

# 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 13 OCTOBER 2010 at 7.00 pm**

### **AGENDA**

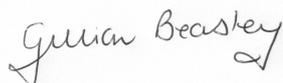
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Chief Executive

5 October 2010  
Town Hall  
Bridge Street  
Peterborough



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## **PETERBOROUGH CITY COUNCIL**

### **MINUTES OF COUNCIL MEETING HELD 14 JULY 2010**

#### **The Mayor – Councillor Keith Sharp**

#### **Present:**

Councillors: Allen, Arculus, Ash, Benton, Burton, Cereste, Collins, M Dalton, S Dalton, D Day, S Day, Dobbs, Eley, Fitzgerald, Fletcher, Fower, JA Fox, JR Fox, Goldspink, Goodwin, Harrington, Hiller, Holdich, Hussain, Jamil, Khan, Kreling, Lane, Lee, Lowndes, Miners, Morley, Murphy, Nash, Nawaz, Newton, North, Over, Peach, Saltmarsh, Sanders, Sandford, Scott, Seaton, Serluca, Shaheed, Swift, Todd, Walsh, Wilkinson and Winslade.

#### **1. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Lamb, Lowndes, Rush and Wilkinson.

#### **MAYOR'S ANNOUNCEMENT – NOTIFICATION OF URGENT BUSINESS**

In accordance with Paragraph 2.2 , Part 4, Section 1 of the Council's Rules of Procedure the Mayor announced his agreement to take an urgent item of business immediately following agenda item 5 (i). The item related to the call in and referral to Council of the decisions taken in respect of planning applications 10/00502/FUL and 10/00510/CON relating to 80 Lincoln Road. He advised Members that this item was urgent due to the determination date for the planning applications (21 July 2010) and that failure to determine by that date might result in an appeal application for non-determination of the applications.

Members' attention was drawn to the guidance notes which had been placed before them relating to dealing with Planning Call-in and Members' Interests. The Solicitor to the Council provided further general advice in relation to Members' Interests and emphasised that the onus was on individual Members to declare any interest they felt they might have relating to this matter. She advised that all Members of the Planning and Environmental Committee who were present when the decision was determined, together with any Members who addressed that committee, either as a Ward Councillor or in their private capacity should declare a prejudicial interest. In addition, the Solicitor to the Council reminded Members that they must not infringe the common rule against bias and predetermination.

#### **2. DECLARATIONS OF INTEREST**

The following Councillors declared a prejudicial interest in the Planning applications 10/00502/FUL and 10/00510/CON relating to 80 Lincoln Road:

2.1 Councillors Ash, Harrington, Hiller, North, Serluca, Thacker, Todd and Winslade - all had all been present at the Planning and Environmental Protection Committee when the decision was taken and would therefore leave the Chamber whilst the item was under discussion.

2.2 Councillors Hussain, Jamil, Khan and Peach - all had previously made their views on the matter known. However, under the terms of the Code of Conduct, they would be able to make representations, answer questions or give evidence before Council, but would not be allowed to take part in the discussion or observe the vote and would be required to retire from the Chamber after they had addressed the meeting.

2.3 The Mayor declared a prejudicial interest and announced his intention to leave the Chamber whilst the item was discussed. He advised that whilst he had not formed a view about the application, having had regard to Paragraph 7 of the Planning Code of Conduct, he had concluded that as he had engaged in general conversation with the applicant at a recent civic engagement, that contact could be perceived as constituting 'lobbying' under the Code. The Deputy Mayor would therefore take the Chair for this item of business.

### **3. MINUTES OF ANNUAL COUNCIL MEETING HELD 17 MAY 2010**

The minutes of the Annual Council Meeting held 17 May 2010 were approved and signed as an accurate record.

### **4. COMMUNICATIONS TIME**

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

Members noted the report outlining Mayoral engagements for the period 3 April to 2 July 2010. In addition, the Mayor made the following announcements:

- He had attended a Freedom of the City Presentation Service for Girlguiding Cambridgeshire West at the Cathedral on Sunday 11 July, which had been an enjoyable event;
- He would be taking part in the 5K Charity Fun Run in October – anyone wishing to sponsor him was asked to contact the Mayor's Office.

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

The Leader announced that the spending cuts facing the Council would result in difficult choices being necessary. He emphasised the need for all Members to work together in order to ensure that the right decisions were made and advised that he would be contacting all Group Leaders within the next month in order to obtain their views on various options.

Group Leaders responded as follows:

Councillor Swift asked the Leader to ensure that all Members were kept fully advised of developments in order that they were informed prior to any announcements from the press;

Councillor Khan emphasised the need for consultation with all groups;

Councillor Goldspink, whilst acknowledging the difficulties facing the Council and the need to work together, emphasised the role of scrutiny in ensuring that constructive criticism was fed back to the Executive.

The Leader noted Group Leaders' comments and reiterated that he would consult with Group Leaders as soon as possible.

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

There were no announcements from the Chief Executive.

### **5. COMMUNITY INVOLVEMENT TIME**

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

- A question was asked concerning the government's decision to cancel the new build at Stanground College.
- A question was asked in respect of the playing field at St. Augustine's Walk.

Details of the above questions and associated responses are set out at **Appendix A**.

### **URGENT ITEM OF BUSINESS**

#### **CALL IN AND REFERRAL TO COUNCIL OF DECISIONS TAKEN AT THE PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE OF 6 JULY 2010 – PLANNING APPLICATIONS 10/00502/FUL AND 10/00510/CON 80 LINCOLN ROAD, PETERBOROUGH**

The Mayor retired from the Chamber and the Deputy Mayor took the Chair. Planning and Environmental Protection Committee Members present at the committee meeting of 6 July 2010, also retired from the Chamber (as detailed in paragraph 2.1 above).

The Deputy Mayor drew attention to the additional reports that had been dispatched to Members in respect of this matter and the document that had been circulated setting out the procedures that would be followed during discussion.

Council was asked to determine whether or not to approve the following motion received from Councillor Harrington:

'That Council refuse planning applications 10/00502/FUL and 10/00510/CON relating to 80 Lincoln Road, Peterborough for the following reasons:

- (i) That the proposed development fails to preserve or enhance the character of the area: being a sensitive area adjacent to St. Mark's Church in a Conservation Area. This is therefore contrary to Policy CBE3 of the Peterborough Local Plan First Replacement (2005);
- (ii) That Thurston House/Gayhurst is a historically important and significant building which makes a significant contribution to the character and appearance of the Park Conservation Area. The proposed replacement buildings (under planning reference 10/00502/FUL) are of insufficient quality to make an equal or greater contribution to the Conservation Area. This is therefore contrary to Policy CBE 4 of the Peterborough Local Plan First Replacement (2005);
- (iii) That the proposed development fails to provide suitable amenity for residents, as there is inadequate provision of shops, open space and suitable leisure provision within the area. This is therefore contrary to Policy CC8 of the Peterborough Local Plan First Replacement (2005)'.

In line with the procedure adopted by the Planning and Environmental Protection Committee at the time this item was originally considered, Members agreed to extend the Planning Speaking Scheme in order to allow 20 minutes for objectors and 20 minutes for supporters to make representations on the matter.

The Council's Head of Planning Services addressed the meeting and provided background information in respect of planning application 10/00502/FUL, which had sought permission to build 34 affordable homes comprising six two bedroom houses, one four bedroom house, fifteen one bedroom flats and twelve two bedroom flats, together with access, car parking and landscaping. Conservation Area consent had also been sought under reference 10/00510/CON for the demolition of all existing buildings on the site, including the main Thurston House / Gayhurst Victorian villa.

A viability assessment had been undertaken by the applicant to assess whether the existing building could be realistically retained and used for modern office developments or converted into flats. The outcome of the assessment highlighted that the cost of developing the existing building would be far more than the return on the investment and therefore redevelopment of the existing building was not a viable business option.

Members were reminded that their decision must be based purely on planning grounds and it was emphasised that the following points should be carefully considered:

- (i) whether the building known as Thurston House was of such historic importance that it should be retained under any circumstances;
- (ii) alternatives for the future use of the building;
- (iii) whether the benefits of regeneration of the site and the growth in housing provision outweighed the retention of the building.

The Deputy Mayor invited the relevant Ward Councillors to make representation. Councillor Jamil addressed the meeting and raised the following concerns:

- Increased traffic congestion in the area;
- The loss of an important historic building which formed part of Peterborough's heritage;
- The area was already densely populated and additional flats would have no benefit to the area.

Councillor Khan stated that all possibilities should be explored in respect of preserving the existing building, which he believed to be an important part of the area's heritage and expressed the view that the loss of the existing green space on the site would be detrimental to the area.

Councillors Jamil, Khan and Hussain retired from the Chamber. Objectors were invited to address the meeting.

Councillor Arculus read a statement on behalf of Stewart Jackson, MP, a copy of which had been made available. In summary, the following points were highlighted:

- The Planning consultation exercise had revealed that the application was opposed by sixteen individual respondents, Ward Councillors in Central and Park ward, the Peterborough Civic Society, English Heritage, and MANERP (Millfield and New England Economic Regeneration Partnership);

- Thurston House represented part of the City's heritage and was likely to be listed locally on the list of Buildings of Local Importance and its demolition would contravene planning policy CBE11;
- Demolition of the building would be an irreversible course of action and it would be reasonable to ask the applicant to explore alternatives;
- The site is in the Park Conservation Area;
- The proposal was contrary to planning policy CBE3, CBE4 and DA2.

Councillor Peach addressed the meeting and emphasised that the proposed development was within a Conservation Area: designated as such in order to preserve the character of the area. He added that considerable objection had been received from local residents and expressed the view that the proposal would (a) result in the loss of an historic building; (b) would not be in keeping with other buildings in the vicinity; (c) impact on the amount of green space in the area and (d) have the potential to damage trees on the site.

In response to a question regarding consultation and opportunities for input, Councillor Peach stated that he would have no objection to participating in discussions with the applicant. Councillor Peach then retired from the Chamber.

Further objectors, Mr B Shaul (speaking on behalf of Mr Jeremy Roberts for the Civic Society), Mr H Duckett (Civic Society) and Mrs Margaret Randall (local resident) were invited to address the Council. In summary, the following objections were raised:

- As an Environmental City Peterborough should seek to preserve as many historical buildings as possible – Thurston House was of particular local historical interest due to its links with Perkins Engines and an important visual feature of the Conservation Area;
- The applicant should be invited to lodge an application for a new scheme on the site which should include the retention of Thurston House;
- The Civic Society had made representations in respect of previous proposals for development of the site: its primary objection being the loss of Thurston House which had been built for the Barford family in 1873. The Society was working with the Council to identify buildings for inclusion in a revised local list and Thurston House had been proposed for inclusion;
- 231 signatures had been collected from residents and businesses in the area objecting to the loss of Thurston House;
- The proposed development would not be in keeping with other buildings in the vicinity; and would exacerbate problems such as traffic congestion in an already overcrowded area.

The Deputy Mayor sought Members' agreement to a request to adjourn the meeting. Having agreed to adjourn, Members were reminded that no discussion should take place in respect of this item during the ten minute adjournment.

*Meeting reconvened at 9.10 p.m.*

The Deputy Mayor invited Mr D Deja (representing Craig Street residents) to address the meeting. In summary, the following objections were raised:

- Thurston House represented a significant historic contribution to the area and the case for demolition had not been substantiated;
- The proposed additional dwellings would increase traffic congestion in the vicinity;
- Residents had not been given sufficient opportunities to put their views forward;

- Clarification should be sought from the applicant in respect of their efforts to sell the property and/or explore alternative options for its use.

This concluded the involvement of objectors. The Deputy Mayor invited Mr David Shaw (Agent for the applicant) to address the meeting.

Mr Shaw drew Members' attention to Policy PPS5 and CBE4 of the Local Plan, which gave two clear forms of justification for demolition: (i) when the loss of a property was necessary to deliver substantial public benefits and/or (ii) when no viable use could be found in the medium term that would enable its retention and any harm was outweighed by the benefits of bringing the property back into use.

Mr John Walton and Mr Adrian Redmond (Accent Nene), and Mr John Blair (Architect) addressed the Council jointly in support of the application, focusing in particular on the reasons why retention of the building was not viable, the high quality design of the proposed scheme and the need for additional affordable housing.

- Members were assured that Accent Nene, (owners of the property since 1986) had on a number of occasions considered the viability of retaining Thurston House. Refurbishment had been explored, but would not be financially viable as the cost of refurbishment would be 500K, which would exceed the end value of the property: estimated to be in the region of £395,000. Retaining the building would also limit the number of new homes able to be built on the site and affect the financial viability of the scheme. Expert advice had been sought in respect of the potential to sell or let the building for residential or office use. This had concluded that as there was a lack of demand for large properties for single occupancy in this area, any sale would be likely to result in a House in Multiple Occupation, and that the site was not in an area of demand for office accommodation.

The applicant emphasised its commitment to the highest levels of quality and stated that the development would be a flagship scheme, built to the highest environmental and design standards.

In summary, the applicant and supporters raised the following points:

- Input from local Councillors had been sought and they had been invited to participate in the consultation process;
- The proposal had been considerably amended following refusal by the Planning and Environmental Protection Committee of the proposed NHS Recognition Centre in 2009 and the option of retaining Thurston House had since been explored in depth. The conclusion was that retention was not viable: the building was in poor repair, in a low value location; and refurbishment would not be a financially sound option;
- The benefit from the provision of additional affordable housing: the current housing waiting list in Peterborough exceeded 6,000 applicants;
- Accent Nene was committed to the provision and effective management of high quality affordable housing – the proposed development had received significant input from the Council's planning officers, the Conservation Officer and the police and would be built and managed to the highest standards;
- Once vacant, the site would be at risk of vandalism and anti-social behaviour;
- The proposal was in accordance with the Local Development Framework Core Strategy and was supported by the Council's Housing Strategy Group.

During debate, Members raised a number of questions in respect of the proposed development. These were addressed by the applicant as follows:

- (i) The Housing Strategy Team had been consulted in respect of the number of dwellings and these discussions had informed the proposed mix of dwellings. The mixture of one, two, three and four bedroom units on the site was in accordance with Council policy and the density proposed was approximately half the density set by the Council for developments in the City Centre.
- (ii) The proposed development exceeded standard requirements in respect of car parking provision and included ample cycle parking. A Traffic Impact Assessment had been provided and additional congestion was not anticipated as the site was on a bus route and within walking distance to the city centre and local facilities;
- (iii) Consultation had been undertaken via the usual formal channels;
- (iv) The design of the building at the front of the site was in line with the requirements of the Council's Conservation Officer and complemented the style of existing buildings. Units would meet the Lifetime Homes Standard, which incorporated a variety of features enabling future adaptation, allowing people to stay in their homes longer;
- (v) A detailed report in respect of tree preservation was submitted with the planning application and discussions had been held with the Council's Tree Preservation Officer, who was satisfied that measures had been put in place to ensure trees were protected;
- (vi) Retention of the existing building would:
  - Reduce the number of homes able to be built on the site to 25;
  - Increase the costs by approximately £8,000 per unit;
  - Result in the loss of opportunity to obtain housing grant, on which the scheme depended;
  - Result in the loss of rental stream and require a shorter payback span.

As a result, the scheme would not be financially viable and would fail to meet the requirements of the Accent Nene Board.

- (vii) Should the proposals be unsuccessful, the site would become vacant at the end of September 2010 and the property would be likely to suffer further deterioration and/or vandalism. Nene Accent would make the building secure and assess its options;
- (viii) The scheme would help to regenerate the area. Some of the homes would be available for intermediate rent, which would attract young people to the city centre.

Following representation from the applicant and supporters, the Council's Planning Officer provided a summary and reminded Members of the following points:

- That the decision should be based purely on planning grounds;
- Consideration should be given to whether Thurston House was of such importance that it should be retained in all circumstances;
- Thurston House was not a Statutory Listed Building and was not currently Listed locally. The possibility of it being included on the local list in the future was not a material planning consideration;
- The Council had no powers to require the property to be repaired;
- There was no assurance in respect of the future of the building, little prospect of it being taken on by a heritage organisation and no grant funding was available to aid restoration;
- The green space to the front of Thurston House was not public open space;
- The views of the Conservation Officer, the Tree Preservation Officer and Highways Officers had been taken into account by the applicant in the proposed development.

A question was raised in respect of officers' views about the viability of retaining Thurston House. In response, the Planning Officer advised that since the refusal of the planning application for an NHS Recognition Centre in 2009, preliminary assessment advice had been sought from officers in Property Services and the conclusion was that the figures presented were robust. There was a need for officers to balance the viability of retaining the existing building against the Council's planning policy to deliver new housing, affordable housing and design quality.

In accordance with Paragraph 14.7, Part 4, Section 4, General Standing Orders, Councillor Swift (on behalf of Councillor Harrington) was invited to sum up.

The motion was seconded by Councillor Fitzgerald.

Following a request, the Monitoring clarified that the decision of the Planning and Environmental Protection Committee of 6 July 2010 relating to planning applications 10/00502/FUL and 10/00510/CON – 80 Lincoln Road, Peterborough remained suspended. At this point, Members were requested to vote on the Motion which asked Council to refuse the planning applications.

A vote was taken and the Motion was **CARRIED**: (19 in favour, 17 against, and 3 abstentions). It was **RESOLVED** to **refuse** planning permission in respect of planning applications 10/00502/FUL and 10/00510/CON – 80 Lincoln Road, Peterborough.

### **The Mayor returned to the Chamber and took the Chair.**

Members of the Planning and Environmental Protection Committee who had been present at the committee meeting on 6 July 2010 returned to the Chamber, together with the relevant Ward Councillors and Councillor Peach.

The Monitoring Officer advised that it would be necessary to move the extension of the guillotine if Members wished to allow the meeting to continue beyond four hours' duration.

Following brief debate, Councillor Fower moved that the meeting be adjourned. This was seconded by Councillor Sandford.

On putting the matter to the vote, it was **RESOLVED** (33 in favour, 15 against, 2 abstentions) to adjourn the meeting and reschedule all business to a revised date.

*Meeting closed 11.10 p.m.*

**SUMMARY OF QUESTIONS AND ANSWERS RAISED UNDER AGENDA ITEM 5 (i) – EXECUTIVE BUSINESS TIME**

**Questions with Notice from Members of the Public**

- 1. In accordance with paragraph 11.7 of the Council's Rules of Procedure, the Mayor asked the following question on behalf of Mrs Jane Cage, who was unable to attend the meeting:**

Can the Leader clarify his administration's view of the government's decision to cancel the new build at Stanground College - is he in favour of building the school and therefore against Conservative policy, or is he a supporter of Michael Gove's decision and ready to justify this u-turn to Stanground residents?

**The Leader responded as follows:**

All funding has been stopped under the Building Schools for the Future Scheme. This relates to Stanground, Orton Longueville schools, the special schools and the ICT funding for all schools in the city (except the Thomas Deacon Academy). The coalition government has commenced a review in relation to the future delivery of school capital schemes and their findings and recommendations will be known towards the end of the calendar year.

We will be monitoring this review closely, with the view that we are able to be at the front of the queue for the roll-out of any future scheme, and we will be canvassing our MP's accordingly. We will also lobby government direct with regard to our proposed scheme, the relative simplicity efficiency, effectiveness and economy of it (for example, no PFI/no LEP. We already have a contractor already procured in Kier, we had commenced design works with Kier and the Council is contributing some £30m. We will canvass that our approach is a good model for delivering capital programmes and will seek reconsideration of the government's position on the Council's scheme.

I can also advise that Shailesh Vara, MP, has confirmed that he is seeking a meeting with the Education Minister for myself and Leader, plus the Heads and Governor Chairs of the affected schools, along with the Council's team.

- 2. Mr Jason Baker asked the Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning:**

Can the Cabinet Member confirm why the Council has deemed it necessary to fence off St. Augustine's Walk playing field: a well used, open access playing field in which the Council has shown little or no interest in since acquiring it some thirty years ago, and why it has been implied that groups from the local community that currently use it for free, will have to pay to use it in future?

**The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning responded:**

Ward Councillors, in conjunction with Council officers, have agreed following a request from the Riverside Community Pavilion Association to allow use of the St Augustine's Walk playing field between 10am and 4pm each day, for organised football training and junior football.

This area will now be marked out to show the location of training grids and junior football pitches. Members of the community will still have access to the field for walking and other family recreational use. Any football clubs wishing to make use of these marked out areas will be required to book their use via the Riverside Community Pavilion. The charges for this use will be the same as the pitch hire for other playing fields within Peterborough.

Fencing will be erected along St Augustine's Walk and partly to the remaining sides of the playing field with a gate (for pedestrian and wheelchair/pram/pushchair access only) in the same location of the current gate so as to allow access by local residents. This gate will not be locked. Ownership of the land will remain with Peterborough City Council although the Riverside Community Pavilion Association will manage bookings and maintain the pitches and grassed areas on behalf of the Council by way of a lease agreement. However, the Council does, of course, retain the right to review its use of this land.

**The following supplementary question was asked:**

Councillors Lee, Benton and Serluca are all on the Association's committee. Does the Cabinet Member feel that this recommendation truly reflects the Council's commitment to residents having a greater say?

**The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning responded:**

Councillors' involvement represents a minority on the Association. We asked officers to consult fully with residents and the proposals were amended to reflect residents' views.

**PETERBOROUGH CITY COUNCIL**  
**MINUTES OF FULL COUNCIL MEETING**  
**HELD MONDAY 26 JULY 2010**

**Present:**

Councillors Ash, Benton, Burton, Cereste, Collins, M Dalton, S Day, Dobbs, Fitzgerald, Fletcher, J A Fox, J R Fox, Harrington, Holdich, Hussain, Jamil, Khan, Kreling, Lane, Lee, Lowndes, Miners, Morley, Nash, Nawaz, Over, Peach, Rush, Saltmarsh, Sandford, Scott, Seaton, Serluca, Shaheed, Sharp, Simons, Swift, Thacker, Todd, Walsh and Winslade.

**1. Apologies for Absence**

Apologies for absence were received from Councillors Allen, Arculus, S Dalton, Eley, Fower, Goldspink, Hiller, Lamb, Murphy, Newton, North, Sanders and Stokes.

The Mayor advised that the meeting would reconvene from the 14 July meeting and would continue with item 5(ii).

In addition, the Mayor advised that he had accepted an urgent item of business concerning the membership of the Planning and Environmental Protection Committee that would be dealt with as agenda Item 7(iii)(e) as the final item of business and the report was included in the additional documents for the meeting.

**5. Community Involvement Time**

**5(ii) Questions with Notice by members relating to Ward Matters and to Committee Chairmen**

Questions were asked in respect of traffic incidents at Oxney Road, removal of trees, gypsy and travellers' policy and Church Street, Werrington.

Councillor Ash queried the protocol for Members concerning the question relating to Gypsy and Travellers around Hurn Road as there was a planning application due to go to the Planning and Environmental Protection Committee for determination on 27 July. Councillor Lowndes confirmed that the planning application referred to in the question from Councillor Fower (10/00412/FUL) had been withdrawn from the forthcoming committee agenda.

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

A question was asked regarding the Real Policing Pledge.

A summary of all questions and answers raised within agenda items 5(ii) and 5(iii) are attached at **Appendix A**.

**5(iv) Petitions submitted by Members or Residents**

Petitions were received from Cllr Swift in respect of bus routes in Bluebell Avenue, Councillor Peach in respect of installation of CCTV in Century Square, Councillor Sandford in respect of resurfacing pavements in Dudley Avenue and Rockingham Grove, Councillor Walsh in respect of a planning application in Fletton Avenue and from

Councillor Serluca in respect of residential parking permits in Gloucester Road, St Johns Road, Queens Road and Fairfield Road.

## **6. Executive Business Time**

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

Questions were asked in respect of the following:

- Police budgets;
- Removal of hedges and shrubs;
- Norwood Lane Travellers' Site;
- Ring fencing of council grants;
- Provision of Blackberry devices;
- Spending restrictions on enforcement actions; and
- Changes to bus services.

Councillor Goldspink had agreed to withdraw his question relating to Westcombe Engineering.

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

### **6(ii) Questions without notice on the Record of Executive Decisions**

Members received and noted a report summarising:

- Decisions from the Cabinet Meeting held 14 June 2010;
- Use of the council's call-in mechanism; which had not been invoked since the last meeting;
- Special Urgency Provision, in respect of the decision to extend the contracts for Management and operation, supply of containers and transporting waste at the Dogsthorpe Householders Recycling Facility;
- Cabinet Member Decisions taken during the period 25 March 2010 to 1 July 2010.

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

#### Traffic Mitigation at Maskew Avenue

Councillor Jamil queried what actions could actually be taken to alleviate the traffic situation. Councillor Cereste responded that much work was being undertaken in the area including a new road system at the New England Triangle and officers were working hard to resolve the problems. Councillor Ash queried why the traffic problems had not been foreseen and why it had taken so long to take action to alleviate the problems. Councillor Cereste advised that Councillor Hiller would provide a written response to all Members.

#### Outcome of Petitions

Petition opposing allotment development on park land between Hallfields Lane and Gunthorpe Road; and Petition opposing allotment development at Werrington Paddocks - Councillor Sandford queried whether the leader would make a commitment that the two sites mentioned were unsuitable in the response to the hundreds of signatories on the petitions. Councillor Cereste advised that this could not be done. Councillor Sandford further queried the council's commitment to Environment Capital status if open space was

to be taken away against local demands along with the removal of trees and shrubs across the city. Councillor Seaton advised that the council was committed to Environment Capital status and that he had visited 8 potential sites that day to determine future allotment use. Councillor Seaton further advised that objectors living near to one of the proposed sites supported the development of the other site for allotment use and vice versa.

On a point of information Councillor Cereste advised that Councillor Sandford's claim that the council was constantly removing trees was incorrect. Councillor Cereste requested that the appropriate officer advise Councillor Sandford of the number of trees that the council had planted over the last few years.

On a point of information, Councillor Fitzgerald advised that the trees being removed around the new hospital site would be replaced and replanted as previously agreed with the developer of the site.

On a point of information, Councillor Lee advised that he supported the agreement with the hospital developer that two trees would be replanted for every one removed and this should appease Councillor Sandford's concerns.

## **7. Council Business Time**

### **7(i) Committee Recommendations**

#### **a) Report from the Strong and Supportive Communities Scrutiny Committee – Designated Public Places Order**

Councillor Walsh introduced and moved the recommendations in the report. This was seconded by Councillor Todd. A debate was held on the report and the main issues raised included:

- Many shops in residential areas have been awarded alcohol licenses;
- Difficult to refuse applications as refusals must be on licensing grounds;
- Other areas of the city could benefit from this but must ensure the order is properly enforced;
- Support government suggestions to review licensing laws as too many licenses are awarded in residential areas;
- Must ensure shops do not sell to underage customers and drunk customers;
- People now seen drinking alcohol at all times of day in the streets of Peterborough;
- Cabinet will lobby government for local views to be included in representations against licence applications;
- The report should be corrected to refer to the correct areas of the city as Woodston is mentioned in some parts of the report in place of Fletton;
- A city wide order is not possible but orders can be applied to individual areas;
- Enforcement actions should be monitored.

Council **AGREED** to the recommendations in the report.

#### **b) Report from Planning and Environmental Protection Committee – Proposed Changes to Constitution**

Councillor Lowndes introduced and moved the recommendations in the report with the following additions (text to be added is underlined):

1. Addition to page 27 at end of new paragraph 9.4, (proposal relates to Written Representations to be read out on behalf of Ward Members) as follows:

“If a Ward Councillor is unable to attend the Committee and submits representations in writing such representations may be read out at the Committee provided that the written representations are no more than 300 words and provided that there is sufficient time following speeches from Ward Councillors present at the Committee (i.e. within the 10 minute time allowed for speeches from Ward Councillors and Parish Council Representatives).”

2. Amend page 26 within additional paragraph 9.3 (proposal relates to Rights of Parish Council Representatives to address the Committee) as follows:

“The time allowed for speeches from Ward Councillors and Parish Council representatives will not be more than ten minutes in total unless the Committee decides on the day of the meeting to extend the time allowed ...*continues...*(*plus consequential amendments*).

This was seconded by Councillor Winslade.

Council **AGREED** to the recommendations in the report as amended above.

## **7(ii) Notices of Motion**

### **1) Motion from Councillor Sandford**

Councillor Sandford moved the following motion and accepted an amendment from Councillor Collins shown below:

That this Council:

- (i) Welcomes those measures in the new Government’s coalition agreement which will be of benefit to the people of Peterborough, including the following specific points:
  - (a) A radical devolution of power and greater financial autonomy to local government and community groups, including a review of local government finance;
  - (b) Abolition of Regional Spatial Strategies and return of decision-making powers on housing and planning to local councils, including giving councils new powers to stop ‘garden grabbing’;
  - (c) A reform of the planning system to give neighbourhoods far more ability to determine the shape of the places in which their inhabitants live;
  - (d) Abolition of the unelected Infrastructure Planning Commission and replacement with an efficient and democratically accountable system that provides a fast-track process for major infrastructure projects;
  - (e) Creation of a new designation – similar to Sites of Special Scientific Interest (SSSIs) – to protect green areas of particular importance to local communities;
  - (f) Measures to bring empty homes into use;
  - (g) Phasing out of the ring-fencing of grants to local government and reviewing the unfair Housing Revenue Account;

- (h) Giving all councils a general power of competence;
  - (i) Banning the use of powers in the Regulation of Investigatory Powers Act (RIPA) by councils, unless they are signed off by a magistrate and required for stopping serious crime;
  - (j) Allowing councils to return to the committee system, should they wish to;
  - (k) Abolition of the Standards Board regime;
  - (l) Tougher rules to stop unfair competition by local authority newspapers;
  - (m) New powers to help communities save local facilities and services threatened with closure, and give communities the right to bid to take over local state-run services;
  - (n) Implementation of the Sustainable Communities Act, so that citizens know how taxpayers' money is spent in their area and have a greater say over how it is spent;
  - (o) Cutting local government inspection and abolition of the Comprehensive Area Assessment;
  - (p) Requiring continuous improvements to the energy efficiency of new housing;
  - (q) Giving councillors the power to vote on large salary packages for unelected council officials;
  - (r) Measures to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity;
  - (s) Launching a national tree planting campaign;
  - (t) Working towards a 'zero waste' economy, encouraging councils to pay people to recycle, and work to reduce littering;
  - (u) Significantly cutting the number of health quangos and giving every patient the right to choose to register with the GP they want, without being restricted by where they live;
- ~~(ii) Requests the Cabinet to co-operate with the Government in delivery of these aspects of its programme in particular, whilst at the same time retaining the right to raise legitimate questions and concerns about any proposed measures (for example reductions in grant) which may have a detrimental impact on the City or its residents.~~

**Delete paragraph (ii) above and replace with:**

- (ii) Requests the Cabinet to support the positive proposals of the new government where those policies are in the best interests of the people of Peterborough whilst retaining the right to challenge any proposed measures that have a detrimental impact upon the city and its residents.

This was seconded by Councillor Collins.

Following debate, a vote was taken and the Motion was **CARRIED**: 29 in favour, 8 against, and 5 abstentions.

Councillor Swift queried what action would now be taken following the motion being carried. The Solicitor to the Council advised that it would be for Cabinet to determine how to progress the measures in the motion.

## **2) Motion from Councillor Goldspink**

The Mayor advised Council that Councillor Goldspink had withdrawn his motion.

## **3) Motion from Councillor Jamil:**

Councillor Jamil moved the following motion:

That this Council:

- (i) Recognises that the increase in VAT from 17.5% to 20% announced in the Government's June Budget will fall hardest on those least able to afford it and that it will lead to higher prices for goods and services, resulting in a disproportionate impact on pensioners and other low income groups and a severe impact on businesses, charities and community groups in Peterborough;
- (ii) Acknowledges that the effect of the increase in VAT, when taken with other measures in the Budget, will be unfair to pensioners, who have not had a compensatory increase in other benefits and allowances;
- (iii) Acknowledges that the way the VAT increase will affect pensioners and other low income groups runs counter to the Government's Coalition Agreement statement on 20 May 2010 that it would 'ensure that fairness is at the heart of those decisions so that all those most in need are protected'.
- (iv) Notes that the Institute of Fiscal Studies has stated the VAT increase was not 'unavoidable', as the Chancellor of the Exchequer said in his Budget speech.
- (v) Asks the Leader to write directly to the Chancellor of the Exchequer, raising the Council's concern about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Peterborough;
- (vi) Calls on both Members of Parliament representing Peterborough to stand up for Peterborough's pensioners, businesses, and wider community to voice their opposition to this unfair increase in VAT and to vote against it in Parliament.

This was seconded by Councillor Khan.

Following debate, a vote was taken and the motion was **DEFEATED**: 5 in favour, 35 against, and 2 abstentions.

## **7(iii) Reports and Recommendations**

### **a) Peterborough Core Strategy – Recommended Changes to Gypsy and Travellers' Policy**

Councillor Cereste moved the recommendations in the report that Council:

1. Authorises officers to submit to the Inspector currently testing the soundness of the Peterborough Core Strategy, the recommended changes to Gypsy and Travellers policy as contained at Appendix 2 of the report; and

2. Authorise officers to undertake public consultation on the proposed changes should it be necessary and prudent to do so, following consultation with the Inspector.

This was seconded by Councillor Lee.

Council **AGREED** to the recommendations in the report.

#### **b) Annual Report of the Standards Committee**

Councillor Todd introduced the report on behalf of the independent Chairman of the Standards Committee. There were no movers of the recommendations in the report.

Cllr Sandford moved the following recommendations:

That Council:

1. Notes the work carried out by the Standards Committee;
2. Agrees with Government's intention to abolish the current Standards Board Regime; and
3. Agrees that the Standards Committee reduces its number of meetings so that it only meets to fulfil its statutory responsibilities until further legislation is passed

Councillor Shaheed seconded the motion.

Following debate, a vote was taken and the recommendations from Councillor Sandford were **CARRIED**: 31 in favour, 1 against, and 6 abstentions.

#### **c) New Executive Arrangements and Possible Changes to Electoral Cycles under the Local Government and Public Involvement in Health Act 2007**

Councillor Cereste moved the first of two recommendations in the report:

1. That having regard to the requirements of the Local Government and Public Involvement in Health Act 2007, the Council:
  - a) Consults the public over the introduction of new executive arrangements during the period up to 30 September 2010;
  - b) Undertakes that consultation at minimal expense to the public, primarily using the Council's website, in view of the intention of the new government to introduce further legislative changes;
  - c) Confirms that, subject to the representations received from the public during the period of consultation, the Council's preferred option is the new style, strong leader and cabinet model, as this model is the most similar to the Council's existing arrangements and can be implemented with the least disruption until such time as the new government announces its proposals; and
  - d) Receives a further report after the conclusion of the consultation period to enable it to take a formal decision over the introduction of new executive arrangements before the statutory deadline of 31 December 2010.

Councillor Lee seconded this and reserved his right to speak.

During debate the Solicitor to the Council advised that the legislation being followed gave a deadline of 31 December to select the preferred model and advice from government office was that consultation must be undertaken and that minimal cost could be used.

Councillor Cereste advised that in addition to a consultation on the Council's website, an advert could also be placed in the local newspaper.

Following debate a vote was taken and the recommendation was **CARRIED**: 35 in favour, 3 against and 4 abstentions.

Councillor Cereste moved the second recommendation:

2. That the Council confirms that it will not be making any changes to its electoral cycle.

Councillor Lee seconded this and reserved his right to speak.

During debate the Solicitor to the Council confirmed that if Council determined that no changes were to be made to the electoral cycle then no consultation would need to be carried out for this. Following debate a vote was taken and the recommendation was **CARRIED**: 38 in favour, 3 against and 1 abstention.

#### **d) The Petitions Scheme**

Councillor Seaton moved the recommendation in the report:

That Council approves the Petitions Scheme and authorises the Solicitor to the Council to update the Constitution accordingly.

Councillor Sue Day seconded this.

Councillor Miners moved an amendment that the requirement of petitions to have a minimum of 25 signatories, as noted in paragraph 3.3 of the report, be amended to only 3 signatories needed for submission of a petition. Councillor Lee seconded the amendment.

Following clarification that the only figure to change in the report would be the number of signatories required for submission of a petition and that the numbers for holding an officer to account (250) and the number required for debate by full Council (500) would remain the same, a vote was taken and the amendment was **CARRIED**: 36 in favour, 4 against and 2 abstentions.

Council **AGREED** to the substantive motion.

#### **e) Membership of the Planning and Environmental Protection Committee**

Councillor Cereste moved the recommendation in the report:

That Council approves the appointment of Councillor Burton to the Planning and Environmental Protection Committee.

As noted in the report, the appointment of Councillor Burton would be in place of Councillor Benton in respect of one of the seats allocated to the Conservative Group on the Planning and Environmental Protection Committee.

Councillor Lee seconded this.

Council **AGREED** to the recommendation in the report.

The Mayor  
18.30 – 20.50

## COUNCIL MEETING – 26 JULY 2010

## QUESTIONS AND ANSWERS

Questions were received under the following categories:

**AGENDA ITEM 5 - COMMUNITY INVOLVEMENT TIME****5. (ii) Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen****1. In Councillor Goldspink's absence, Councillor Saltmarsh asked the Cabinet Member for Housing, Neighbourhoods and Planning:**

Is the Cabinet Member aware of two serious accidents that took place recently on Oxney Road (21 June and 4 July), ironically after his own Highways officer addressed the Planning Committee on 8 June and the minutes record him as saying that the accident data that they presented was not wholly accurate as the data was taken from Police reports only; if incidents were not reported to the police they did not get fed back? Local residents often have information that the Highways Officers and the Police do not have, but a local resident who brought forward such information at that meeting was told that his evidence of the accident rate was 'conjecture'. Would he rather rely on residents' conjecture, or officers incomplete information, and what is he going to do to address this glaring gap in the information that Members are asked to base their planning decisions upon?

**Councillor Seaton responded in the absence of the Cabinet Member for Housing, Neighbourhoods and Planning using the following information:**

I am aware of the two road traffic collisions that have occurred since the Planning Committee of 8 June.

The application for the building of flats was narrowly approved by the Planning Committee in accordance with planning policy, having heard both the professional views of the officers present and the views of the resident who addressed the committee.

Officers are unable to formulate their recommendations on the basis of information that would be regarded by the Planning Inspectorate as hearsay without exposing the Council to the risk of the decision being overturned on appeal.

A safety scheme was previously identified for this location and I am pleased to announce that this will go ahead as planned despite the reduction in funding allocated through the local transport plan.

The information used came from the Police and will not be referred back to the Planning Inspector.

**2. Councillor Miners asked the Deputy Leader:**

When Council officers authorise the removal of local trees, e.g. on verges/highways land, as happened recently in the Dogsthorpe ward (Eastern Avenue and Western Avenue) could all appropriate ward Councillors be notified of these proposals before action is taken? When Councillors have this information it is then easier to answer the various queries and questions always forthcoming from residents and we do not then have to give excuses and carry out endless chasing to secure replies that often lack detailed reasons for the removals.

**Councillor Lee responded:**

We are not aware of any trees being removed in Eastern Avenue or Western Avenue during the past year. There are proposals to look at removing three Leylandii in Central Avenue at the back end of the year once the nesting season has finished. The trees would then be replaced by native species that would be more appropriate. However, prior to that work being undertaken, consultation will take place with Ward Councillors.

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

Could officers ensure that the officer-Members protocol applies and that Ward Councillors are made aware of any actions to be undertaken?

**Councillor Lee responded:**

This issue should be raised with the relevant officers who would manage the planned works.

**3. In Councillor Fower's absence, Councillor Shaheed asked the Cabinet Member for Housing, Neighbourhoods and Planning:**

Given the announcements within the 'Peterborough Core Strategy – Recommended Changes To Gypsy And Travellers' by this City Council, and recognising the residential interest, in respect of planning application 10/00412/FUL (For 'Use of Land for One Extended Gypsy Family Comprising Two Residential Caravans And One Family Room Caravan'), along the Hurn Road and others, could the relevant Cabinet Member please inform me as to when the Inspector holding the examination is likely to conclude their findings, what assurances can we have that proper and full consultation will occur, and will there be any impact on existing applications, such as the aforementioned within the ward I represent of South Werrington and North Gunthorpe?

**Councillor Seaton responded in the absence of the Cabinet Member for Housing, Neighbourhoods and Planning using the following information:**

The Peterborough Core Strategy and the Site Allocations documents had (until recently) the responsibility to identify suitable sites for development as gypsy and traveller pitches to meet the number of pitches specified for Peterborough in the Regional Spatial Strategy (RSS). With the scrapping of the RSS, there is a report on the agenda for this meeting of Council that recommends a change to the Core Strategy to the effect that no pitches are allocated (other than for transit sites). If these changes are approved by Council, they will be presented to the Inspector who is conducting the examination into the Core Strategy. We will not hear of the Inspector's findings until December 2010 at the earliest.

**4. In Councillor Fower's absence, Councillor Shaheed asked the Cabinet Member for Housing, Neighbourhoods and Planning:**

Church Street, leading through Werrington village, is showing severe signs of deterioration, especially along the stretch just outside the village church and the Community centre, including a manhole cover which is in desperate need of replacement before an accident occurs. Can the Cabinet Member let me know how this Council assesses such work requirement and whether this stretch of road is due to be addressed/repaired ?

**Councillor Seaton responded in the absence of the Cabinet Member for Housing, Neighbourhoods and Planning using the following information:**

Church Street Werrington has been inspected and is structurally sound at the present time and would not warrant inclusion for further assessment. There are, however, localised issues, mainly around the manhole covers and we have had the open areas filled. A few manhole covers were found to be slightly low to the surrounding area and we have reported these to Anglian Water, who are responsible for these.

To my knowledge, neither of the above had been reported previously to the highway maintenance team and I would strongly encourage this type of report to be made direct to the team, so they can inspect and action to maintain highway safety.

**5. (iii) Questions from Members to Representatives of the Police / Fire Authorities**

**1. Councillor John Fox asked the Council's representative on the Police Authority:**

Prior to the general election, the Police Federation of England and Wales sent a message to all prospective parliamentary candidates (as well as serving MP's) asking for support in backing the 'Real Policing Pledge'. Will the Council's representative confirm our support for the Police Federation's aims and objectives and support their aim of providing a more professional service to our communities?

**Councillor Fitzgerald's response included the following information:**

The 'Real Policing Pledge' is a document that centres on five key pledges:

- Uphold the office of constable as the bedrock of modern policing;
- Maintain the number of warranted police constables in England and Wales;
- Ensure that all constables are adequately trained to do their jobs;
- Commit to maintain an effective ratio of police constables to support staff on community policing teams; and
- Honour the Police Negotiating Board.

Understandably, and most laudably, the 'Real Policing Pledge' focuses on the importance of police constables to the future of policing. Officer numbers, training, community policing, cutting unnecessary bureaucracy, pay and providing value for money remain of the utmost importance as the Police Authority and Constabulary plan together to face what is undeniably going to be a financially very difficult time.

The reality is that, on the advice of the Home Office, we are currently modelling a range of cuts – the lowest of which is a 17% cut in government grant, requiring a 25% budget reduction over 4 years. We currently face a £1.2m reduction in the current

year's budget that was unexpected and unplanned for and a deficit of up to £10m in 2011/12. Our total budget for the current year is now £128.8m.

Maintaining officer numbers is of primary concern to the Police Authority, but we cannot escape the fact that 80% of our total budget is spent on our workforce. It is not feasible to reduce police staff alone and maintain current service levels, since so many of our police staff are crucial in supporting 'frontline' staff. In reality, if we were to disproportionately reduce police support staff numbers there would be an impact on 'frontline' services.

Whilst the Police Authority and Constabulary continue to work together to minimise the impact on all our services and the communities they serve, the current public sector climate is one that does not lend itself to making promises that are simply not sustainable. We admire and support the principles of the Real Policing Pledge and will certainly endeavour to continue to provide as professional a service as we possibly can in the circumstances. However, the world has changed and we are unable to sign up to the detail of the document.

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

The main concern is the implication of reducing the numbers of police officers and how would the gap in provision would be met?

**Councillor Fitzgerald responded:**

The Members on the Police Authority will continue to support Peterborough's policing numbers as Peterborough was already under the national average for police officers per head of population.

## **AGENDA ITEM 6 – EXECUTIVE BUSINESS TIME**

### **6. (i) Questions with Notice from Members to the Leader and Members of the Executive**

#### **1. Councillor John Fox asked the Cabinet Member for Community Cohesion, Safety and Women’s Enterprise:**

The Government has announced that £1,000,000 is to be cut from the Police budget, which will have an obvious effect on the service that the Police will be able to provide to the general public.

Would the Cabinet Member consider an approach by the Council to the Chief Constable of Cambridgeshire Constabulary, respectfully suggesting that during this time of recession the force helicopter be kept in the hanger for a year or two and the money saved used for front line services instead, or does he / she consider that it is time to renew the call to Government to bring back the Peterborough Combined Force so that we have total control on how the budget for the Police is spent and the deployment of its officers is managed, for maximum effectiveness, efficiency, and the good of our residents.

#### **The Cabinet Member for Community Cohesion, Safety and Women’s Enterprise responded:**

We have consulted with the Police Authority who has confirmed that they have actually had to reduce their budget by £1.2m in the current year. The question asks that the money saved should be ‘**used for front line services instead**’. The helicopter is, of course, a major frontline resource which is regularly deployed to tackle crime and recover people and property in Peterborough.

The Police Authority has assured us that it already ensures best value for money from the helicopter by operating within an Air Consortium made up of three forces – Essex, Suffolk and Cambridgeshire. Each force owns its own aircraft but by working together they are able to share costs in relation to legal requirements, administrative matters, pilots and engineers. Currently there is a national air operations strategy under development which is looking at delivering this specialist service to the communities it serves, but in doing so reducing costs and expenditure. Cambridgeshire is part of this review and our consortium has been held up as an effective and efficient way forward to this national air operations objective.

Regarding the reinstatement of the Peterborough Combined Force, Government policy continues to move in the opposite direction. The Police Authority is being asked to consider greater collaborative opportunities with other forces and partner agencies as well as being asked whether or not to merge existing forces if police authorities and the public agree. To move to smaller forces would add to costs as a result of diseconomies of scale and therefore reduce value for money. The Force’s Northern Basic Command Unit, led by Chief Superintendent Andy Hebb, exists to serve Peterborough and involves Peterborough’s communities in its tasking and service provision.

2. **Councillor Goldspink had agreed to withdraw his question concerning Westcombe Engineering:**

3. **Councillor Sandford asked the Cabinet Member for Environment Capital:**

In response to a recent FOI request, I was told that over the past 12 months, the Council has removed over 16,000 sq. metres of hedges and shrubs in the city of Peterborough. In most cases these areas have been converted to intensively mown grass. The shrub removal has been going on progressively across the city for almost two years and hence seems to be a systematic shrub destruction programme and not just 'dealing with a few hazardous areas' as officers have previously claimed. Given that trees, hedges and shrubs provide important visual amenity, valuable wildlife habitat and help tackle climate change by removing carbon from the atmosphere and storing it, would the Cabinet Member agree that we should be planting significantly more trees, hedges and shrubs – not engaging in mass destruction programmes?

Would the Cabinet Member also agree that it does not make any financial sense either (at a time of likely severe budget cuts) given that research by the National Urban Forestry Unit (of which she has been sent a copy some months ago) clearly shows that intensively mown grass is the most expensive landscape management feature?

**Councillor Lee responded in the absence of the Cabinet Member for Environment Capital:**

Councillor Sandford is correct that we have dealt with over 16,000 square metres of shrubs in the past year, but not hedges as he suggests and that did not form part of his Freedom of Information question.

Virtually all of the shrubs and plant species that have been removed are self sets on roundabouts and sight lines or areas where shrubs are so old as to be unfit for purpose. Significant areas of shrubbery that have been removed include Laxton Square in front of the Passport Office where many old roses were removed in this instance because of the infestation of rats underneath the beds. Over 30 rats were trapped as part of that process. Other significant areas where shrubs have been removed include around the Boongate roundabout where the sight lines have been enhanced to improve personal safety, in consultation with the police, following two particularly vicious attacks on women. Many of our roundabouts have been beset with self set shrubs such as Elder, Buddleia, Lavatera, Sycamore and other non native species and these have been cleaned up. Examples include the roundabout in front of the Volunteer Fire Station which is now planted with low level ornamental trees improving safety for cyclists, pedestrians and motorists.

Councillor Sandford continually refers to a 12 year old piece of research undertaken by the National Urban Forestry Unit which specifically looks at trees or grass. Interestingly there is no mention in the report of shrubs. It is fair to say that the authors of this research hardly represent a broad spectrum of managers of urban open space and their suggestions are that most areas that are left to naturally become "treed" are cheaper to maintain than managed grassland. Whilst there is some truth in this, it currently costs over £1.25 per square metre per year to maintain shrubbed areas and under 15 pence per square metre to maintain grassed areas. These prices have been obtained through competitive tendering with both internal and external organisations. It is unfortunate that Councillor Sandford chooses to use a report on

natural woodland and compares it to mowed amenity grassland and takes no account of the individual locations where work has been undertaken.

The Council maintains and supports significant areas of natural woodland and has some excellent examples of both pioneer woodland, which is land that has been allowed to return to its natural state, and ancient woodland which is carefully protected because of the value of its species. However, the type of woodland that the Trees or Turf report suggest are Alder, Ash, Birch, Hawthorn, Oak, Rowan, Wild Cherry and Willow which are clearly trees as opposed to the self set shrubs which we have removed from a number of locations.

As a final word it is worth noting that Councillor Sandford's personal crusade does not have the sympathy of the Ward Councillors in the areas where the work has been undertaken and Ward Councillors have been very happy with the results and the response from most of their residents where the improvement works have taken place.

Councillor Sandford has absorbed many hours of officers' time in asking on-going, repeated questions, arranging site visits with the Commercial Services Director and the Chief Executive and raising Freedom of Information questions which detract from the resources available for the management of the Council's open spaces which in the past five years have been highly rated in the Anglia in Bloom Awards.

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

Up to 1,100 trees have been removed by the Health Service Trust and the city council around the new hospital site, this goes against the council's own Trees and Woodlands Strategy. Why has this been allowed to take place?

**Councillor Lee responded:**

The council supports the planting of trees and it is always regrettable to remove them. However, the council does not support the creation of dangerous areas in the city resulting from overgrown and hazardous shrubberies.

**4. Councillor John Fox asked the Cabinet Member for Housing, Neighbourhoods and Planning:**

I would like to record my thanks for the quick and timely response to cleaning up the entrance to the Norwood Lane Travellers' Site. I believe this to be an annual burden on the taxpayers of Peterborough and would ask if the Cabinet Member agrees that some of this money would be better spent on covert surveillance equipment in order to catch the offenders. The previous administration has in the past given us assurance that this would happen, yet I still see no visible evidence of this and problems worsen each year. This matter needs to be dealt with in a determined and positive manner, otherwise the problems will continue

**Councillor Seaton responded in the absence of the Cabinet Member for Housing, Neighbourhoods and Planning using the following information:**

A series of activities and interventions are being considered to tackle the ongoing problems on Norwood Lane, led by the relevant Neighbourhood Manager. As part of this work the Head of Environment, Transport and Engineering has put forward to the Head of Neighbourhoods estimates for improvements to the lane which may help in stopping the fly tipping that takes place. The Head of Neighbourhoods is currently

consulting with other partners, particularly the emergency services, to ensure that such changes do not cause any concerns.

The installation and use of surveillance equipment and the use of covert surveillance expertise is also currently being investigated and we have recently received quotations for both covert and overt cameras. It is our intention to take proactive enforcement action as soon as possible against key perpetrators to try to deter future flytipping and associated anti-social behaviour.

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

What is the annual cost of manually clearing up the site compared to the costs and actions resulting from the use of covert surveillance and CCTV?

**Councillor Seaton responded:**

The comparative costs will be compared to determine the most cost effective way of managing the problems at the site.

**5. Councillor Miners asked the Cabinet Member for Resources:**

Does the Cabinet Member support the recent call by the Local Government Association to the new Conservative / Liberal Democrat coalition government to remove all 'ring fencing' for Council grants?

**The Cabinet Member for Resources responded:**

We welcome the Government's plan to give local authorities new discretion over £1.3 billion of ring-fenced funding and reduce the number of funding streams from central government from 110 to 94.

For Peterborough City Council, around £1.5m of grants have had their ring-fencing removed. However we should be under no illusion that this simply means we have extra cash to tackle the grant reductions and pressures we face. The grants in question relate mainly to adult social care and are being used to provide those services. Difficult decisions would have to be made if the funding were to be used for other services.

Overall however, this is a step in the right direction, but we would like to see it go further and have all ring-fencing removed.

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

What will this mean at a local level especially concerning Early Years funding and Child Care Services?

**The Cabinet Member for Resources responded:**

A written response will be provided to Councillor Miners.

**6. In Councillor Fower's absence, Councillor Shaheed asked the Cabinet Member for Resources:**

How many Cabinet Members have a 'blackberry' or similar device provided by the local authority and what is the monthly cost to local taxpayers?

**The Cabinet Member for Resources responded:**

Seven Members of the Cabinet have devices that allow a mobile e-mail and phone link. The average monthly cost is just over £30 per member.

**7. Councillor Miners asked the Cabinet Member for Resources:**

Noting the increasing restrictions on local government spending and the ability to employ officers, could the Leader please inform the Peterborough public how this will directly affect the various forms of 'enforcement' actions we have to apply throughout the unitary authority area? Examples include parking enforcement, houses of multiple occupation, the Environmental Protection Act, Licensing, etc.

**The Cabinet Member for Resources responded:**

The bulk of enforcement sits within the Operations Directorate.

The authority is reviewing its budgets in light of the recent government announcements and the forthcoming spending review. At this stage I do not feel it is right to comment ahead of this review as the same question could be asked of any area within the Council.

However, Members will be consulted during this process and I will be happy to consider Councillor Miners' views at any time.

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

Is the council therefore considering a reduction in front line enforcement services?

**The Cabinet Member for Resources responded:**

No. Strong enforcement action is important. However, to ensure best value for money is achieved, different options must be considered.

**8. Councillor Ash asked the Cabinet Member for Housing, Neighbourhoods and Planning:**

Since the recent changes in bus services, I have received many comments (mostly adverse) from residents in my ward. A motion was agreed by Council to investigate ways of bringing services up to a suitable standard for our city. Can the Cabinet Member tell me if the Council has been proactive in securing a quality public transport service and what measures can be taken to bring the public transport network up to the quality the city can be proud of?

**Councillor Seaton responded in the absence of the Cabinet Member for Housing, Neighbourhoods and Planning using the following information:**

As Councillor Ash is aware the council is not directly responsible for local bus services. Based on passenger numbers, approximately 94% of all bus services in Peterborough are provided commercially with the main bus operator, Stagecoach, holding approximately 77% of the market.

The Transport Act 1985 puts a duty on the council for it to provide those services that it deems socially necessary. The council currently provides the following:

Community transport services	£42,220
Local bus services – both urban and rural	£909,190
Park and ride	£29,000

The Long Term Transport Strategy refers to a number of improvements for public transport:

- Permanent park and ride sites;
- Information and publicity;
- Rural bus service frequency;
- Future Bus;
- Smartcard and other ticketing initiatives;
- Real time;
- Infrastructure and interchanges including bus stops and shelters; and
- Bus priority measures.

The funding for these schemes will come from various sources – developer funding, council revenue and transport capital funding. As yet these schemes have not been costed and at this stage, it is not possible to provide a ball park figure. However, as Cllr Ash will be aware this will require significant investment.

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

Should the council be proactive in improvements rather than waiting for Stagecoach to act?

**Councillor Seaton responded:**

The council and Stagecoach must work together to provide the best service for residents.

<b>COUNCIL</b>	AGENDA ITEM No. 4
<b>13 OCTOBER 2010</b>	PUBLIC REPORT

**CORPORATE PARENTING PLEDGE TO CHILDREN IN CARE**

R E C O M M E N D A T I O N S
Cabinet Member responsible: Cabinet Member for Children’s Services
<p><b>That Council:</b></p> <p>Approves the City Council’s Corporate Parenting Pledge to Children in Care (attached as Appendix 1)</p>

**1. PURPOSE AND REASON FOR REPORT**

The purpose of this report is to share with Council the final version of the Corporate Parenting Pledge to Children in Care and to seek its endorsement and approval.

**2. BACKGROUND**

In a letter to Directors of Children’s Services and Lead Members in April 2009 Ed Balls described children in public care as being, “*the litmus test of how we are all delivering the ambitions set out in the Children’s Plan*”.

Central to the drive to improve the lives and outcomes of children in care is Care Matters; A time for Change.

Care Matters requires an integrated step change in custom and practice of all Local Authorities and their partners to address the huge waste of human potential caused by neglect and abuse of the most vulnerable of children and young people.

Care Matters requires all Local Authorities to make effective changes in the following general areas that impact directly on the quality of life of children in public care: ~

- Corporate Parenting
- Family & Parenting Support
- Care Placements
- Delivering a first Class Education
- Promoting Health & Wellbeing
- Transition to Adulthood
- The Role of the Practitioner

Fundamental in achieving these changes is a promise from corporate parents to children in care. This is normally referred to as “the pledge”.

In a letter to children in care in November 2009 Ed Balls told them that,

(1.) We are changing the law so that you must be asked for your views before any major change takes place in your life, for example, before you are moved from a foster carer or children's home, as well as on day to day issues like pocket money, bedtimes and food.

(2) We have asked all local authorities to set up Children in Care Councils to regularly ask children and young people in their care for their views on how support to you could be improved. Local authorities will also be writing down a set of promises to all children in their care (usually called their 'Pledge') about how they will improve the care and support you receive.

Over the past few months, some members of the Peterborough children in care council, Members of the Corporate Parenting Group and the Departments' Head of Learning & Opportunity for Children in Care (our virtual head teacher) have been developing the Peterborough Pledge to children in care. The final version is attached as appendix 1 to this report.

### **3. FINANCIAL IMPLICATIONS**

There are no additional financial implications falling to the Council in respect of approving this pledge.

### **4. CONSULTATION**

We have worked hard to attempt to include all key partners in drawing up the pledge. Extensive work has taken place between the CiC participation officer and children in care themselves. A wish list that the children developed was presented to the Corporate Parenting Panel. Further work was undertaken that drew on best (and worst) practice from other Authorities. Options were considered at a workshop session in November 2009 involving Children in Care, Elected Members and Local Authority Officers in order to draw up a first draft of the pledge. Following the discussion and a post it exercise the first draft was drawn up. This is based on the five every child matters outcomes linking to the Children's Trust shared priorities, plus an additional area to represent other issues that the children in care raised. At the January Corporate Parenting meeting a final version of the Pledge was agreed and prepared for presentation to the full Council. Throughout the process Children in Care, Social Workers and Education Team for Children in Care (ETCiC) have been aware of the developments that have been made. Drafts of the pledge have also been presented to the Enjoy & Achieve Partnership group, Designated Teachers for CiC, selected Foster Carers and the Senior Leadership Team within Learning & Skills. The pledge was approved by the Creating Opportunities and Tackling Inequalities Scrutiny Committee (meeting 16 March 2010).

### **5. BACKGROUND DOCUMENTS**

1. Care Matters – A Time for Change (Cm7137): June 2007
2. Letter to DCS and Lead Member from Ed Balls: April 2009
3. Letter to Children in Care from Ed Balls: November 2009

## Promises to our Children in Care

We want children in care, like every child and young person in Peterborough to have high aspirations about what they can and will achieve. Therefore we have listened carefully to the views of our children in care and the Corporate Parenting Panel to develop our pledge.

Peterborough City Council promises the children that we take into our care that:~

- We will always be honest with you and only promise the things we know we can make happen.
- Children are at the centre of everything that we do and therefore your views are important. We expect that all adults working with you are committed to listening to you and giving your views high priority in every decision that is made.
- We promise that all adults who work with children in care will always act in the child's best interests in the same way as they would expect parents to treat their own children. This means that they will want the best outcomes for you and will always try to involve you in the decision making process, but will also explain why something that you might have wanted to happen cannot.

**The whole City Council is committed to our children in care.**

**We believe that being taken into care should not hold anyone back. Peterborough City Council will always have high expectations of what children in care can do and what they can achieve. The Council is committed to supporting children in care to achieve their full potential.**

**Signed Mayor of Peterborough, Cllr K Sharp**

**Signed Lead Member for Childrens Services,  
Cllr S Scott**

**Signed Executive Director Childrens Services,  
J Richards**

**Signed Leader of the Council, Cllr M Cereste**

**Signed Cllr C Swift OBE**

**Signed Cllr D Fower**

**Signed Cllr N Khan**

**Signed Cllr S Goldspink**

**October 2010**

Children in Care said that they want:

**“To be encouraged to be healthy”**

The Corporate Parenting Panel said that by the age of 16 they wanted our children to:

- Have had regular health and dental checks and vaccinations
- To have the knowledge to make informed choices about how to have a good diet, stay healthy and physically fit and
- To be happy & healthy

***This means that Peterborough City Council will***

- **Work with Doctors, Nurses, Dentists, Opticians and other health professionals to ensure that they understand the challenges that children in care face so that they can give the best possible support and treatment to you**
- **Expect your carers to encourage you to eat healthily and to have regular health and dental checks**
- **Expect your carers to support you to attend your health assessment and medical appointments**
- **Expect your carers to support and encourage you to take part in at least 2-3 hours sport or exercise that you enjoy each week**



**Be  
Healthy**

**Peterborough Children's Trust Shared Priorities**

- 1) Children & Young People are supported to make **healthy choices**
- 2) Children & Young people have the best possible **emotional health**

Children in Care said they want:

**“Every effort to be made to find the best home available that suits them, where they feel safe, supported, cared about and treated well for as long as is needed”**

The Corporate Parenting Panel said that by the age of 16 they wanted our children to:

- Have experienced being brought up in a supportive, stable home environment
- Have a good relationship with the people that care for them and about them
- Understand why they have been taken in to care and why the decisions that have changed their life have been made
- To be safe from antisocial and criminal behaviour and
- To be in safe and secure accommodation where they feel at home
- To feel that they are a valued member of the community

***This means that Peterborough City Council will***

- Give written information about where you are going to live before you meet the carers and make sure that you have a proper introduction to your new home
- Avoid moving you if at all possible
- Try to keep you and your brothers and sisters together, but if its not possible, make sure you see each other regularly and know where everyone is living, if appropriate
- Expect you to be treated equally, as one of the family
- Make sure that carers understand how to help you to feel just like anyone else and ask how you want to explain your living arrangements to other people
- Make sure you have a holiday at least once a year
- Make sure that you have a bank account and Children’s Trust Fund set up for you
- Ensure that you can follow your own religion if you choose to do so
- Support you to stay in care up to the age of 18 if that is what you wish, and beyond 18 if continuing onto higher education or training
- Make arrangements for you to stay in touch with or stay on with your carers after 18.
- Make arrangements for you to take an active role in positive community activities
- Give you the opportunities to undertake cultural and leisure activities
- Put plans in place to discourage you from becoming involved in anti social behaviour or crime



**Stay  
Safe**

**Peterborough Children’s Trust Shared Priorities**

- 3) Children & Young People have a **safe environment** to grow up in
- 4) Children & Young people are **safeguarded** from harm

Children in Care said that they want:

**"To be supported to do the best they can at school and in their hobbies and talents"**

The Corporate Parenting Panel said that by the age of 16 they wanted our children to:

- Have had a good education and have achieved their full potential in assessments and examinations
- Have had their abilities and talents recognised and celebrated
- Had the opportunity to take part in a range of out of school experiences and activities
- Have been taught in schools which understanding them, which expect them to achieve and strive to treat them as they would any other pupil or student and
- To have the opportunity to access all Peterborough City Council Cultural & Leisure facilities
- Be involved in the hobbies and activities that they select

***This means that Peterborough City Council will***

- Make sure that younger children can attend a nursery at the age of 3 or 4
- Make sure that you get a place at the school which best meets your individual needs
- Make a personal education plan with you, your carers, your social worker and the school that gives you the help and support you need to learn and achieve your full potential
- Expect carers to take an active interest in your education, attend consultations with teachers and other school activities. They will also need to encourage and support you to complete homework and coursework to the best standard you can
- Work with Teachers, schools and other education professionals to ensure that they understand the challenges you face so that they can give you the best possible support and advice
- Meetings should be arranged that don't involve you missing lessons or always having the meeting in school
- Make sure that you have access to a computer and other equipment, experiences and visits that you need as part of your education or training
- Support all young people financially and practically onto college and university if they are able
- Organise events that celebrate your achievements on a regular basis



**Enjoy & Achieve**

**Peterborough Children's Trust Shared Priorities**

5) Children & Young People have enjoyable and appropriate learning opportunities

Children in Care said that they want:

**“To be supported to make a positive contribution to their communities and to the experiences of other children in care”**

The Corporate Parenting Panel said that by the age of 16 they wanted our children to:

- Have a strong Children in Care Council that represents all children in care
- Have the opportunity to become involved in charity and community activities
- Have had a real choice in what they have been able to experience
- Have developed their own contact and support networks and
- To have contributed to the care process to influence the things that affect their lives

***This means that Peterborough City Council will***

- Help you run a Children in Care Council to give everyone the opportunity to have their say
- Encourage you to contribute to improving how things work for all children in care
- Develop a website that allows you to communicate with other children in care safely & securely.
- Work with young people and community organisations to provide information about volunteering and give you access to opportunities to help others.
- Give you support to develop your interests and talents



**Making a Positive Contribution**

**Peterborough Children's Trust Shared Priorities**

- 6) Children & Young People are **engaged and supported** within their communities
- 7) Children & Young people resist engaging in **crime and antisocial behaviour**

Children in Care said that they want:

**“To be supported practically, financially and emotionally, to prepare for their future in their own time and to help them make positive choices for independent living.”**

The Corporate Parenting Panel said that by the age of 16 they wanted our children to:

- Have been prepared to make the next step into more independent living
- Have started to develop the skills that will allow them to be able to care for themselves
- Have the skills, qualifications and opportunities to continue to learn and / or get a good job
- Understand what allowances and support they are entitled to
- To have an understanding of how to use money and budget effectively

***This means that Peterborough City Council will***

- Ensure that you can stay in care until you are at least 18 if you want and we will stay in touch with you until you are 21 and up to 24 in some circumstances
- Require Carers to help you to know how to budget, cook and learn the skills needed to live independently like any other young person
- Provide opportunities for you to learn life skills away from your home
- Provide a named worker to support you into independent living and develop and review plans and provide written information about your rights and financial entitlements
- Carers, named workers and other staff will be available if you need someone to talk to.



**Achieve  
Economic  
Wellbeing**

**Peterborough Children's Trust Shared Priorities**

- 8) Children & Young People achieve their potential and succeed economically
- 9) All Young people must have access to appropriate housing

Children in Care said that they want:

“A named worker who has quality time to spend with the young person doing the things they want to do; who will get in touch with them quickly when they needed help, by e-mail, phone, text or in person.”

“Regular contact with family and friends that is agreed in a care plan and happen in a safe way.”

“Have adults that listen to them, treat them with respect, are reliable, give young people time and space to consider all decisions to do with their care, to know how their views have been taken into account and to have decisions explained.”

The Corporate Parenting Panel said that by the age of 16 they wanted our children to:

- Be able to keep in touch with their family & friends
- To feel that they have experienced the normal childhood things
- To have been involved and have influenced what happened to them

### ***This means that Peterborough City Council will***

- give you clear information and contact details of who you can contact in an emergency
- make arrangements for adults to see you at least as regularly as legally required and give you the time to get to know them by spending quality time together
- Ensure the workers plan meeting times with you and attends them punctually
- Makes and supports the arrangements for you to see and keep in touch with your family and friends if appropriate
- Check with you to assess the quality of what we do
- Involve you in all decisions affecting your life
- Celebrate your success and achievement
- Support you by giving information on how to get an independent advocate/visitor and ensure that we have a clear complaints procedure



**Underpinning  
Priorities**

#### **Peterborough Children's Trust Shared Priorities**

- 10) **Vulnerable Children & Young People** are supported to achieve the best possible outcomes
- 11) Deliver an effective **infrastructure** to ensure service can continue to improve outcomes for children and young people

COUNCIL	AGENDA ITEM No. 5 (i)
13 OCTOBER 2010	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 3 July 2010 to 30 September 2010**

#### **2.1 Civic Events**

- Freedom Parade followed by Cathedral Service and presentation for Girlguiding Cambridgeshire West on 11 July
- Civic Service at the Salvation Army Citadel on Sunday 25 July
- Attended Citizenship Ceremony on 13 July\*
- Attended Citizenship Ceremony on 27 July
- Attended Citizenship Ceremony on 10 August
- Attended Citizenship Ceremony on 24 August
- Attended Citizenship Ceremony on 14 September

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

- Hosted meeting with the Bishop of Peterborough and his wife, Dr Janice Allister on 5 July
- Hosted meeting to discuss feedback from trip to Vinnitsa on 12 July
- HRH The Duke of Gloucester on 13 July
- Visit to Parlour by Rotary US exchange student 15 July
- Hosted meeting with Mike Heath 19 July
- Hosted meeting with John Harrison
- Hosted meeting with Denise Radley 26 July
- Hosted briefing meeting for full council 26 July
- Hosted War Memorial Planning meeting 27 July
- Hosted Charity Committee meeting 29 July
- Meeting Lt Col Jon Symon CO from Royal Anglian Regiment 4 August
- Meeting with Alistair from Human Rights Organisation on 18 August
- Hosted visit by Parents United on 23 August
- Hosted meeting to discuss Cohesion Strategy on 24 August
- Hosted meeting to discuss promoting the Great Eastern Run on 25 August
- Hosted meeting to discuss GER further update on 1 September
- Meeting with Mark Kinder and US airman who was based in Kingscliffe during the second world war on 2 September
- Hosted meeting with Graham Bell and Andrew Cawthorpe re Prince's Trust on 2 September

- Hosted meeting to discuss festival clashing with other local events on 2 September
- Presentation of cheque to Mayors Charities by RAF on Tues 14 September
- Hosted meeting to discuss Great Eastern Run on 20 September
- Meeting with Fatou George on 20 September
- Hosted tea for Mayor of Stamford and Consort on 21 September
- Hosted visit by Parkinsons UK on 22 September

### 2.3 Charity Events

- Started charity walk in Cathedral Square
- Attended Charity ice hockey event at Planet Ice on 31 July
- Charity Bike Festival – Wicksteed Park, Kettering 14 July\*
- Started Max Burt Charity Ride-Town Hall Steps on 23 August
- Set Cliff and Marjorie Abbott off on a charity cycle ride to Paris from Peterborough Cathedral

### 2.4 Council and Other Events

- Attended Heritage weekend in Minster Precincts and Cathedral Square on 3 July
- Attended Ready willing and mobile competition awards presentations at the Mobility Roadshow, East of England Showground on 3 July \*
- Attended Launch of Peterborough Cathedral Precinct GIS system at the Deanery on 3 July
- Attended City of Peterborough Symphony Orchestra 20<sup>th</sup> anniversary concert in Peterborough Cathedral on 3 July
- Attended Mayor of Wisbech's Civic Service and parade starting at Council Chamber and proceeding to the parish church of St Peter and St Paul on 4 July
- Attended Musical Connection at Gladstone Community Centre on 4 July
- Attended *Stars Falling* – festival event at the Key Theatre on 6 July
- Attended Festival Recital, St John's Church, Cathedral Square on 7 July
- Attended *As You Like It*, Festival event in Central Park on 7 July \*
- Attended Young People's Film Awards (Secondary) at Kingsgate on 7 July
- Attended Opening of the Peterborough Garden Park on 8 July
- Attended Young People's Film Awards (Primary) at Kingsgate on 8 July \*
- Attended *As You Like It*, Festival event in Central Park on 8 July
- Attended Finish on site ceremony at Cornflower Avenue, Albert Crescent, the Hamptons on 9 July
- Attended Festival Recital, St John's Church, Cathedral Square on 9 July \*
- Attended Boat Festival welcome barbecue on the Embankment on 9 July
- Attended Festival events in the Cathedral Square and Embankment on 10 and 11 July
- Attended Sing for Heroes in Peterborough Cathedral on 10 July
- Attended Pledge Against Prejudice event at Jack Hunt School
- Attended funeral of Mr R K Taylor at Peterborough Crematorium on 13 July
- Attended Peterborough's Women's Aid at the Fleet on 13 July
- Chaired Full Council Meeting on 14 July
- Attended ODA Dogs Annual General Meeting at Christchurch Hall, 15 July
- Attended Travelling Field Kitchen Restaurant at Sacrewell Farm on 16 July
- Attended Alma Road Fun Day on Friday 17 July
- Attended Interfaith meeting in reception room on 18 July
- Visited Voyager school to say thank you to the young people who helped at the Open Day 20 July
- Attended Thomas Deacon Academy Combined Cadet Force Passing Off Parade 21 July

- Attended Open Day at Fair View Court 22 July
- Attended Royal Anglian Regiment Reception and Presentation at Churchill College, Cambridge 22 July
- Attended evening with Notre Berry and Pig Dyke Molly at Town Hall 23 July
- Attended Eye Open Space opening event at Eye Community Centre 24 July
- Attended SORTED event in the city centre 24 July
- Attended Aspirations Day at City College 28 July
- Visited former Mayor, Jack Farrell at Longueville Court Care Home on 28 July
- Attended Prince's Trust Presentations at Town Hall 28 July
- Attended lunch with the Judiciary at Peterborough Combined Court Centre 29 July
- Attended 115 (Peterborough) Sqn Air Training Corp summer ball at the Haycock Hotel, Wansford on 30 July
- Attended PBSA Football tournament at Peterborough Town Sports Club on 1 August
- Attended Charles Pickering funeral on 2 August
- Attended Children's Services Departmental Leadership Team meeting on 4 August
- Attended Life's a Beach, Cross Keys Homes summer on 4 August
- Visited Samaritans offices on 5 August
- Attended Life's a Beach, Cross Keys Homes summer event on 5 August\*
- Attended dinner party hosted by Group Captain Richard Knighton on 6 August
- Attended Time Bank Launch on 9 August
- Attended open evening at Harvest Fields in John Clare Country on 10 August\*
- Attended Future Jobs Fund Showcase at Kingsgate on 12 August
- Attended Rock in the Park on 12 August
- Attended Railworld on 13 August
- Attended opening of fun day at Honeyhill's Children's Centre on 14 August
- Attended Charity Bike Festival, Wicksteed Park, Kettering on 14 August\*
- Attended Help for Heroes event at Northfields Inn on 14 August
- Attended VJ Day Service, Central Park on 15 August
- Attended Family Fun Day at Fulbridge Recreation Ground on 16 August
- Attended Rotary Club Dinner at the Holiday Inn on 17 August
- Attended 'Life's a beach' at Woodfield Park, Welland on 19 August
- Attended 'Capture your Community' event at the Voyager School on 21 August
- Attended Summer Fun Day at Itter Park on 22 August
- Opened Castor Ales Brewery on 23 August
- Attended Beer Festival on 24 August
- Attended Shaker Awards Night presentation evening on 24 August
- Attended University of the Third Age activities day at the Jack Hunt School on 26 August
- Enlistment of junior soldiers in the council chamber on 31 August
- Attended Supported Adult Learning Event at the Fleet, Fletton on 1 September
- Attended Bluebell Residents Association annual general meeting at the Bluebell Community Centre on 1 September
- Attended annual reception at Officer's Mess Royal Air Force, Wittering on 3 September
- Attended Proms in the Park, at Walled Garden, Rushden Hall Park, Rushden on 4 September
- Attended Friends of Central Park Fun Day at Central Park on 5 September
- Attended Elsie Patmore's 100<sup>th</sup> birthday at Yeoman House on 5 September
- Opened Hall's Pharmacy at 92 Peterborough Rd, Farcet on 6 September
- Attended Battle of Britain and Sunset Ceremony at RAF Alconbury on 8 September
- Visited Dogsthorpe Fire Station on 9 September
- Visited Viersen for 40<sup>th</sup> Anniversary of Viersen and their twin town Lambersart on 10 and 11 September
- Attended Mayor's Civic Service at Ramsey on 12 September\*
- Attended Platform Peterborough Launch event at Former Waterstones Store on 16 September

- Drinks and Canapes at Peterborough Cathedral on 16 September\*
- Attended Speech Day at the Cathedral on 17 September
- Attended the USA Birthday at RAF Alconbury on Friday 17
- Attended Brownies take over flag fen on 19 September
- Attended Battle of Britain Memorial Service, St.John's Church on 19 September
- Attended Melbourne Staff Songsters at the Salvation Army on 21 September
- Attended Flood Risk Management 2010 Exhibition at East of England Showground on 22 September
- Attended Annual Public Meeting at Hinchingsbrooke School on 22 September\*
- Attended 'Our Nobby' performance at St. John's Church on 23 September\*
- Attended 6<sup>th</sup> anniversary and launch of New Hope UK Charity Ball\*
- Attended Macmillan Coffee Morning, March on 24 September\*
- Attended renaming ceremony at Peterborough High School on 24 September
- Attended The Peterborough School's speech day at the Cathedral on 24 September
- Attended King's School D of E presentation evening on 24 September
- Attended 'Hats in 3D' at The Peterborough School on 24 September
- Attended 'All well being roadshow' on 25 September
- Took part in Poppy Walk at Ferry Meadows on 25 September
- Attended Mayor's Variety Performance at The Voyager School on 25 September
- Attended 'Back to Church Sunday' at Park Road Baptist Church on 26 September\*
- Started the PHAB heartbeat meander around Ferry Meadows on 26 September
- Attended Civic Service at St. Mary's Church, Huntingdon on 26 September\*

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

None.

<b>COUNCIL</b>	<b>AGENDA ITEM No. 7 (ii)</b>
<b>13 OCTOBER 2010</b>	<b>PUBLIC REPORT</b>

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

**1. DECISIONS FROM CABINET MEETING HELD 29 SEPTEMBER 2010**

**REVISED BIODIVERSITY STRATEGY**

Cabinet received the City Council’s updated Biodiversity Strategy for consideration and was requested to refer it to Full Council for consideration as part of the major policy framework if appropriate.

**CABINET RESOLVED TO:**

- (i) endorse the Biodiversity Strategy prior to its consideration by Council as part of the major policy framework; and
- (ii) consider the requirement for additional resources during the development of the Council Budgets alongside other budget pressures.

**PROGRESS ON THE DELIVERY OF THE ENVIRONMENT CAPITAL PORTFOLIO**

Cabinet considered the proposed Home of Environment Capital Policy 2010 policy which would form part of the major policy framework to be considered by Council on 13<sup>th</sup> October 2010.

**CABINET RESOLVED TO:**

- (i) recommend the draft “Home of Environment Capital Policy 2010” policy to Council on 13th October 2010 for adoption as part of the Major Policy Framework; and
- (ii) support the Home of Environment Capital communication and marketing approach for implementation subject to the adoption of the Major Policy by Council.

**HEALTH WHITE PAPER - EQUITY AND EXCELLENCE: LIBERATING THE NHS**

Cabinet considered the proposed response from the City Council on the Health White Paper.

**CABINET RESOLVED TO:**

Submit the response to the government’s White Paper: “Equity & Excellence: Liberating the NHS” and its associated consultation documents.

**CABINET FURTHER RESOLVED TO:**

Strengthen the wording concerning future Health Scrutiny and its need for separation from Well Being boards.

## **EXECUTIVE ARRANGEMENTS**

Cabinet considered the response of the public consultation to date.

### **CABINET RESOLVED TO:**

Recommends to Council that it adopts the Strong Leader and Cabinet style of Executive Arrangements to take effect from May 2011.

## **PROPOSAL TO CHANGE THE NAME OF FLETTON WARD TO FLETTON & WOODSTON WARD**

Cabinet considered a request to change the name of Fletton Ward to Fletton & Woodston Ward to reflect the fact that Fletton ward is made up of the Fletton and Woodston areas.

### **CABINET RESOLVED TO:**

Recommend to Council that it agrees to consult all appropriate persons on the proposed change of name for Fletton Ward to Fletton & Woodston Ward.

## **BUDGET AND POLICY FRAMEWORK**

Cabinet received the council's agreed Annual Budget Framework to consider the council's budget and financial strategy and to set provisional cash limits for the forthcoming year.

### **CABINET RESOLVED TO:**

- (i) note the potential impact of the state of national public finances on the Council's future grant settlements and its implications for the medium term financial strategy;
- (ii) approve plans to consult with Scrutiny and Stakeholders on the medium term financial strategy earlier (one month) than previous years, reflecting the scale of the challenge facing the Council;
- (iii) approve the approach that is proposed for the budget process incorporating the medium term financial strategy (MTFS);
- (iv) approve the grant scenarios for departments to enable them to finalise options for financial years 2011/12 through to and including 2015/16 for further consideration; and
- (v) note that proposals will need to be considered for implementation during the current financial year to address the grant reductions announced for 2010/11.

## **BUDGET MONITORING - FINAL OUTTURN 2009/2010**

Cabinet was asked to note the final financial performance for revenue and capital at 31 March 2010 and the performance information on treasury management activities, the payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments.

### **CABINET RESOLVED TO:**

- (i) Note the final outturn position (based on expenditure at the end of March 2010) on the Council's revenue and capital budget;
- (ii) Note the performance against the prudential indicators;

- (iii) Note the performance on treasury management activities, payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments; and
- (iv) Note the financial uncertainty of local government financing in future years and how this could impact the Council.

## **OUTCOME OF PETITIONS**

Cabinet considered the following outcomes in respect of petitions presented to full Council and **RESOLVED** to note the action taken as follows:

**a) Petition for CCTV camera(s) to be installed on a permanent basis within Century Square, Millfield, Peterborough, Cambridgeshire PE1 3FR**

This petition was presented to full Council on 26 July 2010 by Councillor Peach.

The Council's Resilience and Risk Services Manager responded on 2 September following information gathered from Safer Peterborough Partnership and the relevant Neighbourhood Team advising that incidents reported were mainly of anti-social behaviour and due to their nature, the cost of installing, maintaining and monitoring a CCTV system for Century Square could not be justified (2 cameras would be needed for this operation). Due to the nature of the offences, it was also not certain that CCTV would be an effective deterrent.

**b) Petition opposing change in route to the number 5 bus through Bluebell Avenue**

This petition was presented to Council by Councillor Swift.

The Council's Head of Planning Transport and Engineering responded to Councillor Swift and all signatories on the petition by letter dated 10 August advising that as the service is operated by a private company, Stagecoach, the Council is limited to what it can do regarding the operating routes. Stagecoach would have had approval to use the altered route from the Area Traffic Office at least 56 days in advance but there was no statutory requirement to advise residents of bus service changes. Speed checks and vehicle monitoring would be arranged on this route. All of the Stagecoach buses run on Ultra Low Sulphur Diesel including the additive Envirox to further reduce pollution. All city bus routes would be gritted in the winter times. Concerns over the stopping of buses at non-marked bus stops would be raised with Stagecoach.

**c) Petition for Pavement Resurfacing in Dudley Avenue and Rockingham Grove**

This petition was presented to Council by Councillor Sandford.

The Council's Highway Maintenance Team Manager responded to Councillor Sandford on 4 August and reiterated information sent to Councillor Sandford in April this year that inspections had been carried out and the pavements were not deemed to be in need of repair and any cracks or other defects were not serious enough to warrant major works in the foreseeable future. The Highway Maintenance Team Manager advised that any maintenance requests were assessed and considered alongside other requests across the city in order to identify and prioritise sites in a fair and measured way.

A further email was sent to Councillor Sandford on 12 August stating that a further inspection had been carried out on 10 August where some cracked slabs had been marked for repair due to the possibility of developing into a trip hazard and an order was raised with the contractor to resolve this.

**d) Petition for refusal of planning application reference 10/00328/FUL at 157-161 Fletton Avenue**

This petition was presented to Council by Councillor Walsh.

The council's Group Manager Planning Services responded to the lead signatory on the petition and Cllr Walsh advising that the considerations of the signatories would be taken into account when a decision was made on the application. The letter also advised that most planning decisions were taken by officers and not a formal meeting of the Planning and Environmental Protection Committee.

The Planning and Environmental Protection committee meeting of 7 September considered this application and subsequently, the planning application was approved by the committee.

**e) Petition opposing introduction of residents' parking permits in Gloucester Road and St Johns Road**

This petition was presented to Council by Councillor Serluca.

A public meeting was held between officers, residents and ward councillors on 25 August. The Zonal parking scheme as proposed has not received sufficient support to proceed. A refund will be provided upon request to all applicants. An alternative scheme is being considered.

**f) Petition opposing introduction of residents' parking permits in Queens Road and Fairfield Road**

This petition was presented to Council by Councillor Serluca.

A public meeting was held between officers, residents and ward councillors on 25 August. The Zonal parking scheme as proposed has not received sufficient support to proceed. A refund will be provided upon request to all applicants. An alternative scheme is being considered.

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

Since the last report to Council, the call-in mechanism has not been invoked.

**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 special urgency provisions have been invoked in respect of the following decisions:

Special Urgency and Waiver of Call-in

**Peterborough Bridges Refurbishment Programme 2010/11 - Nomination of Contractor through Midlands Works Framework 4**

The Chairman of the Council's Sustainable Growth Scrutiny Committee agreed to the Council's urgency procedures being invoked in respect of this decision which:

(i) waived the five day consideration period; and  
(ii) waived the three day call-in period;  
as any delay caused by the consideration and call-in periods would have resulted in a delay to urgent work being undertaken to the Northey Gravel Bridge and would, in turn, have prejudiced the Council's and the public interest.

**Betta Cars Contract Termination**

The Chairman of the Council's Sustainable Growth Scrutiny Committee agreed to the Council's urgency procedures being invoked in respect of this decision which:

- (i) waived the need to be included on the Forward Plan
- (ii) waived the five day consideration period; and
- (iii) waived the three day call-in period;

as any delay would have significantly prejudiced the council's and public's interest as no home to school transport provision would have been in place for those who benefit from and rely upon the service to gain access to school and education.

**4. CABINET MEMBER DECISIONS**

<b>CABINET MEMBER AND DATE OF DECISION</b>	<b>REFERENCE</b>	<b>DECISION TAKEN</b>
Councillor Cereste  2 July 2010	JUL10/CMDN/066	<p><b>Appointment to the Voyager Cooperative Learning Trust</b></p> <p>The Leader of the Council and Cabinet Member for Growth, Strategic Planning and Economic Development authorised:</p> <ol style="list-style-type: none"> <li>1. inclusion of the Voyager Co-operative Learning Trust on the Council's list of Outside Bodies in the Strategic and Executive category of the Council's list of Outside Bodies, and</li> <li>2. the appointment of Melanie Collins, Assistant Director - Learning &amp; Skills, to represent the City Council on the board of the Voyager Learning Co-operative Trust for the 2010-2011 municipal year as agreed by Group Secretaries.</li> </ol>
Councillor Holdich  8 July 2010	JUL10/CMDN/067	<p><b>Closure of Southfields Infant School and the extension of the age range of Southfields Junior School</b></p> <p>The Cabinet Member authorised:</p> <ol style="list-style-type: none"> <li>1. the closure of Southfields Infant School on 31 August 2010 (in accordance with paragraph 8 of Schedule 2 of the Education and Inspections Act 2006); and</li> <li>2. the proposal to extend the age range of Southfields Junior School from 1 September</li> </ol>

		2010 (in accordance with Section 21 of the Education and Inspections Act 2006).
Councillor Hiller  16 July 2010	JUL10/CMDN/068	<b>Peterborough Bridges Refurbishment Programme 2010/11 - Nomination of Contractor through Midlands Works Framework 4</b>  The Cabinet Member gave authority to:  1. waive Contract Regulations to permit the appointment of a single contractor from the Midlands Works Framework 4 (MWF4) for each of the five contracts for the reasons set out in the report; and 2. award the updated Peterborough Bridges Refurbishment contracts (as detailed in Annex 1) to Geoffrey Osborne Ltd within the budget for these works.
Councillor Holdich  20 July 2010	JUL10/CMDN/069	<b>Appointment of Authority Governor - St John C of E Primary School</b>  To appoint Mr Gary Ball nominated by the governing body.
Councillor Holdich  20 July 2010	JUL10/CMDN/070	<b>Appointment of Authority Governor - Winyates Primary School -</b>  To appoint Mr David Alvey nominated by the local authority.
Councillor Holdich  20 July 2010	JUL10/CMDN/071	<b>Appointment of Authority Governor - St Augustines Junior School</b>  To appoint Mr David Kingdom who has been nominated by the governing body.
Councillor Holdich  26 July 2010	JUL10/CMDN/072	<b>Extension to Hampton Hargate Primary School to Provide Six Additional Classrooms, Hall and Associated Facilities</b>  The Cabinet Member authorised the award of the contract for the extension of Hampton Hargate Primary School to provide six additional classrooms and associated facilities to M.A.R.S. (Construction) Limited for the sum referred to in the exempt annex.
Councillor Cereste  26 July 2010	JUL10/CMDN/073	<b>Proposed New Children's Centre at Hampton Hargate Primary School</b>  The Leader of the Council authorised the award of the contract for the construction of a Children's Centre within the grounds of Hampton Hargate Primary School to M.A.R.S. construction Ltd for the sum outlined in the exempt annex.

Councillor Holdich 26 July 2010	JUL10/CMDN/074	<b>School Term Dates 2011-2012</b>  Approved the proposed term dates for the academic year 2011-2012.
Councillor Seaton 3 August 2010	AUG10/CMDN/075	<b>Discretionary Rate Relief from Business Rates on the Grounds of Hardship</b>  The Cabinet Member considered the application for hardship relief and accepted the recommendation that it be refused as outlined in the background information in relation to the company named in the exempt annex.
Councillor Seaton 3 August 2010	AUG10/CMDN/076	<b>Discretionary Rate Relief from Business Rates on the Grounds of Hardship</b>  The Cabinet Member considered the application for hardship relief and accepted the recommendation that it be refused as outlined in the background information in relation to the company named in the exempt annex.
Councillor S Dalton 11 August 2010	AUG10/CMDN/077	<b>Registration as a participant in the Carbon Reduction Commitment Scheme</b>  The Cabinet Member authorised submission of the application for registration under the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme.
Councillor Hiller 19 August 2010	AUG10/CMDN/078	<b>Variation to Transport and Engineering Professional Services Contract</b>  The Cabinet Member agreed the variations (set out in the Exempt Annex) to the Contract with Atkins Limited for the provision of Professional Services in Transportation and Engineering.
Councillor Cereste 20 August 2010	AUG10/CMDN/079	<b>Peterborough Site Allocations - Cemetery Provision Options Consultation</b>  Approved the Cemetery Provision Options report for public consultation during August/September 2010.
Councillor Lamb 25 August 2010	AUG10/CMDN/080	<b>Supporting People Programme: Independent Living Support Service</b>  Enabled the transfer of Supporting People funding to NHS Peterborough to obtain statutory and non-statutory services for the Supporting People Independent Living Support Service for the sum referred to in the Exempt Annex. This funding arrangement was to be for a period of 1 year from 1 April 2010 to 31 March 2011 with an

		option to extend the funding arrangements for a further year from 1 April 2011 to 31 March 2012 and then a further year from 1 April 2012 to 31 March 2013. The decisions to extend for further years will be published Key Decisions.
Councillor Holdich  23 August 2010	AUG10/CMDN/081	<b>Appointment of Authority Governor - Paston Ridings Primary School</b>  To appoint Miss Laura Haynes nominated by the local authority.
Councillor Holdich  23 August 2010	AUG10/CMDN/082	<b>Appointment of Authority Governor - Highlees Primary School</b>  To appoint Mrs Janet Shaw nominated by the local authority.
Councillor Holdich  23 August 2010	AUG10/CMDN/083	<b>Appointment of Authority Governor - Sacred Heart RC Primary School</b>  To appoint Mr Larry Binns nominated by the governing body.
Councillor Lee  31 August 2010	AUG10/CMDN/084	<b>Betta Cars Contract Termination</b>  To terminate the council's contract with Betta Cars for providing passenger transport services for 19 home to school routes and 2 call off contracts for children's social care routes.
Councillor Holdich  3 September 2010	SEP10/CMDN/085	<b>Appointment of LEA Governor - Ravensthorpe Riding Primary School</b>  To appoint Mrs Caroline Parsons nominated by the local authority.
Councillor Holdich  3 September 2010	SEP10/CMDN/086	<b>Appointment of Authority Governor - Nenegate School</b>  To appoint Miss Joanne Cousins nominated by the local authority.
Councillor Holdich  3 September 2010	SEP10/CMDN/087	<b>Appointment of Authority Governor - St John Fisher Catholic High School</b>  To appoint Ms Shan Oswald nominated by the local authority.
Councillor Holdich  3 September 2010	SEP10/CMDN/088	<b>Appointment of Authority Governor - Jack Hunt School</b>  To appoint Miss Karen Moody nominated by the local authority.

<p>Councillor Holdich and Councillor Seaton</p> <p>9 September 2010</p>	<p>SEP10/CMDN/089</p>	<p><b>Ormiston Bushfield Academy - Development Agreement</b></p> <p>The Cabinet Members authorised the Council to enter into the Development Agreement with the Ormiston Academies Trust (OAT).</p>
<p>Councillor Holdich</p> <p>13 September 2010</p>	<p>SEP10/CMDN/090</p>	<p><b>Award of Contract - Heltwate School</b></p> <p>The Cabinet Member authorised the award of the contract for the alteration to Heltwate Special School to provide three refurbished classrooms, staffroom, life-skills area and covered courtyard to E.N Suiter and Sons Limited for the sum of £567,789.00.</p>
<p>Councillor Holdich</p> <p>21 September 2010</p>	<p>SEP10/CMDN/091</p>	<p><b>Appointment of Authority Governor - Watergall Primary School</b></p> <p>To appoint Mr Neelkumar Patel as nominated by the local authority.</p>
<p>Councillor Lee</p> <p>28 September 2010</p>	<p>SEP10/CMDN/092</p>	<p><b>Transfer of Contract and Lease of Materials Recycling Facility</b></p> <p>The Cabinet Member approved:-</p> <ul style="list-style-type: none"> <li>(a) a novation (transfer) of the existing Contract for the Management and Operation of the existing Materials Recycling Facility; and</li> <li>(b) an assignment of the existing Lease which accompanies the Contract;</li> </ul> <p>from Viridor Resource Peterborough Limited to Viridor Waste Management Limited.</p>
<p>Councillor Seaton</p> <p>30 September 2010</p>	<p>SEP10/CMDN/093</p>	<p><b>Award of Contract - Legal Services for the Medium Term Financial Strategy and Economic Development Projects</b></p> <p>The Cabinet Member authorised the award of the contract for provision of Legal Services for the Medium Term Financial Strategy &amp; associated Economic Development Projects to Pinsent Masons LLP for a duration of three years plus an option to extend for a further year. Rates are in accordance with the rate card submitted in the exempt annex.</p>
<p>Councillor Seaton</p> <p>30 September 2010</p>	<p>SEP10/CMDN/094</p>	<p><b>Sale of surplus former allotment land at Monarch Avenue/Fletton High Street, Peterborough</b></p> <p>The Cabinet Member, in consultation with the</p>

		<p>Leader of the Council, authorised:</p> <p>(1) an application to the Secretary of State to grant consent for the disposal of the Monarch Avenue/Fletton High Street allotments and</p> <p>(2) the sale of the former allotment land at Monarch Avenue/Fletton High Street subject to a tripartite option agreement that the following obligations are fulfilled prior to sale:</p> <ul style="list-style-type: none"><li>• the council secures a favourable and unconditional Government Office Midlands (GOM) approval for the sale of former statutory allotment land.</li><li>• the housing developer secures from the adjoining owner of land to the east of the site (an RSL) highway access into the proposed scheme; and</li><li>• the Housing developer at their own risk, carries out all the due diligence in order to secure a planning approval for a Housing scheme.</li></ul>
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COUNCIL	AGENDA ITEM No. 8 (i)
13 OCTOBER 2010	PUBLIC REPORT

## **NOTICES OF MOTION**

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

### **1. Motion from Councillor John Fox:**

That this Council recognises and commends the dedicated work carried out by the volunteers working in our local communities and requests that the Cabinet:

- (i) Introduces a 'Citizens' Award Scheme to formally recognise the contributions made by volunteers to local communities;
- (ii) Agrees that each Ward Councillor may nominate, with input from their local community, people to receive the award and that the final decision regarding the winner of the Award shall be taken by a specially constituted Panel; and
- (ii) Agrees that the Award should take the form of a specially minted medal, to be presented at a civic function held at the Town Hall on an annual basis, and that the Award shall be funded either privately, or through the use of a proportion of funding allocated to each ward through the Community Leadership Fund.

### **2. Motion from Councillor John Fox:**

That this Council:

- (i) Notes that the Government is debating the following changes to the rules regarding Disability Living Allowance (DLA):
  - a) A child under the age of 16 who is eligible for DLA shall stop receiving payments once they have spent 84 days, (which may be linked rather than consecutive) in hospital or other medical setting;
  - b) A child under the age of 16 who first becomes eligible for DLA whilst in hospital or another medical setting is not able to start receiving payments until they have been discharged home;
- (ii) Acknowledges that research shows that there are extra costs for a family when their child is in hospital or another medical setting, which includes loss of earnings, travel, parking, childcare for siblings and meals away from home and that the level of care provided by parents remains the same or increases when their child is hospitalised, with many families at their child's bedside 24/7.
- (iii) Acknowledges that many health professionals recognise that the presence of a parent is important for the child's wellbeing and can help their recovery and that parents are often experts in their child's care and sometimes required to continue carrying out the same, if not increased, level of care; and

- (iii) Requests the Leader of the Council to write to our Members of Parliament asking them to oppose any proposed actions that reduce the amount of DLA to parents with disabled children and actively lobby the Government to prevent the introduction of any such measures.

### **3. Motion from Councillor Goldspink**

That this Council:

- (i) Agrees that it was a mistake to abolish free bulky waste collections and introduce a £23 charge;
- (ii) Notes that around 12,000 bulky waste loads per annum that used to be collected by the Council are now potential fly tips which will have to be cleared up by the Council;
- (iii) Acknowledges the concerns of Members and public alike that fly tipping is on the increase, understands that an amber indicator for this performance area is inadequate for an environment city and agrees to call on Cabinet to abolish the charge immediately.

### **4. Motion from Councillor Fower**

That this Council:

- (i) Recognises that it is important to provide accurate and timely information to the press and public;
- (ii) Notes that local Councillors are likely to have a better understanding of many issues within their wards than Cabinet Members;
- (iii) Recognises that the current practice of quoting only Cabinet Members in press releases is archaic and undemocratic;
- (iv) Revises its current practice in the interests of openness and accountability, to require the Communications Team to contact the relevant local Councillor(s) for a one-line quote if a press release is to be issued that affects their ward.

<b>COUNCIL</b>	<b>AGENDA ITEM No. 8 (ii)</b>
<b>13 OCTOBER 2010</b>	<b>PUBLIC REPORT</b>

## **EXECUTIVE REPORT – RECOMMENDATIONS**

### **1. REVISED BIODIVERSITY STRATEGY**

Cabinet, at its meeting of 29 September 2010, received the City Council's updated Biodiversity Strategy for consideration and was requested to refer it to Full Council for adoption as part of the major policy framework if appropriate. The update to the City Council's Biodiversity Strategy is in order to take account of the Biodiversity Duty introduced by the Natural Environment and Rural Communities Act S40 and Department for the Environment Food and Rural Affairs Guidance to Local Authorities with respect to this Duty.

Cabinet has endorsed the Strategy, prior to its submission to full Council. The Cabinet report is attached at **Appendix A**. The appendices to the report were sent to all Councillors with the Cabinet papers and copies are available in the Members' Group Rooms.

**IT IS RECOMMENDED** that Council endorses the Biodiversity Strategy as part of its Major Policy Framework.

### **2. PROGRESS ON THE ENVIRONMENT CAPITAL PORTFOLIO**

Cabinet, at its meeting of 29 September 2010, received the proposed Home of Environment Capital Policy 2010 policy and was requested to recommend it to Council for adoption as part of its Major Policy framework.

The Council's current Environment Policy (2000) is now out of date and does not adequately take into account Peterborough's growth targets or the global environmental challenges which we now face, nor does it take into account the wide range of policies, plans and strategies, developed since 2000 that contribute to environmental improvement. The adoption of the Home of Environmental Capital Policy will ensure that environmental considerations are placed at the heart of all Council policies, strategies and services ensuring that Peterborough grows both substantially and sustainably. The communication and marketing approach will ensure local, national and international recognition for the emphasis it places on environmental quality and performance.

Cabinet has endorsed the Policy, prior to its submission to full Council. A copy of the report to Cabinet is attached at **Appendix B**.

**IT IS RECOMMENDED** that Council adopts the Home of Environment Capital Policy 2010 as part of its Major Policy Framework.

### 3. EXECUTIVE ARRANGEMENTS

Cabinet, at its meeting on 29 September, received a report outlining the response of the public consultation concerning changes to the Executive arrangements used at the council. The Council has a legal obligation to change to one of the two models currently permissible by December 2010 and Cabinet was asked to recommend the preferred model to Council for adoption.

Cabinet has endorsed the recommended model and a copy of the Cabinet report is attached at **Appendix C**. A separate report from the Solicitor to the Council will be submitted to full Council (13 October 2010) for consideration.

**IT IS RECOMMENDED** that Council adopts the Strong Leader and Cabinet style of Executive Arrangements to take effect from May 2011.

### 4. PROPOSAL TO CHANGE THE NAME OF FLETTON WARD TO FLETTON & WOODSTON WARD

Cabinet, at its meeting on 29 September, considered a request to change the name of Fletton Ward to Fletton & Woodston Ward to reflect the fact that Fletton ward is made up of the Fletton and Woodston areas and to recommend to Council that it agrees to consult all appropriate persons on the proposed change of name for Fletton Ward to Fletton & Woodston Ward.. The Council has a legal obligation to consult with appropriate persons about proposed changes to the names of electoral areas.

Cabinet has accepted the request, prior to its submission to full Council. A copy of the report to Cabinet is attached at **Appendix D**.

**IT IS RECOMMENDED** that Council agrees to consult all appropriate persons on the proposed change of name for Fletton Ward to Fletton & Woodston Ward.

<b>CABINET</b>	AGENDA ITEM No. 5
29 SEPTEMBER 2010	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Dalton, Cabinet Member for Environment Capital	
Contact Officer(s):	Paul Phillipson Executive Director of Operations	Tel. 453455

**CITY COUNCIL'S BIODIVERSITY STRATEGY: UPDATE OF STRATEGY TO TAKE ACCOUNT OF LEGISLATIVE CHANGES**

RECOMMENDATIONS	
FROM : Environment Capital Scrutiny Committee	Deadline date :
That the Cabinet is recommended to:	
(i) endorse the Biodiversity Strategy prior to its consideration by Council as part of the major policy framework; and  (ii) consider the requirement for additional resources during the development of the Council Budgets alongside other budget pressures.	

**1. ORIGIN OF REPORT**

1.1 This report is submitted to Cabinet following the Environment Capital Scrutiny Committee Meeting of the 15<sup>th</sup> of July 2010.

**2. PURPOSE AND REASON FOR REPORT**

2.1 The purpose of this report is to present the City Councils updated Biodiversity Strategy for the Cabinet to consider and if considered appropriate to refer it to Full Council for consideration as part of the major policy framework.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, To take collective responsibility for the delivery of all strategic Executive functions within the Council's Major Policy and Budget Framework and lead the Council's overall improvement programmes to deliver excellent services.

**3. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>Yes</b>	If Yes, date for relevant Cabinet Meeting	29 September 2010
Date for relevant Council meeting	13 October 2010	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

**4. PETERBOROUGH CITY COUNCILS BIODIVERSITY STRATEGY**

4.1 The existing City Council Biodiversity Strategy was endorsed by Cabinet in October 2004. The Vision Statement which forms part of the Strategy was subsequently considered and adopted by full Council at its November 2004 meeting where the following decision was made to:

“Adopt the Biodiversity vision statement as a guidance and reference document to officers and the executive when making decisions on biodiversity ensuring that the vision, objectives and targets are used in a flexible manner, within existing resources and subject to planning considerations”.

- 4.2 The proposed update of the Strategy has been produced by a working group of Officers and Councillors and is submitted to Cabinet following consideration by the Environment Capital Scrutiny Committee. The working group was convened following a report to the then Environment and Community Safety Scrutiny Panel in January 2008 with respect to the new biodiversity duty brought in by S40 of the Natural Environment and Rural Communities Act 2006:

“Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of Conserving biodiversity”

S40 of the Act also clarifies that Conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat.

An updated strategy and the wording of its adoption must be consistent with this legal duty.

- 4.3 The January 2008 report to the Scrutiny Panel concluded that the 2004 Strategy and the wording of its adoption by Council did not adequately reflect the requirements of the new Biodiversity Duty. The Scrutiny Panel endorsed the intent to update the Strategy to take into account the new biodiversity duty.
- 4.4 The key issues within the updated strategy include changes to land management practices, the ability of the Council to maintain existing resourcing and in some instances make other resources available. In many cases additional resources can be used to access external funding for restoration and creation of habitats. However routine management would generally have to be met by the Council’s own resources. The proposed update of the strategy consists of two elements which are included at appendices A and B.

### **Vision Statement**

- 4.5 The working group has developed an updated vision of what the Council’s approach to Biodiversity should be. This replaces the vision statement from the original strategy and can be found in full at Appendix A.

### **Specific Actions to Achieve the Vision and Approach to Biodiversity**

- 4.6 It is intended that opportunities will be exploited as they arise, however some specific actions and possible methods of delivery have been identified under the headings used in the vision statement. This replaces the key actions component of the original strategy and can be found in full at Appendix B.

## **5. CONSULTATION**

- 5.1 Consultation has been undertaken with the officers, groups and organisations which were consulted with respect to the original Biodiversity Strategy. Additional relevant organisations that have become known in the Peterborough area in the intervening time have also been included. Consultation has been undertaken with:

- British Trust for Conservation Volunteering (BTCV);
- Buglife;
- Consultation has also been undertaken with the Council’s Finance as well as Legal and Democratic Services;
- Council Officers within the update working group and Biodiversity Officer Working Group. This includes, Bereavement, Recreation, City and Education Services, tree and woodland team, Natural Environment Team. Landscape Architect, Transportation;

- Councillor representatives within the Working Group;
- Forestry Commission;
- Froglife;
- Natural England;
- Parish Councils;
- PECT;
- Peterborough Bird Club;
- Peterborough Conservation Volunteers;
- Peterborough Friends of the Earth;
- Planning Policy team;
- RSPB;
- The Landyke Trust;
- The Wildlife Trust;
- Woodland Trust;
- Greater Peterborough Partnership; and
- Opportunity Peterborough.

5.2 A table showing the results of the external consultation process and how this shaped the content of the strategy can be found at Appendix D.

5.3 Cllr Sandford as a member of the working group updating the strategy has indicated agreement with all the recommendations in the report with the exception of Appendix B, point 21 (pesticides). Cllr Sandford has indicated that this should go further to require a commitment to reducing usage of herbicide progressively over time, and felt that a commitment to review usage is not useful if it does not state any intention to do anything as a result. Cllr Sandford has indicated that previously there was a commitment to reduce herbicide usage in the Council's Environmental Strategy and for example organisations signing up to Forest Stewardship Council certification on sustainable tree/woodland management are required to make such a commitment.

## 6. **ANTICIPATED OUTCOMES**

That Council adopts the Biodiversity Strategy as Part of the Major Policy Framework.

## 7. **REASONS FOR RECOMMENDATIONS**

To update the City Councils Biodiversity Strategy to take account of the Biodiversity Duty introduced by the Natural Environment and Rural Communities Act S40 and Department for the Environment Food and Rural Affairs Guidance to Local Authorities with respect to this Duty.

## 8. **ALTERNATIVE OPTIONS CONSIDERED**

To retain the City Council's 2004 Biodiversity Strategy. This was rejected as it does not adequately reflect legislative requirements that have come into force since its adoption.

## 9. **IMPLICATIONS**

9.1 The incorporation of biodiversity into many of the Council's functions and services can be achieved within existing resources, providing that this is maintained. This is supported by the experience of the implementation of the 2004 Strategy.

9.2 However, the updating of the Strategy has identified that some additional resources would be required in order to comply with the legal duty the City Council now has with respect to Biodiversity. These are outlined in detail in Appendix C of this report. In some cases additional resource requirements can also be offset by seeking external funding, for example for restoration of degraded habitats. However, routine management could not generally be funded in this way. The net cost of management of the Boardwalks Local

Nature Reserve may also be less than outlined in Appendix C as this would be offset by the management costs currently incurred by Peterborough City Services.

- 9.3 This report has implications throughout the authority area where the Council is a Landowner or Manager.
- 9.4 The updated Strategy is directly linked to the Sustainable Community Strategy (SCS) and LAA via National Indicator 197 County Wildlife Sites and associated targets. It is more generally linked to the SCS and National Indicators via the Cleaner Greener sections of these documents.

## **10. BACKGROUND DOCUMENTS**

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

- Natural Environment and Rural Communities Act 2006 (Section 40).
- Guidance for Local Authorities on Implementing the Biodiversity Duty, Defra, May 2007.
- Peterborough City Council Approach to Biodiversity submitted to the Cabinet on 11 October 2004.
- Peterborough Sustainable Community Strategy (including Rural Vision Strategy and Environment Capital manifesto).

<b>CABINET</b>	<b>AGENDA ITEM No. 6</b>
<b>29 SEPTEMBER 2010</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	Cllr Samantha Dalton	
Contact Officer(s):	Paul Phillipson, Executive Director – Operations; Trevor Gibson, Director of Environment Capital.	Tel. 01733 317401

## PROGRESS ON DELIVERY OF THE ENVIRONMENT CAPITAL PORTFOLIO

RECOMMENDATIONS	
<b>FROM :</b> Cabinet Member for Environment Capital	<b>Deadline date :</b> 13 <sup>th</sup> October 2010
<p>1. That Cabinet considers and comments upon the draft “Home of Environment Capital Policy 2010” and recommends the policy, with any agreed amendments, to Council on 13<sup>th</sup> October 2010 for adoption as part of the Major Policy Framework.</p> <p>2. That Cabinet comments upon and supports the Home of Environment Capital communication and marketing approach for implementation subject to the adoption of the Major Policy by Council.</p>	

### 1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following Environment Capital Scrutiny Committee on 9<sup>th</sup> September 2010.

### 2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for Cabinet to develop a proposed policy which will form part of the major policy framework which will be considered by Council on 13<sup>th</sup> October 2010.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.3 “To take a leading role in promoting the economic, environmental and social well-being of the area”.

### 3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	<b>YES</b>	If Yes, date for relevant Cabinet Meeting	29 <sup>th</sup> September 2010
Date for relevant Council meeting	13 <sup>th</sup> October 2010	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	n/a

### 4. BACKGROUND

- 4.1 Peterborough’s Sustainable Communities Strategy contains four priorities: Creating Strong and Supportive Communities; Creating the UK’s Environment Capital; Creating Opportunities, Tackling Inequalities; Substantial and Truly Sustainable Growth. Each of these priorities has a number of specific outcomes, beneath which sit a diverse range of actions and interventions to deliver lasting positive change for Peterborough.

- 4.2 By adopting the Sustainable Communities Strategy, the Council has committed itself to becoming the UK's Environment Capital, building on the longstanding experience as one of four Environment Cities in the UK. The "journey" from Environment City to Environment Capital is considered appropriate given the shift towards more global environmental challenges, such as climate change, as well as the city's ambition to grow substantially and sustainably.
- 4.3 Environment Capital now has widespread support as a key focus and unique selling point for Peterborough which has been achieved through clear political direction and the efforts of a committed, cross-sector Environment Capital Partnership.
- 4.4 Significant building blocks are already in place including the Sustainable Communities Strategy referred to above, the Local Area Agreement, the creation of an Environment Capital Cabinet portfolio and the Environment Capital Scrutiny Committee itself. A wide range of Council policies and strategies also support the approach which has commitment from Opportunity Peterborough as a key tool in driving economic development and of the wider business community as represented by the Greater Peterborough Partnership (GPP) Growth Partnership.
- 4.5 The city is currently leading on some areas of environmental activity and is receiving global recognition for its unique "Peterborough Model". This project is being delivered through collaboration with IBM, Royal Haskoning and Green Ventures to create an accessible on-line tool for visualising the city's environmental performance. As a result of this and other initiatives, the city is gaining a significant reputation for its environmental innovation, experience and credentials.

## 5. PROGRESS ON THE WORK STRANDS

- 5.1 **Environment Capital Major Policy:** The newly developed, draft Environment Capital Policy is attached as Appendix 1 to this report. If adopted, the new policy will form part of the Council's Major Policy Framework and effectively replace the current Environment Policy adopted in 2000. It links the policy commitments back to the Sustainable Communities Strategy and the four priorities contained within it.
  - 5.1.2 The draft policy seeks to ensure that Environment Capital principles are a consideration in all Council services, strategies and policies. It is a brief document because the policy is underpinned by a wide range of specific policies and strategies each of which contains outcomes, actions, performance measures and targets. It should be noted that this framework of supporting documentation was not present at the time that the 2000 policy was drafted. As a consequence, the original policy was significantly more comprehensive.
  - 5.1.3 All aspects of the 2000 Environment Policy, with the exception of those relating to health and education, are covered by specific elements of the new policy together with relevant delivery strategies. The health section of the 2000 Policy focussed primarily on safer journeys to school and road safety. These are now covered by the "Increasing the Use of Sustainable Transport" section of the 2010 policy and delivered through TravelChoice, the Long Term Transport Strategy (Draft) and Local Transport Plan. The education element referred to environmental partnerships, which are already a cornerstone of Environment Capital delivery and activity in local schools. The latter is now implemented through the Eco-School initiative; however, specific reference has now been made to the importance of education in the 2010 Policy (under "General") following specific comments made at the Environment Capital Scrutiny Committee regarding its omission.
  - 5.1.4 It is intended that key partners across the city will adopt tailored versions of the new policy for their own organisation.
- 5.2 **Delivery:** The Director of Operations will be the corporate lead in ensuring that the policy is embedded throughout the organisation. It is intended that responsibility for specific elements of the policy will be allocated to Cabinet Members, Directors and Heads of Service as appropriate. As stated previously, the policy will be delivered through a range of

existing policies and strategies including the Local Transport Plan, Biodiversity Strategy, Climate Change Strategy, Carbon Management Action Plan, Core Strategy and so on. Future reviews of such documents will ensure that all relevant aspects of the Environment Capital Major Policy are fully considered and incorporated. New documents, such as the emerging Environment Capital Supplementary Planning Document (SPD) will complete the approach. The draft policy included at Appendix 1 sets out the key Council policies, strategies and plans against each element.

- 5.2.1 A Single Delivery Plan for the Home of Environment Capital is currently being developed for publication and will bring together a range of prioritised projects and initiatives across the city all of which are fundamental to achieving the Sustainable Community Strategy goal.
- 5.2.2 Home of Environment Capital will only succeed if our actions as a city match our aspirations. This will mean making a real, positive difference to the lives of all who reside in, work in and visit Peterborough.
- 5.2.3 *For Peterborough citizens:* Home of Environment Capital means that we pioneer exciting environmental projects that lead the way in green living. The results make us proud and give us a better quality of life. We'll use this approach to make sure that we continue to improve our day-to-day performance whilst growing our reputation as a leading city (e.g. Green Glinton, Eco-Arts Project, Travel Choice, Future Jobs Fund and the Green Back Yard).
- 5.2.4 *For the local stakeholder:* Home of Environment Capital is our Unique Selling Point (USP). It is central to everything we do in the city and how we promote ourselves. It is a clear, differentiated position that puts us at the forefront of finding solutions for urgent national and international challenges. Through this we will play to our strengths, build our self confidence and develop our reputation whilst drawing investment and talent into the city (e.g. "The Peterborough Model", Environment Capital Single Delivery Plan).
- 5.2.5 *For the business person:* Home of Environment Capital is a way of bringing new ideas, new investment and greater visibility to our city. Making Peterborough synonymous with the environment plays to our strengths and positions the city to benefit from a low carbon economy. Home of Environment Capital is a positive message that we can substantiate through real examples that deliver investment and build Peterborough's reputation (e.g. Opportunity Peterborough Green Business Marketing Campaign, the Eco-Innovation Centre, Enviro-Cluster).
- 5.2.6 *As a way of introducing Peterborough to others:* Peterborough is an aspiring, fast growing city that pilots solutions to accelerate its pace of change towards sustainable living. We are Home of Environment Capital and proud to lead the way as environmental experts. We have everything we need to be a living laboratory to trial new thinking and new technologies. This approach is great news for citizens and businesses, and makes us a key player in the race towards sustainability (e.g. "The Peterborough Model", Environment Capital Marketing Campaign).
- 5.3 Stakeholder Engagement:** The Director of Environment Capital, with support from GPP colleagues, has consulted with a wide range of partners to galvanise support for and input to the Environment Capital approach in order to build and maintain a common approach and culture across the city. Whilst individual views have varied, organisations such as GPP, Peterborough Environment City Trust (PECT), the Growth Partnership, Opportunity Peterborough (OP) and the Environment Capital Partnership have been broadly supportive of the new approach. As discussed at the July meeting of the Environment Capital Scrutiny Committee, promotion of the Home of Environment Capital must be backed by positive actions which deliver improved outcomes for local residents and communities. Getting the key messages out to residents and businesses alike is crucial to its success.
- 5.4 Launch and Communications:** Marketing and communications expertise from city partners including, PCC, OP, PECT, GPP, UK Centre for Economic and Environmental Development (UKCEED), voluntary and business sector representatives has been pooled

to lead the development of a communications strategy to ensure that the new approach is successful in enhancing the city's regional, national and international profile. This profile will, in turn, support inward investment and economic development.

- 5.4.1 Peterborough has been an Environment City for 15 years, and 'Creating the UK's Environment Capital' for a further two years. Now the city is repositioning itself as 'home of environment capital' which gives Peterborough a unique differentiation backed up with nearly two decades of substance and progress. Sustainability helps us deliver on a range of agendas to create a better, stronger city: health, economy, education, growth, inward investment.
- 5.4.2 A number of branding options were considered by the group and following consultation with the leader, Deputy Leader and Cabinet Member for Environment Capital the strap line "**Home of Environment Capital**" was considered to be the most appropriate and effective. It should be noted that this supports rather than replaces the Sustainable Community Strategy priority referred to previously. To aid with visual communication a logo has been produced (Appendix 2) which complements the now widely used city marketing brand "Peterborough...the Future is You".
- 5.4.3 Key messages include:
- Home of Environment Capital is a challenge the city has set itself;
  - It calls on everyone to help build a better future for the city by getting behind Home of Environment Capital;
  - Home of Environment Capital draws on our city's strengths to form our ethos.

An internal launch campaign is planned for autumn 2010. Using existing resources and already planned marketing activities we seek to engage local stakeholders, residents and businesses.

It should be noted that the "Home of Environment Capital" is a city concept. The Council, by adopting the major policy is committing itself to the concept which already has widespread support amongst the business community and other partners.

**5.5 Performance Management:** At its meeting in July, the Environment Capital Scrutiny Committee resolved that before the City Council launched its Environment Capital approach, agreed criteria should be met and an independent assessment should be undertaken. The most cost effective basis for this comparative work is the Forum for The Future Sustainable Cities Index. The organization assessed Peterborough as part of the Jonathan Porritt Master Class in Nov 2009. A summary of the approach and the 2009 assessment is included as Appendix 2. It is intended that Forum for the Future assess the city again as part of the 2010 Index later this year. It should be noted that the Index compares Peterborough with a number of much larger UK cities but is one of only a few, reliable local authority comparators. This is likely to become more of a challenge with the deletion of the National Indicator set.

- 5.5.1 As mentioned previously, the existing strategies which support and deliver the "Home of Environment Capital Policy" contain within them specific outcomes, actions and targets. These are routinely monitored and reported upon. For example, an update on progress relating to the Bio-diversity Strategy was considered by the Environment Capital Scrutiny Committee at its September meeting.
- 5.5.2 In addition, key deliverables, outcomes and performance measures will be developed and monitored as part of the Single Delivery Plan referred to previously.
- 5.5.3 The success of the Major Policy will also be assessed and monitored through an officer checklist which will accompany future reports and decisions. The checklist, currently under development, will cover all aspects of the policy set out in Appendix 1.

## 6. CONSULTATION

- 6.1 The Major policy has been considered by a wide range of Stakeholders as set out in Section 4.
- 6.2.1 Environment Capital Scrutiny Committee considered the draft “Home of Environment Capital” Policy on 9<sup>th</sup> September. The Committee resolved that officers should:-
- (i) Ensure that the Home of Environment Capital Policy makes reference to all of the other related policies and strategies; and
  - (ii) Re-write the opening paragraph of the Policy to make clearer the intent of the Policy, including that details of the related policies and strategies are yet to be included.

Both recommendations have now been incorporated in the latest draft of the policy attached at Appendix 1.

- 6.2.2 As a consequence of these recommendations and other comments made during the debate, a number of changes have been made to the policy. Key supporting strategies, policies and plans are now listed under each outcome and new policy elements have been added to cover education, procurement and the built environment. With those additions, all elements of the 2000 policy, which the 2010 policy will replace, are included.

## **7. ANTICIPATED OUTCOMES**

- 7.1 Subject to comments made by Cabinet, it is intended that the Home of Environment Capital Policy be considered by Council at its October meeting and adopted as part of the Major Policy Framework.

## **8. REASONS FOR RECOMMENDATIONS**

- 8.1 The Council’s current Environment Policy (2000) is now out of date and does not adequately take into account Peterborough’s growth targets or the global environmental challenges which we now face. Nor does it take into account the wide range of policies, plans and strategies, developed since 2000, which contribute to environmental improvement. The adoption of the Home of Environmental Capital Policy will ensure that environmental considerations are placed at the heart of all Council policies, strategies and services ensuring that Peterborough grows both substantially and sustainably. The communication and marketing approach will ensure local, national and international recognition for the emphasis it places on environmental quality and performance.

## **9. ALTERNATIVE OPTIONS CONSIDERED**

- 9.1 Peterborough’s environmental reputation and, most recently, its ambition to create the UK’s Environment Capital is already widely known both locally and nationally. It is therefore considered appropriate to build on this reputation to move the city forward.
- 9.2 The Council could decide to maintain Peterborough’s existing Environment City focus but it is considered that the agenda, both in terms of the environmental challenge and the future growth target, has changed substantially since the designation was awarded in the early 1990s. Home of Environment Capital substantially updates the approach in line with these considerations.

## **10. IMPLICATIONS**

- 10.1 “Creating the UK’s Environment Capital” is one of four priorities in the Sustainable Communities Strategy aimed at delivering *“a truly sustainable Peterborough, the urban centre of a thriving sub-regional community, of villages and market towns, a healthy, safe and exciting place to live, work and visit and famous as the environment capital of the UK.”*
- 10.2 There are no direct financial implications associated with the adoption of the policy. These will be part of the consideration when the policy is applied to specific service areas, policies and strategies.

10.3 As outlined in Section 4, the “Home of Environment Capital” approach will have positive impacts in relation to other Sustainable Community Strategy priorities particularly in relation to improving health and economic development.

**11. BACKGROUND DOCUMENTS**

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

Sustainable Communities Strategy 2008 - 2011

Local Area Agreement 2008-11.

Environment Policy 2000

Sustainable Community Strategy 2008 – 2011.

Peterborough – Home of Environment Capital Communication Strategy (Draft) August 2010

## Home of Environment Capital – Major Policy 2010

### **Introduction:**

Peterborough is the UK's Home of Environment Capital - a place where environmental issues are put first in a city which aspires to be a role model and leader in all aspects of sustainable development.

As the Home of Environment Capital, Peterborough not only delivers sustainability but thinks sustainably. Environment Capital is as much about the intellectual response we bring to the challenges of the future as it is about the way we manage resources and grow our economy.

Our agenda has moved far beyond that of an Environment City. We are using the sustainability agenda to improve quality of life for all our people - residents, visitors and workers alike. Our Environment Capital will provide solutions to our health outcomes and will support our on-going work to build strong and safe communities. It will inspire and influence everything we do - not as an add-on policy, but as an integral way of thinking across the whole of our agenda.

As the Home of Environment Capital, we seek, as thought leaders, to raise the bar for sustainable development across the country. We will use our Environment Capital to pilot new solutions for all aspects of the sustainability agenda and we will share our learning - and learn from others - to ensure that the UK leads the world in solving our environmental challenges.

For the people of Peterborough being the Home of Environment Capital means living in a city and villages where quality of life constantly improves through the adoption of sustainable solutions to today's and tomorrow's issues. Where health gets better because we exercise more, use sustainable forms for transport and have access to high quality nature. Where education constantly improves and delivers young people ready to take up jobs in the industries of the future particularly in a growing low carbon economy. Where communities get stronger as we build cleaner and greener neighbourhoods.

### **Mission Statement:**

Peterborough City Council is committed to improving the environment in its progress towards a sustainable city. The policies and activities undertaken and promoted by the Council have many impacts on the environment. The Council has a leading role in "the Home of Environment Capital", by contributing to the creation of a high quality local environment, both now and for future generations and in reducing the adverse impact of the city on global communities.

To that end, it has adopted the Sustainable Communities Strategy which has, as one of four priorities, "Creating the UK's Environment Capital".

The Council will continually monitor and improve its environmental performance and comply with relevant legislation, policies and codes of practice to achieve the four outcomes supporting the Environment Capital priority. A wide range of policies, strategies and plans support the delivery of the policy. Key strategies are included under the relevant policy outcome below:-

### **Making Peterborough Cleaner and Greener:**

**(Key delivery through: Open Space Strategy (awaiting adoption), Trees and Woodland Strategy (awaiting adoption), Bio-Diversity Strategy)**

- We will minimise, and wherever possible eliminate, the release of substances which will cause demonstrable damage to the environment or its inhabitants.
- We will protect, and where possible and appropriate, enhance habitats and bio-diversity.

- We will continue to improve and enhance the urban and rural environment whilst improving access to the latter.

#### **Conserving Natural Resources:**

**(Key delivery through: Climate Change Strategy, Carbon Management Action Plan, Climate Change Adaptation Strategy (awaiting adoption), Waste 65+, Energy Study, Water Cycle Study, Core Strategy (awaiting adoption), Supplementary Planning Document (under preparation))**

- We will seek to minimise the use of energy and will ensure that, where energy is used, it will be done so effectively and efficiently. We will, where practicable, use sustainable energy sources and will invest in, demonstrate and promote the benefits of energy efficiency and renewable generation. By doing so, we will help to reduce the impacts of climate change and our contribution to its causes.
- We will minimise the creation of waste, and will reuse or recycle materials where this is cost effective. We will ensure transportation and disposal of our waste to comply with current safe practice.
- We will seek to minimise waste of energy, and will ensure that, where energy is used, the greatest possible proportion becomes useful heat, light or power. We will use environmentally safe and, where practicable, sustainable energy sources and will invest in, demonstrate and promote, the benefits of energy efficiency.
- We will promote and encourage development which incorporates the highest environmental standards.

#### **Increasing the Use of Sustainable Transport:**

**(Key delivery through: Local Transport Plan, Long Term Transport Strategy, Core Strategy, Supplementary Planning Document (under development))**

- Through our "TravelChoice" initiative, will use the least polluting transport methods compatible with our necessary service provisions and use smarter measures to influence travel behaviour for all Peterborough residents.
- We will implement Travel Plans for our employees, elected members and schools and use planning controls and other procedures to encourage the development and use of such Plans by all other employers and their employees in the City.

#### **Growing our Environment Business Sector:**

**(Key delivery through: Economic Development Strategy, Core Strategy, Supplementary Planning Document (under development))**

- Using the Enviro-Cluster and Eco-Innovation Centre as a base, to support the development of the "green" and low carbon business sector through our Economic Development and related activities.

#### **General:**

- The Council is committed to raising awareness of environmental issues in the community, local schools, and businesses as well as within the Council itself.
- The Council will consider environmental impacts as part of its procurement of goods and services.
- In addition, the Council will ensure, through the development and implementation of a **Single Delivery Plan**, that "Home of Environment Capital" contributes to the wider Sustainable Communities Strategy including the priorities:-

**Creating Strong and Supportive Communities, Substantial and Truly Sustainable Growth and Creating Opportunities and Tackling Inequalities**

Proposed “Home of Environment Capital” Logo



## FORUM FOR THE FUTURE – SUSTAINABLE CITIES INDEX 2009

(extract from Forum for the Future Sustainable Cities Index)

**Definitions:**

The indicators, in their groups, provide a snapshot of sustainability in each of the cities assessed.

**environmental impact basket:**

This basket gives an indication of the cities' environmental performance through the inclusion of data on air and water quality, resource use and ecological footprint:-

- air quality – the annual mean of Nitrogen Oxides as NO<sub>2</sub>
- river water quality – the percentage of rivers where biological and chemical quality was deemed to be good or fair
- ecological footprint – the impact of services, food, housing, transport and consumables on the environment
- household waste collected per head.

**quality of life basket:**

This basket looks at the social sustainability of a city – what it feels like to live in.

- Health: Life expectancy from birth
- Green Space: Number of Green Flag and Green Pennant awards per 100,000 people
- Transport: Number of minutes per month spent getting to four key services: food store, GP, secondary school and further education (similar to NI 175)
- Employment: % of the working population claiming Job Seekers Allowance (NI 152)
- Education: % of the population with an NVQ2 or above (similar to NI 79)

**future-proofing basket:**

The indicators in this basket aim to reflect the preparedness of the city for the future and readiness to respond to the challenge of sustainability:-

- local authority commitments on climate change – local authorities were given points based on three criteria
- green business per capita – the number of green businesses listed on yell.com
- biodiversity – percentage of land deemed to favour biodiversity
- recycling – per cent of household waste recycled or composted.

Environmental Impact	Rank
Air Quality	1st
Biodiversity	1st
Waste	21st
Ecological Footprint	18th
<b>Overall Rank</b>	<b>11th</b>

Quality of Life	Rank
Employment	12th
Education	17th
Health	19th
Green Spaces	14th
<b>Overall Rank</b>	<b>16th</b>

Future-Proofing	Rank
Climate Change	11th
Food	2nd
Economy	6th
Recycling	1st
<b>Overall Rank</b>	<b>3rd</b>

<b>CABINET</b>	AGENDA ITEM No. 8
<b>29 SEPTEMBER 2010</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	<i>Cllr Marco Cereste, Leader of the Council</i>	
Contact Officer(s):	<i>Helen Edwards, Solicitor to the Council</i>	Tel. 452533

## **NEW EXECUTIVE ARRANGEMENTS UNDER LOCAL GOVERNMENT & PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

<b>RECOMMENDATIONS</b>	
<b>FROM</b> : Solicitor to the Council	<b>Deadline date</b> : 13 October 2010
1. Cabinet recommends to Council that it adopts the Strong Leader and Cabinet style of Executive Arrangements to take effect from May 2011.	

### **1. ORIGIN OF REPORT**

- 1.1 This report is submitted to Cabinet following a public consultation about changes to executive arrangements. This matter was considered by Council on 26<sup>th</sup> July 2010. The public consultation ends on 30<sup>th</sup> September and the matter is due to be considered by Council again at its meeting on 13<sup>th</sup> October 2010.

### **2. PURPOSE AND REASON FOR REPORT**

- 2.1 The purpose of this report is to:
- (a) advise Cabinet of the response to the public consultation to date, and;
  - (b) obtain the views of Cabinet members on appropriate proposals to Council.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.5 "To review and recommend to Council changes to the Council's Constitution, protocols and procedure rules."

### **3. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>
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### **4. CHANGES TO EXECUTIVE ARRANGEMENTS**

- 4.1 The Local Government and Public Involvement in Health Act 2007 introduced changes to executive arrangements. These have been introduced on a staggered basis, with different types of council having to make changes to their executive arrangements at specific times. Peterborough City Council is in the final tranche of

councils to make the changes and must change its executive arrangements before the end of December 2010, to take effect in May 2011.

4.2 The 2007 Act changes the models of executive arrangements permitted by the Local Government Act 2000 and under the 2007 Act local authorities are required to operate one of two models:

- Elected mayor and cabinet; or
- “New Style” leader and executive.

4.3 Peterborough City Council currently operates the old style Leader and Cabinet model established by the 2000 Act, but this is now abolished and is no longer available as an option when the transitional arrangements end in May 2011. The principal difference in the current arrangements and the new style is that the Leader would normally be elected for a 4 year period, instead of the current 1 year period.

4.4 Since the 2007 Act was introduced, the Coalition government announced its intention to make further changes, allowing Councils to return to the committee system should they wish to do so. Details of the changes are expected in the Localism Bill in the next Parliamentary session. A letter dated 7<sup>th</sup> July 2010 from the Department of Communities & Local Government advised that councils such as Peterborough must change its executive arrangements, but that it should do so with minimum expenditure on consultation and should remember that any governance arrangements introduced in May 2011 “may be further changed within a year or so”.

4.5 When Council considered the matter on 26<sup>th</sup> July 2010, it resolved to:

- a) Consult the public over the introduction of new executive arrangements during the period up to 30 September 2010;
- b) Undertake that consultation at minimal expense to the public, primarily using the Council’s website, in view of the intention of the new government to introduce further legislative changes;
- c) Confirms that, subject to the representations received from the public during the period of consultation, the Council’s preferred option is the new style, strong leader and cabinet model, as this model is the most similar to the Council’s existing arrangements and can be implemented with the least disruption until such time as the new government announces its proposals; and
- d) Receives a further report after the conclusion of the consultation period to enable it to take a formal decision over the introduction of new executive arrangements before the statutory deadline of 31 December 2010.

## **5. CONSULTATION**

5.1 In accordance with the Council decision, consultation has been carried out using the Council’s website. The consultation ends on 30<sup>th</sup> September and the results at that stage will be reported to the Council meeting on 13<sup>th</sup> October.

5.2 At the time of preparation of this report, there have been 42 responses to the consultation. Of those, 27 wish to adopt the Directly Elected Mayor and Cabinet model, and 15 wish to adopt the Strong Leader and Cabinet model. A common theme in the responses that have included comments is that a Mayor who does not represent a specific ward is likely to be less involved in “politics” and may be more democratic.

## **6. ANTICIPATED OUTCOMES**

- 6.1 This matter will be reported to Full Council on 13<sup>th</sup> October, and it is anticipated that it will adopt one of the two models of executive arrangements permissible under the 2007 Act.
- 6.2 If Council decides to adopt the elected mayor and cabinet model, it will be necessary to hold an election to elect a mayor in May 2011, which will add additional expense. In the current financial climate, when the Council is obliged to reduce its spending, it is not recommended that it incurs additional expense to adopt the model of Directly Elected Mayor, when the options available to the Council are likely to change very soon after given the government's plans to introduce further legislation.
- 6.3 Cabinet will be aware that 27 of the 42 recipients to date have expressed a preference for the Directly Elected Mayor model. However, this is a very small percentage of the total electorate of 124,710 (0.036%) and although the views of those who have expressed a preference are important, the response is not so overwhelmingly in favour of the Directly Elected Mayor model that Cabinet should ignore the benefits of selecting a strong leader and cabinet model. This model can be adopted without the additional expense of an election, and leaves the Council with more flexibility to change its executive arrangements again when the government introduces further models.
- 6.4 It is therefore anticipated that Council will agree to adopt the new style leader and cabinet model, as this can be adopted with minimum cost. This method also allows further changes to be made, if new legislation is introduced, with minimum cost and disruption.

## **7. REASONS FOR RECOMMENDATIONS**

The Council has a legal obligation to change to one of the two models currently permissible, by December 2010.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 Adopt the Elected Mayor and Cabinet model: this is not recommended as the Council would need to incur the cost of holding an election for the position of elected mayor. Also, a mayor would be elected for a period of 4 years and this may limit the Council's ability to take advantage of additional changes to executive arrangements which are anticipated in the Governemnt's Localism Bill this autumn.
- 8.2 Retain status quo: this option has been rejected, because the Council's current executive arrangements of the old style leader and cabinet model are no longer valid after December 2010. If the Council does not select one of the two models available, the Secretary of State will impose one of the two models.

## **9. IMPLICATIONS**

Legal : All legal implications are set out in the body of this report.

Financial : The strong leader and executive model can be adopted without cost. The Directly Elected Mayor and Cabinet model would require an election, which would

take place on the same day as the city council elections, the parliamentary referendum, and the council tax referendum. Additional polling clerks would be needed for the larger stations, and the count for the council tax referendum and Mayoral referendum would be held on the Friday. It is assumed that the Friday count would be held at the Town Hall with no additional costs for venue. If the person elected as Mayor was also elected as a city councillor at the same time, he or she would have to step down creating a vacancy, which would then necessitate a by-election for the vacant local council seat. By-election costs shown below are based on an average ward with 4 polling stations.

The Cabinet Office would expect us to split the costs of polling stations between all elections/referendums being held on the same day reducing the amount that we could claim for the cost of the referendum. This means that we may only be able to claim 25% of the cost of running 63 polling stations and one third on 19 polling stations.

Estimated costs of adopting the Directly Elected Mayor and Cabinet model are therefore:

Ballot paper costs:	£ 7,300
Postal votes:	£ 19,000
Postal vote opening:	£ 3,600
Poll cards:	£ 2,200
Postage:	£ 30,000
Additional poll clerks:	£ 3,900
Additional ballot boxes:	£ 5,000
Referendum claim reduction:	£ 20,000
Friday Count:	£ 4,500
By-election:	£ 8,000
<b>TOTAL:</b>	<b>£103,500</b>

## 10. BACKGROUND DOCUMENTS

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

None.

<b>CABINET</b>	<b>AGENDA ITEM No. 9</b>
<b>29 SEPTEMBER 2010</b>	<b>PUBLIC REPORT</b>

Cabinet Member(s) responsible:	<i>Councillor Peter Hiller, Cabinet Member for Housing, Neighbourhoods and Planning</i>	
Contact Officer(s):	<i>Helen Edwards, Solicitor to the Council</i> <i>Sally Crawford, Community Governance Manager</i>	Tel. 452533 Tel. 452339

## **PROPOSAL TO CHANGE THE NAME OF FLETTON WARD TO FLETTON & WOODSTON WARD**

<b>RECOMMENDATIONS</b>	
<b>FROM</b> : Solicitor to the Council	<b>Deadline date</b> : 13 October 2010
1. Cabinet recommends to Council that it agrees to consult all appropriate persons on the proposed change of name for Fletton Ward to Fletton & Woodston Ward.	

### **1. ORIGIN OF REPORT**

- 1.1 This report is submitted to Cabinet following a request from Councillors Lee, Benton and Serluca, city councillors for Fletton Ward, who have been approached by residents to change the name of Fletton Ward to Fletton & Woodston Ward to reflect the fact that Fletton ward is made up of the Fletton and Woodston areas. There are no proposals to change any ward boundaries.

### **2. PURPOSE AND REASON FOR REPORT**

- 2.1 The purpose of this report is to request that Cabinet recommends that Council agrees to go out to consultation on the proposed change of name for Fletton ward
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.2; To promote the Council's role as community leader, giving a 'voice' to the community in its external relations at local, regional and international level, and fostering good working relationships with the Council's partner organisations, Parish Councils and the relevant authorities for Police, Fire, Probation and Magistrates' Courts Services.

### **3. TIMESCALE**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>
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- 3.1 To ensure that any agreed name change can be implemented prior to the 2011 election it is intended to carry out the required consultation between mid October 2010 and mid January 2011 so that a recommendation can be brought to Council via a specially convened meeting prior to the ordinary meeting on 23 February 2011.

### **4. CHANGE TO THE NAME OF FLETTON WARD**

- 4.1 Under Section 59 of the Local Government and Public Involvement in Health Act 2007, local authorities may change the name of its electoral areas provided the name of the area is not protected. The Electoral Commission has confirmed that Fletton is not protected.
- 4.2 To change the name of a ward (electoral area) a resolution must be passed by Council, by a majority of at least two thirds of the members voting, at a meeting specially convened for the purpose.
- 4.3 The Council must not pass such a resolution unless it has taken 'reasonable steps to consult such persons it considers appropriate on the proposed name'.

## **5. CONSULTATION**

- 5.1 Consultation with appropriate persons will be carried out via the Website, Media and appropriate neighbourhood/community meetings.
- 5.2 It is also proposed to give residents the opportunity to express an interest in the creation of a parish council in the area which may result in a community governance review.

## **6. ANTICIPATED OUTCOMES**

- 6.1 The response to the consultation will be reported to Council at a specially convened meeting prior to the ordinary meeting on 23 February 2011.
- 6.2 Council will be recommended to make its decision based on the outcome of the consultation.

## **7. REASONS FOR RECOMMENDATIONS**

- 7.1 The Council has a legal obligation to consult with appropriate persons about proposed changes to the names of electoral areas.

## **8. ALTERNATIVE OPTIONS CONSIDERED**

- 8.1 There are no alternative options in order to change the name of an electoral area.

## **9 IMPLICATIONS**

- 9.1 There may be minimal costs arising from the consultation and in officer time carrying out statutory procedures.

## **10 BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985)  
Local Government & Public Involvement in Health Act 2007.

<b>COUNCIL</b>	AGENDA ITEM No. 8 (iii) (a)
<b>13 October 2010</b>	<b>PUBLIC REPORT</b>

**NEW EXECUTIVE ARRANGEMENTS UNDER THE LOCAL GOVERNMENT & PUBLIC INVOLVEMENT IN HEALTH ACT 2007**

<b>R E C O M M E N D A T I O N S</b>
<b>FROM : Solicitor of the Council (with endorsement of Cabinet)</b>
That Council:  1. Agrees to adopt the “new style” leader and cabinet model under Part 3 of the Local Government & Public Involvement in Health Act 2007

**1. PURPOSE AND REASON FOR REPORT**

1.1 The Local Government & Public Involvement in Health Act 2007 requires the Council to make changes to its Executive Arrangements by no later than 31<sup>st</sup> December 2010.

**2. BACKGROUND & CONSULTATION**

2.1 This matter was previously reported to Council on 14<sup>th</sup> July, and considered at the adjourned meeting on 26<sup>th</sup> July 2010.

2.2 The Local Government & Public Involvement in Health Act requires the Council to change its executive arrangements from its current leader and cabinet executive because that model is abolished under the 2007 Act, and transitional arrangements do not allow it to be continued beyond May 2011.

2.3 Under the 2007 Act, the Council must choose one of two models:

- elected mayor and cabinet; or
- “new style” leader and executive.

The principal difference between the arrangements currently operated by Peterborough City Council and the new style cabinet and executive model is that the leader would be elected for a 4 year term instead of the current one year.

2.4 When Council last considered this matter, a letter had been received indicating that the government intended to make further changes to executive arrangements, and that though Councils were still required to adopt one of the 2 models permitted by the 2007 Act, and were still required to consult before making a decision, that consultation should be minimal.

2.5 On 26<sup>th</sup> July 2010 Council agreed to carry out a limited public consultation using its website, prior to the matter being reported back to Council.

- 2.6 On 20<sup>th</sup> September 2010 Communities Minister Andrew Stunell made a formal announcement that the government intended to allow Councils to choose their system of governance, which would allow a return to the committee system which existed prior to the Local Government Act 2000 should they wish to do so. Details will be in the Localism Bill expected in November 2010, and the legislation is expected to be in force by November 2011. The Council is therefore required to decide whether to adopt the elected mayor and cabinet model, or the new style leader and cabinet model, with effect from May 2011. Any model adopted may potentially be changed again under new legislation expected in November 2011.
- 2.7 Cabinet considered this matter at its meeting on 29<sup>th</sup> September 2010 and supported the adoption of the new style leader and cabinet model. It rejected the alternative model of elected mayor and cabinet because the Council would need to incur the cost of holding an election for the position of elected mayor. Also, a mayor would be elected for a period of 4 years and this may limit the Council's ability to take advantage of additional changes to executive arrangements which are anticipated in the Government's Localism Bill.
- 2.8 In making this decision, the Cabinet took into consideration the views of those who had responded to the consultation. At that time the response to the consultation was that 36 preferred the elected mayor and cabinet model, and 22 wanted a strong leader and cabinet model. The Cabinet respected the views of those who had responded, but took into consideration that this was a very small percentage of the total electorate (less than 1%) and felt that the better option was the strong leader and cabinet model for the reasons set out in paragraph 2.7 above.
- 2.9 The public consultation ended on 30<sup>th</sup> September 2010. The updated responses are that 25 respondents preferred a directly elected mayor and cabinet, and 43 preferred the strong leader and cabinet. This remains less than 1% of the total electorate of 124,710

### **3 IMPLICATIONS**

#### **3.1 LEGAL**

These are set out in the body of the report

#### **3.2 FINANCIAL**

The strong leader and executive model can be adopted without cost. The directly elected mayor and cabinet model would require an election, which would take place on the same day as the city council elections and the parliamentary referendum. Additional polling clerks would be needed for the larger stations, and the count for the Mayoral referendum would be held on the Friday. It is assumed that the Friday count would be held at the Town Hall with no additional costs for venue. If the person elected as Mayor was also elected as a city councillor at the same time, he or she would have to step down creating a vacancy, which would then necessitate a by election for the vacant local council seat. By-election costs shown below are based on an average ward with 4 polling stations.

The Cabinet Office would expect us to split the costs of polling stations between all elections/referendums being held on the same day reducing the amount that we could claim for the cost of the referendum. This means that we may only be able to claim a percentage of the cost of running the polling stations.

Estimated costs of adopting the directly elected Mayor and Cabinet model are therefore potentially:

Ballot paper costs:	£ 7,300
Postal votes:	£ 19,000
Postal vote opening:	£ 3,600
Poll cards:	£ 2,200
Postage:	£ 30,000
Additional poll clerks:	£ 3,900
Additional ballot boxes:	£ 5,000
Referendum claim Reduction	: £ 20,000
Friday Count:	£ 4,500
By-election:	£ 8,000
TOTAL:	£103,500

#### **4. BACKGROUND DOCUMENTS**

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

Report to Council 14th July 2010 agenda item 7(iii)( c)

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<b>COUNCIL</b>	<b>AGENDA ITEM 8 (iii) (b)</b>
<b>13 OCTOBER 2010</b>	<b>PUBLIC REPORT</b>

Contact Officer(s):	Helen Edwards, Solicitor to the Council David Blackburn, Principal Democratic Services Officer	Tel: 01733 452539 Tel: 01733 452325
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## **CHANGES TO THE CONSTITUTION**

<b>RECOMMENDATIONS</b>
<b>FROM : SOLICITOR TO THE COUNCIL</b>
<p>(a) That Council approves the changes to the Constitution outlined within the report and authorises the Monitoring Officer to undertake any consequential amendments to, and updating of, the Constitution; and</p> <p>(b) That subject to the approval of (a) above, Council approves the re-calculation of the seat allocations under the political balance rules and appoints the members of the Planning Review Committee that will deal with the call-in of planning decisions (and also determines any other new appointments to committees that are proposed).</p>

### **1. ORIGIN OF REPORT**

- 1.1 The Monitoring Officer is responsible under Article 14 of the Constitution for monitoring and reviewing the Constitution. In fulfilling this responsibility, the Monitoring Officer submits reports periodically to Council which contain recommendations to update the Constitution.

### **2. PURPOSE AND REASON FOR REPORT**

- 2.1 The report contains recommendations at Appendix A that seek to improve the efficiency and effectiveness of the procedures within the Constitution. The recommendations have been developed in consultation with the Council's Constitution Review Group comprising Group Leaders and the Deputy Leader.

### **3. ANTICIPATED OUTCOMES**

- 3.1 Implementation of the recommendations within the report will ensure that the Council's corporate governance arrangements remain robust and will reduce the risk of successful legal challenge to any decisions taken by the Council.
- 3.2 Should the Council approve the recommendation to create an additional committee to consider and determine planning matters that have been subject to call-in, it should formally approve the allocation of seats to political groups under the political balance rules, make appointments to the new committee and also determine any new

appointments that are proposed by political groups. Details of the seat allocations are provided at Appendix C. Members will note that under the new calculations the Liberal Democrats and Labour Group have equal claims to a seat and Council will need to decide to which group the seat will be allocated.

#### **4. REASONS FOR RECOMMENDATIONS**

- 4.1 It is good practice to review the Constitution on a regular basis to ensure that it supports transparency and openness in terms of the Council's decision-making arrangements.

#### **5. ALTERNATIVE OPTIONS CONSIDERED**

- 5.1 It is important that the Constitution is kept up to date and accurate or otherwise it will not enable the Council to act in accordance with good practice.

#### **6. IMPLICATIONS**

##### 6.1 Legal

The proposals in this report comply with all legal requirements.

##### 6.2 Financial

There are no financial implications.

#### **7. BACKGROUND DOCUMENTS**

- 7.1 None.

Recommended Changes to the Constitution

Provision	Proposal	Change to Wording
<p><b>Leader’s Announcements</b></p> <p><b>Part 4, Section 1 – Council Rules of Procedure - Rules 9.2.1 and 9.2.2</b></p>	<p>Clarification of time limits for Group Leaders to speak under the procedure for Leader’s Announcements.</p>	<p><u>Rule 9.2.1</u></p> <p>The Leaders of the Major Opposition Groups shall have up to “<b>1 minute each</b>” (the current provision is 5 minutes for all Group Leaders) to ask brief questions on any matter raised in the Leader’s report. The following wording shall be added: “<b>The Leader shall have 2 minutes to respond to the questions raised which shall be extendable at the discretion of the Mayor.</b>”</p>
<p><b>Rights of Statutory Officers to address a meeting</b></p> <p><b>Part 4, Section 1 – Council Procedure Rules Rules 17.16</b></p>	<p>Confirmation that the Council’s three main statutory officers may address the meeting to assist with the consideration of items of business and clarify any misunderstandings that arise during the debate.</p>	<p><u><b>New Rule 17.16 “Statutory Officers”</b></u></p> <p><b>“The Council’s three main statutory officers being the Head of Paid Service, the Section 151 Officer and the Monitoring Officer shall be able, with the consent of the Mayor, to speak at a meeting of the Council to assist the debate.”</b></p>
<p><b>Part 4, Standing Orders Section 2 – Standing Orders which relate to Committees only – Rules 3.2 and 3.3</b></p> <p><b>In Year Appointments to Vacancies on Committees</b></p>	<p>Extension of current provisions to enable the Chief Executive to make in year changes to the membership of committees if a Member resigns their seat on a committee. The proposal seeks to avoid the need for reports to Council to make appointments to committees or sub-committees other than at the Annual Meeting. The Chief Executive only currently has this delegation where a Member has resigned, died or ceased to be a Member of the Council.</p>	<p><u>Rules 3.2 and 3.3 are deleted and new wording incorporated</u></p> <p><b>“If a vacancy arises on a Committee or Sub-Committee because a Member of a Committee or a Sub-Committee has resigned their seat by sending a written notice to the Chief Executive or because a Member has resigned, died or otherwise ceased to be a Member, the Chief Executive will appoint a Member to fill the vacancy if the relevant political group asks him or her to do so, in accordance with the seat allocations approved by Council under the Local Government and Housing Act 1989 and the Regulations made thereunder.”</b></p>

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<p><b>Appointment of Substitutes</b></p> <p><b>Part 4, Standing Orders</b> <b>Section 2 which relate to Committees only – Rule 5.6</b></p>	<p>Clarification that substitutes must either be nominated at Annual Council when appointments to committees are made or be authorised by the relevant Group Leader (or Group Officers appointed by the Group Leader for authorising substitutions).</p> <p>Each group that has a seat on a committee shall be entitled to appoint at least one substitute to attend a meeting but the total number of substitutions made by a political group at a meeting may not otherwise exceed 50% of the Group's seats on a Committee.</p>	<p><u>Rule 5.6</u></p> <p>When a member of a Committee cannot attend a meeting another Member of the Committee must tell the Proper Officer at the start of the meeting under “apologies”. The other current provisions to be removed and the following words to be inserted: <b>“A substitute member may be appointed to serve on the committee for the purposes of that meeting subject to the Member having been appointed as the group’s designated substitute by Council or alternatively, to the appointment(s) being made by the respective Group Leader (or Group Officer(s) nominated in writing to the Chief Executive for authorising substitutions). All substitute appointments must be confirmed with the Governance Officer on duty prior to the start time of the meeting at which the substitution shall apply.”</b> The substitute Member will have the right to take part in and vote at the meeting.</p> <p><u>New Rule 5.7</u></p> <p><b>“Each political group that has a seat on a committee shall be entitled to appoint at least one substitute to serve as a full member of a committee at a committee meeting but the total number of substitutes made by a political group may not otherwise exceed 50% of that political group’s seat allocation on the committee.”</b></p>
<p><b>Variations to the Programme of Meetings</b></p> <p><b>Part 5, Section 3,</b> <b>Member/Officer Protocol - Paragraph 12.3</b></p>	<p>Removal of the current default time of 5pm for the start of meetings in cases where there is a dispute between group representatives over a change to the programme of meetings approved by Council.</p> <p>Replacement by a provision that where there is a dispute between group representatives, committees will commence at their normal start times as identified in the Annual Calendar of Meetings approved by Council.</p>	<p><u>Rule 12.3</u></p> <p>Timing: For a committee meeting if there is disagreement about timing between the Chairman and group representatives, <b>“the meeting will start at the normal time for meetings of that committee as identified in the Annual Calendar of Meetings approved by Council.”</b> (this deletes the reference to meetings will start at 5pm).</p>

<p><b>Planning Call-in</b></p> <p><b>Part 4, Standing Orders Section 4 – General Standing Orders – Rule 14</b></p> <p><b>Planning Review Committee</b></p> <p><b>Part 3, Delegations Section 2 – Regulatory Committee Functions – Paragraph 2.7 (new)</b></p>	<p>Increase from 25% to 30% of Members present at a meeting of the Planning and Environmental Protection Committee required to requisition the call-in of a planning application.</p> <p>Referral, following call-in, to a new Planning Review Committee (rather than full Council), comprising 10 Members who shall be required to be trained to fulfil this role.</p>	<p>Transfer of Planning call-in procedure from Part 4, Standing Orders Section 4 – General Standing Orders to Part 4, Standing Orders Section 3 – Standing Orders which apply to the Council and Committees.</p> <p>Rule 14 - Proposed change of wording for current provision</p> <p>14.2 If the Planning and Environmental Protection Committee makes a determination as set out in paragraph 14.1 above, “<b>30%</b>” of the Members present at the meeting where the resolution was passed can ask the Chief Executive that it be reported to “<b>a special meeting of the Planning Review Committee.</b>” (Note: The determination relates to a decision by the Planning and Environmental Protection Committee.)</p> <p>Rules 14.5 to 14.8 relating to the submission of motions to Council and the procedure at Council shall be deleted.</p> <p><b>New Paragraph 2.7: Planning Review Committee</b></p> <p><b>“Terms of Reference</b></p> <p><b>To determine any planning matter that has been referred to the Committee following the implementation of the planning call-in procedure.</b></p> <p><b>Special Provisions</b></p> <p><b>The normal start time of meetings shall be at 7pm.</b></p> <p><b>The Committee shall adopt the Planning Speaking Scheme at its meetings.</b></p> <p><b>All Members of the Committee (and substitutes) shall have received appropriate training before being involved in the determination of a planning matter.</b></p> <p>The Monitoring Officer will make any consequential changes elsewhere in the Constitution to give effect to the new Planning call-in procedure.</p>
<p><b>Public Speaking at Scrutiny Commission and Committee meetings</b></p>	<p>Provision for the Chairman of a Scrutiny Committee or Commission to hear from anyone who they consider will</p>	<p>Rule 16.2</p> <p>The following words to be added:</p>

<p><b>Part 4, Section 9 – Scrutiny Committees and Scrutiny Commissions Procedure – Rule 16.3 (new)</b></p>	<p>assist the debate.</p>	<p>“The Chairman shall have discretion to hear from any person who they consider will assist the debate at a meeting if, in their opinion, the contribution of that person is directly related to an item of business that is on the agenda for the meeting.”</p>
<p><b>Joint Meetings of Scrutiny Committees and Commissions</b></p> <p><b>Part 4, Section 9 – Scrutiny Committees and Scrutiny Commissions Procedure – Rule 17</b></p>	<p>Provision to enable joint meetings to be held between Scrutiny Committees/Commissions if this will enable there to be more effective and efficient scrutiny.</p>	<p><b><u>New Rule 17 – “Joint Meetings of Scrutiny Committees and Commissions”</u></b></p> <p>“If the Chairman of two or more Scrutiny Committees and/or Commissions agree that a joint meeting will enable there to be more effective and efficient scrutiny of a particular item of business, then following consultation with the respective group representatives, they may agree to hold a joint meeting on the scheduled date for a meeting of either or any of the committees, or another date if they consider this to be more practicable.</p> <p><b>All Members of the respective committees shall be entitled to speak and vote at the joint meeting. The Chairman shall be appointed from among the Chairmen of the Committees who are holding the meeting or, if they are absent, another person who is present at the meeting.</b></p> <p><b>The joint meeting shall be deemed to constitute a meeting of each committee for the purposes of fulfilling their annual programmes of 6 meetings per year.”</b></p>
<p><b>Clarification of Members’ Rights of Access to Information</b></p> <p><b>Part 4, Section 5 - Access to Information Rules</b></p>	<p>Additional Rule 14.3 added clarifying Members’ right to personal information in line with the Information Commissioner’s Office guidance &amp; general tidying up of the Rules to clarify how information is protected by law and when it requires review prior to release</p>	<p>See Appendix B for revised version of the relevant sections of the Access to Information Rules.</p>
<p><b>Appointments to Outside Bodies</b></p> <p><b>Part 3, Section 6 – Appointments to External Organisations</b></p>	<p>Change in provision to enable nominations to be submitted by groups rather than specifically group secretaries to provide more flexible arrangements.</p> <p>Removal of the time allowed of</p>	<p>Rule 6</p> <p>Replacement of “Group Secretaries” by “<b>Groups</b>” with regard to all activities in connection with the appointments procedure.</p> <p>Rule 6.3.5</p>

	<p>one month prior to referral to the Leader for making an appointment. This is in circumstances where an appointment is deemed to be disputed between group secretaries because there is more than one nomination for a vacancy on an outside body. The proposal seeks to speed up the appointments process.</p>	<p>Deletion of the following current provision: “The time allowed before appointment is deemed “disputed” and referred to the Leader of the Council for determination will be one calendar month from the date of the Solicitor to the Council’s initial approach to Group Secretaries.”</p>
<p><b>Responsibility for Carbon Management Programme</b></p> <p><b>Part 3, Section 3 – Delegations to Officers</b></p>	<p>Addition to officer delegations to clarify responsibility for the Council’s Carbon Management Programme and associated actions under relevant legislation and regulations.</p>	<p>‘The Executive Director – Operations is responsible for the Council’s Carbon Management Programme and is authorised to carry out the powers and duties conferred by any relevant legislation and regulations, including, but not limited to, the Climate Change Act 2008 and the CRC Energy Efficiency Scheme Order 2010’.</p>

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**13. RIGHTS OF ACCESS TO DOCUMENTS FOR MEMBERS**

**13.1 Material relating to previous executive business**

13.1.1 All Members will be entitled to inspect any document which is in the possession or under the control of the Cabinet or its Committees and contains material relating to any business previously transacted at a *statutory* private meeting of *the executive* unless either (a) or (b) below applies.

- (a) it contains exempt or confidential information; or
- (b) it contains the advice of a political adviser.

**13.2 Material relating to key decisions**

13.2.1 All Members will be entitled to inspect any document (except those available only in draft form) in the possession or under the control of the Cabinet or its Committees which relates to any key decision unless paragraph 13.1.1 (a) or (b) above applies.

**13.3 Nature of rights**

13.3.1 These rights of a Member are additional to any other legal rights he or she may have.

**14. MEMBERS' RIGHTS IN RELATION TO OTHER DOCUMENTS**

14.1 A member can inspect any document the Council holds or controls (*except those only available in draft form*) which contains material about any business the Council deals with, unless the document reveals exempt or confidential information.

14.2 *Where a Member wishes to inspect a document containing exempt or confidential information* the Member will say which document they want to inspect and why they want to inspect it. If the Chief Executive or the Solicitor to the Council is satisfied that the Member has a reason to inspect the document in order to carry out their duty as a Member, he or she will allow the Member to inspect it. If the Chief Executive or Solicitor to the Council is not satisfied, he or she will refer the request to the next Council *or Committee* meeting. The Chief Executive or the Solicitor to the Council will tell the Chairman of the appropriate meeting that a Member has asked to see the document *and the Chairman shall decide if the Member has a right to inspect the document.*

14.3 *Where the Chief Executive or the Solicitor to the Council decides to disclose exempt information which discloses any personal information he or she will generally not have to seek the consent of the individual to disclose that information to a member if:*

- *The Member represents the ward in which the individual lives*
- *The Member makes clear that they are representing the individual*
- *The information is necessary to respond to the individual's complaint*

14.4 *Where however the information is particularly sensitive the Chief Executive or the Solicitor to the Council may choose to obtain the individual's specific consent.*

14.5 If a Member has inspected or received documents which contain exempt or confidential information they will not reveal the information to anyone who is not authorised by the Council or the Chief Executive to receive the information.

**15. ADDITIONAL RIGHTS AND RESPONSIBILITIES IN RELATION TO DOCUMENTS**

15.1 A Member will not knowingly inspect and will not call for a copy of any document relating to a matter which they are professionally interested in, or which they have any financial interest in

15.2 The Chief Executive or the Solicitor to the Council may refuse to allow a Member to inspect any document which is, or in the event of legal proceedings would be, confidential between solicitor and client.

15.3 If a meeting finds out that a Member has revealed confidential or exempt information which it is responsible for, it will consider the matter and, if it feels it is necessary, it will recommend that the Council remove the Member from that body, or take other appropriate action.

*NB..All additions shown in italics.*

**Allocation of Seats to Political Groups  
13 October 2010**

**Overall Situation with Introduction of Planning Review Committee**

Party	Cons	PIF	Lib Dem	Lab	English Democrats	Total
No Elected	40	9	3	3	2	57
Proportionality	70.175	15.789	5.263	5.263	3.509	100*
Entitlement	60.351	13.576	4.526	4.526	3.018	86*
No of Seats Allocated	60 (+7)	14 (+2)	4.5 (+0.5)	4.5 (+0.5)	3 (-)	86 (+10)

(Notes: The Liberal Democrats and Labour have an equal entitlement to a seat and this must be agreed between the respective Groups or otherwise, decided by Council.

\* denotes rounding where decimals do not equate exactly to the round number)

**Current Seat Allocations for Politically Balanced Committees (plus new Committee)**

Committees	Cons	PIF	Lib Dem	Lab	English Democrats	Total
Scrutiny Commission for Rural Issues	4	1	1	1	0	7
Scrutiny Commission for Health Issues	5	0	1	1	0	7
Strong and Supportive Scrutiny Committee	5	1	0	0	1	7
Creating Opportunities Scrutiny Committee	5	1	0	1	0	7
Sustainable Growth Scrutiny Committee	5	1	0	0	1	7
Environment Capital Scrutiny Committee	5	1	1	0	0	7
Audit Committee	5	1	0	0	1	7
Employment Committee	5	1	1	0	0	7
Licensing Committee	7	2	0	1	0	10
Planning and Environmental Protection Committee	7	3	0	0	0	10
Planning Review Committee	7	2	One seat to be allocated		0	10
<b>Total</b>	<b>60</b>	<b>14</b>	<b>4.5</b>	<b>4.5</b>	<b>3</b>	<b>86</b>

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