

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

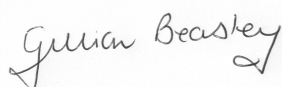
WEDNESDAY 13 JULY 2011 at 7.00 pm

AGENDA

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(ii) Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen	
(iii) Questions with Notice by Members of the Council to representatives of the Police and Fire Authorities;	
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Chief Executive

5 July 2011
Town Hall
Bridge Street
Peterborough



There is an induction hearing loop system available in all meeting rooms. Some of the systems are infra-red operated, if you wish to use this system then please contact Alex Daynes on 01733 452447.

Emergency Evacuation Procedure – Outside Normal Office Hours

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

PETERBOROUGH CITY COUNCIL

MINUTES OF ANNUAL COUNCIL MEETING HELD MONDAY 16 MAY 2011

Present:

Councillors Arculus, Burton, Casey, Cereste, M Dalton, S Dalton, D Day, S Day, Dobbs, Eley, Fitzgerald, Fletcher, Fower, Goodwin, Harper, Harrington, Holdich, Jamil, Khan, Kreling, Lamb, Lane, Lee, Martin, Miners, Murphy, Nadeem, Nash, Nawaz, North, Over, Peach, Rush, Saltmarsh, Sanders, Sandford, Scott, Seaton, Serluca, Shabbir, Shaheed, Sharp, Shearman, Simons, Stokes, Swift, Thacker, Todd, Walsh and Winslade.

Photographs During Proceedings

The Mayor addressed the meeting and requested Members consent to photographs being taking during the ceremonial proceedings as required by the Council's Constitution. Members agreed to photographs being taking during the ceremonial proceedings.

1. Apologies for Absence

Apologies for absence were received from Councillors Allen, Ash, Benton, Goldspink, J A Fox, J R Fox and Hiller.

2. Election of the Mayor for the Municipal Year 2011 / 2012

The Retiring Mayor requested nominations for the election of Mayor for 2011 / 2012.

Councillor Thacker was nominated and seconded.

There being no other nominations, Councillor Thacker was duly elected Mayor for the Municipal Year 2011 / 2012.

The Mayor made and signed her Declaration of Office. The retiring Mayor, Councillor Sharp invested the Mayor with her Chain of Office and the retiring Mayoress Mrs Doris Marchant invested the Mayor's Consort, Councillor Ray Dobbs, with his Chain of Office.

3. Election of Deputy Mayor for the Municipal Year 2011 / 2012

The Mayor requested nominations for the election of Deputy Mayor for 2011 / 2012.

Councillor Serluca was nominated and seconded.

There being no other nominations, Councillor Serluca was duly elected Deputy Mayor for the Municipal Year 2011 / 2012.

The Deputy Mayor made and signed her Declaration of Office. The Mayor invested the Deputy Mayor with her Chain of Office and the Mayor's Consort invested the Deputy Mayoress, Mrs Rose Fasulo, with her Chain of Office.

4. Investiture of Badges of Office and Vote of Thanks to the Retiring Mayor and Mayoress

Councillor Swift proposed a vote of thanks to the retiring Mayor, Councillor Sharp. He commended Councillor Sharp for the hard work and commitment shown to the role of Mayor over the previous municipal year. He also paid tribute to the retiring Mayoress and to the retiring Deputy Mayor and Deputy Mayor's Consort. This vote of thanks was seconded and endorsed by Councillor Cereste who commented that Councillor Sharp was a well known and liked Councillor across the city and the time and effort he had put into the role had been tremendous.

Each Group Leader in turn was invited to comment on Councillor Swift's proposal and all endorsed the vote of thanks to Councillor Sharp.

Following comments from Group Leaders, the Mayor sought agreement to the vote of thanks and all Members agreed.

In responding to the vote of thanks, Councillor Sharp expressed his gratitude at the support expressed by Councillor Swift and the Group Leaders and paid tribute to the paid tribute to the retiring Mayoress, the Deputy Mayor and the Deputy Mayors Consort for their support over the last year. Councillor Sharp also expressed his thanks and appreciation to the Mayors Office staff for their help and support throughout his term of office.

The Mayor invited Councillor Sharp to receive his Badge of Office in recognition of his service to the city. Upon receiving his Badge of Office, Councillor Sharp presented the retiring Mayoress and the retiring Deputy Mayor with their Badges of Office and the retiring Deputy Mayors Consort with a gift.

A special award was presented by Councillor Sharp to Mr Brian Rudgley for his outstanding contribution to the community.

The Mayor thanked all Members for their support in electing her as Mayor and expressed her thanks to Councillor Sharp for his hard work and dedication over the previous municipal year. The Mayor confirmed her chosen charities for her term of office as Help for Heroes and Find a Cure for Alex in Peterborough.

The Mayor stated that the meeting would be adjourned for ten minutes whilst the order papers for the second part of the meeting were circulated.

5. Declarations of Interest

There were no declarations of interest.

6. Minutes of the Meeting held 13 April 2011

The minutes of the meeting held 13 April 2011 were agreed and signed as an accurate record subject to the following amendment:

- Page 4, 7(ii) Notices of Motion (iii) Requests that all Councillors ***consider*** making a donation from their annual CLF allocation towards the running costs of the hydrotherapy pool.

7. Results of the Elections 2011

The results of the City Council and Parish elections, together with the National Referendum results were noted subject to the word 'elected' being added next to Councillors Matthew Dalton, Hiller and Swift respectively in the document.

8. Political Groups and Group Officers 2011 / 2012

The membership of Political Groups and their Officers for the Municipal Year 2011 / 2012 were noted.

Councillor Sharp addressed the meeting and requested that those members of the Peterborough Independent Forum Group identified as 'Independent' should now be identified as 'Peterborough Independents'.

9. Annual Appointments and Scheme of Delegations

Councillor Cereste was nominated and seconded as Leader of the Council. There being no other nominations, Councillor Cereste was duly elected as Leader of the Council for a period of four years.

The Mayor directed Members' attention to their additional papers contained within their files, including a revised Programme of Meetings for 2011 / 2012.

Councillor Cereste addressed the meeting and presented his Scheme of Delegations advising that he would be taking responsibility for a portfolio focusing on strategic growth, planning, economic development and business engagement. The whole of economic development and business agenda would rest with the Leader's portfolio and Councillor Goodwin was named as his Cabinet Advisor. Tourism had also been included within the Leader's portfolio and this aspect would be progressed with the assistance of the Cabinet Advisor.

Councillor Cereste further named his Cabinet Members and their responsibilities and highlighted the administration's priorities for the Municipal Year ahead.

It was noted that two of the Cabinet Member's titles were different to those contained within the papers, these being, Councillor Walsh 'Cabinet Member for Community Cohesion and Safety' and Councillor Fitzgerald 'Cabinet Member for Adult Social Care'.

Councillor Cereste expressed his gratitude to the two Members no longer in the Cabinet and gave personal thanks for all their hard work and dedication over the past year.

Councillors Sharp, Khan and Sandford responded to the Leader's speech.

Councillor Sharp stated that his Group would continue to monitor the work of the Cabinet and would continue to challenge as required. Councillor Sharp further commented that the Special Responsibility Allowances (SRAs) which had been allocated to the Chairs of Neighbourhood Committees would have been better suited given to local people and the SRA removed.

Councillor Khan stated that he firstly wished to welcome the new additions to the Labour Group. He also welcomed the new Cabinet Members and paid tribute to ex Councillor Yvonne Lowndes for her tremendous efforts undertaken with regards to the implementation of Neighbourhood Committees. Councillor Khan further stated that he hoped Councillor Peach would follow suit and continue to make the Neighbourhood Committees a success.

Councillor Sandford stated that he was disappointed at the lack of policies outlined by the Leader in his speech and he commented that although one of the smallest unitary authorities in the country the Council had the maximum number of Cabinet Members and a Cabinet Advisor. Councillor Sandford further commented that opposition Members had not been able to effectively scrutinise the Scheme of Delegations as it had only been circulated at the meeting.

Councillor Sandford further addressed the meeting and congratulated Councillor Cereste for becoming Leader of the Council, but wished for Councillor Cereste to note that more investment in basic services was needed and less investment in grand schemes.

In response, Councillor Cereste stated that priorities included education, growth and employment in the city. There was the new university due to be built and £135m was going to be spent on education over the next 5 years with new schools being built in Stanground and Orton Longueville and two new primary schools. A number of new businesses were coming into Peterborough and improvement works had been and were being undertaken in the city centre. The main priority was delivering growth for the people of the city in order for them to improve their way of life.

RESOLVED:

1. To elect Councillor Cereste as Leader of the Council;
2. To note the appointment of the Cabinet and the Leader's Scheme of Delegation to Cabinet Members;
3. To agree the Council's Committee structure as set out at paragraph 3.1 of the report;
4. To agree the terms of reference of Committees and the Council's Scheme of Delegations as set out in the order paper;
5. To agree the allocation of seats to political groups as tabled at the meeting;
6. To appoint the Chairmen and Vice Chairmen of the Council's Committees, and Committee Memberships for 2011 / 2012 and make further appointments as identified in the report in accordance with the nominations tabled at the meeting; and
7. To delegate the consequential updating of the Constitution to the Monitoring Officer.

The Mayor
18.30 – 20.00

COUNCIL	AGENDA ITEM No. 4(i)
13 JULY 2011	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 17 May to 30 June 2011

2.1 Civic Events

- Attended Citizenship Ceremony on 24 May
- Attended Civic service at Abbey Church of St Peter & St Pauls, Bourne on 5 June
- Annual Service for Mayor's Installation 12 June
- Attended Citizenship Ceremony 14 June
- Mayor's Open Day in the Town Hall 16 June
- Fly a Flag for our Armed Forces Day Ceremony on the Town Hall Steps on 20 June
- Attended Citizenship Ceremony 28 June

2.2 Visitors to the Mayor's Parlour

- Hosted Holocaust Memorial Day on 25 May
- Hosted Erica from MCE Gifts 1 June
- Hosted Meeting with Canon Bruce Ruddock to discuss Installation 3 June
- Hosted Meeting with Jawaid Khan to discuss cohesion 9 June
- Hosted Meeting with Marie Skells Chaiman of RBL Women's section 13 June
- Hosted Signing of Documents with Middlesex University 24 June
- Hosted a visit from Spanish students on exchange visit to Jack Hunt School 29 June

2.3 Charity Events

- Hosted Charity Committee Meeting 8 June
- Hosted Charity Meeting 28 June

2.4 Council and Other Events

DATE	ATTENDANT	EVENT
5.5.11	M	Civic service at Abbey Church of St Peter & St Pauls, Bourne
5.5.11	DM	Civic service Mayor St Ives
17.5.11	M	40 th AGM of the Samaritans
18.5.11	M	Photo Opportunity for tour series on Cathedral Square
19.5.11	M	Reception for Mayor Elect of Skegness

20.5.11	M	Silver Surfers Taster Day at Napier Place
21.5.11	M	Open Day at St Marks Church
22.5.11	M	Inauguration of a new Mayor at St Margret Church, Kings Lynn
24.5.11	M	"Memorials – Lest we Forget at St Johns Church
24.5.11	M	Citizenship Ceremony
24.5.11	M	Peterborough Lions Showtime
25.5.11	M	Northern Division Commander Good Work Presentation Evening in the Town Hall
25.5.11	M	Hosted Holocaust Memorial Day
27.5.11	M	Tesco Big Collection for Alzheimer's at Tesco's Hampton
28.5.11	M	Open Day of the Lido
28.5.11	M	Green Festival Launch in Cathedral Square
30.5.11	M	The Pitch in Picnic at the Green Backyard
30.5.11	M	Pick up the Posh bus for city tour
31.5.11	M	Cycle Tour Presentations
31.5.11	M	Presentation for winners of the Tour series with medals
1.6.11	M	Hosted Erica from MCE Gifts
1.6.11	M	Open Evening for the Gunthorpe Harriers FC
2.6.11	M	Cambs County Forum briefing for Civic Leaders at the TA Centre in Cambridge
3.6.11	M	Peterborough Synagogue
3.6.11	M	Hosted Meeting with Canon Bruce Ruddock to discuss Mayor Installation
4.6.11	M	Rotary Club of Peterborough's Charity Garden Party at Longstone House, Barholm
4.6.11	M	Jem's Hip Hop Annual Showcase "Progression" at the East of England Showground
5.6.11	M	Mayor of Bourne Town Council's Civic service at the Abbey Church of St Peter and St Paul
5.6.11	M	Bee Wild Big Lunch at Ferry Meadows
5.6.11	M & DM	Italian Republic Day at the Fleet
6.6.11	M	Tour Bus Drop in Outside the Town Hall
7.6.11	M	423 rd Air Base Group Change of Command
7.6.11	M	Opening of Harriet's Art Gallery at Harriet's Café
8.6.11	M	Walking Bus Record Attempt in Central Park
8.6.11	M	Hosted Charity Committee Meeting
8.6.11	M	Gunthorpe Harriers FC Memorial Game at Stanground College
9.6.11	M	Trashion Show in Queensgate
9.6.11	M	Hosted Meeting with Jawaid Khan to discuss Cohesion
10.6.11	M	Alconbury High School Graduation Ceremony at the Cathedral
10.6.11	DM	Celebratory event Clare Cottage, Helpston
11.6.11	M	Opening of Patisserie Valerie on Cathedral Square
11.6.11	M	Boro Bar on Oundle Road
11.6.11	M & DM	Goodbye to Fr David Jennings at the Cathedral
12.6.11	M & DM	Annual Mayor Installation, Cathedral
13.6.11	M & DM	Service of Institution and Induction of the Revd at St Mary's Church
13.6.11	M	Hosted Meeting with Marie Skells Chaiman of RBL Women's section
14.6.11	M	Induction to become an 'Honorary Lion of the Year at Ebenezers
14.6.11	M	Citizenship Ceremony
15.6.11	M	Werrington Lodge Garden Party
15.6.11	M	Broadway Theatre for the Showing of Five Blue Haired Ladies
16.6.11	M & DM	Mayor's Open Day in the Town Hall
16.6.11	DM	Dinner with outgoing Mayor Cambridge, Corpus Christi College
17.6.11	M	Family Voice Drop in Stand at Tesco's Hampton
17.6.11	M	East of England Tour

18.6.11	M	Open day and Dog Show for Peterborough Streets at the Alpha Centre in Bretton
18.6.11	M	Frog Race photos taken in the Town Centre
18.6.11	M	90 th Anniversary of Royal British Legion Service at St Johns Church On Cathedral Square
18.6.11	M	Peterborough Has Talent final at the Key Theatre
18.6.11	DM	Start 24 hour boat race RNLI, Ferry Meadows
19.6.11	DM	Mayor Summer Concert, Voyager School
20.6.11	M & DM	Fly a Flag for our Armed Forces Day Ceremony on the Town Hall Steps
21.6.11	M & DM	Launch of the Peterborough 900 Development Campaign at the Cathedral
21.6.11	M & DM	Refugee Week Launch Event in the Council Chamber
22.6.11	M	Midsummer Fair in Cambridge
23.6.11	M	Presentation to Year 11 Leavers at the Honeyhill Centre
23.6.11	M	Peterborough Frog Race at the Greyhound Track
23.6.11	DM	Milton Puppy Show
24.6.11	M	School Fete at Wittering School
24.6.11	M	PARCA Refugee Week youth event at the Triangle, New England
24.6.11	DM	Award Ceremony Roma Students, Thomas Deacon Academy
24.6.11	M	Hosted Signing of Documents with Middlesex University
25.6.11	M	Opening of the Heritage Festival at the west gates of the Cathedral
25.6.11	M	PARCA Fun Day at the Triangle, New England
25.6.11	M	War Memorial Fund Raising Military Band Concert at the Voyager School
25.6.11	DM	David Starkey Lecture on Henry VIII and his six wives, Cathedral
26.5.11	M	Dedication of New Facilities and Environs of St Johns Church on Cathedral Square
26.6.11	M	Annual Service of Remembrance at Peterborough Crematorium
27.6.11	M & DM	Evening reception, ICT House of Lords
28.6.11	M	Private Viewing of the Elton Hall Exhibition
28.6.11	M & DM	Hosted Charity Meeting
29.6.11	M	'Patronal Festival Service – Installation of the Bishop of Brixworth and Reception at the Cathedral and Palace Gardens
29.6.11	M	Hosted a visit from Spanish students on exchange visit to Jack Hunt School
29.6.11	M	Marshfield's School Presentation Evening at Salvation Army Citadel
29.6.11	DM	Private View Art Gallery, The Peterborough School
30.6.11	DM	At home with Mayor Wisbech
2.7.11	M & DM	75 th celebration at the Lido
2.7.11	M & DM	Independence Day Celebration, Alconbury
3.7.11	M	Civic Service, Mayor Wisbech
3.7.11	DM	Civic Service, Mayor Huntingdon

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

None.

4. DIRECTOR RESPONSIBLE

Chief Executive.

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COUNCIL	AGENDA ITEM No. 6(ii)
13 JULY 2011	PUBLIC REPORT

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

1. DECISIONS FROM CABINET MEETING HELD 13 JUNE 2011

REVIEW OF THE USE OF CONSULTANTS

Cabinet received a report from the Sustainable Growth Scrutiny Committee’s review group on the cost and effectiveness of the Council’s use of consultants including 33 recommendations on the future use of consultants by the Council to inform the development of budgets in future years.

Cabinet **RESOLVED** to endorse the recommendations to:

1. All projects involving consultants should be recorded through Verto. This recommendation is subject to officers considering whether there should be a financial threshold to this requirement to ensure appropriate use of Verto.
2. All members should be provided with access to Verto in order to improve transparency regarding consultancy spend. This will also assist to resolve any uncertainty which may exist around the commissioning of consultants.
3. The Commercial and Procurement Unit (CPU) should provide an update report to the Scrutiny Committee in Autumn 2011 regarding (1) the progress made with Qlikview reporting and the outcome of discussions with Serco (2) financial data, by department, for Q4 2010-11 and Q1 2011-12 (3) whether the use of consultants is captured across the council through consistent use of Verto (4) the level of member enquiry of Verto (5) how the spend on consultants is being recorded and monitored, and (6) confirming that there is accurate recording of savings and losses against each individual consultant or consultancy project.
4. A policy on the use of consultants ought to be written for the benefit of officers to ensure consistent application in the use of consultants across the council.
5. The council should compile a central register of transferable professional skills available within the council which should be audited on a regular basis by the HR team.
6. The council should review its further business transformation needs and assess whether the procurement of project and performance management skills will be required when the Professional Services Partnership (Amtec) contract next comes up for renewal.
7. The Verto system have a reporting function which allows it to report on minor projects involving the use of consultants (under £20k in value) to the cabinet member for resources.
8. For major projects (over £50k in value (original recommendation was £20k)):
 - a) the cabinet member for resources ought to be requested to add approval to the Verto system for projects involving the use of consultants; and
 - b) representative bodies including the Joint Consultative Forum, CMT and the Audit Committee are able to request regular reports from Verto on the use of consultants

9. Skills transfer is a written contractual requirement for appropriate professional skill contracts, particularly project and programme management, to enable officers to develop expertise which will directly benefit the council.
10. A relevant scrutiny panel (or a suitably staffed sub-committee of one formed of members preferably with audit and/or accountancy experience) should take sample projects to put under review for test of business case and efficiency.
11. Where the council engages consultants under long term contracts there should be, only in appropriate circumstances, a requirement for managers to approach the consultant at fixed periods in the contract about filling a permanent role within the council.
12. There should be improved scrutiny of the PSP contract if it is renewed in 2012. The relevant scrutiny committee should be consulted prior to any decision being made to engage specific contractors.
13. All consultants engaged at managerial level should be required to update Verto as a condition of payment.
14. Managers should negotiate fixed-price or incentive-based contracts where possible.
15. The council should whenever possible seek to fill senior management posts with a permanent employee where it is beneficial for the council and consider all other available options, (e.g. internal employees acting up) before seeking to recruit a consultant to a managerial position.
16. A report should be made to the Scrutiny Committee surrounding the errors found in Qlikview and what measures have been put in place to prevent such errors in future.
17. Where possible, the council should seek to quantify the level of grant funding which supports the use of consultants within the council. This may be possible through a reporting function within Verto.
18. Where appropriate HR should be involved in the recruitment process for consultants occupying managerial positions so that advice can be given on suitable candidates and in house expertise, skills or knowledge.
19. The CPU should be allowed access to the information gathered by HR around internal skills and knowledge so that internal skills might be accessed before reliance is placed upon consultants.
20. Managers should submit a report to the chief executive upon the proposed appointment of any consultant in an interim managerial role explaining why a consultant is to be preferred over an internal candidate. This is to ensure that officers are mindful of succession planning.
21. A further update on the progress of the creation of a centralised list of consultants should be produced and a report made to the appropriate scrutiny committee in Autumn 2011.
22. The roll out of the HR Review should be expedited to ensure that all areas of the council have been assessed by Spring 2011.
23. Progress with the PDR process should be closely monitored to ensure that managers do not take a cascade approach as was the case with the previous APD system. This system prevented front line staff from receiving timely feedback or the opportunity to identify development opportunities and act upon career aspirations.
24. The HR Review agenda should be amended to enable the chief executive and directors to identify where consultants are fulfilling positions. This information should be used to create a succession plan for ensuring that this is the most appropriate solution, or if not, to identify who could be developed to fulfil that role in future.
25. The contract management system should be made available for scrutiny by members, or reviewed by way of regular reports to a scrutiny committee.
26. That the council investigates whether to move away from OGC Solutions as a method of contracting.
27. That the council conducts a cost benefit review analysis on whether details of sub-contracting arrangements should be included in all contracts.

Cabinet further **RESOLVED** to reject the recommendations that:

1. The council should amend contract regulations and financial regulations to set out criteria officers should consider before deciding to employ consultants and that this ought to include consideration of any internal skills within the council.
2. The council should amend the Employment Committee terms of reference to include contractors and consultants whose accumulative remuneration rate over a project lifecycle would take them into the same salary grade as a head of service and that contractors and consultants at this level ought to be approved by Employment Committee before appointment whenever possible or reviewed at least at six monthly intervals to ensure that their continued engagement is appropriate.
3. Should the council produce a policy around the use of consultants (see recommendation 4 above) this should contain the criteria for engaging and monitoring consultants.
4. A skills audit should be completed through a series of workshops with top performers. Included in the audit should be details of the specific projects that staff have worked on, similar to a CV. That would help to identify those with the potential to be of 'consultant' level.
5. If a manager is shown to be disproportionately using agency staff for longer than three months then a business case should be made and entered on Verto.
6. The HR team should report to the Sustainable Growth Scrutiny Committee in late Summer 2011 on progress or completion in the area of succession planning. If this requirement can be fulfilled by moving towards liP "Silver" status the report should also contain an evaluation of whether it is financially feasible for the council to progress towards this.

ENERGY SERVICES COMPANY (ESCO) AND OTHER ENERGY RELATED PROJECTS

Cabinet received a report following a referral from Cllr Seaton and Cllr S Dalton, and the Executive Director – Strategic Resources recommending the establishment of an energy services company and the installation of solar photovoltaic tiles on the roof of the Freeman's building.

Cabinet considered the report and **RESOLVED** to:

1. Authorise the Executive Director – Strategic Resources to establish a limited company as an energy services company (ESCO) to be wholly owned by Peterborough City Council;
2. Authorise the Executive Director – Strategic Resources to approve the business case for the ESCO in consultation with the relevant cabinet portfolio holders before trading commences;
3. Authorise the Executive Director – Strategic Resources to award the contract for design, supply, installation and maintenance of Solar Photovoltaic (PV) panels on the roof of the former Freemans building at Ivatt Way, Westwood, Peterborough, PE3 7PA; and
4. Authorise the Executive Director – Strategic Resources, in consultation with the relevant cabinet portfolio holders, to establish additional organisations such as limited companies, or limited liability partnerships, either wholly owned or in partnership with investors and other public and private sector organisations, as required, to pursue other energy related projects.

OPPORTUNITY PETERBOROUGH BUSINESS PLAN*

Cabinet received a report from Opportunity Peterborough to endorse its draft annual business plan. As sole funder it was important that the council was satisfied that the draft business plan would deliver the objectives agreed.

Cabinet **RESOLVED** to:

Endorse the 2011-12 business plan for Opportunity Peterborough.

VILLAGE DESIGN SUPPLEMENTARY PLANNING DOCUMENT*

Cabinet received a report following approval of the Council's Local Development Scheme by the Secretary of State for Communities and Local Government, to supplement the overarching design policy contained within the Council's Core Strategy and following approval by Cabinet of a consultation draft SPD on 13 December 2010. Cabinet was requested to adopt the Design and Development in Selected Villages Supplementary Planning Document (adoption version) (hereafter referred to simply as the 'SPD').

Cabinet **RESOLVED** to:

Adopt the Design and Development in Selected Villages Supplementary Planning Document (SPD) to form part of the Peterborough Local Development Framework.

Cabinet further **RESOLVED** to:

Accept an amendment to both Castor and Ailsworth policies so that Policy Ail 14 (on page 14) and Cas 14 (on page 29) be amended so that they both read (amendment in italics):

“Large detached property will require particular attention and special care to ensure it fits into the character of the village, *including consideration of change on internal and external views of the site*”.

LOCAL DEVELOPMENT FRAMEWORK: CAMBRIDGESHIRE & PETERBOROUGH MINERALS AND WASTE PLAN – THE LOCATION AND DESIGN OF WASTE MANAGEMENT FACILITIES SUPPLEMENTARY PLANNING DOCUMENT (ADOPTION VERSION)

Cabinet received a report following approval by Council of a consultation draft SPD on 2 December 2009 and the subsequent approval by Council on 13 April 2011 of the Cambridgeshire and Peterborough Minerals and Waste Core Strategy. The Minerals and Waste Core Strategy Policy CS24 is the overarching design policy, whereas the detailed design guidance is provided by this SPD. Cabinet was requested to approve The Location and Design of Waste Management Facilities SPD (adoption version) (hereafter referred to simply as the 'SPD') for adoption on 19th July 2011.

Cabinet **RESOLVED** to:

1. Approve, for adoption on 19 July 2011, The Location and Design of Waste Management Facilities Supplementary Planning Document (SPD). The adoption of the SPD is also being considered concurrently by Members of Cambridgeshire County Council for adoption on 19 July 2011; and
2. Agree that the Head of Planning, Transport and Engineering approves any minor and inconsequential amendments to the SPD that may arise from the equivalent passage of the SPD through Cambridgeshire County Council's adoption process.

PETERBOROUGH 'PRELIMINARY FLOOD RISK ASSESSMENT' (PFRA)

Cabinet received a report following a Department for Environment, Food and Rural Affairs (Defra) / Environment Agency (EA) requirement to submit a Preliminary Flood Risk Assessment (PFRA) to the EA by 22 June 2011, seeking approval from Cabinet that the Peterborough PFRA meets the requirements of the Flood Risk Regulations 2009 and can therefore be submitted to the EA.

Cabinet **RESOLVED** to:

Approve, for the purpose of meeting the requirements of the Flood Risk Regulations 2009, the Peterborough Preliminary Flood Risk Assessment.

BUDGET MONITORING – FINAL OUTTURN 2010-11

Cabinet received a report informing it of the final financial performance for revenue and capital at 31 March 2011. The report contained performance information on treasury management activities, the payment of creditors in services and collection performance for debtors, local taxation and benefits overpayments and would be submitted to Audit Committee on 27 June for approval.

Cabinet **RESOLVED** to:

1. Note the capital budget and the final outturn position on the Council's revenue budget of £475k underspent;
2. Note the performance against the prudential indicators;
3. Note the performance on treasury management activities, payment of creditors in services and collection performance for debtors, local taxation and benefit overpayments; and
4. Note the challenging financial position in future years alongside the need for early planning for meeting the financial deficits indicated in later years of the MTFs including the impact to the use of reserves.

OUTCOME OF PETITIONS

Cabinet considered a report recommending it notes the action taken in respect of petitions presented to full Council.

CABINET RESOLVED TO:

Note the action taken in respect of petitions presented to full Council.

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 14 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 decision:

**Energy Services Company (ESCO) And Other Energy Related Projects*
(recommendation 3)**

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

- (i) waived the need to be included on the Forward Plan;

as to wait for the publication of the next Forward Plan would have prejudiced the Council's interest, in that the delay would mean that the contract could not be let in time for installation to commence prior to the anticipated reduction in Feed-In-Tariff from 1 August 2011.

4. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
Councillor Hiller 31 March 2011	MAR11/CMDN/040	<p>Formation of a lead authority regulatory services arrangement with Rutland County Council</p> <p>The Cabinet Member authorised that Peterborough City Council enter into a Shared Services Lead Authority arrangement for delivering the statutory services on behalf of Rutland County Council: Environmental Health, Trading Standards, Private Sector Housing, Licensing, Pollution, Climate Change and Biodiversity.</p>
Councillor Holdich 11 April 2011	APR11/CMDN/040	<p>Competition to Establish a New Primary School in Hampton</p> <p>The Cabinet Member authorised the Executive Director for Children's Services and the Solicitor to the Council to initiate the competition process leading to inviting proposals to run a new primary school in Hampton, as provided for in section 7 of EIA 2006 and The School Organisation (Establishment and Discontinuance) (England) Regulations 2007 (SI: 2007 No 1288) (as amended). The process is generally referred to as a "competition".</p>
Councillor Hiller 11 April 2011	APR11/CMDN/041	<p>Partnership Agreement with Stagecoach</p> <p>The Cabinet Member approved the replacement of the current De Minimis contracts for subsidised bus services between Stagecoach in Peterborough and Peterborough City Council with a new Partnership Agreement.</p> <p>This Agreement would run for the 2011/12 financial year until 31 March 2016.</p>
Councillor Lee 11 April 2011	APR11/CMDN/042	<p>Award of Contract for the Design and Construction of an Artificial Grass Football Pitch at the Grange, Netherton</p> <p>The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning authorised the award of the contract to McArdle Sport-Tec Ltd, for the design and construction of a new 3G Artificial Football</p>

		Pitch at The Grange, Netherton, for the sum of £528,973.77.
Councillor Hiller 18 April 2011	APR11/CMDN/043	<p>Local Transport Plan Capital Programme of Works 2011/12</p> <p>The Cabinet Member approved each proposed sub programme of the 2011/12 Local Transport Plan (LTP) Capital Programme of Works as follows:</p> <p>(1) 2011/12 Integrated Transport Capital Programme.</p> <p>(2) 2011/12 Highways Maintenance Programme.</p> <p>(3) 2011/12 Street Lighting Maintenance Programme.</p> <p>(4) 2011/12 Bridge Maintenance Programme.</p>
Councillor Seaton 18 April 2011	APR11/CMDN/044	<p>Authority to Procure Utility Supplies in respect of Electricity, Gas and Oil to Council Owned properties managed by Strategic Property Unit through the ESPO Framework Agreement</p> <p>The Cabinet Member authorised the procurement of the Council's utilities supply for electricity, gas and oil through the Eastern Shires Purchasing Organisation (ESPO, a Central Purchasing Body (CPB)) EU competitively tendered Framework Agreement for Supply of Gas and Electricity Ref. 191a/b/c and 301, until 30 September 2012. It was anticipated that the estimated spend across this commodity based on the 2011/2012 Council Budget allocation would be £3.1m. The cabinet member was requested to authorise the payment of all energy invoices called off from this framework until 30 September 2012.</p>
Councillor Walsh 19 April 2011	APR11/CMDN/045	<p>Supply of Temporary Agency Workers</p> <p>The Cabinet Member approved the award of a framework agreement for the supply of temporary agency staff to run from the 1st May 2011 until 30th April 2013 with an option to extend for a period of up to two twelve month periods at the Council's discretion.</p>
Councillor Seaton 4 May 2011	APR11/CMDN/046	<p>Discretionary Rate Relief from Business Rates on the grounds of Hardship</p> <p>The Cabinet Member considered an application from a company named in the exempt annex to the Decision for hardship relief and accepted the recommendation that the application be refused for the reasons outlined in the background information and the exempt annex.</p>
Councillor Seaton 4 May 2011	APR11/CMDN/047	<p>Discretionary Rate Relief from Business Rates on the grounds of Hardship</p> <p>The Cabinet Member considered applications for</p>

		hardship relief and accepted the recommendation that they be approved.
Councillor Cereste 9 May 2011	MAY11/CMDN/048	<p>Appointments to Outside Bodies New Appointment Opportunities - Peterborough Flood Risk Partnership</p> <p>The Leader of the Council & Cabinet Member for Growth, Strategic Planning and Economic Development approved the new appointment opportunity and its categorisation within the list of External Organisations as below:</p> <ol style="list-style-type: none"> 1. Peterborough Flood Risk Partnership – Strategic and Executive, Local <p>The appointment(s) to the above organisation would be made at the annual appointments meeting with group secretaries in May.</p>
Councillor Lee 10 May 2011	MAY11/CMDN/049	<p>Museum Redevelopment Project - part 1</p> <p>The Deputy Leader approved:</p> <ol style="list-style-type: none"> 1. Award of contract for the alteration, refurbishment and structural strengthening of the Museum in the sum of £874,362.45 to Murray and Willis Ltd. 2. Award of additional fees of £345,729 to Hayley Sharpe Design (HSD) for design and project management services, including procurement of site surveys (including existing layouts of electrical installations), structural strengthening works to second floor, upgrading heating installations and installation of air-conditioning within the existing building and safe removal and storage of collections as a result of these additional works.
Councillor Seaton 12 May 2011	MAY11/CMDN/050	<p>Acquisition of Freehold Interest in the land and buildings known as the Engine Sheds on Fletton Quays, South Bank</p> <p>The Cabinet Member authorised the negotiation and conclusion of terms for the Council to acquire the East of England Development Agency (EEDA) Freehold interest in the land and buildings known as the Engine Sheds on Fletton Quays.</p>
Councillor Holdich 19 May 2011	MAY11/CMDN/051	<p>School Term Dates 2012-2013</p> <p>The Cabinet Member approved the proposed term dates for the academic year 2012/2013.</p>
Councillor Holdich 19 May 2011	MAY11/CMDN/052	<p>Appointment of Authority Governor - Orton Wistow Primary School</p> <p>The Cabinet Member appointed Mrs Carly Pearson who</p>

		was changing from community to authority governor.
Cllr Cereste 23 May 2011	MAY11/CMDN/053	<p>Formation of a shared legal service arrangement with Rutland County Council</p> <p>The Cabinet Member authorised:</p> <p>(1) That a shared legal service be provided from within Peterborough City Council for both Peterborough City Council and Rutland County Council;</p> <p>(2) That Peterborough City Council accept the delegation of authority from Rutland County Council (as listed in the attached schedule) for the purpose of providing a shared legal service for the two authorities;</p> <p>(3) That those delegated functions be carried out by the Head of Legal Services appointed by Peterborough City Council to manage the delivery of legal services to both authorities; and</p> <p>(4) That the Monitoring Officer amends the Constitution to reflect those delegated functions from Rutland County Council.</p>
Councillor Holdich 31 May 2011	MAY11/CMDN/054	<p>Children's Services Transport Policy for Post-16 Students</p> <p>The Cabinet member approved the implementation of the revised policy for post-16 transport to be effective from September 2011.</p>
Councillor Cereste 31 May 2011	MAY11/CMDN/055	<p>Herlington Centre flats - Improvement works</p> <p>The Leader approved the granting of £165,000 to Cross Keys Homes Limited for the improvement works at the Herlington Centre from monies received by the Council under a s106 Agreement.</p>
Councillor Holdich 7 June 2011	MAY11/CMDN/056	<p>Award of Contract - Extension to Discovery Primary School</p> <p>The Cabinet Member authorised the award of the contract for the extension to Discovery Primary School to provide two new classrooms with associated facilities, an entrance, atrium and amphitheatre, a bio-mass boiler and general refurbishment to E.N. Suiter and Sons Ltd for the sum of £2,070,911.</p>
Councillor Lee 9 June 2011	JUN11/CMDN/057	<p>Extension of Organic Waste Composting Contract (Garden Waste)</p> <p>The Cabinet Member approved the extension of the Organic Waste Composting Contract with Organic Recycling Ltd for 1 year from 19 June 2011 to 18 June 2012.</p>

<p>Councillor Holdich</p> <p>14 June 2011</p>	<p>JUN11/CMDN/068</p>	<p>Appointment of Authority Governor - The Beeches Primary School</p> <p>The Cabinet Member appointed Mr William Peasley who had been nominated by the local authority.</p>
<p>Councillor Walsh</p> <p>16 June 2011</p>	<p>JUN11/CMDN/069</p>	<p>Extension and Variation to the Section 75 National Health Service Act 2006 Partnership Agreement for Integrated Substance Misuse Services</p> <p>A section 75 agreement derives its name from section 75 of the National Health Act 2006 and is an agreement between a local authority and a PCT which allows the pooling of resources for the purposes of joint commissioning of services.</p> <p>The Cabinet Member authorised the extension and variation to the existing Partnership Agreement under section 75 of the National Health Act 2006 with NHS Peterborough under which:</p> <ul style="list-style-type: none"> - The Agreement will be extended for a further year to cover the period until the changes in health commissioning and the future of PCTs are brought into effect; - The Agreement will reflect the changes in governance and reporting following the restructure of the Safer Peterborough Partnership; and - The Agreement will reflect any changes in the funding levels included in the section 75 agreement.
<p>Councillor Seaton</p> <p>17 June 2011</p>	<p>JUN11/CMDN/070</p>	<p>Bayard Place - replacement of air-conditioning system (legislative works)</p> <p>The Cabinet Member for Resources authorised the award of the contract to for the replacement of air conditioning systems to comply with Legislation at Bayard Place Peterborough in the sum of £888,566.52 to Princebuild Ltd.</p>
<p>Councillor Holdich and Councillor Seaton</p> <p>21 June 2011</p>	<p>JUN11/CMDN/071</p>	<p>Award of Contract for the New Build of Welland Primary School</p> <p>The Cabinet Members in consultation with the Executive Director - Children's Services; Executive Director – Resources and Solicitor to the Council:</p> <ol style="list-style-type: none"> 1. Authorised the build of a new Welland Primary School up to the value of the budget sum of £8m; and 2. Approved the variation to the design and build lump sum option contract with Kier Regional Limited (trading as Kier Eastern) to include the new build of Welland Primary School.

		This decision was further to the approval by the Chief Executive in consultation the Executive Director - Children's Services, Executive Director – Resources, Solicitor to the Council, the Cabinet Member for Resources and the Cabinet Member for Education, Skills and University, on 15 September 2010 that appointed Kier Regional Limited (trading as Kier Eastern) under a design and build lump sum option contract to build the new Ormiston Bushfield Academy.
Councillor Holdich 24 June 2011	JUN11/CMDN/072	Appointment of Authority Governor - Woodston Primary School The Cabinet Member appointed Mr Gavin Henderson who had been nominated by the local authority.
Councillor Lee 28 June 2011	JUN11/CMDN/073	Provision of Grant Support to Cranfield University The Deputy Leader approved a grant of £300,000 to be paid in instalments over three years to support Cranfield University in appointing a Chair in Renewable Energy to be based in Peterborough.

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COUNCIL	AGENDA ITEM No. 7(i)
13 JULY 2011	PUBLIC REPORT

EXECUTIVE REPORT – RECOMMENDATIONS

a) SAFER PETERBOROUGH PARTNERSHIP PLAN 2011-14

Cabinet at its meeting of 13 June received a report (see Appendix A) presenting the refreshed version of the Safer Peterborough Partnership Plan to approve prior to Full Council. The Crime and Disorder Act 1998 requires that a Community Safety Partnership is formed by the bringing together of agencies who have a statutory responsibility for tackling crime and disorder in the local area. It was acknowledged that far more could be achieved to make Peterborough a safer place if agencies worked together rather than in isolation.

After consideration of the report and endorsement of the plan, Cabinet agreed the recommendations in the report as below:

IT IS RECOMMENDED that Council approves the Safer Peterborough Partnership 3-year Plan (2011-2014). (see separate document)

b) HOUSING STRATEGY: LOCAL AUTHORITY MORTGAGE SCHEME - ELIGIBILITY POLICY

Cabinet at its meeting of 13 June received a report title Local Authority Mortgage Scheme (see Appendix B) following consideration as to how the Council can support first time buyers and the local housing market, help deliver the Council's priority of delivering substantial and truly sustainable growth and seeking Cabinet approval for the Council to participate in the Local Authority Mortgage Scheme.

After consideration of the report, Cabinet agreed the recommendations in the report as below:

1. Approve participation in the Local Authority Mortgage Scheme (LAMS), initially in partnership with the Lloyds Banking Group, for £1m;
2. Approve plans to extend the scheme across other lenders as they enter the scheme, or with Lloyds, up to a total value of £10m;
3. Delegate to the three responsible Cabinet Members the authority to develop the local policy for scheme eligibility, and recommend it to Full Council for approval at the meeting of 13th July; and
4. Delegate to the Chief Executive the authority to execute the deed indemnifying the Monitoring Officer on behalf of the authority.

IT IS RECOMMENDED that Council approves the local policy for scheme eligibility following its development by the responsible Cabinet Members. (see Appendix C)

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CABINET	AGENDA ITEM No. 5
13 JUNE 2011	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Irene Walsh, Cabinet Member for Community Cohesion and Safety	
Contact Officer(s):	Adrian Chapman, Head of Neighbourhoods Gary Goose, Safer Peterborough Strategy Manager	Tel: 01733 863887 Tel: 07801 180312

SAFER PETERBOROUGH PARTNERSHIP 3 YEAR PLAN

R E C O M M E N D A T I O N S	
FROM : Executive Director Operations	Deadline date: June 2011
1. That Cabinet endorse the new Safer Peterborough Partnership 3-year Plan (2011-2014) and recommend it to Full Council for approval.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following Strong and Supportive Communities Scrutiny Committee held on 9th March 2011.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present the refreshed version of the Safer Peterborough Partnership Plan to Cabinet seeking Cabinet approval prior to Full Council.
- 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-wellbeing of the area.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	13 June 2011
Date for relevant Council meeting	13 July 2011	Date for submission to Government Dept <i>(please specify which Government Dept)</i>	N/A

4. THE SAFER PETERBOROUGH PLAN 2011-2014

- 4.1 The Crime and Disorder Act 1998, revised by the Police and Justice Act 2006, requires that the Community Safety Partnership publishes an annual Partnership Plan. This report brings the draft plan for 2011-2014.
- 4.2 This plan has been agreed by the Community Safety Partnership (the Safer Peterborough Partnership) at its meeting of 23rd March 2011.

- 4.3 The Crime and Disorder Act 1998 requires that a Community Safety Partnership is formed by the bringing together of agencies who have a statutory responsibility for tackling crime and disorder in the local area. It is acknowledged that far more can be achieved to make Peterborough a safer place if agencies work together rather than in isolation.
- 4.4 The Crime and Disorder Act specifies the responsible authorities as:
Peterborough City Council,
Cambridgeshire Constabulary,
NHS Peterborough,
Cambridgeshire Fire Authority,
Cambridgeshire Police Authority and,
Cambridgeshire and Peterborough Probation Trust.
- 4.5 The partnership also invites other agencies who are able to contribute to the work to *co-operate* in Peterborough Cross Keys Homes (representing Registered Social Landlords in the city) is one of these organisations.
- 4.6 Other agencies, particularly from the voluntary and community sector are also *invited to participate* in the work of the Partnership. At present these organisations are Peterborough and Fenland MIND, Peterborough Racial Equality Council, HMP Peterborough and the Social Impact Bond. Other voluntary groups are represented across other partnership groups.
- 4.7 The Safer Peterborough Partnership is one of the partnerships that comprise the Greater Peterborough Partnership.
- 4.8 Section 17 of the Crime and Disorder Act 1998 places a legal duty upon the named responsible authorities to consider the community safety implications in all of their actions.
- 4.9 The priorities within the Partnership Plan are agreed following a Strategic Assessment which considers the performance in the previous twelve months and takes into account the concerns of the public.
- 4.10 The plan represents of a new way of tackling crime and disorder within our City.
- 4.11 It builds on the success of the last year in driving down rates of reported crime. It will demonstrate commitment to Peterborough's preventative agenda by clear linkage with the City's Sustainable Community Strategy whilst not losing the focus on tackling here and now issues of crime, disorder and community safety within our neighbourhoods.
- 4.12 This plan will demonstrate the direction of travel for making the City and its people safer.
- It will show our resolve in protecting those who are vulnerable within our communities.
 - It will be clear about our partnership's commitment to tackling the underlying causes of offending but will be equally clear that those who continue to offend or bring risk of harm to our City will be targeted with the full weight of the criminal justice system.
 - It will illustrate how we intend our approach to be sustainable and improve the lives of the people living, working and visiting our City.
- 4.13 This three year plan will need to be flexible, adaptable and responsive to the ever changing landscape of financial restraint, the drive for localism and greater community engagement, the introduction of the new Policing and Crime Commissioner, changes funding arrangements and partner organisations all undergoing individual and significant structural reviews.
- 4.14 This new approach, freed of considerable bureaucracy, aims to bring long-term sustainable reductions in crime and disorder and to lead in the creation of stronger, supportive and cohesive communities.

- 4.15 It is not possible within this document to provide all of the improvement targets that will accompany this plan as the national reporting requirements are not yet defined. Work is also continuing to finalise Peterborough's Single Delivery Plan, and this will also influence specific performance measures.
- 4.16 A summary document will be published to ensure that the public can clearly understand the priorities and improvement targets set.
- 4.17 The priorities set out in the Plan attached are:
- Reducing Crime
 - Tackling anti-social behaviour and hate crime
 - Building stronger and more supportive communities.
- 4.18 For each of the priority areas, improvement targets will be identified that we believe will reflect the work that we are going to be doing and allow both the partnership and the public to measure whether or not we have been successful.

5. CONSULTATION

- 5.1 The development of this Plan has been informed through extensive consultation and engagement with officers, partners and members of the public throughout the previous year.

6. ANTICIPATED OUTCOMES

- Reductions in crime
- Reductions in anti-social behaviour
- Stronger and more supportive communities
- Increased confidence and satisfaction in the Community Safety Partnership

7. REASONS FOR RECOMMENDATIONS

- 7.1 The Crime and Disorder Act 1998, revised by the Police and Justice Act 2006, requires that the Community Safety Partnership publishes an annual Partnership Plan.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The previous partnership plan ran from 2008 – 2011.

9. IMPLICATIONS

- 9.2 There are no financial implications for this plan.
- 9.3 There is a statutory responsibility for the Safer Peterborough Partnership to produce this annual plan.

10. BACKGROUND DOCUMENTS

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

Crime and Disorder Act 1996
Police and Justice Act 2006
Policing and Crime Act 2009

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CABINET	AGENDA ITEM No. 7
13 June 2011	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development and Business Engagement Cllr Hiller - Cabinet Member for Housing, Neighbourhoods and Planning Cllr David Seaton – Cabinet Member for Resources	
Contact Officer(s):	John Harrison, Executive Director Strategic Resources Steven Pilsworth, Head of Corporate Services	Tel. 452398 Tel. 384564

LOCAL AUTHORITY MORTGAGE SCHEME

R E C O M M E N D A T I O N S	
FROM : Executive Director Strategic Resources	Deadline date : 13 July 2011
<p>Cabinet is recommended to:</p> <ol style="list-style-type: none"> 1. Approve participation in the Local Authority Mortgage Scheme (LAMS), initially in partnership with the Lloyds Banking Group, for £1m; 2. Approve plans to extend the scheme across other lenders as they enter the scheme, or with Lloyds, up to a total value of £10m; 3. Delegate to the three responsible Cabinet Members the authority to develop the local policy for scheme eligibility, and recommend it to Full Council for approval at the meeting of 13th July; 4. Delegate to the Chief Executive the authority to execute the deed indemnifying the Monitoring Officer on behalf of the authority. 	

1. ORIGIN OF REPORT

- 1.1. This report is submitted to Cabinet following consideration as to how the Council can support first time buyers and the local housing market, and help deliver the Council's priority of delivering substantial and truly sustainable growth

2. PURPOSE AND REASON FOR REPORT

- 2.1. The purpose of this report is to seek Cabinet approval for the Council to participate in the Local Authority Mortgage Scheme.
- 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; and 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?	NO
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4. BACKGROUND

- 4.1 The turmoil in the financial and banking market has had a severe impact on both the local economy and on local housing. House prices nationally have continued to fall over the last 12 months, and the outlook remains uncertain. The lack of buyers, together with the ongoing lack of mortgage availability means house prices are likely to continue to slide. Nationwide Building Society predicts house prices in 2011 to stay weak as a result of the uncertainty surrounding the economy and the Government's massive spending cuts.
- 4.2 There is still considerable concern about some areas of the housing market, particularly the low percentage of first time buyers. According to the Council of Mortgage Lenders (CML), mortgage lending fell by 13% in January compared with December – the lowest level for a year. The CML believes the housing market will remain subdued in 2011 due to uncertainty surrounding the economy and the ongoing mortgage rationing by lenders. The level of activity in the mortgage market is therefore expected to remain subdued.
- 4.3 Current constraints are a particular problem for first-time buyers, especially those unable to provide a substantial deposit. Many banks and building societies do not lend to those home buyers who cannot provide up a deposit of 20 to 25 per cent. The typical entry level price for two-bedroom property in Peterborough costs around £94k which would mean a deposit of around £24k is needed. With other costs on top of this, including stamp duty and other costs, this is effectively preventing most first time buyers from entering the property market.
- 4.4 The issue is adversely affecting the delivery of the Council's priority of delivering substantial and sustainable growth.

5. LOCAL AUTHORITY MORTGAGE SCHEME

- 5.1 Sector Treasury Management services (currently the Council's treasury advisers) have developed a national scheme, initially in conjunction with the Lloyds banking group, to allow Councils to provide support to first time buyers. The scheme is aimed at first time buyers, providing help for potential buyers who can afford mortgage payments - but not the initial deposit – to get on to the property ladder.
- 5.2 The scheme would operate as follows:
- The Council would specify the qualifying characteristics for those who should qualify for a mortgage under the scheme (see section 6 below). The Council would also specify whether there would be a maximum loan value, and the total level of support offered by the council;
 - Potential Buyers would approach the lender directly (initially Lloyds TSB) and the lender would deal with the Council. The Council will not know the identity of the individuals concerned, and have no role in approving individual mortgages;
 - The Bank will assess the buyer against its own credit criteria, as well as the Council's criteria;
 - If a potential buyer meets the strict credit criteria applied by the lender, and meets the criteria set out by the Local Authority to qualify for a mortgage under the scheme, the Local Authority will provide a top-up indemnity to the value of the difference between the typical Loan to Value (LTV) ratio of around 75% and a 95% LTV mortgage. The potential buyer will thereby obtain a 95% mortgage on similar terms as a 75% mortgage, but without the need to provide the substantial deposit usually required;

- The Council will deposit a sum with the bank equal to the total value of the overall indemnity offered;
 - The bank would lend all the money agreed under the mortgage to enable the purchase to be made;
 - The buyer would make repayments to the bank, and liaise with the bank on all issues relating to the mortgage; and
 - The indemnity provided by the Council will last for 5 years. After this time the sum deposited with the bank is returned to the Council with interest.
- 5.3 The indemnity would only be called upon, leading to a cost for the Council, if a loss is crystallised by the lender. This would require a default by the buyer, a repossession by the bank and then the property to be sold for less than the value of the mortgage. By way of example:
- Property valued at £100k, mortgaged at £95k (funded Local Authority indemnity £20k, Bank Mortgage £75k), was subsequently sold for £70k, the bank would request the full £20k indemnity from the Local Authority. In this case the value of the property would need to have fallen by 30% from the original valuation;
 - If the property was sold for £90k the bank would request £5k from the Council. In this case the value of the property would need to have fallen by 10% from the original valuation.
- 5.4 The Council will only face costs if both these situations arise – that there is default, and the subsequent resale value is less than the value of the mortgage. Such costs would be funded from the interest gained in depositing the indemnity funds with Lloyds. Information from the Council of Mortgage lenders indicates that the number of repossessions by first charge mortgage lenders in 2010 was 0.3% of all mortgages. Over the five year period, the following would need to happen for the costs to the council to exceed the interest income:
- Defaults to be ten times higher than the 2010 level indicated by CML; AND
 - Property prices to drop 10% from the level at the time the mortgage is approved
- 5.5 The scheme is currently being launched through Lloyds Banking Group, however it is anticipated that more mortgage lenders will be invited to join the partnership as it progresses. Sector has been in discussions with the FSA approved mortgage lenders in the UK to raise awareness of the scheme. The scheme will operate on a nationwide basis and there will be no restrictions on the type and number of banks who will be entitled to participate (providing they have the necessary authorisation to offer residential mortgages in the UK).
- 5.6 It is recommended that the Council initially provides £1m of indemnity to support the scheme with Lloyds. The scheme with Lloyds does not currently cover new build properties. It is further recommended that this is extended up to a maximum of £10m, following a review of the success of the initial £1m indemnity as follows:
- Extending the scheme to cover other lenders as they enter the scheme, providing additional choice locally. Sector are currently in discussion with a number of lenders about entering the scheme, including lending on new build properties;
 - Increasing the indemnity with Lloyds group if the first tranche of funding is exhausted.
- 5.7 Extending the indemnity to £10m does not alter the financial risk profile. Whilst the possible sums payable following default could increase, so does the interest income to cover this.
- 5.8 Sector Treasury Services will undertake an annual audit of the scheme to ensure both parties are fully compliant with the agreement. The Council will agree with Lloyds a monthly performance report, so that it is able to demonstrate clear links to strategic objectives and also review the performance of the scheme in relation to its investment.

6. LEGISLATIVE POWERS TO EFFECT THE SCHEME AND LOCAL ELIGIBILITY POLICY

- 6.1 Sector Treasury Services have sought Counsel's opinion on the legal basis for Councils to be able to support this scheme, along with the position regarding state aid. The Council has also sought advice from its own legal advisers that this is sound.
- 6.2 The Housing Act 1985 (as amended) provides the statutory framework for the scheme. The Act allows Local Authorities to "advance money to a person for the purpose of acquiring a house" (section 435 of the act). Section 442 of the act allows a local authority to grant an indemnity to a lender to enable the lender to give the potential buyer a mortgage.
- 6.3 In order to participate in the scheme on this basis, the Council will need to develop a local policy for scheme eligibility. It is recommended that authority is delegated to the three lead Members to develop this policy once the overall principle of participating has been approved. Possible elements for this policy to include are listed in appendix A. The Council will then need to incorporate the policy into the local housing strategy, which will need to be approved by Full Council as part of the Major Policy Framework. It is recommended that this is undertaken in time for consideration by Council at the meeting of July 13th. Once the policy is approved, and associated legal agreements with Lloyds completed, the scheme can be launched.
- 6.4 As well as Cabinet approval, the Council will need to provide the following as part of the agreements with the lenders:
- Letter from the monitoring officer (Solicitor to the Council) confirming that the Council can enter into the scheme. This will be provided given the independent confirmation received as outlined in para 6.1 above, in line with the delegated powers of the Solicitor to the Council set out in the Constitution as follows:

3.17.1 The Solicitor to the Council is authorised:

(l) to sign on behalf of the Council any deed or other document, which, in his/her professional judgement, is necessary or desirable to sign;

- Confirmation that the Council indemnifies the monitoring officer against this advice. Cabinet will need to delegate to the Chief Executive the authority to provide this indemnification, as set out in recommendation 4 above.

7. CONSULTATION

- 7.1 Proposals have been discussed across departments with an interest in housing and growth, at Corporate Management Team, and with the relevant Cabinet portfolio holders.

8. ANTICIPATED OUTCOMES

- 8.1 That Cabinet:
- Approves participation in the Local Authority Mortgage Scheme, initially in partnership with the Lloyds Banking Group, for £1m;
 - Approve plans to extend the scheme across other lenders as they enter the scheme, or with Lloyds, up to a total value of £10m;

- Delegate to the three responsible Cabinet Members the authority to develop the local policy for scheme eligibility, and recommend it to Full Council for approval at the meeting of July 13th;
- Delegates to the Chief Executive the authority to execute the deed indemnifying the Monitoring Officer on behalf of the authority.

9. REASONS FOR RECOMMENDATIONS

To allow the Council to participate in the Local Authority Mortgage Scheme, supporting first time buyers in Peterborough.

10. ALTERNATIVE OPTIONS CONSIDERED

- 10.1 The council could consider providing mortgage directly. The Council does not have the required level of expertise to do this, and would require FSA approval to do so.

11. IMPLICATIONS

Financial

- 11.1 Key financial issues are outlined in section 5 above. The initial advance of £1m will be classified as capital expenditure and will be provided from the surplus funds currently invested in the money markets. The £1m will need to be deposited with Lloyds for five years and will earn above market interest rates. Lloyds is currently a nationalised bank and depositing money for the proposed five year period is within the Council's approved Treasury Management Strategy. At the end of five years the money will be returned to the Council and be classified as a capital receipt.

Legal

- 11.2 The legal powers enabling the Council to participate in the scheme are covered in section 6 above.

12. BACKGROUND DOCUMENTS

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

None.

Possible content of local policy

The policy could include statements about:

- how the policy will contribute towards the fulfilment of the Local Authority's strategic aims, objectives and priorities;
- how the policy will contribute towards the fulfilment of the Local Authority's housing strategy and any other relevant corporate strategies;
- the key priorities which the policy will address and the reasons for selecting them;
- the amount of capital resources that will be committed to implementing the policy and how this is budgeted for;
- a description of the types of assistance available, what the assistance will be used for, and what key outcomes will be achieved by each form of assistance;
- the circumstances in which people will be eligible for assistance;
- the amounts of assistance that will be available to eligible people, and how these amounts will be determined;
- the types and amounts of preliminary or ancillary fees and charges associated with the provision of assistance that will be payable and in what circumstances;
- the process to be used to apply for assistance;
- how people can obtain access to the process of applying for assistance;
- details of conditions that will apply to the provision of assistance;
- how conditions will be enforced and in what circumstances they may be waived;
- advice that is available, including financial advice, to assist people wishing to enquire about, and apply for, assistance;
- the arrangements for complaints about the policy and its implementation;
- the arrangements for applications for assistance to be considered where these fall outside policy;
- key service standards that will apply to the provision of assistance;
- a policy implementation plan;
- national and local performance indicators that are relevant to the policy and the targets that the Local Authority has set itself to improve performance;
- how (or if) the Scheme will be promoted or publicised;
- what information will be provided in the promotion of the Scheme;
- what training is needed for Local Authority employees and other agencies involved in implementing the Scheme.

COUNCIL	ITEM NO. 7(i) (b)
13 JULY 2011	

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development and Business Engagement Cllr Hiller - Cabinet Member for Housing, Neighbourhoods and Planning Cllr David Seaton – Cabinet Member for Resources	
Contact Officer(s):	John Harrison, Executive Director Strategic Resources Steven Pilsworth, Head of Corporate Services	Tel. 452398 Tel. 384564

HOUSING STRATEGY – AMENDMENT TO INCLUDE LOCAL ELIGIBILITY POLICY FOR THE LOCAL AUTHORITY MORTGAGE SCHEME

R E C O M M E N D A T I O N S	
FROM : <i>Executive Director Strategic Resources</i>	Deadline date : 13 th July 2011
Council are recommended to: <ol style="list-style-type: none"> 1. Approve the amendment to the Peterborough Housing Strategy, specifically the inclusion of the local eligibility policy for the Local Authority Mortgage Scheme 	

1. ORIGIN OF REPORT

- 1.1. This report is submitted to Council following consideration by Cabinet as to how the Council can support first time buyers and the local housing market, and help deliver the Council's priority of delivering substantial and truly sustainable growth

2. PURPOSE AND REASON FOR REPORT

- 2.1. The purpose of this report is to seek Council approval for the local eligibility policy for the Local Authority Mortgage Scheme, to be incorporated into the Peterborough Housing Strategy.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	
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4. LOCAL AUTHORITY MORTGAGE SCHEME

- 4.1 The turmoil in the financial and banking market has had a severe impact on both the local economy and on local housing. Current constraints in the mortgage market are a particular problem for first-time buyers, especially those unable to provide a substantial deposit. Many banks and building societies do not lend to those home buyers who cannot provide up a deposit of 20 to 25 per cent. The typical entry level price for two-bedroom property in Peterborough costs around £94k which would mean a deposit of around £24k is needed. With other costs on top of this, including stamp duty and other costs, this is effectively preventing most first time buyers from entering the property market.
- 4.2 The issue is adversely affecting the delivery of the Council's priority of delivering substantial and sustainable growth.
- 4.3 At their meeting of 13th June, Cabinet approved participation in the Local Authority Mortgage Scheme. The scheme is aimed at first time buyers, providing help for potential buyers who can afford mortgage payments - but not the initial deposit – to get on to the property ladder. The scheme would operate as follows:
- The Council would specify the qualifying characteristics for those who should qualify for a mortgage under the scheme (see para 4.4 below). The Council would also specify whether there would be a maximum loan value, and the total level of support offered by the council
 - Potential Buyers would approach the lender directly (initially Lloyds TSB) and the lender would deal with the Council. The Council will not know the identity of the individuals concerned, and have no role in approving individual mortgages
 - The Bank will assess the buyer against its own credit criteria, as well as the Council's criteria.
 - If a potential buyer meets the strict credit criteria applied by the lender, and meets the criteria set out by the Local Authority to qualify for a mortgage under the scheme, the Local Authority will provide a top-up indemnity to the value of the difference between the typical Loan to Value ratio (LTV) of around 75% and a 95% LTV mortgage. The potential buyer will thereby obtain a 95% mortgage on similar terms as a 75% mortgage, but without the need to provide the substantial deposit usually required.
 - The Council will deposit a sum with the bank equal to the total value of the overall indemnity offered.
 - The bank would lend all the money agreed under the mortgage to enable the purchase to be made.
 - The buyer would make repayments to the bank, and liaise with the bank on all issues relating to the mortgage
 - The indemnity provided by the Council will last for 5 years. After this time the sum deposited with the bank is returned to the Council with interest.
- 4.4 In order to participate in the scheme, the Council has to develop a local policy for scheme eligibility. Legal advice is that this should form part of the Local Housing Strategy. As this strategy is part of the Major Policy Framework, this is a matter reserved for Full Council. This policy is included in appendix A.

5. IMPLICATIONS

Financial

5.1 Full analysis of the financial implications are included in the original Cabinet report, but in summary:

- The council will receive interest on the deposit placed with the lender that will cover any default
- The deposit with Lloyds will be protected by the Government Guarantee

Legal

5.2 The legal powers enabling the Council to participate in the scheme are covered in the original Cabinet report

Equalities

5.3 A full equalities impact assessment has been undertaken on the Council's participation in the scheme, including the local eligibility policy.

6. BACKGROUND DOCUMENTS

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

None.

Appendix A

LOCAL ELIGIBILITY POLICY FOR THE LOCAL AUTHORITY MORTGAGE SCHEME

Cabinet at its meeting of 13th June 2011 considered how the Council can support first time buyers and the local housing market, to help deliver the Council's priority of delivering substantial and truly sustainable growth.

Cabinet approved the plans as follows:

1. participation in the Local Authority Mortgage Scheme (LAMS), initially in partnership with the Lloyds Banking Group, for £1m;
2. Plans to extend the scheme across other lenders as they enter the scheme, or with Lloyds, up to a total value of £10m;

In order to participate in the scheme on this basis, the Council has to adopt a local policy for scheme eligibility. This policy should then be incorporated into the local housing strategy, supporting the City Council's vision for housing in Peterborough:

'To be at the heart of growth and regeneration in Peterborough, creating sustainable homes for the future, raising housing standards and delivering high quality housing services'

The policy is outlined below:

- The scheme will be available for purchase of properties in all locations within the local authority boundary
- Applicants should currently reside within the local authority boundary
- There will be a ceiling on the value of properties that the scheme will support. This will initially be £130,000 (based on the £117,000 entry level price for a 3 bedroom house identified in the Strategic Housing Market Assessment update in August 2010, plus some headroom to allow for local variation)
- The property should be occupied by the mortgage applicant as their main home. The Scheme will not support buy to let arrangements
- The scheme will support all property types, including new builds, where the lenders policy enables this
- The Council will receive monthly monitoring reports, and will keep the scheme under review, including incorporating any updates following updates to the Housing Strategy
- Applicants will liaise directly with the lenders on all matters relating to the mortgage application, and subsequent mortgage issues
- The Council will not levy additional fees on applicants
- Applicants will need to seek independent financial advice to assess whether the scheme is suitable, and meets their financial needs

All aspects of the policy will be kept under review

This policy was approved by Full Council at its meeting of 13th July 2011.

COUNCIL REPORT	AGENDA ITEM 7(ii)(a)
13 JULY 2011	PUBLIC REPORT

Contact Officer(s):	Helen Edwards, Solicitor to the Council & Monitoring Officer Kim Sawyer Head of Legal & Deputy Monitoring Officer	Tel. 452539 Tel: 452361
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ANNUAL REPORT OF STANDARDS COMMITTEE

R E C O M M E N D A T I O N S	
FROM : STANDARDS COMMITTEE	
<p>That Council:</p> <p>(1) Notes the work carried out by the Standards Committee; and</p> <p>(2) Endorses the proposals to convene a working group to consider the future of the Standards Committee within the Council.</p>	

1. FOREWARD BY THE CHAIR OF THE STANDARDS COMMITTEE

- 1.1 It is pleasing to report that complaints regarding the conduct of councillors remained at a low level over the last year. The Standards Committee continued to respond to issues as it always has, in a proportionate and balanced manner. Because of the uncertainty regarding the future of the Code of Conduct due to the drafting of the Localism Bill, we have not been as proactive and high profile in supporting councillors and promoting high standards of conduct as we have in the past. Individuals have participated in the consultation on the Bill and committee members are generally content with the government's proposals; particularly since they remove many of the requirements that have been felt in the past to have actually made promoting high standards more difficult, while allowing the potential for Council to have the support it believes necessary to resolve complaints, facilitate positive relationships and promote high standards.

2. THE FORMAT OF THIS REPORT

- 2.1 This report will consider each of the following areas:
- The future of the Standards Committee; and
 - Statistical information about the number and types of complaints made to the Committee over the preceding year.

3. THE FUTURE OF THE COMMITTEE

- 3.1 The government set out its intention to abolish the 'Standards Board Regime' in the coalition agreement published in May 2010. The abolition will come with the introduction of the Localism Bill which is intended to be enacted in 2012.
- 3.2 In summary the government's proposals are:
- to abolish Standards for England, the regulatory body for the conduct regime;
 - to remove the national Code of Conduct for councillors and the requirement to have a standards committee;

- to allow councils to choose whether or not they wish to have a local code or a standards committee; and
- to create a criminal offence relating to failure to register or declare interests.

- 3.3 It is likely that Standards for England will be formally abolished in the summer of 2012. Until the abolition occurs the Code of Conduct will still apply to members and the Standards Committee will still sit to hear complaints against members.
- 3.4 Following enactment of the Bill it will become a criminal offence to fail to declare interests. A register of interests will continue to be held by the Monitoring Officer but the Police will investigate and enforce any allegations of failure to declare interests. The offence is punishable by a fine of up to £5,000 and disqualification from office.
- 3.5 In response to these proposals the Solicitor to the Council will lead a working party of officers and members from September of this year to look at whether this Council wishes to adopt a local code and/or have a standards committee.

4. STATISTICAL INFORMATION

- 4.1 The Committee receives statistical information about the number of complaints and their progress at each meeting in the form of a table attached to a standard report on performance.
- 4.2 Over the past year the Assessment Sub Committee has sat 6 times to hear 10 complaints. Of these complaints 5 resulted in no further action being taken (50%) and 5 resulted in investigations (50%).
- 4.3 How does this compare nationally?

Table 1: Outcome of all complaints

	OUTCOME OF COMPLAINTS			
Year when Complaints received	No further action	Refer for Investigation	Refer to Monitoring Officer	Refer to Standards for England
National figures (2009-2010)	51.8%	28%	13.4%	6.8%
PCC (2010-11)	50%	50%	0%	0%

- 4.4 Over the course of the past year, 4 investigations were concluded locally and that resulted in 1 (25%) complaint going to a formal hearing. One investigation remains outstanding.
- 4.5 The outcome of the hearing was to find a breach of the code of conduct resulting in the following sanctions:
- request a written apology;
 - censure the Councillor; and
 - undertake appropriate training by the Monitoring Officer on the subject of trust and a councillor's duty not to disclose confidential information.
- 4.6 Of the 266 investigations conducted and completed nationally, 199 (75%) found no breach of the code, 57 (21%) imposed a penalty or sanction and 10 (4%) found a breach but no further action

was imposed (210 further investigations were not yet complete have therefore not included in these statistics) (percentages rounded to 0 decimal places).

Table 2: Outcome of Investigations and Hearings

	OUTCOME OF INVESTIGATIONS / HEARINGS		
Year when investigations concluded	Local investigations and hearings leading to No breach of the code	Penalty or Sanction	Breach but no further action
National figures, (2009-2010)	75%	21%	4%
PCC (2010-2011)	75%	25%	0%

5. CONSULTATION

- 5.1 This report has been distributed to each of the parish councils within the Peterborough area as the City Council is the parent authority for the purposes of the standards regime.

6. REASONS FOR RECOMMENDATIONS

- 6.1 The Standards Committee believes that Council's endorsement of the contents of this report will enable it to fulfil the function of promoting high standards of ethical behaviour within the authority.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The Council is required to set up a Standards Committee by the Local Government Act 2000.

8. IMPLICATIONS

- 8.1 There are no financial or legal implications, other than those contained within the body of the report.

9. BACKGROUND DOCUMENTS

- 9.1 Reports to the Standards Committee in the last civic year

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