

STRATEGY AND RESOURCES SCRUTINY COMMITTEE 10 October 2011
5.30 - 8.40 pm

Present:

Scrutiny Committee Members

Councillors Boyce (Chair), Rosenstiel (Vice-Chair), Ashton, Benstead, Brown, Herbert, Nimmo-Smith and Pogonowski

Executive Councillor for Customer Services and Resources
Leader of the Council

Officers Present:

Chief Executive – Antoinette Jackson
Director of Environment - Simon Payne
Director of Resources - David Horspool
Head of Community Development – Trevor Woollams
Head of Corporate Strategy – Andrew Limb
Head of Legal Services – Simon Pugh
Head of Strategic Housing – Alan Carter
Chief Estates Surveyor – Philip Doggett
Committee Manager – Martin Whelan

11/59/SR Apologies for absence

Apologies for absence were received from Councillor Al Bander, Councillor Saunders attended as an alternate.

11/60/SR Declarations of interest

Councillor Brown declared a personal interest in item 8 as a member of the Executive Committee of the Liberal Democrat LGTB Group.

Councillor Bird declared a personal interest in item 7 as an employee of Cambridge Forum for Disabled People.

11/61/SR Minutes of the previous meeting

The minutes of the previous meeting were approved as a true and accurate record subject to the correct of references to “Friends of Disabilities” to read “Friends with Disabilities”.

11/62/SR Public Questions

Mr Richard Taylor addressed the committee regarding item 10, and expressed concerns about the manner in which police priorities had been set at the previous meetings during the pilot. The importance of Police priorities being democratically set was emphasised.

The Leader welcomed the question and suggested that further discussion on the subject would take place. It was explained that it was intended that each area committee would not be operating in an identical manner regarding police priorities and further discussions with the Police was needed to ensure that the arrangements were appropriate for all parties.

11/63/SR Record of Urgent Decisions taken by the Leader of the Council and the Executive Councillor for Customer Services and Resources

The record of urgent decisions taken by the Leader of the Council and the Executive Councillor for Customer Services and Resources were noted.

11/64/SR EU Mobilising Local Energy Investment Project

Matter for Decision: To consider the involvement of the City Council in the district heating scheme element of the EU work programme.

Decision of the Leader:

The Leader of the Council resolved to

- i. Support, in principle, Cambridge City Council's involvement in the district heating scheme element of the EU work programme, subject to the conditions outlined in the committee report.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

N/A

11/65/SR Lion Yard Development Proposals - Relocation of Toilets

Public Questions regarding item 11/65/SR

Ms Georgie Deards addressed the committee, and welcomed the decision to retain the toilets on the ground floor but expressed concern about the increased distance between the shopping centre and the access to the toilets in the proposals. It was also requested that the working party should include two members of the public.

The concerns about the distance were acknowledged. It was explained that the normal practice for Working Parties to consider co-options and it was the expectation that the Working Party would consult widely and be open minded in its approach.

Ms Georgie Deards welcomed the response and emphasised that the importance of recognising all forms of disability not just those that were visible.

Councillor Bird addressed the committee under Council Procedure Rules 39.2.3 with the agreement of the Chair, and made the following points

- i. Clarification was requested on the legal implications of closing the right of way from Lion Yard to Fisher Square.

- ii. The importance of ensuring direct wheelchair access in options 2a and 2b.
- iii. The need to undertake a fire risk assessment of the new proposals.
- iv. The need to preserve city centre public toilets to reduce the risk of visitors being dissuaded from using the city centre.

The Leader welcomed the questions and made the following comments.

- i. It was noted that the access from the Lion Yard to Fisher Square ceased being a highway in 1996 and was now a walkway through agreement. It was also noted that the closure of the walkway would be subject to a separate decision making process by the County Council.
- ii. It was agreed that it was important to ensure that a fire risk assessment was in place.

Discussion and decision regarding item 11/65/SR

Matter for Decision: To consider the Lion Yard Development Proposals – Relocation of Toilets.

Decision of the Leader:

The Leader of the Council resolved to agree

a) That landlord's consent should not be given to the revised first floor proposal received from Aberdeen Asset Management on 12 August 2011 (Option 1), as the Council is not convinced that any first floor scheme can adequately mitigate the negative impacts previously identified by the EqlA and associated consultation.

The Committee restates its commitment to retaining the public toilets on the ground floor.

b) That a Member working party is established to carry out a detailed assessment of the proposed ground floor design approved in principle in 2008, including to consider the detailed design elements and

- (i) Explore ways in which the design of Option 2a and Option 2b can be improved, including the scope for direct access from Lion Yard to the

public toilets for people with disabilities and those caring for babies and toddlers;

- (ii) Oversee the EqIA for the scheme;
- (iii) Consider appropriate consultation;
- (iv) Advise the Leader with regard to (i) to (iii) and
- (v) Oversee the development of refurbishment plans for the Lion Yard public toilets and make recommendations to the appropriate Executive Councillor.

c) That the working party is made up of five councillors (three from the Liberal Democrat Group and two from the Labour Group) to be nominated by group leaders, and that it is encouraged to co-opt members with experience or knowledge of access issues.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report from the Director of Resources regarding the Lion Yard Development Proposals – Relocation of Toilets. The Head of Legal Services tabled a proposed amended recommendation for the committee to consider.

The Scrutiny Committee made the following comments regarding the report;

- i. The importance of emphasising that the EQIA had identified that no first floor re-location was likely to be acceptable.
- ii. The need to be clear about the access arrangements for the toilets going forward, particularly the access to the RADAR toilets.
- iii. The importance of retaining the ground floor toilets was acknowledged, but that both option 2a and 2b required further development. It was noted that the additional distance of 100 metres from the shopping centre to the toilets might discourage some users from using the centre.

- iv. The logic of the developers in wishing to close the access from Fisher Square was questioned.
- v. It was agreed that the Working Group should consider the access implications for people with young children, who may need to access the toilet.
- vi. It was highlighted that the access to the RADAR toilets had been restricted for a period of time, due to the introduction of an additional lock preventing access. It was agreed that this would be investigated.

The Leader responded to the points raised, thanked the committee for the comments received and approved the recommendations as amended.

11/66/SR Single Equalities Scheme and Annual Equalities Review

Matter for Decision: To consider the draft single equalities scheme and annual equalities review.

Decision of the Leader:

The Leader of the Council resolved to

- i. Note the Annual Equalities Review
- ii. Approve the draft Single Equalities Scheme 2012 - 2015 for public consultation.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report from the Head of Corporate Strategy regarding the draft single equalities scheme.

The committee made the following comments on the report

- i. It was suggested that the Stonewall survey, which didn't include transgender individuals was not representative of urban areas and Cambridge specifically as it was a country-wide average, therefore was likely to under represent the number of LGBT individuals within Cambridge. The difficulty of developing an alternative data capture mechanism was acknowledged.
- ii. The importance of ensuring that gender re-assignment issues were fully considered as part of the equalities impact assessment process was highlighted.
- iii. It was agreed that all parties were committed to challenging prejudice and were committed to the equalities agenda. The work of officers and members in challenging prejudice was welcomed and encouraged.
- iv. It was suggested that ethnic monitoring was oversimplified, and didn't clearly acknowledge that "White Other" constituted a significant part of the population of Cambridge.

The excellent work and track record of the Council with regards to the equalities agenda was welcomed.

The Scrutiny Committee considered and approved the recommendations unanimously.

The Leader of the Council approved the recommendations.

11/67/SR Annual Review of the Strategic Partnerships of the Council

Matter for Decision: To consider the Annual Review of the Strategic Partnerships of the Council.

Decision of the Leader:

The Leader of the Council resolved to

- i. Agree that Executive Members provide more detailed reports about their partnership to their Scrutiny Committee as the partnerships settle and start performing within their new structures and roles.
- ii. Agree that £8,000 is provided to The Greater Cambridge Greater Peterborough Local Enterprise Partnership per annum as the Councils contribution towards its administration

The Leader of the Council resolved to recommend to Council that

- iii. References to Joint Scrutiny Arrangements are removed from the Council's Principles of Partnership Working.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report from the Head of Corporate Strategy regarding the Annual Review of the Strategic Partnerships of the Council.

The committee made the following comments on the report

- i. The strong track record of the Council and its engagements with partnership working was welcomed, however concerns were expressed that much good work had been lost through the "bonfire" of partnership arrangements. Due to the location of Cambridge the importance of effective sub regional planning and strategic thinking was emphasised.
- ii. Concerns were expressed about the manner in which the County Council had diverted reward funding from previously agreed projects to fund the enhancement of broadband within the county, without consultation with the local strategic partnership and to the detriment of the voluntary sector.

- iii. With reference to the proposed membership arrangements for the Health and Well Being Partnership, it was agreed that the representation of district councillors was insufficient and that it was inadequate that the five district councils would be represented by a single representative.
- iv. Clarification was requested on the nature of the £8000 funding commitment to the LEP. It was noted that the funding commitment was an ongoing commitment, and would be built into future years budgets.
- v. The appropriateness of the size of the area covered by the LEP was questioned.

The Leader summarised the discussion and acknowledged the concerns that had been raised by members of the committee.

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

The Leader of the Council approved the recommendations.

11/68/SR Interim Review of Area Working and the North Area Pilot

Matter for Decision: To consider the Interim Review of Area Working and the North Area Pilot.

Decision of the Leader:

The Leader of the Council resolved to

- i. Agree in principle to the delegation of the decisions set out in paragraph 3.16 of the committee report to area committees by 1 April 2012.
- ii. Encourage the other area committees to take on board the successful elements of the pilot that can be easily transferred, as set out in paragraph 4.1 of the committee report.
- iii. Agree to investigate what resources might be needed and how they might be found (potentially by reprioritising work or doing it differently) to transfer some or all of the elements of the pilot which have resource implications,

set out at paragraphs 4.2 and 4.3 of the committee report (such as the community engagement activity) of the, to other area committees.

- iv. Agree to investigate how to increase the capacity of area committee meetings to incorporate both participatory elements and further devolved decisions, including potentially transferring resources from the central decision-making process.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report from the Head of Corporate Strategy regarding the interim review of the area working pilot.

The committee made the following comments on the report

- i. It was noted the decision of North Area Committee to start planning earlier in the evening pre-dated the pilot.
- ii. It was agreed that each Area Committee needed to consider its own circumstances and that one solution across all four area committees would not always be appropriate, for example the start time of planning.
- iii. The importance of working with communities was agreed, however it was also agreed that different forms of engagement also needed to be considered.
- iv. Reservations were expressed about the willingness of partner organisations to delegate responsibilities and functions to Area Committees. The Leader summarised the current position of the County Council with regards to the potential delegation of a range of issues to Area Committees. It was agreed to forward the email received from the county to all members of the committee. It was agreed that the reference to "apolitical" in the email should refer to "a partisan".

It was noted that the recommendation should refer to the list of responsibilities in paragraph 3.16 and not 3.11 in the committee report, and subject to this revision the Scrutiny Committee considered and approved the recommendations unanimously.

The Leader of the Council approved the recommendations as amended.

11/69/SR Civil Engineering Construction Framework Procurement

Matter for Decision: To consider the procurement of a Civil Engineering Construction Framework construct.

Decision of the Leader:

The Leader of the Council resolved to

- i. Approve the procurement (tendering and award) of a new 4 year framework agreement of three contractors for the provision of civil engineering construction services in accordance with City Council procurement rules and relevant legislation, subject to securing the necessary bid to fund the additional resources needed.
- ii. Approve the continued procurement of construction services from Cambridgeshire Highways, through the Agency Agreement with Cambridgeshire County Council, until the new framework is in place in summer 2012.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report regarding the Civil Engineering Framework.

The committee made the following comments regarding the report

- i. Concerns were expressed that framework contracts tended to discriminate against local small and medium sized companies in favour of larger national/international companies, and therefore squeeze the local market. It was explained that smaller companies may struggle to support the necessary internal infrastructure required to effectively compete for these types of contracts.
- ii. The advantage of the proposed approach was acknowledged however concerns were expressed about the transparency and associated value for money of contracts let through the framework.
- iii. Councillor Herbert suggested an amendment to the recommendation, to instruct officers to organise a briefing for SME businesses to maximise the opportunities for local companies to access the contracts. Following discussion it was agreed that the Director of Resources would take this forward with the Strategic Procurement Advisor.

Officers responded and emphasised that strong checks and balances were built into the system to ensure value for money and transparency. It was also explained that it was common for larger companies to work with local providers as “supply chain partners” to deliver works, therefore supporting local SME business.

The Leader welcomed the discussion and also welcomed the opportunities to promote local enterprise and green procurement.

The Scrutiny Committee considered and approved the recommendations by 8 votes to 0

The Leader of the Council approved the recommendations.

11/70/SR Clay Farm Land Disposal Project - Budget for Up-front Costs

Matter for Decision: To consider the budget for up-front costs to support the delivery of the Clay Farm Land Disposal Project.

Decision of the Executive Councillor:

The Executive Councillor for Customer Services and Resources resolved to

- i. Approve a budget of £117,000 to cover up-front costs of the disposal of the Council's land at Clay Farm.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report from the Head of Strategic Housing seeking approval for an upfront budget to support the project to dispose of land at Clay Farm.

The Head of Strategic Housing agreed to respond to Councillor Brown outside of the meeting regarding the safeguards for maintaining future access arrangements for ramblers and dog walkers.

The Scrutiny Committee considered and approved the recommendations by 8 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendation.

11/71/SR Lease of Part Roman Court for Affordable Housing

Matter for Decision: To consider whether to grant a lease of part of Roman Court for Affordable Housing to the Papworth Trust.

Decision of the Executive Councillor:

The Executive Councillor for Customer Services and Resources resolved to

- i. Grant a long lease to the Papworth Trust on the terms as set out within paragraph 3.3 of the committee report.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report from the Chief Estates Surveyor regarding the lease arrangements for Roman Court.

Clarification was requested on whether a lease of 102 years was standard practice, and what assurances were in place to prevent the use of the building changing during the period of the lease. Following discussion, officers confirmed that the permitted use of the premises would be specified in the lease. In the event of the tenant using the premises in breach of the permitted use, the lease would provide for the Council, as landlord, to ultimately forfeit (i.e. end) the lease and regain possession.

The Scrutiny Committee considered and approved the recommendations by 8 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendation.

11/72/SR Office System Upgrade project

Matter for Decision: To consider the project appraisal for the Office System Upgrade project.

Decision of the Executive Councillor:

The Executive Councillor for Customer Services and Resources resolved to

- i. Approve the commencement of the project, which is already included in the Council's Capital Plan (Programme Reference PR020), with a total capital cost of £290,000 to be funded from the IT Software Replacement Repairs and Renewal fund.
- ii. Approve the procurement of licences and ordering of project work to carry out the upgrade unless the quotation or tender sum exceeds the estimated contract value by more than 15%. If the contract value is exceeded by more than 15% permission of the Executive Councillor and Director of Resources will be sought prior to proceeding.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

The committee received a report from the Head of ICT Client and the ICT Client Manager seeking approval to proceed with the "Office Upgrade Project".

The committee made the following comments regarding the report

- i. Disappointment was expressed that it was not possible to find an appropriate open source solution, but it was acknowledged that at the moment Microsoft was the only practical solution.
- ii. Due to the nature of the changes from pre 2007 version, the importance of robust and effective training was emphasised to ensure that the efficiency of the council was not undermined during the transition. Members were assured that a robust and extensive training programme was planned.

The Scrutiny Committee considered and approved the recommendations by 8 votes to 0

The Executive Councillor for Customer Services and Resources approved the recommendation.

11/73/SR Benefit Irrecoverable Debts to be written off

The committee resolved in accordance with paragraph 3 of the Part 1 of the Schedule 12a of the Local Government Act 1972 as amended by the Local Government (Access to Information – Variation) Order 2006 to exclude the press and public during the consideration of item 11/73/SR.

Matter for Decision: To consider write-off requests for Benefit Irrecoverable Debts to be written off.

Decision of the Executive Councillor for Customer Services and Resources

The Executive Councillor resolved to approve the write-offs as outlined in the exempt annex of the committee report.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

N/A

The Executive Councillor for Customer Services and Resources approved the recommendation.

11/74/SR General Debts - Bad debts for write-off

The committee resolved in accordance with paragraph 3 of the Part 1 of the Schedule 12a of the Local Government Act 1972 as amended by the Local Government (Access to Information – Variation) Order 2006 to exclude the press and public during the consideration of item 11/74/SR.

Matter for Decision: To consider write-off requests for General Debts – Bad debts for write-off to be written off.

Decision of the Executive Councillor for Customer Services and Resources

The Executive Councillor resolved to approve the write-offs as outlined in the exempt annex of the committee report.

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

Any alternative options considered and rejected: N/A

Scrutiny Considerations

N/A

The Executive Councillor for Customer Services and Resources approved the recommendation.

The meeting ended at 8.40 pm

CHAIR