

COUNTY COUNCIL: MINUTES

Date: Tuesday 21st December 2004

Time: 10.30 a.m. – 12.30 p.m.

Place: Shire Hall, Cambridge

Present: Councillor: R Driver (Chairman)

Councillors: C M Ballard, C C Barker, R S G Barnwell, I C Bates, T J Bear, B S Bhalla, J Broadway, C Carter, R L Clarke, P J Downes, J A P Eddy, M Farrar, H J Fitch, J L Gluza, A Hansard, B Hardy, G F Harper, V A Hearne-Casapieri, G J Heathcock, W G M Hensley, J L Huppert, S F Johnstone, J D Jones, A C Kent, I C Kidman, S J E King, M L Leeke, V H Lucas, A R Mair, R B Martlew, A K Melton, A S Milton, M K Ogden, L J Oliver, A G Orgee, D R Pegram, J A Powley, P A E Read, A A Reid, J E Reynolds, C E Shaw, P W Silby, R C Speechley, A B Stenner, P L Stroude, J M Tuck, J K Walters, D White, L J Wilson and F H Yeulett

Apologies: Councillors P D Bailey, A J Bowen, J E Coston, S A Giles, P D Gooden, L W McGuire, S B Normington and R Wilkinson

244. MINUTES: 19th OCTOBER 2004

The minutes of the meeting of the Council held on 19th October 2004 were approved as a correct record and signed by the Chairman.

245. CHAIRMAN'S ANNOUNCEMENTS

People

The Chairman:

- Welcomed to the meeting Councillor David White, who had been elected to represent the Castle electoral division at the by-election on 10th December 2004
- Congratulated Councillor Richard Barnwell on his appointment as a Deputy Lieutenant for the County
- Led members in congratulating Nikki Piper, a Trading Standards officer, who had been voted the Guardian Newspaper Public Servant of the Year
- Reported the departure of Simon Smith, Head of Economic and Community Development, Mark O'Sullivan, Assistant Director (Resources) in Environment and Transport and Martin Williams, Head of Human Resources, and wished all three well for the future.

Awards and achievements

The Chairman led members in congratulating:

- All staff for their contribution to the Council's recent 'excellent' rating from the Audit Commission, awarded following the Comprehensive Performance Assessment carried out during the autumn
- Social Services for the retention of its two-star rating from the Commission for Social Care Inspection
- Environment and Transport for the receipt of the Most Innovative Local Authority of the Year award at the first annual Highways Magazine Excellence awards
- The Highways and Engineering Division for its third Charter Mark award, making it the longest continuously Charter Marked highways service in the country
- The Libraries and Information Service for the 'battle honour' awarded for its efforts to promote the BBC's People's War project
- The Fields Early Years Centre in Cambridge, which had become one of only 109 officially designated children's centres in the country
- All staff involved in the County Council's Asset Management Plan and the joint County and District Councils' Affordable Housing Strategy, both of which had been shortlisted for Beacon status
- The Environment and Transport Directorate for receiving Investors in People accreditation.

246. DECLARATIONS OF INTEREST

The following members declared personal interests under Paragraph 8 of the Code of Conduct:

- Councillor J L Huppert in relation to item 4 on the Cabinet report of 26th October 2004 (Proposed Infrastructure Improvements Associated with Cambridge Northern Fringe East) and item 9 on the Cabinet report of 7th December 2004 (Response to Consultations on Preferred Options for South Cambridgeshire Local Development Framework and Cambridge City Local Plan Re-Deposit), as a Fellow of Trinity College, Cambridge
- Councillor S F Johnstone in relation to item 9 on the Cabinet report of 7th December 2004 (Response to Consultations on Preferred Options for South Cambridgeshire Local Development Framework and Cambridge City Local Plan Re-Deposit), as a Non-Executive Director of Addenbrooke's NHS Trust
- Councillor S J E King in relation to item 3 on the Cabinet report of 7th December 2004 (Funding of Mental Health Services: Report from the Health and Social Care Scrutiny Committee), as Chairman of the Bowthorpe Centre, a provider of mental health services in Wisbech.

247. REPORT OF THE COUNTY RETURNING OFFICER

The Head of Democratic, Legal and Registration Services reported the resignation of Councillor S V Brinton. The by-election for the resulting vacancy in the Castle electoral division had been held on 10th December 2004 and John David White, known as David White, the Liberal Democrat candidate, had been elected.

248. PROVISIONAL REVENUE SUPPORT GRANT SETTLEMENT 2005/06

Members received two reports on the Council's provisional Revenue Support Grant settlement for 2005/06, one from the Director of Resources and one setting out the views expressed by Cabinet at its meeting on 14th December 2004.

Councillor J L Huppert thanked officers for their work in responding to the provisional settlement. He emphasised the importance of thanking all those who had supported the Council in its campaign for a better settlement, including schools, partners and members of the public. He urged that stronger representations be made to Government on the need for longer-term funding, to enable more effective future planning. He noted that the Cabinet's response to Government referred to the review of funding mechanisms, including methods of tax collection, and reminded members of the Liberal Democrat Group's support for local income tax.

Councillor I C Kidman proposed that the Council's response to the provisional settlement should be framed more positively, acknowledging that the settlement was Cambridgeshire's highest ever and the highest County settlement nationally, and welcoming the abolition of the grant ceiling and the recognition of Cambridgeshire's spending needs. He expressed some concern at the Cabinet's seeking of assurances that the levels of funding would be at least maintained in future years, as it was not possible to bind future Governments. He advised that the Labour group would not be putting forward an alternative budget for 2005/06, but would be seeking to comment constructively on the Administration's proposals. The Labour group would be particularly concerned to ensure adequate investment in the Education, Libraries and Heritage budget, including support to schools to raise standards at Key Stages 3 to 5 and funding for museums, sports services and clothing vouchers.

Councillor A C Kent noted that although the Government's announcement of the Council's provisional RSG settlement had been delayed until 2nd December 2004, the deadline for the Council to notify the Department for Education and Skills of its Schools budget had not been set back from 31st December 2004. She noted that the Director would be writing to the DfES and asked how member input to the process would be achieved.

Councillor C E Shaw welcomed the Council's Local Transport Plan (LTP) settlement, which had included £5 million for the Fordham bypass. £65 million for the guided bus had not been included in the settlement, but was being held in reserve until the outcome of the public inquiry was known. Regionally, £700 million had been made available for road improvements. With regard to the improvements to the A14, he noted that there appeared to have been problems in communications with the Highways Agency. It was now expected that public consultation would begin in the spring of 2005 and that slippage to the overall programme would be slight.

Councillor J M Tuck expressed concern that whilst the increase in funding for highways appeared to be good, this was still significantly below the rate of inflation for highways costs. She emphasised the importance of ensuring that footways were maintained effectively as well as roads.

Councillor J M Tuck also asked for an update on Cabinet's discussion of the recommendations from the Health and Social Care Scrutiny Committee concerning funding for mental health.

Councillor C M Ballard welcomed the additional funding, which would enable the Council to maintain its eligibility criteria for Social Services to older people at 'substantial', although it would still not be possible to lower the criteria.

The Cabinet Member for Environment and Transport, Councillor S F Johnstone, emphasised the importance of considering the Council's LTP settlement in the context of the infrastructure deficit for the Cambridgeshire sub-region, which had previously been costed at £1 billion.

The Cabinet Member for Social Services, Councillor J A Powley, commented that the settlement was not as generous as it first appeared and that there would continue to be pressure on services. In Social Services, the Council would be spending at £26 million over Formula Spending Share (FSS), all of which would have to be funded from the Council Tax. He noted that there was no intention to increase the eligibility criteria for older people's social services, but that a reduction to the next lowest category would cost £13-14 million and was not affordable.

The Leader of the Council, Councillor J K Walters, noted that he had thanked partners and the public for their campaigning assistance in his recent letter to the Cambridge Evening News. He welcomed the increase in grant, but noted that Cambridgeshire would continue to be affected by the loss of the £20 million held back through the application of the ceiling in the two previous years. Cambridgeshire's provisional grant for 2005/06 was still £2.2 million below FSS, as although the ceiling had been abolished, floors continued to be applied. He noted that the Council had a statutory duty to submit its Schools budget to the DfES by 31st December 2004. The Council would be submitting a provisional Schools budget by this date, which would be formally confirmed by Cabinet on 7th January 2005. Cabinet would also set cash limits at this meeting. On transport issues, he noted that there were limitations to the LTP settlement, including the removal of funding for the dualling of the A428, and expressed concern about the delay to the A14 improvements.

249. COUNCIL CONSTITUTION – FREEDOM OF INFORMATION ACT 2000

The following amendments to the addendum to the Code of Conduct on Guidance on Confidentiality, contained in the Council's Constitution, were proposed by the Chairman, Councillor R Driver, seconded by Councillor P W Silby, and agreed unanimously:

- i) The initial sentence to refer to paragraphs i) to v)
- ii) The following additional paragraph to be added to the end of the document:
 - 'v) Information to which the public have the right of access under the Access to Information Act 2000 and which is not deemed to be exempt information.'

Members noted that formal regulations relating to the Freedom of Information Act had not yet been received from Government. Once these had been received, recommendations for further changes to the Constitution would need to be brought to the Council.

250. REPORTS OF THE CABINET – 26th OCTOBER AND 7th DECEMBER 2004

The Leader of the Council, Councillor J K Walters, moved receipt of the report of the meeting of the Cabinet held on 26th October 2004.

Key decisions for information

1) Supporting People Strategy

Councillor I C Bates asked the Cabinet Member for Social Services, Councillor J A Powley, about the Supporting People budget allocation for Cambridgeshire for 2005/06 to 2007/08 and its implications for Cambridgeshire. The Cabinet Member for Social Services reported that Cambridgeshire's allocation was £13.3 million, with reductions in funding both for schemes and for administration. The reductions would have implications both for the County Council as Social Services authority and District Councils as housing authorities. A joint member working group would be reviewing the implications and determining which supported housing projects would have to be delayed or not proceed. The Cabinet Member and Councillor C M Ballard expressed serious concern at the effect of the reductions, which ran contrary to Government and Council policy of supporting people to live at home whenever possible.

2) Cambridgeshire Horizons Ltd – Infrastructure Partnership Delivery Vehicle

Councillor I C Bates asked the Lead Member for Strategic Planning, Councillor J E Reynolds, who was also the Council's representative on Cambridgeshire Horizons Ltd, what steps would be taken to address the delay to consultation on improvements to the A14 and the exclusion from Cambridgeshire's LTP settlement of funding for the dualling of the A428 and the southern Ely bypass.

The Lead Member for Strategic Planning reported that the County Council, Cambridgeshire Horizons and its partners would continue to campaign for investment in infrastructure for Cambridgeshire, including improvements to the A14 at the earliest possible date. The Cabinet Member for Environment and Transport, Councillor S F Johnstone, commented that the Highways Agency was now addressing earlier communication problems and would be meeting with lead members shortly. She shared members' concern at the delay to the A14 and the exclusion of funding for key schemes from the Council's LTP settlement. The Lead Member for Economic and Community Development, Councillor A K Melton, expressed particular concern at the delay to the development of the Ely southern bypass, as this route was key to promoting economic prosperity in the Fens.

Other matters

- 3) Draft Corporate Plan for Consultation
- 4) Proposed Infrastructure Improvements Associated With Cambridge Northern Fringe East

The Cabinet Member for Environment and Transport, Councillor S F Johnstone, welcomed the Growth Area Delivery Grant being made available to develop this junction.

- 5) Disabled Facilities Grants – Cambridgeshire Response to Central Government Review

Councillor G J Heathcock asked the Cabinet Member for Social Services, Councillor J A Powley, whether the Government had responded to Cambridgeshire's representations. He asked to be advised of the likely numbers of people who would be affected by the review of Disabled Facility Grants, which helped some of the most vulnerable members of the community to live at home. Councillor I C Bates asked for the Government's response, when received, to be copied to all members.

Councillor J A Powley agreed ask the Director of Social Services to send a written response. He noted that cuts to these grants were counter-productive to the preventative work of both the County and the District Councils. He paid tribute to the District Councils for their financial contributions to make up the cuts, at a time when they themselves were under financial pressure.

- 6) Monitoring of Recommendations of Joint Review of Social Services

Councillor C M Ballard expressed concern that the Council was continuing to fail to meet a number of key recommendations arising from the Joint Review, including those relating to waiting times for older people's and disabled adults' assessments and between assessment and delivery of services, waiting times for occupational therapy, especially in the lowest priority category, and support for carers, now a statutory duty under the Carers Act.

Responding, the Cabinet Member for Social Services, Councillor J A Powley, noted that the situation was improving despite the Council's financial constraints. He emphasised that Social Services had recently retained its two-star rating from the Commission for Social Care Inspection, contributed to the Council's 'excellent' Comprehensive Performance Assessment rating, and been awarded Investors in People accreditation. The Directorate would continue to seek improvements.

- 7) National Performance Framework and Food Law Enforcement Service Delivery Plans for Trading Standards
- 8) Corporate Self-Assessment

Councillor J L Huppert congratulated all staff for their contribution towards the Council's 'excellent' Comprehensive Performance

Assessment rating. He emphasised, however, the importance of public perception and of the quality of services received, and noted that there were still a number of services to which improvements could be made.

Councillor J L Gluza also thanked all staff who had contributed to the Council's 'excellent' rating. However, he emphasised that there continued to be a need to improve the Council's services, particularly to vulnerable adults and the elderly. He noted that the Social Services Directorate's two-star rating from the Commission for Social Care Inspection had been on the basis of serving 'most' adults well, and emphasised that the Council should strive to serve all adults well.

- 9) Reference from Education, Libraries and Heritage Scrutiny Committee: Primary Educational Provision in Cambourne

Councillor P J Downes welcomed the Cabinet's support for the Education, Libraries and Heritage Scrutiny Committee's recommendations and asked when they would be implemented. Responding, the Lead Member for Education Resources, Councillor F H Yeulett, reported that work was being carried out and that the recommendations would be implemented as soon as possible.

The Leader of the Council, Councillor J K Walters, moved receipt of the report of the meeting of the Cabinet held on 7th December 2004.

Key decisions for information

- 1) Accident Remedies and Traffic Management Programme: Medium-Sized Schemes

Commenting on the St Neots High Street accident remedial scheme, Councillor R L Clarke noted that traffic calming schemes were effective only if enforced. He asked the Council to write to the Chief Constable to seek police support for this, particularly on special occasions when traffic was exceptionally heavy.

- 2) Primary Educational Provision in Cambourne

Other matters

- 3) Funding of Mental Health Services: Report from the Health and Social Care Scrutiny Committee

Councillor G J Heathcock noted that Cambridgeshire's funding of mental health services continued to be below the national average. He sought assurance from the Cabinet Member for Social Services, Councillor J A Powley, that investment in mental health services was being treated as a priority and emphasised the importance of adequate investment also by the Cambridgeshire and Peterborough Mental Health NHS Partnership Trust and Cambridgeshire's Primary Care Trusts.

Councillor C M Ballard commented that the Health and Social Care Scrutiny Committee's report to Cabinet had focussed on the County Council's input into mental health services. He emphasised the

importance of taking into account all partners' funding and noted that Cambridge City PCT's expenditure on mental health services was significantly above the national average, whilst other Cambridgeshire PCTs' was below. He noted that Cambridge City PCT's higher expenditure was thought to be due to historical patterns of provision of mental health services. This was placing significant pressure on other parts of the PCT's budget.

Responding, the Cabinet Member for Social Services, Councillor J A Powley, agreed that mental health services were the responsibility of a range of partners, including the Mental Health Trust, the PCTs and voluntary sector organisations as well as the County Council. He noted that the Mental Health Trust and PCTs were also in difficult financial positions, facing significant overspends. He emphasised that the County Council had increased its percentage funding of mental health services in recent years; further developments would need to be taken forward through integrated services delivered jointly with partners.

4) Effects of Climate Change on County Council Functions

Councillor P J Downes welcomed the member led review of the effects of climate change and the County Council's response to it. He asked what steps would be taken to ensure that the Council set an appropriate example as a major employer and provider of services, as well as protecting itself against the effects of climate change. He and Councillor H J Fitch emphasised the need to ensure that implementation of the review's recommendations was monitored effectively under the new Council. Councillor S J E King, Chairman of the review team, thanked all of those who had participated in the review.

Councillor A A Reid urged the Council to press for emissions standards for buses. He noted that the gas-fuelled shuttle bus used in Cambridge City would shortly have to be replaced and welcomed the proposal to replace it with a hybrid electric vehicle. He suggested that the city centre rising bollard scheme could be used to enforce the use of low-emission vehicles. He also suggested that further consideration should be given to the encouragement of low-emission private cars, noting that, for example, these were exempt from congestion charging in central London.

Councillor J Broadway urged the use of energy-efficient technology in new buildings, including schools, and noted that with whole-life costing this need not be prohibitively expensive. She suggested that there was also scope to seek sponsorship from private-sector companies, enabling them to showcase their products on flagship buildings.

Responding, the Lead Member for Environment, Councillor L J Oliver, welcomed the thoroughness of the member led review and the engagement of the review team members. She noted that the Environment Service Development Group would continue to lead on liaison with other employers in the County to plan ahead for climate change.

- 5) The Bichard Inquiry
- 6) Fourth Implementing Electronic Government Statement (IEG4)

Councillor T J Bear asked the Leader of the Council, Councillor J K Walters, whether the Council would be adopting Government guidance to delete e-mails after three months, so that they were not accessible under the Freedom of Information Act. The Leader of the Council responded that the introduction of such a policy would require substantial consideration.

- 7) Cambridgeshire Community Foundation Named Fund: Appointment of Member Panel and Terms of Reference
- 8) Cambridgeshire Local Access Forum
- 9) Response to Consultations on Preferred Options for South Cambridgeshire Local Development Framework and Cambridge City Local Plan Re-Deposit

Councillor C E Shaw expressed the Labour Group's concern at the proposed Cambridge East project. He noted that no new location had yet been identified for Marshall, and that, even if it were, the project would overdevelop this part of Cambridge, resulting in severe transport problems, especially given that Newmarket Road was already congested.

Councillor J L Huppert commented that Marshall wanted to move and were actively looking for a new site. He expressed concern that the move was being hampered by Government restrictions on alternative locations. He expressed the view that this was an appropriate site for development and that effective transport solutions could be developed.

Councillor J L Gluza expressed his opposition to the suggestion of an access road to development in east Cambridge running across Coldhams Common. He suggested that Marshall wished to relocate only because there were too many obstacles to business development at its current site. He expressed concern that Marshall was an important employer in the Cambridge area and that any relocation could result in the loss of jobs for local people.

Councillor R B Martlew noted the intention to expand Northstowe from an initial 6,000 to 10,000 dwellings and asked how this might be achieved, given that the site boundaries for two of the options proposed would not appear to allow for expansion above 8,000.

Speaking as the local member for Willingham, Councillor S F Johnstone commented on the need to minimise the impact of the development at Northstowe on neighbouring villages. She noted that the only boundary option for the development meeting the Structure Plan requirements was option (a), which would see it limited by the B1050 and the disused railway line. She expressed concern at the impact that the development at Northstowe would have on traffic through Willingham and urged that a bypass be built for Willingham.

Responding, the Lead Member for Strategic Planning, Councillor J E Reynolds, noted that all members had had the opportunity to debate Structure Plan issues through open meeting of the Strategic Planning Service Development Group. He emphasised that the Council would continue to work with Marshall and its partners to find a long-term solution for the east of Cambridge and Marshall's ongoing role in the Cambridge sub-region's economy.

10) Budget Monitoring 2004/05

Councillors M L Leeke, R B Martlew and J L Gluza asked the Leader of the Council, Councillor J K Walters, about the overspend in Social Services in 2004/05. Councillor J L Gluza noted that the Council was already spending significantly over FSS on Social Services. He urged the Council to seek to raise its FSS by promoting the take-up of welfare benefits, which was one of the indices used to calculate levels of deprivation and need.

The Leader of the Council noted that a recovery plan had been agreed with the Learning Disability Partnership and that the Partnership was now expected to break even at the end of the year. He recognised that the Council was spending significantly over FSS on Social Services and that this was having to be funded from the Council Tax. He noted that following the recent member led review of welfare benefits, the Council would be working with voluntary sector partners to encourage take-up in the County.

11) Delegations from Cabinet to Cabinet Members and Officers

251. WRITTEN QUESTIONS

Members noted that three written questions had been submitted under Council Procedure Rule 9:

- Councillor J L Huppert had asked the Cabinet Member for Resources, Councillor J K Walters, about Shire Hall redecoration costs. The response set out the costs incurred.
- Councillor J L Huppert had asked the Cabinet Member for Environment and Transport, Councillor S F Johnstone, about bus services in East Chesterton. The response emphasised that the recent changes to services were the result of commercial decisions taken by Stagecoach, but noted that the Council was continuing to work with Stagecoach to ensure that services were as effective as possible.
- Councillor R L Clarke had asked the Cabinet Member for Environment and Transport, Councillor S F Johnstone, and the Lead Member for Strategic Planning, Councillor J E Reynolds, about planning and transport issues affecting Mill Lane, Little Paxton. The response explained that there were no proposals to include a scheme in the Local Transport Plan to raise the level of Mill Lane.

Copies of the questions and responses are available from Democratic Services.

252. ORAL QUESTIONS

Two oral questions were asked under Council Procedure Rule 9:

- Councillor R L Clarke asked the Lead Member for Strategic Planning, Councillor J E Reynolds, whether funds were available for a feasibility study for a foot and cycle bridge to Little Paxton. The Lead Member for Strategic Planning referred him to the Local Transport Plan, which noted that footways and cycleways would be assessed to establish how they could be improved to best advantage.
- Councillor A Hansard asked the Leader of the Council, Councillor J K Walters, about the cost of responding to Councillor J L Huppert's written question on Shire Hall redecoration. The Leader of the Council provided this information and urged members to focus on the significance of the Council's achievement in receiving an 'excellent' Comprehensive Performance Assessment rating from the Audit Commission.

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

253. MOTIONS

Members noted that no motions had been submitted under Council Procedure Rule 10.

254. MEMBERSHIP OF COMMITTEES AND APPOINTMENTS TO OUTSIDE BODIES

The following changes to Committee memberships and appointments to outside bodies were proposed by the Chairman, Councillor R Driver, seconded by Councillor P W Silby, and agreed unanimously:

- Councillor J Broadway no longer to be a substitute member of the Health and Social Care Scrutiny Committee and Social Services Scrutiny Sub-Committee
- Councillor D White to be a substitute member of the Education, Libraries and Heritage Scrutiny Committee.

Chairman: