Well' in its delivery of outcomes for people using Adult Social Care services. As part of the judgement, CQC noted 17 Areas for Development for the Council to consider and in response, the Annual Performance Assessment Action Plan for 2008/09 was developed and agreed at Cabinet in January 2010 with a request for a further progress update report within six months.

Cabinet noted that over the course of the previous six months there had been considerable progress with 8 of the 17 areas for development having now been completed (BLUE), 7 having reached a stage where there is good progress (GREEN) and 2 areas showing some progress (ORANGE). The report to Cabinet provided details of the exception reporting and action being taken in respect of the 2 areas currently showing orange which were in relation to:

- 'Area for Development 1 – Further improvement is needed to increase the number of reviews for people in receipt of services'. – the report set out that despite the activity reported, review activity overall had remained below target. However it was also highlighted that the percentage of reviews completed in the performance year that had just ended had increased and for 2009/10 provisional figures indicated that 73% of people who used services would have had a review (in 2008/09 this figure was 69.2%). Assurance was provided that complex cases were reviewed on a very regular basis.
- 'Area for Development 2 - There needs to be a continued focus on reducing delayed discharges from hospital, particularly those attributable to social care' – It was reported that the Executive Director of Community and Adult Services and the Chief Executive of NHS Cambridgeshire continued to meet with senior managers of acute and community providers to manage the reduction of delayed transfers of care. This work has been supported by GO East who had confirmed that pressure in the system was contributed to by (i) Addenbrookes having a high level of conversions from Accident and Emergency attendances to admissions; (ii) the difficult winter impact on health care and emergency care admissions; (iii) the successful reduction of length of stay in acute hospitals, (from

26 days average to 11 days) which has led to people being discharged with a higher degree of volatility.

Objectives have been agreed to prevent admissions, maximise intermediate care and reablement, and improve management of long term conditions, readmissions, support for carers and end of life issues. It was also noted that the new Coalition Government had indicated that they would be introducing fines from April 2011 for acute hospitals who prematurely discharged patients who then required to be re-admitted with the same condition.

In answer to a question on timelines which had not been provided against the two items, it was indicated that there would be a further judgement from the Care Quality Commission by the end of November for the performance for 2009/10.

It was resolved:

to note the progress against the Action Plan for the 2008/09 Annual Performance Assessment for Social Care Services for Adults for Cambridgeshire.

217. CAMBRIDGESHIRE GUIDED BUSWAY

As a result of the continued lack of significant progress towards rectifying the defects which would allow the Council to accept sectional completion of the busway between Cambridge and St Ives, Cabinet has requested that it should receive a further progress report at each meeting.

Having received the latest of its regular update reports in respect of progress being made towards the opening of the Cambridgeshire Guided Busway, Cabinet was again extremely concerned to note that the lack of progress by the Contractor towards rectifying the defects and achieving their stated and agreed objectives to address the defects which would allow the Council to accept sectional completion of the Busway between Cambridge and St Ives, since the report presented to Cabinet on 15th June. The progress to date did not reflect a positive attitude on the part of the contractor for reasons not apparent to the Cabinet Member or the officers of the Council. As the Busway was recognised as a very high profile project and whilst the Council was keen to acquire beneficial use as soon as possible this should not be at any cost particularly in respect of the long term future maintenance costs. Therefore it was reiterated, as at previous meetings, that the County Council would adopt an asset and not a liability, financial or otherwise.

Cabinet therefore requested that officers should now focus their principal efforts on completion of the whole contract rather than the interim stage of sectional completion given the continued failure of Bam Nuttall to rectify the notified defects while continuing to leave the option open for a sectional completion agreement and handover of the scheme should Bam Nuttall rectify the notified defects to this Council's satisfaction.

It was noted that the Contractor was progressing the southern section in accordance with their current programme, which showed that the southern section of the Busway would be completed in December 2010.

As Cabinet was again extremely concerned to receive a report which indicated a lack of progress by the contractor in achieving their stated and agreed objectives to address the defects identified in paragraph 1.5 of the report

It was resolved to:

- i) Note that the Contractor continued to make slow progress towards rectifying the defects which would allow the Council to accept sectional completion of the busway between Cambridge and St Ives, and
- ii) Note that the Contractor was progressing the southern section in accordance with their current programme, which shows the Busway complete in December.
- iii) Request that officers should now focus their principal efforts on completion of the whole contract rather than the interim stage of sectional completion given the continued failure of Bam Nuttall to rectify the notified defects: and
- iv) Continue to leave the option open for a sectional completion agreement and handover of the scheme should Ban Nuttall rectify the notified defects to this Council's satisfaction.

218. DRAFT CABINET AGENDA FOR 7th SEPTEMBER 2010

Cabinet noted the draft Cabinet agenda with the following changes to be made to the 7th September meeting since the publication on the current agenda:

Additions – One Other decision report was added with the title 'Traffic Regulation Order (Byways Open to All Traffic No3 Wentworth, No 4 Wentworth, No5 Wentworth, No6 Wentworth, No8 Witchford, No9 Witchford, No19 Coveney and No13 Haddenham) Prohibition of Driving Order'

To be rescheduled to a later meeting: Item 6. Highways Policies Operational Review

Addition to a later Meeting – 1st Quarterly Report on Shared Services to go forward to the October Cabinet meeting.

219. DELEGATION FROM CABINET TO CABINET MEMBERS / OFFICERS

Cabinet received and noted the latest update report.

Chairman
7th September 2010

APPENDIX A

PETITIONS SUPPORTING A PROPOSAL TO LOWER THE SPEED LIMIT THROUGH KIRTLING AND UPEND FROM 40 MILES PER HOUR (MPH) TO 30 MPH

Councillor Goulding speaking on behalf of the petition explained that Kirtling and Upend Parish Council had been looking to lower the speed limit through Kirtling and Upend for four years for reasons of safety to local residents and other road users, and that the majority of residents being in favour. He explained that Upend was a hamlet with narrow roads, many bends and a blind junction with steep banks and no footpaths. Employees at Fittocks Stud at the north end had to cross the road with the horses between the high banks with no emergency escape route and a young boy had been seriously injured 20 years ago when running from a gateway at the southern end of Upend.

He explained that Kirtling was more open but still had many bends and narrow areas with no footpaths and was a village between others and more major towns and was extensively used by commuters and carers in a hurry at the each end of the day, travelling when children were waiting for school buses. It was considered that it would be advantageous to extend the lower limit as 60 mph was in their opinion too great a speed, especially on the section of the road through from Cowling to Saxon Street, the fastest flowing road through the village and which also had obstructions in the form of parked cars from the Catholic Church. He also referred to the amount of wild life which was common in the area and by implications was more likely to be killed by vehicles travelling at higher speeds.

The contention was that there were enough straight sections to make enforcement practicable and that they were only looking to change the 40 mph discs /signage to 30 mph and were not seeking for money to be spent to paint the road in different colours or adding additional signage. A 30 mph speed limit would also bring the named villages in line with neighbouring villages and in an ideal world they were seeking that the 30 mph speed limit should be extended on the road to the village boundaries. Residents did not wish to wait for a serious accident before the proposals were taken forward.