

CABINET: MINUTES

Date: 27 November 2012

Time: 10.00am – 12.05pm

Present: Chairman: Councillor N Clarke

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

Apologies: Councillor D Brown

Also present: Councillors K Bourke, T Sadiq, L Nethsingha, F Brown, M Williamson, V Lucas, J Reynolds

661. MINUTES – 23 OCTOBER 2012

The minutes of the meeting of the Cabinet held on 23 October 2012 were approved as a correct record and signed by the Chairman.

662. DECLARATIONS OF INTERESTS

The following Member declared a non statutory disclosable interest in line with paragraph 10.1 of the Members Code of Conduct:

Councillor Curtis as the local member (County Council, District Council and Town Council) in relation to item 669 (Whittlesey Market Town Transport Strategy).

663. PETITIONS

Cabinet received two petitions which had been received by the deadline of five working days before the meeting. As both petitions had 50 or more signatures, a spokesperson was permitted to speak on the petitioner's behalf, for a maximum of three minutes.

a) Road Safety Measures on Hills Road and Purbeck Road, Cambridge

The first petition had 262 electronic signatures and read:

"We the undersigned are concerned about the safety of students using Hills Road and Purbeck Road to access Hills Road Sixth Form College. We urge the Council to investigate ways of improving the road outside the College and would like the following suggestions to be considered:

- create a marked cycle lane in the centre of Hills Road to enable cyclists to turn right into Purbeck Road. This lane to be complemented by clear signs to alert other vehicles to cyclists turning right;
- increase the size of the pedestrian crossing which is currently inadequate for coping with the large numbers of students crossing at peak times of the day;
- have a lower speed limit in the vicinity of the College: 20mph;
- control the timing of the lights so there is co-ordination between the Cherry Hinton Road junction lights and the pedestrian crossing lights;
- move one of the bus stops further down Hills Road so that cyclists' and pedestrians' lines of vision are not obscured by buses;
- the Council Safety Officers to hold Cycle Safety Education programmes for students at the beginning of the College year.

Noel Kavanagh and Zac Turner addressed Cabinet on behalf of the petitioners. Cabinet Members heard how Hills Road Sixth Formers had particular safety concerns following a number of accidents near the College over the last year. This concern was demonstrated by the number of signatures the petition had raised in a very short space of time. The petition highlighted a number of possible solutions, and any of these measures to improve safety would be welcomed by over 2000 students and 200 members of staff at the site.

The Cabinet Member for Community Infrastructure commented that his own children had attended Hills Road Sixth Form in recent years so he was very familiar with the safety issues at this location, particularly the volumes using the pedestrian crossing. The presentation of the petition was timely, as applications could be made for a local highways improvement scheme, and he agreed to advise on the procedure for this in his response to the petitioners. He also commented that some issues, e.g. timing of the lights, may be able to be dealt with quickly, and that this would be investigated.

The second petition, which was also being sent to Michael Gove MP, had 160 signatures and read:

"We the undersigned urgently request that, in your capacity as secretary of state, you grant permission for Cambridgeshire Local Education Authority (LEA) to open, as a maintained provision, the newly proposed Primary School and Early Years settings on the Old Shirley Site in East Chesterton, Cambridge.

We are concerned about a number of local specific issues:

1. There is an immediate need for place by September 2013 (the one form entry school proposed may not solve need for 2013).
2. The new school will share a high needs catchment with a good LEA primary school, The Shirley. We are concerned about the impact upon this school. We believe that any new school should complement and work with the Shirley.
3. The time frame for recruiting staff and a head will be further limited if the academy/free school consultation and bid process are carried out.
4. If a provider is not in place by the 19th November 2012 then parents will start to apply without knowing who will be running the school. This clearly undermines the intention to provide 'choice' to parents.

The Local Authority is already taking responsibility for redeveloping building and managing admissions. They are in a position to step in as a known provider with strong and successful local partner schools. They have experience running both the primary and early years provision needed on this site.

The covering letter to Cabinet requests Cabinet support”

Anna Gordon and Elizabeth Klaar presented the petition. They explained that they were residents of East Chesterton, and parents of young children about to start school in September. There was a shortfall of 30 places at local schools. The timescale prescribed for process was really tight, and gave parents little opportunity to question potential sponsors. As a result, the Shirley and other local schools were likely to be oversubscribed. Concerns were also expressed as Free Schools report directly to the DfE, with no local accountability. The Shirley school had improved greatly over the last few years, and parents were concerned that those improvements could be undermined. The petitioners also had concerns about the three possible sponsors, and the narrowness of choice offered.

The Leader thanked the petitioners for their presentation. He commented that there appeared to be two elements to this petition: firstly, the provision of the new school in a timely fashion, which he appreciated, but also an underlying opposition to Academies per se, which he felt was not appropriate, as that debate had already taken place at a national level, and been concluded. The petitioners acknowledged this point but commented that there were still deep concerns among some parents, as Academies and Free Schools were exempt from requirements placed on maintained schools e.g. nutritional standards of school meals, teacher qualifications, and not all parents were aware of these issues.

The Cabinet Member for Learning thanked the petitioners and commented that he was fully familiar with the issues at the school and would be responding to the issues raised.

Both sets of petitioners were advised that they would receive written responses within ten working days.

664. MATTERS ARISING FROM OVERVIEW AND SCRUTINY COMMITTEES:

No items identified.

665. TREASURY MANAGEMENT REPORT – QUARTER TWO

Cabinet received a second quarterly update on the Treasury Management Strategy 2013-13, approved by Council in February 2012.

Members noted the key issues in the report, which included (i) a 0.84% return on cash balances, (ii) eligibility for reduced rates for Public Works loans, (iii) the reappointment of Sector (LGSS’s treasury advisor) and (iv) no variances from the Capital Financing and Interest budget projection.

Growth rates and market rates remained low, reflecting the continued uncertainty in the banking industry generally. However, against these constraints, the interest rates earned were being maintained.

It was noted that the Chartered Institute of Public Finance and Accountability (CIPFA) Code of Practice on Treasury Management required Council to produce an annual treasury report and half year report. Therefore, this half year report would be presented to the full Council meeting in December.

It was resolved:

1. to note the Treasury Management Report, Quarter Two 2012-13;
2. to request that Council note the report.

666. INTEGRATED RESOURCES & PERFORMANCE REPORT – OCTOBER

Cabinet received the Integrated Resources and Performance Report for the period ending 31st October 2012. The Cabinet Member for Resources and Performance, Councillor Count, outlined particular issues for both revenue and capital budgets.

Cabinet was pleased to note that the current forecast year-end revenue underspend of -£0.9M, which was a significant decrease from the forecast overspend of £2.5M reported at the previous Cabinet meeting. With regard to Key Performance Indicators, targets were available for all twelve indicators, and six of those indicators were currently on target. The Cabinet Member drew attention to two specific Key Performance Indicators:

The number of people completing courses to directly improve their chances of employment – whilst this target was being reported monthly, it tended to fluctuate a lot throughout the year, as courses usually finished at specific times e.g. the end of the academic year.

The proportion of people referred to the Independent Domestic Violence Adviser service who engage with the service – this had changed to reflect the difficulties in monitoring a service for which the thresholds of referral are flexible, and to provide a quantifiable indicator.

The Leader observed that the £3M additional funding being transferred into Adult Social Care appeared to be coming from Reserves. The Cabinet Member advised that whilst this was technically correct, those monies had been earmarked for that purpose at an early stage.

Councillor Nethsingha spoke on the report as the Resources Spokesman for the Liberal Democrat Group. She commented that the information was similar to that in previous reports, with the Adult Social Care position following the same pattern. She commented that it was reassuring to see the underspend in Children & Young People's Services (CYPS) reducing, but sought reassurance that the Placements Strategy was not having a negative impact in terms of families struggling. With

regard to key performance indicators, she commented that that area that concerned her most was that customer complaints continued to be below target (73% actual against a 90% target).

Regarding the comment on the Placements Strategy, the Leader advised that this did not relate to the negative Ofsted report. The Executive Director for Children and Young People's Services and Adult Social Care briefly outlined the background of the Placements Strategy and its positive impact, e.g. in reducing the number of children who came back in to care. He stressed that the eligibility criteria had not changed.

Responding to Councillor Nethsingha's point on customer complaints, the Cabinet Member for Community Engagement, Councillor M McGuire, advised that whilst under target, this was being addressed and it was pleasing to note there was a significant upward trend in the number of complaints being dealt with within the minimum response times, which had been lower earlier in the year.

Responding to the report, individual Cabinet Members made the following comments:

- supported the point made by Cllr Count on the £3M transfer to the Adult Social Care budget;
- highlighted the pleasing performance of 74.1% for the key performance indicator of *the proportion of people using social care services who have chosen how their support is provided*, noting that Cambridgeshire was one of the leaders nationally in this area.

The Leader congratulated officers for their tremendous work in this area, and asked them to pass on Cabinet's thanks to their staff, recognising the scale of the savings that needed to be made and how close the outturn was to the budgeted figure. He also observed that in the nature of the budgetary process, savings were not always achievable from Day 1, and so the position adjusted throughout the year. He also welcomed comments from all Members, which helped fine-tune the budget process.

It was resolved:

- a) to analyse resources and performance information and notes the remedial action currently being taken and considers if any further remedial action is required;
- b) to approve the transfer of £3m earmarked reserve balances to Adult Social Care (see section 3.2 of the report).

667. LOCAL GOVERNMENT SHARED SERVICES (LGSS): SHARING SERVICES WITH NORTHAMPTON BOROUGH COUNCIL

Cabinet received a report on the opportunity for LGSS to provide services to Northampton Borough Council on an Added Value Partner basis. It was noted that there was a short, commercially confidential annex to the report, and the Leader reminded Cabinet Members that the meeting would need to go into closed session if they wished to refer to any specific issues in that annex.

The Cabinet Member for Resources and Performance, Councillor Count, introduced the report, and paid particular tribute to the LGSS Director of People and Transformation, and her team, for working to deliver this outcome. He explained the potential benefits, which were estimated to be £9.456M over five years, across all partner authorities. He also outlined the scope of the proposal, and the development of a Revenues and Benefits Agency, building on Northampton Borough Council's particular expertise in that area. It was proposed to establish an LGSS Revenues and Benefits Board to provide more specific strategic support and governance in respect of that function.

Arising from the report, individual Cabinet Members:

- advised that the message nationally, e.g. at the County Councils Network, was that joint working between authorities was vital for survival, and LGSS was seen as best practice;
- observed that there was a healthy mix of authorities involved in LGSS, irrespective of politics (Norwich was currently a Labour run Council) and authority type (Northampton Borough is the largest Borough in the country), and this mix further strengthened LGSS;
- commented that whilst Cabinet Members had always had faith in the success of the LGSS model, it was very gratifying to see the excellent and rapid progress being made as LGSS succeeds in benefitting more and more authorities, irrespective of authority type or political leadership;
- thanked Councillor Nethsingha for her work to date on the LGSS Board.

It was resolved to authorise, subject to agreement of appropriate terms:

- a) the proposed provision of the in-scope services to Northampton Borough Council under the auspices of the LGSS Joint Committee on the basis of the recommended model;
- b) the establishment of an LGSS Revenues and Benefits Board, reporting to the LGSS Joint Committee, having oversight of the Revenues and Benefits elements of the in-scope services and comprised of two members of the LGSS Joint Committee and one member of Northampton Borough Council, as nominated by their respective Councils;
- c) the LGSS Managing Director, in consultation with the LGSS Director of People Performance and Transformation, LGSS Director of Law and Governance, Chair and Vice Chair of the Joint Committee, to negotiate and agree appropriate terms and conditions with Northampton Borough Council, under which the arrangements will operate; and
- d) the LGSS Director of Law and Governance to prepare, approve and complete any necessary legal documentation.

668. PROPOSED RESPONSE TO HUNTINGDONSHIRE DISTRICT COUNCIL LOCAL PLAN STRATEGY AND POLICY CONSULTATION

Cabinet received a report on the proposed response to Huntingdonshire District Council's Local Plan Strategy and Policy Consultation.

Introducing the report, the Cabinet Member for Growth and Planning explained that this one of the early stages of the consultation process for the Local Plan, and there would be further opportunities to comment on options and draft proposals.

The main focuses of the County Council's response were the Education and Transport issues. The transport issues were important to the county as a whole, as the transport situation in Huntingdonshire ultimately affected the rest of the county and the wider region, and Cllr Bates outlined the issues raised in the response, particularly relating to the gaps in the network. In terms of Education, the location of a new secondary school to serve Alconbury Weald had not been resolved, and Local Member Councillor Sir Peter Brown had made some comments on this specific issue, which would be included in the response.

Cabinet Members raised the following issues:

- in addition to poor Broadband provision in many parts of the District, observed some parts of Huntingdonshire also suffered from poor mobile phone signals;
- noted the acknowledgement of the considerable growth anticipated at RAF Wyton, and the issues related to this;
- were pleased to note the proposed comments on the impact of the Great Haddon development in Peterborough on services in Yaxley;
- Councillor Harty welcomed the proposed response, but was very disappointed that there had not been greater opportunity earlier stage to contribute on the education issues relating to Alconbury Weald. He was also keen to ensure there was opportunity for an early input on the Great Haddon and Wyton developments;
- raised the issue of unadopted roads, and suggested that it would be helpful the District Council to insist on bonds from developers;
- endorsed the proposed response on Broadband, and suggested that the authority should aim for any infrastructure which supports current and future technology e.g. conduits/pipes inside and outside of homes for fibreoptics, especially as more and more people would be working from home;
- supported the comments on provision for an ageing population, particularly in terms of flexibility of buildings ('life time homes');
- stressed that no development or activity should be permitted which would worsen flood problems in future. Councillor Bates acknowledged this point, and reminded Members that the County Council now had a role as the legal flood authority;
- stressed the importance of protecting open space in the rush for growth, particularly children's outside play areas, which reflect safe and positive communities.

Councillor Bates thanked Cabinet Members for their comments and agreed to reflect these in the response, and discuss these issues further with individual Members, where appropriate. The Leader thanked officers for their hard work in pulling together this response.

It was resolved:

- a) to agree the consultation response attached as Appendix 1 to the report, and send it to Huntingdonshire District Council in response to their Local Plan Strategy and Policy Consultation (August 2012); and
- b) to delegate to the Cabinet Member for Growth and Economy in consultation with the Executive Director, Economy, Transport and Environment the authority to make minor amendments as necessary prior to submission.

669. WHITTLESEY MARKET TOWN TRANSPORT STRATEGY

Cabinet received a report on the progress made preparing the Whittlesey Market Town Transport Strategy (MTTS). The Cabinet Member for Growth and Planning, Councillor Bates, reminded Cabinet Members of the background of the Market Town Transport Strategies, noting this was the ninth MTTS in the county. He felt that it was crucial for the future, particularly the development of Fenland Local Plan. It was also a useful platform for securing funding, although the 'priorities' section may require further work when the Community Infrastructure Levy was introduced. The comments of Councillor van de Ven, who was unable to attend the meeting, were noted.

Arising from the report, Cabinet Members:

- discussed transport issues, noting from Local Member Councillor Curtis that the A605, specifically the frequency that the level crossing barriers were lowered, was more of a concern than the A47 for the residents of Whittlesey;
- discussed public transport, noting the issues around commercial viability of evening services;
- noted that the provision of a 'hopper' bus was one of the schemes included in the Action Plan.
- queried whether the suggested £120,000 improvements to the use of the NCN63 cycle route was justified. Cllr Curtis advised that this cycle route was very well used and sometimes offered a quicker option for travelling to Peterborough when there were problems on the roads;
- discussed car parking at Whittlesea station.

Local Member Councillor Curtis welcomed the report and commented that it was a good example of joint working between Members and officers of all authorities, including Peterborough City Council and Whittlesey Town Council. Local Member Councillor Butcher had also indicated that he was also fully supportive of the Strategy. Councillor Curtis advised that the King's Dyke crossing was the main priority for most Whittlesey residents, as a major diversion was required when the North Bank was closed, which put Whittlesey commuters at a major disadvantage. He also supported Councillor van de Ven's comments about improving the station, especially on the March-bound side. Cllr Curtis advised that he had met with Stephen Barclay MP to discuss the station issues. The 'hopper' bus had been proposed as a Section 106 by both the two supermarket chains who had applied to build in Whittlesey. The current rail and bus services serving Whittlesey were not good enough. There was also potential to make Whittlesea Station a parkway/commuter station.

Members commented that the town was fortunate in having a station, but the frequency of trains stopping needed to increase. Councillor Bates advised that Whittlesey featured in the Rail Franchise for the East of England. He acknowledged that further investigations on a possible solution for King's Dyke was required.

It was resolved:

- a) to note the progress made in developing the Whittlesey Market Town Transport Strategy; and
- b) approve the adoption of the Whittlesey Market Town Transport Strategy as part of the Third Cambridgeshire Local Transport Plan 2011-2026.

670. EDUCATION FUNDING REFORMS

Cabinet considered a report on national changes to Schools funding, and the proposed implementation in Cambridgeshire. The report also proposed a Local Funding Formula for Primary and Secondary Schools, and outlined the likely impact of the reforms.

Councillor Harty introduced the report, highlighting that Cambridgeshire was one of the lowest funded authorities in the country for pupil funding. Members noted comments received from Councillor Peter Downes, the Liberal Democrat Spokesman for Education, who was unable to attend the meeting. His comments supported the proposed approach, albeit reluctantly, against the background of the government's new requirements which have a simplified distributive mechanism, which restricts local flexibility.

Arising from the report, individual Cabinet Members:

- observed that the key issue was that the overall grant for schools was too small;
- noted that this was an issue which greatly concerned school governors and staff;
- stressed that the fact that Cambridgeshire was a fast growing county should be mentioned in all areas of correspondence;

It was resolved:

- a) to approve the proposed Local Funding Formula for Primary and Secondary Schools; and
- b) note the concerns about impact of the changes on schools and continues to work with Schools Forum and MPs to raise awareness of these changes.

671. THE COMMUNITY RIGHT TO CHALLENGE

Cabinet received a report on the key implications of the new Community Right to Challenge legislation, and the proposed approach to accepting challenges. The Cabinet Member for Resources and Performance, Councillor Count, explained that the new legislation enabled voluntary and community bodies, charities, parish

councils and groups of two or more local authority staff to bid to express an interest in running services that the Council currently provided.

Councillor Michael Williamson spoke on the report. He was disappointed that the proposal was to accept challenges only once every four years, and suggested that the approach should be more positive, actively encouraging bodies to make challenges. He pointed out that other county councils, such as Kent, North Yorkshire and Northamptonshire, had a much more flexible approach to allowing challenges, and some proactively list services coming up for renewal. He suggested that the proposed response was not meeting the spirit of the Localism agenda. He also felt that reaching decisions on EOIs by January would be unhelpful to Parish Councils' precepting cycles. The Leader and Cabinet Member for Resources and Performance pointed out these new rights were in addition to the existing rights to tender for Council contracts.

A Cabinet Member asked why local authority staff had to create a legal entity in order to challenge, as this could be a complex process. The LGSS Director of Law and Governance advised that setting up a legal entity was a fairly simple administrative issue, and there were many examples of this e.g. in the health sector.

Another Cabinet Member commented that he would support the recommendations reluctantly, but expressed disappointment that the approach was not in the true spirit of the Localism Act.

The Leader commented that regrettably there were numerous cases in other authorities where such services had encountered difficulties, and had to be subsidised long term. Whilst welcoming challenges, the priority should always be maintaining services to the people of Cambridgeshire.

It was resolved:

- a) to note the contents of the report;
- b) to the preferred option for arrangements for managing Expressions of Interest (EOIs) as detailed in 2.2. of the report;
- c) to the process for dealing with EOIs as proposed in Appendix 2 of the report; and
- d) where a service is undergoing review and the window does not fit with the timetable for the review, agree to receive EOIs at a specified point in the consultation process.

672. RECOMMENDATION FROM CAMBRIDGE ENVIRONMENT AND TRANSPORT AREA JOINT COMMITTEE

Cabinet received a report on a recommendation from the Cambridge Environment and Transport Area Joint Committee to reintroduce the City Centre Shuttle Bus. Introducing the report, the Cabinet Member for Community Infrastructure explained how the on-street parking account surplus was used and why the City Centre Shuttle Bus was withdrawn in 2011. He concluded that it was not appropriate to reintroduce this service.

Councillor Nethsingha spoke on the report. She commented that she was very disappointed by the report's conclusion, as this request had come from local councillors, and related to funding that was raised locally. Moreover, the Shuttle Bus would require only a small percentage of the surplus. The Shuttle Bus provided a valuable service for local people, not just those with disabilities, but also mothers with babies and young children, and others who found the service very valuable. It was also helpful in encouraging the public to shop in different areas of the city.

In response, Cabinet Members commented that whilst the budget had to be used for transport related services, it was clear this service offered less benefit than other socially necessary services. Moreover, whilst reinstating the service would only take up about 10% of the current year's surplus, it was not possible to predict the level of surplus in future years, and therefore difficult to make such a commitment. It was concluded that the arguments for withdrawing the bus were essentially unchanged.

It was agreed:

- a) to consider the proposal from the CAJC to reinstate the City Centre Shuttle Bus using surplus on-street parking revenue;
- b) to note that the previous reasons for removing funding still apply; and
- c) to confirm that it is not appropriate to reinstate the City Centre Shuttle Bus service

673. DRAFT CABINET AGENDA – 18 DECEMBER 2012

Members noted the draft agenda for the Cabinet meeting to be held on 18 December 2012, including the following changes:

- additional item: City Deal expression of interest;
- items deferred or removed: Cambridge Science Park Station; Local Transport Body Assurance Framework; SmartLIFE Business Proposal.

Chairman
18th December 2012