

## **COUNTY COUNCIL: MINUTES**

**Date:** Tuesday 11<sup>th</sup> December 2007

**Time:** 10.30 a.m. – 4.00 p.m.

**Place:** Shire Hall, Cambridge

**Present:** Councillor A G Orgee (Chairman)

Councillors D Baldwin, C M Ballard, J Batchelor, I C Bates, N Bell, B Boddington, M Bradney, J Broadway, P Brown, T Butcher, C Carter, K Churchill, S Criswell, A Douglas, P J Downes, J Dutton, R Farrer, S A Giles, G Griffiths, G F Harper, N Harrison, G J Heathcock, S Higginson, P E Hughes, W Hunt, C Hyams, J D Jenkins, S F Johnstone, E Kadić, G Kenney, A C Kent, S G M Kindersley, S J E King, V H Lucas, D McCraith, L W McGuire, A K Melton, S B Normington, M K Ogden, L J Oliver, D R Pegram, J A Powley, P Read, A A Reid, J E Reynolds, K Reynolds, P Sales, M Shuter, L Sims, M Smith, T Stone, J M Tuck, R Turner, J K Walters, J West, D White, K Wilkins, H Williams, M Williamson, L J Wilson and F H Yeulett

**Apologies:** Councillors M Curtis, D Harty, J Huppert, D Jenkins and R Moss-Eccardt

### **190. MINUTES: 30<sup>th</sup> OCTOBER AND 23<sup>rd</sup> NOVEMBER 2007**

The minutes of the meetings of the Council held on 30<sup>th</sup> October and 23<sup>rd</sup> November 2007 were approved as correct records and signed by the Chairman.

### **191. CHAIRMAN'S ANNOUNCEMENTS**

#### Awards and achievements

The Chairman led members in offering congratulations to:

- All staff who had helped to offer assistance during the Norfolk flood warning at the beginning of November
- Trading Standards on winning the Better Regulation award at the National Business Awards for their promotion of the Think 21 campaign, which had substantially reduced underage alcohol sales
- The Council's Purchasing Advisory Service for Schools for their project to produce a series of television programmes for the Teachers' TV Channel. The project had resulted in the Council winning the County Council category at the Society of Purchasing Officers in Local Government Awards 2007 for outstanding achievement in procurement
- All staff who had contributed to the score of 4 out of 4 announced by the Audit Commission the previous day for the Council's Use of Resources.

This score meant that the Council was performing strongly, well above minimum requirements.

## **192. DECLARATIONS OF INTEREST**

The Chairman advised members that it was not necessary for them to declare a personal interest as a member of another public body unless they were intending to speak on a relevant item. He also advised that if they did not declare an interest at this stage in the meeting and subsequently decided that they wished to speak, it was permissible to declare an interest at that time.

Councillor Lucas declared a prejudicial interest under Paragraph 10 of the Code of Conduct as the Chairman of the Cambridgeshire Primary Care Trust (PCT) Provider Board (Report of the Cabinet meeting held on 4<sup>th</sup> December 2007, Item 3, Budget Monitoring Report – October 2007) and took no part in discussion of this item.

Councillor J Reynolds declared a personal interest under Paragraph 8 of the Code of Conduct as the Chairman of Renewables East (Report of the Cabinet meeting held on 4<sup>th</sup> December 2007, Item 2, Waste Management Private Finance Initiative Project).

## **193. PUBLIC QUESTION TIME**

Two members of the public attended the meeting to ask questions:

- Sheila Smith-Rawnsley, the Chief Executive of Disability Cambridgeshire (formerly Directions Plus), reminded members that she had asked a question at the meeting of Council held on 30<sup>th</sup> October 2007 about the withdrawal of funding from Directions Plus for its work with disabled children and their families. She now asked the Leader of the Council, Councillor Walters, further questions about the support that was available to children and families now that this funding had been withdrawn, and about the information that had been made available to Directions Plus concerning the Council's decision.

Responding, the Leader of the Council reported that the Area Director of Children and Young People's Services for Cambridge City and South Cambridgeshire had e-mailed Directions Plus on 19<sup>th</sup> November 2007 to offer a meeting to discuss these issues, but that no response had yet been received. He repeated the offer of a meeting, either before the end of the year with the Area Director, or possibly in the first week of January if Directions Plus wished him also to attend.

- Daniel Zeichner drew attention to a petition with over 1,500 signatures and asked the Cabinet Member for Environment and Community Services whether he agreed with the petitioners that the possibility of new routes over Stourbridge and Coldhams Commons and Ditton Meadows should be ruled out; that traffic congestion on roads in east Cambridge should be addressed urgently; that proposals to build homes on the Cambridge airport site should not proceed until alternative sites had been considered and the transport impact independently assessed; and that local residents should be consulted before any decisions were taken.

Responding, the Cabinet Member for Environment and Community Services, Councillor Pegram, reported that a major consultation on the Transport Innovation Fund (TIF) proposals was being carried out at present, and that it would not be appropriate to pre-empt the outcome of this. With regard to Cambridge East, part of the aim of the TIF proposals would be to address the transport implications of development on this site. All residents would have the opportunity to contribute to consultation on Cambridge East and to comment on the planning application in due course.

A transcript of the questions and responses is available from Democratic Services.

#### **194. COUNCIL CONSTITUTION – UPDATE**

It was proposed by the Chairman, Councillor Orgee, seconded by the Vice-Chairman, Councillor Oliver, and agreed unanimously

To approve the revisions to the Council Constitution as set out in the Council report and appendix.

Councillor Batchelor noted that the County Council's procedure for public speaking at Development Control Committee currently required members of the public to give 14 days' notice of their wish to speak. He asked for this to be reviewed and suggested that a shorter notice period, possibly two working days, would encourage more people to participate.

#### **195. CABINET MEMBERSHIP**

The Leader of the Council, Councillor Walters, tabled changes to the membership of Cabinet. Members noted that:

- Councillor J Reynolds had been asked to replace Councillor Melton as the Cabinet Member for Corporate Services
- Councillor Bradney would now be joining the Cabinet to replace Councillor J Reynolds as the Lead Member for Planning and Regional Matters.

The tabled document also noted that Councillor J Reynolds would retain responsibility for matters relating to the A14 and that this area would be excluded from the remit of the Lead Member for Planning and Regional Matters.

The Leader of the Council reported that he would be asking officers to review provisions in the Constitution relating to the appointment of Cabinet members and their portfolios, to enable the Leader to respond more effectively than was possible at present to circumstances such as those that had arisen in recent weeks.

Councillor Downes requested clarification of the position of Councillor Lucas, currently the Lead Member for Communities, who had recently been appointed Chairman of the Cambridgeshire PCT Provider Board. The Leader of the Council explained that this appointment would mean that Councillor Lucas would have to give up his Cabinet post, but that the PCT had agreed to allow a short period of overlap to enable alternative arrangements to be made.

## **196. REPORT OF THE APPOINTMENTS COMMITTEE**

The Chairman of the Appointments Committee, Councillor Melton, moved receipt of the report of the meetings of the Committee held on 30<sup>th</sup> October and 23<sup>rd</sup> November 2007. He also reported that the Committee had met again on 5<sup>th</sup> December 2007 to consider applications for the post of Acting Chief Executive. The Committee had agreed unanimously to recommend to Council that Gordon Jeyes, currently the Deputy Chief Executive – Children and Young People’s Services, be appointed to this post.

It was proposed by the Chairman of the Appointments Committee, Councillor Melton, seconded by the Leader of the Council, Councillor Walters, and agreed unanimously

To appoint Gordon Jeyes to the post of Acting Chief Executive.

Members congratulated Gordon Jeyes on the appointment.

## **197. REPORTS OF THE CABINET**

The Deputy Leader of the Council, Councillor Pegram, moved receipt of the report of the meeting of the Cabinet held on 14<sup>th</sup> November 2007.

### **Meeting held on 14<sup>th</sup> November 2007**

#### Decisions for information

#### 1) Integrated Planning – Emerging Priorities

Councillor Reid welcomed Cabinet’s inclusion of climate change and the environment as a major priority of the Council, but highlighted the need for action to follow. In particular, he expressed hope that the Council would now measure and set targets for its own carbon emissions.

Councillor Broadway drew attention to the inconsistency between identifying anti-social behaviour as a high priority and youth services as a low priority. She suggested that the connection between the two should have been explained more clearly through the consultation process and emphasised the need to invest more money in youth services as a preventative approach. Councillor Hughes endorsed these comments, noting the need to involve young people effectively in their communities.

Responding, the Cabinet Member for Children and Young People’s Services, Councillor Tuck, agreed that children and young people’s participation was key. She also agreed that it would be important to improve public understanding of the connection between providing constructive activities for children and young people, and reducing anti-social behaviour.

#### 2) Issues Arising from Scrutiny Committees: Children and Young People’s Services Scrutiny Committee – Member-Led Review of Out of County Placements for Young People with High Support Needs

Councillor Ballard reminded members that the Council's recent Corporate Assessment had described Cambridgeshire's Scrutiny function as excellent. He commended this report as an example of such excellence and congratulated the members and officers who had prepared it. He noted that the issues highlighted by the report should be addressed urgently. However, it would not simply be a matter of bringing children who were currently placed out of County back into the County, disrupting their placements; rather, significant investment in in-County services was needed to ensure that appropriate services could be provided for children and young people in future. In the longer term, this could lead to both improved experiences for children and young people and significant savings for the Council, as was already being demonstrated by neighbouring Bedfordshire.

Councillor Kenney endorsed these comments, noting that investment in social worker support, specialist foster carers and respite care would be essential in maintaining children and young people with high-level support needs within the County.

Councillor Hughes agreed that a range of support was needed but commented that there was often not a simple solution in providing services for these children and young people. A range of packages was needed so that the needs of individual families could be met.

As Chairman of the review group, Councillor Downes also thanked all involved and welcomed Cabinet's positive response to the recommendations. He noted that the challenge now would be to ensure that the recommendations were implemented fully. The Children and Young People's Services Scrutiny Committee would be monitoring progress closely.

Responding, the Cabinet Member for Children and Young People's Services, Councillor Tuck, welcomed the detailed consideration given by the Scrutiny Committee to this issue. She agreed that there would not be any simple solutions and confirmed that a range of options for supporting individual children and families would be considered.

### Monitoring reports

#### 3) Performance Monitoring – Quarter 2

Councillor Heathcock expressed concern that the Council was still not achieving the target set on the number of older people helped to live at home. He commented that this issue was key both to enhancing the quality of life for older people and to making financial savings on other, more expensive forms of care. He asked the Cabinet and the Health and Adult Social Care Scrutiny Committee to make improving performance against this indicator a priority.

Councillor Hughes expressed concern at the inequity of service provision across the County, noting that more older people were helped to live at home in Cambridge City than elsewhere. Councillor Hughes also expressed concern at the Council's increasing levels of staff absence. She accepted the need to avoid inefficiency but expressed concern that

excessive cuts to staffing could be counter-productive, leading to disruption and increasing stress and levels of absence.

Councillor Kent drew attention to the need to improve support to children receiving education other than at school. She commented that failure to support children excluded from school could seriously damage their life chances. She noted that there were two options for improving performance in this area: increasing resources so that excluded children could receive more hours of support, or reducing the number of children excluded. She commented that schools should take responsibility for excluded pupils in their catchment area.

Responding, the Cabinet Member for Children and Young People's Services, Councillor Tuck, noted that the Council was working closely with schools to develop provision for young people educated other than at school. However, she commented that resources were limited, since Cambridgeshire schools received below-average funding; if they were to receive the national average, an additional £40 million would be available to them.

The Lead Member for Enhanced Services, Councillor Yeulett, reported that improvements to the number of older people helped to live at home were being driven by the Adult Social Care Improvement Board. He agreed that it would be important to ensure equitable service provision across the County. Performance against other targets for older people's services was already improving and it would be important to continue this trend.

The Cabinet's Special Adviser on Performance Management, Councillor Bradney, commended the efforts being made to address the issues highlighted by the speakers. He also commented that good progress was being made against other indicators, such as waiting times for core assessments, and that it would be important to focus on positives as well as negatives.

#### 4) Budget Monitoring Report – September 2007

The Chairman advised that any debate of this item should take place under the relevant item on the report of the Cabinet meeting on 4<sup>th</sup> December 2007.

The Leader of the Council, Councillor Walters, moved receipt of the report of the meeting of the Cabinet held on 4<sup>th</sup> December 2007.

### **Meeting held on 4<sup>th</sup> December 2007**

#### Key decisions for determination

#### 1) Local Government Pension Scheme – Review of Employer Discretions

It was proposed by the Cabinet Member for Corporate Services, Councillor J Reynolds, seconded by the Leader of the Council, Councillor Walters, and agreed unanimously that

- 1) The Council will consider granting flexible retirement for anyone aged 50 or over where a Directorate wishes to retain skills or knowledge of the individual concerned, the relevant Director supports the business case to retain the individual and:
  - A 50% reduction of hours or more is being proposed; or
  - The individual is voluntarily moving to an associated vacancy where key skills and knowledge will continue to be available to the service but, overall, they are taking a substantial downgrading of duties, responsibility and grade.
- 2) Approval for payment of pension between age 50 and 60 is delegated as per the scheme of delegation.
  - a) Approval will be deemed to have been given automatically where:
    - i) It is to provide an equitable solution to those being made redundant or taking efficiency retirement from an active job with Cambridgeshire County Council (CCC) who also have retained a deferred benefit with CCC that resulted from redundancy, Transfer of Undertakings (Protection of Employment) Regulations (TUPE) or a forced reduction in pay which can only be paid through this mechanism; or
    - ii) As in i) except where the active employment is with another local government employer (as defined by the Modification Order); or
    - iii) It is to provide an equitable solution to those taking flexible retirement from an active job with Cambridgeshire County Council who also have a retained deferred benefit with CCC that resulted from redundancy, TUPE or a forced reduction in pay which can only be paid through this mechanism.
  - b) Individual applications should be made through the Human Resources (HR) Officer aligned to the Directorate concerned, but will not be granted unless:
    - i) The individual can clearly demonstrate that they have a dependent that is in need of the applicant's constant supervision due to a long term illness and, as a result, the applicant is suffering from severe financial hardship; or
    - ii) There is a substantial reason (not related to caring for a dependent who is ill) where the applicant can demonstrate they are facing severe financial hardship and will be doing so on a long-term basis.

3) To only allow waiving of actuarial reduction on early payment of pension on compassionate grounds where payment relates to someone who is being made redundant or going on efficiency grounds from an employment in which they are an Active member of the LGPS and is having a deferred pension brought into payment.

4) All employees will be allowed to re-join the LGPS following more than one opt out.

2) Waste Management Private Finance Initiative (PFI) Project

It was proposed by the Cabinet Member for Corporate Services, Councillor J Reynolds and seconded by the Cabinet Member for Environment and Community Services, Councillor Pegram, that Council

- i) Approve the final business case as set out in the Cabinet report; and
- ii) Agree to delegate to the Director of Finance, Property and Performance in consultation with the Deputy Chief Executive – Environment and Community Services and the Head of Legal Services the authority to agree any financial variations that occur between the date of the report and financial close of the project, provided that they do not make a significant change to the overall figures in the Final Business Case.

Councillors Broadway and Reid reported that the Liberal Democrat Group fully supported the proposals. They commended officers on the professionalism of their work on this complex project.

Councillor Read asked whether it was possible that the market value of materials produced as a result of the mechanical-biological treatment process could decrease instead of increasing.

Councillor West reported that local residents hoped that the opportunity would be taken to improve the appearance of the site at March.

Responding to the speakers, the Cabinet Member for Corporate Services joined other members in recording his thanks to officers. He noted that it was possible that the market value of recyclates could fluctuate, making it essential for the Council's contract with Donarbon to be very carefully drafted. Regarding the March site, he reported that the contractual terms for its construction had been reviewed. It was proposed to bring this back in-house, on the basis that it could be done at lower cost.

On being put to the vote, the motion was approved. [Voting pattern: unanimous.]



## Key decisions for information

### 3) Budget Monitoring Report – October 2007

Councillor Harrison highlighted Cabinet's agreement to transfer funding to the Learning Disability Partnership to offset in-year financial pressures. This would include £500,000 from the Future Pressures and Development reserve. The remainder would come from service cuts, a point that had not been explained in the report to Council. Councillor Harrison expressed concern that this should have been made explicit, since the cuts, which included reductions to the highways maintenance budget and to the budget for carers' grants, would have a direct impact on Cambridgeshire residents.

[With regard to the £100,000 cut to the highways maintenance budget for surface dressing, Councillor Broadway asked the Lead Member for Highways and Transport to advise how many miles of road would now not be treated, and to what percentage of the total budget the £100,000 equated.](#)

With regard to the cut to the carers' grant, Councillor Heathcock expressed concern that the Council had repeatedly been criticised for inadequate support to carers. He emphasised that carers played a key role in looking after family members and suggested that this cut would send out the wrong message about the value the Council placed on their work.

Councillor Ballard expressed serious concern at the financial position of the Learning Disability Partnership. In 2007/08 the Partnership had received a budget increase of 15% on the previous year, to address inflation, demography and the previous year's overspend. Despite this, the Partnership was £1.4 million overspent in the current year and would be rolling forward its overspend into 2008/09. Councillor Ballard urged that the situation be reviewed and the budget moved onto a sustainable footing.

Councillor Ballard also expressed concern at the overspend on the Council's trading units, particularly Catering and Cleaning Services and the Cambridgeshire Instrumental Music Agency. He noted that schools were increasingly choosing to source their catering and music teaching from elsewhere, and that as the trading units' customer bases dwindled, it would be increasingly difficult for them to consolidate their position. He called for the situation to be addressed urgently.

Councillor Stone also expressed serious concern at the financial position of the trading units and asked why Cabinet had not yet taken action to address this. He urged Cabinet to do so as quickly as possible and noted that the Corporate Services Scrutiny Committee and the Audit and Accounts Committee would be monitoring progress closely.

Responding, the Cabinet Member for Corporate Services, Councillor J Reynolds, emphasised that the Cabinet was fully aware of the financial difficulties being experienced by the trading units and would be taking action to address them as soon as possible. He warned members that it

could be necessary to take difficult decisions about the future delivery of these services.

The Lead Member for Highways and Transport, Councillor McGuire, agreed to send a written response to Councillor Broadway's question.

The Cabinet Member for Environment and Community Services, Councillor Pegram, explained that the overspend by the Learning Disability Partnership had been due to the need to support 14 additional clients who had not been identified when the original budget for the year had been prepared. The additional funding now agreed would allow for investment in the service, rather than carrying forward a larger deficit. Some of the money transferred from the carers' grant to the Learning Disability Partnership would be used to support family carers of people with learning disabilities. The reduction to the carers' grant of £50,000 was a one-off, approximately 3% of the grant, with full funding to be restored in 2008/09.

#### Other decisions

#### 4) Regional Consultations

Speaking on the response to the consultation on the draft Regional Economic Strategy for the East of England, Councillor Ballard agreed that it would be essential to include long-term objectives on climate change in the Strategy. He commented that reliance should not be placed on carbon-offsetting but rather local responsibility taken to reduce carbon emissions, for example by taking a whole-life costing approach to new buildings. He noted that it would also be essential to take steps to manage the effects of climate change already being felt, particularly in relation to rising sea levels in a region with so much low-lying land. Councillor Ballard also commented that it would be important to continue to promote lifetime learning, particularly since involvement in learning could help to keep older people active and healthy for longer.

Councillor Melton also commented on the importance of lifetime learning and the wider skills agenda. He emphasised the importance of offering equality of opportunity across the County and to this end, welcomed the resources that Fenland schools would be receiving through the Building Schools for the Future initiative. However, he noted that it would also be important to ensure that employment opportunities were available throughout the County, so that young people did not have to leave Fenland as soon as they had qualified. Councillor Melton also spoke in support of the Council's consultation response comments on renewable energy, suggesting that the development of wind farm technology in particular should be encouraged.

Responding, the former Lead Member for Planning and Regional Matters, Councillor J Reynolds, welcomed speakers' comments. He agreed that the East of England Development Agency should be encouraged to address the skills agenda more effectively in the Regional Economic Strategy. He also agreed that coastal flooding and wind power were major climate change issues, but suggested that addressing both satisfactorily would require national as well as regional input.

## 5) Highway Operational Matters

Councillor Batchelor welcomed the review of speed limits on A and B roads, for which the A1307 had been a pilot. However, he asked when the review recommendations would be implemented, given that no additional funding was being made available and that existing budgets were already over-subscribed. He expressed concern that communities' expectations would be falsely raised by the reviews if there were no funding available to implement the outcome.

Councillor Broadway expressed concern that the reviews themselves were costing money, at a time when highways budgets were already under significant pressure. She also asked to be advised when speed limits on non-A and B roads would be reviewed.

Councillor Downes expressed concern at possible delay to the review of non-A and B roads, noting that the County's rural roads were some of its most dangerous, with the numbers of people killed or seriously injured on them well above the national average. He sought assurance from the Lead Member for Highways and Transport that these roads would also be addressed.

Councillor Kindersley reminded members that the consultation on emerging priorities had identified transport, including upkeep of the road network and road safety, as a high priority for local residents. He expressed concern that despite the current review of speed limits, the Cabinet was not allocating sufficient funding to this priority area.

Councillor Hyams declared a personal interest in this item under Paragraph 8 of the Code of Conduct as a member of Huntingdonshire District Council. He suggested that the numbers of people killed or seriously injured on roads should not be the main measure for prioritising the implementation of speed restrictions. He also emphasised the need to involve District, Town and Parish Councils in discussions about prioritisation.

Responding to the speakers, the Lead Member for Highways and Transport, Councillor McGuire, explained that the review of speed limits on A and B roads was not mandatory but was being carried out in accordance with Government guidance. He emphasised that the review itself had not yet taken place: the proposals presented to Cabinet were for the conduct of the review, which would take four years to complete. As Highways authority, the County Council would lead, but would keep District, Town and Parish Councils informed of progress. It would not be possible to review minor roads at the same time, but where evidence was brought forward that new speed restrictions were needed urgently on a minor road, this would be considered through the usual process.

## 6) Listening and Involving Strategy

Councillor Hughes welcomed the work to develop the Council's Listening and Involving Strategy. She emphasised the importance of producing information in a manner appropriate to its audience and of supporting

people during their deliberations. It was also essential to listen and respond to their comments. Improved listening and involving would do much to address community alienation.

Councillor Harrison also emphasised the need to inform people about issues effectively, to enable them to make sensible responses. She drew attention to a public consultation meeting the previous evening on the congestion charge proposals and expressed concern that no information about the Council's Transport Innovation Fund (TIF) bid had been given to those present.

The Cabinet Member for Environment and Community Services, Councillor Pegram, reported that it had been agreed that Cabinet members should not attend the public consultation meetings on congestion charging as their prime purpose was for the public to express their views on the proposals. However, Cabinet members were being kept fully briefed on their progress and he had been advised that morning that most people present at the previous evening's meeting had reported it to be useful. He emphasised that since discussions relating to possible congestion charging were at a very early stage, it was essential at these meetings to discuss a range of options and to listen carefully to people's views.

Several other members also commented on the previous evening's meeting and whether more detailed information about the TIF proposals should have been provided.

Councillor Ballard commented on the challenge of involving hard-to-reach individuals in consultation and dialogue with the Council. He noted that specific groups such as older people's groups could play an important role, but that it was important also to try to reach less vocal individuals such as those who were bedridden or hospitalised.

The Cabinet Member for Children and Young People's Services, Councillor Tuck, commended the work of the Shadow Board for the Children and Young People's Strategic Partnership directly to involve young people in Partnership meetings.

Responding to the speakers the Lead Member for Communities, Councillor Lucas, explained that the Listening and Involving Strategy would now be integrated into the Communications Strategy, to help ensure that the Council had a fully corporate approach to involvement with its communities. This Strategy would then help to lead other work on community engagement, such as the development of Neighbourhood Panels.

7) 2006/07 Annual Performance Assessment of Social Care Services for Adults' Services

Councillor Sales expressed concern that the improvement plan agreed by Cabinet to respond to the issues raised by the Commission for Social Care Inspection's (CSCI's) report was concerned primarily with performance targets and would not deliver real improvements to services. He noted that Adult Support Services continued to experience

severe financial pressures and expressed concern that services would have to become increasingly reactive during the coming year.

Councillor Harrison expressed serious concern at the CSCI findings, noting that the assessment that Cambridgeshire was 'serving some people well' placed it in the bottom 19% of Social Services authorities. This situation could not be attributed solely to the Council's financial position, since in funding terms Cambridgeshire ranked eighth out of the 34 Shire Counties. She also expressed concern that the assessment that Cambridgeshire had 'promising prospects for improvement' gave limited comfort, since this had also been the Council's assessment in 2003, but the anticipated improvements had not subsequently been realised. Councillor Harrison reported that the Cabinet's discussion of the improvement plan had been very brief and that the Health and Adult Social Care Scrutiny Committee had therefore called this item in for a fuller review.

Councillor Higginson expressed concern that there was not sufficient information on likely outcomes available to justify the Council's current review of care services; he suggested that the review was being carried out solely due to the Council's financial position. The review was causing serious concern to clients and carers, and could lead to situations breaking down, with life-changing implications.

Speaking on behalf of Councillor Heathcock, the Liberal Democrat Spokesman on Health, Communities and Adult Social Care, Councillor Downes wished the Lead Member for Enhanced Services success in implementing the improvement plan and noted that the Liberal Democrat Group would be monitoring progress carefully.

The Cabinet Member for Children and Young People's Services, Councillor Tuck, welcomed members' challenge and emphasised that the Council's prospects for improvement were promising. The whole Cabinet was supporting the improvement initiative being led by the Lead Member for Enhanced Services.

The Lead Member for Enhanced Services, Councillor Yeulett, reported that good progress was being made, with the Council's average 'blob' rating against adult social care performance indicators rising. The CSCI inspectors had reported that they had deliberated over whether to assess Cambridgeshire as serving 'some' or 'most' people well, indicating that the Council was on the cusp of a higher rating. However, he accepted that there was still scope for improvement. This was being driven by the Adult Social Care Improvement Board, which included County Councillors from all three political groups, County Council officers and representatives of Cambridgeshire PCT.

## **198. WRITTEN QUESTIONS**

Members noted that no written questions had been submitted under Council Procedure Rule 9.

## 199. ORAL QUESTIONS

Two oral questions were asked under Council Procedure Rule 9:

- [Councillor Higginson asked the Lead Member for Highways and Transport, Councillor McGuire, about the application of Section 205 of the Highways Act to the adoption of roads, and whether roads adopted in this way would be made up and maintained at the Council's expense or at the expense of the owners of fronting properties. As a supplementary question, Councillor Higginson drew attention to the response received to his question at the previous Council meeting about the adoption of Beresford Road and adjoining roads in Ely. This had advised that one of the reasons for the delay in adopting the roads was delay to the adoption of the sewers by the water authority. He asked whether the Council was able to apply any leverage to make this happen more quickly. The Lead Member for Highways and Transport agreed to send a written response to these questions.](#)
- Councillor Ballard noted that the Council had recently closed a number of day centres for adults with physical disabilities. Some of the clients from these day centres had transferred to the St Raphael Club in Cambridge, a voluntary organisation towards whose core and transport costs the Council had been making a financial contribution. However, the Club had now been advised that this funding was to be withdrawn, meaning that it would have to close. Councillor Ballard asked the Lead Member for Enhanced Services, Councillor Yeulett, to visit the Club, to discuss how social care facilities for adults with physical disabilities would continue to be provided after the Club had closed. Responding, the Lead Member for Enhanced Services agreed to arrange a visit to the Club with Councillor Ballard.

A full transcript of the questions asked and the responses given is available from Democratic Services.

## 200. MOTIONS

Three motions had been submitted under Council Procedure Rule 10.

### Motion from Councillor Reid

The following motion was proposed by Councillor Reid and seconded by Councillor Broadway:

'The Council:

- (i) Recommends that Cabinet recognises that a transport strategy which includes substantial improvements to public transport and some form of road pricing is essential for the continued success and prosperity of the County.
- (ii) Believes that the present Transport Innovation Fund (TIF) proposal, which is currently the subject of public consultation, suffers from some serious weaknesses and in order to be acceptable the Council recommends to Cabinet that the TIF proposal be modified in the following ways:

1. Commitment to environmental objectives. The present TIF proposal focuses on congestion reduction, treating carbon reduction and other environmental objectives as side-effects. This results in carbon reductions between 2000 and 2021 which fall far short of the targets in the Government's Draft Climate Change Bill (16% and 1% for Cambridge and the sub-region respectively, compared to a mid-range Climate Change Bill target of 29%). The scheme must be re-designed to achieve environmental objectives. Specifically, there must be a sliding scale for road pricing charges which reflects vehicle emissions.
2. Surplus revenue to be ring fenced and spent only on public transport, cycling and walking. All that has been said so far is that the revenue surplus of up to £30m a year will be spent on unspecified transport projects. The Council must undertake that surplus revenue will be ring fenced, and will be spent only on sustainable transport projects, i.e. public transport, cycling, and walking.
3. Greater improvement to public transport between Cambridge and the rest of the County. In order to achieve the environmental objectives, public transport needs to be substantially improved between Cambridge and all parts of the County. There is also a need for additional outlying Park & Ride sites in order to shorten car journeys, and for improved inter-connection between rail and bus travel.
4. Greater improvement to public transport within Cambridge. The proposals do not include additional bus routes within Cambridge. To conform to good practice for sustainable urban transport the scheme should provide residents of Cambridge with access to frequent good quality bus services within 400 metres of every home between 0600 and 2400.
5. Provision for special needs groups. The present TIF congestion charge proposals contain no arrangements for exemptions, discounts, or employer reimbursements for special needs groups such as disabled people, patients who are assessed as being too ill to travel to appointments by public transport and NHS staff undertaking operational journeys as part of their work. Such arrangements must be put in place.
6. Support from the District Councils directly affected. It would be undemocratic to force through a scheme which does not have the support of the District Councils most directly affected, namely Cambridge and South Cambridgeshire. Cambridge City Council has not yet given its support to the TIF proposal, having reservations which include the lack of serious attention to carbon reduction and the lack of a discount for residents. The County Council must modify its proposals to obtain the support of both these District Councils.

7. Evidence to justify the proposed hours of operation and boundary. Further analysis must be undertaken to assess the environmental, economic, social and congestion impact of alternative options for the hours and days of operation of road pricing, and for the charging zone boundary.'

In introducing the motion, Councillors Reid and Broadway emphasised that political leadership and support would be essential to the success of the Council's TIF bid and questioned whether the Council's 'Administration' was continuing to show these. They reported that the Liberal Democrat Group supported the TIF bid in principle, as it provided an opportunity for the County Council to be forward-looking and ambitious and to make effective use of funding offered by Government. However, the Group believed that it should be modified as set out in the motion, to improve the effectiveness of the proposals and in so doing to increase public support.

The following amendment was proposed by the Lead Member for Highways and Transport, Councillor McGuire, and seconded by the Cabinet Member for Environment and Community Services, Councillor Pegram:

'The Council:

- (i) Recommends that Cabinet continues to recognise that its Long Term Transport Strategy, which includes substantial improvements to public transport and the need for demand management, is essential for the continued success and prosperity of the County.
- (ii) Believes and expects that the recent TIF submission will require some refinement following the current consultation exercise and the consideration and acceptance of any proposals from Government.
- (iii) Recommends that Cabinet when considering any refinements:
  - a) Takes into account the levels of carbon reduction and environmental effects that will accrue from the proposals
  - b) Ensures that surplus revenue from any congestion charge system that may eventually be introduced by Council is re-invested in the transport and access infrastructure for the benefit of the whole County
  - c) In the event that congestion charging forms any part of a demand management scheme, gives consideration to how scaled charges may be applied for certain categories of vehicles.
- (iv) Recommends that Cabinet in putting together final proposals for approval by Council continues to take into account the views of the District Councils as well as other stakeholders and the people of Cambridgeshire.



Members speaking in favour of the amendment highlighted the following issues:

- It was not appropriate to pre-empt the outcome of the public consultation by determining detailed policy at this stage.
- It was not yet known whether the TIF proposals, if implemented, would generate a surplus, and was therefore also not appropriate to make firm commitments at this stage on how a surplus should be spent. In particular, it was not appropriate to limit possible use only to public transport and the promotion of cycling and walking, since the Government might vary the terms of the initiative in future. It was appropriate to plan responsibly for investment in infrastructure across the whole of the County.

Members speaking against the amendment highlighted the following issues:

- The Government would want to work with local authorities showing full support for TIF and Cambridgeshire's bid could be jeopardised by any weakening of resolve within the Administration.
- It was the Council's responsibility to develop a vision for the future of Cambridge. Listening to residents and showing community leadership were not incompatible.
- The amendment did not refer explicitly to road pricing but instead to the more general concept of demand management. It also deleted references to issues that could be key to the success of a congestion charging scheme, including the need for support from Cambridge City and South Cambridgeshire District Councils; a specific aim to address climate change by reducing vehicle emissions; provision for special needs groups; and plans for the use of surplus revenue.
- Although it was not certain that the proposals, if implemented, would result in a surplus, it was nonetheless appropriate to plan at this stage for how any surplus might be used. Speakers against the amendment were of the view that any surplus should be invested solely in public transport and the promotion of walking and cycling, to the direct benefit of people affected by the congestion charge, rather than in improvements to the road infrastructure, which would encourage greater car use.
- The amendment did not take into account the likely impact of the proposals on residents. People on low salaries with fixed working hours were especially likely to be adversely affected. Further discussion was also needed about discounts for drivers of low-emission vehicles, since this could effectively be a further penalty for the less well off, who could not afford to buy new low-emission cars.

On being put to the vote, the amendment was carried. [Voting pattern: Conservatives in favour, Liberal Democrats against, Labour Group abstained.]

At the request of the Liberal Democrat Group, the vote was recorded. Details of the vote on the amendment are attached as Appendix A.

Members then voted on the substantive motion as amended and it was carried.

[Voting pattern: Conservatives in favour, Liberal Democrats against, Labour Group abstained.]

#### Motion from Councillor Wilkins

The following motion was proposed by Councillor Wilkins and seconded by Councillor Downes:

‘The Council notes the growing number of inter-authority joint bodies in which it is required to participate.

‘In order to attain proper standards of accessibility and accountability, the Council recommends that the Cabinet strive to get agreement that these joint bodies will operate according to basic democratic standards including the publication of agendas, minutes and reports, meetings to be held in public, with public speaking rights and a public question time.’

Members speaking in support of the motion made the following points:

- The County Council was involved in a large number of partnerships with District Councils and other organisations. The governance arrangements and democratic processes for meetings of some of these partnerships were not well established. The partnerships were discussing issues of major importance to local residents and so their meetings and papers should be open to the public.
- Given the increasing importance of partnership working, ensuring that effective governance arrangements were in place at an early stage was far-sighted and would position the Council well for the future.
- Some organisations involved in the new partnerships were not used to meeting in public; some partnerships had not yet considered whether their meetings should be in public. The County Council should provide leadership on this issue.
- The motion did not preclude having private meetings when confidential information was to be discussed.

Members speaking against the motion made the following points:

- Private meetings were a well-established part of the democratic process at local and national level. They provided participants with the opportunity to have full discussions of personnel, commercial and political matters without risk of disclosing sensitive information or of releasing information prematurely.
- No executive decisions were taken in private session; these were always brought to a public meeting.
- It should be for individual partnerships to decide whether they wished to meet in public, in consultation with their parent bodies.

The following amendment was proposed by Councillor McGuire and seconded by Councillor King:

To insert the words 'when appropriate' into the second paragraph, so that it read:

'In order to attain proper standards of accessibility and accountability, the Council recommends that the Cabinet strive when appropriate to get agreement that these joint bodies will operate according to basic democratic standards including the publication of agendas, minutes and reports, meetings to be held in public, with public speaking rights and a public question time.'

Members speaking in support of the amendment commented that on some occasions, partners would not be willing for meetings to be held in public, and it would be important to be able to respect their wishes.

Members speaking against the amendment emphasised that the Cabinet was being asked only to strive for openness, not to enforce this in all circumstances. Members also commented that the amendment would allow a degree of subjectivity in deciding when an effort should be made, but that it was never inappropriate to strive to meet basic democratic standards.

On being put to the vote, the amendment was carried. [Voting pattern: Conservatives in favour, Liberal Democrats against, Labour Group abstained.]

At the request of the Liberal Democrat Group, the vote was recorded. Details of the vote on the amendment are attached as Appendix B.

Members then voted on the substantive motion as amended and it was carried. [Voting pattern: Conservatives and Liberal Democrats in favour, Labour Group against.]

#### Motion from Councillor Ballard

The following motion was proposed by Councillor Ballard and seconded by the Cabinet Member for Children and Young People's Services, Councillor Tuck:

The County Council recognises the potential of the Building Schools for the Future programme to improve facilities and outcomes for children, young people and their local communities. The Council requests that the Department for Children, Schools and Families reconsiders its decision to reduce by 50% the annual Devolved Formula Capital (DFC) for modernised schools. The Council supports high maintenance standards in schools and understands the requirement within the Building Schools for the Future programme that maintenance and replacement costs are budgeted for across the full life cycle of a capital project.

However, the proposed reduction in DFC funding for modernised schools presents a significant risk to the Building Schools for the Future project in Cambridgeshire. If, as seems probable, a 50% reduction in DFC means that a shortfall will have to be found from a school's revenue budget, Cambridgeshire schools will be in severe difficulties because they

already receive comparatively low levels of Government formula funding. The Council therefore considers the cuts in the DFC to be unacceptable. Current and future schools participating in the Building Schools for the Future programme should not be asked to risk incurring further revenue budget reductions in order to maintain higher standards of maintenance.

Councillor Kent reported that this motion also had the full support of the Liberal Democrat Group.

Councillor Downes emphasised the importance of raising the issues set out in the motion with central Government, with the Opposition parties at national level and with the Local Government Association.

The Cabinet Member for Children and Young People's Services confirmed that she would be working with officers and members from all parties to ensure that these concerns were pursued at national level.

On being put to the vote, the motion was carried. [Voting pattern: unanimous.]

## **201. APPOINTMENTS TO COMMITTEES AND OUTSIDE ORGANISATIONS**

The following appointments to Committees and outside organisations were proposed by the Chairman, Councillor Orgee, seconded by the Vice-Chairman, Councillor Oliver, and agreed unanimously:

- Councillor Downes to replace Councillor Heathcock on the pool of members from which the Services Appeals Committee is drawn
- Councillors Read and Shuter to replace Councillor Walters on the pool of members from which the Staff Appeals Committee is drawn
- Councillor Jenkins to be appointed to the vacancy for a Liberal Democrat substitute member of the Children and Young People's Services Scrutiny Committee
- Councillor Bradney to be removed from the Children and Young People's Services Scrutiny Committee
- Councillor Lucas to be appointed to replace Councillor Walters on the Standards Committee
- Councillor J Reynolds to be appointed to replace Councillor Melton on the Audit and Accounts Committee
- Councillor J Reynolds to be appointed to replace Councillor Melton on the Pensions Committee
- Councillor Walters to replace Councillor Johnstone as the Council's representative on the following bodies:
  - East of England Regional Assembly
  - East of England Regional Assembly Europe Panel
  - Local Government Association

- The membership of the Appointments Committee to comprise:

J Reynolds (Chairman)  
Cabinet Nominee \*  
Cabinet Nominee \*  
Non-Cabinet Nominee\*  
Liberal Democrat Group Leader or Nominee  
Relevant Liberal Democrat Spokesman \*  
Labour Group Leader or Nominee\*

*\* Membership changes from meeting to meeting*

Council noted that a member would be nominated to replace Councillor Bradney on the Children and Young People's Services Scrutiny Committee following the Roman Bank and Peckover by-election on 3<sup>rd</sup> January 2008.

Chairman: