

Executive Councillor Records of Decision and Strategy and Resources Scrutiny Committee Minutes

17:00 – 20:00

PRESENT:

Executive Councillors:

The Leader: Councillor Ian Nimmo-Smith

Executive Councillor for Customer Services and Resources: Rod Cantrill

Scrutiny Committee:

Councillors Bick, Blackhurst, Boyce, Dryden, Shah, Taylor (Chair)
and Ward

09/SR/29 Minutes

The Minutes of the meeting of 16 March 2009 were signed by the Chair as a correct record.

09/SR/30 Apologies for Absence

Apologies were received from Councillors Herbert and Howell.

09/SR/31 Declarations of Interest

Agenda Item 15 (09/SR/43): Councillor Boyce declared a personal interest as a trustee of Cambridge Sports Trust and Badminton England.

Agenda item 15 (09/SR/43): Councillor Shah declared a personal interest as a member of CINTRA and the Cambridge Community Forum.

Third circulation Agenda Item 2 (09/SR/47): Councillor Taylor declared a personal interest as she knew the residents of 16 Baldock Way.

09/SR/32 Public Questions

Mr Richard Taylor raised the following points regarding agenda item 10: Adoption of protocol for the consultation and determination of tree work operations to tress on City Council owned land:

- 1) The protocol still states that a signed paper copy must support any objections submitted by email. I would be against this suggestion.
- 2) The rules for public speaking at the Planning Committee should be relaxed for tree items.
- 3) People from outside of Cambridge should be able to make representation/comment on tree issues.
- 4) How will the Council consult on tree issues? – an on-line system needs to be put in place.
- 5) What are the decisions on Vickers Brook and the self-seeding saplings on Paradise?

It was agreed that the Principal Arboricultural Officer would address these points during agenda item 10.

09/SR/33 New Procurement Strategy 2009 - 2012 *(Key Decision - Agenda Item 5)*

Matter for Decision: Approval of the proposed structure of the new Procurement Strategy before detailed work carried out and an Equalities Impact Assessment carried out on the final document. The structure, once approved, would be used to develop the full Strategy, which would be put before Members for review prior to Executive Councillor approval at the meeting of the Scrutiny Committee on 12 October 2009.

Decision of Executive Councillor:

- Approved the proposed structure of the Strategy as set out in Appendix A of the officer's report with a view to the complete document being submitted by officers for approval in October 2009.
 - Authorised the extension of the existing strategy to October 2009.
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Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

In response to questions the Procurement Manager confirmed that training on the new structure was planned for Members and officers, and would also be considered for local traders.

The Executive Councillor for Customer Services and Resources stated that the intention had been to make the process as easy and accessible as possible in order to encourage smaller traders and local businesses to tender for City Council contracts.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/34 Appointments to outside bodies
(Non-Key Decision - Agenda Item 6)

Matter for Decision: Appointment of a member to sit on the Local Government Information Unit.

Decision of Executive Councillor:

- Councillor Rosenstiel appointed to sit on the Local Government Information Unit.

Reason for the Decision: Appointment to outside body.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

**09/SR/35 2008/09 Revenue and Capital Outturn, Carry Forwards
and Significant Variances**
(Non-Key Decision - Agenda Item 7)

Matter for Decision: Request to carry forward funding arising from certain budget underspends into 2009/10.

Decision of Executive Councillor: Agreed that the following be recommended to Council for approval:

- The carry forward request of £12,000, as detailed in Appendix C of the officer's report.
- The carry forward requests totaling £600,708 for Customer Access Strategy, as detailed in Appendix C of the officer's report.
- The carry forward requests for capital resources to fund re-phased capital spending of £1,977,000 from 2008/09 into 2009/10, as detailed in Appendix D of the officer's report.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Executive Councillor for Customer Services and Resources stated that whilst there was a significant carry forward, the bulk of this was connected to the Customer Access Strategy and the delay of services transferring into the Customer Service Centre.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/36 Treasury Management and Investment Strategy Update
(Non-Key Decision - Agenda Item 8)

Matter for Decision: Update on the Council's Treasury Management arrangements and proposed amendments to both the Approved Counterparty List and to the Council's investment criteria in light of recent investment experience. The proposals, together with a revised Counterparty List, were presented for consideration and for recommendation to full Council.

Decision of Executive Councillor: Agreed that the following be recommended to Council for approval:

- Amendments to and resulting revised Counterparty List as detailed in Appendix A of the officer's report.
- Remove the limit on the maximum sum that may be invested with the Government Debt Management Account Deposit Facility (DMADF).
- Increase the maximum sum that may be invested with HSBC Bank Plc, from £10 million to £12 million.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

In response to Members questions the Director of Finance confirmed that, whilst organisations could be removed from the counter party list, the Council couldn't easily take this money back until the end of the agreed term. HSBC rates changed on a daily basis but the primary concern was the ability for the Council to place funds with them overnight – with the intention of securing better rates on the open market the following day.

It was also confirmed that as the counter party list was getting shorter and the market was tight, other Local Authorities were being used more. The Local Government Association (LGA) had been approached to look at possible ways of brokering interests between authorities.

In response to a question from the Chair the Director of Finance confirmed that no significant changes to Council practice were expected as a result of the new government legislation. The City Council was currently following all suggested good practice.

With regard to nationalised banks, it was confirmed that the specific credit ratings reflected to what degree they are being underwritten. Many other indicators were also looked at, but in general the Council were struggling to find banks that wanted to hold funds. The Irish banks did currently have a statutory guarantee but were not offering good rates.

Members would get further updates in the October and February cycle.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/37 **Contract for the provision of body and accident repairs to fleet vehicles**
(Non-Key Decision - Agenda Item 9)

Matter for Decision: Authority to commence the procurement process in order to secure, through tender, body and accident damage repair services to fleet vehicles.

Decision of Executive Councillor: Gave authority to commence the procurement process in order to secure, through tender, the body and accident damage repair services. It was proposed that the contract for the repair of body and accident-damaged vehicles be for a period of 3 years with the ability to extend for a further year on two occasions making the total maximum period of contract five years, if required.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

In response to a Member's question the Director of City Services confirmed that the Council's current workshop could not undertake this kind of repair, and all work to fleet vehicles was currently done externally.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/38 Adoption of protocol for the consultation and determination of tree work operations on trees on City Council owned land (*Key Decision - Agenda Item 10*)

Matter for Decision: Adoption of tree work protocol.

Decision of Executive Councillor:

- Adopted, as Council procedure, the protocol as attached as appendix 1 of the officer's report, subject to the following amendments:
 - Representation by email to be accepted without a signed hard copy, subject to close monitoring of the process for misuse.
 - Representation on tree issues to be accepted from those living outside of the city.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Director of Environment and Planning stated that the new protocol was a major step forward in engaging the public with the Council's approach to trees. It showed a commitment by the Council to protect trees but there were implications, as managing the protocol would require an increase in officer time.

At the moment this work was being covered through existing budgets but there may have to be a budget bid in the autumn to cover the extra financial pressures.

The Principal Arboricultural Officer provided the following feedback in response to Mr Taylor's questions:

- 1) The requirement to have a signed hard copy of any email representation was in line with guidance from the Councils Planning Department.
- 2) Speaking on tree items during Planning Committees followed a standard format. All public making representations were written to and given the full details of the meeting and invited to speak. The public had up until 12noon the day before the meeting to register to speak with the Committee Service.
- 3) The decision not to allow people from outside of Cambridge to comment on tree issues was discussed fully with Members. It was decided that only residents and those working and commuting into the city should be able to comment.
- 4) All decisions on tree items were posted onto the Council website and there would be a specific website developed as part of the Council's Customer Access Strategy.
- 5) A decision on Vickers Brook had not yet been made but all of those making representations would be written to with the outcome. Further information regarding self-seeding saplings can be found in 2.1 of the officer's report.

In response to Member's comments the Principal Arboricultural Officer agreed that the protocol document was not user/public friendly, but stated that it was designed more as an officer's procedure guide. Some more accessible information was planned for the Council's website.

Councillor Lucy Walker was invited to the table to comment on the protocol and discuss some comments that she had received from Cambridge Friends of the Earth (Camfoe). Camfoe felt that some of the definitions needed clarifying and that a mention of the problems caused by vandalism should be included.

Councillor Walker asked for some clarification about the decision-making process and further information on how public realm was covered. The need for signed hard copy emails was also questioned again.

The Director of Environment and Planning stated that works on Council land was an Executive Councillor responsibility and therefore the Planning Committee could not make the formal decision. The protocol was however the best way to use the expertise of planning colleagues, and in the majority of times the Executive decision did follow the recommendation of the Planning Committee. Signed emails were to safeguard the Council and were a way of ensuring that the person making the representation actually existed.

The Principal Arboricultural Officer confirmed that public realm was land that was privately owned but publicly visible. If a tree was deemed a significant amenity to the people of Cambridge the Council could put in place a Tree Protection Order (TPO) – and there were currently 600 of these throughout the city. It was also stated that discussions were ongoing with the County Council's Highway and Education Departments regarding the new protocol.

The Leader agreed that a joined up approach to the new protocol was needed and that better notification of any consultations would be beneficial. He agreed with the comments raised regarding email representation and suggested that emails be accepted without a signed hard copy, subject to close monitored of the process for misuse.

The Leader also agreed that those living outside of the city should be allowed to make formal representation on tree works.

It was proposed, and Members agreed, that section 6.1 of the protocol be rewritten to read:

6.1 Major Tree Work Operations

Representations and objections may be received on any grounds, including amenity and arboricultural.

An objector must identify the particular tree, trees or group of trees, to which his/her comments relate, and must state the reasons for the objection.

Objections may be submitted by post or e-mail, any electronic submission must include the full name and postal address of the objector.

On receipt of an objection, or representation, the arboricultural officer responsible will seek to resolve the objection or representation. If successful, the objector will be asked to withdraw his/her objection in writing.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/39 **Appointments**
(Non-Key Decision - Agenda Item 11)

Matter for Decision: Appointment of Member Training Champions.

Decision of Executive Councillor:

- Appointed as Member Training Champion Councillor Pitt and a second to be confirmed by the Labour Group.

Reason for the Decision:

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

It was confirmed that the Labour Group would also nominate a Training Champion and Members agreed that this appointment would not have to come back to committee for approval.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/40 **2008/09 Revenue and Capital Outturn, Carry Forwards and Significant Variances – Strategy Services**

(Non-Key Decision - Agenda Item 12)

Matter for Decision: Request to carry forward funding arising from certain budget under spends into 2009/10.

Decision of Executive Councillor: Agreed that the following be recommended to Council for approval:

- The carry forward request of £69,200, as detailed in Appendix C of the officer's report.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/41 **2008/09 Revenue and Capital Outturn, Carry Forwards and Significant Variances - General Fund - OVERVIEW**
(Non-Key Decision - Agenda Item 13)

Matter for Decision: Requests to carry forward funding arising from certain budget under spends into 2009/10.

Decision of Executive Councillor: Agreed that the following be recommended to Council for approval:

Revenue:

- a) The final carry forward requests, totaling £955,018 (including £600,708 for Customer Access Strategy), as detailed in Appendix C of the officer's report (subject to the final outturn position).
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Capital:

b) To carry forward (net) capital resources to fund re-phased capital spending of £9,237,000 as shown in Appendix D1 of the officer's report.

c) To reinstate two Section 106 funded projects SC376 (Thorpe Way Recreation Ground refurbishment) [£155,000] and SC377 (Ramsden Square Recreation Ground refurbishment) [£60,000], which were incorrectly reported as complete in the January 2009 committee reports and 2009/10 budgets withdrawn. These projects are now complete and their reinstatement will not impact on use of General Fund Reserves, as they will be funded from Section 106 resources.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

Members attention was drawn to the amended report as circulated.

In response to a Members question the Director of Finance confirmed that the re-phasing did allow for some slippage to be taken from this year into next year. This was being looked at through the Asset Management Group to ensure that the carry forwards were still required and were for projects that were still deliverable.

The Leader confirmed that a number of large complicated schemes made up the majority of the slippage.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/42 Sustainable Communities Act: Agreement of proposals for submission in July 2009
(Non-Key Decision - Agenda Item 14)

Matter for Decision: To agree proposals to be submitted to the Local Government Association

Decision of Executive Councillor: Agreed that the following proposals be submitted to the Local Government Association (LGA):

- Reducing Packaging
- Transport in Cambridge
- Affordable Housing in Cambridge
- Sustainability

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Head of Strategy and Partnerships presented the report and introduced two members that sat on the 'Panel of Representatives' – Jonathan Sedley from Cambridge Transition Towns and Shirly Brown from Trumpington Residents Association.

The County Council had been consulted about the panel's recommendations and a draft response (subject to County Cabinet approval) had been received which was circulated to Members of the committee.

Attempts had been made to encourage more involvement from local businesses and it was disappointing that a representative from the Chamber of Commerce had not been able to get involved. Comments had been received from 'Love Cambridge', John Lewis and Stagecoach (copies of these were circulated around the room).

A Member felt that businesses would continue to be uninvolved in this type of process until Local Authorities had control of local business rates.

Mr Sedley confirmed that the report and recommendations were representative of the Panel's views, and that he was impressed with the process employed by the Council.

The new Executive Councillor for Environmental Health and Waste Services was invited to the table and welcomed the proposal for reducing packaging.

In response to Member's questions the Head of Strategy and Partnerships confirmed that he had worked with the Community Development Team to identify young people to get involved in the project and that staff from this team had also helped to facilitate the sessions. It was very interesting that both groups of young people had come up with exactly the same priorities.

It was also confirmed that the group debated the issue of 'food miles' at length. There was a strong opinion that people should always have the information they need to be able to choose the more local option and they suggested further work on this. The Head of Strategy and Partnerships agreed to give a full briefing to Councillor Shah outside of the meeting.

In response to Member's comments about the need for national legislation the officer stated that the LGA would probably look at responses from across the country to see where there was common support for issues that government may want to take forward.

The Leader thanked the officers involved; the representatives on the panel, and the young people and voiced his support for the proposals.

The Scrutiny Committee considered and approved the recommendations by 6votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/43 Interim Report on progress towards delivery of the Local Area Agreement

(Non-Key Decision - Agenda Item 15)

Matter for Decision: Opportunity to raise issues prior to detailed reports, using year-end data, being brought back to committee in October.

Decision of Executive Councillor:

- The Leader agreed to take issues raised by the Scrutiny Committee back through the relevant thematic strategic partnerships for action.

Reason for the Decision: As per officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Leader stated that this was the first report back to outline progress on the thematic partnerships, and was an overview of performance to date.

The Head of Strategy and Partnerships confirmed that a full summary report from all of the partnerships would be brought back in October. These reports would present the 'bigger picture' and the main areas of concern and courses of action would be discussed fully with Members.

An update had been received on Council progress towards NI 8 (adult participation in sport) and the figures were slowly increasing. The Head of Active Communities agreed to give a full briefing to Councillor Boyce outside of the meeting.

The Scrutiny Committee considered and approved the recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/44 Council Motion - Community Involvement in Local Government Working
(Non-Key Decision - Agenda Item 16)

Matter for Decision: This report responded to Councillor Walker's motion to Council on 26th February. The report asked the Leader to consider whether Members and managers should be encouraged to use any of the mechanisms within the best practice examples.

Decision of Executive Councillor:

- Endorsed the Council's approach to informing, consulting and involving residents and people who work and visit the city.
- Agreed to encourage Members and managers, in appropriate circumstances, to consider the examples of good practice in section 7 that were novel for Cambridge City Council.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Head of Strategy and Partnerships introduced the report and highlighted that Cambridge was the highest placed district council area in the country for NI 4 (% of people who felt they can influence decisions in their locality). Although 38.9% figure showed that there was still room for improvement, the Council should be proud of this achievement. The report also highlighted that effective engagement could be very resource intensive.

Councillor Walker thanked the officer for the report and questioned whether any government funding was available to the City Council for this type of work. She highlighted the need to effectively monitor outcomes of what the council did and highlighted the other benefits of community empowerment - such as health and social cohesion. It was also felt that Area Committees could be used more effectively to engage with the public.

The Head of Strategy and Partnerships was not aware of any government funding. It was therefore important that officers built in consultation and engagement work when producing service plans and bidding for funds and resources.

Members discussed the benefits and problems of moving Area Committees to different venues in different wards. They agreed that the Area Committees were a good vehicle for engaging and involving the public.

Councillor Boyce proposed the following amendment to recommendation 2.2 of the officer's report:

'Consider the examples of good practice in section 7 that are novel for Cambridge City Council, and to encourage their use by Members and managers in appropriate circumstances'

Members approved this amendment by 6 votes to 0.

The Scrutiny Committee considered and approved the amended recommendations by 6 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/45 Safer City Grant – Ravensworth Gardens
(Non-Key Decision - Agenda Item 17)

Matter for Decision: Approval of an application, lodged by the Ravensworth Gardens Residents Association Ltd. (RGRA) for a grant of up to **£6,900 (plus VAT)** for fencing and security gates to tackle anti-social behaviour caused during the hours of darkness.

Decision of Executive Councillor:

- Approved a grant from the Safer City Grants scheme of up to £6,900 (plus VAT) to the RGRA for the additional fencing and gates around the children's play area.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

Councillor Walker gave her support to the report and the recommendations and highlighted the issues experienced by residents of Ravensworth Gardens and the users of the play park.

The Strategy Officer confirmed that the Children and Young People's Participation Service (ChYpPs) conducted outreach work with the users of the play park and their parents and that police community support officers had spoken to young people at the site.

The Chair highlighted the need for this work to be revisited after the 2-year trial period, and the need for incident figures to be closely monitored to see the effectiveness of the security gating.

The Scrutiny Committee considered and approved the recommendations by 5 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/46 Interim arrangements in Customer and Democratic Services

(Non-Key Decision - Agenda Item 1 on third circulation)

Matter for Decision: Permission was sought to waive procurement rules to enable the appointment of an interim manager on a fixed term contract.

Decision of Executive Councillor: Agreed:

- That the Chief Executive appoint an interim management agency to provide a person to cover the post of the Director of Customer and Democratic Services on a fixed term basis. The appointment to be made in consultation with the Leader of the Council and Councillor Herbert (as Opposition spokesperson for the Strategy portfolio).

 - To waive procurement rules 4 and 13-21 of Council's Contract Procedure Rules (Part 4 G of the Constitution) to enable the Chief
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Executive to approach specialist agencies for potential interim candidates.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Scrutiny Committee considered and approved the recommendations by 5 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

The Executive Councillor for Customer Services and Resources left the meeting and the Leader took the following decisions.

09/SR/47 Disposal of land adjoining 16 Baldock Way, Cambridge
(Non-Key Decision - Agenda Item 2 on third circulation)

Matter for Decision: Disposal of land to King Street Housing Society by way of a long leasehold interest in exchange for the Council having nomination rights. The development would provide a two bedroom, three person disabled adapted bungalow for a specific housing needs applicant.

Decision of Executive Councillor:

- Approved the disposal of land adjoining 16 Baldock Way by way of a long lease for 125 years to King Street Housing Society on the terms as outlined in the officer's Report.

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

In response to members questions the Head of Property and Building Services confirmed that whilst the payment of £15,000 did appear low the viability of the scheme was based on the build cost of the bungalow – which was expected to be high.

It was confirmed that planning permission had already been granted prior to purchase but this was not unusual.

The Leader stated that the scheme represented good value for the Council against providing this type of unit themselves.

The Scrutiny Committee considered and approved the recommendations by 5 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/48 **Supplemental Lease of Land at St. Tibbs Row, Cambridge**
(Non-Key Decision - Agenda Item 3 on third circulation)

Matter for Decision: Supplementary lease of land.

Decision of Executive Councillor:

- Approved the grant of supplemental leases of part of St. Tibbs Row to the Grand Arcade Partnership and Barclays Nominees (George Yard) Ltd for a term to run concurrently with the original leases

Reason for the Decision: As set out in the officer's report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Head of Property and Building Services confirmed that Ward Councillors had been consulted but that no comments had been received.

The Scrutiny Committee considered and approved the recommendations by 5 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None

09/SR/49 Exclusion of the press and public

The next Item was deemed confidential. Members of the public were excluded from the meeting on the grounds that, if they were present, there would be disclosure to them of information defined as exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

09/SR/50 Disposal of 2/2a Panton Street, Cambridge
(Non-Key Decision - Agenda Item 5 of the third circulation)

Matter for Decision: Decision on disposal of property.

Decision of Executive Councillor:

- Approved the sale of 2 / 2a Panton Street on the open market.

Reason for the Decision: As set out in the officers confidential report.

Any alternative options considered and rejected: N/A

Scrutiny Considerations:

The Scrutiny Committee considered and approved the recommendations by 5 votes to 0.

Conflicts of interest declared by the Executive Councillor (and any dispensations granted): None
