

# Public Document Pack



## PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING

You are hereby summonsed to attend a meeting of the Peterborough City Council, which will be held in the Council Chamber, Town Hall, Peterborough on

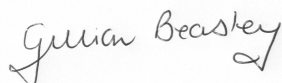
**WEDNESDAY 2 DECEMBER 2009 at 7.00 pm**

### AGENDA

	Page No.
<b>1. Apologies for Absence</b>	
<b>2. Declarations of Interest</b>	
<b>3. Minutes of Council meeting held 14 October 2009</b>	<b>1 - 32</b>
<b>4. Communications Time</b>	
(i) Mayor's Announcements	<b>33 - 36</b>
(ii) Leader's Announcements	
(iii) Chief Executive's Announcements	
<b>5. Community Involvement Time</b>	
(i) Questions with Notice by Members of the Public	
(ii) Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen	
(iii) Questions with Notice by Members of the Council to representatives of the Police and Fire Authorities;	
(iv) Petitions submitted by Members or Residents.	
<b>6. Executive Business Time</b>	
(i) Questions with Notice to the Leader and Members of the Executive	
(ii) Questions without Notice on the Record of Executive Decisions	<b>37 - 42</b>

## 7. Council Business Time

- (i) Executive Recommendations:
  - Core Strategy Proposed Submission Version **43 – 76**
  - Cambridgeshire and Peterborough Minerals and Waste Development Plan Documents (Submission Stage)
- (ii) Committee Recommendations
- (iii) Notices of Motion **77 – 78**
- (iv) Reports and Recommendations:
  - (a) *Appointments to Committees* **79 – 80**
  - (b) *Gambling Act 2005: Review of Statement of Principles* **81 – 122**



Chief Executive

24 November  
2009  
Town Hall  
Bridge Street  
Peterborough



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Carol Tilley on 01733 452344.

### Emergency Evacuation Procedure – Outside Normal Office Hours

*In the event of the fire alarm sounding all persons should vacate the building by way of the nearest escape route and proceed directly to the assembly point in front of the Cathedral. The duty Beadle will assume overall control during any evacuation, however in the unlikely event the Beadle is unavailable, this responsibility will be assumed by the Committee Chair.*

## **PETERBOROUGH CITY COUNCIL**

### **MINUTES OF COUNCIL MEETING HELD 14 OCTOBER 2009**

#### **The Mayor – Councillor Irene Walsh**

#### **Present:**

Councillors: Allen, Ash, Benton, Cereste, Collins, Croft, M Dalton, S Dalton, C Day, S Day, Dobbs, Eley, Fazal, Fitzgerald, Fletcher, Fower, JA Fox, JR Fox, Goldspink, Goodwin, Harrington, Hiller, Holdich, Hussain, Khan, Kreling, Lamb, Lane, Lee, Lowndes, Miners, Morley, Murphy, Nash, Nawaz, Newton, North, Over, Peach, Rush, Sanders, Sandford, Scott, Seaton, Sharp, Swift, Todd, Trueman, Wilkinson and Winslade.

#### **1. ONE MINUTE'S SILENCE**

The Mayor paid tribute to Councillor M Burton and invited Members to observe one minute's silence.

Group Leaders individually addressed the meeting, paying tribute to Councillor Burton.

#### **2. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors C Burton, D Day, Saltmarsh and Thacker.

#### **MAYOR'S ANNOUNCEMENT**

The Mayor advised those present that a new political group of the Council had been formed: the English Democrats. As a result, she had agreed to accept an urgent item of business relating to Political Balance arrangements. The matter was urgent in order to ensure the Council complied with Section 15 of the Local Government and Housing Act 1989 regarding the allocation of seats on committees to the respective political groups. The Mayor advised that this matter would be discussed after agenda item 4.

The Mayor also informed the meeting that, in view of its impact on local residents, she had allowed a late ward related question from Councillor Ash relating to the new road layout on the A47. She emphasised that she would not expect submission of late questions to become normal practice and reminded Members that questions should relate to matters of policy, rather than seeking factual information that could otherwise be obtained outside the meeting.

#### **3. DECLARATIONS OF INTERESTS**

There were no declarations of interest.

#### **4. MINUTES OF COUNCIL MEETING HELD 16 JULY 2009**

The minutes of the meeting held 16 July 2009 were agreed and signed by the Mayor as an accurate record.

#### 4 (a) URGENT ITEM – POLITICAL GROUPS AND GROUP OFFICERS 2009-2010 AND CONSEQUENTIAL AMENDMENTS TO ALLOCATIONS TO COMMITTEES

Following the establishment of the English Democrats Group, and in order to comply with Section 15 of the Local Government and Housing Act 1989, the Council was required to consider the allocation of seats held on its committees by each political group.

The Mayor advised that the recommendations within this report had been separated into four sections. Recommendations relating to the Licensing Act 2003 Committee and the Standards Committee would be taken as separate items, given that Council had previously agreed to exempt these committees from political balance requirements.

Members considered each of the following in turn:

##### (i) Political Group Allocations and Committee Memberships:

The following recommendations were moved by the Leader of the Council and seconded by Councillor Lee:

- To note the amended Political Group membership and Group Officers for 2009-2010 as set out in Appendix 1 and 2 of the report;
- To affirm approval of the Committee structure as set out in the report;
- To agree the allocation of seats to political groups as set out within the report;
- To agree amendments to Chairmen and Vice Chairmen of Committees as set out within the report;
- To agree the appointments to committees to which the political balance rules apply as set out within the report.

During debate, a concern was raised with regard to the lack of consultation with minority groups in respect of the recommendations. The Leader advised Members that since the next Council meeting was not until December, it had been considered appropriate for these matters to be dealt with urgently in order to enable the Council to conduct its business efficiently and the recommendations had been compiled within a tight timescale. He assured Members that any subsequent proposals resulting from Group Meetings would be considered at the next meeting of full Council.

It was **RESOLVED** to:

- Note the amended Political Group membership and Group Officers for 2009 – 2010 (**Appendix 1 and 2 refer**);
- Affirm its approval of the Committee structure (**Appendix 3 refers**);
- Agree the allocation of seats to political groups (**Appendix 4 refers**);
- Agree amendments to Chairmen and Vice Chairmen of Licensing Committee and the Licensing Act 2003 Committee as follows:
  - Licensing Committee – Councillor Newton to Chair in place of Councillor Dobbs; and
  - Licensing Act 2003 Committee – Councillor Dobbs to Chair in place of Councillor Newton.
- Agree the appointments to committees to which the political balance rules apply (**Appendix 5 refers**).

It was **FURTHER RESOLVED**:

To consider any alternative proposals arising from individual Group Meetings at the meeting of full Council on 2 December 2009.

**(ii) Licensing Act 2003 Committee**

The following recommendation was moved by the Leader of the Council and seconded by Councillor Lee:

To agree to reduce the Conservative membership of this ten member committee to six members, with membership from other groups remaining the same, and the appointment of Councillor Murphy to the Committee as the English Democrats representative.

It was **RESOLVED** to:

Reduce the Conservative membership of the Licensing Act 2003 Committee to six Conservative Group members and appoint Councillor Murphy to the Committee as the English Democrats representative.

**(iii) Standards Committee and Selection Panel for the Appointment of Independent Members**

Members were asked to consider whether to change the allocation of seats to the Standards Committee so that it reverted to comprising one elected Member from each of the five political groups and to change the membership of the Selection Panel for the Appointment of Independent Members, which is an advisory panel covered by the political balance arrangements, so that the Conservative group have four seats instead of five seats enabling the remaining groups to have one seat each.

Councillor Sandford moved this proposal, which was seconded by Councillor Goldspink.

Following a vote: 9 for, 0 against and 42 abstentions, it was **RESOLVED** to:

- Change the membership of the Standards Committee so that a seat be held by one elected Member from each of the five political groups;
- Change the membership of the Selection Panel for the Appointment of Independent Members of the Standards Committee so that the Conservative Group holds four seats rather than five, thereby enabling the remaining groups to have one seat each;
- To appoint Councillor Graham Murphy as the English Democrats representative on the Standards Committee and the Selection Panel for the Appointment of Independent Members of the Standards Committee.

**(iv) Procedural Matters**

Members were asked to affirm approval for the Leader's Scheme of Delegations, and delegate the consequential updating of the Council's Constitution arising from the changes to the Solicitor to the Council. This proposal was moved by the Leader of the Council and seconded by Councillor Lee.

It was **RESOLVED** to:

- Affirm approval for the Leader's Scheme of Delegations as set out in Part 3, Section 3 of the Council's Constitution; and
- Delegate consequential updating of the Constitution arising from the changes to the Solicitor to the Council.

## **5. COMMUNICATIONS TIME**

The Mayor announced that Councillor Sandford had made a request to address the meeting and invited Councillor Sandford to make his statement.

Councillor Sandford informed those present that he had been chosen as the prospective Parliamentary candidate for the Liberal Democrats in the Peterborough constituency and as a result would be relinquishing his position as Group Leader at the conclusion of the Council meeting. Councillor Fower would take over as Group Leader and he would take the position of Deputy Group Leader. Councillor Trueman would remain as Group Secretary. Councillor Sandford asked that his thanks be recorded to Members of the Liberal Democrats Group, other Group Leaders, the Chief Executive and Chief Officers for their support during his time as Group Leader.

In response, the Leader of the Council thanked Councillor Sandford for his contribution as a Group Leader and welcomed Councillor Fower to his new role.

### **5 (i) Mayor's Announcements**

The report outlining the Mayor's engagements for the period 6 July 2009 to 30 September 2009 was noted.

The Mayor drew Members' attention to the following forthcoming events:

- Remembrance Sunday service to be held at the Cathedral on 8 November 2009;
- The Armistice Day service to be held on the steps of the Town Hall with the end of the two minutes' silence being marked by a Harrier fly-past (weather permitting);
- The switch-on of the Christmas Lights on 19 November;
- An afternoon of celebrations hosted by members of the Italian community to mark sixty years of being in Peterborough: the event to be held in Bridge Street on 18 October.

The Mayor thanked those who had attended and/or participated in the recent Great Eastern Run, and advised that nearly £1,000 had been raised for her three charities. She added that the opening of Bridge Fair and the Annual Sausage Supper had been a successful evening, raising over £900 and that 'Peterborough Has Talent' had raised a further £1, 142.39.

Finally, the Mayor welcomed the Deputy Youth MP for Peterborough, Bedrea Laftah to the meeting. Ms. Laftah had come to observe the meeting as part of Local Democracy Week.

### **5 (ii) Leader's Announcements**

There were no announcements for the Leader of the Council.

### **5 (iii) Chief Executive's Announcements**

There were no announcements from the Chief Executive.

## **6. COMMUNITY INVOLVEMENT TIME**

### **6 (i) Questions with Notice by Members of the Public**

There were no questions submitted.

### **6 (ii) Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen**

Questions were asked in respect of the following:

- Vehicle activated speeding signs along Gunthorpe Road and the possibility of installing a crossing, or other road safety measures, outside Norwood School;
- The decision to install an energy from waste facility in East Ward and the procedures which will be put in place to consult residents on any changes to the original proposals;
- The arrangements in place to redirect wide loads through the road works at Eye.

### **6 (iii) Questions with Notice by Members of the Council to representatives of the Police and Fire Authorities**

Questions were asked in respect of the following:

- The appointment of three bi-lingual PCSO's, funded through the Migration Impact Fund for the years 2009/10 and 2010/11, the areas in which they are working and how they have made themselves known to local Councillors in areas where migration has had the most impact;
- The participation of full time or retained fire personnel in Guards of Honour at the funerals of retired fire fighters;
- The number of primary and secondary fires that have been deliberately started in wheelie bins during the past five years and the annual cost to the taxpayer.

A summary of all questions and answers raised within agenda item 5 (i), (ii) and (iii) is attached at **Appendix 6**.

### **6 (d) Petitions submitted by Members or Residents**

The following petitions were received:

- Petition in response to the Bus Review, objecting to changes to services 401 and 403;
- Petition to retain the recreation ground at Scott's Close and restore play equipment;
- Petition to retain use of the field adjacent to Norwood School for the public outside school hours.

## **7. EXECUTIVE BUSINESS TIME**

### **7 (i) Questions with Notice to the Leader and Members of the Executive**

Questions were asked of the Leader of the Council and Cabinet Members in respect of the following:

- The amount of money to be delegated from Council departmental budgets to each of the Neighbourhood Councils;
- The visit to the MIPIIM property convention by the Chief Executive during 2007 and the benefits derived from the trip;
- The timescale for publication of a report into complaints about the way the Council handled the transfer of Westcombe;
- Consultation arrangements in respect of the installation of a water feature at Bretton Park;
- The visit, to a number of countries, by an officer of Opportunity Peterborough and the benefits thereof;
- The introduction of a bollard system at Fitzwilliam Street.

A summary of all questions and answers raised within agenda item 7 (i) is attached (**Appendix 7 refers**).

*The meeting was adjourned at 8.25 p.m. and reconvened at 8.35 p.m.*

### **7 (ii) Questions without Notice on the Record of Executive Decisions**

Members received and noted a report summarising:

- Decisions from the Cabinet Meeting held 6 July 2009;
- The outcome of petitions previously presented to full Council;
- The Council's call-in mechanism which had not been invoked since the last meeting;
- Special Urgency provisions in relation to the decision relating to the Peterborough Crematorium – Mercury Abatement and Special Urgency and waive of call-in provisions relating to the Nene Bridge Refurbishment Extension of Contract;
- Cabinet Member Decisions taken during the period 6 July to 30 September 2009.

**Questions were asked about the following decisions:**

#### **Budget Monitoring Final Outturn 2008/9**

A query was raised in respect of potential cuts to departmental budgets and the effect any such cuts would have on services and jobs. The Leader advised that there were no plans at the present time to make any redundancies but that it was necessary to consider how services are delivered in order to ensure efficiency.

#### **Discretionary Rate Relief from Business Rates on the grounds of hardship**

Councillor Murphy queried the decision, in view of the downturn in the local economy, to refuse an application for discretionary rate relief on the grounds of hardship and how this decision might be perceived amongst the business community. In response, Councillor



Seaton advised that it would not have been prudent to approve this application in view of the substantial asset that was in existence.

### **The sale of surplus former allotment land at Itter Crescent**

Councillor Sandford expressed concern at the sale of former allotment land.

Councillor Seaton advised that the number of allotments in Peterborough compared well to other authorities and that allotment waiting lists were at fair levels and that measures were in place to promote empty sites in order to avoid vacant allotments.

### **Proposed New Children's Centre at Eye and Thorney Primary Schools**

Councillor Khan sought assurance that the funding in respect of this decision had not been obtained by transferring funds from another area. Councillor Scott advised that funding had been obtained from central Government, but stated that she would meet with Councillor Khan to discuss any further queries or concerns he may have.

### **Disposal of Lady Lodge Arts Centre Site, Goldhay Way**

Councillor Trueman queried whether there were any plans to replace the Lady Lodge Arts Centre with another arts facility in the area. In response, Councillor Lee advised that this centre had been closed for some considerable time prior to its disposal, but that a range of cultural activities continued to take in other venues across the city. He emphasised that he strongly supported the delivery of a variety of cultural activities and the implementation of a Cultural Trust within the city.

### **Managed ICT Service**

Councillor Fower asked whether this decision had any relation to the recent breakdown in the Council's e mail service. Councillor Seaton advised that the transfer of the ICT service had improved the service and cut costs and that the problem had arisen before the transfer. He added that the new provider had assisted in resolving the problem.

### **East Midlands Spatial Strategy Partial Review: Options Consultation**

Councillor Sandford queried the timeframe of the publication of this decision and the associated timescales for implementation of the call-in process. The Leader advised that timescales for consultation documents were often limited, however procedures would be implemented to ensure sufficient time was allowed for the implementation of call-in and the associated scrutiny process wherever possible in future.

## **8. COUNCIL BUSINESS TIME**

### **8 (i) Executive Recommendations**

There were no recommendations from the Executive.

### **8 (ii) Committee Recommendations**

There were no recommendations from Committees.

### **8 (iii) Notices of Motion**

The Mayor advised those present that Councillor Lee had suggested an amendment to the motion submitted by Councillor Fower (set out at paragraph 1, page 17 of the agenda book) and this had been agreed by Councillor Fower. Members' consented to submission of the amended motion as set out in the Order Papers.

#### **(1) Councillor Fower moved the following Motion:**

That this Council:

- (i) Joins the thousands of individuals, schools, hospitals, businesses and local authorities all actively helping to combat climate change by making simple changes to their lifestyles, homes and workplaces, by adding its support to the national initiative: 1010 [www.1010org.uk](http://www.1010org.uk) which is aimed at cutting carbon emissions nationally by 10% in 2010.

The Motion was seconded by Councillor Sandford.

Councillor Lee moved the following amendment, which was seconded by the Leader of the Council:

To **delete** paragraph (i) above and **replace** with:

That this Council:

- (i) Recognises the programme of work already commenced by the Climate Change Team;
- (ii) Notes that it is already participating in the Carbon Trusts Local Authority Carbon Management Programme, an intensive programme that works with the Council to establish robust baseline data and develop a comprehensive plan for reduction, which works towards the same goal as the 1010 scheme and is equally viable;
- (iii) Notes that as part of this scheme the Council has committed to achieving a reduction of up to 35% of 2008/9 levels over a five year period, which is even more ambitious than the governments 2020 target of 34%;
- (iv) Notes that the Carbon Trust Programme results in a Carbon Management Plan which will ensure reductions are achieved in a measured way and can be sustained;
- (v) Pledges its support for initiatives recommended by the Climate Change Team to reduce carbon emissions, including a Green Champions scheme to embed a culture change within our organisations to ensure we are operating in a truly environmental arena.

A vote was taken and the amendment was CARRIED.

Following debate, the substantive motion was put to the vote and CARRIED: 44 in favour, 0 against and 6 abstentions.

#### **(2) Motion from Councillor Holdich**

Councillor Holdich moved the following motion:

That this Council:

- (i) Notwithstanding the City Council's efforts to obtain a footbridge at the Foxcovert Road railway crossing when the line from Peterborough to Spalding is upgraded, agrees to urge Network Rail to ensure that there are some other safety measures installed at this crossing without delay, until such time as the footbridge can be achieved.

This was seconded by Councillor John Fox.

Following debate, this motion put to the vote and CARRIED unanimously.

**(3) Motion from Councillor John Fox**

The Mayor advised those present that a proposal had been received to alter the motion submitted by Councillor Fox. Councillor Fox had agreed to the altered motion.

Council consented to the motion as amended and Councillor Fox moved the motion as follows:

That this Council:

- (i) Acknowledges the importance of Cuckoo's Hollow as a wildlife and leisure amenity, and
- (ii) Refers the future funding and maintenance of Cuckoo's Hollow to the local Neighbourhood Council for consideration as part of the development of its community plan.

The motion was seconded by Councillor Lee and CARRIED unanimously.

**(4) Motion from Councillor Murphy**

The Mayor clarified that this motion would be moved by Councillor Murphy, rather than Councillor Goldspink as stated in the agenda book.

Councillor Murphy moved the following motion:

That this Council:

- (i) Notes that the best estimates available indicate that expenditure on translation services averaged over £107,000 per annum over the period 1.4.07 to 31.3.09 and requests the Cabinet to ensure that at least 60% of this sum is redirected into improving the advertising, availability and take up of English Language courses, achieving the reduction in translation costs by using Language Line more widely, or even Google translate.

This was seconded by Councillor Goldspink.

Following debate, a vote was taken and the Motion was DEFEATED: 44 against, 2 in favour and 3 abstentions.

**(5) Motion from Councillor Sandford**

The Mayor drew Members' attention to the revised version of this motion, which had been circulated to all Members on 7 October 2009 and replaced the version that appeared in the agenda book. A copy of the revised version had also been made available to all Members at the meeting.

Councillor Sandford moved the following:

That this Council notes:

- (i) The severe impact of the economic recession on people and families in Peterborough, with many suffering loss of employment, reduced incomes and associated hardship and stress;
- (ii) That at the same time a number of senior staff in the public and private sectors continue to enjoy very high levels of pay and that in the public sector, this is often accompanied by generous pension provision and other benefits;
- (iii) That when the economy recovers from recession, significant reductions in public expenditure will be needed in order to repay the large government debt which has been accumulated and that this will of necessity have to include public sector pay restraint, particularly for those on very high earnings.

Council therefore requests the Chief Executive, Deputy Chief Executive, the directors and heads of service of Peterborough City Council, and in particular those earning more than £100,000 a year, to voluntarily accept a freeze on their salaries for one year, commencing from 1 April 2010.

This was seconded by Councillor Fower.

The Mayor advised that an amendment to the above motion had been submitted by Councillor Lee. Councillor Lee moved the following amendment, which was seconded by Councillor Scott:

To **delete the final paragraph** of the above Motion and **replace** with the following paragraphs:

That this Council:

- (iv) Notes that the next Conservative government is determined to leave public services and society stronger than it finds them, and asks officers to note this policy when working on the budget projections for 2010/11 and 2011/12;
- (v) Notes that all officers are being asked to make ever more ambitious efficiency savings to ensure that the Council is able to continue to deliver high quality services despite significant reductions in public spending and asking senior officers to accept a pay freeze would result in a saving of less than £10,000 if applied only to those earning over £100,000 and £33,000 if applied to first and second tier officers;
- (vi) Further notes and wishes to record and commend the restraint shown by senior officers, in that none has had more than a basic cost of living increase for some years. The Chief Executive's salary was last reviewed around 2005. Whilst recognising that restraint, and although there would be a very small saving overall, in recognition of the severe impact of the recession, asks its officers at tier 1 and 2 to accept a voluntary pay freeze for one year from 1 April 2010.

Councillor Sandford indicated his agreement to the amended motion as put forward by Councillor Lee, subject to the deletion of its first paragraph (paragraph iv). Councillor Lee agreed to this proposal. The substantive motion was moved by Councillor Sandford and seconded by Councillor Lee.

A vote was taken on the substantive motion which was CARRIED (38 in favour, 8 against and 3 abstentions) as follows:

That this Council notes:

- (i) The severe impact of the economic recession on people and families in Peterborough, with many suffering loss of employment, reduced incomes and associated hardship and stress;
- (ii) That at the same time a number of senior staff in the public and private sectors continue to enjoy very high levels of pay and that in the public sector, this is often accompanied by generous pension provision and other benefits;
- (iii) That when the economy recovers from recession, significant reductions in public expenditure will be needed in order to repay the large government debt which has been accumulated and that this will of necessity have to include public sector pay restraint, particularly for those on very high earnings.
- (iv) Notes that all officers are being asked to make ever more ambitious efficiency savings to ensure that the Council is able to continue to deliver high quality services despite significant reductions in public spending and asking senior officers to accept a pay freeze would result in a saving of less than £10,000 if applied only to those earning over £100,000 and £33,000 if applied to first and second tier officers;
- (v) Further notes and wishes to record and commend the restraint shown by senior officers, in that none has had more than a basic cost of living increase for some years. The Chief Executive's salary was last reviewed around 2005. Whilst recognising that restraint, and although there would be a very small saving overall, in recognition of the severe impact of the recession, asks its officers at tier 1 and 2 to accept a voluntary pay freeze for one year from 1 April 2010.

#### **(6) Motion from Councillor Goldspink**

Councillor Goldspink advised that he wished to withdraw this motion.

### **8 (iv) Reports and Recommendations**

#### **(a) Appointments of Vice Chairs to Committees**

Following the recent death of Councillor M Burton, Members were asked to appoint a Vice Chairs to the following committees:

- Planning and Environmental Protection Committee, and
- Scrutiny Commission for Health Issues.

The recommendations were moved by the Leader of the Council and seconded by Councillor Lee.

It was **RESOLVED** to:

- Appoint Councillor Lowndes as Vice Chair of the Planning and Environmental Protection Committee; and
- Appoint Councillor Fazal as Vice Chair of the Scrutiny Commission for Health Issues.

**(b) Neighbourhood Councils – Appointment of Vice Chairmen**

The Mayor advised of an amendment to this report which proposed appointing Councillor Khan as Vice Chair of the Neighbourhood Council (Central and East 1), rather than Councillor Swift as stated in the report.

The report, subject to the amendment outlined above, was moved by Councillor Elsey and seconded by Councillor Hiller.

The Mayor informed those present that Councillor Sandford wished to put forward some alternative nominations for consideration and invited Councillor Sandford to address the meeting. In response, Councillor Sandford confirmed that he wished to support Neighbourhood Councils and wished therefore to withdraw his proposals.

Councillor Goldspink expressed the view that due to the short notice period in respect of the first round of meetings, some Members had been unable to attend. In view of this, and the fact that there was now a formal schedule of meetings in place, he suggested the report be deferred in order to allow clarification in respect of support for nominees prior to further consideration of the matter at the next meeting of full Council.

The Mayor proposed that the appointment of Vice Chairs to Neighbourhood Councils should be considered without delay in order to enable the forthcoming Neighbourhood Council meetings to function effectively. She emphasised that the arrangements would be reviewed, if necessary, at a later stage.

Following debate, it was **RESOLVED** to:

Approve the appointment of Vice Chairmen to the seven Neighbourhood Councils as follows:

Central and East 1 -	Councillor N Khan
Central and East 2 -	Councillor B Saltmarsh
North and West 1 -	Councillor R Dobbs
North and West 2 -	Councillor John Fox
North and West 3 -	Councillor M Dalton
South 1 -	Councillor B Rush
South 2 -	Councillor N North

**(c) Changes to the Constitution**

The Leader of the Council moved the recommendations within this report, subject to an amendment in respect of the identification of the Chairman of the Sustainable Growth Scrutiny Committee to act as deputy to the Chairman of the Environment Capital Scrutiny Committee in relation to urgency provisions. It was emphasised that all other aspects of the report remained the same.

It was **RESOLVED** to approve the report, subject to the amendment outlined above.

Meeting closed at 9.40 p.m.

**APPENDIX 1**

**POLITICAL GROUP MEMBERSHIP 2009 – 2010**

<b>CONSERVATIVE</b>		
ALLEN Sue	FLETCHER Michael	PEACH John
BENTON Frances	GILBERT Lee	RUSH Brian
BURTON Colin	GOODWIN Janet	SANDERS David
CERESTE Marco	HILLER Peter	SCOTT Sheila
COLLINS Mark	HOLDICH John	SEATON David
CROFT Piers	KRELING Pam	THACKER Paula
DALTON Matthew	LAMB Diane	TODD Marion
DALTON Samantha	LEE Matthew	WALSH Irene
DAY Charles	LOWNDES Yvonne	WILKINSON Janet
DAY David	MORLEY Darren	WINSLADE Pam
DAY Sue	NASH Pat	
DOBBS Ray	NAWAZ Gul	
ELSEY Gavin	NEWTON Harry	
FAZAL Mahmood	NORTH Nigel	
FITZGERALD Wayne	OVER David	

<b>PETERBOROUGH INDEPENDENT FORUM</b>	<b>LIBERAL DEMOCRAT</b>	<b>LABOUR</b>	<b>ENGLISH DEMOCRATS</b>
ASH Chris	FOWER Darren	HUSSAIN Zahid	GOLDSPINK Stephen
FOX John	SANDFORD Nick	KHAN Nazim	MURPHY Graham
FOX Judy	TRUEMAN William		
HARRINGTON David			
LANE Stephen			
MINERS Adrian			
SALTMARSH Bella			
SHARP Keith			
SWIFT Charles			

**GROUP OFFICERS 2009– 2010**

**CONSERVATIVE GROUP**

Group Leader	Councillor Cereste
Deputy Group Leader	Councillor Lee
Group Secretary	Councillor Kreling
Treasurer	Councillor Rush
Policy Chairman	Councillor Dalton
Chief Whip	To be advised
Press Officer	Councillor Fitzgerald

**PETERBOROUGH INDEPENDENT FORUM**

Group Leader	Councillor Swift
Deputy Group Leader	Councillor John Fox
Group Secretary	Councillor Saltmarsh
Assistant Secretary	Councillor Lane
Press Officer	Councillor Sharp
Assistant Press Officer	Councillor John Fox

**LIBERAL DEMOCRAT GROUP**

Group Leader	Councillor Sandford
Deputy Group Leader & Press Officer	Councillor Fower
Group Secretary	Councillor Trueman

**LABOUR GROUP**

Group Leader and Group Secretary	Councillor Khan
Deputy Group Leader	Councillor Hussain

**ENGLISH DEMOCRATS**

Group Leader	Councillor Goldspink
Group Secretary	Councillor Murphy



## Committee Structure:

Committee	No of Councillors
Scrutiny Commission for Rural Communities	7
Scrutiny Commission for Health Issues	7
Strong and Supportive Communities Scrutiny Committee	7
Creating Opportunities and Tackling Inequalities Scrutiny Committee	7
Sustainable Growth Scrutiny Committee	7
Environment Capital Scrutiny Committee	7
Audit Committee	7
Employment Committee	7
Licensing Committee	10
Planning and Environmental Protection Committee	10
Appeals Committee (Service Issues) *	3
Joint Consultative Panel *	7
 <u>Other bodies to which S.15 LGHA applies</u>	
Selection Panel (Independent Members Standards Committee)*	9
Employment Appeals Sub Committee*	3
 <u>Committees to which S.15 does not apply</u>	
Standards Committee	5 + 5 independent members and 2 parish reps
 Licensing Act 2003 Committee	 10
<p><i>* NB. In accordance with decisions already taken by Council, it is proposed that the seats on these committees are not subject to political balance arrangements.</i></p> <p>Note : Neighbourhood Councils</p> <p>At its meeting in July 2009 Council approved the setting up of Neighbourhood Councils. S15 does not apply to Neighbourhood Councils in the way that they are constituted, and they are made up of the ward members of the relevant wards.</p>	

## APPENDIX 4

Applying the political balance rules to calculate the number of seats on ordinary committees to be allocated on ordinary committees produces the following calculation. The political balance calculation applies to the total number of seats on ordinary committees, namely 76. Applying the political balance rules to the total number of seats produces the following calculation:

Party	Cons	PIF	Lib Dem	Lab	English Democrat	Total
No Elected	40	9	3	2	2	56
Proportionality	71.43	16.07	5.38	3.57	3.57	100
Entitlement	54.29	12.21	4.07	2.71	2.71	75.99
No of seats	54	12	4	3	3	76
Change	-3	0	0	0	+3	0

The seats must be allocated across all ordinary committees to give effect to that calculation.

**Sustainable Growth Scrutiny Committee**

7 member committee, currently made up of 6 Conservatives and 1 PIF member. There is currently a vacancy in the Conservative allocation following the recent death of Councillor Michael Burton, therefore this vacancy can be allocated to the English Democrats.

Change to:

5 Conservatives (Cllrs Fletcher, *Chair*, Allen, D Day, S Day and Peach

1 PIF (Cllr Lane)

1 English Democrats ( Cllr Murphy)

**Environment Capital Scrutiny Committee**

7 member committee, currently made up of 6 Conservatives and 1 PIF member.

Change to :

5 Conservatives (Cllr C Burton, *Chair*, Cllr D Day, Cllr Dobbs, Cllr North, Cllr Wilkinson) Cllr Fazal is to give up his seat on this committee.

1 PIF (Cllr J Fox)

1 English Democrats (Cllr Goldspink)

**Audit Committee**

7 member committee, currently made up of 5 Conservatives, 1 PIF, 1 Labour. PIF have agreed that Cllr Harrington will give up his seat on this committee and take a seat on Planning Committee instead.

Change to:

5 Conservative (Cllr M Dalton, *Chair*, Cllr North, Cllr Gilbert, Cllr Kreling, Cllr Rush )

1 Labour (Cllr Hussain)

1 English Democrats (Cllr Goldspink)

**Planning and Environmental Protection Committee**

10 member committee, currently made up of 8 Conservatives, 2 PIF

Change to:

7 Conservatives (Cllrs North, *Chair*, C Burton, Kreling, Lowndes, Thacker, Todd, Winslade)

3 PIF (Cllrs Ash, Lane, Harrington)

The **Appeals Panel (Service Issues)** and the **Employment Appeals (Sub-Committee)** are not permanent committees, but they are subject to the political proportionality rules. However, it is intended that they should retain cross party representation as agreed by Council previously. This is to enable the panel selection arrangements to be implemented effectively and means that the seats are allocated as follows: 2 to the Conservative Group and 1 to one of the other minority groups.

## SUMMARY OF QUESTIONS AND ANSWERS RAISED UNDER AGENDA ITEM 6 - COMMUNITY INVOLVEMENT TIME

### 1. Questions with Notice by Members of the Public

There were no questions from members of the public.

### 2. Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen

#### **Councillor Fower asked the Cabinet Member for Neighbourhoods, Housing and Community Development:**

The vehicle activated signs along Gunthorpe Road have been described by one resident as a 'waste of time'. Having been there for years and despite monitoring of speeding vehicles by the local FOCUS team, myself and the police, (whose findings included speeds of 70 mph in this 30 mph zone) speeding and dangerous driving remains a problem for many residents. Can the Cabinet Member tell me what the present plans are for these signs, do they actually record data and if so, what is done with this information? Are there plans for a crossing outside Norwood School or for the introduction of some road safety measures along Gunthorpe Road?

#### **The Cabinet Member for Neighbourhoods, Housing and Community Development respnded:**

The vehicle activated signs on Gunthorpe Road do not record any information, they simply activate at a pre-set threshold on the approach of a speeding vehicle. Such signs provide a reminder to the conscientious motorist to moderate their speed should they have inadvertently exceeded the threshold. They will never address the reckless behaviour of any motorist wilfully travelling at speeds substantially in excess of the speed limit.

There are no current plans to replace the school crossing patroller outside Norwood School with a crossing outside, or road safety measures along Gunthorpe Road, but I have asked officers to investigate and review the situation.

#### **Councillor Goldspink asked the Deputy Leader:**

Can the Deputy Leader and Cabinet Member for Environment Capital and Culture please explain why the Council is now considering re-interpreting its minuted decision of 28 February 2007 to build an energy from waste facility, which was clearly a decision for oscillating kiln technology such as the plant at Grimsby, to instead allow the siting in my ward of a plant that could use the unproven gasification of pyrolysis technology, how much additional waste will have to be brought in from outside the city to keep the plant running, and can he say what procedures he intends to use to fully consult on this massive change of direction with residents of East Ward and other wards nearly before a decision is taken?

**The Deputy Leader responded:**

Thank you for this question. The question seems to be in three parts and I will respond to each part in turn. Firstly, I will answer the suggestion that the Council's minuted decision refers to an oscillating kiln technology and is now being re-interpreted.

I would remind Members that at Council on 28 February 2007 the resolution was that, as part of the integrated solution for waste management in Peterborough, including the commitment to 65% plus recycling" the infrastructure would provide for (and I quote) –

“an energy recovery resource facility that can provide heat and power to local industries and preserves natural resources”.

Furthermore, Council went on to resolve (and I quote again) –

“to establish an energy resource recovery facility in Peterborough” and that “the preferred technology type of treatment facility for the energy resource facility” was as referred to in the report to Council “and identified in option 3 referred to in paragraph 7.4.7 of that report.

Option 3 referred to in that report related to “Residual treatment with emphasis on energy resource recovery (EFW)”. This was described as being for “the small residue which has been left after maximising recycling and composting at the kerbside is delivered to the facility with no requirement for further processing. The waste is loaded into the kiln and used as a fuel in the CHP plant”.

Members will note, therefore, that no part of the Council's resolution referred to any preferred specific type of technology – not oscillating kiln or any other type.

In fact, the only technology commitment made, if it can even be called that, is for the facility to be a high efficiency Combined Heat and Power (CHP) type. Any energy from waste facility that is capable of producing electricity is also capable of producing heat (ie. CHP).

In line with the Council's resolution which I repeat, is non-technology specific, the Council's current procurement process has not prescribed any specific technology solution for the energy from waste facility. Had the Council's resolution agreed specifically to Cyclerval technology, and the procurement specified this as the only solution, the Council would have left itself open to challenge from other bidders under the European procurement rules. Such allegations would have involved the Council being anti-competitive under the rules by stating that only one bidder could meet the Council's requirements where there are other solutions available in the market.

Clearly, any technology solutions proposed by bidders in the current procurement will need to be carefully analysed and tested to ensure that they meet the Council's overall requirements. Amongst these requirements, emphasis will be placed on technology being fit for purpose (including alignment with the Environment Capital agenda, proven technology, delivery on time and suitability to treat the Council's residual waste) along with value for money.

Secondly, I will answer the point about what additional waste will have to be brought into the city to keep the plant running.

In parallel with running the procurement process, the Council has applied for planning permission for an energy from waste facility with a capacity to deal with 65,000 tonnes of waste. This size of facility would allow the Council to manage its waste in the long term and would include sufficient capacity to take account of the considerable growth agenda for Peterborough over the coming years.

It is true to say that there would be some capacity available in the early years of the facility's operation but this would be reduced and filled during the life of the facility by waste arising from a growing population.

Thirdly, I will deal with the point on consultation. Should the procurement bring forward alternative solutions which are outside of the resolution made by Council in 2007, the matter would be referred back to Council.

**Councillor Sanders asked the Cabinet Member for Neighbourhoods, Housing and Community Development:**

Does the Cabinet Member believe that adequate arrangements have been made to redirect wide loads through the road works at Eye?

**The Cabinet Member for Neighbourhoods, Housing and Community Development responded:**

The works on the A47 trunk road near Eye have been ongoing for several months without any known issues being raised regarding the narrow lanes. I am therefore satisfied that the reduction in lane width does not adversely affect the passage of heavy goods vehicles. Similarly the diversion route for the 3m width restriction on Frank Perkins Parkway was appropriately signed via Nene Parkway and the A47. The passage of any wide load requiring a movement order would be dealt with on receipt of such an application.

**Councillor Sanders asked the following supplementary question:**

Will the Cabinet Member, Leader and/or Deputy Leader, along with the relevant director, meet with Ward and Parish Councillors and visit the site?

**The Cabinet Member for Neighbourhoods, Housing and Community Development responded:**

I will provide a response to this request in due course.

*The following questions and answers were distributed after the meeting as the time limit for this category had expired:*

**Councillor Lane would have asked the Cabinet Member for Neighbourhoods, Housing and Community Development:**

Owning a dog can bring great happiness, but also places a lifelong responsibility on the owner to ensure that the dog is not a hazard, health risk or nuisance. Unfortunately a small number of owners do not take such a responsible attitude and in my ward, we are experiencing a number of complaints covering issues such as uncollected dog faeces and dogs running unattended in public spaces.

This Council has had the power to introduce Dog Control Orders since April 2006 but has chosen not to do so, despite the Dogs (Fouling of Land) Act 1996 being repealed. Although existing byelaws remain in force until replaced, could this mean that until such an Order is made, new communities and townships will have no-one to enforce any action?

Does the Cabinet Member agree that it would be a responsible move to look at these measures and that this is long overdue, and that Dog Control Orders would be more efficient by consolidating the many different byelaws?

**The Cabinet Member for Neighbourhoods, Housing and Community Development may have responded:**

Our newly configured Neighbourhood Management Teams are now responsible for a range of neighbourhood-related enforcement activity, thereby maximising the impact this type of action can have on community wellbeing.

This includes enforcement action where relevant to prevent inappropriate dog-related behaviour.

As part of a wider review of our total enforcement activity within neighbourhoods, we will review the potential offered by Dog Protection Orders alongside other enforcement powers that are available to us and will ensure the most appropriate model of enforcement is introduced for the benefit of our whole community.

**Councillor Ash would have asked the Cabinet Member for Neighbourhoods, Housing and Community Development:**

I am sure the Cabinet Member will be aware that it has been acknowledged by officers that the new road layout on the A47 will increase traffic using Welland Road and will have an adverse impact on the residential amenity in Dogsthorpe, Bluebell and those on the surrounding road network. There are also concerns that the works at Junction 8 (Eye Road/Parkway system) will also have an adverse affect on traffic flows in the area, both during construction and once the development at the Eye Road site is open for business.

Can residents be assured that steps will be taken to discourage increased traffic flows along Welland Road and the interconnecting roads in the Dogsthorpe area prior to the roundabout at the junction of Welland Road and the A47 becoming fully operational?

**The Cabinet Member for Neighbourhoods, Housing and Community Development may have responded:**

There are a number of highway schemes underway or planned that are or will affect traffic in the Welland Road area. The new roundabout under construction at the junction of Welland Road and the A47 is being constructed as part of the major A1073 improvement scheme. The new road will join the A47 here. It is anticipated that the new roundabout will be open at the end of October, although the new A1073 highway to the A16 at Spalding will not open until next year.

When the A47 roundabout opens all traffic movements into Welland Road will be possible. However, when the roundabout opens traffic management should be reducing on Junction 20, Dogsthorpe Interchange, and at the new garden centre development road works in Eye Road. The easing of congestion at these locations of these works will return vehicle capacity elsewhere on the road network and make rat running in the Welland Road area less attractive in the period up to Christmas. Environment, Transport and Engineering officers propose to monitor traffic flows before and after the roundabout opens.

In January work commences on both the Welland Road traffic calming scheme and the A15/A1139 Junction 8 improvement scheme. The Welland Road scheme is being delivered to discourage rat running through the Welland Road and is a planning condition on the A1073 improvement scheme. Once work starts in Welland Road the temporary traffic management associated with construction and the rolling out of the traffic calming scheme will discourage traffic using Welland road as a diversionary route from the Junction 8 scheme.

### **3. Questions from Members to Representatives of the Police / Fire Authorities**

The following questions were submitted to Representatives of the Police / Fire Authorities:

#### **Councillor Swift asked the Council's representative on the Police Authority:**

Cambridgeshire Constabulary has been allocated £246.371 through the migration impact fund for the years 2009/10 and 2010/11. £196,371 is for three bi-lingual PCSO's from the migrated community to assist in policing. Six months of this financial year have already passed. Would the Council's representative please tell me:

1. When the three PCSO's were appointed;
2. Which area they are working in;
3. Have they / are they going to make themselves known to the local councillors in areas where migration has had the most impact; and
4. Does he share my concern that the initiative is not reaching the communities it was intended to support?

#### **Councillor Fazal responded:**

Having consulted the Constabulary on the details, we welcome the opportunity to provide some context. I would first like to deal with the opening statement that 'Cambridgeshire Constabulary have been allocated £246.371 through the migration impact fund for the years 2009/10 and 2010/11':

This is inaccurate. The Constabulary put in a number of bids to cover projects in both Cambridgeshire and Peterborough. Not all of those bids were approved and not all those that were approved were fully funded - the bid for multi-lingual Police Community Support Officers (PCSOs) for Peterborough being an example. The Constabulary received £313,714 in total for the financial year 2009/10 and this is being used to support five projects across the county. Further funding is possible in 2010/11, but this is not certain - it is dependant on whether the government's tax on economic migrants generates enough money.

The question mentions £196,371 being allocated for three bi-lingual PCSO's from the migrated community to assist in policing: this is inaccurate. We did ask for money for three PCSOs for Peterborough and three PCSOs for Cambridgeshire, but the total funding for PCSO projects only allowed three in total to be recruited. Two of those went to Peterborough and one will go to Wisbech. Whilst six months may have elapsed since the beginning of the financial year the money from the Migration Impacts Fund was received by the Constabulary on the 28 July 2009 and not at the beginning of the financial year. Our recruitment of PCSOs with the right skills and languages has in fact been speedy.

In reply to the specific questions posed:

One PCSO started at the beginning of this month and the other one starts on the 28 October 2009. Both PCSOs will be based within the Community Cohesion Unit at Bridge Street Police



Station and will be deployed across the city to wherever their skills and presence are needed to deal with local issues of concern.

Local councillors are key individuals in all our neighbourhoods. The PCSOs will be making contact as soon as they are able. Please bear in mind that one has not yet started and the other was appointed to the role only very recently.

We are confident that in time and with the involvement of our partners this can be very successful. It has only just begun with one PCSO expected in post at the end of the month. The bid for PCSOs was supported by the Greater Peterborough Partnership and approved by the Department of Communities and Local Government because the use of multi-lingual PCSOs within the Community Cohesion Unit has a proven track record of making real in-roads into new communities, breaking down barriers and helping maintain community cohesion. The two PCSOs between them have the following languages - Russian, Slovakian, Macadonian, Serbain, Bosnian, Croatian, Bulgarian. The skills alone will make a tremendous contribution to improving understanding and generating confidence.

**Councillor John Fox asked the Council's representative on the Fire Authority:**

I understand that instructions were issued at the beginning of October by a Senior Fire Officer that in future no full time or retained fire personnel will participate in being part of a Guard of Honour at a funeral of a retired fire fighter, either retained or full time. Does the same ruling apply with regard to the death of a fire fighter whilst on duty and what is the view of the Council's representative on the Fire Authority in relation to this matter?

**Councillor Goodwin responded:**

At no point have instructions been issued to the effect that fire fighters will not take part on a Guard of Honour duties for serving or retired members of the service. Some years ago, on the basis of cost and rare usage, the decision was taken not to issue fire fighters with undress uniform. This was a sound decision that has saved the Authority many thousands of pounds over the years. It has reached a point where a significant number of serving fire fighters do not possess undress uniform and supplying a uniform for ceremonial duties incurs additional costs that the Authority has to meet from its budget.

It has been our practice to offer the possibility of a Guard of Honour as a matter of course following the death of retired members of the service. It has become increasingly difficult to ensure we can offer that service and the Chief Fire Officer will not offer a service that cannot be delivered professionally and to the standard these occasions demand. The decision recently taken was to stop offering the possibility of a Guard of Honour as a routine part of our welfare and benevolent services; this does not mean that should families of the bereaved specially request a Guard of Honour, it will not be considered and every effort made to meet the request.

There will be no change with regard to fire fighters who die in the course of their duties.

**Councillor Lane asked the Council's representative on the Fire Authority:**

Arson is a serious crime which can have potentially fatal consequences, not to mention serious financial implications. Can the Council representative on the Fire Authority provide the statistics from the last five years relating to:

- (a) secondary fires that were deliberately started in a wheelie bin;
- (b) primary fires that were deliberately started in a wheelie bin;
- (c) the annual cost to the taxpayer of these fires.

**Councillor Goodwin responded:**

During the last twelve months period there were 205 deliberate wheelie bin fires, 39 of which were accidental.

Each wheelie bin fire costs an average of £2,004, thus equating to at least £410,820 for the year, for all agencies involved.

National figures have recently been collated in respect of wheelie bin fires and I understand the Government is due to publish this information shortly.

**SUMMARY OF QUESTIONS AND ANSWERS RAISED UNDER AGENDA ITEM 7 (a) – EXECUTIVE BUSINESS TIME**

**1. Questions with Notice from Members to the Leader and Members of the Executive**

**1. Councillor Sandford asked the Leader:**

Could the Leader tell us how much money will be delegated from Council departmental budgets to each of the Neighbourhood Councils and when will this delegation of funding take place?

**The Leader responded:**

As all Members will be aware, the introduction and subsequent effective implementation of these Councils is one of my top priorities. As such, I have already asked officers to ensure that the maximum possible amounts are allocated to them. I believe, however, that before this can take place, each area should have its own neighbourhood plan to determine how the monies should be spent. The first meetings that started this week have kicked off this process.

**Councillor Sandford asked the following supplementary question:**

Can the Leader provide an assurance that when the Council publishes its proposals with regard to the budget, such proposals will clearly show how much money will be given to Neighbourhood Councils?

**The Leader responded:**

The budget proposals will contain details of monies that will be spent in the neighbourhoods. If we are able to identify what that is in respect of each neighbourhood and how it is to be spent, we will do so.

**2. Councillor Fower asked the Leader:**

Following a recent article in the Mail on Sunday, it has become clear that the Chief Executive attended a property convention in Cannes during 2007. Can the Leader explain the purpose of this trip and advise the Council what benefits have been derived from the visit?

**The Leader responded:**

The property conference being referred to is 'MIPIM' (Marché International des Professionnels d'Immobilier). This is an annual international property convention held in Cannes and is a market leader in the property and regeneration industry for promoting regions, cities and individual development opportunities to a wide audience of international investors, developers and property and regeneration professionals. Many UK cities and their Councils attend this convention to promote investment opportunities for their cities and communities.

In 2007 Opportunity Peterborough sponsored and led a delegation to MIPIM to promote the city generally in terms of its ambitious growth agenda, environmental credentials and particularly

the emerging development opportunities at South Bank and Station Quarter. The latter development opportunities were of considerable interest to the investment market.

The results of this trip were as follows:

- The beginning of a strong relationship by Opportunity Peterborough / Peterborough City Council with Ashwell Land who are now a key land owner and development partner in the delivery of Station Quarter West;
- An opportunity for Opportunity Peterborough / Peterborough City Council Chief Executive's to have a detailed discussion with Margaret Ford, the then Chair of English Partnerships, about the city's environmental and growth aspirations, which was a key factor in the designation of Peterborough as one of only two Carbon Challenge cities in the UK;
- An opportunity to meet major master-planning consultancy practices, together with examining their previous work through their exhibitions and displays, to assist the selection of consultants to be invited to tender for the City Centre Area Action Plan work. This led to the final appointment of EDAW, who was one of the consultants met at MIPIM;
- Investment interest from key developers in South Bank and Station Quarter, which led to a strong list of developers bidding for the opportunity to develop the Carbon Challenge site.

**3. Councillor Goldspink asked the Leader:**

Can the Leader of the Council please explain why the report into Councillor Fletcher's complaints about the way the Council has handled the transfer of Westcombe to his management has still not been published several months after it was written, and advise the Council when he will release a meaningful version of the report that either rebuffs or supports Councillor Fletcher's very serious allegations?

**The Leader responded:**

The report you mention confirmed that a number of significant issues needed to be dealt with, and these have been actioned expeditiously with the co-operation of other authorities and agencies. I cannot comment publicly on any of the detail, just as I cannot share the contents of the confidential report, which details the acts and omissions of individuals on both sides. I am not willing to share this detail: I am legally constrained from doing so.

The action plan being implemented now is aimed at securing Westcombe's future as a supplier to Perkins, and most importantly aimed at securing the future of the employees, and excellent progress is being made on both fronts.

**Councillor Goldspink asked the following supplementary question:**

Does the Leader agree that it is essential to make the details available to the public at the earliest opportunity and will he undertake to share as much information as he is able by no later than the next meeting of full Council?

**The Leader responded:**

Agreed.

#### **4. Councillor John Fox asked the Cabinet Member for Neighbourhoods, Housing and Community Development**

Were the residents of Bretton consulted about the use of monies obtained from the closure of Bretton Woods School, in particular regarding the use of some of these funds to install a new water feature at Bretton Park and what is the cost to the taxpayer of Bretton in terms of running costs?

#### **The Cabinet Member for Neighbourhoods, Housing and Community Development responded:**

Prior to the closure of the Bretton Woods Community School in July 2007 full consultation was carried out with all local community groups who used the school premises in order to identify future needs. This included public meetings held at the Cresset to assess their requirements including future accommodation.

The S106 contributions following the sale of the Bretton Woods Community School land are as follows:

1. Travel Plan and Travel Services (i.e, increase in bus services, etc), a contribution of £2,500;
2. Highways Improvements Contribution of £2000 to mitigate the effect of traffic generated by the development of the new Aldi supermarket;
3. Lighting of £5,500 the subway linking Bretton and Ravensthorpe to reflect that more people will be using this facility after the new supermarket opens;
4. Bus Stop improvements of £10,000 at Bus Stop numbers PNB577 and PNB820 to accommodate increased bus services

This equates to a total contribution of £20,000 for the sale of land used by the Aldi supermarket only. Future developments (as yet not known will lead to further S106 contributions)

Bretton Parish Council were the major consultees concerning the Water Park installation prior to the planning application being submitted and also articles featured in local ward newsletters describing the proposed installation.

Funding for the Water Park was made available through the Council's Community Reinvestment Fund following the closure of two secondary schools. The cost of the Water Park was £337,000 with a weekly operation and maintenance cost of £1,500.

#### **Councillor Fox asked the following supplementary question:**

My concern relates to the funding for the maintenance of this facility and would the money not have been better spent improving Crofts Corner play area which I understand has fallen into disrepair.

#### **The Cabinet Member responded:**

I am given understand that funding for the maintenance of the water park has been budgeted for. I am not aware of specific plans for Crofts Corner.

Councillor Fitzgerald, as a Ward Councillor, added that plans for Crofts Corner were currently being considered.

**5. Councillor Murphy asked the Leader:**

Can the Leader explain why Opportunity Peterborough sent an officer to several countries, including China and Poland, when it knew that the officer concerned would be leaving the day after he returned from his trip? How has this trip benefited Peterborough, given that the officer was hardly around long enough on his return to unpack his suitcase, and can he list the benefits that the city has accrued from the trip?

**The Leader responded:**

The Council and Opportunity Peterborough sent a team of four representatives to China recently, principally in response to a significant inward investment enquiry from a business with whom discussions continue, but with the intention of combining with those discussions presentations to Chinese businesses and investors that set out the city's attractions as a location and source of trade partners.

The global nature of today's markets and the re-balancing of the world's economy towards the Indian sub-continent, Latin America and China, combined with our city's unique cluster of green businesses - one of the few growth sectors clearly to have emerged in the UK economy over the past few years - mean that there is a very strong case for developing effective links with Chinese government organisations as well as with Chinese businesses and investors.

Of course, there is every chance that these links will benefit our future University too.

No other UK local authorities were represented at the trade fair which was the main focus of the visit, which allowed Peterborough plausibly to assert its status as a prospective Environment Capital for the UK and demonstrate its commitment to a green growth agenda and an economy that is open for business.

A number of leads are being followed up at present by officers within the council and Opportunity Peterborough, and Councillor Croft will update colleagues as these discussions progress.

Turning to the detail of your question, one of the people who made the trip happened to change his contractual arrangement during the period of the trip, but he remains engaged by ourselves in his effective work on the Environment Capital agenda, so the implication that his attendance was wasteful is incorrect.

**6. Councillor Fower asked the Cabinet Member for Neighbourhoods, Housing and Community Development:**

The cost of introducing a bollard system in Fitzwilliam Street has set local taxpayers back nearly £50K. Given that this mechanism has not worked for several weeks and the new Administration's ethos of greater openness, does the Cabinet Member agree that this has been to quote a local taxi driver, a 'stupid idea', can he inform me who signed off this expensive concept and how will the Council be rectifying this scenario?

**The Cabinet Member for Neighbourhoods, Housing and Community Development responded:**

The introduction of the rising bollard in Fitzwilliam Street was instigated at the request of the Hackney Carriage and Private Hire Forum with the support of the Cabinet Member at that time. The funding for the bollard has been taken from the revenue generated by the licensing of such vehicles.

At present we are reviewing the operation and signing of the bollard system with the intention of preventing the widespread abuse of the existing system. Once any modifications have been implemented we will actively publicise the re-introduction of the bollards prior to them being brought back into operation. It is difficult to provide definitive timescales at present, but I would hope that it is all resolved in the next 2 – 3 months subject to the modifications that are undertaken and I undertake to ensure the Ward Member is kept fully advised.

*Questions and Answers to the following questions and answers were distributed after the meeting as the time limit for this category had expired:*

**7. Councillor Goldspink would have asked the Cabinet Member for Resources:**

Can the Cabinet Member please tell the Council the total expended on Members' Allowances plus Democratic Services salaries in support of Members and of the Cabinet and Scrutiny structure in 2008/9, and the projected total for Members' Allowances plus Democratic Services salaries in support of Members and the new structure for Cabinet, Scrutiny and Neighbourhood Councils in 2009/10, and the projected full year cost of the 2009/10 arrangements for 2010/11, and explain where the funds to support the additional costs have come from?

**The Cabinet Member for Resources may have answered:**

Items on Members' Allowances and Neighbourhood Councils have both come before the Council in the past 6 months. They have been fully debated and decisions agreed on the ways forward. Therefore, I have to say, that I was somewhat surprised to receive a further question on these matters from Councillor Goldspink.

However, for Members' information, the costs are as follows:

Members' Allowances:

2008/09 actual was £627,814, the projection for the current year is £724,611 and the initial forecast for 2010/11 is £733,992.

Staff Salaries:

2008/09 actual was £309,938, the projection for the current year is £315,948 and the initial forecast for 2010/11 is also £315,948.

In commenting on the amounts firstly, I will stress again that this Council needs to adequately recompense its Councillors if it to attract high calibre people to lead the city and provide the high quality services that our citizens deserve within the resources at our disposal. To my mind, this city is far too important for us to fail in this respect.

Secondly, the Councillor appears to have misunderstood how we have reallocated existing staffing resources to ensure that they have the maximum effect in supporting the new leadership and the new Neighbourhood Management arrangements. I can assure the Councillor that there has been no increase in the salary costs of Members' Support. I can also confirm that there has been no increase in the staffing establishment for Democratic Services in supporting the Council's decision-making arrangements including the new Neighbourhood Councils.

Finally, my meeting of Cabinet on Monday this week set out the current year's budgetary position and that for 2010/11. All members will see from this report that any extra costs are being contained from within overall council resources available for both financial years.

**8. Councillor Murphy would have asked the Cabinet Member for Resources:**

Can the Cabinet Member assure the Council and the hard-pressed tax payers of Peterborough that the increase in Council Tax from 1 April 2010 will be no more than 2.5%?

**The Cabinet Member for Resources may have answered:**

The Council is committed to delivering value for money for the Council Tax payers of Peterborough. Levels of Council Tax in Peterborough are among the lowest in the country, and increases in recent years have been below the national average.

We have been able to achieve because we have been working hard to improve efficiency and transform our services. This has enabled us to deliver substantial savings. We have taken more than £23.1 million in savings out of our base budget in recent years, which in turn minimises the demands on hard pressed Council Tax payers.

We fully recognise the impact that the recession is having on household incomes, and will work to ensure that any increases in council tax are kept to an absolute minimum.

We have just started the budget setting process for the coming years, and indeed Cabinet considered this at its meeting of 12 October. As we are at the start of the process, there remains much work to be done before Council meets in late February to agree the budget and Council Tax levels. This work will include public consultation on budget issues.

After the news of our financial settlement for next year is released by Government later this year, we will consult our communities on the emerging budget proposals prior to any final decisions being taken. The results of this consultation will be published to ensure this process is as transparent as possible.

It would not be sensible to make specific statements on Council Tax levels before we have undertaken budget work and have our financial settlement for next year and more specifically before we have consulted with our communities.

**9. Councillor Sandford would have asked the Cabinet Member for Neighbourhoods, Housing and Community Development:**

When major construction works were carried out on the Town Bridge and it was converted into a five lane highway, we were told that provision for pedestrians and cyclists would be made in the form of a separate structure cantilevered off from the side of the main bridge. Could the Cabinet Member tell us when any form of adequate provision for cyclists is going to be provided on the Town Bridge, given that it is now well over a year since the main works were completed?

**The Cabinet Member for Neighbourhoods, Housing and Community Development may have answered:**

Given the current availability of transport funding for major schemes, the proposal for a new foot/cycle bridge alongside the Town Bridge remains a longer term proposal.

The viability of such a scheme also depends on when new foot/cycle bridges across the River Nene and east west rail line are delivered as part of the South Bank development. It is unlikely that funding would be available in the foreseeable future to construct river crossings at both Town Bridge and the South Bank site.

However, the value of Town Bridge as part of the walking and cycling network is fully recognised. To this end work is currently underway to convert the western footway of Town



Bridge over the River Nene to a shared use walking/cycle facility. This will provide a key link between the widened foot/cycle way over the Town Rail Bridge, and the recently improved cycle link in Lower Bridge Street.

**10. Councillor John Fox would have asked the Deputy Leader and Cabinet Member for Environment Capital and Culture:**

Does the Council plan to object to the proposed landfill site for contaminated nuclear waste material at Kings Cliffe in Northants? This site lies between the river Welland and river Nene, which could cause residents of Peterborough problems in the future, bearing in mind the water table. Can the Cabinet Member provide reassurance that officers will investigate this fully, especially with regard to the safety factor to our residents, advise this Council accordingly and make their objections and recommendations known publicly?

**The Deputy Leader and Cabinet Member for Environment Capital and Culture may have answered:**

Northamptonshire County Council is the determining authority for the planning application relating to this proposed site at Kings Cliffe. The application has been referred to PCC as adjoining planning authority, and our response will be taken into account along with other consultation responses.

I can confirm that officers have investigated the issue of the proximity of the site to both the River Nene and River Welland, and the issues this could cause to the residents of Peterborough in the future. The situation is as follows:

- The Environment Agency is reviewing the hydrogeological risk assessment submitted by Augean as part of the authorisation application for the Environmental Permit, which the operator requires in addition to planning permission to landfill LLW at the site.
- The risks to groundwater and surface water and resultant risks to users of the water are, and will continue to be, controlled by the presence of engineered low permeability barriers on the base, sides and cap of the landfill area. These barriers are constructed to an agreed specification and the protection afforded by them is determined through quantitative risk assessments. Ongoing monitoring would detect emissions in the groundwater well before it reaches surface watercourses and at concentrations well below those that might cause concern.
- In the unlikely event that contaminants are detected in the groundwater adjacent to the site at concentrations which give potential concern, action will be taken to address.
- It is concluded that there is a negligible risk to the quality of the water in the Rivers Welland or Nene.

This page is intentionally left blank

COUNCIL	AGENDA ITEM No. 4 (i)
2 December 2009	PUBLIC REPORT

## **MAYOR'S ANNOUNCEMENTS**

### **1. PURPOSE OF REPORT: FOR INFORMATION**

This report is a brief summary of the Mayor's activities on the Council's behalf during the last meetings cycle, together with relevant matters for information. (Events marked with \* denotes events attended by the Deputy Mayor on the Mayor's behalf).

### **2. ACTIVITIES AND INFORMATION – From 1 October to 20 November 2009**

#### **2.1 Civic Events**

- Led procession from the Town Hall to the Embankment for Opening of Annual Bridge Fair on The Embankment on 6 October
- Attended Remembrance Sunday service in cathedral preceded by parade from Town Hall to War Memorial for wreath laying and followed by Bridge Street march past after service on 8 November
- Attended Two Minutes Silence on Town Hall steps and Bridge Street on 11 November

#### **2.2 Visitors to the Mayor's Parlour**

- Hosted VIP reception after Italian Festival; on 18 October
- Hosted Foster Carers' visit on 20 October
- Hosted meeting to discuss permanent Holocaust memorial on 3 November
- Hosted meeting to discuss Christmas lights switch on 4 November
- Hosted meeting to discuss drains and dykes on 10 November

#### **2.3 Charity Events**

- Hosted sausage supper in the Reception Room on 6 October
- Participated in the Great Eastern Run on 11 October

#### **2.4 Council and Other Events**

- Attended Anglia Ruskin University Court at Fulbourn, Cambridge Campus on 1 October
- Attended Concert in aid of HEAL at The Cresset on 3 October
- Attended Glenn Miller Evening in aid of Mayor of March's Charities in March on 3 October \*
- Attended High Sheriff's lunch in the New Building, Peterborough Cathedral preceding Cambridgeshire Justice Service in the Cathedral on 4 October
- Attended Peterborough Lions Special Games at Werrington Sports Centre on 4 October \*
- Attended Lord Lieutenant's President's evening for the Outward Bound Trust at the Marriott Hotel, Huntingdon on 7 October

- Attended Peterborough Gilbert and Sullivan Players performance of *Princess Ida* at the Key Theatre on 8 October
- Attended Business Focus VIP breakfast at Holiday Inn West, Thorpe Wood, Peterborough on 9 October
- Opened Autumn Recruitment Fair in the Town Hall Reception Room on 9 October
- Attended Young People of the Year Awards Ceremony Brunch at the Imperial War Museum, Duxford on 10 October
- Attended Mayor of Huntingdon's Civic Charity Dinner and Dance at the Commemoration Hall, Huntingdon on 10 October \*
- Attended City of Ely Civic Service in Ely Cathedral on 11 October
- Observed cabinet meeting on 12 October
- Attended Peterborough Civic Society Annual General Meeting in St Mark's Church Hall on 12 October
- Interviewed at Lite FM on 13 October
- Attended and spoke at Athena (Business Women Network) Peterborough Group meeting at the Bull Hotel on 13 October
- Attended Citizenship ceremony in the Council Chamber on 13 October
- Visited NHS Roadshow, Serpentine Green, Hampton on 14 October
- Chaired full council meeting on 14 October
- Attended Official opening of refurbished Jack Hunt swimming pool on 15 October
- Attended Funeral of Past Mayor, Michael Burton at St Botolph's Church, Longthorpe followed by cremation at Marholm on 15 October
- Attended Reading Challenge presentations in the Reception Room, Town Hall on 17 October
- Attended Reading Challenge presentations in the Reception Room, Town Hall on 17 October \*
- Attended ICA Anniversary Ball, Fleet Community Centre on 17 October
- Attended Italian Festival and market in Bridge Street and firework display on 18 October
- Attended Mayor of St Neots' Last Night of the Proms at The Priory Centre on 18 October \*
- Attended Citizenship ceremony in the Council Chamber on 20 October
- Attended Age Concern AGM, Salvation Army Church and Comm. Ctr, Bourges Boulevard on 20 October \*
- Attended Mayor of Corby's charity night at the Grampian Association, Patrick Road, Corby on 20 October
- Opened Open art exhibition, East Community Centre, Peterborough on 24 October \*
- Presented trophy to Peterborough United Football Club at London Road on 24 October \*
- Attended Citizenship ceremony in the Council Chamber on 27 October \*
- Opened *Cards for Good Causes* charity shop in St John's Church, Cathedral Square on 28 October
- Attended Firework Fiesta at Ferry Meadows on 31 October
- Attended Royal British Legion Rededication Service in St Mary's Church, Boongate on 1 November
- Attended Whittlesey Civic Service at St Mary's Parish church, Whittlesey on 1 November \*
- Attended Peterborough Lions fund-raising dinner for Peterborough branch of Diabetes UK at Maharani's, Hampton on 1 November
- Attended Citizenship ceremony in the Council Chamber on 3 November
- Attended Peterborough Poetry Party at the Cherry Tree, Oundle Road, Woodston on 3 November
- Attended Strategic Resources DMT meeting at Manor Drive on 4 November
- Attended Supported Adult Learning awards ceremony at The Fleet, Fletton on 6 November
- Attended East Community Bowls Club presentation evening on 7 November
- Attended Lunch at TA Centre, London Road on 8 November
- Attended Peterborough Gang Show at the Key Theatre on 11 November
- Toured city council sports facilities on 12 November

- Attended Volunteer Awards evening in the Reception Room on 12 November
- Attended Intergenerational conference at the Salvation Army Citadel on 13 November
- Attended Launch of Prisons' Week exhibition in Peterborough Cathedral on 13 November
- Attended Peterborough in Bloom Daffodil planting at Ferry Meadows on 13 November \*
- Attended Peterborough Evening Telegraph Business Awards, Holiday Inn, Thorpe Wood on 13
- Attended Reception and gala performance of *The Boyfriend* at Peterborough High School on 14 November\*
- Attended CPSO Autumn concert at the Voyager School on 15 November
- Attended Opening Dinner for the Riverside Pavilion, Candy Street, Sugar Way, Oundle Road, Woodston on 15 November
- Attended Cambridgeshire Constabulary Awards Ceremony, Hinchingsbrooke House, Brampton Road, Huntingdon on 16 November
- Visited Visit Sue Ryder Thorpe Hall Hospice (Mayor's charity) to meet staff on 17 November
- Attended Citizenship ceremony in the Council Chamber on 17 November \*
- Attended 900th anniversary celebrations at Ely Cathedral in presence of HM The Queen on 19 November
- Attended switch on of Christmas lights on 19 November
- Attended Rotary Charter night at the Holiday Inn West, Thorpe Wood on 19 November

**3. BACKGROUND DOCUMENTS (IN ACCORDANCE WITH THE ACCESS TO INFORMATION ACT 1985)**

None.

This page is intentionally left blank

<b>COUNCIL</b>	<b>AGENDA ITEM No. 6 (ii)</b>
<b>2 DECEMBER 2009</b>	<b>PUBLIC REPORT</b>

**EXECUTIVE REPORT – FOR INFORMATION  
RECORD OF EXECUTIVE DECISIONS**

**1. DECISIONS FROM CABINET MEETING HELD 12 OCTOBER 2009**

**CULTURE TRUST**

Cabinet received a report on the work undertaken to date to explore the formation of a trust for the delivery of cultural services and which sought agreement to proceed with further work to create such a trust, including formal consultation with staff and the development of a business plan.

It is anticipated that a further report will be presented to Cabinet in February 2010. This report will include the outcome of formal staff consultation on the principles of transferring staff to the trust, and a proposed business plan for the culture trust.

**CABINET RESOLVED TO:**

1. Give authority to the Director of Operations to commence the process of establishing a not-for-profit distributing organisation (a 'trust') subject to appropriate consultation with staff and the agreement of a detailed business plan.
2. Approve the inclusion of the following services within the scope of this work: Arts (including the Key Theatre and Gallery), Heritage (including the Museum), Library (all existing services) and Sports Services (all existing services).
3. Approve a detailed full options appraisal of bereavement services (including the crematorium), to identify the optimum way of delivering this service.
4. Agree to the formation of a shadow board as part of the process of establishing a not-for-profit distributing organisation (a 'trust').

**PETERBOROUGH CITY SERVICES ("PCS")**

Cabinet has considered a report on the need for PCS to be freed from some Council controls to allow it to grow and develop. There were a range of options on how this could take place, hence PCS's portfolio was included in the Waste 2020 Programme procurement to test the market's appetite for working collaboratively with the Council to deliver services.

A high level commercial review of PCS's business portfolio was conducted during 2009. Its purpose was to review PCS's current operating activities, funding position and development prospects from a commercial perspective.

In May 2009 the Council took the opportunity to include PCS in its Industry Open Day for the Waste 2020 Programme to test market reaction to the proposals. The programme consists of Lot 1: Energy from Waste facility; Lot 2: Materials Recycling Facility; and Lot 3: Operational Services (PCS). Procurement is based on a

Competitive Dialogue procedure, allowing the Council and bidders to discuss and develop proposals that would be suitable to the Council and the market. The procurement has generated a healthy response from the market for all Lots and the Council is well positioned to test the full range of proposed value added solutions for Lot 3 through this exercise.

**CABINET RESOLVED TO:**

Endorse the decision process for the Waste 2020 Programme outlined in paragraph 4.7 of the report.

**MEDIUM TERM FINANCIAL PLAN 2010/11 TO 2014/15**

A report was presented to Cabinet as part of the council's agreed process for integrated finance and business planning. The Council's agreed Annual Budget Framework requires Cabinet to consider the Council's budget and financial strategy and to set provisional cash limits for the forthcoming year.

Several budget scenarios on the impact of future funding levels have been modelled to assist decision making in setting the budget for 2010/11 and provisional budgets for the following four years. Cabinet received a summary of the anticipated financial position. The MTFs approved by Council in February 2009 assumed Council Tax increases of 2.5% in each of the years up to and including 2011/12. It has been assumed that the tax increase will follow through in each year to 2014/15 and is used for modelling purposes only at this stage. Further decisions will be required by Cabinet to establish an acceptable option on which to consult with the public, well before any final decisions next year. Key risks have been considered and will be continued to be monitored throughout the budget setting process and next financial year.

**CABINET RESOLVED TO:**

1. Note the budget and performance report to the end of August, and endorses the actions to manage budgetary pressures in the current financial year and to deliver a balanced budget position.
2. Continue to endorse the Greater Peterborough Sustainable Community Strategy 2008-2021 priorities of:
  - Creating the UK's environment capital;
  - Create strong and supportive communities;
  - Delivering substantial and truly sustainable growth; and
  - Creating opportunities – tackling inequalities.

These priorities continue to be underpinned by specific performance targets outlined in the Local Area Agreement

3. Note the future summary financial position and its implications for the medium term financial plan, in particular the potential impact of the state of national public finances on the Council's future grant settlements and financial position.
4. Approve plans to consult with Scrutiny and Stakeholders on the medium term financial plan.
5. Approve the approach that is proposed for the budget process incorporating the medium term financial strategy (MTFS).



6. Approve the control total figures for departments to enable them to begin to prepare a draft budget for financial years 2010/11 through to and including 2014/15.

## **PERFORMANCE MONITORING REPORT – QUARTER 1 – 2009/2010**

The report provided an overview on the council's performance between April and June 2009 against the targets and indicators in the Local Area Agreement (LAA).

### **CABINET RESOLVED TO:**

Note performance against the Local Area Agreement priorities for the first quarter of 2009/10.

## **OUTCOME OF PETITIONS**

CABINET **RESOLVED** to note the action taken in respect of the following petitions presented to full Council:

### **PETITION FOR A PLAY AREA FOR ALLEXTON GARDENS**

This petition was presented to Council on 6 July 2009 by Councillor Ash and asked for a safe play area for children in Allextion Gardens. The Council's Neighbourhood Manager, Central & East Locality, has advised that the neighbourhood management team operating within this locality will now undertake a thorough investigation of the issues. The team has already visited the area and started to collate data and local intelligence, all of which will be used to solve the matter.

### **PETITION FOR REMOVAL OF A WALL FROM COMMUNAL AREA AT 39-49 BROOKFURLONG**

This petition was presented to Council on 6 July 2009 by Mr E Murphy and asked for the removal of a wall in the vicinity of 39-49 Brookfurlong to prevent anti-social behaviour. The Council's City Wide Manager has confirmed that she and the Head of Operations, Peterborough City Services, Street scene and Facilities would visit the wall to carry out an assessment and would make contact with the petitioner afterwards.

### **PETITION AGAINST THE ERECTION OF HIGH SECURITY FENCE AROUND PLAYING FIELD ADJACENT TO NORWOOD SCHOOL**

This petition was presented to Council on 6 July 2009 by Councillor Fower and objected to the proposed erection of a high, security style fence around the playing field adjacent to Norwood School and to the loss of public access to the land via the gates on Elter Walk and Coniston Avenue. The Council's Neighbourhood Manager, Central and East Locality responded stating that the neighbourhood management team operating with this locality will now undertake a thorough investigation of the issues. He confirmed that the team has already visited the area and has started to collate data and local intelligence, all of which will be used to solve the matter.

## **2. CALL-IN BY SCRUTINY COMMITTEE OR COMMISSION**

The Council's call-in mechanism has not been invoked since the last report to Council.

### 3. **SPECIAL URGENCY AND WAIVE OF CALL-IN PROVISIONS**

Scrutiny Procedure Rule 13.1 and Executive Procedure Rule 7 require any instances where the Council's special urgency provisions have been invoked, and/or the call-in mechanism was not applied, to be reported to the next available meeting of the Council, together with reasons for urgency.

Since the last report to Council the special urgency provision has been invoked in respect of the following decision which is further outlined within paragraph 4 below:

#### Special Urgency

#### **Extension to Woodston Primary School to Provide Three Additional Classrooms and Associated Facilities**

The Chairman of the Environment Capital Scrutiny Committee was advised that the project completion date had to remain as the beginning of September 2010 to accommodate the number of children to be admitted for the academic year 2010/11 and that the published admission number for September 2010 was 30 and could not be changed. For these reasons he therefore agreed to waive the consideration period.

#### Waive of Call-In

There has been no waive of call-in since the last report to Council.

### 4. **CABINET MEMBER DECISIONS**

<b>CABINET MEMBER AND DATE OF DECISION</b>	<b>REFERENCE</b> <i>(a new referencing system was introduced in November 2009)</i>	<b>DECISION TAKEN</b>
5 October 2009 Councillor Holdich		<b>Appointments of LEA Governors –</b>  (a) Gladstone Primary School – to appoint Mrs Marina Cullen, nominated by the local authority (b) St Botolph's Primary School – to appoint Mrs Jo Proud, nominated by the governing body (c) Eyrescroft Primary School – to appoint Mrs Rita Davey, nominated by the local authority (d) Oakdale Primary School – to appoint Mr Peter Morris, nominated by the governing body
10 October 2009 Councillor Croft		<b>Cross Keys Homes</b>  The Cabinet Member: 1) approved the adoption of the new articles of association of Cross Keys Homes Limited; and

		2) authorised the Solicitor to the Council to sign any appropriate documents to confirm the Council's approval of the new articles of association of Cross Keys Homes Limited.
14 October 2009 Councillor Seaton		<p><b>Discretionary Rate Relief from Business Rates for Charities and Similar Organisations not Established or Conducted for Profit and Rural Businesses</b></p> <p>The Cabinet Member:</p> <p>1) Approved the award of Discretionary Rate Relief for charities and similar organisations and approved the award of Discretionary Rural Rate Relief for the organisations shown on schedule attached to the decision notice for a period of 3 years from 1 April 2008 until 31 March 2011.</p> <p>2) Rejected the applications for awards of Discretionary Rate Relief for charities and similar organisations as shown on a schedule attached to the decision notice.</p>
14 October 2009 Councillor Seaton		<p><b>Discretionary Rate Relief from Business Rates on the Grounds of Hardship</b></p> <p>The Cabinet Member refused an application for hardship relief in relation to a company named in an exempt annex to the decision notice.</p>
14 October 2009 Councillor Seaton		<p><b>Discretionary Rate Relief from Business Rates on the Grounds of Hardship</b></p> <p>The Cabinet Member refused an application for hardship relief in relation to a company named in an exempt annex to the decision notice.</p>
16 October 2009 Councillor Holdich		<p><b>Appointment of LEA Governor to Norwood Primary School</b></p> <p>To appoint Mrs Sarah Betambeau, nominated by the governing body.</p>
26 October 2009 Councillor Hiller		<p><b>Real Time Passenger Information Partnership Agreement</b></p> <p>Authority was given to enter into partnership working with Cambridgeshire County Council, Bedford Borough Council, Central Bedfordshire Council and Luton Borough Council to provide a county wide bus real time passenger information (RTPI) system (covering Peterborough, Cambridgeshire, Bedfordshire and Luton). The</p>

		partnership agreement was due to commence on 1 November 2009 and will last until 28 February 2015.
2 November 2009 Councillor Holdich	<b>NOV/09/001/CMDN</b>	<b>Appointments to Peterborough Standing Advisory Council for Religious Education (SACRE) Committee “D”</b>  To authorise the re-appointment of Councillor Over, Councillor Sandford and Councillor Kreling as members of SACRE Committee “D”.
9 November 2009 Councillor Holdich	<b>NOV/09/002/CMDN</b>	<b>Extension of Woodston Primary School to Provide Three Additional Classrooms and Associated Facilities</b>  Authority to award the contract for the extension of Woodston Primary School to provide three additional classrooms and associated facilities to Burmor Construction Limited for the sum set out in the exempt annex to the decision.
18 November 2009 Councillor Holdich	<b>NOV/09/003/CMDN</b>  <b>NOV/09/004/CMDN</b>  <b>NOV/09/005/CMDN</b>  <b>NOV/09/006/CMDN</b>	<b>Appointments of LEA Governors –</b>  (a) Thorpe Primary School – to appoint Ms Karen Marcus, nominated by the local authority (b) Matley Primary School – to appoint Mrs Linda Elmore nominated by the local authority (c) Wittering Primary School - to appoint Mr Christopher Sendell, nominated by the governing body (d) William Law Primary School – to appoint Councillor Judith Anne Fox, nominated by the Peterborough Independent Forum
19 November 2009 Councillor Croft	<b>NOV/09/007/CMDN</b>	<b>East of England Plan to 2031 – Scenarios for Housing and Economic Growth Consultation – Response</b>  To approve Peterborough City Council’s response to the East of England Regional Assembly’s <i>“East of England Plan to 2031: Scenarios for housing and economic growth - consultation”</i> .

<b>COUNCIL</b>	AGENDA ITEM No. 7 (i)
<b>2 DECEMBER 2009</b>	<b>PUBLIC REPORT</b>

## EXECUTIVE REPORT – RECOMMENDATIONS

### 1. PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH CORE STRATEGY (PROPOSED SUBMISSION VERSION)

Cabinet, at its meeting on 12 October 2009, received a report on the Peterborough Core Strategy.

All local planning authorities are required to have a Local Development Framework (LDF), which is a suite of planning policy documents allocating land uses to deliver the City's growth. The Core Strategy is at the heart of the LDF will become part of the statutory development plan when it is completed, and, as such, will be part of the Council's major policy framework. It will be one of the documents that will gradually replace the existing Peterborough Local Plan. Under the new arrangements there will not be a single 'Plan' for Peterborough, but a suite of documents that together comprise the LDF.

The regulations and guidance on the preparation of documents within the LDF provide for various stages, with differing opportunities for public involvement at each stage. On 31 March 2008, Cabinet approved a 'Preferred Options' version of the Core Strategy for public participation. Consultation on that version took place over a six week period during May and June 2008. A total of 878 comments were received, all of which have been considered and taken into account in preparing the (Proposed Submission) version of the Core Strategy. Cabinet received a summary of the main issues from comments received during the public consultation along with a summary of some of the key features of the recommended Proposed Submission version.

Prior to the Cabinet meeting a summary of all comments made on the Preferred Option version and proposed changes to that version were considered by the Local Development Framework Scrutiny Group (acting on behalf of the Sustainable Growth Scrutiny Committee) at a meeting on 7 September 2009, and a copy of the minutes of that meeting are attached as Appendix A to this report.

The Core Strategy was presented during October and November 2009 to meetings of the newly formed Neighbourhood Councils. A summary of the comments made at those meetings is attached as Appendix B.

Cabinet resolved to authorise the Cabinet Member for Strategic Planning, Growth and Human Resources to approve, by Cabinet Member Decision Notice, a list of amendments to be incorporated into the Core Strategy arising from the outcome of Sustainability Appraisal and Habitats Regulations Assessment. That list of amendments is attached as Appendix C to this report.

- |  |
|--|
| <p>1. <b>IT IS RECOMMENDED</b> that Council approve the Peterborough Core Strategy (Proposed Submission Version) for the purposes of public consultation and submission to the Secretary of State.</p> |
|--|

## 2. CAMBRIDGESHIRE AND PETERBOROUGH MINERALS AND WASTE DEVELOPMENT PLAN DOCUMENTS (SUBMISSION STAGE)

Cabinet, at its meeting on 12 October 2009 received a report on the Minerals and Waste Plan which is being produced jointly by Cambridgeshire County Council and Peterborough City Council and which will set the framework for all minerals and waste development up to 2026. The Minerals and Waste Plan, when adopted, will replace the existing Cambridgeshire Aggregates Local Plan and the Cambridgeshire and Peterborough Waste Local Plan. The Plan allocates sites to ensure a steady supply of mineral to supply the growth agenda, and to facilitate modern waste management facilities to secure a major change in the way we manage our waste.

The Plan will ensure that adequate provision is made for the sustainable delivery of minerals needed for the growth agenda to 2026 and that the waste generated from existing and proposed new developments is managed in a sustainable way through a network of waste management facilities. The Plan makes provision for a range of suitable sites for the development of an appropriate number of waste management facilities in the period up to 2026.

The Minerals and Waste Plan comprises:

- **Core Strategy:** a document setting out the strategic vision and objectives, and including a suite of development control policies to guide minerals and waste development
- **Site Specific Proposals:** Document setting out site specific proposals for mineral and waste development and supporting site specific policies

Three Draft **Supplementary Planning Documents** (SPDs) have also been prepared:

- The '**RECAP Waste Management Design Guide**' SPD will provide advice on the inclusion of facilities for the storage and separation of waste within new housing and commercial development.
- The '**Design and Location of Waste Management Development**' SPD will provide potential developers of waste management development with detailed advice on the design and location factors influencing the development of a range of waste management development.
- The **Block Fen/Langwood Fen** area does not fall within the jurisdiction of Peterborough City Council. However, it is an area where mineral extraction (mainly sand and gravel) will be focused and where there will be significant landfill of inert waste. It will therefore make a significant contribution to achieving the objectives of the Minerals and Waste Plan and the SPD sets out in detail the intended phasing and other issues to take into account in the ongoing mineral extraction and landfill operations in the area.

Cabinet resolved that any amendments necessary to the documents following their consideration by Cambridgeshire County Council would be approved by the Cabinet Member for Strategic Planning, Growth and Human Resources in consultation with officers. A list of the amendments to the Core Strategy is attached as Appendix D to this report and a list of amendments to the Site Specific Proposals is attached at Appendix E.

## **IT IS RECOMMENDED**

1. that Council approve the publication of the following Cambridgeshire and Peterborough Minerals and Waste Development Plan Documents for pre-submission consultation in February/March 2010 and the submission of the Documents to the Secretary of State
  - Core Strategy Development Plan Document
  - Site Specific Proposals Development Plan Document
2. that Council approve the publication of the following Cambridgeshire and Peterborough Minerals and Waste Draft Supplementary Planning Documents for consultation in February/March 2010
  - Location and Design of Waste Management Development  
RECAP Waste Management Design Guide

This page is intentionally left blank





**Notes of a Meeting of the Local Development Framework Scrutiny Group held on 7 September 2009 in the Forli Room - Town Hall**

**Members Present:** Councillors J R Fox, D Harrington and N Sandford

**Officers Present:** Peter Heath-Brown, Planning Policy Manager  
Steve Winstanley, Team Leader (Policy and Information)  
Gemma Wildman, Principal Strategic Planning Officer  
Sue Marsh, Principal Planning Officer (Minerals and Waste)  
Louise Tyers, Scrutiny Manager

**1. Apologies for Absence**

An apology for absence was received from Councillor Ash.

**2. Declarations of Interest**

Councillor Sandford declared a personal interest as he was an employee of the Woodland Trust who were listed as a consultee.

**3. Notes of Meeting held on 15 January 2009**

The Group noted the notes of the meeting held on 15 January 2009.

**4. Peterborough Core Strategy**

Peter Heath-Brown, Planning Policy Manager, gave an update on the purpose of the Peterborough Core Strategy and the next steps in its development.

The Core Strategy included an overall vision and strategic objectives and applied national and regional policy at a local level. The Strategy had to conform to the Regional Spatial Strategy. The Strategy would be for a 15 year period from its adoption, which in Peterborough was expected to be during late 2010/early 2011.

Consultation on the Preferred Options had taken place during May and June 2008 and 878 comments had been received on the Preferred Options. All comments had now been considered and a draft 'Proposed Submission' version was now being recommended.

The key features of the Proposed Submission Version were:

- 25,500 new dwellings (2009 to 2026)
- Emphasis on City Centre, Urban Area, Urban Extension
- 1,100 new dwellings in villages
- Major employment development at Great Haddon and Alwalton Hill (but not Red Brick Farm)
- Regional Freight Interchange at Magna Park
- Affordable housing target reduced to 30%
- A new Environmental Capital policy to replace the draft policy about the resource efficiency of new buildings

The Core Strategy would be considered by the Planning and Environmental Protection Committee on 22 September, Cabinet on 12 October and Council on 2 December. The

'Proposed Submission' version would then be published for 6 weeks during January and February. Adoption by the Council was expected to be in 2011.

The following comments and observations were made:

- Would there be a further opportunity to examine the Planning Policies and Site Allocations documents at a future meeting? *Those two documents had been held back due to the development of the Core Strategy but they would come forward for the Group to consider in the future.*
- It was proposed to reduce the affordable housing target to 30%, what was the regional target for affordable housing? *Across the region it was 35% as a whole and each authority needed to undertake its own needs and viability studies.*
- In the S106 Policy the target was only 25%. *30% was the average target to 2026, however the Council agreed a temporary reduction due to the current economic conditions.*
- Red Brick Farm was not being proposed due to the potential flood risks but the Magna Park site was in a far worse flood area than Red Brick Farm. *A rail freight interchange needed to be next to a rail line and as long as it could be shown that there were no other suitable raiiside sites, then development in the floodrisk area could be justified, however the developer would also have to mitigate the risks.*
- What had happened to the proposed development north of Werrington? *This was not in the Core Strategy.*

#### Section 4 – Our Objectives

- Objective 19 – adaptation to climate change – should be included in the light of revisions to the Climate Change Strategy. The objective for infrastructure makes no reference to green infrastructure. *The Vision Statement has been changed to include green infrastructure. Officers would look again at possible changes to the wording of the objectives.*

#### Chapter 5 – The Spatial Strategy, the Scale & Location of Residential Growth

- Were the housing targets unobtainable due to the current economic situation? *That was an argument however the Council was required to show how it would achieve that target. The rate of delivery was dependent on the market and we must have a viable strategy for affordable housing.*

#### Policy CS10 Renewable Energy

- The guidance from Government was to encourage renewable energy but the changes to CS10 appeared to be adding more qualifications, e.g. aviation operations. *The reference to aviation operations was in relation to wind turbines only. Officers would check the wording to ensure that it is not weakened.*
- Was the protection of RAF operations a planning issue? If it was then it should be included in the planning policies. *Case law was showing that protection of RAF operations was a material consideration but officers thought that this was an issue which may be being dealt with at a national level. It had only been included within the Strategy because of the location of RAF Wittering. Officers would look at how the debate was progressing at a national level.*

#### Policy CS12 Transport

- It was felt that sustainable transport was not emphasised enough in the Strategy. The use of the Transport User Hierarchy in the Local Transport Plan was not clear within the

wording of CS12. *Officers would make reference to the Transport User Hierarchy and would make the link to the LTP more explicit.*

#### Policy CS18 Open Space and Green Infrastructure

- The Ancient Woodland Policy had been made reference to in objective 20 but why was it not included within policy CS18? *Officers advised that they were encouraged not to repeat policy if it was already national or regional policy.*
- The report is claiming that provision of woodland was not an open space issue but PPG17 defined what open space was. *Officers would look at this again.*

#### Policy CS20 Biodiversity and Geological Conservation

- The Biodiversity Policy was currently being reviewed and looked at landscapes as a whole. *Officers would speak to Brian Armstrong about the review of biodiversity.*
- The third bullet point assumed that all habitats could be compensated for. *If habitats could not be recreated elsewhere we would look to have something else. Officers would speak to Brian Armstrong about the wording.*
- There was no specific reference to agricultural land. Some of the land would not be sustainable in the future and the Council would need to look at whether it wanted to carry on holding this land. *This would be looked at as part of the site allocations and they would also liaise with Property Services about their policy for the agricultural land.*

#### Policy CS21 Floodrisk

- There was an issue with some householders concreting over drains on their land and this was causing a strain on the drainage systems. *This issue had now been brought under development control.*

### **5. Cambridgeshire and Peterborough Minerals and Waste Development Plan Documents**

Steve Winstanley and Sue Marsh gave an update on the production of the Cambridgeshire & Peterborough Minerals and Waste Documents – Core Strategy DPD, Site Specific Proposals DPD, Location & Design of Waste Management Facilities SPD and RECAP Waste Design Guide SPD.

The Pre-Submission Consultation had taken place during February and March 2009. Submission to the Secretary of State was expected to take place in July 2010 with adoption in June 2011.

There had been a strong response to the consultation with over 13,000 representations throughout Peterborough and Cambridgeshire. The major concerns for the Peterborough area had been the Thornhaugh II proposal but this had not been put forward by the Council and the site proposed for inert waste recycling and inert landfill disposal.

The Development Plan Documents had been subject to a Sustainability Appraisal and Habitats Regulations Assessment and each had contributed favourably to shaping the documents.

#### Minerals

- Sand and Gravel – no change to the proposals as sufficient provision was being made.
- Limestone – the figures had been reviewed and further sites needed to be identified.
- Borrow Pits – there were no borrow pits proposed in Peterborough.
- Mineral Safeguarding Areas – these were now required to be taken into account at the planning stage.

#### Waste Management

- Importation of Waste from London – the amount of residual waste to be imported from London that we were required to make provision for had not changed since Preferred Options 2.
- New Waste Management Facilities – a number of allocations had been made for built development in Peterborough at Storeys Bar Road, Hampton, Dogsthorpe and West of Peterborough.
- Household Recycling Centres – the Plan identified a need for an additional Household Recycling Centre in Peterborough. It was anticipated that the household recycling centre to serve the southern part of the city might be accommodated at the ‘West of Peterborough’ site.
- Hazardous Waste – no change from Preferred Options 2.

#### Habitats Regulation Assessment

As a result of the Habitats Regulation Assessment the site proposal at Dogsthorpe no longer made provision for energy from waste use. The energy from waste proposal at Kings Dyke Brickpits, Whittlesey, would only be acceptable if it could be demonstrated that it led to improvements in air quality and did not lead to an adverse impact on the integrity of the Nene Washes.

The following comments and observations were made:

- Would the Sustainability Appraisal look at the affects on climate change?
- Was there a danger that we would need to continue to import waste to keep the proposed energy from waste facility going? *We were looking to try to introduce something similar to catchment restrictions or tonnage restrictions, as in the current Local Plan, as a way of trying to limit the amount of waste being imported in from other areas.*

#### **6. Any Other Business**

There was no other business.

#### **7. Date of Next Meeting**

No meeting date was set.

CHAIRMAN  
5.30 - 7.15 pm

## NEIGHBOURHOOD COUNCIL MEETINGS

### EXTRACTS FROM MINUTES OF THE NEIGHBOURHOOD COUNCILS RELATING TO THE PETERBOROUGH CORE STRATEGY

#### South 1 Neighbourhood Council (Stanground, Fletton and Woodston Wards) held on Monday, 12 October, 2009 at 7.00pm at the Stanground Sports Centre, Stanground College, Peterborough

The Council's Head of Delivery gave a presentation on the development of the Core Strategy with particular reference to Stanground, Fletton and Woodston. It was explained that the core strategy was an important planning policy document that would identify the proposed areas of development for the city up until 2026. Significant consultation had been undertaken already but the Neighbourhood Council meetings provided a further opportunity for local people to become involved in the process prior to a final decision being taken at the meeting of the full Council on Wednesday, 2 December, 2009.

The primary areas for growth for the city were Great Haddon, the City Centre, Norwood/Paston and Stanground with some additional limited growth in rural areas. The proposal in respect of the Rail Freight Interchange at Magna Park was explained in particular detail as it was within the area of the Neighbourhood Council.

A number of comments arose out of the discussion of the Core Strategy as follows:

1. Councillor Rush made a statement to the meeting as follows:

"In the consultation document it is recommended that the bulk of new development takes part in the South of the City. There are developments already started at Hampton, Kingston Park and Stanground South new ones planned at Alwalton Hill, Great Haddon and Magna Park. With all the extra traffic involved the new Stanground by-pass and Fletton Parkway will grind to a halt and they will become the new A14. Why is South of the City bearing the brunt of all these developments, Stanground was once a small village why isn't it being given the same protection as the villages to the North and North west of the city.

#### **Magna Park**

The proposed Magna Park development is probably the largest single industrial development ever to be proposed in Peterborough. It will be 4,000,000 sq. ft of warehousing covering 135 Hectares of land (approx 135 football pitches) and are proposed to be built on an Environment Agency designated flood plain. Does building on this flood plain comply with Government Planning Policy PPG25? Climate change is a big issue at the moment. The risk of flooding resulting from both run-off and the reduction of open space for soaking up rain fall as a result of flood plain encroachment is growing. The nearby Stanground Meadows already suffer from flooding in the winter. With all this extra water flowing into the Kings Dyke flood risk will be increased not only in Stanground but elsewhere, householders bordering this waterway will face higher insurance premium rates.

When residents bought their houses on Park Farm they were told this area of land would never be built on because it is a flood plain. What has changed, why was Red Brick Farm removed from the strategy because of flood risk concerns and not Magna Park?

This will be a 24/7 operation bringing noise, light and air pollution issues.

An article in the Harborough Mail newspaper reported that residents were complaining that night time is being wiped out by light pollution from a Magna Park near them.

Increased pollution to the area from extra traffic (cars, lorries, trains). Freight lorries moving containers both in and out of the site allied with service delivery trucks and light vans. Car journeys and the increased freight train traffic will cause the Kings Dyke level crossing to be closed for longer exacerbating the major delays that already occur at the moment.

This development will have a big impact on Biodiversity. It is close to the Nene washes a SSSI site and a Ramsar site, a European Court of Justice Conservation Regulations "Habitats Regulations Assessment" site of nature conservation where vast numbers of birds live and breed on what is one of the most important areas of lowland wet grassland in Britain it will also destroy unique natural habitats for a wide variety of flora and fauna. Street lighting can also have detrimental effects on wildlife. When the Stanground by-pass was in the planning stage a proposal was put forward for an alternative route across this land but was turned down because it would go over a SSSI site, if it was unsuitable then why is it now ok to build on this land?

The core strategy does not rely on this proposal for jobs. In the papers it says, in the event of the scheme not proceeding the core strategy would still work, as it is capable of delivering the minimum job requirements of the East of England plan.

### **Summing up**

This site will be in unacceptably close proximity to established residential communities with resulting pollution from HGV traffic along with noise and light pollution. Traffic taken off the A14 would be a real advantage for the Eastern Region. Peterborough should not pay the price for the failings of this road link.

Encroachment on a flood plain when public awareness of the risk of flooding due to climate change is at a high.

Destruction of unique natural habitats used by a wide range of birds, animals, flora and fauna.

Desecration of a Greenfield site.

It will not protect and enhance the area's existing Environment assets, the Nene Washes and a Ramsar site, it will destroy them.

It will not help Peterborough's aspiration to become the Environment capital of the UK, reduce the Environment impacts of transport and reduce transport related pollution, give better air quality, protect the existing Environment assets and reduce the effects of climate change. The effects of the development will be felt far and wide and for generations to come.

Cllr. Irene Walsh and myself propose that this Neighbourhood Council recommends that the Magna Park proposal should be removed from the Core Strategy and this is endorsed by our MP Shailesh Vara."

2. Councillor Lee said that he could not endorse the removal of Magna Park from the strategy and as confirmed by the Solicitor to the Council, who was present at the meeting, suggested that the removal of the scheme would not prevent a developer coming forward with a planning application. Local concerns had to be considered along with the potential for in excess of 5,000 new jobs for the city. Overall however, he stressed that he had not made up his mind regarding the proposals for the Gazeley's site.

3. In response to comments made at the meeting about the value of the Core Strategy, the Head of Delivery suggested that the benefit of having major areas of development in the Core Strategy was that it would be easier to define the parameters for development and seek Section 106 funding for infrastructural development.

4. A member of the public commented upon the lack of progress with proposals for development of the city for example, the Elliott's site behind the football ground which had been identified as a low energy site over 5 years ago but no development had taken place and similarly, it was understood that 3 planning applications in respect of Magna Park had all been withdrawn.

Councillor Lee suggested that this had been frustrating but that it was in part due to government requirements for meeting high environmental standards for new development. A full written response would be provided to the questioner about these matters (Mr Kirby).

5. A member of the public commented upon the need for schools, GP surgeries, health care services for the elderly and education facilities to accompany large scale commercial development.

6. In response to points made by members of the public about the timescale for receiving representations, the Head of Delivery replied that by law, the Council had to develop a planning policy on how the city would grow. The Core Strategy would not have the affect of setting the areas for growth without possibility for modification or change and certainly would not commit the Council to approving particular planning applications. Any further delay in the process would cause problems for the Council and developers. Further details about the Core Strategy could be found on the Council's website at [www.peterborough.gov.uk/democracy](http://www.peterborough.gov.uk/democracy) and further representations could be received after the Neighbourhood Council meeting if people wished to comment.

7. In response to some confusion over the Core Strategy and Fletton study, Councillor Cereste clarified that the draft Core Strategy had been reported to Cabinet that morning and needed to be approved by Council in December but that he had indeed, given an undertaking that there would be ample opportunity to consider fully the representations about the Fletton study, which was separate from the Core Strategy and modify the proposals if there was strong public support for doing so.

8. In response to a question, the Head of Delivery responded that the anticipated 5,500 jobs to be created at Magna Park would be across a wide range of employment sectors (and details could be provided after the meeting). It was also suggested by the questioner that once noise and traffic pollution became apparent there was little that could be done about it. Councillor Cereste stated that development did have potential challenges that had to be addressed but that it also brought major opportunities for the area such as the £40 million contract that was about to go out to tender for the erection of a new Stanground College by 2014.

9. A member of the public spoke in support of the earlier comments made by Councillor Rush and sought confirmation that all representations made about the Core Strategy would be considered. The Head of Delivery stated that all the representations from the 7 Neighbourhood Council meetings would be submitted to the full Council.

In concluding the discussion, the Chair thanked everyone for their views about the Core Strategy.

It was agreed that all the views expressed at the meeting be submitted to the full Council meeting on Wednesday, 2 December, 2009 as part of the item on the Core Strategy.

**South 2 Neighbourhood Council (Orton with Hampton, Orton Longueville and Orton Waterville Wards) held on Tuesday, 20 October, 2009 at The Bushfield Sports Centre, Orton Centre, Peterborough**

The Council's Planning Policy Manager gave a presentation on the development of the Core Strategy with particular reference to Orton with Hampton, Orton Longueville and Orton Waterville. It was explained that the core strategy was an important planning policy document that would identify the proposed areas of development for the city to 2026. Significant consultation had been undertaken already but the Neighbourhood Council meetings provided a further opportunity for local people to become involved in the process prior to a final decision being taken at the meeting of the full Council on Wednesday, 2 December, 2009. The strategy would then be published for formal public consultation in January/February and then referred to the Planning Inspector; any further representations received would be considered at a public inquiry.

The primary growth locations for the city were Great Haddon, the City Centre, Norwood/Paston, Stanground, Hampton and some additional limited growth in rural areas. The specific proposals relating to the area covered by the Neighbourhood Council were the urban extension of Great Haddon, retail provision in Orton District Centre (Phase 2) and regeneration of existing communities.

A number of comments arose out of the discussion on the Core Strategy which were as follows:

1. Councillor Scott referred to the concentration of development in the south of the city with 40% of the proposed 25,500 additional homes due to be built in that area. This would impose significant pressure on the local infrastructure and was bound to have an impact on existing communities such as at Orton Longueville. It was important that the views of local people were taken into account regarding the traveller's site to the south of the river, the recycling centre on the edge of Great Haddon and the wider implications for the city of the concentration of growth in the south.
2. In response to a question from a member of the public about the need for growth, the Planning Policy Manager stated that this question had been addressed at the regional tier of government where it had been decided to respond to population growth through concentration of development in the cities of the region.
3. A local resident expressed concern about the potential impact of the huge scale of development proposed for the south of the city and referred to the apparent scarcity of proposals in the core strategy for the regeneration of existing communities.
4. Another resident was concerned that the pressure on the road network would be overwhelming and commented on the need to ensure that the road network was developed in conjunction with any additional housing development. In response to these comments, the Planning Policy Manager said that work had been undertaken with colleagues specialising in transport and the need for investment in new roads and increased use of public transport had been identified.
5. A member of the public commented on the need to provide clear maps of the neighbourhood for local people and Parish Councils to understand the potential shape and impact of the proposals. The Chair agreed with the need to make the proposals as clear as possible and responded that there would be further opportunities to make representations after the meeting.
6. A member of the public commented upon the need for health facilities to be provided to support the proposed development and suggested that a standing invitation be extended to a health professional to attend meetings of the Neighbourhood Council. In response, it was identified that there had been liaison with NHS Peterborough and that organisation would be invited to appoint a representative to attend future meetings of the Neighbourhood Council.
7. Councillor Murphy suggested that it was difficult for the public to make representations at the right time and in the right manner as they did not necessarily understand the process and decision route.

In concluding the discussion, the Chair thanked everyone for their views about the Core Strategy.

It was agreed that all the views expressed at the meeting be submitted to the full Council meeting on Wednesday, 2 December, 2009 as part of the item on the Core Strategy.

**North & West 1 Neighbourhood Council (Northborough, Barnack, Glinton & Wittering, Newborough, and Eye & Thorney Wards) held on Monday 19 October 2009 at Northborough Primary School**



Elected members and the public received a presentation on the Core Strategy from the Planning Policy Manager. It was explained that the core strategy was an important planning policy document that would identify the proposed areas of development for the city up until 2026. Significant consultation had been undertaken already but the Neighbourhood Council meetings provided a further opportunity for local people to become involved in the process prior to a final decision being taken at the meeting of the full Council on Wednesday, 2 December 2009.

The Chairman invited members of the public and elected members to raise any matters affecting their communities. The main issues raised during this part of the meeting are summarised as follows:

- The number of proposed houses for villages
- Why expand current villages?
- Why not build new villages?
- Urban and rural character distinctiveness
- Policy on affordable housing, should be a 50/50 split, not 30/70
- Parking and transportation problems
- Roads become rat runs especially at weekends – transportation should be a big issue in the core strategy
- Investment from private sector
- Village design statements
- Protection of the green wedge

The Planning Policy Manager and members responded to the above issues:

The proposed number of housing contained in the core strategy was approximately 600 for Eye, Eye Green and Thorney, 450 across the limited growth villages and 50 across all smaller villages. The option was open to develop new villages should members want to take that route, however, delivery of the proposals would be easier to achieve from existing villages.

The core strategy clearly defined rural areas and countryside and preserved distinctiveness. Glinton would remain a limited growth village. The core strategy contained a policy and set the criteria for the local authority to grant planning permission for residential schemes of affordable housing. Flexibility was built into the strategy to enable negotiation of the ratio of affordable housing.

Landowners had been invited to suggest sites for development, there had been many put forward around Northborough and not all sites would be required to deliver the 450 houses across the villages. Many sites would not be suitable. There was no particular strategy for any single village including Northborough.

The local authority must make plans and provision for development and investment from the private sector, it was not an option to stand still due to growth, it was estimated that there would be approximately 30,000 births by 2020 and 6,000 deaths.

Village design statements (VDS), although a material planning consideration in planning terms it was difficult to ascertain the precise weight to be attached when considering planning applications. It would be appropriate for the local planning authority to use the VDS to encourage better design, but actually quote planning policies from the Local Plan when making decisions, not the VDS.

The core strategy did not make provision for development in the Werrington/Glinton green wedge, which was still part of the local planning policy.

The Neighbourhood Manager said that she would speak to the resident about the transportation issue after the meeting.

**North & West 2 Neighbourhood Council (Werrington North, Werrington South, Paston & Walton Wards) held on Thursday 15 October 2009 at Ken Stimpson School, Werrington**

Elected members and the public received a presentation on the Core Strategy from the Planning Policy Manager. It was explained that the core strategy was an important planning policy document that would identify the proposed areas of development for the city up until 2026. Significant consultation had been undertaken already but the Neighbourhood Council meetings provided a further opportunity for local people to become involved in the process prior to a final decision being taken at the meeting of the full Council on Wednesday, 2 December, 2009. Attention was drawn to the Paston Reserve.

Members of the public and elected members asked questions and made comments in relation to:

- Not all councillors supported high housing targets
- It was more important to build sustainable communities
- In the current poor economic climate where would funding come from?
- More housing can lead to more flooding and food shortages
- How would the public be made aware of the outcome of consultation
- Would any data be adjusted in the core strategy as this was a 20 year vision started 3 years ago?
- How long would the plans for the Sue Ryder development take?

The Planning Policy Manager responded:

- We were now in recession but most development would be funded by the private sector
- The core strategy was a long term view and vital to assist the authority to bid for S106 funding
- The statutory consultation would start in the New Year
- Everyone who had written in at the preferred option stage would be contacted, along with councillors and parish councils
- Information would be put into Libraries, on the Website and via the media
- Other suggestions put forward relating to publicity would be considered
- People must say specifically what they like about the strategy or what they would like changed and must refer to the item in the document.
- There would be a form available online
- The core strategy would be submitted along with comments to the government for a decision to be made about the document, this would be binding on the council
- Adoption of the strategy would take approximately 12 months
- The document is an overall 20 year strategy with a long term vision, and the data on which it is based is as up to date as possible.
- Peterborough City Council could grant planning permission for the Sue Ryder Home development, but it would be up to the developer when it was started

**North & West 3 Neighbourhood Council (Bretton North, Bretton South, West and Ravensthorpe Wards) held on Wednesday 21 October 2009 at Jack Hunt School, Netherton**

Elected members and the public received a presentation on the Core Strategy from the Head of Delivery. It was explained that the core strategy was an important planning policy document that would identify the proposed areas of development for the city up until 2026. Significant consultation had been undertaken already but the Neighbourhood Council meetings provided a further opportunity for local people to become involved in the process prior to a final decision being taken at the meeting of the full Council on Wednesday, 2 December, 2009. Attention was drawn to growth locations including Great Haddon, the city centre, Norwood/Paston reserve, Stanground and limited growth in more rural settlements.

There were no major allocations but more housing was planned in and around the Bretton Centre. Areas for regeneration and change included the hospital and railway station areas, and any contributions from new development via S106 would bring wider benefits to the area.

The core strategy was available in full to view on the Council's Website under the Democracy section.

Members of the public asked questions and made comments in relation to:

- The ratio of new housing compared to new jobs
- Plans for South Bank
- Proposed development of Grange allotments, access/egress
- Demolition of Bretton Woods school, lack of secondary school places
- Traffic lights at Thorpe Wood roundabout
- Regeneration/S106 funding

The Head of Delivery and the neighbourhood manager responded (in summary):

- There was no direct correlation between the housing and job figures, the figures were assessed regionally and some housing had already been built and delivered
- There were now solid plans in place for the South Bank and the council was working to unblock sites for development
- The neighbourhood council would be consulted on the specific planning application for the Grange allotments. In response to a comment that public objections had not been listened to at planning committee, the neighbourhood manager said that the new neighbourhood services would do whatever possible to ensure information was fed back to the public
- Bretton Woods School had been demolished as part of the secondary school review, however, there had been an influx of new arrivals in the city since the review which had impacted on school places
- The neighbourhood manager would find out what was happening with the traffic lights at Thorpe Wood roundabout and feed back
- S106 money was calculated on the funding needed to provide infrastructure to support new developments. Some S106 money would be pooled to use for regeneration throughout the city.

### **Central & East 1 Neighbourhood Council (Central & North Wards) held on Tuesday 13 October 2009 at the John Clare Theatre, Peterborough**

Elected members and the public received a presentation on the Core Strategy from the Strategic Planning Manager. It was explained that the core strategy was an important planning policy document that would identify the proposed areas of development for the city up until 2026. Significant consultation had been undertaken already but the Neighbourhood Council meetings provided a further opportunity for local people to become involved in the process prior to a final decision being taken at the meeting of the full Council on Wednesday, 2 December, 2009.

Members of the public and elected members asked questions in relation to:

- The regeneration of Peterborough
- S106 monies must be spent in a fair and equitable manner
- There was no development taking place in Central & North wards and, therefore, no S106 money for development
- Provision of open space
- Inclusion of the city centre could distort statistical information
- 4,500 dwellings in the city centre provided a challenge to the ratio between jobs and housing
- Castor should have been included in the core strategy

The Strategic Planning Manager responded:

- There was a specific policy for neighbourhood regeneration
- S106 money was a condition of planning permission and a commitment to finance or provide resources needed by the community as a result of development
- S106 monies would be placed into three pools that the council would agree spending on:
  1. site related infrastructure
  2. neighbourhood area
  3. strategic infrastructure, i.e. schools
- Neighbourhood councils would be able to bid for funding
- Open space would be protected and created through development when possible
- 4,300 dwellings would be built across the wider city centre area e.g. South Bank, Fletton and the hospital site
- Provision of jobs would be challenging but Peterborough was a commuting centre

Cllr Seaton, Cabinet Member for Resources, who was present at the meeting agreed that city centre information should not be included in statistics and encouraged Neighbourhood Councils to bid for S106 money, this would also be a good way to make local views heard by Cabinet.

### **Central & East 2 Neighbourhood Council (Park, Dogsthorpe and East Wards) held on Tuesday 3 November 2009 at Newark Hill School, Peterborough**

The Council's Strategic Planning Manager presented details of the Core Strategy. He outlined proposals showing how Peterborough would grow during the next 20 years and how issues such as housing, the local economy and the environment would be affected. It was noted that the main areas for growth were Great Haddon, the City Centre, Norwood/Paston Reserve and Stanground and that more rural settlements would see limited growth.

Members of the public were advised that the views of all Neighbourhood Councils were sought, prior to the presentation of the Core Strategy to the meeting of full Council on 2 December. The Chairman then invited queries or comments on the proposals. The following questions (and subsequent responses) were raised and noted:

- i) Will more facilities be provided in this area, for example a cinema or swimming pool and will central government help with making provision for the extra people coming to the area?

*In response to this question, the Strategic Planning Manager advised that developers would be expected to make a contribution to any new facilities and that central Government would also contribute.*

- ii) With the city's Environment Capital aspirations in mind, what efforts would be made to improve shops and supermarkets in the area and return vacant shops to use?

*The Strategic Planning Manager stated that the focus in respect of retail would be in the city centre.*

- iii) What plans will be made for the increase in numbers of people of retirement age?

*The Strategic Planning Manager explained that issue of adaptable 'lifetime homes' was a nationwide problem and one which was currently on the national agenda. Developers were required to include 30% affordable homes within new developments, which the Council considered a viable target.*

- iv) Will the road infrastructure be improved to avoid exacerbating the problem of traffic congestion?

*The Strategic Planning Manager stated that if this matter comes through in individual Neighbourhood Plan, evidence will be gathered with a view to seeking improvements.*

- v) We have an Ikea distribution centre in the city but no retail outlet. Why can the Council not stipulate that distribution centres such as this are also accompanied by a retail outlet? There is also a lack of public conveniences in the city centre – will this issue be addressed?

*It was emphasised that Neighbourhood Councils had been established to engage with local communities and address such issues*

- vi) Can consideration be given to holding Neighbourhood Council meetings at different times and also providing transport to enable people to attend?

*The Chairman indicated that she would be prepared to consider arranging meetings at different times.*

- vii) Councillor Miners requested that full consideration be given to ensuring that the Bluebell allotment site, which was currently earmarked for disposal, was retained as allotment land and not sold as planned.

*The Strategic Planning Manager confirmed that that this matter would be considered at a future meeting (possibly March 2010) when site specific documents were available.*

- viii) What plans will be made to cater for young people and to deal with anti-social behaviour?

*It was explained that these matters would be considered as part of the whole Strategy and input from other agencies and services would be sought. He added that residents were able to make their views known on planning applications, should they feel that plans for new development did not address potential anti-social behaviour issues.*

- iv) How will rural areas be affected by the Strategy and why does the Strategy not include plans to develop the Castor area which already has an appropriate road infrastructure in place? Also, as people often live close to their place of work, will there be enough jobs for people moving to the area?

*The Strategic Planning Manager advised that developers would be required to provide basic facilities and amenities when developing in rural areas and the Council could influence what these would be. With regard to Castor, it was felt that Great Haddon was a more appropriate area to focus upon but Castor may be looked at in the future if appropriate. In respect of housing provision, this query will be referred to a colleague, Anne Keogh for response. With regard to jobs, as a rule we work on the basis that for every one house created we will need one job and it is hoped that the majority of people moving into the area will also work in the area.*

- x) What assurances can be given that any future developments will be designed to deter crime and vandalism?

*In response, the Strategic Planning Manager explained that there were a number of ways of addressing such concerns, including planting, avoiding the creation of 'blind alleys, etc.*

In concluding the discussion, the Chair thanked everyone for their comments. It was noted that elected Members would be made aware of the views expressed at the Neighbourhood Council meeting when the Core Strategy was considered at full Council on 2 December 2009.

This page is intentionally left blank

**PETERBOROUGH CORE STRATEGY – LIST OF RECOMMENDED  
CHANGES TO THE VERSION PRESENTED TO CABINET ON 12  
OCTOBER 2009**

1. **Page 34 – Paragraph 5.4.8:** Immediately after this paragraph, insert a new paragraph to read: ‘Table 7, at the end of chapter 7, provides the detailed information that lies behind the bars of the trajectory. For future years (2009/10 to 2025/26) it sets out the expected delivery of additional dwellings according to location, and divided between those which are committed and those which are proposed. It therefore provides a basis for detailed monitoring of the delivery of the housing development proposed in this Strategy.’
2. **Page 43 - Policy CS 3:** In the 3<sup>rd</sup> bullet point, replace ‘SSSI and SAC’ with ‘SSSI, SAC, SPA and Ramsar site’.
3. **Page 43 – Policy CS 3:** Insert a new bullet point, after the 3<sup>rd</sup> bullet point, to read ‘arrangements to prevent potential contamination of surface and groundwater and soils’.
4. **Page 43 – Policy CS 3:** In the 6<sup>th</sup> bullet point, replace ‘visual impact on the landscape’ with ‘visual and landscape impacts’.
5. **Page 44 – Policy CS 3:** In the first sentence of the final paragraph, change ‘an’ to ‘a project level’. In the second sentence of the final paragraph, after ‘that’ insert ‘all feasible alternative regional locations have been considered and the selected location is the least damaging for habitats, for species and for the integrity of the Natura 2000 sites, regardless of economic considerations, and that no other feasible alternative exists that would not affect the integrity of the site; and that’
6. **Page 44 – Paragraph 5.8.9:** After the first sentence, insert ‘The policy makes reference to strategic and local transport issues. For strategic issues, the prospective developer will be expected to demonstrate what changes in traffic movements (and associated greenhouse gas emissions) will arise from the development, including such matters as the number, length and volume of journeys likely to be transferred from road to rail, the nature of emissions from construction traffic, journeys generated by employees and servicing of the site once operational. For local issues, there will be a requirement for sustainable transport infrastructure in accordance with policy CS 13, to minimise the potential for car-based journeys to work.’ Turn the sentence beginning ‘The Council is aware’ into a new, separate paragraph.
7. **Page 46 – Policy CS 4:** In the final paragraph, change ‘the development’ to ‘the Council will require the completion of a project level Appropriate Assessment under the Habitats Regulation Assessment process. Such an assessment must clearly demonstrate that the development will have no harm to protected species and habitats, in accordance with the relevant regulations. The development’. In the first bullet point of this paragraph, insert ‘help to’ in front of ‘alleviate’. Amend the second bullet point of this paragraph to read ‘Dependent upon the findings of the EIA, informed by the Appropriate Assessment, a management strategy to ensure that inappropriate access to Orton Pit SAC is controlled and regulated to prevent adverse impacts to sensitive interest features’.
8. **Page 51 – Paragraph 6.2.16:** Delete ‘The results from the SA identified’ and replace with: ‘This policy was not subject to its own separate appraisal at submission stage, being appraised as part of the overall spatial strategy. However, from the earlier (Preferred Options stage) appraisal, it can be concluded that there will be’. Delete the last sentence.

9. **Page 55 – Paragraph 6.3.18:** At the end of this paragraph, add ‘However, it should be noted that this 30% is not a ceiling; a higher proportion may be achievable where there are no abnormal development constraints and there are opportunities for early promotion and planning with developer partners and the Homes and Communities Agency.’
10. **Page 65 – Paragraph 6.6.9:** Immediately after this paragraph, insert a new paragraph to read: ‘**Outcome of Sustainability Appraisal** – The results from the SA conclude that the policy is considered to have a positive impact on overall sustainability in Peterborough. There will be significant positive effects in relation to the following sustainability objectives: minimise non-renewable energy consumption and ‘greenhouse’ emissions; keep water consumption within carrying capacity limits and protect water resources; minimise consumption of non-renewable natural resources; and help deliver sustainable development through driving waste management up the waste hierarchy. No significant negative effects are identified.’
11. **Page 67 – paragraph 6.7.8:** Amend to read: ‘**Outcome of Sustainability Appraisal** – The SA identifies no significant negative effects or outcomes arising from the policy. There will be significant positive effects in relation to the following sustainability objectives: minimise pollution of natural resources; minimise pollution that causes disturbance; minimise non-renewable energy consumption and ‘greenhouse’ emissions; and minimise consumption of non-renewable natural resources.’
12. **Page 70 – Paragraph 6.8.12:** Immediately before this paragraph and its heading, insert a new paragraph to read: ‘Where there is a major development proposal which requires its own (on-site and/or off-site) infrastructure, and the proposal is subject to EIA and/or project level Appropriate Assessment under the Habitats Regulations, the Council will require the developer to consider the likely effects of the development and all of its supporting infrastructure as a whole, so that potential in-combination effects can be fully assessed before any decisions are taken.’
13. **Page 70 – Paragraph 6.8.12:** Immediately after the new paragraph inserted (above), insert another new paragraph to read: ‘**Outcome of Sustainability Appraisal** – The results from the SA conclude that the policy is expected to have mixed sustainability effects. Significant positive effects are expected on access to services and facilities. Positive effects are also expected on diversifying the economy and increasing economic vitality. However, by supporting potential upgrades to transport infrastructure, and thus facilitating travel, this policy may reduce the effectiveness of other policies designed to reduce travel. Appraised in isolation, the policy could have some significant negative effects, but these are generally mitigated by other policies, particularly policies CS 9, CS 10 and CS 13.’
14. **Page 75 – Paragraph 6.10.5:** At the end of this paragraph, add ‘The transport requirements and implications of the development proposed in the Core Strategy have been tested through the Peterborough Transport Model. This has demonstrated that the transport network will be able to cope with the projected volumes of traffic, provided there is appropriate and timely investment in transport infrastructure (as defined in the IDP and emerging LTTS). There are alternative potential solutions and these will be explored and assessed through the LTTS, with identified infrastructure being included in the IDP as it is rolled forward.’
15. **Page 77 – paragraph 6.10.11:** Move this paragraph to after 6.10.12 and amend to read: ‘**Outcome of Sustainability Appraisal** – The SA identifies no significant negative effects or outcomes arising from the policy. There will be significant positive effects in relation to the sustainability objectives of reducing the need/desire to travel and promoting alternatives to road and air based travel.’
16. **Page 77 – Paragraph 6.10.13:** Under the heading ‘Policy and Evidence Sources’ add another bullet point to read ‘Peterborough Core Strategy Traffic Assessment Technical Note, Atkins (September 2009)’.



17. **Page 79 – Policy CS14:** In the second paragraph, replace ‘and Great Haddon’ with ‘, Great Haddon and any other major development areas if they arise’.
18. **Page 79 – Policy CS14:** In the third paragraph, replace ‘Planning Policies’ with ‘Site Allocations’.
19. **Page 81 – Paragraph 6.11.16:** Delete the second sentence and replace with ‘There will be a significant positive effect in relation to the sustainability objective of promoting a more vibrant Peterborough City, and there will be a number of uncertain or significant mixed effects.’
20. **Page 83 – Policy CS15:** In the fourth paragraph, replace ‘150,000’ with ‘80,000’.
21. **Page 84 – Paragraph 6.12.15:** Amend to read: ‘**Outcome of Sustainability Appraisal –** The SA appraises the policy positively overall, but given the substantial scale of development proposed, there are many mixed and several negative scores. Other policies in the Core Strategy are considered to mitigate for identified significant negative effects on flood risk and the consumption of natural resources, but the significant negative effect on the non-renewable energy consumption was not felt to be mitigated, given the substantial initial consumption of energy that will be required to undertake proposed development in the City Centre. Given the regeneration expected from the policy, positive effects have been appraised for objectives to improve employment generation, improve access to services and reduce the need to travel by car, and the overall vibrancy of the City.’
22. **Page 85 – Policy CS 16:** In the second bullet point, change ‘and which does not have a negative impact on biodiversity’ to ‘and which protects or enhances biodiversity.’
23. **Page 85 – Policy CS 16:** In the fourth bullet point, delete ‘, where viable,’
24. **Page 87 – Paragraph 6.13.11:** Amend to read: ‘**Outcome of Sustainability Appraisal –** The SA identifies no significant negative effects or outcomes arising from the policy. There will be significant positive effects in relation to the following sustainability objectives: promote a more vibrant Peterborough City; minimise non-renewable energy consumption and ‘greenhouse’ emissions; help deliver sustainable development through driving waste management up the waste hierarchy; minimise consumption of non-renewable natural resources; and keep water consumption within local carrying capacity limits and protect water resources (taking account of climate change). There are uncertain effects in relation to the following sustainability objectives: protect and enhance landscape and townscape character, retaining local distinctiveness and protecting historic and cultural assets; and reduce vulnerability to flooding, including sea level rise (taking account of climate change).’
25. **Page 88 – Policy CS 17:** In the first sentence, change ‘historic features’ to ‘historic features and their settings’.
26. **Page 89 – Policy CS 17:** Amend so that the sentence beginning ‘All new development must’ becomes the start of a separate paragraph, and there is no paragraph break after ‘high heritage value’.
27. **Page 89 – Paragraph 6.14.12:** Insert a new paragraph after paragraph 6.14.12 to read as follows: ‘The policy refers to non-listed Buildings of Local Importance. The Council is committed to producing and maintaining an organised inventory of such buildings, with selection based on robust criteria. The identification of buildings for the inventory will follow a process of consultation and the inventory will be included in the Peterborough Planning Policies DPD.’
28. **Page 89 – Paragraph 6.14.13:** Amend to read: ‘**Outcome of Sustainability Appraisal -** The SA identifies that the policy will have a significant positive effect on the following sustainability objective: protect and enhance landscape and townscape character, retaining

local distinctiveness and protecting historic and cultural assets. No negative or uncertain effects are identified.'

29. **Pages 91 and 92 – Policy CS 18:** Delete the definition of sustainable transport modes 'walking, cycling and public transport modes including water taxis on the River Nene' from the fourth bullet point of the second paragraph and, instead, insert it into the second bullet point of the first paragraph, after the word 'modes'.
30. **Page 93 – Paragraph 6.15.15:** Amend to read: '**Outcome of Sustainability Appraisal –** The SA identifies that the policy will have significant positive effects in relation to the following sustainability objectives: help everyone access basic service and facilities locally, easily, safely and affordable; promote a more vibrant Peterborough City; and diversify the economy and increase economic vitality to aid regeneration (including reducing vulnerability and harnessing opportunities arising from the global economy and climate change). No significant negative effects are identified. Uncertain/neutral effects are identified in relation to the following sustainability objectives: protect and enhance landscape and townscape character; and minimise non-renewable energy consumption and 'greenhouse' emissions.'
31. **Page 94 – Paragraph 6.16.1:** At the end of the paragraph, add 'In addition to its functions as places for recreation and the protection of biodiversity, green infrastructure has a role to play in:
  - water management
  - sustainable transport corridors
  - community food growing
  - the protection of environmental heritage
  - forestry or biomass production'
32. **Page 96 – Paragraph 6.16.14:** Amend to read: '**Outcome of Sustainability Appraisal -** The SA identifies no significant negative effects or outcomes arising from this policy. There will be significant positive effects in relation to the following sustainability objectives: protect and enhance biodiversity and geo-diversity (taking account of climate change); reduce vulnerability to flooding, including sea level rise (taking account of climate change); and protect and enhance landscape and townscape character, retaining local distinctiveness and protecting historic and cultural assets.'
33. **Page 100 – Policy CS 21:** In the second paragraph, change 'and Ramsar Sites' to 'Ramsar Sites and Sites of Special Scientific Interest'. Delete 'SSSI,' from the third paragraph.
34. **Page 101 – Paragraph 6.18.10:** After this paragraph, insert a new paragraph to read: 'The Habitats Regulations Assessment for the Core Strategy identifies a potential issue of damage to the habitat of the Orton Pit SAC arising from changes in air quality, as a result of the cumulative effect of development in Peterborough on local traffic volumes. The situation (particularly with respect to nitrogen deposition) is not clear and will depend on a wide variety of factors including the volume of traffic, speed of traffic and improvements in vehicle technology over the time horizon of the Core Strategy. The City Council, in conjunction with Natural England if appropriate, will aim to monitor levels of air pollution in and around Orton Pit SAC at regular intervals, with a view to implementing appropriate traffic management measures if there is evidence that there are changes in air quality which are likely to have a significant effect on the integrity of the site.'
35. **Page 102 – Paragraph 6.18.12:** Amend to read: '**Outcome of Sustainability Appraisal -** The SA identifies no significant positive or negative effects or outcomes arising from this policy. The protection offered is strong but there is nevertheless potential for adverse effects on Peterborough's valued biodiversity because of the large scale of development which is required by the East of England Plan and the fact that such development will often be in close proximity to high value biodiversity sites. As a result, the SA identifies a number of sustainability objectives where the effects are mixed or uncertain.'

36. **Page 103 - Policy CS 22:** In the first paragraph, put a \* beside '(2008)' and '(2009)', and add a note at the end of the paragraph to read '\* Or any equivalent subsequent assessment'.
37. **Page 104 - Policy CS 22:** In the penultimate paragraph, after the first sentence, insert: 'SUDS will be expected for all developments where run off or flash floods may threaten the integrity of any international or European site of nature conservation importance. Where such a threat exists and SUDS are not feasible, development will not be permitted.' In the second sentence, replace 'these systems' with 'SUDS'.
38. **Page 105 - Paragraph 6.19.17:** Amend to read: '**Outcome of Sustainability Appraisal** - The SA identifies no significant positive or negative effects or outcomes arising from this policy. Given the considerable existing flood risk throughout Peterborough and the expected expansion of flood zones with the effects of climate change, coupled with the large scale of development which is required by the East of England Plan, there are likely to be uncertain or mixed effects for the sustainability objectives of helping make suitable housing available and affordable for everyone, and reducing vulnerability to flooding, including sea level rise.'
39. **Page 108 – Paragraph 7.0.10:** Immediately after this paragraph, insert a new paragraph to read: 'At the end of this chapter, Table 7 provides details of the expected delivery of additional dwellings for each of the years to 2025/26 according to location, and divided between those which are committed (at 1 April 2009) and those which are proposed. It forms the basis for the housing trajectory illustrated in Figure 2 (section 5.4). Net housing completions will be monitored annually for each of the location categories contained in the table, so that the Council can assess (and report via the AMR) the extent to which the spatial strategy for residential development is being achieved. This will help the Council and its partners to identify when some intervention or other management action is necessary to ensure successful implementation of the strategy.'
40. **Page 130 - Implementation and Monitoring Chapter:** Under the 'Indicators' column insert 'Air quality in and around Orton Pit SAC'. Under the 'Targets and dates' column insert 'No reduction in quality to the extent that there is a significant effect on the integrity of the site'.
41. **Page 135 – Appendix A:** In the right hand column, inset 'CF5' alongside policy CS 2.
42. **Page 135 – Appendix A:** In the right hand column, insert 'R2, R3' after 'R1' alongside policy CS 14.
43. **Page 135 - Appendix A:** In the right hand column, delete 'LT3, LNE8' from alongside policy CS 19.

This page is intentionally left blank

## Cambridgeshire and Peterborough Minerals and Waste Core Strategy

List of Recommended Changes to the version presented to

Cabinet on 12<sup>th</sup> October 2009

Page	para	Suggested Wording amendment
7	2.15, Bullet 5	Add 'Management' to read 'Waste Management Design Guide'.
17	Policy CS2, Title	Add 'Management' to read '....Sustainable Waste Management Development' Management Design Guide'.
19	Policy CS2, Bullet 10	Add 'Management' to read 'Waste Management Design Guide'.
34	Policy CS11	Remove underlining from title.
35	Policy CS12	Remove underlining from title.
44	7.27	Amend as follows <i>italic text = new text</i> As part of its ongoing waste management strategy to manage municipal waste in a more sustainable manner Peterborough City Council is intending to develop a modern <del>local household recycling facility centre</del> to replace <del>the</del> Dogsthorpe <del>facility in</del> to serve the <del>centre</del> or north and east of the City. A further <del>local household recycling facility centre</del> is also proposed <del>in</del> to serve the <del>southern</del> south and west part of Peterborough in the longer term.
44	7.28	Delete
44	7.29	Re word to read as follows The broad locations identified in this policy reflect the requirement for household recycling centres arising from known strategic growth areas. However, during the life of this Plan further developments will come forward, the scale and location of which is not yet know.
44	New para	In delivering these recycling centres the WPAs will look to district and city councils, developers and landowners to support and help facilitate the provision of this important community service. Future development proposals across the Plan area will be required to contribute to the provision of household recycling centres. The scale and nature of contribution will be consistent with the guidance set out in the RECAP Waste Management Design Guide; and in Peterborough, the Planning Obligations Implementation Scheme. Both will be Supplementary Planning Documents.
44	Policy CS16, Final para	Delete the word 'housing'. Add 'Management' to read 'Waste Management Design Guide'. Delete the final two words 'in Peterborough'.
60	Policy CS27, Bullet 'f'	Add in 'navigation' to criteria (f) to read 'where a site is suitable to provide amenity uses, including formal and informal sport, <b>navigation</b> , and recreation uses, this must be incorporated in the restoration scheme'.
61	10.4	Add 'Management' to read 'Waste Management Design Guide'.
61	10.5	Reword initial part of first sentence to read 'The RECAP Waste Management Design Guide includes a Toolkit (which must be submitted as part of a planning application) which provides a framework for developers and planners to assess compliance..... Final sentence amend to read 'In Peterborough, the scale and nature of developer contributions be consistent with the Planning Obligations Implementation Scheme'.
62	Policy CS28, First sentence	Replace 'through' with 'by'
62	Policy CS28, Bullet 2	Delete and replace with 'submission of a completed RECAP Waste Management Design Guide Toolkit Assessment'.
62	Policy CS28, Bullet 3	Delete the word 'housing', replace 'will' with 'to'... to read 'new development to contribute to the provision of bring sites'. Add 'Management' to read 'Waste Management Design Guide'.

62	Policy CS28, Bullet 4	Replace 'major' with 'strategic'.
65	10.29, First sentence	Delete the words as shown below The safeguarding area will extend to 400 metres around the boundary of the site. <del>or to the nearest existing odour sensitive development if this is closer than 400 metres.</del>
65/66	Policy CS31, Sentence 1	Replace the word 'plants' with 'works' Waste Water Treatment Works Safeguarding Areas will be identified around existing (and allocated) waste water treatment <del>plants</del> <i>works</i> .
65/66	Policy CS31, Sentence 2	Delete the words 'up to' Waste Water Treatment Works Safeguarding Areas will be identified in the Site Specific Proposals Plan and defined on the Proposals Map, extending <del>up to</del> 400 metres around existing and proposed works,...
	Monitoring Chapter	<p>The Sustainability Appraisal of the Minerals and Waste Core Strategy recommended inclusion of an indicator on the impact of minerals and waste development on the extent of Public Rights of Way.</p> <p>The following indicators will be added to the Monitoring Chapter.</p> <p><b>Objective</b> To protect and enhance recreation opportunities for all, including access to the countryside and greenspaces, through mineral site restoration and waste management development.</p> <p><b><u>Minerals Development</u></b></p> <p><b><u>Indicator 1</u></b> Number of implemented mineral planning permissions adversely affecting the permanent use of the public rights of way network. (<i>'adversely affected'</i> means no permanent alternative route is to be provided)</p> <p><b>Target</b> Nil</p> <p><b>Frequency :</b> Annual (financial year).</p> <p><b><u>Indicator 2</u></b> Number of implemented mineral planning permissions resulting in an enhancement of the public rights of way network. (<i>'enhancement'</i> includes creation of new or extended public rights of way (on or off-site), and improvements in quality through sign posting, fencing, re-surfacing etc).</p> <p><b>Target</b> Greater number than Indicator 1.</p> <p><b>Frequency :</b> Annual (financial year).</p> <p>Data to be collected by MPA in conjunction with PROW Officer or equivalent officer.</p> <p><b><u>Waste Development</u></b></p> <p>As above for waste.</p>

#### Note

The changes listed are limited to changes to policy wording and associated changes in supporting text. Other minor typographical changes, for example, 'were' to 'where' are omitted.

## Cambridgeshire and Peterborough Minerals and Waste Site Specific Proposals

List of Recommended Changes to the version presented to  
Cabinet on 12<sup>th</sup> October 2009

The recommended amendments fall into two categories. Amendments to mapped features and amendments to the Site Implementation sections arising from the Sustainability Appraisal outcome.

The changes are tabled separately below.

Amendments to Mapped Features		
Page	Ref	Suggested Amendment
Please note there are no recommended amendments to any proposed site boundary for mineral extraction or waste management in Peterborough. The changes below relate to the boundaries of consultation areas or safeguarding areas.		
<b>Mineral Consultation Areas (MCA)</b>		
69	M9X	Pode Hole MCA - Amend MCA boundary to follow property and road lines
116	M9A	Bainton MCA - Amend MCA boundary to follow property and road lines
117	M9F	Cooks Hole MCA – Amend map to show extent of adjacent permitted sites and amend MCA to incorporate permitted sites (see p220 for example of presentation style)
128	M9AG	Thornhaugh 1 MCA - Amend map to show full extent of permitted quarry and the extent of adjacent permitted sites. Amend MCA to incorporate permitted sites (see p220 for example of presentation style)
<b>Waste Consultation Areas (WCA)</b>		
152	W8R	Dogsthorpe WCA - Amend WCA boundary to follow property and road lines
169	W8AL	Maxey WCA - Amend WCA boundary to follow property and road lines
190	W8BE	Storey's Bar Road WCA - Amend WCA boundary to follow property and road lines
195	W8BI	Thornhaugh II WCA - Amend map to show the extent of adjacent proposed sites and extent of permitted landfill site. Amend WCA to incorporate permitted and proposed sites (see p220 for example of presentation style)
198	W8BJ	Thornhaugh IIB WCA - Amend map to show the extent of adjacent proposed sites and extent of permitted landfill site. Amend WCA to incorporate permitted and proposed sites.
211	W8BI	Cooks Hole WCA - Amend map to show the extent of adjacent proposed sites and extent of permitted landfill site. Amend WCA to incorporate permitted and proposed sites.
220	W8BH	Thornhaugh I WCA - Amend map to show the extent of adjacent proposed sites and extent of permitted landfill site. Amend WCA to incorporate permitted and proposed sites.
288	W8S	Dogsthorpe Landfill WCA – Delete. The extent of the WCA is already shown as W8R on page 152.
325	T2B	Bourges Boulevard Rail Sidings Safeguarding Area - Amend boundary to follow property and road lines.
<u>Omission from Cabinet version 12 October 2009</u> It has been noted the waste consultation area at Southorpe inert landfill site was not shown. This error has since been amended. The Southorpe WCA will appear in the Submission version. Page 125 shows the MCA which has an identical boundary.		
<b>Mineral Safeguarding Areas</b>		
The Minerals and Waste Site Specific Proposals document presented to Cabinet on 12 <sup>th</sup> October show the extent of Limestone, Sand and Gravel, and Brick Clay mineral resources to be safeguarded. The safeguarding areas covered sites which have been quarried and later used for landfill or alternatively restored to water / biodiversity features. The geographical extent of such previously quarried sites has been noted and the areas removed from the Mineral Safeguarding Areas (MSA) maps.		
Further geological assessment of the extent of the brick clay resource within the Whittlesey area has provided evidence to amend the MSA boundary within close proximity to the brickworks and the Kings Delph site proposal for brick clay extraction.		

**Amendments to Site Implementation sections**

<b>Page</b>	<b>Site Ref</b>	<b>Suggested Wording amendment</b>
<p>Feedback from the Sustainability Appraisal has highlighted the need to strengthen the Site Profile Implementation Sections. This has required cross referencing each site assessment to ensure all appropriate implementation issues are reflected in the Site Profile Implementation Section.</p> <p>A Site Profile exists for each of the preferred options sites proposed for allocation. The Peterborough Site Profiles amendments are set out below.</p>		
67	M1E Approximate Timescale Year	<p><b>Maxey (Mineral)</b></p> <p>Amend to read as follows <i>italic text = new text</i>            Extraction expected to commence in <del>2040</del> 2012 and last for approximately 15 years</p>
	Site characteristics	<p>Add following bullet points</p> <ul style="list-style-type: none"> <li>- Eastern part of site within Flood Zone 3</li> <li>- Site is archaeologically rich</li> </ul>
	Implementation issues	<p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- That part of the quarry that lies to the east of Etton Road is within flood zone 3 and, therefore, a flood risk assessment will be required and any potential effects mitigated to ensure that if inert waste landfill is proposed as part of the reclamation proposals it can be accommodated.</li> <li>- Measures are required to address any potential health and amenity issues for residents living in the vicinity of the quarry and on users of public rights of way</li> <li>- Reclamation of the site will be to agriculture with opportunity taken for additional tree planting, biodiversity enhancement and for improving public access.</li> <li>- Reclamation should be to agriculture with opportunity taken for additional tree planting, biodiversity enhancement and improving public access</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- The same site entrance, <i>off Maxey Road</i>, and plant site is required to be used for the mineral extraction. <i>Consideration will need to be given to the use of this access for the importation of inert waste to reclaim that part of the quarry east of Etton Road or whether it would be more appropriate to agree an alternative access point.</i></li> </ul>
69	M1F Site Characteristics	<p><b>Pode Hole</b></p> <p>Add following bullet points</p> <ul style="list-style-type: none"> <li>- South eastern part of site lies within Flood Zones 2 and 3a</li> <li>- 132,000 volt overhead power line traverses the site</li> </ul>
	Implementation Issues	<p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Opportunity should be taken within the restoration scheme to provide nature conservation benefits on the eastern side of Cats Water Drain. This would be similar to that already provided on the western side of the Drain as part of the restoration proposals for the landfill (southern extension) at Eyebury Quarry. <i>Creation or enhancement of Biodiversity Action Plan habitat particularly within and alongside the ditches will be encouraged.</i></li> </ul> <p>Add following bullet point</p> <ul style="list-style-type: none"> <li>- Measures are required to address any potential health and amenity issues for residents living in the vicinity of the site and for users of public rights of way and walkers and cyclists using Willow Hall Lane.</li> </ul>
150	W1H , W2C, W4B Site Characteristics	<p><b>Cross Leys Quarry, Wittering</b></p> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Former ironstone quarry. Limestone originally thrown back as waste has been quarried as well as quarrying of previously unworked limestone.</li> </ul> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Great Crested Newts have been identified within the quarry</li> <li>- Within an area of Best Landscape value</li> <li>- Within flood zones 2 and 3</li> </ul>



		<ul style="list-style-type: none"> <li>- Three listed buildings (grade II) within 500-1000m of the site</li> <li>- Flood Zone 1.</li> </ul>
	Implementation Issues	<p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- An Environmental Impact Assessment will be required to address, as a minimum, hydrology, landscape and nature conservation issues including impact on protected species.</li> </ul> <p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- A Traffic Assessment will be required.</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- A hydrological assessment will be required <i>as the site is on a major aquifer (groundwater vulnerability issues) and there are streams and drains adjacent and near to the site. Additionally there are a number of abstraction points in the vicinity from which local residents obtain drinking water.</i></li> </ul> <p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- A flood risk assessment may be required.</li> </ul> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Landscape assessment required to take into account updated landscape character assessment;</li> <li>- Measures are required to address any potential health and amenity issues for any residents living in the vicinity of the quarry and on users of public rights of way in the locality;</li> <li>- The reclamation of the site should be for agriculture but incorporating additional tree planting and biodiversity enhancement - and, in particular, making provision for the Great Crested Newt population within the approved scheme.</li> </ul>
152	W11 Site Characteristics	<p><b>Dogsthorpe</b></p> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Flood Zone 1</li> <li>- Rising water main within site allocation</li> <li>- Site is proximate to Star Pit SSSI</li> </ul>
	Implementation Issues	<p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- Any waste management development proposal will need to demonstrate that there is no adverse impact on Star Pit SSSI by airborne or waterborne pollutants.</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Any dust, odour, noise, litter, light pollution and vermin issues must be identified and addressed to ensure that any potential amenity or health impacts <i>on local residents</i> are effectively mitigated and minimised by good design and enclosure of facilities.</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- New waste management development including a Household Recycling Centre is expected to be enclosed within a building to reduce the likelihood of impact on the surrounding area. <i>The building should be built to a high standard of design in accordance with the 'Design and Location of Waste Management Facilities' Supplementary Planning Document (SPD).</i></li> </ul> <p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- The spinney should be retained in the western corner of the site as part of any development scheme to provide landscaping and screening and because it is likely to have developed nature conservation interest.</li> </ul>
163	W1N Approximate Timescale Year	<p><b>Hampton</b></p> <p>Add '2010' into to read '2010-2015'</p>
	Site Characteristics	<p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- Flood Zone 1</li> </ul>

	Implementation Issues	<p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- An assessment will be required of the potential impact of any proposed development on the Pump House Pit County Wildlife site to the south of the site or one Orton Pit SSSI to the west and mitigation measures must be set out to demonstrate that any potential adverse impacts on wildlife (particularly the common lizard and great crested newt) or wildlife habitat can be ameliorated.</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Any HGV traffic associated with the proposal should be routed away from residential areas <i>towards Fletton Parkway</i></li> </ul> <p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- Measures are required to address potential health and amenity issues for the future occupiers of housing development proposed to the north west of the site, users of the playing field proposed to the west of the site beyond the railway line, users of the right of way and other nearby sensitive receptors.</li> </ul>
170	W1Q / W2D Site Characteristics	<p><b>Maxey East (Inert waste landfill and recycling)</b></p> <p>Amend to read as follows <i>italic text = new text</i> The site is adjacent to <i>an</i> existing active quarry</p> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Site is located on 2 minor aquifers but no source protection zones</li> <li>- Most of the site is within Flood Zone 3</li> <li>- The site is of considerable archaeological value</li> </ul>
	Implementation Issues	<p>Add following bullet point:</p> <ul style="list-style-type: none"> <li>- Depending on the volume and extent of infill proposed an Environment Impact Assessment may be required</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Flood Risk Assessment will need to be completed <i>as the site is within Flood Zone 3. Mitigation measures should be proposed to accommodate any issues raised. It is unlikely that landfill will be permitted that raises ground levels above that of the surrounding land.</i></li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- The same site entrance, <i>off Maxey Road</i>, and plant site is required to be used <i>for the mineral extraction. Consideration will need to be given to the use of this access for the importation of inert waste to reclaim that part of the quarry east of Etton Road or whether it would be more appropriate to agree an alternative access point if this occurs when the existing quarry and the southern extension have been completed or largely completed and the continued use of the access would prevent the completion of the reclamation of the majority of the quarry.</i></li> </ul> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- The impact of noise and dust from landfill and recycling operations on the users of the A15 and Maxey Road, local residents, visitors to the restored quarry area or users of rights of way needs to be considered and mitigation measures put in place to minimise its impact and to safeguard health and amenity.</li> <li>- A Flood Risk Assessment will be required</li> <li>- Reclamation of the site should be to agriculture but with opportunity taken for additional tree planting, for biodiversity enhance and for improving public access.</li> </ul>
191	W1AA Site Characteristics	<p><b>Land off Storey's Bar Road, Fengate</b></p> <p>Add following bullet points</p> <ul style="list-style-type: none"> <li>- Sites lies within flood zones 2 and 3</li> <li>- Consent granted by the Secretary of State for Energy and Climate Change in November 2009 for an Energy Park</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p>

	Implementation Issues	<p>- Adjacent to Peterborough power station - <i>high pressure gas pipeline runs through site and 132 volt overhead power line traverses the site.</i></p> <p>Add following bullet points</p> <ul style="list-style-type: none"> <li>- An Environment Impact Assessment will be required to include, as a minimum, hydrological, landscape and nature conservation issues</li> <li>- The site layout will need to take account of the constraints posed by the high pressure gas pipeline and over head power line.</li> <li>- Measures are required to address any potential amenity impacts on residents living in the vicinity of the site, users of public rights of way in the locality and on visitors to Flag Fen Bronze Age site.</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Site lies within the Padholme Catchment and there is an unacceptable risk of flooding from a greater than 1 in 50 year event. A Strategic Flood Risk Assessment <i>will</i> be required to identify and quantify the flood risks involved and the requirements for mitigation measures. It is likely that a contribution will be required towards the overall flood protection scheme for the Padholme Catchment area (Fengate industrial estate). Development of the site should not take place without appropriate mitigation measures in place.</li> <li>- Protected species within or close to the site (water voles) - <i>with nearby ditches providing opportunity for biodiversity habitat and species enhancement.</i></li> <li>- An archaeological assessment <i>will</i> be required as this is an area of significant archaeological interest and is close to Flag Fen. It will need to be demonstrated that any development does not adversely both impact on the archaeological remains present at Flag Fen and on the activities at Flag Fen as a tourist facility</li> <li>- A hydrological assessment will be required as situated above a minor aquifer. No source protection zones. <i>The assessment will also be required to demonstrate that any development proposed will not result in the dewatering of the archaeological remains at Flag Fen. Long term hydrological monitoring will be required in this respect.</i></li> <li>- A landscape and visual assessment will be required. Development of the site will form an extension to the industrial area and will be viewed in context of the adjacent power station. Nevertheless it <i>will</i> still be obtrusive in the context of the flat arable fens and landscape screening needs to take this into account.</li> <li>- A traffic assessment will be required and it is likely that improvements will be needed to the access into the site. <i>Vehicles should be routed away from residential areas wherever practicable and towards strategic highways.</i></li> </ul>
195	W1AC / W2E Site Characteristics	<p><b>Thornhaugh II</b></p> <p>Amend to read as follows <i>italic text = new text</i></p> <p>There is some remaining limestone to be extracted <i>mainly at the eastern side of the site</i> and stockpiles of mineral on the site</p> <p>Add following bullet points</p> <ul style="list-style-type: none"> <li>- There is an existing access off the A47.</li> <li>- Remains of a medieval village and Siberton Lodge, a listed building, lie to the north of the A47.</li> <li>- Site within an area of best Landscape</li> <li>- Flood Zone 1</li> <li>- Site is located on a major aquifer</li> <li>- Site partially lies within flood zones 2 and 3</li> <li>- Footpath crosses site</li> <li>- High pressure gas pipelines run in close vicinity of the site</li> </ul>

	Implementation Issues :	<p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Measures <i>required</i> to protect/ <i>translocate</i> protected species (great crested newts)</li> </ul> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Hydrological assessment required to ensure that there are no groundwater pollution issues as a result of landfill</li> <li>- Flood Risk Assessment required</li> <li>- Consideration needs to be given to the type and proximity of pipelines within or close to the site in an scheme</li> <li>- Consideration needs to be given to the potential impact on the historic environment including listed buildings in the vicinity of the quarry and measures put forward, if necessary, to ensure that there are no adverse effects</li> <li>- The reclamation of the site should be for agriculture but incorporating additional tree planting and biodiversity enhancement - and, in particular, making provision for the Great Crested Newt population within the approved scheme. In drawing up the scheme particular consideration needs to be given to ecological sensitivity, visual impact and soil reserves present on site and on improving public access.</li> </ul>
198	W1AD / W2F Site Characteristics	<p><b>Thornhaugh IIB, Bullimore's</b></p> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- No access will be permitted off Kings Cliffe Road.</li> <li>- Remains of a medieval village and Siberton Lodge, a listed building, lie to the north of the A47.</li> <li>- Site within an area of Best Landscape and is highly visible from the A47.</li> <li>- A high pressure gas transmission pipeline crosses the site</li> </ul>
	Implementation Issues	<p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Measures are required to address any potential health and amenity issues for residents living in the vicinity of the quarry and on users of public rights of way including consideration of noise and dust resulting from the operations</li> <li>- Reclamation of this site incorporating inert fill needs to be developed in conjunction with the remainder of the Thornhaugh II Quarry.</li> <li>- A Traffic Assessment will be required</li> <li>- Consideration needs to be given to the potential impact on the historic environment including listed buildings in the vicinity of the quarry and measures put forward, if necessary, to ensure that there are no adverse effects</li> <li>- Consideration needs to be given to the type and proximity of pipelines within or close to the site in an scheme</li> <li>- A hydrological assessment will be required due to groundwater pollution concerns as the site is located on a major aquifer</li> <li>- The reclamation of the site should be for agriculture but incorporating additional tree planting and biodiversity enhancement within the approved scheme. In drawing up the scheme particular consideration needs to be given to ecological sensitivity, visual impact and soil reserves present on site and on improving public access.</li> </ul> <p>Amend bullet points to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Access must be from the A47 not the Kings Cliffe Road. <i>Consideration should be given to the possibility of access to this site on to the A47 being combined with that for Thornhaugh II quarry to the west.</i></li> <li>- It is likely that surveys will need to be undertaken for the presence or otherwise of Great Crested Newts <i>and mitigation measures put forward to protect them either in situ or by translocation</i></li> </ul>
202	W1AF Site Characteristics	<p><b>West of Peterborough</b></p> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- An area of search within a larger area that has permission for clay extraction but which is being considered for residential and commercial development known as Great Haddon. <i>An area of 2-3ha to be identified for waste management purposes within the Area of Search.</i></li> </ul>
	Implementation Issues	<p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- A Traffic Assessment will be required</li> <li>- A right of way is within the area of search and if it is affected by the proposal it will need to be mitigated</li> <li>- Measures are required to address any potential health and amenity issues for residents living in the vicinity of the site, workers in nearby</li> </ul>

		<p>industrial units or users of the right of way.</p> <p>Amend bullet points as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- Access will need to be provided for any potential site from the junction 1</li> <li>- Any development will need to take account of the proximity of Orton Pit SAC and mitigation measures put in place, if necessary, <i>to ensure no adverse impact by waterborne or airborne pollutants especially on Stoneworts or Great Crested Newts</i></li> <li>- Further investigations will need to include a consideration of airborne pollutants, particulates and litter. Proposals will need to demonstrate no impacts <i>or that appropriate mitigation measures can be put in place.</i></li> <li>- Consideration will need to be given to queuing provision that may be required for cars/vehicles waiting to access the <i>Household Recycling Centre if it is developed in this location.</i></li> </ul>
211	W2A Site Characteristics	<p><b>Cooks Hole Quarry</b></p> <p>Amend bullet point to read as follows <i>italic text = new text</i> Bedford Purlieus SSSI/NNR lies to the west</p> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Remains of a medieval village and Siberton Lodge, a listed building, lie to the north of the A47</li> <li>- Site is within an area of Best Landscape</li> </ul>
	Implementation Issues	<p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Measures are required to address any potential health and amenity issues for residents living in the vicinity of the quarry and on users of public rights of way including consideration of noise and dust resulting from the operations</li> <li>- Reclamation of this site incorporating inert fill needs to relate to what has taken place or is proposed at Thornhaugh 1 quarry to the west and what may be proposed at Thornhaugh 11 quarry to the east.</li> </ul> <p>Amend bullet point to read as follows <i>italic text = new text</i></p> <ul style="list-style-type: none"> <li>- It is likely that surveys will need to be undertaken for the presence or otherwise of Great Crested Newts <i>and mitigation measures put forward to protect them either in situ or by translocation</i></li> </ul> <p>Add following bullet points:</p> <ul style="list-style-type: none"> <li>- Consideration needs to be given to the potential impact on the historic environment including listed buildings in the vicinity of the quarry</li> <li>- A landscape assessment will be required to ensure that the impact of operations on the surrounding area is mitigated and that the site can be assimilated into the surrounding area as a result of the reclamation.</li> <li>- The reclamation of the site should be for agriculture but incorporating additional tree planting and biodiversity enhancement. In drawing up the scheme particular consideration needs to be given to ecological sensitivity, visual impact and soil reserves present on site and on improving public access.</li> </ul>

This page is intentionally left blank

COUNCIL	AGENDA ITEM No. 7 (iii)
2 DECEMBER 2009	PUBLIC REPORT

### **NOTICES OF MOTION**

The following notices of motion have been received in accordance with Standing Order 11.1:

#### **1. Motion from Councillor Lane**

That this Council:

- (i) Notes that the current economic crisis is having a significant impact on this city and its people and that this Council has already experienced difficulty with regard to available income which has compelled a number of unfortunate decisions to be made that were driven by elements of cost saving;
- (ii) Recognises that the recession has also left an untold and immeasurable effect on our communities, where some have been left to cope with wage cuts and freezes and in many cases job losses; and therefore
- (iii) Agrees that it would not be appropriate for Members to receive any increase of allowances at a time when others are experiencing such hardships; and
- (iv) Approves the implementation of a three-year freeze on all increases to Members' basic allowances and Special Responsibility Allowances with effect from the start of the 2010/11 financial year.

#### **2. Motion from Councillor Goldspink**

That this Council:

- (i) Agrees that, as a matter of policy, in the interests of ease of access, openness and transparency and to be consistent with the spirit of the Standards Board for England's National Code of Conduct, Members' interests will be automatically published online via the Council's website, unless a Member specifically requests otherwise, in which case a note to that effect will appear on the website instead.

#### **3. Motion from Councillor Sandford**

That this Council:

- (i) Notes that a number of Councils across the country have increased public access and accountability by broadcasting live over the internet proceedings of full Council meetings, and in some cases, also Cabinet and Committee meetings. Councils currently broadcasting full proceedings include Derby, Devon, Brighton, Bristol and Hull;
- (ii) Requests the Leader of the Council to investigate broadcasting Peterborough's full Council and Cabinet proceedings and to submit a report on the matter to the next meeting of the Council outlining key costs and other relevant considerations.

#### **4. Motion from Councillor Ash**

That this Council:

- (i) Notes that when designed, our road network easily met the demands of the day. However, forty years on it is beginning to struggle to meet the ever increasing demands of modern day traffic;
- (ii) Recognises that essential road works now have a major impact on traffic flows and severe increases in the highways budget will be needed to keep pace with the potential growth of road traffic and maintain the current traffic flows;
- (iii) Acknowledges that sustainable growth is a key ingredient to becoming the Environment Capital and the growth of recorded bus passenger figures is a step forward to meeting that aim. However, Council remains conscious that it is far easier to make cross city journeys by private transport and that the current network does not encourage travellers away from cars for those journeys;
- (iv) Resolves, that as part of our ambition to become the Environment Capital, and the preferred destination venue in the area, easy access be maintained in and around the city and, as a key part of that goal, examines and facilitates via a working group, the setting up of a cross-city bus network and other travel options that can be introduced, as soon as possible, to encourage people away from their cars.



<b>COUNCIL</b>	<b>AGENDA ITEM No. 7 (iv) (a)</b>
<b>2 DECEMBER, 2009</b>	<b>PUBLIC REPORT</b>

<b>Cabinet Member(s) responsible:</b>	Councillor David Seaton, Cabinet Member for Resources	
<b>Contact Officer(s):</b>	Helen Edwards, Solicitor to the Council David Blackburn, Principal Democratic Services Officer	Tel. 452539 Tel. 452325

**APPOINTMENTS TO COMMITTEES**

<b>R E C O M M E N D A T I O N S</b>
<b>FROM: SOLICITOR TO THE COUNCIL</b>
That the Council makes any changes to the allocation of seats and appointments to committees arising from liaison between the respective group leaders subject to such changes being in accordance with the political balance rules contained within the Local Government and Housing Act 1989.

**1. ORIGIN OF REPORT**

1.1 The Council received a report at its last meeting on the re-allocation of seats to committees following the formation of the English Democrats Group. Whilst the Council made appointments in accordance with the political balance rules, there was a consensus at the meeting that there should be an opportunity for a further dialogue between the respective group leaders over the allocation of seats to all committees and a report would be submitted to the next meeting of Council on any proposed changes.

**2. PURPOSE OF REPORT**

2.1 The Council is invited to consider any changes to the membership of committees arising from liaison between the respective group leaders.

**3. OUTLINE OF PROPOSALS**

3.1 The proposal will be submitted in the order paper at the meeting.

**4. IMPLICATIONS**

4.1 Any proposal adopted by the Council must comply with the political balance rules.

**5. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)

None.

This page is intentionally left blank

<b>COUNCIL</b>	AGENDA ITEM No. 7 (iv) (b)
<b>2 December 2009</b>	PUBLIC REPORT

Contact Officer(s):	Peter Gell – Business Regulation Strategic Manager Adrian Day – Licensing Manager Terri Martin – Regulatory Officer Licensing	Tel. 453419 Tel. 454437 Tel. 453561
---------------------	---	---

### **Gambling Act 2005 – Peterborough City Council’s Revised Statement of Principles**

R E C O M M E N D A T I O N S	
<b>FROM</b> : Licensing Act 2003 Committee	<b>Deadline date</b> : 02 January 2010
<p>The Council is asked to approve and adopt the attached Statement of Principles as Peterborough City Council’s formal three year Statement under Section 349 of the Gambling Act 2005.</p>	

#### **1. BACKGROUND**

- 1.1 Under Section 349 of the Gambling Act 2005, it is a requirement for each Council to produce, adopt and publish a Statement of Principles (policy). This Statement will govern the way decisions are made by the Council, and how it will administer its duties under the Act. These duties include delegated powers, enforcement, considerations under the application process, Responsible Authority and Interested Party details, and the exchange of information. Without a Statement of Principles the Council may be subject to Judicial Review for failing in its responsibilities to carry out a statutory duty.
- 1.2 The Act requires that the Statement of Principles is kept under continual review to incorporate where necessary any changes to the legislation and or Guidance as appropriate. In addition to this, the Act specifies that the Statement must be reviewed and revised on a three yearly basis.
- 1.3 The first three year period began on 31 January 2007; where the original Statement of Principles was approved by Full Council on 13 December 2006, and therefore, the first three year period is due to expire on 30 January 2010. The revised Statement must be drafted and consulted upon prior to it being adopted.
- 1.4 In order to meet our statutory obligations, a revised Statement was drafted. Also in accordance with the Act, this revised Statement has been consulted upon, and all comments received have been considered and incorporated as appropriate.
- 1.5 In formulating the revised Statement, officers have given full consideration to the requirements of the Act, guidance issued by the Gambling Commission, and LACoRS (Local Authorities Coordinators of Regulatory Services) Model document. We have also liaised with colleagues from neighbouring authorities to ensure our Statements are consistent.
- 1.6 **There are three key changes in the Statement of Principles;**
  - 1.6.1 The removal of any reference within the Statement of Principles to a “Transition Period”, this was the period when existing licence, consent or permit holders under previous legislation could apply for a licence, consent or permit and expect to be granted the same entitlements

due to grandfather rights. Obviously this period has now passed and no transitional arrangements exist.

- 1.6.2 The latest guidance from the Gambling Commission (released May 2009) has expanded on the definition of a premises and a split premises. The Statement of Principles has been revised to include this information, and added "Premises Ready for Gambling" where this clarifies the requirement for a provisional statement (speculative application where a premises is not yet constructed or near to completion) or a full application for a premises licence where the building is ready or near ready for gambling.
- 1.6.3 The section of the Statement of Principles relating to "Reviews" has been expanded to include more detail on the review process this also includes in particular, where the licensing authority may initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without the intent to use them.
- 1.7 At a meeting on 17 November 2009 of the Licensing Act 2003 Committee there was a unanimous decision to approve the attached Statement of Principles having considered the responses received during consultation. In addition it was recommended that the Statement of Principles be adopted by Full Council.

## **2. PURPOSE**

- 2.1 The purpose of this report is to provide members with the information they need to assist them with their decision in relation to adopting the attached Statement of Principles which incorporates amendments following the revised Guidance to licensing authorities issued by the Gambling Commission under Section 25 of the Act and comments received during the consultation process.

## **3. CONSULTATION**

- 3.1 The following outlines the procedure taken, in providing the opportunity for members, statutory consultees and members of the public to be involved in the process of reviewing our Statement of Principles
- 3.2 Before determining its Statement for any three year period (as required under s.349 of the Act), the licensing authority must consult the persons listed in s349 (3) as follows:
  - a. Chief Officer of Police for the area;
  - b. One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the area;
  - c. One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- 3.3 For information purposes a list of consultees is attached at **Appendix A**.
- 3.4 A 12 (twelve) week consultation took place between 03 August 2009 and 26 October 2009. The consultation letter gave advice on the following:
  - i) Options on where to access and obtain copies of the draft revised Statement
  - ii) Opportunity to make relevant representations, in writing, on the draft Statement
  - iii) Notification that any comments must be received by 26 October 2009
- 3.5 Eight replies were received and of these, one requested to be removed from the consultation process, one was an acknowledgement with no comment, and six were with comments for potential inclusions/improvements to the Statement.

## 4. CONSIDERATIONS

- 4.1 In determining its Statement, the licensing authority must have regard to the Gambling Commission's guidance and give appropriate weight to the views of those whom it has consulted. In determining what weight to give particular representations, the factors taken into account include:
- Who is making the representation (what is their expertise or interest);
  - What the motivation may be for their views;
  - How many other people have expressed the same or similar views;
  - How far the representations relate to matters that the licensing authority should be including in its Statement.
- 4.2 Comments received and Officers' reply in relation to these comments are attached at **Appendix B.**
- 4.3 Very careful consideration has been given to all of the responses submitted by consultees and their comments where considered to be relevant included in the Statement.
- 4.4 A copy of the finalised Statement of Principles is attached at **Appendix C.**
- 4.5 Due to the deadlines set by the regulations, the Statement must be published no later than 02 January 2010, as it must be advertised for at least four weeks prior to having effect.

## 5. LEGAL IMPLICATIONS

- 5.1 It is a requirement of s.154(2)(c) of the Gambling Act 2005 that final approval of the Statement of Principles is reserved to Full Council and prohibits delegation.

Section 154(2)(c) of the Gambling Act 2005 restricts final determination of the Statement of Principles to the authority and prohibits further delegation. On this basis the Statement of Principles must be approved by Full Council to be lawfully brought into effect.

- 5.2 Legal Services have been consulted on the content of the Statement of Principles. This was to ensure that the provisions of the Act including the licensing objectives and other issues that are key to the way the council approaches and deals with applications, are included in the Statement.
- 5.3 Legal Services will also be required to ensure that the decision making process is implemented in accordance with the Act, and may also be required to provide legal representation in the event of any appeals to the Magistrate's Court against decisions made by the council, prosecutions being instigated or enforcement action being taken by the council.

## 6. BACKGROUND DOCUMENTS

Gambling Act 2005  
Guidance to Licensing Authorities (issued under section 25 of the Act, by the Gambling Commission May 2009)

**LIST OF CONSULTEE'S**

The Gambling Act requires that a number of consultees are consulted by Licensing Authorities.

The following appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:

- The Peterborough Greyhound Stadium
- British Greyhound Racing Board
- Gala Group Ltd
- British Beer and Pub Association
- British Bookmakers Trade Association
- British Casino Association

The following appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005:

- Cambridgeshire Constabulary – The Chief Officer of Police
- Cambridgeshire Fire & Rescue Service
- Peterborough City Council – Planning Control
- Peterborough City Council – Community Protection
- Peterborough City Council – Directors
- Peterborough City Council – Ward & Parish Councillors
- Local Safeguarding Children Board
- Environment Agency
- Maritime and Coastguard Agency
- HM Revenue & Customs
- the Gambling Commission
- All residents and business within the Peterborough area (through the Council website), libraries, and main Council Offices

## RESPONSES TO CONSULTATION

Peterborough Safeguarding Children Board.

- Comment:** The local safeguarding Board interagency procedures define a child as “under 18” therefore child protection procedures do apply to a 17 year old child. We do not differentiate between a child and a young person.
- Reply:** Under section 45 of the Act the definition of ‘child’ and ‘young person’ are stipulated. The distinction is made between the two age groups because a ‘young person’ is permitted to provide facilities for gambling in certain premises, where a ‘child’ is not. For example a ‘young person’ may provide facilities for gambling at a travelling fair.
- Comment:** I note there is no definition of vulnerable adult. You may wish to contact the vulnerable adults team for their advice
- Reply:** The definition of a vulnerable adult is deliberately left open to give it the widest possible meaning, to ensure that it can cover as many vulnerable persons as possible, e.g. a person who is not normally considered vulnerable, may become vulnerable under certain circumstances, after consuming alcohol or chasing gambling losses. It can also cover persons with permanent mental impairments.
- Comment:** We welcome at 12.13 the suggestion of door supervisors being employed. We offer basic child protection training too through our training programme which you can access at [www.pscb.org.uk](http://www.pscb.org.uk).  
You could add in at 22.2 something to the effect that Peterborough Safeguarding Children Board have web based interagency procedures which are available at [www.pscb.org.uk](http://www.pscb.org.uk) or alternatively [www.proceduresonline.com/peterboroughschb](http://www.proceduresonline.com/peterboroughschb).
- Reply:** As there may be more than one training provider, the city council is unable to endorse any particular service in its policy documents.
- Comment:** I note that Appendix 2 says Children’s Board (It is Children Board with no s)
- Reply:** Updated accordingly
- Comment:** Also Appendix 3 the contact point is the Safeguarding Service Manager (not Child Protection and Review Manager)
- Reply:** Updated accordingly.

Director of Adult Social Services.

- Comment:** Would the PASB need to be included/recorded in a similar way to the Children Safeguarding Board? (section 6.2)
- Reply:** Section 157 of the Act defines who responsible Authorities are, this can be amended by regulations. However the Act has defined (s157 (h)) the Children safeguarding Board, but has not made any inclusions regarding vulnerable adults.
- Comment:** Perhaps it needs to be a bit more explicit about who...children and other vulnerable adults...’ are in section 1.1, e.g. adults suffering from lack of capacity (e.g. dementia) and/or those covered by the MCA even though page 14 says the act does not define it more?
- Reply:** The definition of a vulnerable adult is deliberately left open to give it the widest possible meaning, to ensure that it can cover as many vulnerable persons as possible. E.g. a person who is not normally considered vulnerable, may become vulnerable under certain circumstances, after consuming alcohol or chasing gambling losses. But it can also cover persons with permanent mental impairments.

Councillor Pamela Winslade

- Comment:** I have a query with regards to part C22.2: this section does not appear to include vulnerable people.
- Reply:** We have amended this section (23.2) to include vulnerable persons.

## **Councillor Stephen Lane**

**Comment:** If I may first make a suggestion that in future consultations, it would be extremely helpful if the draft edition is produced to indicate any changes from the last one. I am sure that because the previous SoP was read by Members, it would be helpful to highlight subsequent amendments or additions.

**Reply:** Noted and agreed, the attached revised draft shows 'track changes' to indicate where the relevant changes have been made to include comments received during consultation.

**Comment:** The SoP should state that PCC will use its authority according to s153 of the Act (GC Guidance May 2009 – 6.3). A late reference is made to this, but only under the subject heading of 'Reviews', and it be preferable to make a statement at the front or near the beginning of the SoP. This allows readers an easy reference to the relevant legislation and offers more transparency.

**Reply:** Noted and agreed, we have included a reference to this section of the Act in (11.1) Decision Making / Delegation in Part A Introduction.

**Comment:** Under Section 156 of the Act licensing authorities are required to maintain a register of premises licenses issued by the authority and made available to the public who may request copies of the entries (GC Guidance May 2009 – 6.52). This was in the first SoP but omitted from the one we see here, and should be reinstated. The information should also state where it can be found and viewed, along with details of the cost of obtaining copies.

**Reply:** We have reinstated the Public Register information at Section 10 and also stated that the fees can be found at the city councils website and included the web address information.

**Comment:** Authorities should ensure that information regarding the fees to be charged should be made available to the public (6.53). In the interest of transparency, this information and where to find it should be made known through the SoP.

**Reply:** We have added section 29 'Additional Information' stating the web address where fees and application forms can be found. We are unable to include the actual fees for each application in the SoP as the fees change annually.

**Comment:** In "Definition of Premises" (12.3) the second sentence is confusing and difficult to comprehend, and appears to contradict the rest of that paragraph. It would be helpful and more explicit if the paragraph started something like:

In the Act "premises" is defined as including "any place". Section 152 of the Act prevents more than one premises licence applying to any single place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can easily be regarded as being different premises or places.

**Reply:** We have amended the first part of the paragraph to now state:  
In the Act, "premises" is defined as including "any place". Section 152 of the Act prevents more than one premises licence applying to any one place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can reasonably be regarded as being different premises.

**Comment:** Licensing Objectives (12.7) repeats all three objectives and are sufficiently important to be highlighted by the continued use of bullet points, e.g. 12.2.1 etc.

**Reply:** Noted and agreed bullet points 13.7.1 through to 13.7.3 have been added.

**Comment:** Reviews (21.0) I am not sure the addition of how to conduct a Review is necessary. The document's intention is surely to declare this authority's 'principles', and not to outline any particular 'procedure'? Throughout the SoP there is no other such detail, for example how to apply for a licence; or how enforcement will be carried out, etc? This is only a policy document. However, should opinion be otherwise and this remains, I suggest that 21.4(b) will not require reference to 'Scottish Ministers' and should be deleted.

**Reply:** The SoP details the principles the authority will apply when exercising its functions under the Act. As the council will have to determine review applications it has been



included, however we have removed the reference to Scottish Ministers to make it more applicable to this local authority.

### **Maritime and Coastguard Agency**

**Comment:** Whereas the Maritime & Coastguard Agency are the responsible Authority with regard to Alcohol Licensing on small passenger vessels, we have no interest in respect of gambling. We would therefore request that you kindly remove us from your address list with respect to gambling applications.

**Reply:** Noted and removed from list of Responsible Authorities in Appendix 3.

### **Chris Guiney-Walsh Mrs – Community Protection Officer – Responsible Authority – Statutory Consultee**

**Comment:** Paragraph 3.3, rewording of part of paragraph from; ‘...26 October 2009 and we followed the HM Government Code of Practice on Consultation (published July 2008) which is available at:’ to ‘.....26 October 2009. The HM Government Code of Practice on Consultation (published July 2008) was followed and is available at:’

**Reply:** Noted and agreed new wording added.

**Comment:** To put a capital C in reference to the council in paragraph 5.1

**Reply:** We have followed the corporate guide and this states that this should not be capitalised.

**Comment:** Paragraph 7.3 remove the word ‘it’s’ and replace with ‘their’

**Reply:** Updated accordingly.

**Comment:** 7.2 indicates who interested parties are. 7.5 and 7.6 expand on the first two points in 7.2, do you want to include a further section to expand an the third point in 7.2

**Reply:** This is further expanded upon in 7.8 and 7.9.

**Comment:** In paragraph 7.6 replace the word persevered with preserved.

**Reply:** Updated accordingly.

**Comment:** In paragraph 7.8 replace the word ‘and’ with commas.

**Reply:** Updated accordingly.

**Comment:** Amend paragraph 7.8 to read ‘...who can be classed as an interested party under...’ instead of ‘...who can be classed as one under....’

**Reply:** Updated accordingly.

**Comment:** In paragraph 8.1 amend wording to read ‘...information between *the licensing authority* and the ....’ Instead of ‘...information between *it* and the...’

**Reply:** Updated for clarification.

**Comment:** In paragraph 8.3 suggest capitalising ‘Licensing Team’.

**Reply:** We have followed the corporate guide and this states that this should not be capitalised.

**Comment:** Replace the word ‘institute’ with the word ‘instigate’ in paragraph 9.1

**Reply:** Whilst both words can have the same meaning we have change the word for easier reading.

**Comment:** In paragraph 12.6 amend the wording to read ‘...in its consideration of *any application*. *The licensing authority* will...’ instead of ‘...in its consideration of *it*. *It* will ...’

**Reply:** We have agreed this change for clarification purposes.

**Comment:** To expand on wording in paragraph 12.7 second paragraph, to read ‘...suitable to be located *in such areas* and ...’ instead of ‘...suitable to be located *there* and...’

**Reply:** We have agreed the new wording for clarity.

**Comment:** In paragraph 12.14 replace the words ‘need to’ with ‘shall’

**Reply:** New wording agreed.

**Comment:** The paragraph does not make sense, also change ‘We’ for ‘The licensing authority’

**Reply:** It was noted that a line of text had been removed incorrectly, this has now been reinstated. We disagree that the word ‘We’ should be changed, as the sentence goes on to state ‘licensing authorities’ and would become a duplication within the same sentence.

**Comment:** In paragraph 18.2 suggest change of wording ‘This authority *will need to* satisfy..’ to ‘This authority *shall* satisfy..’

**Reply:** This wording change has been agreed.

- Comment:** In paragraph 19.2 remove the word ‘the’ in the sentence ‘...maximum for *the* land being...’
- Reply:** The word ‘the’ has been removed.
- Comment:** In paragraph 19.2 change the paragraph from ‘...land which crosses *our* boundaries...’ to ‘...land which crosses *its* boundaries...’
- Reply:** Wording changed accordingly.
- Comment:** The second paragraph in section 21 does not make sense.
- Reply:** Wording updated to correct phrasing.
- Comment:** In paragraph 21.2 remove the words ‘thinks is’ to ‘...which it *considers* appropriate.’
- Reply:** Wording agreed and amended.
- Comment:** Suggest change of wording in the first line of 23.3 to ‘If a premises wishes to have more than two machines, *an application* for a permit *is required* and this licensing authority *shall* consider...’ instead of current wording ‘If a premises wishes to have more than two machines, *then it needs to apply* for a permit and this licensing authority must consider...’
- Reply:** We agree the new phrasing is clearer and the document has been updated.
- Comment:** Reference is made in paragraph 24.1 to LA this is inconsistent; consider LA or licensing authority or local authority.
- Reply:** Agreed, we have updated this to now read ‘licensing authority’.
- Comment:** In paragraph 25.3 bullet point four, should this read ‘a permit held by the applicant has been cancelled in previous years’ instead of ‘a permit held by the applicant has been cancelled in *the* previous *the* years’
- Reply:** Wording should read ‘a permit held by the applicant has been cancelled in the previous *ten* years’ and has been updated to reflect this.
- Comment:** Section 27.1 needs clarification.
- Reply:** Extra wording has been added to this section, in line with LACoRS model.
- Comment:** Appendix 2 The Pollution Control Team has changed its name to ‘Community Protection’
- Reply:** Updated accordingly.
- Comment:** Appendix 3, there is a new address for the Community Protection department.
- Reply:** Updated accordingly.

### **Graham Burgin – Compliance Manager (Gambling Commission)**

These comments are of Mr Burgin’s and not necessarily of the “Gambling Commission”

- Comment:** The document refers to the Gambling Commission, the Commission and the GC within different parts of it. Perhaps a consistent term would work better.
- Reply:** Noted and agreed, we have updated the document to refer to the Gambling Commission as the ‘GC’ throughout, as per the Definitions on page 5.
- Comment:** Amend wording in Background section, remove the word ‘new’ in the first paragraph, in the third paragraph remove the word ‘has’, change the word ‘removes’ to ‘removed’ and the word ‘will’ to ‘now’.
- Reply:** We agree this new wording and have updated the document accordingly.
- Comment:** Remove the word ‘new’ in section 1.1
- Reply:** Agreed, this word should be removed.
- Comment:** In section 11.1 bullet point 3, this bullet point may need considering. Your right of entry under the Act only applied to the application process (see s312) not regulation of gambling thereafter.
- Reply:** In this section we are making reference to the functions of the licensing authority, the issuing of Club Gaming and Club Machine permits is one of the functions the authority has to undertake, but it is appreciated that the comment is correct with regards to right of entry after the permit has been issued.
- Comment:** In section 12.11, does this section refer to pubs also? If so how will it be reasonably implemented by operators?
- Reply:** We have amended the wording to state ‘where necessary and deemed appropriate’. Where problems have been identified with a machine at a premises, we can look at the actions listed to resolve any issues of underage gaming on Category C machines.
- Comment:** In section 22.1, perhaps state that gaming machines must be Cat D only.
- Reply:** Agreed wording added for clarity.

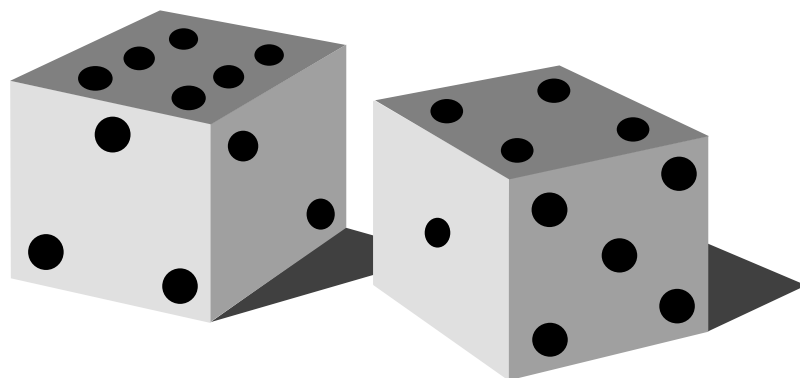
- Comment:** Should paragraph 23.5 be included? It seems to almost advertise something we would not want to happen.
- Reply:** It is an option available to some alcohol licensed premises, so we have incorporated the information. We would of course deal with each application based on it's own merits, and have regard to the licensing objectives and any code of practice.
- Comment:** With regard to paragraph 23.6, any gambling in pubs should be ancillary to its main purpose. It would have to be a pretty huge premises to justify 19 machines as a secondary purpose.
- Reply:** This section is clarifying that officers can make a decision to put any such application for this amount of machines to the committee to determine.
- Comment:** Section 25, This section is a little unclear "consider changing to "Members Clubs and Miners Welfare Institutes may apply for either a Club Gaming Permit or a Club Machine Permit. Commercial Clubs may only apply for a Club Machine Permit.
- Reply:** This section has been reworded and extra detail has been added to clarify the differences between the types of Clubs and entitlements.
- Comment:** Section 27.1, perhaps include more detail. i.e. the purpose of occasional use notices is to provide "tracks" with the ability to hold events at which gambling can take place without the need for a full premises licence. Any person providing betting facilities at the "track" will still need to hold an appropriate betting operating licence.
- Reply:** Extra wording has been added to this section, in line with LACoRS model.
- Comment:** Appendix 5 In multiples of £10? What does it mean and where does it come from?
- Reply:** This is lifted directly from the Guidance issued by the Gambling Commission. It means that Category B2 machines can accept the maximum stake of £100, but it must be in multiples of £10 notes rather than £20 notes. To ensure the person making the bet is fully aware of the amount they are betting.

This page is intentionally left blank

# **PETERBOROUGH CITY COUNCIL**

## **GAMBLING ACT 2005**

### **STATEMENT OF PRINCIPLES**



**31 January 2010**  
Version 2

## **CONTENTS**

## **PAGE NO**

Key facts about Peterborough	4
Definitions	5
Background	5
<b>PART A – INTRODUCTION</b>	
1. The Licensing Objectives	6
2. Statement of Principles	6
3. Consultation	6
4. Approval of Statement	7
5. Declaration	7
6. Responsible Authorities	7
7. Interested Parties	7
8. Exchange of Information	9
9. Enforcement	9
10. Public Register	10
11. Decision Making / Delegation	10
12. Licensing Authority Functions	11
<b>PART B – PREMISES LICENCES</b>	
13. General Principles	12
• Definition of Premises	12
• Premises ready for gambling	12
• Location	13
• Duplication with other Regulatory Regimes	13
• Licensing Objectives	13
• Conditions	14
14. Adult Gaming Centres	15
15. Licensed Family Entertainment Centres	16
16. Casinos	17
17. Betting Premises	17
18. Tracks	17
19. Bingo Premises	19
20. Travelling Fairs	19
21. Provisional Statements	20
22. Reviews	20

## **PART C – PERMITS / TEMPORARY & OCCASIONAL USE NOTICES**

23.	Unlicensed Family Entertainment Centres	21
24.	(Alcohol) Licensed Premises Gaming Machine Permit	22
25.	Prize Gaming Permits	23
26.	Club Gaming & Club Gaming Machine Permits	24
27.	Temporary Use Notices	25
28.	Occasional Use Notices	25
29.	Additional Information	25

## **APPENDICES**

Appendix 1	Map of Peterborough	26
Appendix 2	List of Consultee's	27
Appendix 3	Responsible Authorities	28
Appendix 4	Summary of Delegations / Delegates	30
Appendix 5	Table of Gaming Machine Categories	31

## KEY FACTS ABOUT THE CITY OF PETERBOROUGH AND DISTRICT

Peterborough began the 21st century as part of a newly formed Unitary Authority. The city, already home to 156,000 people, continues to expand with new housing developments, the largest of which is Hampton, south of the city. Many of the surrounding villages, such as Eye, Yaxley and Glinton, have also seen great expansion to accommodate the demand for new homes.

The majority of local people work within the area, although convenient road and rail links allow many people to commute - London is now less than an hour away by train. More leisure and tourism facilities are developing as the population grows.

Despite considerable growth, however, the area retains some beautiful and diverse countryside. The city has been chosen as one of the UK's four 'Environment Cities', and the Peterborough Environment City Trust leads initiatives to improve the local environment and to develop practical solutions for a more sustainable future.

Peterborough confidently approaches that future as a place with a very long history of innovation and change.

### Our priorities

- Plan and deliver a safe, attractive and environmentally friendly city
- Achieve the best possible health and well being
- Make Peterborough a better place in which to live and work
- Provide high quality opportunities for learning and ensure children are healthy and safe

Please refer to appendix 1 for a map of Peterborough.



## DEFINITIONS

The **Council** means Peterborough City Council

The **Licensing Authority** means the Council acting as defined by section 2 of the Gambling Act 2005.

The **Act** means the Gambling Act 2005.

**Members** means Peterborough City Councillors

The **Licensing Committee** means the full committee or a sub committee of no less than three Members.

**GC** means the Gambling Commission.

**GC Guidance** means the guidance issued under part 2 section 25 of the Gambling Act 2005 by the Gambling Commission in April 2006

**Child** means an individual who is less than 16 years old, as defined in part 4 section 45(1) of the Act.

A **young person** means an individual who is not a child but who is less than 18 years old, as defined in part 4 section 45(2) of the Act.

**LA** means Local Authorities.

## BACKGROUND

The Gambling Act 2005 (“the Act”) gives effect to the Government’s proposals for reform of the law on gambling. The Act contains a regulatory system to govern the provision of all gambling in Great Britain, other than the National Lottery and spread betting. The Act received Royal Assent on 07 April 2005.

A draft bill was published in November 2003 following a publication of a Government White Paper “A Safe Bet for Success” published in March 2002. The White Paper was the Government’s response to the report of the Gambling Review Body published in July 2001.

The Act introduced a new unified regulator for gambling in Great Britain, the Gambling Commission (GC), and a new licensing regime for commercial gambling (to be conducted by the GC or by licensing authorities, depending on the matter to be licensed). The Act removed from licensing justices all responsibility for granting gaming and betting permissions, which they exercised previously. Instead, the GC and licensing authorities now share between them responsibility for all matters previously regulated by licensing justices.

## **PART A - INTRODUCTION**

### **1. THE LICENSING OBJECTIVES**

1.1 The Act sets out licensing functions to be exercised by licensing authorities in relation to the licensing of premises and the grant of certain permits. In exercising most of these functions licensing authorities must have regard to the licensing objectives, which underpin the regulatory regime.

The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime and disorder or being used to support crime,
- Ensuring that gambling is being conducted in a fair and open way, and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.2 It should be noted that the GC has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”.

### **2. STATEMENT OF PRINCIPLES**

2.1 The Act requires this licensing authority to publish a ‘Statement of Principles’ that it proposes to apply when exercising its functions. This statement must be published at least every three years and amended from time to time with any amended parts re-consulted upon and subsequently re-published.

2.2 This is the second Statement of Principles produced by Peterborough City Council, reviewed due to amendments made by the GC to their Guidance to Local Authorities.

### **3. CONSULTATION**

3.1 Peterborough City Council consulted widely upon this statement before finalising and publishing.

3.2 The Gambling Act requires that the following parties are consulted by licensing authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005

For a full list of persons this authority consulted please refer to appendix 2.

- 3.3 The consultation commenced on 03 August 2009 and will end on 26 October 2009. The HM Government Code of Practice on Consultation (published July 2008) was followed and is available at:

<http://www.berr.gov.uk/files/fle47158.pdf>.

The full list of comments made and the consideration by the council of those comments is available by request to the licensing department.

#### **4. APPROVAL OF POLICY STATEMENT**

- 4.1 This statement was approved at a meeting of the full council on [x date] and was published via our website on [x date].

***This paragraph will be completed once approval has been given by full council.***

- 4.2 It should be noted that this statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

#### **5. DECLARATION**

- 5.1 The council would like to declare that in producing this Statement it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the GC and any responses from those consulted on the statement.

#### **6. RESPONSIBLE AUTHORITIES**

- 6.1 As required by regulations licensing authorities are to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

- 6.2 In accordance with the suggestion in the GC guidance to local authorities this authority designates the Local Safeguarding Children Board for this purpose.

For a full list of the Responsible Authorities in relation to premises please refer to appendix 3 or alternatively via the council website.

#### **7. INTERESTED PARTIES**

- 7.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence.

- 7.2 For the purposes of this part a person is an interested party in relation to an application for or in respect of a premises licence, if in the opinion of this licensing authority the person:
- Lives sufficiently close to the premises to be likely to be affected by the authorised activities;
  - Has business interests that might be affected by the authorised activities; or
  - Represents persons who satisfy the above.
- 7.3 Licensing authorities are required to state the principles they will apply in exercising their powers under the Act to determine whether a person is an interested party. The principles this authority will apply are:
- 7.4 Each case shall be decided upon its own merits. This authority will not apply a rigid rule to its decision making. It will however consider the following in accordance with the GC's guidance for local authorities.
- 7.5 When determining what "sufficiently close to the premises" means, this authority might include:
- The size of the premises
  - The nature of the premises
  - The distance of the premises from the location of the person making the representation
  - The potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment), and
  - The circumstances of the complainant. This is not the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.
- 7.6 In relation to "persons with business interests that could be affected" it could be argued that any gambling business could be affected by another gambling business expanding into any part of Great Britain, however that is unlikely to satisfy the test of being "a person with business interests that could be affected by the premises" under consideration. It should be borne in mind however that the "demand test" in the 1963 and 1968 Acts have not been preserved in the Gambling Act 2005 therefore unmet demand is not a criterion for a licensing authority in considering an application.
- 7.7 Factors that this licensing authority is likely to include are:
- The size of the premises;
  - The 'catchment' area of the premises (i.e. how far people travel to visit); and
  - Whether the person making a representation has business interests in that catchment area, that might be affected.

7.8 The GC recommended in its guidance that licensing authorities should state that interested parties include trade associations, trade unions, residents' and tenants' associations. This authority however will not generally view these bodies as interested parties unless they have a member who can be classed as an interested party under the terms of the Act e.g. lives sufficiently close to the premises to be likely to be affected by the activities applied for.

7.9 Interested parties can also be represented by other persons such as their local councillors and Members of Parliament (MP's). However should an individual wish to be represented by a councillor they must ask if the councillor is part of the licensing committee dealing with the licence application. If there are any doubts please contact the licensing department.

## **8. EXCHANGE OF INFORMATION**

8.1 Licensing authorities are required to include in their statement, the principles to be applied under Section 29 and 30 of the Act with respect to the exchange of information between the licensing authority and the GC, and the functions under section 350 of the Act with the respect of information between it and the other persons listed in schedule 6 of the Act:

- A Constable or Police Force
- An Enforcement Officer
- A Licensing Authority
- Her Majesty's Commissioners of Customs and Excise
- The Gambling Commission
- The National Lottery Commission
- The Secretary of State
- The Scottish Ministers

8.2 The principle that this licensing authority applies is that it will act in accordance with provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. This licensing authority shall have regard to the guidance issued by the GC as and when it is published on this matter, as well as any relevant regulations issued by the Secretary of State.

8.3 Should any protocols be established as regards information exchange with other bodies then they will be made available. Please contact the licensing team for further information on our protocols.

## **9. ENFORCEMENT**

9.1 Licensing authorities are required by regulation to state the principles they propose to apply in exercising the functions under Part 15 of the Act with respect to the inspection of premises and the powers under Section 346 of the Act to instigate criminal proceedings in respect of the offences specified.

- 9.2 This licensing authority's principles are that it shall be guided by the GC guidance and will endeavour to be:
- proportionate – regulators should only intervene when necessary. Remedies should be appropriate to the risk posed and costs identified and minimised
  - accountable – authorities must be able to justify decisions and be subject to public scrutiny
  - consistent – rules and standards must be joined up and implemented fairly.
  - targeted – enforcement should be focused on the problems and minimise side effects
- 9.3 This licensing authority will endeavour to avoid duplication with other regulatory regimes, so far as is possible and adopt a risk based inspection programme.
- 9.4 The main enforcement and compliance role of the licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The GC will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacturer, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the GC.
- 9.5 The licensing authority's enforcement concordat is available upon request to the licensing department.

## **10 PUBLIC REGISTER**

- 10.1 In accordance with section 156 of the Act, Peterborough City Council maintains an electronic public register which contains premises licences issued by the authority. The register is available to view at [www.peterborough.gov.uk](http://www.peterborough.gov.uk). This information is available for inspection by members of the public at all reasonable times. Further information such as fees can also be found on the website.

## **11. DECISION MAKING / DELEGATION**

- 11.1 When determining applications this licensing authority will have regard to the guidance issued by the GC, any relevant code of practice, this policy and the licensing objectives.. Determination of applications made to the licensing authority will be made either by the full council, the licensing committee, or a sub-committee of the licensing committee or by authorised officers, in accordance with section 153 of the Act.
- 11.2 Where relevant representations are raised which cannot be resolved by mediation, matters will either be referred to the licensing committee or the sub-committee of the licensing committee.

For a summary of this licensing authorities delegations permitted under the Gambling Act 2005 please refer to appendix 4.

## 12. LICENSING AUTHORITY FUNCTIONS

12.1 Licensing authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing **Premises Licences**
- issue **Provisional Statements**
- regulate members' clubs and miners welfare institutes who wish to undertake certain gaming activities via issuing **Club Gaming permits** and/or **Club Machine Permits**
- issue **Club Machine Permits to Commercial Clubs**
- grant permits for the use of certain lower stake gaming machines at **Unlicensed Family Entertainment Centres**
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue **Licensed Premises Gaming Machine Permits** for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- register **Small Society Lotteries** below prescribed thresholds
- issue **Prize Gaming Permits**
- receive and endorse **Temporary Use Notices**
- receive **Occasional Use Notices**
- provide information to the GC regarding details of licences issued
- maintain registers of the permits and licences that are issued under these functions

12.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the GC via operating licences.

## **PART B - PREMISES LICENCES**

### **13. GENERAL PRINCIPLES**

13.1 Premises licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where considered to be appropriate.

13.2 This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the GC
- in accordance with any relevant guidance issued by the GC
- reasonably consistent with the licensing objectives, and
- in accordance with the authority's Statement of Principles

#### **13.3 Definition of “premises”**

In the Act, “premises” is defined as including “any place”. Section 152 of the Act prevents more than one premises licence applying to any one place. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can reasonably be regarded as being different premises. However, this licensing authority will pay particular attention if there are issues about subdivisions of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.

Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter of discussion between the operator and the licensing officer. However the GC does not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises.

The local authority will consider the GC Guidance and all other circumstances of the case in making any decision as to what can properly be regarded as premises.

#### **13.4 Premises “ready for gambling”**

The guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future,



consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have the right to occupy them, then an application for a provisional statement should be made instead.

### 13.5 Location

Demand issues cannot be considered with regards to the location of premises but that issues in terms of licensing objectives can. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. Each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

### 13.6 Duplication with Other Regulatory Regimes

This licensing authority will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of any application. The licensing authority will listen to, and consider carefully, any concerns about conditions which cannot be met by licensees due to planning restrictions, should such a situation arise.

### 13.7 Licensing Objectives

Premises licences granted must be reasonably consistent with the licensing objectives, this licensing authority has considered the GC's guidance to local authorities and some comments are made below.

**13.7.1 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime** – This licensing authority is aware that the GC will be taking a leading role in preventing gambling from being a source of crime. The GC's guidance does however envisage that licensing authorities should pay particular attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located in such areas and whether conditions may be suitable such as the provision of door supervisors.

**13.7.2 Ensuring that gambling is conducted in a fair and open way** – This licensing authority has noted that the GC has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is

conducted in a fair and open way as this will be addressed via operating and personal licences.

Further guidance on this issue may be provided by the GC and if so this authority will have regard to it, when available.

- 13.7.3 **Protecting children and other vulnerable persons from being harmed or exploited by gambling** – This licensing authority has noted that GC guidance states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children).

There is no definition of ‘vulnerable person’ and it is noted that the GC are not seeking to offer one, but this could include people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs. Should a practical definition prove possible in future then this statement will be updated with it, by way of a revision.

This licensing authority will consider this licensing objective on a case by case basis.

## 13.8 **Conditions**

Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects

- 13.9 Decisions upon individual conditions will be made on a case by case basis, although there are a number of measures this licensing authority may consider using should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which they can meet the licensing objectives effectively.

- 13.10 This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the GC’s guidance.

13.11 This authority will also ensure where necessary and deemed appropriate that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- only adults are admitted to the area where these machines are located
- access to the area where the machines are located is supervised
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

13.12 As the licensing authority we note that there are conditions which we are unable to attach to premises licences, these are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition
- conditions relating to gaming machine categories, numbers, or method of operation
- conditions which provide that a membership of a club or body be required for casino and bingo clubs (the Act specifically removed the membership requirement)
- conditions in relation to stakes, fees, winning or prizes

13.13 This licensing authority may consider a need for door supervisors in terms of the licensing objectives for protection of children and vulnerable persons and preventing premises becoming a source of crime or disorder. Door supervisors at casinos or bingo premises are exempt from the requirements of the Private Security Industry Act 2001. Where this authority imposes door supervision requirements on such licences, the personnel will not need licensing under the 2001 Act. This authority may however consider imposing the requirement of a Criminal Record Bureau check on door supervisors, by way of a condition on a licence.

13.14 For premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances / machines is appropriate for particular cases but it will need to be decided whether these shall be SIA licensed or not. It will not be automatically assumed that they shall be.

## **14. ADULT GAMING CENTRES**

14.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to address these issues.

14.2 This licensing authority will expect applicants to offer their own measures to meet licensing objectives however appropriate measures / licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation
- location of entry
- notices / signage
- self barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

## **15. LICENSED FAMILY ENTERTAINMENT CENTRES**

15.1 This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, ensure that under 18 year olds do not have access to the adult only gaming machine areas.

15.2 This licensing authority will expect applicants to offer their own measures to meet licensing objectives however appropriate measures / licence conditions may cover issues such as:

- CCTV
- supervision of entrances / machine areas
- notices / signage
- physical separation of areas
- specific opening hours
- self barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare
- suspected child truancy handling training

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

15.3 This licensing authority will, as per the GC's guidance, refer to the GC's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated.

For a full list of machine categories please refer to appendix 5.

## 16. CASINOS

- 16.1 This authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the powers to do so. Should this authority decide in the future to pass such a resolution, it will update this statement with details of that resolution. Any such decision would need to be made by full council.

## 17. BETTING PREMISES

- 17.1 **Betting machines** - This licensing authority will, as per the GC's guidance, take into account the size the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.
- 17.2 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. This authority will make a door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that the door supervision is both necessary and proportionate.

## 18. TRACKS

- 18.1 This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the GC's guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.
- 18.2 This licensing authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and / or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 18.3 Applicants will be expected to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:
- proof of age schemes
  - location of gaming machines
  - supervision of entrances / machine areas
  - notices / signage

- provision of information leaflets / helpline numbers for organisations such as Gamcare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

18.4 **Betting Machines** – This licensing authority will as per the GC’s Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer. We will also take note of the GC’s suggestion that licensing authorities will want to consider restricting the number and location of such machines in respect of applications for track betting premises licences.

18.5 **Condition on rules being displayed** - The GC has advised in its guidance for local authorities that “...licensing authorities should attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.”

18.6 **Applications and plans** – The Gambling Act requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling.

The GC's suggestion "To ensure that licensing authorities gain a proper understanding of what they are being asked to license they should, in their licensing policies, set out the information that they will require, which should include detailed plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”) and in the case of dog tracks and horse racecourses fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities." and that "Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence."

18.7 This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in

particular, any betting areas subject to the “five times rule” (commonly known at betting rings) must be indicated on the plan.

In rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

## **19. BINGO PREMISES**

19.1 This licensing authority notes that the GC’s guidance states:

It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted licensing authorities should ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- only adults are admitted to the area where the machines are located
- access to the area where machines are located is supervised
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18

19.2 This authority shall to satisfy itself that bingo can be played in any bingo premises for which a premises licence has been issued. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

## **20. TRAVELLING FAIRS**

20.1 It will fall to this licensing authority to decide whether, where category D machines and / or equal chance gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met. This licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

20.2 It has been noted that the 27-day statutory maximum for land being used as a fair is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will work with its neighbouring

authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

## **21. PROVISIONAL STATEMENTS**

21.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

The Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expect to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

21.2 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired.

21.3 In terms of representations about premise licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant's circumstances. In addition, this authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional licence stage; or
- which in the authority's opinion reflect a change in the operator's circumstances

## **22. REVIEWS**

22.1 Requests for a review of a premise licence can be made by interested parties or responsible authorities; however, it is for this licensing authority to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below

- in accordance with any relevant code of practice issued by the GC;
- in accordance with any relevant guidance issued by the GC;
- reasonably consistent with the licensing objectives; and
- in accordance with the authorities statement of principles.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or



whether it is substantially the same as previous representations or requests for review.

- 22.2 This licensing authority can also initiate a review of a licence on the basis of any reason which it considers is appropriate.
- 22.3 Once a valid application for a review has been received, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt. The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.
- 22.4 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-
- a) add remove or amend a licence condition imposed by the licensing authority;
  - b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or amend such an exclusion;
  - c) suspend the premises licence for a period not exceeding three months; and/or
  - d) revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

- 22.5 In particular, the licensing authority may initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

## **PART C - PERMITS / TEMPORARY & OCCASIONAL USE NOTICES**

### **23. UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS**

- 23.1 Where a premises does not hold a premises licence but wishes to provide category D gaming machines, it may apply to this licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 23.2 This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children and other vulnerable persons from harm. Harm in this context is not limited to harm from gambling but includes wider protection considerations. The efficiency of such policies and procedures will each be considered on their own merits, however, they may include appropriate measures / training for staff as regards suspected truant school

children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

- 23.3 This licensing authority will expect that applicants demonstrate a full understanding of the licensing objectives as well as the maximum stakes and prizes of the gambling that is permissible in Unlicensed Family Entertainment Centres; that the applicant has no relevant convictions and that staff are trained to have a full understanding of the maximum stakes and prizes.

## **24. (ALCOHOL) LICENSED PREMISES GAMING MACHINE PERMITS**

- 24.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of category C and / or D. To take advantage of this entitlement, the person who holds the on-premises licence must give notice to this licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee.

- 24.2 This licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the GC about the location and operation of the machine has been complied with)
- the premises are mainly used for gaming; or
- an offence under the Act has been committed on the premises

- 24.3 If a premises wishes to have more than two machines, an application for a permit is required and this licensing authority shall consider that application based upon the licensing objectives, any guidance issued by the GC under Section 25 of the Act, and “such matters as they think relevant”. This authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from being harmed or exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures in place to ensure that under 18 year olds do not have access to the adult only gaming machines.

Such measures may include:

- adult machines being in site of bar
- notices / signage

- 24.4 It should be noted that the holder of a permit must comply with any Code of Practice issued by the GC about the location and operation of the machine.

- 24.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.
- 24.6 Where an application is received for more than 19 gambling machines in alcohol licensed premises Officers will have the discretion to arrange a hearing for members to consider the application.
- 24.7 It should be noted that this licensing authority can decide to grant the application with a smaller number of machines and / or different category of machines than applied for. Conditions (other than these) cannot be attached.

## **25. PRIZE GAMING PERMITS**

- 25.1 This licensing authority can grant or refuse an application for a permit, but cannot add conditions. This licensing authority can only grant an application for a permit if it has consulted with the chief officer of police about the application. This licensing authority will take into account any objections that the police may make which are relevant to the licensing objectives. Relevant considerations would be the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming; and the suitability of the premises in relation to their location and issues about disorder.
- 25.2 Given that the premises will particularly appeal to children and young persons, in considering what to take into account in the application process and what information to request from the applicant, this licensing authority will give weight to child protection issues. Applicants will be required to set out the types of gaming that he or she is intending to offer and the applicant should be able to demonstrate:
- that they understand the limits to stakes and prizes that are set out in regulations; and
  - that the gaming offered is within the law.
- 25.3 The licensing authority will determine each application on its own merits.
- (The Council as a licensing authority has the remit to set its own criteria for the above statement of principles on permits – the principles as set out above reflect the general issues considered to be most relevant by a number of other licensing authorities)*
- 25.4 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any GC guidance.

- 25.5 It should be noted that there are conditions in the Gambling Act 2005 to which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with;
  - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
  - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
  - participation in the gaming must not entitle the player to take part in any other gambling.

## **26. CLUB GAMING AND CLUB GAMING MACHINE PERMITS**

- 26.1 Members Clubs and Miners' Welfare Institutes (but **not** Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines, of which one may be a category B3A, the others being of categories B4, C or D), equal chance gaming and games of chance as prescribed in regulations.
- 26.2 Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.
- 26.3 Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for the purposes other than gaming, unless the gaming is permitted by separate regulations. A members club must be permanent in nature, not established to make commercial profit, and controlled by its members equally.
- 26.4 This licensing authority is aware that it may only refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
  - the applicant's premises are used wholly or mainly by children and / or young persons
  - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
  - a permit held by the applicant has been cancelled in the previous ten years; or
  - an objection has been lodged by the GC or the police.

26.5 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **27. TEMPORARY USE NOTICES**

27.1 A Temporary Use Notice (TUN) allows the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for facilities for gambling. A Temporary Use Notice may only be granted to a person or company holding a relevant operating licence issued by the GC..

27.2 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of revising this Statement the relevant regulations state that Temporary Use Notices can only be used to permit the provision of facilities of equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

27.3 There are a number of statutory limits as regards Temporary Use Notices. It is noted that it falls to licensing authorities to decide what constitutes a 'set of premises' where TUN's are received relating to the same building / site.

## **28. OCCASIONAL USE NOTICES**

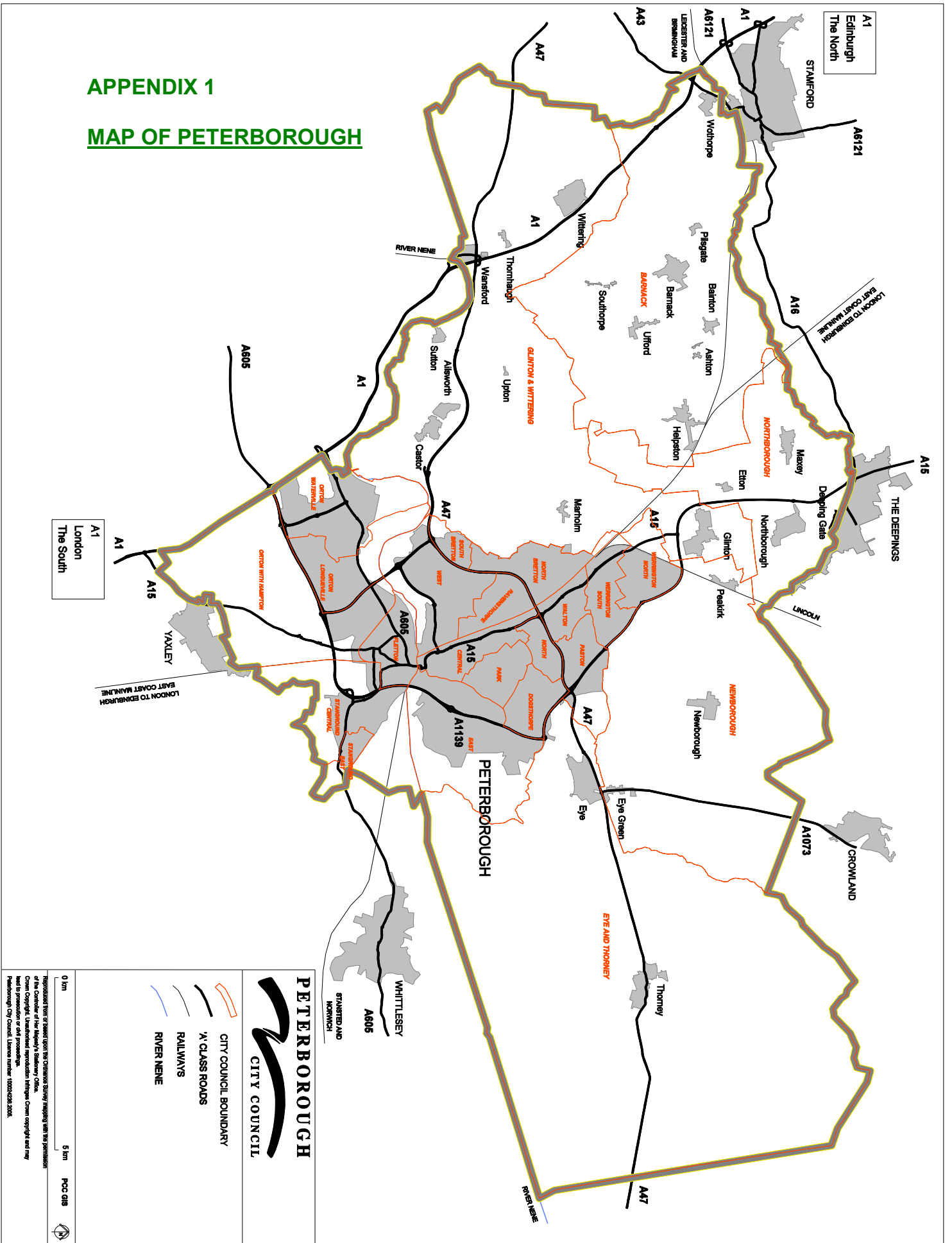
28.1 This licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

## **29. ADDITIONAL INFORMATION**





Further information on the application process, application forms and applicable fees can be found at [www.peterborough.gov.uk](http://www.peterborough.gov.uk)

# APPENDIX 1

## MAP OF PETERBOROUGH



**PETERBOROUGH**  
CITY COUNCIL

 CITY COUNCIL BOUNDARY  
 A-CLASS ROADS  
 RAILWAYS  
 RIVER NENE

0 km      5 km      PCC 018  
 Reproduced from or based upon the Ordnance Survey mapping with the permission of the Controller of the Majesty's Stationery Office.  
 Crown Copyright, Ordnance Survey. Ordnance Survey names and symbols are used under license from Ordnance Survey.  
 Peterborough City Council, License number: 10002028.2008.

## APPENDIX 2

### LIST OF CONSULTEE'S

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area. The authority has therefore consulted:

- The Peterborough Greyhound Stadium
- British Greyhound Racing Board
- Gala Group Ltd
- British Beer and Pub Association
- British Bookmakers Trade Association
- British Casino Association

One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005:

- Cambridgeshire Constabulary – the chief officer of police
- Cambridgeshire Fire & Rescue Service
- Peterborough City Council – Planning Control
- Peterborough City Council – Community Protection
- Peterborough City Council – Directors
- Peterborough City Council – Ward & Parish Councillors
- Local Safeguarding Children Board
- Environment Agency
- HM Revenue & Customs
- the Gambling Commission
- GamCare
- All residents and business within the Peterborough area (through the Council website)

## APPENDIX 3

### **GAMBLING ACT 2005** **RESPONSIBLE AUTHORITIES CONTACT DETAILS**

#### **THE RESPONSIBLE AUTHORITIES:**

<b>Licensing Team:</b>	The Licensing Team Peterborough City Council Bridge House Town Bridge Peterborough PE1 1HU Telephone: 01733 747474 Email: <a href="mailto:gambling@peterborough.gov.uk">gambling@peterborough.gov.uk</a>
<b>The Gambling Commission:</b>	Victoria Square House Victoria Square Birmingham B2 4BP Tel: 0121 230 6500 Fax: 0121 237 2236 Email: <a href="mailto:info@gamblingcommission.gov.uk">info@gamblingcommission.gov.uk</a>
<b>Cambridgeshire Constabulary:</b>	Licensing Department Cambridgeshire Constabulary North Division Bridge Street Peterborough PE1 1EH
<b>Cambridgeshire Fire and Rescue:</b>	Cambridgeshire Fire & Rescue Service Peterborough District Dogsthorpe Fire Station Dogsthorpe Road Peterborough PE1 3RE
<b>Neighbourhood Services:</b>	Community Protection Peterborough City Council Bayard Place Broadway Peterborough PE1 1HZ



**Planning:** Planning Services  
Stuart House (East Wing)  
St Johns Street  
Peterborough  
PE1 5DD

**HM Revenue & Customs:** National Registration Unit  
Portcullis House  
21 India House  
Glasgow  
G2 4PZ

**Safeguarding Children Board:** Safeguarding Service Manager  
Children's Services – Social Care  
Floor 2, Bayard Place  
Broadway  
Peterborough  
PE1 1FB

**For Vessels the certifying Authority will be:-**

Environment Agency  
Kingfisher House  
Goldhay Way  
Orton Goldhay  
Peterborough  
PE2 5ZR

## APPENDIX 4

Summary of licensing authority delegations permitted under the Gambling Act 2005.

Matter to be dealt with	Full Council	Sub-committee of licensing committee	Officers
Final approval of three year licensing policy	<b>X</b>		
Policy not to permit casinos	<b>X</b>		
Fee setting (when appropriate)			<b>X</b>
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premise licence		<b>X</b>	
Application for club gaming/club machine permits		Where objections have been made (and not withdrawn)	Where no objections made/objections have been withdrawn
Cancellation of club gaming/club machine permits		<b>X</b>	
Applications for other permits			<b>X</b>
Cancellation of licensed premises gaming machine permits			<b>X</b>
Consideration of temporary use notice			<b>X</b>
Decision to give counter notice to temporary use notice		<b>X</b>	

## APPENDIX 5

Section 236 of the Act provides for the Secretary of State to make regulations to define four classes of gaming machine: categories A, B, C and D, with category B to be further divided into sub-categories.

The below table sets out the current proposals for the different categories with the maximum stakes and prizes that apply (please note the below information is subject to change upon regulations being set).

Category of Machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£2	£4,000
B2	£100 (in multiples of £10)	£500
B3	£1	£500
B3A	£1	£500
B4	£1	£250
C	£1	£70
D Non-money prize (other than a crane grab machine)	30p	£8
D Non money prize (crane grab machine)	£1	£50
D (Money prize)	10p	£5
D Combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be money prize)
D Combined money and non money prize (coin pusher or penny falls machine)	10p	£15 (of which no more than £8 may be a money prize)

This page has intentionally been left blank