

CABINET

MONDAY 5 NOVEMBER 2012, 10.00 AM

Council Chamber - Town Hall

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Circulation

Cabinet Members

Scrutiny Committee Representatives

Directors, Heads of Service

Press

*Any agenda item highlighted in bold and marked with an * is a 'key decision' involving the Council making expenditure or savings of over £500,000 or having a significant effect on two or more wards in Peterborough. These items have been advertised previously on the Council's Forward Plan (except where the issue is urgent in accordance with Section 15 of the Council's Access to Information rules).*

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MINUTES OF CABINET MEETING HELD 24 SEPTEMBER 2012

PRESENT

Cabinet Members: Councillor Cereste (chair), Councillor Fitzgerald, Councillor Hiller, Councillor Holdich, Councillor Lee, Councillor Scott and Councillor Walsh.

Cabinet Advisers: Councillor Elsey and Councillor North

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Dalton and Councillor Goodwin.

2. DECLARATIONS OF INTEREST

None received.

3. MINUTES OF CABINET MEETING 10 JUNE 2012

Cabinet agreed that the minutes of the meeting held 10 June 2012 were accurate subject to an amendment that Councillor Seaton, not Councillor Cereste, introduced the report on the Budget Monitoring Report Final Outturn 2011/12.

STRATEGIC DECISIONS

4. COMMUNITY INFRASTRUCTURE LEVY (CIL) – PRELIMINARY DRAFT CHARGING SCHEDULE (PDCS)

Cabinet received a report requesting its approval of a set of documents for the purpose of public consultation, this being the first step in an 18 month process for bringing into force a CIL for Peterborough. The most important element Cabinet was being asked to approve was the 'Preliminary Draft Charging Schedule' (see Table 1 below). If, following due process, CIL was subsequently adopted by full council in late 2013 or early 2014, it would signify an important shift in the way the council collects and administers developer contributions to help pay for the necessary infrastructure Peterborough needed to grow sustainably.

Councillor Hiller introduced the report stating that the planned growth for the city must have the necessary infrastructure in place and this Levy would contribute to achieving this. Simon Machen, the council's Head of Head of Planning, Transport and Engineering Services advised that infrastructure projects already identified would amount to around £400 million of funding and this Levy should provide around £70 million of that.

Regarding the Greater Haddon Development, Cabinet was advised that major infrastructure such as schools and roads would be provided by the developers under section 106 agreements.

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

1. Approve the Community Infrastructure Levy Preliminary Draft Charging Schedule and supporting documentation, including the Infrastructure Delivery Schedule 2012, for 6 weeks public consultation commencing in October 2012;
2. Agree that a refreshed Infrastructure Delivery Schedule is scrutinised and approved by Cabinet annually each year (around summer), but that delegated authority is given to the Leader, as Portfolio Holder for Growth, to add or delete infrastructure items on the Schedule at any time via a CMDN; and
3. Agree to the request made by Sustainable Growth and Environment Capital Scrutiny Group on 6 September 2012 that it is made explicit that the intention, subject to consultation, is for the element of the CIL receipts which is to be ringfenced for spend by Neighbourhood Committees should be distributed to each Neighbourhood Committee on an equal basis.

REASONS FOR THE DECISION

Government was introducing changes to the way Developer Contributions can be collected and spent. Charging Authorities had the option of adopting a CIL. From April 2014 the use of the Council's existing methodology for collecting Developer Contribution (POIS) would become unlawful and so unless a CIL was adopted, the collection and use of Developer Contributions would be severely limited from that date.

There are many potential benefits of adopting a CIL. In particular, a standard charge would:

- introduce a clearer and simpler system for collecting and spending Developer Contributions for strategic infrastructure considered necessary to accommodate future growth;
- aid infrastructure providers in planning the delivery and operation of infrastructure;
- aid developers in identifying the likely costs associated with development;
- improve accountability to the public for use of developer contributions for infrastructure;
- ensure that payments are made to town and parish councils when development occurs in their areas so that they can deliver local priority infrastructure; and
- increase the range of developments that are able to contribute towards infrastructure, including small residential developments which have often not been required to make contributions in the past.

ALTERNATIVE OPTIONS CONSIDERED

The option to not prepare a CIL has been considered and rejected. This option may have been acceptable if, for example, Peterborough was only expecting very minimal growth over the plan period and the majority of that growth could be dealt with through the limited pooling of contributions for strategic infrastructure. This would have made the adoption of a CIL superfluous.

Any options to propose charging higher or lower CIL rates have been rejected, as to do so would result in development being unviable (if rates too high) or infrastructure not provided (if rates too low).

5. HOUSING ALLOCATIONS POLICY

Cabinet received a report to obtain its views on the proposed review of the Common Housing Allocations Policy ahead of public consultation.

Councillor Hiller introduced the report highlighting the need to address the numbers of people currently on the Housing List and the revised policy included a priority for ex-service personnel. Councillor Hiller thanked officers for their work on the review.

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

Approve the proposed Allocations Policy for public consultation.

REASONS FOR THE DECISION

The proposed Allocation Policy has been written to meet the duties of Part VI of the Housing Act 1996, as amended by the Homelessness Act 2002 and with regard to the Communities and Local Government Allocation of Accommodation: guidance for Local Authorities in England June 2012.

The Localism Act 2011 made an amendment to the Housing Act 1996, which gave local authorities the power to set their own qualifying criteria for people who are allowed to join the housing register. This allows councils to restrict entry to the housing register to those who are in the most housing need as well allowing exclusions for other reasons based on local criteria.

The proposed amended allocations policy makes full use of these powers by setting the entry criteria to the housing register to those who are in the most urgent housing need. Therefore reducing the number of households on the Housing Register and providing realistic options and expectations for households in housing need in the City.

ALTERNATIVE OPTIONS CONSIDERED

To not review the Policy and continue implementing the existing Policy- this would mean the Housing Register would continue to grow in number and households would be housed into properties which they would under-occupy (due to the bedroom standard) their housing benefit would not cover and they would fall into rent arrears.

Review the bedroom standard only – This would mean the Housing Register would continue to grow in number and the households on it would continue to have unrealistic expectations of being re-housed.

Review the Policy but not include the awarding of additional preference – this would not promote full discussion and debate of the policy.

Review the Policy and adopt everything in the Communities and Local Government Allocation of Accommodation: guidance for local authorities in England – this would not take into account Peterborough's housing needs and issues.

6. BUDGET AND MEDIUM TERM FINANCIAL STRATEGY

Cabinet received a report as part of the council's agreed process for integrated finance and business planning. It continued the multi-year approach to budgeting to help plan for the financial challenges ahead. The drivers continued to meet the council's priorities by creating a sustainable budget strategy whilst responding to changes arising from decisions made in the distribution of local government funding.

Councillor Seaton introduced the report highlighting the current financial situation where further government cuts to the council's grant were expected along with the need to increase the budget provision for Adult Social Care due to increased demand

for services. Consultation timescales for the budget may need amending depending on the date the government grant is announced. However, the council had been given another clean bill of health from its auditors at PricewaterhouseCoopers.

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

1. Note the position in the current financial year and approve the actions to manage in year budgetary pressures that will ensure that the Council reduces the overall overspend;
2. Note the current consultations affecting future local government funding arrangements and the implications on the Council's future settlements and medium term financial strategy (MTFS); and
3. Approve the approach that is proposed for the budget process incorporating the MTFS and suggested approach to consult with Scrutiny and Stakeholders.

REASONS FOR THE DECISION

The Constitution required Cabinet to outline its approach to developing the MTFS. This process helped to ensure that the Council achieves a balanced budget, aligned to corporate priorities.

ALTERNATIVE OPTIONS CONSIDERED

The alternative option was to do nothing. This was rejected because the constitution requires the council to outline the approach to next year's budget setting by the end of preceding month of September.

7. COUNCIL TAX SUPPORT SCHEME

Cabinet received a report updating it on the requirement of the council to develop a new local Council Tax Support scheme, the proposals of the draft scheme as the basis for undertaking public consultation along with the required approach and timescales for implementation.

Councillor Seaton introduced the report stating that funding for the most vulnerable would continue and the new support scheme would aim to deliver a fairer approach to all who were in receipt of council tax support and for those who paid council tax. The consultation on the scheme would include as many people as possible so that views from a wide range of residents across the city would be gained.

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

1. Approve the draft scheme as a basis for consultation and the approach to consultation outlined in the report; and
2. Approve further work on mitigating the impacts of these changes, as outlined in section 6 of the report, and for the outcomes to be reported back to Cabinet following consultation.

REASONS FOR THE DECISION

The Constitution required Cabinet to approve the consultation on the new Council Tax Support scheme.

ALTERNATIVE OPTIONS CONSIDERED

Over recent months the Council has undertaken detailed analysis and produced many different models looking at options for targeting savings towards particular aspects of the benefit scheme. These are listed with an outline of the possible savings below:

- **Maximum amount of Support** - Limit to £23.15 per week (Band C) saves £33,000 per year;
- **Minimum amount of Support** - Limit to £2.00 per week saves £10,000 per year;
- **Capital limit** - Reduce from £16,000 to £6,000 saves £33,000 per year;
- **Adjust the figures used in the benefit calculation** – the Council considered this but discounted changing these amounts as they are set by the Government as the minimum requirements for a person to live off and determine how much benefit someone may be entitled to. They also provide support for vulnerable claimants and those trying to return to work; and
- **Alternative Maximum Council Tax Benefit (Second Adult Rebate)** - this rebate of up to 25% considers the income of any second adult in the property whose occupation has removed the single person discount. There are currently only 55 second adult claims in Peterborough and removing this rebate from our Council Tax Support scheme will save £18,000 per year.

Overall, accepting all of these proposals would only reduce the overall reduction in benefit from 35% to 33%. As a result, it is not considered that these targeted savings, which impact directly on a limited number of claimants, should be part of the proposed scheme. The consultation will seek views in this area.

8. CITIZEN'S PANEL SURVEY

Cabinet received a report providing it with a summary of results from the Citizens' Panel survey undertaken in March 2012 sponsored by the Greater Peterborough Partnership (GPP) Executive prior to internal and external circulation.

Councillor Seaton introduced the report highlighting priorities given of reducing crime and creating jobs. An increased number of people agreed that the city was a good place to live, work and play and that the city council provided good value for money.

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

Note the findings from the Citizens' Panel Survey from March 2012 prior to submission to the Greater Peterborough Partnership and the Safer Peterborough Partnership.

REASONS FOR THE DECISION

Cabinet was requested to approve the report prior to the outcomes and findings of the recent survey being shared by local residents and the media.

ALTERNATIVE OPTIONS CONSIDERED

NWA was recruited via a tendering exercise to provide specialist market research consultation support to the Council and deliver Citizens' Panel surveys. Topics for inclusion in the surveys are agreed with the appropriate Head of Service prior to the survey format being developed. CMT approved the structure of the survey before it is printed and distributed.

9. OUTCOME OF PETITIONS

Cabinet received a report updating it on the progress being made in response to petitions in accordance with Standing Order 13 of the Council's Rules of Procedure.

Councillor Cereste introduced the report.

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

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

REASONS FOR THE DECISION

Standing Orders require that Council receive a report about the action taken on petitions. As the petitions presented in this report have been dealt with by Cabinet Members or officers it is appropriate that the action taken is reported to Cabinet, prior to it being included within the Executive's report to full Council.

ALTERNATIVE OPTIONS

Any alternative options would require an amendment to the Council's Constitution to remove the requirement to report to Council.

11.05 a.m.

CABINET	AGENDA ITEM No. 4
5 NOVEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Fitzgerald, Cabinet Member for Adult Social Care	
Contact Officer(s):	Terry Rich, Executive Director Adult Social Care Tim Bishop, Assistant Director Strategic Commissioning ASC	Tel. 01733 452407 01733 452448

OLDER PEOPLE’S ACCOMMODATION STRATEGY – 2012: CONSULTATION REPORT ON THE PROPOSAL TO CLOSE GREENWOOD HOUSE AND WELLAND HOUSE

R E C O M M E N D A T I O N S	
FROM : Executive Director Adult Social Care	Deadline date : N/A
<ol style="list-style-type: none"> 1. That Cabinet approves the closure of Greenwood House and Welland House care homes and that all current permanent residents are provided with suitable and appropriate offers of alternative accommodation that meets their assessed needs and choice at no additional cost to the resident; 2. That Cabinet affirms that there should be no loss of access to day care, respite or interim care for current service users as a result of these closures; 3. That Cabinet endorses the commissioning plans to secure: <ol style="list-style-type: none"> a) alternative interim care beds in the independent sector; b) replacement respite care facilities; and c) interim and long term day facilities including a dementia resource centre; 4. Cabinet Member for Adult Social Care reports back on: a) progress with closure; and b) progress with commissioning plans for replacement services in March 2013. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following the conclusion of the consultation on the proposal to close Greenwood House and Welland House and the release of Commissioning Intentions in relation to Peterborough City Council’s Older People’s Accommodation Strategy.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to seek approval from the Cabinet for the closure of the two care homes, Greenwood House and Welland House, and commissioning plans.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.4, to promote the Council’s corporate and key strategies and Peterborough’s Community Strategy and approve strategies and cross-cutting programmes not included within the Council’s major policy and budget framework.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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4. PROPOSED CLOSURE OF GREENWOOD HOUSE AND WELLAND HOUSE

BACKGROUND

- 4.1 At the Council's Cabinet meeting on 10 July 2012 Cabinet resolved to:
- Approve the refreshed Peterborough Older People's Accommodation Strategy and;
 - Authorise consultation with residents and families, and appropriate staff, on the proposed closure of the two care homes: Greenwood House and Welland House.
- 4.2 The Cabinet report relating to this resolution is available through Peterborough City Council's website.
- 4.3 Following the Cabinet resolution the consultation on the proposed closure of the two care homes commenced. Key questions to be addressed through the consultation process were:
- The implications of the proposed closure on current users of the services?
 - Could the needs of residents and service users be met through alternative accommodation and service provision?
 - What are the alternative services that could meet the needs of residents and service users?
 - Are there alternatives to closure?
- 4.4 On 17 July 2012 the report was presented to the Scrutiny Commission for Health Issues by the Cabinet Member for Adult Social Care. Verbal representations were also made by:
- The relative of a day care user
 - The relative of a resident
 - Two members of staff from the homes
 - A day care staff member
 - A manager from one of the homes
 - Peterborough LINK
 - Peterborough Pensioners' Association
- 4.5 The Scrutiny Commission asked that the Director of Adult Social Care addressed all the comments made by the Commission and members of the public and explore a range of issues raised by the Commission. These issues are listed and addressed below.
- 4.6 The Peterborough Older People's Accommodation Strategy adopted by the Council in July 2012 set out the adult social care vision for people in Peterborough. The priorities are to:
- Promote and support people to maintain their independence
 - Deliver a personalised approach to care
 - Empower people to engage with their communities and have fulfilled lives
- 4.7 The strategy is built on an earlier document published in 2007 which also placed an emphasis on long term and increasing extra care housing as an alternative to residential care and takes account of the general downward trend in the number of permanent placements in long-term residential care as social care policy has been to support people to remain in their own homes for as long as possible.
- 4.8 The strategy also makes reference to the Prime Minister's dementia challenge and the need to develop a new and more comprehensive service for people with dementia to support them and their carers working with the independent sector and specialist voluntary sector partners. The Alzheimer's Society 'Dementia 2012: A national challenge report' and the Department of Health's Commissioning Framework for Dementia are informing the council's work in this area. These emphasise the importance of independence, enabling

people to live their own lives as they wish, make choices and take risks within a market that provides high quality services that are appropriate to people's needs.

- 4.9 It is recognised that for some, there will be a need for residential or nursing home care and in these cases the council wants to ensure people have access to the best quality residential and nursing home care which is fit for purpose and meets modern day standards. It is within such surroundings that care staff and managers are best able to meet people's personalised and often complex needs.
- 4.10 The proposal to consult on the closures of Greenwood House and Welland House arose out of consideration of the strategy and these aims as a) the homes do not provide the modern, fit for purpose environment that is available elsewhere and, b) reduced demand on residential care results in there being sufficient capacity within the local market without the council continuing to run these homes.
- 4.11 Greenwood House and Welland House, whilst continuing to provide appropriate standards of care and generally meeting residents' needs, do not provide the standard and quality of accommodation or environment that would be expected in a modern care home, including:
- Smaller bedrooms which do not meet advisory standards for care homes and fall below that required in newly built or registered homes;
 - Resultant limited private space, restricting the ability for a resident to furnish and personalise their room with personal furniture and belongings;
 - Associated difficulties in providing care to residents with restricted mobility as beds are generally only able to be positioned against a wall;
 - Difficulty in operating hoists where required;
 - Communal spaces which restrict residents to limited areas and provide inadequate space for circulation. "Safe wandering space" – an important feature in providing good quality care for people with dementia is lacking;
 - Inadequate outdoor spaces (e.g. many newer built homes have internal courtyards or special patio and terrace areas where people can wander or sit).
- 4.12 There are a range of care homes and care home providers in Peterborough. These range from small independent family run homes through to large companies and not-for-profit companies. The largest home has 156 beds and the smallest just 10 beds.

5. CONSULTATION

- 5.1 Consultation ran for 3 months, beginning on 17 July 2012 and ending on 15 October 2012. A dossier of responses has been compiled and is available to inspect.
- 5.2 There were a number of ways people could feedback on the consultation. These included a dedicated email address, in writing, face to face meetings with council staff, via elected members or Members of Parliament and for staff members through one to one meetings with their managers and human resources staff. Members and officers met with relatives.
- 5.3 The council also carried out briefings for relatives and service users at various times and locations. Letters of explanation and offers of opportunities for discussion were sent on two occasions including the details of professionals involved and contact details for Age UK representatives for advocacy services. A poster with information was placed in homes for visitors to see. Home managers were also available for discussions with families.
- 5.4 The reports were tabled at the Older People's Partnership Board and the Carers Partnership Board. There has been significant local media coverage and the proposals have been discussed in the public domain.
- 5.5 Following the start of the consultation there have been a number of formal, individual responses (51) particularly from relatives and residents of Peterborough.

- 5.6 In addition individual consultation meetings were offered to all families of current residents and service users. Two social care professionals were available within the homes throughout the period and have offered one to one meetings. As well as answering questions regarding the consultation, these meetings have been an opportunity for residents and relatives to begin to explore options that might be available if the decision were to be taken to close the homes.
- 5.7 The meetings have also been the starting point for reviews and reassessments of individual service user's needs so that it could be assured that should the homes close the council would be able to identify suitable alternative services to meet the needs of residents. About a third of families of residents took up the opportunity to engage in these meetings with others deciding to wait until a decision had been made.
- 5.8 For those residents without regular contact with family or friends, the council arranged for Age UK Peterborough to provide advocates to work with residents and ensure their views were able to be heard. Further details of these meetings and the next stages of the reassessment process is set out in section 8.1 below.
- 5.9 There have also been comments from staff and trade unions. A summary of their responses is attached at Appendices G and H.
- 5.10 Following the decision to commence consultation on closure a group of staff and relatives of service users came together - The Greenwood House and Welland House Service Users Support Group. This group met independently and has met with the leader of the council on two occasions. The group raised a number of issues that are covered in the following sections and sought assurances regarding the impact of closure on the options and costs of alternative care for current residents.
- 5.11 Four petitions have been received with a total of 5,753 signatures, although the total number of valid signatures is 5,395 (guidance and further information on the council's petition scheme is available through the council's website). The petitions either opposed the closure of the homes or were in favour of the council building a replacement home. A petition with 179 signatories (54 valid signatures) was received before the start of the consultation. A summary of the petitions is attached at Appendix I.
- 5.12 Three petitions were submitted at the council meeting held on 11 July 2012 by Councillor Shabbir, a further petition and an online petition were submitted at the council meeting on 10 October 2012 by Councillor Murphy.
- 5.13 The first petition was concerned that the closures of Welland House and Greenwood House would leave no provision within Peterborough for older people with specialised needs. The petition had 3,456 signatories.
- 5.14 The second petition with 210 signatures opposed closure of Greenwood and Welland residential homes saying they are important residential facilities offering care for the vulnerable and elderly and fearing that closure would have a serious negative impact on the health of the current residents, especially during the transfer period. It warned that the closures would leave the city with an inadequate number of residential places at a time when demand is rising and left the less well off with fewer care options in the future.
- 5.15 A third petition was submitted on behalf of the Greenwood House and Welland House Service Users Support Group signed by 1,716 people. It called upon the council to invest in the provision of a new care home to replace the beds lost through the closures and argued for the existing staff and residents to be transferred to a new facility.
- 5.16 A fourth petition was submitted on behalf of the Greenwood House and Welland House Service Users Support Group signed by 371 people that requested a new, council-run, state-of-the-art building for residential, respite and integrated day services and that the closure of the homes should be deferred until the new facility is available. This petition asked for a referendum to be held on the future of the homes.

- 5.17 The online petition does not comply with council petition regulations and a number of respondents do not live in the Peterborough area. However, points raised within this petition have been addressed in the General Consultation Themes section below.
- 5.18 Written responses were received including:
- 13 from families of residents
 - 5 from families of day care family users
 - 2 from families of respite users
 - 2 from people who use day care themselves
 - 1 from a person who uses respite care
- 5.19 Seven written responses have been received from Councillors: three sought clarification on specific issues, one set out proposals for alternative day services, one set out proposals relating to a re-build option, one gave support to the proposal to rebuild and one opposed the proposals and accompanied two petitions (as detailed in 5.12 and 5.13 above). Two Members of Parliament raised issues in writing in response to the consultation on behalf of two constituents.
- 5.20 Overall, service users and families have expressed concerns at the proposed closures and argued for the homes to remain open. The reasons people gave are described below:
- There was concern about the impact the closure might have on the residents.
 - Families worried that people's health and well-being may suffer, and people would be distressed and disorientated at having to move.
 - Some people were concerned that there could be increased risk of death of vulnerable people following a move
- 5.21 Service users and carers were mainly positive about the current services and cited the following as things that people value and like about the homes:
- Residents feel safe and settled in their surroundings
 - People have friendships in the homes
 - Many said they are happy with the conditions and environments in the homes
 - There was praise for staff who were said to be caring and professional
- 5.22 Many people currently using day or respite care were concerned that facilities will not be available if the homes were to close.
- 5.23 People were worried that they may have to pay more for their care if their relative had to move to an alternative home.
- 5.24 Staff members potentially affected by the proposal have been consulted. This consultation has been carried out through one-to-one meetings, staff meetings, team briefings and staff have been able to comment in writing as well as in person.
- 5.25 Key themes coming out of staff consultation are: concerns regarding the rationale to close the homes, concerns that alternative day care provision may not be provided, concerns regarding the provision of high quality services to older people and concerns relating to residents and service users.
- 5.26 Issues and concerns raised by all respondents are addressed in the General Consultation Themes section below.

6. GENERAL CONSULTATION THEMES

- 6.1 The main themes that the consultation highlighted are:

- The rationale for the proposal to close the homes including the issues around the size of rooms and facilities
- The impact the proposed closure of the homes would have on residents and their families and carers
- Availability of suitable alternative residential care homes able to meet residents' needs
- Whether there would be a financial impact on residents or their families of moving to alternative homes
- The potential impact on availability of day and respite care for current service users
- Whether the council should consider building a new facility to replace the homes if they were to close
- The costs of running the existing homes
- Trends in demand for residential care and independent living
- The impact on staff and the costs of staff redundancies

6.2 Concerns regarding the rationale to close the homes

6.2.1 Those consulted said:

People questioned the reasons for the possible closures and raised concerns that financial considerations were at the heart of the issue.

Some respondents said that there needed to be a stronger case against no change.

Comments were received from staff that the proposed closure of the homes was driven by financial considerations.

People questioned whether upgrading to modern standards was a necessary or a legal requirement.

6.2.2 The council's response:

The council's intentions arise from wanting to provide the best possible facilities for care home residents and service users. The rationale was set out in the Older People's Accommodation Strategy. The proposed home closures will lead to a reduction in financial commitment, specifically due to lower weekly costs for independent sector residential places. In financial terms the proposed closure will mean better value in terms of current service placements and will enable further investment in new dementia services.

The consultation enabled alternative options to be proposed and considered. "No change" was an option considered, however, significant investment would be required to bring the homes up to the minimum standard set out by the Care Quality Commission (CQC). Residents and service users would still need to move as part of any refurbishment or upgrade of either home. There would have been disruption if this course was followed.

There is no legal requirement to upgrade the homes which were built before the regulations came into force; however, regardless of legal requirements the homes fall substantially below the accepted standards for care home provision today.

Having considered concerns about the rationale for the proposed changes, it is considered that on balance the reasons for the proposed closure represent the best way forward for current and future service users.

6.3 Concerns regarding the impact the proposed closure of the homes would have on the residents and their families and carers

6.3.1 Those consulted said:

People and staff were concerned at the stress and anxiety for residents of closure. It was highlighted that people with Alzheimer's find change difficult. People wanted reassurance as how residents would be cared for during a transition period and particularly during a move from one care home to another. The fact that some residents had to move when the Peverils care home closed was raised as an additional concern

6.3.2 The council's response:

These are clearly valid concerns and it is important that residents' individual needs are paramount in planning any move. This will involve residents, their carers and family and will ensure their views and opinions are fully taken into account. Particular attention will be given to ensuring that any signs of stress or anxiety are identified and that care and sensitivity is taken to reduce stress and provide reassurance and support.

6.3.3 Throughout the consultation, social care professionals, Age UK and Cambridgeshire and Peterborough Foundation Trust mental health professionals have been available to all service users and their families and carers. If the decision is made to close the homes, extensive support plans will be implemented and will include a range of professionals from health, social care and other agencies as needed. Family members (or advocates where appropriate) will be included in developing and supporting those plans. Support will be provided on a personalised basis to meet the needs of individuals. Evidence shows that that anxiety can be minimised through effective support planning and preparation.

6.3.4 Concerns were raised about the impact on carers and families, and in particular the cost of travel and additional time to reach a new home are all valid and need to be considered in the choice of a home. The location of alternative homes will be a matter for residents and their families. Issues like convenience for relatives and travel arrangements will all be taken into account when considering future options.

6.4 Concerns about the availability of suitable alternative residential accommodation to meet resident's needs

6.4.1 Those consulted said;

Some people were concerned about whether there were alternative places, particularly for people with dementia within Peterborough. The Alzheimer's Society said that any alternative accommodation should offer stimulating activity. Comments were made relating to whether the private sector could provide residential and dementia care to the same standard as public sector managed services. They asked if there were alternative homes close to Welland and Greenwood and whether the council would find alternative accommodation for a resident. In addition people whose relatives used the respite service wanted assurance that there would be respite care available in other locations.

6.4.2 The council's response:

The council monitors availability of beds in the independent sector and is confident that there are and will be suitable vacancies to meet the needs of service users. Regular auditing of bed vacancies in Peterborough care homes has been undertaken over a number of months and whilst the total figure varies week by week, there is evidence that there is consistently sufficient unfilled capacity across those homes to provide alternative placements for all current residents. There are also sufficient beds registered to cater for people with dementia to meet those needs. The majority of residential care, including for people with dementia, is already provided by the independent sector, including all of the care provided in nursing homes for people with the highest levels of care needs.

6.4.3 There is sufficient supply for the council to be able to secure contracts for additional beds for respite and interim care to replace those beds that would no longer be available if Welland and Greenwood Houses were to close.

6.4.4 Feedback received during staff consultation praised the quality of services provided by the council at Greenwood and Welland House. There are many good services provided by the independent sector in Peterborough. It is the council's intention to work with independent and voluntary sector providers to maintain and develop high quality services in the future. The council is also developing and strengthening quality assurance and contract compliance systems to ensure that all social care services purchased by the council are monitored closely and continue to provide good services.

6.5 Concerns those residents and families may have to pay more for their care

6.5.1 Those consulted said:

People asked for assurance that should Welland and Greenwood close and people needed to move to homes in the private sector, service users' carers and relatives would not incur any further costs. People were concerned as to whether all independent sector providers accept the council's funding levels or if they required relatives to pay a top up.

6.5.2 The council's response:

There will be no financial impact on any council-supported resident following a move to an alternative care home. Firstly, the majority of independent care providers in Peterborough do contract with the council at the council's funding level. Secondly, residents are financially assessed for their contribution towards the cost of their care using the national regulations and only where a resident is assessed to pay the full cost of the service does the contractual cost affect the amount paid.

6.6 The potential impact on availability of day and respite care for current service users.

6.6.1 Those consulted said:

People and staff wanted assurances that alternative forms of day care and respite provision would be available. There was concern about where people with Alzheimer's could attend if Welland House closed. There was concern that the independent sector does not currently provide respite or day care, particularly for individuals suffering from dementia. There were concerns that people could be at risk of isolation if left in their own homes.

People highlighted the critical importance of day and respite care in ensuring that carers continue to receive the necessary breaks they need, to enable them to continue to care, so avoiding the need for someone to go into a home. There was concern that transport to day care, and services like assisted bathing continue to be available.

6.6.2 The council's response:

Alternative provision will be provided for all service users which meets the needs of the individual. Alternative day and respite services will be provided to meet the needs of all existing service users and there will be no break in availability or access to such services arising from the closures should they proceed. Working with providers, identification of potential locations for new day services is underway.

Consultation has highlighted the importance of ensuring that there is sufficient day care and that respite care is made available in ways which more closely meet individual needs. Many carers have highlighted the benefits of respite being provided within a person's own home rather than in a residential care home.

Some respite care is already provided within the independent sector and additional respite beds to meet those needs will be commissioned. To enable the council to meet the Prime Minister's dementia challenge, and develop a new and more comprehensive service for people with dementia, it is recommended that the Council invest in community dementia services and work with the independent sector and specialist voluntary sector partners.

It is proposed to work with partners, particularly existing housing and extra care schemes, to develop new day care services, as well as enabling people to access other community day opportunities. The development of a dementia resource centre is a key aim and will support people to access a range of day service opportunities and respite services. More detail on alternative provision is covered in the later sections of this report.

Having considered the concerns raised and weighed these against the intended development of new services it is felt that the proposal will support and enable the development of more effective specialist dementia services in Peterborough.

6.7 Whether the council should consider building a new replacement home

6.7.1 Those consulted said:

There were a range of comments about a new building. Some people put forward the view that there was a moral case for a public sector home alongside the private sector. Others suggested that a new home could be somewhere where existing residents and staff could move together.

6.7.2 The council's response:

See section 7.1.4 and Appendix A for rebuild costs. However, it is clear that there is sufficient capacity within the independent sector to provide for current and projected future residential care home needs.

There is also no evidence to support a case that there is any intrinsic benefit of providing a public sector home within the local market. Already the vast majority of residential care and 100 per cent of nursing home care is provided in the independent sector and is regulated by the Care Quality Commission.

6.8 Comments about the cost of existing provision

6.8.1 Those consulted said:

Some people questioned why it was reported that it cost more to provide care in Welland and Greenwood Houses.

6.8.2 The council's response:

This is same nationally and due to differences in staffing costs and overheads.

National comparisons show that the average cost of a local authority run residential care place is £895 per week compared to £470 in the independent sector. This is not an issue which is unique to Peterborough nor to these homes in particular.

Based on current running costs and if they had no vacant beds and continued to operate with the same number of beds – weekly bed costs of Greenwood House would be £715 and Welland House £666 which is below the average nationally for council-run provision.

6.9 Trends in the demand for residential care and independent living

6.9.1 Those consulted said:

There were comments that the council had restricted access to Welland and Greenwood Houses and there were many people wanting to fill vacant beds.

Some commented that too much emphasis had been placed on independent living. There were concerns that consideration was not given to the loneliness many individuals experienced which the existing Welland and Greenwood facilities and staff mitigated.

6.9.2 The council's response:

There are no waiting lists for residential care in Peterborough. New applicants for residential care have, for some time, been choosing to take up vacancies within the independent sector which in the main offers enhanced facilities, more up-to-date standards of accommodation at no additional cost.

In general there has been a decline in the number of people entering residential care as more people are being supported to remain within their own homes or move to extra care housing schemes. Day care services are one way in which social isolation of people remaining independent in their own homes is tackled. This will continue to be provided should the homes close.

6.10 Concerns regarding the impact the proposed closure of the homes would have on staff and the potential redundancy costs

6.10.1 Those consulted said:

People said that the importance of the care provided should be an important consideration, which a number of relatives said was good. People valued the good quality care their

relative received at the care homes and said staff worked hard to ensure good communication and relationships between staff, relatives and the resident.

People commented that the redundancy payments could be used to keep Welland and Greenwood open. Some people also said that the redundancy payments could be used towards the cost of a purpose built service which the council could put out to tender.

6.10.2 The council's response:

The council recognises the affection staff have for the service users and the value the residents and families place on this. The quality of care is inspected in all care homes nationally by the Care Quality Commission and our own audits will ensure that people are receiving the support they need.

Money used for redundancy payments is by its nature one off expenditure and is not available year-on-year to support the delivery of services. Redundancy payments are often seen as a way of releasing additional costs which then become available to fund future service developments.

7. SCRUTINY COMMISSION FOR HEALTH ISSUES – EXPLORATION OF ISSUES

Further to the Scrutiny Commission for Health's recommendation on 17 July 2012 that the Executive Director for Adult Social Care address all comments and issues raised, the following section details each issue and conclusions drawn following exploration. The Scrutiny Commission for Health will scrutinise this report on 1 November 2012. Comments and recommendations from the Commission will be tabled at the Cabinet meeting on 5 November 2012.

7.1 Further consideration to be given to the alternative option of demolishing the existing homes and rebuilding a new one to replace them

7.1.1 A feasibility study has been completed by Serco Property Services with support from Peterborough City Council's Planning Services. Costs are high level estimates. The next phase would include significant costs of surveys, management fees and planning applications.

7.1.2 It should be noted that this option would result in the transfer of service users to alternative accommodation either whilst building works were occurring or, in the case of Greenwood House residents, a new home completely. Therefore these options will not reduce the issues raised regarding anxiety and impact to health due to relocation. There would also be a reduction of staff and therefore there would still be a need for redundancy.

7.1.3 Welland House is the more suitable site to develop a new home due to its size and accessibility. One factor determining size of home and numbers of bedrooms relates to parking spaces. Current standards require 1 parking space for every 2 members of staff, plus 1 parking space for every 8 residents. Serco Property Services and the council's Planning Services say that the site has capacity to build an 86 bedroom care home with sufficient parking (estimated 28 spaces). Planning indicate that there would be no objection to a 2.5 storey care home on this site. Welland House currently has one storey. The layout would depend on an arboriculture survey.

7.1.4 The cost of demolishing and rebuilding Welland House with an 86 bed retirement home, based on meeting CQC minimum standards is £5.584m. See Appendix B for further details.

7.1.5. Using national data the number of staff required for an 86 bedroom care home¹:

- 1 FTE Manager
- 1 FTE Deputy Manager
- 41 FTE Care staff²

¹ Assuming full occupancy

- 1 FTE Maintenance
 - 14 FTE Catering, domestic, laundry
- Total staff required: 58 FTE

7.1.6 Although this option would ensure the future accommodation met CQC minimum standards, the consequent cost would be high and there would be an impact on both residents and staff. As such it is felt that this option is not considered preferable to the proposed use of independent sector provision.

7.2 That the strategy be remodelled to take into account the recently published 2011 Census figures. Particular reference should be made to statistics for the number of people with dementia and how much this had increased in the last 15 to 18 months.

7.2.1 Census data released to date only includes basic age demographics, so it is not possible to update housing tenure or any specific data on dementia. However, in respect of the number of older people, the council originally looked at a mid year 2011 population of 174,900 people of which 12,900 were aged 65-74, 8,700 were aged 75-84 and 3,100 were aged 85+. This gives a total estimated older people population of 24,700 people. The Office for National Statistics has now released the mid-year 2011 population statistics using the census data and these show 12,800 people aged 65-74 (100 less than the estimate – but less than 1% off), 9,000 aged 75-84 (300 more than the estimate 3.4% more) and 3,400 aged 85+ (300 more than the estimate - that is just under 10% more). This equates to a total of 25,200, 500 more or just over 2% more than the original estimate.

7.3 Further data to be expanded on within the strategy to show the benefits of a ‘block move’ of residents if this was to be the way forward.

7.3.1 If residents wish to move with friends to the same home, this will be facilitated where possible. However, the most critical issues will be involving the residents and their relatives in considering the options that are available and which best suits their needs. In many cases proximity to a relative will be a critical factor, improving ease of visiting, for others the availability of nursing support due to increased frailty may be the most significant factor.

7.4 Consideration to be given to the importance of keeping the current staff on to help with the transition of residents to new homes to ease their transition and consider:

- **how long the current staff could be retained to provide care and support for the residents when they move, and**
- **how many staff would be required if one or both homes were closed and how long the staff would be retained through the move and after the move.**

7.4.1 All residents have key workers and will have an individual assessment as to the best way to assist them during any period of transition. This will vary for all residents as will their needs and wishes. It is good practice to involve the key worker in assisting a resident in considering options for a move. In many instances this may involve a key worker visiting a potential care home with a resident or even remaining with a resident for a short period following a move.

7.5 To ensure that the expertise of the dementia champions within the two care homes is used regardless of the option chosen.

7.5.1 All dementia staff have training and some staff are working towards a dementia qualification. There are dementia champions, who while having no additional training, have either nominated themselves or been nominated to become a champion to be involved with the dementia boards. The expertise of all these staff will continue to be used.

² Figures based on 75% dementia, 25% residential. Dementia ratio 1:5, Residential ratio 1:8. Night time ratio 1:10. Data obtained from Laing & Buisson, UK provider of information and marketing intelligence for independent health, community care and childcare sectors

7.6 The strategy to take into consideration the possibility of an increase in death rate through moving the residents and show how this risk could be reduced.

7.6.1 This is acknowledged as an issue that has caused concern to families and relatives. However, whilst some studies have pointed to some evidence of increased mortality rates, more recent research indicates that it is the way in which home closures are managed that has the most significant impact on the outcome for residents.

7.6.2 A study commissioned by The City of Birmingham: An Evaluation of the Modernisation of Older People's Services in Birmingham by the Health Services Management Centre, University of Birmingham published in August 2011 identified that experiences of home closure were not all necessarily negative.

7.6.3 The closure of 15 outdated care homes in Birmingham did not have a negative impact on the majority of older people affected according to research in which 77 per cent of respondents said that 'life had got better'. The report identified that closure of a care home can be risky, but the potential negative impact can be mitigated by good planning of resettlement and the need to ensure it is managed sensitively.

7.6.4 The study identified that one year following the closure more than 59 per cent of respondents in care and 43 per cent of those who attended day centres reported an improvement in health and related quality of life with 31 per cent in care homes and 46 per cent attending day care reported a decline. However, approximately half suggested this was actually due to their health deteriorating as opposed to current levels of service.

7.6.5 The key factors linked to successful changes included:

- Putting in place well organised, dedicated and skilled assessment teams.
- Involving all relevant parties (especially older people themselves) in decisions about future services.
- Getting to know people well and carrying out holistic assessments of their needs.
- Supporting older people, families and care staff through potentially distressing and unsettling changes.
- Working at the pace of the individual and giving as much time and space to explore future arrangements as possible.
- Helping residents and key members of care staff to stay together if possible.
- Ensuring independent advocacy is available.
- Planning the practicalities of any moves and ensuring as much continuity as possible after the move has taken place.
- Staying in touch with people and assessing the longer-term impact of resettlement³.

7.6.6 Between 2000-2008, despite an ageing population, the number of people in council supported care homes in England has fallen from 200,000 to 172,000. The levels of frailty impairment and need are now higher than 10-15 years ago. Consequently expected and actual lengths of stay of those going into residential care is becoming shorter.

This is a significant issue particularly when considering those individuals who were placed in care many years ago when the levels of community based support were not as available as they are today. People's own wish to remain in their own home, and assessment therefore being more focused in supporting individuals to remain in their own homes for as long as possible, have resulted in fewer people needing to live in care homes and people being admitted at a far later stage in their life.

7.6.7 Peterborough data on admissions to care homes is detailed in the table below. From 2007/08 there has been a continued downward trend in admissions.

³ ADASS report p19

Year		Number of Admissions
2007	2008	419
2009	2010	333
2011	2012	175

7.6.8 Due to the age of people and their levels of need when they are admitted to care homes, life expectancy has reduced, as has the number of people being admitted. The Peterborough mortality rates for residents placed in residential care over the first two years of admission are shown below.

Date of Admission	No admitted	Died in 12 months		Died in 12-24 months		Number alive 2012	
07-08	419	149	36%	77	18%	61	15%
09-10	333	131	39%	62	19%	115	35%
11-12	175	79	43%	4	2%	96	54%

7.6.9 These are in line with a report⁴ commissioned to consider life expectancy of residents entering residential homes that identified that those entering residential care had a 55 per cent expectancy of living beyond the first year, with 70 per cent for the second year and falling back over subsequent years.

A study⁵ of over 2,500 residents across 18 local authorities has identified that a number of factors affect mortality rates of individuals entering residential care. Factors affecting mortality following admission to residential care in order of significance:

- Having a malignancy
- Admission to a nursing bed
- Old age
- Being a man
- Being admitted from hospital
- Having a respiratory illness
- Cognitive impairment

7.7 **Officers to work with staff at both homes as a group to look at the proposed strategy positively and to look at a way forward to get the best possible solution.**

7.7.1 Managers have continued to work with staff in both homes in a positive and proactive way. There have been team briefings with managers including senior managers, full staff meetings, one-to-one consultation meetings, an open door policy to air views, regular contact with line managers, meetings with the Director of Adults Social Care, in-house meetings, i.e, night staff, kitchen staff, domestic staff etc, fortnightly managers' meeting (chaired by the head of service). During this period PDRs have also been completed and supervision has continued.

7.8 **Costs for the option of refurbishing both of the homes.**

7.8.1 The estimated cost of refurbishing the Welland and Greenwood establishments is as follows:

- Welland House: £1.444m
- Greenwood House: £1.182m

⁴ Forder, J and Fernandez, J-L (2011) *Length of stay in care homes*, Report commissioned by Bupa Care Services, PSSRU Discussion Paper 2769, Canterbury: PSSRU

⁵ Bebbington, A., R. Darton, et al. (2001). *Care Homes for Older People: Volume 2 Admissions, Needs and Outcomes*. The 1995/96 National Longitudinal Survey of Publicly-Funded Admissions. Canterbury, PSSRU.

These figures are based on £600 per m2 industry standard. There would be a reduction in the number of rooms, therefore the number of service users and subsequently the number of staff and the resultant impact would be an increasing cost per bed.

7.8.2 As the room configuration is dependent on completion of surveys and management fees it is not possible to calculate the number of rooms that could be housed within the current footprints of the existing buildings. Further details and assumptions are included in Appendix C.

7.8.3 This option would lead to accommodation that meets the CQC minimum standard, however, the issue of higher weekly bed costs, disruption to residents and some staff redundancy remain. As such it is felt that the proposal to use independent sector provision will still offer better outcomes in the short and longer term.

7.9 To look at using the planning department consultation portal to help with this consultation.

7.9.1 Further to the Scrutiny Commission's suggestion the consultation was placed on the city council's website:
http://www.peterborough.gov.uk/community_information/consultation_and_engagement/current_consultations.aspx

8. ANTICIPATED OUTCOMES

The Way Forward: implementing the strategy

8.1 WORK WITH RESIDENTS AND SERVICE USERS

8.1.1 The designated social care practitioners have been available within the two homes throughout the consultation period and will continue to work closely with residents and their families to undertake detailed reassessments of the needs of individual residents and to discuss options and choices of alternative accommodation and care arrangements.

8.1.2 During the course of the consultation period a number of meetings have already taken place between relatives and the designated workers. They have also liaised with care home staff to enable them to get a better sense of the levels of needs that residents have, and the types of accommodation and care arrangements that may be required. It is apparent from this work that a number of residents have developed levels of need which are beyond those that can be adequately met within a residential care home and it is expected that around a third of permanent residents will need to be found suitable placements in nursing care homes.

8.1.3 There are currently 31 permanent residents and based on consultation and assessment work undertaken to date it is anticipated that 11 people will require a place in a nursing care home (3 of whom will require a dementia Nursing Home), 18 will require a residential care bed, half of whom will need a home registered to meet dementia care needs. Two of the service users have expressed an interest in moving to extra care housing. This option is being actively explored. These figures are subject to change as full assessments are completed for individuals where that has yet to be undertaken.

8.1.4 A number of families have already commenced looking at alternative homes and a small number have either indicated that they have decided to move their relative or in two instances moves have already taken place. Other families have indicated that they would prefer to wait for a formal decision to be made before getting involved in a reassessment process or in considering potential alternative options.

8.1.5 Following Cabinet, if the decision to close the homes is agreed, the following actions will be taken:

- Complete the reassessments of all residents where this is yet to be done, including seeking appropriate clinical input.
- Reassessments will also consider whether there is any potential entitlement to NHS Continuing Health Care funding.
- Consider any issues arising from the Mental Capacity Act to ensure those without capacity to make their own decisions are properly supported and that decisions are made in their best interests and that their rights are protected
- Work with residents and relatives to identify an appropriate residential or nursing care home able to meet assessed needs and personal choice.
- Engage with advocates in any instances where a resident does not have close family or friends able to support them through the process
- Arrange visits for residents to chosen care homes to promote familiarisation prior to final moves taking place
- In respect of the day care and respite services, work is underway with service users and families to ascertain where their needs can be met following any closure.

8.2 Commissioning intentions

- 8.2.1 The potential closure of the two care homes creates the imperative to secure alternative services to meet the needs currently provided within the two homes. Alternative placements for permanent residents can be commissioned through securing vacancies in existing care homes in the city.
- 8.2.2 However, the homes also provide day care, respite care beds and interim care beds. Each of these services need to be secured elsewhere to ensure that there is no break in service continuity and access for people currently using those services.
- 8.2.3 Should the Cabinet's decision be to close the homes, permanent residential placements will be arranged with independent sector providers, suitable placements will be identified against individual need and requirements for residents of Greenwood House. Currently there are two permanent residents at Greenwood House. Respite provision will be sourced through the independent sector. Reviewers will work with people who go to Greenwood regularly for respite to identify alternative arrangements to meet their needs. This work will be carried out for Welland House residents and people accessing respite care there also.
- 8.2.4 Day service provision at Greenwood House will be transferred to other council day services whilst day service provision is reviewed and enhanced day service provision is developed as detailed within Appendix F. Additional day service capacity is being discussed with Cross Keys homes and will be available if required, it is not anticipated that this capacity will be required at this stage.
- 8.2.5 Interim beds will be transferred from Greenwood House to Welland House whilst the council undertakes a formal review of interim requirements and, pending the outcome of the review, a procurement exercise to purchase interim beds within the independent sector.
- 8.2.6 In addition the consultation has highlighted the need to review the range of community based resources available to support people with dementia and their carers, and in particular to ensure that there is a enhanced range of day and respite care facilities available that help carers to manage to support their family members for longer, thus reducing or delaying the need for long term residential care.
- 8.2.7 The commissioning plan is set out in Appendix F and covers the immediate steps required to secure continuation of existing services, as well as the plan for replacement and enhanced services which Cabinet are asked to support.
- 8.2.8 A key element in improving community dementia services will be the development of a local dementia resource centre. This centre is intended to provide a range of services including:
- Information, advice and advocacy

- Support to navigate the local health and social care system
- Support for professionals working with people with dementia
- Day services and support to access community facilities
- Support for carers
- Community based respite opportunities

8.2.9 Critical steps in developing the dementia resource centre will include:

- identifying appropriate accommodation for the service
- workforce development and awareness raising
- service design in partnership with partners and people who use services
- coordinating with existing services to ensure a streamlined and effective dementia support and treatment system

8.2.10 In line with the Prime Minister's dementia challenge it is intended to develop a new and more comprehensive service for people with dementia to support them and their carers working with the independent sector and specialist voluntary sector partners. This will include using the Alzheimer's Society 'Dementia 2012: A national challenge' report to inform our work and the Department of Health's Commissioning Framework for Dementia and associated tools.

8.2.11 It is intended that a dementia resource centre will support people with dementia to remain as independent as possible for as long as possible by providing and developing networks of community based support for both service users and carers, by enhancing access to assistive technology where appropriate and by providing specialist day services and opportunities. Co-location and coordination of teams from statutory, voluntary sector and independent sector agencies will support the development of better communication, more integrated support and treatment and allow workers to develop broader expertise and skills.

8.2.12 Initial discussions with partners from across the health and social care sector have identified potentially innovative services that could be considered as part of this development work. Co-production and co-development of services with carers and people using services will form a central part of the service development plan.

9. REASONS FOR RECOMMENDATIONS

9.1 On balance and following careful consideration of the issues raised by respondents to the consultation and having explored the issues raised by staff and the Scrutiny Commission for Health, it is the council's view that the way forward is to proceed with the proposed closures of Greenwood House and Welland House.

9.2 The needs of individual residents, service users and family carers can be met effectively through independent sector placements in accommodation that complies with modern standards.

9.3 Commissioning plans are in place to ensure continuity of care and support for residents, service users and family carers.

9.4 Further development of specialist dementia services and the proposed dementia resource centre will secure better outcomes for people with dementia and support them to remain independent whilst ensuring that family carers are also supported. The council will consider alternative services during consultation and development stages for new dementia services to ensure that the expertise and experience of all partners is used in the design and commissioning of these services.

10. ALTERNATIVE OPTIONS CONSIDERED

10.1 A range of alternative options have been explored and considered elsewhere in this report, particularly in section 7 above, along with views on the viability of those options.

11. IMPLICATIONS

11.1 Finance

- 11.1.1 Nationally the cost of in-house provision is significantly higher than that which can usually be obtained in the independent sector. This is also the case in Peterborough. Whilst both homes remain open, the additional cost to the council is around £125,000 per month.
- 11.1.2 Potential part year savings for the closure of the two homes in 2012-13 would be £285,500. This is based on the profile of current residents and the assumption that Greenwood House would close in mid-December 2012 and Welland House by 28th February 2013. It is also based on the assumption that residents who need to be relocated would be accommodated in other external residential placements at the council's indicative standard and dementia care rates of £387 and £440 per week respectively, although we expect the cost to be greater as the council has guaranteed no additional costs to service users. If residents' needs have increased since they were originally placed and they require Nursing Care this could impact on potential savings, though this would be subject to individual assessments.
- 11.1.3 In respect of 2013-14, workings on the same assumptions as above, potential savings in a full year are £1.5m. If alternative placements could not be accommodated at indicative rates, the saving in 2013-14 could be reduced, though over the longer term the £1.5m full year saving should be realised on an ongoing basis.
- 11.1.4 In terms of Day Care provision, the assumption is that the cost of provision in the external sector will be covered by existing budgets for Day Care in Greenwood House and Welland House which equate to £316,000 per annum.
- 11.1.5 If after consultation the decision is made to close the homes, their availability for development will provide a potential capital receipt for the council. The Capital Programme for Adult Social Care includes a £6m capital provision which is potentially available for the provision of a Dementia Resource centre, Extra Care, or other provision in line with the Older People's Accommodation Strategy.
- 11.1.6 There will also be a one-off cost to fund the redundancy payments due to staff who would be made redundant as a result of closures. This is estimated to be £2.02m. These redundancy costs reflect NHS Terms and Conditions that staff still have following their transfer under TUPE from the NHS to the council in March 2012. The cost will be funded through the council's Capacity Fund.

11.2 Legal

- 11.2.1 The National Health Service and Community Care Act 1990 Section 47(1) imposes a duty upon Local Authorities to carry out an assessment of need for community care services with people who appear to them to need such services and then having regard to that assessment, decide whether those needs call for provision by them of services.
- 11.2.2 The Carers (Recognition and Services) Act 1995 Section 1 imposes a duty of Local Authorities to offer assessment to carers providing or about to provide regular and substantial care to those undergoing a community care assessment/reassessment and then to take account of those assessed needs when deciding what services to provide to the service user.
- 11.2.3 While there is no statutory guidance there are now well established requirements for the process to be followed by the Local Authority when considering a home closure, these are as follows:
- a) There must be a rational basis for the proposal;
 - b) The Local Authority must undertake proper consultation with residents and their families;

c) The Local Authority must be able to show that it has considered all relevant factors when making its decision, including representations made during the consultation. In the event of judicial review, the Court would consider if the decision is within the range of decisions that a reasonable Local Authority could reach in the circumstances;

d) There must be an assessment of each resident before the proposal is implemented and an intention to review the decision if it is likely to cause serious harm to a resident.

11.2.4 In addition the decision must be consistent with the Local Authority's responsibilities under the Disability Discrimination Act 1995, the Equality Act 2010 and the Human Rights Act 1998.

Staff have been consulted in line with legalisation.

Redundancy will only be considered once Cabinet has made its final decision on the future of the care homes.

11.2.5 The Local Authority has a duty to arrange residential care for those in need of care and attention that is not otherwise available to them. When considering home closures, the Local Authority will need to satisfy itself that it will still have access to a sufficient number of residential and nursing care beds, (including a sufficient range of placements to satisfy residents' right to a choice of accommodation) to meet this duty to arrange care. Vacancy rates in all care homes are monitored as routine by the service.

11.3 Risk Implications

11.3.1 When considering the potential closure of a residential care home the Local Authority must consider current research on the risk that moving elderly people suffering only with dementia may cause death or otherwise seriously affect their well-being.

11.3.2 A summary of research considered as part of the cases of R v Havering and Coventry (2008) highlights that different people may react to a move in different ways and that moves which are handled sensitively and thoughtfully can be achieved without a significant increase in mortality.

11.3.4 If a decision is taken to close any home then further individual assessments of all residents will be undertaken by specialist staff.

11.3.5 A closure of any of the homes would result in staff redundancies; this is addressed in section 9.5 of this report.

11.3.6 As the homes have been under review, the uncertainty for staff has had an impact on morale. There is concern about the ongoing impact any uncertainty will have on staff welfare, and thus the ability to deliver the service.

11.3.7 There is a risk that if a decision is taken to close a home at a point in the future staff could leave in advance of that resulting in pressures in terms of cover.

11.3.8 As the homes are registered and inspected by the Care Quality Commission potential issues relating to staffing levels and service quality emerging from either continued uncertainty or a failure to invest in services is likely to impact on their rating.

11.4 Equality and Diversity Implications

11.4.1 In line with the public sector equality duty and Peterborough City Council's Equality Impact Assessment Policy, an Equality Impact Assessment was carried out during the policy formulation stage. The impact assessment was later revised when the consultation closed and following the analysis of the consultation response to address issues that arose during the formal consultation process. (Please see Appendices D and E).

- 11.4.2 The Equality Impact Assessment draws from Local Authority experiences nationally of care home closures to ensure a robust and comprehensive assessment. Early in our consultation individual assessments were made on each resident and respite user to consider individuals capacity to understand and cope with the consultation on the proposal.
- 11.4.3 The results of the Equality Impact Assessment show that there is a potential positive impact on age, disability, and marriage and civil partnership through providing choice, improving environment, facilities and services for service users and carers, and increasing accessibility to family members.
- 11.4.4 There is a clear requirement on all public bodies to comply with the 'due regard' duties. Cabinet is advised of the need to take account of the impact of the decision to close the two homes in question and consider any measures that might lessen the impact on existing residents. The disability equality duty is at its most important when decisions are taken which directly affect disabled people. The consideration of equality issues must inform the decisions reached by Cabinet. Furthermore, it will not be adequate that the decision-maker has considered an impact assessment by itself. The decision maker must address their mind to the statutory duty. The impact assessment can assist in ensuring that the decision-maker comes to a decision with reference to 'due regard' and is able to do so in a considered and informed manner .

11.5 Human Resource Implications

- 11.5.1 A closure of any of the homes would result in staff redundancies and in accordance with Section 188 of The Trade Union And Labour Relations (Consolidation) Act 1992, the council has undertaken consultation with Trade Unions through the Joint Consultative Forum. Individual consultation has also been undertaken with affected staff and any comments submitted by staff have been included for consideration as part of the general consultation. Further detail on the staff consultation process and relevant documentation is provided in Annex O, which includes feedback provided to staff. No redundancy notices have been issued, as any decision regarding redundancy can only be made, once Cabinet has made its final decision on the future of the care homes.

12. Sustainable Communities

- 12.1 If any of the homes were to close there would be an opportunity to utilise the land in an alternative way or sell it to gain a capital receipt.

13. BACKGROUND DOCUMENTS

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

- Our Health, Our Care, Our Say (DH January 2006)
- A Vision for Adult Social Care: Capable Communities and Active Citizens (DH 2010)
- Peterborough Joint Strategic Needs Assessment 2011
- Older People Accommodation Strategy 2012
- Prioritising Need in the Context of Putting People First: A Whole System Approach to Eligibility for Social Care – Guidance on Eligibility Criteria for Adult Social Care, England 2010
- Putting People First (DH, 2007)
- Think Local, Act Personal – Next Steps for Transforming Adult Social Care
- Transparency in Outcomes: A Framework for Quality in Adult Social Care – The 2011/12 Adult Social Care Outcomes Framework
- Transparency of Outcomes: a framework for adult social care (DH 2010)
- Achieving Closure: good practice in supporting older people during residential care closures (University of Birmingham and the Association of Directors of Adult Social Services)
- An Evaluation of the Modernisation of Older People's Services in Birmingham – final report (University of Birmingham, 2011)

- Dementia 2012: A national challenge (Alzheimer's Society, 2012)
- Commissioning framework for dementia (DH, 2011)
- Bebbington, A., R. Darton, et al. (2001). Care Homes for Older People: Volume 2 Admissions, Needs and Outcomes. The 1995/96 National Longitudinal Survey of Publicly-Funded Admissions. Canterbury, PSSRU
- Forder, J and Fernandez, J-L (2011) Length of stay in care homes, Report commissioned by Bupa Care Services, PSSRU Discussion Paper 2769, Canterbury: PSSRU

CABINET	AGENDA ITEM No. 5
5 NOVEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Marco Cereste – Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environmental Capital	
Contact Officer(s):	John Harrison – Executive Director - Strategic Resources	Tel. 452520

DEVELOPMENT OF GROUND MOUNTED SOLAR PHOTOVOLTAIC (PV) PANELS (SOLAR FARMS) AND WIND TURBINES

R E C O M M E N D A T I O N S	
FROM: Executive Director, Strategic Resources	DEADLINE DATE: N/A
That Cabinet:	
<ol style="list-style-type: none"> 1. Notes the updated strategy for the development of renewable energy parks at each of the three council owned agricultural sites (America Farm , Morris Fen and Newborough farms) since the report to Cabinet dated 10 July 2012, in respect of ground mounted solar photovoltaic panels and wind turbines; 2. Approves the proposal to submit planning applications in respect of development of ground mounted solar photovoltaic panels; 3. Notes that subject to planning permission being received for ground mounted solar photovoltaic panels a contract for their installation is likely to be awarded to Mears Ltd under a framework agreement approved under a decision by the Cabinet Member for Resources (reference Solar Photo-voltaic (PV) Panels Framework Agreement - JAN12/CMDN/002) 4. Notes that subject to the outcome of necessary studies and continued negotiations a further report will be brought back to Cabinet for consideration prior to submitting planning applications for wind turbines; 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to cabinet following a referral from the Corporate Management Team.
- 1.2 At its meeting on 10 July 2012 Cabinet approved the outline strategy for the development of renewable energy parks at three council owned agricultural sites to include Ground Mounted Solar PV (farms), wind turbines or other types of renewable energy schemes. Appendix 1 shows a plan of the three sites. For the Farms at the Newborough site, the plan shows both the total area of land within the Council's ownership and the proposed solar farm planning application site boundary. This also applies to both Morris Fen and America Farm, however, it should be noted that the planning application site boundary will cover the majority of the total area of land within the Council's ownership on these sites. Further detail on each site is provided under Section 5.

- 1.3 Cabinet noted that the outline strategy was subject to further due diligence and studies around planning, environmental, technical and financial issues and, as agreed, this matter is being brought back to Cabinet for further consideration, following completion of those studies, and prior to any planning application being submitted.
- 1.4 It is important to note, because the point has been raised by a number of people since the July cabinet report, that it was never anticipated that the whole of the land available at these three sites would be required. It was stated at paragraph 4.11.4 of the July report that “the amount of land that would be taken up by the developments could leave substantial areas for farming to continue”.
- 1.5 Cabinet will be aware that at its meeting on 10 October 2012, Council asked Cabinet to review its decision made on 10 July 2012, in consultation with the Sustainable Growth and Environment Capital Scrutiny Committee. That committee agreed to work with the Scrutiny Commission for Rural Communities, because of the importance of this issue to rural communities. A joint meeting of the Sustainable Growth and Environment Capital Scrutiny Committee and the Scrutiny Commission for Rural Communities is due to take place in the Council chamber at 5.30pm on Friday 2 November 2012, and the recommendations from that meeting will be tabled at the Cabinet meeting on 5 November 2012. Issues already raised by members of the scrutiny committees have been addressed, as far as possible, in the contents of this report.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to seek Cabinet approval to move to public consultation and final preparation stage culminating in the submission of planning applications for solar farms for all three sites. The development of wind turbines and possibly other technologies will be reported back to Cabinet at a later date, probably in or around October 2013 before progressing to the planning application stage in 2013. Therefore, this report does not detail any potential proposals for wind turbines, and makes recommendations solely in relation to solar farms.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.4, to promote the Council’s corporate and key strategies and Peterborough’s Community Strategy.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	No	If Yes, date for relevant Council Meeting	n/a
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4. BACKGROUND INFORMATION

- 4.1 The Council, as part of its Environmental Capital Agenda, is seeking to produce ‘green energy’ in the city through its Energy Services Company (‘ESCo’), “Blue Sky Peterborough Limited”. Progress has already been made in supplying and installing solar photovoltaic (PV) panels on rooftops of some of the council’s buildings and schools. The current Feed in Tariff (FiT) support regime by the Department of Energy and Climate Change (DECC) for such schemes has been reduced. The Council is investigating whether prices of solar PV panels has dropped such that, it may still be commercially viable to build out a further second phase installation of PV panels on another 20-25 school roofs.
- 4.2 In addition to making significant inroads into the Environment Capital Agenda, the development of the three sites would generate significant amounts of renewable energy that can be used by the Council to safeguard its budgets against future rising and uncertain, energy price inflation. Additionally, the energy generated can be sold to generate income in order to help close the Council’s funding gap and protect its ability to deliver future services.

- 4.3 In order to assess the viability of any suitable sites in the Peterborough area for development of renewable energy projects, the Executive Director – Strategic Resources, under his delegated authority, awarded a contract using the Homes and Communities Agency (HCA) framework procurement process, to AECOM, to carry out initial project appraisal studies. The initial appraisal work has now been progressed to a stage whereby it is appropriate to report back to Cabinet on initial findings to date and seek approval to move to the next stage. It should be noted that there are still a significant amount of studies to be conducted before any planning applications can be submitted.
- 4.4 There were four sites included in the original brief to AECOM, the fourth, at Wittering, was rejected early in the studies because it is close to RAF Wittering, and is considered too small a site to be viable for large scale renewable energy projects. Prior to instructing AECOM preliminary consideration was given to other council owned land, primarily a large area of land at Castor, but this was rejected as feasible because it is subject to a 999 year lease to the Nene Park Trust. Land not in council ownership was not considered, because the additional costs and time involved in acquisition would be likely to have an adverse impact on potential financial returns.
- 4.5 As stated earlier, the principle focus of this report is to update the Council's solar farm proposals. However, on two of the sites namely the Farms of Newborough and Morris Fen, the Council is also considering developing wind farms in addition to the solar farms detailed. Proposals on the development of wind turbines on these sites will be set out in a further report to be presented to Cabinet during 2013.
- 4.6 The future wind option on Morris Fen shows up to three turbines positioned on the site. The size of the turbines are yet to be confirmed and is subject to metrological mast results which are estimated to be available towards the end of 2013 once a twelve month long study has been completed.
- 4.7 A drawing is shown at Appendix 4a that highlights the combined technologies on the site with an element of solar reduction due to land take. The wind layout will not affect the initial solar proposals of December 2012 – see planning strategy section.
- 4.8 The future wind option on the farms of Newborough, shows up to six turbines positioned on the site. It should also be noted that 2 or 3 of the proposed wind turbines are outside this solar layout zone, however, their long term land use is minimal. The wind turbine option is subject to the metrological mast results amongst other reasons and this is estimated to be available towards the end of 2013 once a twelve month long study has been completed.
- 4.9 A drawing at Appendix 4b shows the most appropriate combination of technologies on the site, in terms of financial revenue return. This is shown as 18MW of wind and 31MW of solar as the site can generate a combined technology of 49MW.
- 4.10 It should be noted that the technology combination may vary if the future wind planning submission does not secure the full 18MW. For example, if 12MW of wind is approved, the solar construction will increase to 37MW, totalling a combined level of 49MW. The future wind application will not affect the initial 49MW solar planning proposal (see planning strategy below). Proposals on the development of wind turbines on this site will be set out in a further report to be presented to Cabinet during 2013.

5. WORK UNDERTAKEN SINCE THE 10 JULY CABINET REPORT

- 5.1 Prior to the report being submitted in July, preliminary project appraisal studies were undertaken at a high level. Work continues involving a series of studies and surveys to identify the environmental and physical features that would constrain development on the three sites and determine the maximum capacity and developable area for both solar and wind technologies. These main potential constraints are listed below:

5.1.1 Technical Considerations:

- Grid Connection
- Aviation and Radar Impacts
- Site access for construction / traffic impacts
- Wind turbulence from vegetation and buildings
- Ground conditions

5.1.2 Commercial Considerations:

- Tenant holdings
- Quality of agricultural land

5.1.3 T Environmental Considerations:

- Ecology
- Ornithology
- Flood Risk
- Shading from vegetation and buildings
- Archaeology
- Landscape
- Noise

5.2 The project appraisal studies have been conducted through meetings with stakeholders, site visits and a series of desktop assessments. In addition, a desktop assessment of the potential solar energy yields at each of the sites has been undertaken as well as technical engineering and design work. This work has enabled site design layout plans to be formulated that, subject to approval from Cabinet, would form the basis of the planning application submissions for the solar panels.

5.3 Whilst 3000 acres were assessed as part of the proposals, it has been determined that less land is required to achieve the desired energy and financial output. Although subject to some variation as the designs are finalised, it is anticipated that the land needed will be in the region of 900 acres. It is important to stress that further studies as referred to in the sections below, will still need to be carried out if Cabinet accepts these recommendations.

5.4 The total land area of 3000 acres has twenty two individual tenancies. Of the 900 acres identified for potential renewable energy development, nine tenancies will be impacted by the Council's plans.

5.5 Concerns have been raised since the previous Cabinet meeting about the impact on the tenant farmers, and therefore details of the tenancies affected are shown in the table included at Appendix 7, to allow further discussion and consideration of this issue.

5.6 The Council does not have detailed information about the crops grown as the tenants are under no obligation to provide this information, and it changes from year to year, however it is understood that the majority of tenants do grow food crops.

5.7 Each of the three sites are currently undergoing the following surveys:

5.7.1 Archaeology and Heritage Assets

All three sites have no or negligible sites of known archaeology within their site boundaries. Council plans a combination of geophysical and intrusive archaeological evaluation that will be carried out in November/December 2012.

5.7.2 Ecology and Ornithology

Due to the relative proximity of all the three sites to the Nene Valley Washes Ramsar, Special Protection Area (SPA) and Special Site of Scientific Interest (SSSI) site Council is undertaking field survey work to establish any potential impacts of the development on the local habitat. If and where there is activity noted by a particular species, minimum buffers of between 30m to 50m will be introduced into the layout of the development. Results of surveys and mitigation undertaken will be submitted with the planning applications.

5.7.3 Minerals and Waste

All three sites are located within the Minerals and Waste Local Development Framework (LDF) safeguarded area and are identified as being within the Minerals and Waste Local Development Framework (LDF). However, as the proposals do not involve winning and working of minerals or waste management, this safeguarding will not be affected.

5.7.4 Flood Risk

All three sites are either wholly or partially located in Flood Zone 3. Informal consultation with the Environment Agency has indicated that there are no significant issues with placing the solar arrays in Flood Zone 3, and this will be confirmed prior to work commencing. Where there are drainage channels across the site, these will affect the area of panels that can be designed for the site(s). However, a formal drainage scheme/design is not required as existing surface water regimes would not be altered and surface water would continue to infiltrate as per the existing situation

5.7.5 Landscape

All three sites are not located within any landscape designations however a design and mitigation strategy would be submitted with the planning applications. This would set out how the existing landscape fabric at site level would be preserved, to help integrate the development within the surrounding landscape context..

5.7.6 Transportation

It is to be noted that the transportation required for the development of ground mounted solar will not adversely impact traffic around the sites for prolonged periods.

The following section deals with site specific issues.

America Farm

- 5.8 The America Farm site comprises approximately 40 hectares (100 acres) of flat, arable farmland. The majority of the site is classed as Grade 1 and 2 agricultural land.
- 5.9 The initial assessment, set in the cabinet report dated 10 July 2012, detailed that this site was capable of producing 16MW of electricity through the installation of solar panels. The development of wind turbines on this site was discounted due to the location of private dwellings within a 500m buffer zone. The 16MW was a high level calculation and now that the site's constraints have been identified, as detailed above, it is considered that up to 8MW of electricity is the maximum output that would cover the main area of America Farm. Despite this, the site remains financially viable for this development. A plan showing the solar panel layout on the site is given at Appendix 2a.
- 5.10 The equipment will generally comprise the installation of photovoltaic panels, associated boundary fencing, security and CCTV cameras, site access and associated electrical infrastructure including electricity sub-station, inverter units and a transformer compound. Concerns were raised at the Council meeting on 10 October 2012 about security at the

site, but the proposed design and costs include security features and it is not anticipated that the installation will be at high risk of vandalism or theft. A landscape and visual impact assessment will be prepared to support the planning application. It will set out measures, such as additional hedges and landscaping, to mitigate the impact of the development on the surrounding landscape, if this is deemed necessary.

- 5.11 The site is traversed and bounded by a series of land drainage channels and these will be subject to a minimum of 10m buffers from their edge to protect the natural habitat.
- 5.12 There are several buildings associated with America Farm with the potential to support natural habitats. A minimum 50m buffer will be provided from these buildings to avoid any potential impact from construction.
- 5.13 America Farm is occupied by a single tenant. The proposed development of the site would mean that the tenant could no-longer farm the land. Options relating to compensation and future options are being actively explored with the tenant
- 5.14 The principal constraint of the site at America Farm is the capacity of the grid, which will restrict power generation from the solar farm to a maximum of 8MW. This could be subject to small degree of change after detailed negotiations take place with UK Power Networks (UKPN), the district network operator for electricity in this area, in the next 6 months. The connection for the power generation will be to an existing 11kv connection along Oxney Road to Peterborough East primary station.
- 5.15 The Council have considered other developments in the area and their stages of development. There are currently no other known developments that will affect the grid connection. Therefore, at this stage, the impact on the grid connection is considered low. However, the technical capacity will be confirmed towards the end of 2012 after final discussions with UKPN.

Morris Fen, Thorney

- 5.16 Morris Fen, Thorney, comprises approximately 108 hectares (266 acres) of flat arable farmland. Two private houses, along with surrounding vegetation, are located off Black Drove, which forms the southwest boundary of the site, and a golf course is located to the south of the site. The whole site is classed as Grade 2 agricultural land.
- 5.17 The initial assessment detailed in the July cabinet report concluded that this site is capable of producing up to 40MW peak of solar renewable energy generation. However, factoring constraints detailed below, it is considered that an initial layout with a capacity of up to 27.0MW for solar PV could be achieved. The layout of the panels would be similar to that set out above for America Farm. A plan of showing the proposed solar panel layout is given at Appendix 2b.
- 5.18 The golf course has a line of mature trees. Therefore, a 30m buffer zone should be incorporated into the design to prevent any shading of the solar panels from the tree canopy or its shadow.
- 5.19 Thorney Lodge is a Grade II listed building located directly adjacent to the southwest of the site. Impacts on its setting will be fully detailed and assessed as part of the planning application submission. Our assessment will also involve discussion with English Heritage.
- 5.20 A minimum 50m buffer is required from three buildings and four trees on site to avoid construction impacts on natural habitats.
- 5.21 Morris Fen is currently subject to four separate tenancy agreements, three of which are held by the same family. The development of a solar farm would mean that the site could not be farmed for arable crops for the lifetime of the project. The farmers would be

compensated in line with the terms of their tenancy agreements and other options to help minimise the impact on the farmers are being explored.

- 5.22 To the north of the site there is a high-pressure gas main and so, the design has positioned the panels and turbines the required buffer distance of 5m either side of the utility. The cost of underground cabling has been accounted for within the financial model.
- 5.23 The development of this site would require a new substation connecting into the existing overhead line cables. This substation will allow the Council to link both Morris Fen and Newborough sites into a single connection. This is a more efficient and economic approach than the two connections proposed in the July cabinet report. The substation will be sized to enable the connection of all capacity that could be developed across both the Morris Fen and Farms at Newborough. It is expected that it would be sized to accommodate up to 100MW of connected capacity.
- 5.24 The proposal will include the removal of up to 5 overhead towers across the site, with the cable being taken underground along the south east edge of the site, freeing the area for solar development. The costs of underground cabling have been accounted for within the financial model.
- 5.25 This substation will then connect to the 132kv line part of the Walpole grid group. The works for this site are estimated to take place around Summer 2014, due to the lead time required by the National Grid and UKPN. Investigations are ongoing to determine whether this connection could be made earlier.

The Farms of Newborough

- 5.26 This site comprises of approximately 1066 hectares (2630 acres) of flat, mainly arable farmland. The site area boundary is shown at Appendix 1. The site area is located approximately 5km east of Peterborough and 1km south of Crowland. It comprises arable fields, bounded to the south by the B1443 (Thorney Road) and the west by Peterborough Road South. There is one private farm, Hill Farm, located within the development site, with a variety of properties intermittently located around the perimeter.
- 5.27 Whilst the Farms of Newborough is classed as Grade 2 agricultural land, there are some smaller areas of Grade 1 agricultural land. However, the area identified for the proposed plant is on Grade 2 agricultural land. There are two public rights of way within the site; a footpath in the north and another public access route in the west.
- 5.28 Although the cabinet report dated 10 July 2012 identified all the land at the Farms of Newborough as potentially providing renewable energy development, it was never the intention to develop all of the land. The current proposal is develop up to 49MW of electricity on this site, because a development of more than 50MW would result in any future planning application being determined by the Planning Inspectorate and not the Local Planning Authority. The Planning Inspectorate route would add up to 18 months to the planning process
- 5.29 Subsequent work has allowed the exact location of the development site to be determined within the wider site. This site chosen would take up approximately 203 hectares (501 acres) of land and represents 20% of the total available within the council's land holdings at Newborough. The following were taken into account during site identification:
- (i) it is closest to the point of connection with the grid at Morris Fen and therefore reduces connection costs,
 - (ii) archaeological desktop reviews have highlighted that this area of land has the least archaeological interest,
 - (iii) due to its relative lack of hedging and woodland it has the least potential ecological sensitivities, and
 - (iv) the site affects a small number of tenancies where the leases are mainly short term.

- 5.30 The proposals for solar panels will be designed to have minimal impact on the surrounding residential properties. A buffer zone will be considered as part of the design and layout of the panels and will depend on the advice given by the Local Planning Authority. The Council is also consulting with residents to understand future options, and the residents' concerns. The proposed solar panel layout can also be seen at Appendix 2c.
- 5.31 The Council's proposal will affect six, of the nineteen tenants directly who are on a variety of tenancy agreements. One of the six tenants is minimally affected by the position of a single wind turbine whilst a second tenant is retiring in October 2013. The four remaining tenants are affected by the solar and wind proposals in various levels due to individual operations.
- 5.32 The Council has commenced discussions with the farmers identified as being affected by the proposals. This is to establish initial views and develop solutions that may allow the farming businesses to continue on the land at Newborough. Other options to help minimise the impact on the farmers will continue to be explored in order to maintain the long term farming strategy.
- 5.33 It is proposed that the electrical connection to the site will be underground in the B1443 verge (Bukeham Road) to the new Morris Fen substation as discussed in 5.23. This will connect to the 132kv line, which is part of the Walpole grid group. The works for this site will not take place until a likely period of summer 2014, as the National Grid and UKPN require a long lead time to plan the scheme. Investigations are ongoing to determine whether this connection could be made earlier.

6. PLANNING APPLICATION STRATEGY TIMESCALES

- 6.1 The planning application strategy for the development of solar farms is broken down into a number of key stages.
- 6.2 As part of the council's planning submission it will actively seek the opinion of the local planning authority (LPA) through a request for a pre-application meeting allowing key consultees to feedback on Council proposals. This will also help council to understand what their issues are and seek resolution at an early stage of the process, thereby limiting any abortive work and saving time and money later on in the process.
- 6.3 The first set of submissions containing the results of project appraisal studies and surveys, involves a request for a 'Screening Opinion' from the Local Planning Authority. A Screening Opinion will establish whether the solar farm developments proposed in this report will be subject to an Environmental Impact Assessment (EIA) under the Town and Country Planning (Environmental Impact Assessment) (England) Regulations 2011. An EIA would be required if the developments are deemed to have significant effects on the environment.
- 6.4 The outcome of the screening opinions will determine which of the two planning scenarios set out below is adopted:
- (i) Scenario 1: If the LPA determines that the solar development(s) are not likely to have significant effects on the environment and, hence, EIAs are not required. Council will prepare and submit all three solar planning applications in December 2012 as detailed in this report. In this scenario, construction of the plant would start in July 2013.
 - (ii) Scenario 2: If the LPA determines that an EIA is required as the proposals are likely to have significant effects on the environment, Council will prepare and submit planning applications in two phases. The first phase will be to revise the proposed solar farms layouts. This will enable the submission of three separate planning applications in December 2012. A second phase of solar planning applications

would then be submitted in by the end of March 2013 supported by EIAs, which would take the build out of the solar PV panels up to the total outputs given in this report. In this scenario, the earliest that site could start to be developed is November 2013. A timetable detailing key dates for each scenario can be seen at Appendix 5.

- 6.5 The above strategy does not include details in relation to wind turbine development. However, the current proposal for development of both wind and solar can be seen overall at Appendix 3 and in further detail at Appendix 4a and Appendix 4b. It is also worth noting that a planning application was registered on the 26 September 2012 for the installation of a meteorological mast at the Newborough site. Once erected, this mast will measure and compile wind data, which will help inform any future wind turbine planning application.
- 6.6 The planning strategy for the wind element of the proposal set out in the report will be presented in a report to Cabinet in 2013.

7. CONSULTATION STRATEGY

- 7.1 The Council is currently preparing a Consultation Strategy document that will be available to the public on the Council's website in November 2012. The purpose of this Strategy is to explain how PCC will consult and engage with the wider community, and the residents in the affected areas, on the proposals and results of the studies. This will be done in a number of ways; online surveys and comments forms, exhibitions, and through meetings. The public will be invited to attend consultation events through an integrated awareness-raising plan that will include advertising and local media, e-newsletters for those who have signed up for more information and via direct mail. This is set to launch the first week of November and is subject to Cabinet approval.
- 7.2 The Council's Statement of Community Involvement (2008) (SCI) sets out how the Council will involve residents, businesses, parish and neighbourhood councils, groups and organisations in making decisions on planning applications. It also encourages developers to consult with the community on major and sensitive developments in the City. The consultation process will inform the submission of the planning applications. Furthermore, as part of the suite of planning documents, a community involvement statement will be prepared which will set out all the issues raised and how they have been addressed.
- 7.3 The first stage of the consultation process has already commenced. Letters have been sent to the tenant farmers on the three sites advising them of the proposals and how they will be consulted going forward. There have been two meetings with the National Farmers Union (NFU). The NFU is a key consultee in the process and the Council would like to work with them throughout this project as it is recognised that they will need to keep their affected members up to date.
- 7.4 There has also been attendance at local group meetings. Meetings were held with Newborough Landscape Protection Group at Thorney Golf Club on 4 September 2012, and the Newborough Parish Council meeting at Newborough Village Hall on 15 October 2012, to listen to concerns and respond to the many questions raised by the tenant farmers and local residents.
- 7.5 Media briefings have been conducted with local newspapers, television and radio stations. Briefing notes have been prepared for the media, as well as a questions & answers' briefing note which will be kept updated on a monthly basis.
- 7.6 The next key step will be to arrange a seven day drop-in exhibition in the city centre in November 2012 to introduce the public to the project and provide an update on Peterborough's aspirations to be Home of Environment Capital. This will be accompanied by local drop-in events in close proximity to each of the three sites. The Council will also be

engaging with local groups and affected members so that early feedback can be received on the initial proposals before moving into detailed design and development.

- 7.7 Also, as part of the consultation exercise, the Council will ensure that as many communication channels as possible are developed and used to keep all parties involved and informed as the proposals progress. The Council will be establishing a dedicated website featuring all information available on the proposals, as well as an email address (renewables@peterborough.gov.uk) for all parties to use should they have any enquiries. The Council will also be routinely communicating updates and information using traditional and electronic newsletters, posters and exhibition events where interested parties will be able to visit and talk to Council officers and representatives from the consultant team undertaking the work.

8. FINANCIAL MODELLING OVERVIEW

- 8.1 There are currently two options being considered where the proposal for development is as follows:

TABLE 8.1	Option 1		Option 2	
	Solar	Wind	Solar	Wind
America Farm	8MW*		8MW*	
Farms of Newborough	49MW*		31MW***	18MW**
Morris Fen	27MW*		25MW***	9MW**

N.B

* subject to final design layouts and consultation

** subject to met mast data and further investigations / consultation

*** solar levels are for the best financial case and will increase if wind generation reduces – see 4.10 for additional information

- 8.2 In the July cabinet report there was a third option which proposed either solar or wind at each site. It was considered that this third option was not viable as a proposal as it did not fit well with the strategy for the development of the sites, because, if the proposal for wind turbine development is approved then the Council would achieve the best result by developing wind turbines on sites and surrounding them with ground mounted solar PV panels.
- 8.3 Initial financial modelling has been undertaken by Davis Langdon and Deloitte for the three solar farm sites. This has been broken down into two phases should it be proposed that some of the development of solar panels require an Environment Impact Assessment. The financial summary of each of the options is set out below with further information set out in Appendix 6.

TABLE 8.2	Option 1 £m	Option 2 £m
Total project costs and income		
Capital Repayment	141.3	151.9
Operating Costs	107.4	113.3
Interest	86.2	88.6
Total costs	334.8	353.8
Income – ROC	124.9	150.5
Income – PPA	240.6	317.5
Total income	365.5	468.1
Net Income	30.7	114.2
Net position in first 5 years (+ denotes net surplus)		
2012/13	-0.07	-0.11
2013/14	-0.23	-0.36
2014/15	0.49	-0.01
2015/16	1.63	3.84
2016/17	3.03	8.12
Potential C02 displaced		
Tonnes / annum	36,730	59,279

8.4 NOTE: The figures remain at a high level and the financial model will be subject to further refinement as the project develops and negotiations take place. These are detailed below:

- 8.4.1 Refinement of costs as negotiations on costs such as unit pricing is developed. In addition, refinement of income as prices for sale of energy are negotiated.
- 8.4.2 The current financial model is based on the lower tariff proposed by DECC of 1.5 (Renewable Obligation Certificate) ROCs per MWh. It also only uses the base rate of £38 per MWh as there is uncertainty around the additional trading element.
- 8.4.3 An estimate for the cost of business rates is included within the financial model. Where Government propose to localise business rates, some of the income will be retained by the Council. This will further improve the return to the Council. The cost of business rates included range from £343k to £649k in the first whole year of operation.
- 8.4.4 Loss of rental income from the proposed sites (which is in the region of about £71k per annum) is included within operating costs as shown in table 8.2 above. However, it is anticipated that some land may still be available for farming but also an offer of other land can be made to some tenants, which could reduce the potential loss of rental income. These options have the potential to further improve the return to the Council, however, a prudent approach has been taken until such discussions have taken place and agreements reached.
- 8.4.5 Within 'capital repayment' there is an allowance for the proposed grid connection costs where further discussion with UKPN is required before these costs can be accurately costed. However, it is believed that the amount is sufficient in respect of the works to be carried out.
- 8.4.6 There is also an amount set aside for compensation payments within 'capital repayment'. It is anticipated that both tenants and some private residents will be impacted by the proposals. The amount set aside is considered suitable based on

discussions and advice received to date. However, it is accepted that further assessment of private residents is required before compensation can be determined accurately.

- 8.4.7 It is to be noted that there is intention to enter into discussions with Parish Councils in respect of 'Community Funds' and how these can be of benefit to those villages impacted by the proposals. An element of cost is anticipated within the budget for operation and maintenance. However, this budget cannot be refined until negotiations have been entered into for all expenditure streams anticipated within this budget.
 - 8.4.8 The projections assume increase in costs and income in accordance with RPI. This has been assumed at 3.68% for 4 years and then at 2% for the remainder of the project term. This will be reviewed on a regular basis and may impact on projections should it be felt necessary to amend the projections.
 - 8.4.9 The financial models are in accordance with expected project delivery timescales as per the attached timetable shown at Appendix 5. It should be noted that should the timescales change for any reason that the model will require adjustment in accordance with those changes.
 - 8.4.10 Full life cycle costs have been taken into account within the financial projections which include responsible decommissioning and recycling costs. These are located within operating costs and will form part of the negotiations with potential contractors where it is anticipated that an amount will be set aside in order to carry out these works at the end of the project lifetime.
- 8.5 It was proposed in the previous cabinet report that the project meets the criteria for Invest to Save funding. There is no change to this proposal at this point in time. Currently, the costs of Option 1 are in excess of the £100m allocation (which means extra income will be generated). No arrangements will be put in place until after planning permission has been received. Appendix 5 indicates that this will be after the Council approves a new Medium Term Financial Strategy. The refresh of this strategy will include the appropriate Invest to Save budget.
- 8.6 The financial estimates, as per the previous cabinet report, are based upon the assumption that the build out of the respective ground mount solar and wind energy projects are done so by the Council. It is anticipated that the projects may be built out by the Council's ESCO – Blue Sky Peterborough Ltd ("BSP"). Potential tax and VAT liabilities may be applicable to the projects in such a scenario. The Council is working with its advisers to ensure that any tax or VAT liabilities and impact are minimised. Delivering projects through BSP will provide the Council with the opportunity and flexibility to maximise the commercial benefits over the longer term.

MAIN RISKS TO THE BUILD OUT OF SOLAR PV FARMS

Risk Identification				Risk Analysis			Risk Management		
No	Type	Risk Description	Consequence	Likelihood	Impact	Risk Status	Management Actions Taken	Management Actions Planned	Risk Owner
1	Business Case	Extraordinary changes to incentive regime published by DECC	Viability of business case threatened in terms of revenue generation	L	VH		Financial models utilise relevant and published incentive levels for business case	Consult regularly with DECC and drive for delivery as soon as possible	BSP
2	Business Case	Electricity Market Review impact - change of incentive from ROC / FIT to FITCfD requires renegotiation of PPA.	Viability of business case threatened in terms of revenue generation	L	VH		Ensure plants operational before introduction of FIT CfD and secure PPA's for mid rather than long term	Consult regularly with DECC and drive for delivery as soon as possible	BSP
3	Business Case	Changes to Uniform Business Rates of Wind Farms due to regulatory changes	Viability of business case threatened in terms of increase in operational expenditure requirements	L	L		Monitor DECC position, lobby if necessary. Ensure completion of projects within time frames specified	Continue to drive for completion of project	BSP
4	Business Case	Technology hardware price volatility / supply shortage	Viability of business case threatened in terms of increase in capital requirements	L	VH		Close monitoring of supply demand issues - link to item 69	Early engagement with current suppliers - ensure early industry benchmarking is undertaken	BSP
5	Business Case	PPA on-sell price lower than purchase price of power	Viability of business case threatened in terms of revenue generation	L	L		Energy price inflation currently forecast at 7.4%.	Develop relationships with energy brokers to ensure close monitoring of prices at time of negotiation.	BSP
6	Business Case	License Lite (if applied for) requires renegotiation of secured back to back PPA	Viability of business case threatened in terms of revenue generation and / or License Lite application	L	L		License Lite application still to be decided.	Back to back PPA allow for renegotiation to accommodate this scenario	BSP
7	Business Case	Tenant farmer liaison is ineffective	Affects on publicity of the scheme	M	H		Strategy developed / tenant farming options has been drafted and are being reviewed	Using lessons learnt to date instigate better communications with the tenants going forward	PCC
8	Planning	Planning permission not forthcoming or significant amendments required for the solar scheme and wind schemes	Project is cancelled	L	VH		Feasibility study underway to assess options and viability	Deliver a comprehensive planning submission having undertaken the appropriate proactive consultation from November 12	AECOM/PCC
9	Planning	Local planning authority require an Environmental Impact Assessment that slows the delivery process	Project delayed	M	H		Build sufficient time in the project programme to cover this eventuality.	See scenario 2 detailed in section 6 of report	AECOM/PCC
10	Planning	Planning submission/permission is delayed due to the need by statutory consultees and the LPA to undertake and complete long term surveys before the applications can be determined	Project delayed	M	H		To liaise with the Planning Authority to identify planning issues at the earliest opportunity and put forward appropriate mitigation.	See section 6 of report	AECOM/PCC
11	Planning	Planning permission could be challenged by 3rd parties	Project delayed	M	VH		Ensure that the council's procedures for determining planning applications and all relevant legislation is strictly adhered to minimize risk of challenge.		AECOM/PCC

9 MAIN RISKS TO THE BUILD OUT OF SOLAR PV FARMS CONTD.

Risk Identification				Risk Analysis			Risk Management		
No	Type	Risk Description	Consequence	Likelihood	Impact	Risk Status	Management Actions Taken	Management Actions Planned	Risk Owner
12	Technical	Grid connections do not meet the cost and programme requirements of PCC	Project is not financially viable or project is delayed	M	H		Grid strategy document produced. Undertaking detailed negotiations with UKPN - currently on plan	Ongoing discussions with UKPN on Morris and Newborough. Commence procurement options	AECOM
13	Technical	Flood zones on the sites affect the design	Affect the substation design for solar	M	M		Discussion with Environment Agency to assess sites	Design to integrate the need for flood protection in the substation	AECOM
14	Delivery	Failure to procure cost effective solar farm contractor	Revenue streams reduced and/or not viable	L	H		Financial models have been undertaken with the use of conservative data	Early engagement with the supply chain	BSP / AECOM
15	Delivery	Procurement of Wind Farm Developer through OJEU	Time taken to award delays start on site date	L	H		Early procurement strategy in Q1 13	Early engagement with the supply chain	BSP / AECOM
16	Delivery	Failure to procure cost effective wind farm developer through OJEU	Council sunk cost into development in terms of fees etc.	L	H		Council able to sell consented site / lease land to private sector to develop out, whilst retaining PPA of plant.	Early engagement with the supply chain	BSP / AECOM
17	Operational	Wind farms perform at sub P50 level due to lack of sufficient wind levels	Revenue streams for period below expectation and hence DSCR compromised	L	H		Redistribution of revenues generated from other assets at ESCo level. Consider insurance performance policy.		PCC
18	Operational	Theft / damage of PV panels / equipment relating to plant	Interruption to revenue generation	M	M		Strong O&M KPI's, sufficient security budgets	Investigate potential for insurance on performance / asset.	PCC

10. EXIT STRATEGY

- 10.1 At the end of the twenty five year period, the solar panels will still be generating up to 80% of the original capability. Consideration has been given on the options that will be available to the Council before the exit strategy can be decided upon. These options are as follows:
- continue with the scheme as maintenance costs will be minimal with energy still being generated and sold at the market rate providing additional income for the Council
 - replaced with other panels which will be dependent on the outcome of further studies undertaken at that point in time
 - remove the panels from the scheme and return the site to its previous use – costs will be funded from the revenue generated over the project lifetime
- 10.2 The financial model assumes that the sites will be decommissioned. However, it should be noted that this had not yet been decided. It is anticipated that Cabinet will want to consider all available options at a future point in time.
- 10.3 Assuming that the sites are decommissioned at the end of the twenty five year period, there is no reason (based on information currently known) why the sites could not be returned to agricultural use at that time, and indeed “resting” the land, or leaving it fallow, could potentially improve its quality and yield.
- 10.4 A question has been raised on the implications of terminating this project before the full twenty five year period. The implications cannot yet fully be explained as no contract has yet been entered into for installation, and much would depend upon the terms of any such contract. However, there are likely to be financial consequences for breach of contract, and more importantly, the earlier the project was terminated, the less likely it would be that a net profit would be generated after installation and decommissioning costs were taken into account.

11. REASONS FOR RECOMMENDATION

To enable the Council to progress its “green” agenda by developing renewable energy technologies, thus generating income through sale of energy, reducing energy costs, and reducing CO2 emissions. A two-staged approach to the build of solar farms is recommended in an attempt to ‘bank’ the higher levels of subsidy currently being offered by the government this financial year.

12. IMPLICATIONS

Financial: Financial implications are outlined in section 8 of this report.

Legal implications: these are discussed in the body of the report as necessary, and all additional legal implications of completing the developments as proposed will be considered when the delegated decisions requested in this report are made. All decisions will be made in accordance with legislation and regulations prevailing at the time that decisions are made.

Corporate Priorities: this proposal supports the Council in its aspiration to become home of Environment Capital.

Property: as set out above, the sites are currently subject to tenancy agreements. It will be necessary to deal with issues arising from tenancy agreements.

Planning: Applications for planning permission will need to be made and the strategy is set out in section 6 of this report. There is no guarantee that permissions will be forthcoming, or approved in their current format. This could have an impact on the financial profile of the projects. To minimise this risk there has been early engagement with the Planning Authority.

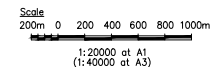
Procurement: It will be necessary to extend existing contractual arrangements for professional support such as legal, technical, environmental and financial support as set out in the recommendations.

13. ALTERNATIVE OPTIONS CONSIDERED AND IMPLICATIONS

- 13.1 The Council could decide not to proceed with the studies and potential development of the identified sites. If it chooses to do so, it loses a valuable opportunity to progress its development of green energy. At this stage, no credible alternative sites to those proposed have emerged.
- 13.2 If the Local Planning Authority concludes that the sites require EIAs, an alternative route forward would be to not submit any planning applications for the solar farms this December, and submit three planning applications at the end of March 2013 covering the entire build out detailed in this report. This route would mean that only one set of planning applications for the solar farms would be submitted which would bring cost savings. However, this option would not allow the Council to potentially benefit from receiving the higher tariff levels should planning permission be issued before the end of March 2013. It is therefore considered, on balance, that the staged approach is preferable.
- 13.3 The Council could decide to sell its agricultural land rather than use some of it for renewable energy purposes. The current value of the land is not high, and although land values are increasing, an outright sale is unlikely to achieve the best value for money from the land.
- 13.4 Arable Land in the East Midlands has an average value of £7,063 per acre. Based on a portfolio of 3,212 acres this gives an estate value of £22.6m. However this is very deceptive as it assumes vacant possession value. A more indicative way of valuing the farms estate would be to look at the yield and investment value, based on guidance from the RICS/RAC Rural Land Market Survey 2012. By using the net financial yield to establish value, the Council have an estate cost at approximately £10.1m assuming that the land is not sold with restrictions on use or existing tenancies. This equates to a value of £3,144/acre which is significantly lower than the regional average of £7,063.
- 13.5 It might be possible to achieve a higher value per acre than this, by selling the land in large blocks to adjacent farmers/investors who will be able to drive out economies of scale by farming large areas of land. The low land value resulting from the low yield is an indicator that the farms are not currently as productive as they could be, or that the land is less productive than the average values of land in the East Midlands. However it seems likely that sale of the whole estate would achieve a one-off sum in the region of £10m, which is significantly lower than the potential financial benefits of using some of the land for renewable energy (which also allows the land ownership to be retained), and has therefore been rejected

14. BACKGROUND DOCUMENTS

No additional document were used.



ISSUE/REVISION

IR	DATE	DESCRIPTION
31/08/12	Master Plan	

KEY PLAN

- Access Track
- Site Boundary
- PCC Land Holdings
- Solar panel rack with 6 PV modules (row per row (6 strings))
- Solar panel rack with 6 PV modules (row per row (2 strings))
- Construction Compound
- A15

PROJECT NUMBER

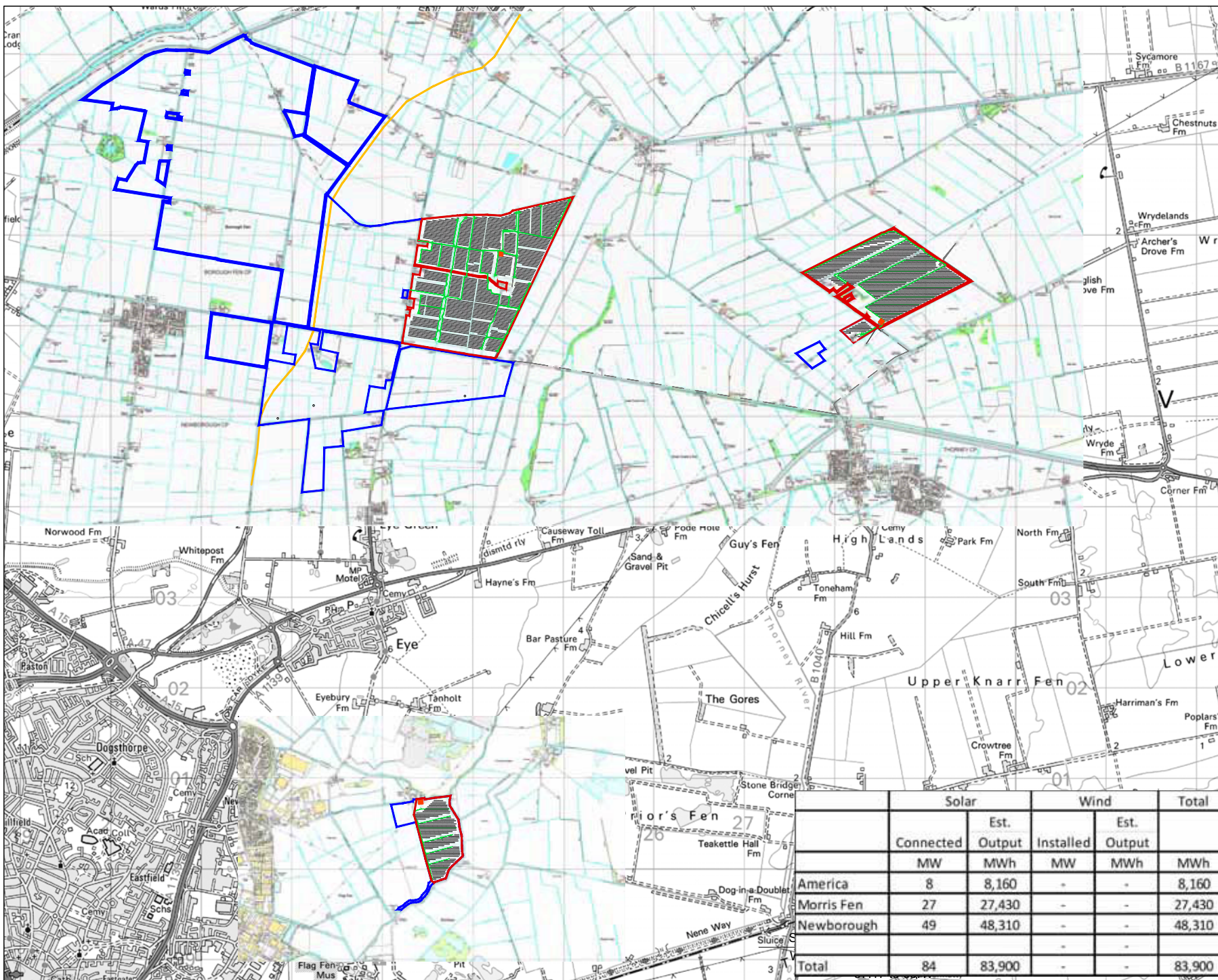
60271594

SHEET TITLE

ALL SITES
 SOLAR LAYOUT

SHEET NUMBER

60271594-ALL-PLA-154

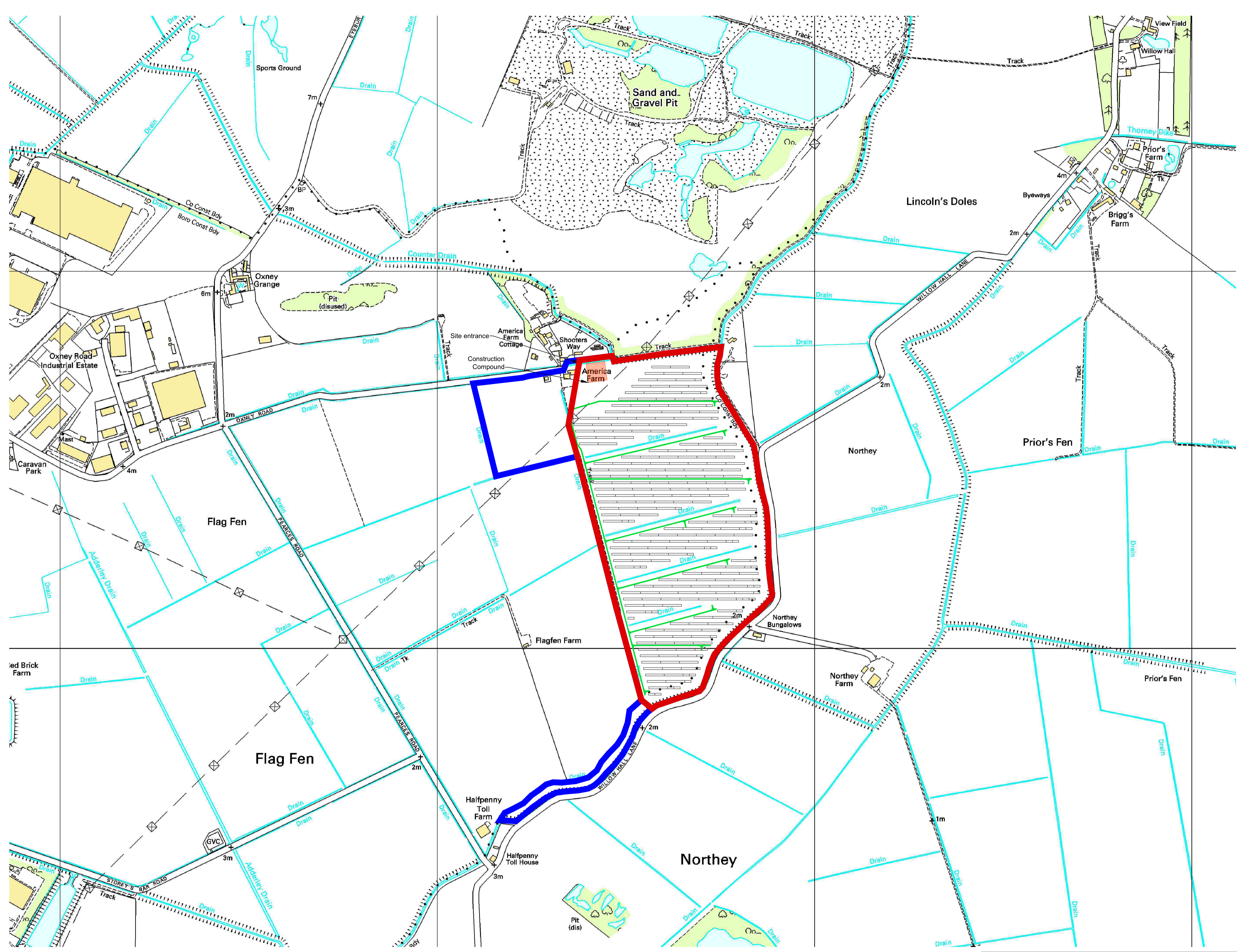


	Solar		Wind		Total
	Connected	Est. Output	Installed	Est. Output	MWh
America	8	8,160	-	-	8,160
Morris Fen	27	27,430	-	-	27,430
Newborough	49	48,310	-	-	48,310
Total	84	83,900	-	-	83,900

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	Capacity (MW)
Solar	8

Rack Size	No. of Racks	No. of Strings
50 x 5.2	247	1482
16.7 x 5.2	56	112
Total	303	1594



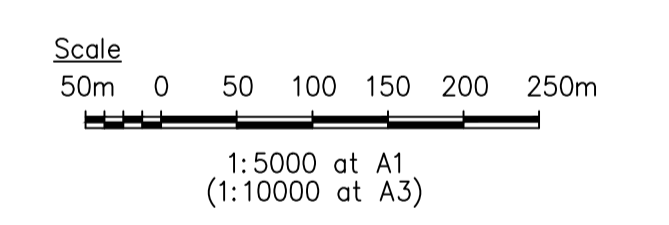
PROJECT
PCC RENEWABLE ENERGY PROJECT
 SITE S1
 AMERICA FARM



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NOTES
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 2 - UTILITIES SEARCH IS ONGOING AND WILL BE FINALISED ON FUTURE PLANNING DRAWINGS.



ISSUE/REVISION		
I/R	DATE	DESCRIPTION
	31/08/12	Master Plan

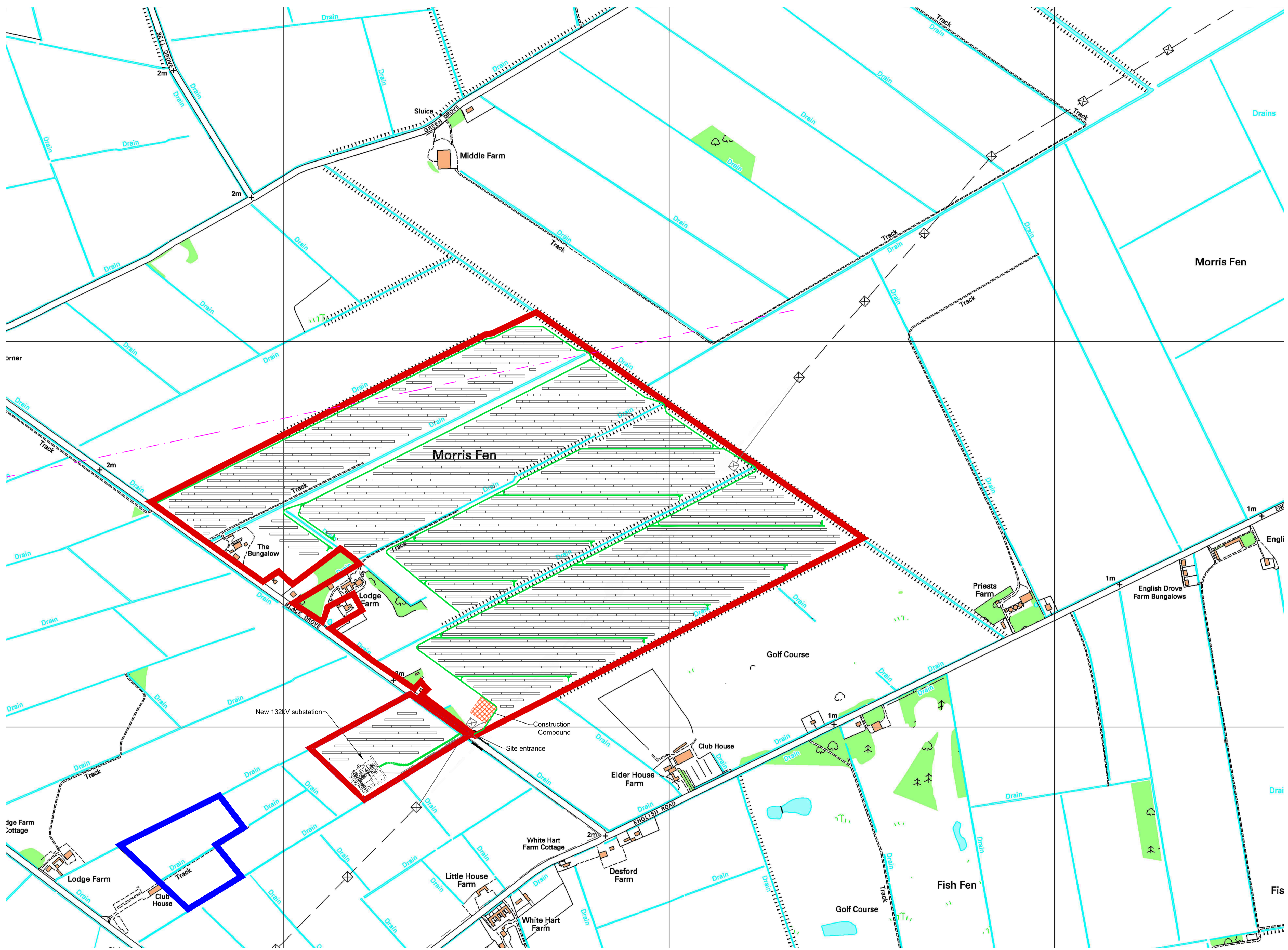
KEY PLAN

PROJECT NUMBER
 60271594
SHEET TITLE
 AMERICA FARM
 PV PANEL LAYOUT
SHEET NUMBER
 60271594-S1-ENG- 351

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PROJECT
PCC RENEWABLE ENERGY PROJECT
 SITE S2
 MORRIS FEN

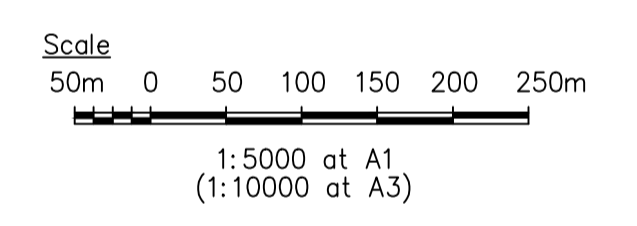
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ISSUE/REVISION

I/R	DATE	DESCRIPTION
	31/08/12	Master Plan

KEY PLAN

	Access Track		Gas Pipeline
	Site Boundary		Overhead Line
	PCC Land Holdings		
	Solar panel rack with 6 PV module lines per row (8 strings)		
	Solar panel rack with 6 PV module lines per row (2 strings)		
	Construction Compound		

PROJECT NUMBER
60271594

SHEET TITLE
MORRIS FEN
PV PANEL LAYOUT
OPTION - 2

SHEET NUMBER
60271594-S2-ENG-353

	Capacity (MW)
Solar	27

Rack Size	No. of Racks	No. of Strings
50 x 5.2	809	4854
16.7 x 5.2	126	252
Total		5106

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PROJECT
PCC RENEWABLE ENERGY PROJECT
 SITE S3
 NEWBOROUGH FARM



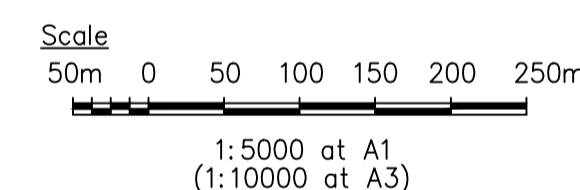
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ISSUE/REVISION

I/R	DATE	DESCRIPTION
	31/08/12	Master Plan

KEY PLAN

- Access Track
- Site Boundary
- PCC Land Holdings
- A16
- Solar panel rack with 6 PV module lines per row (8 strings)
- Solar panel rack with 6 PV module lines per row (2 strings)
- Construction Compound

PROJECT NUMBER

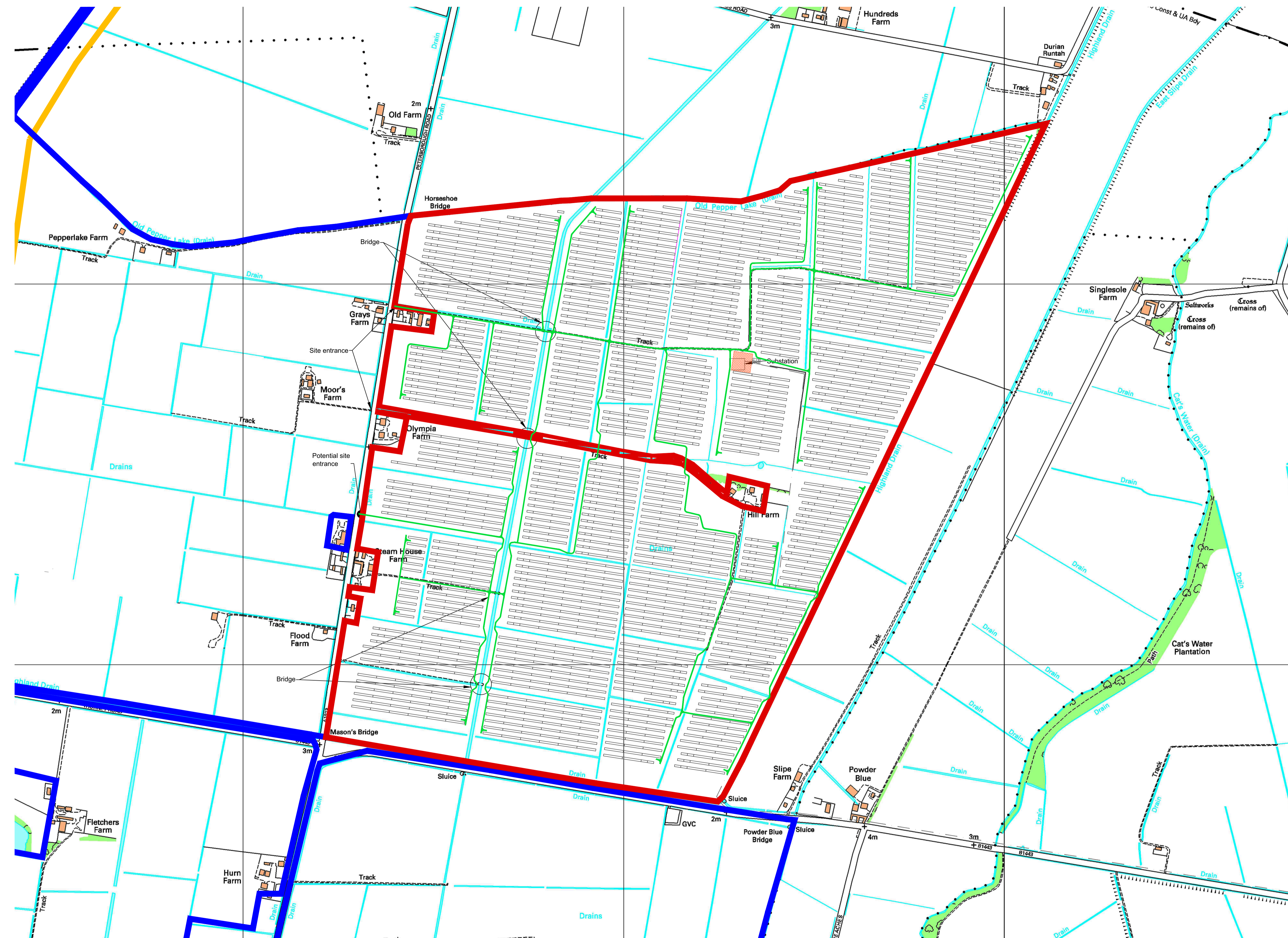
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SHEET TITLE

NEWBOROUGH FARM
PV PANEL LAYOUT

SHEET NUMBER

60271594-S3-ENG-356



	Capacity (MW)
Solar	49

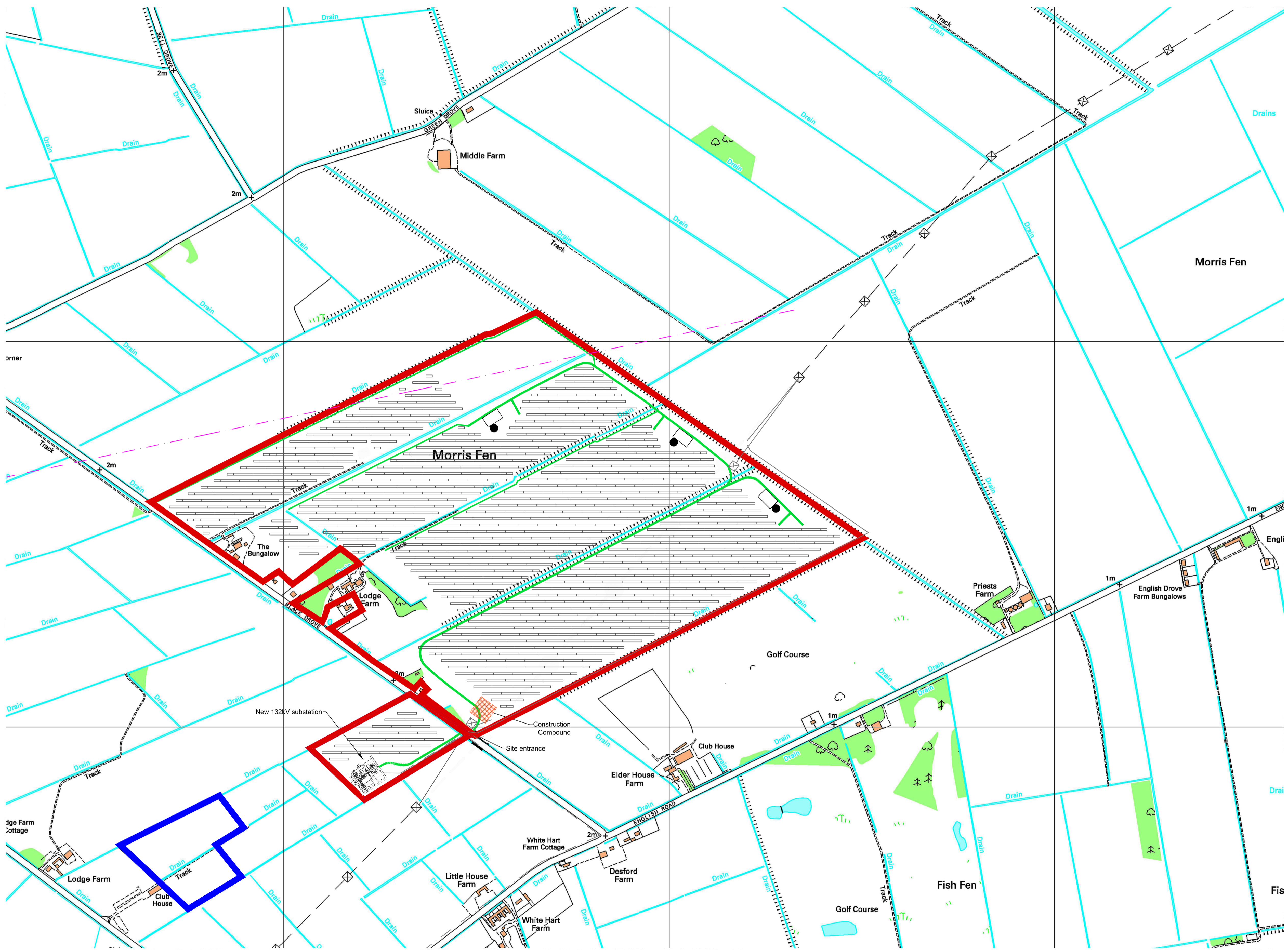
Rack Size	No. of Racks	No. of Strings
50 x 5.2	1479	8874
16.7 x 5.2	445	890
Total		9764

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PROJECT
PCC RENEWABLE ENERGY PROJECT
 SITE S2
 MORRIS FEN

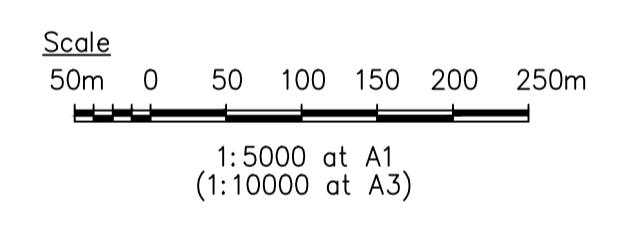
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- NOTES**
- 1 - THIS LAYOUT IS THE MOST FINANCIALLY VIABLE SCHEME FOR COMBINED WIND AND SOLAR.
 - 2 - THE FINAL SIZE OF THE SOLAR SOLUTION WILL BE DEPENDANT ON THE WIND APPROVED BY THE PLANNING AUTHORITY. IE LESS WIND WILL INCREASE THE SOLAR LANDTAKE TO A MAX OF 27MW.
 - 3 - LANDSCAPING DETAILS WILL BE DEVELOPED DURING THE PLANNING PREPARATION PERIOD AND WILL BE ON FUTURE PLANNING DRAWINGS.
 - 4 - UTILITIES SEARCH IS ONGOING AND WILL BE FINALISED ON FUTURE PLANNING DRAWINGS.



ISSUE/REVISION

I/R	DATE	DESCRIPTION
	31/08/12	Master Pan

KEY PLAN

	Access Track		Gas Pipeline
	Site Boundary		Overhead Line
	PCC Land Holdings		Wind Turbine and Crane Pad
	Solar panel rack with 6 PV module lines per row (8 strings)		
	Solar panel rack with 6 PV module lines per row (2 strings)		
	Construction Compound		

PROJECT NUMBER
60271594

SHEET TITLE
MORRIS FEN
PV PANEL LAYOUT
OPTION - 4

SHEET NUMBER
60271594-S2-ENG-355

	Capacity (MW)	Rack Size	No. of Racks	No. of Strings
Solar	25	50 x 5.2	740	4440
Wind	6 to 9	16.7 x 5.2	102	204
Total			842	4644

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PROJECT
PCC RENEWABLE ENERGY PROJECT
 SITE S3
 NEWBOROUGH FARM

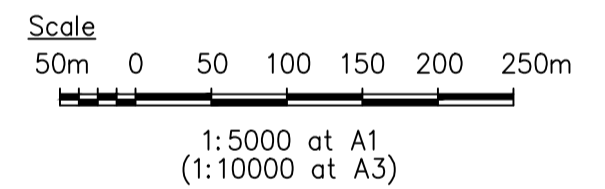


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3 - LANDSCAPING DETAILS WILL BE DEVELOPED DURING THE PLANNING PREPARATION PERIOD AND WILL BE ON FUTURE PLANNING DRAWINGS.
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ISSUE/REVISION

I/R	DATE	DESCRIPTION
31/08/12		Master Plan

KEY PLAN

- Access Track
- Site Boundary
- PCC Land Holdings
- Solar panel rack with 6 PV module lines per row (6 strings)
- Solar panel rack with 6 PV module lines per row (2 strings)
- Construction Compound
- Switch Station
- A16
- Wind Turbine and Crane Pad

PROJECT NUMBER

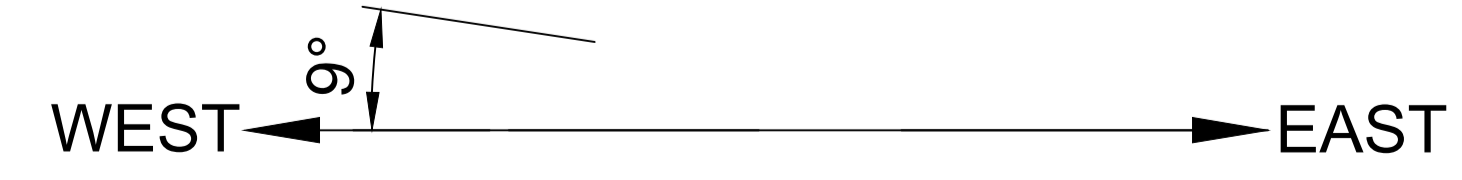
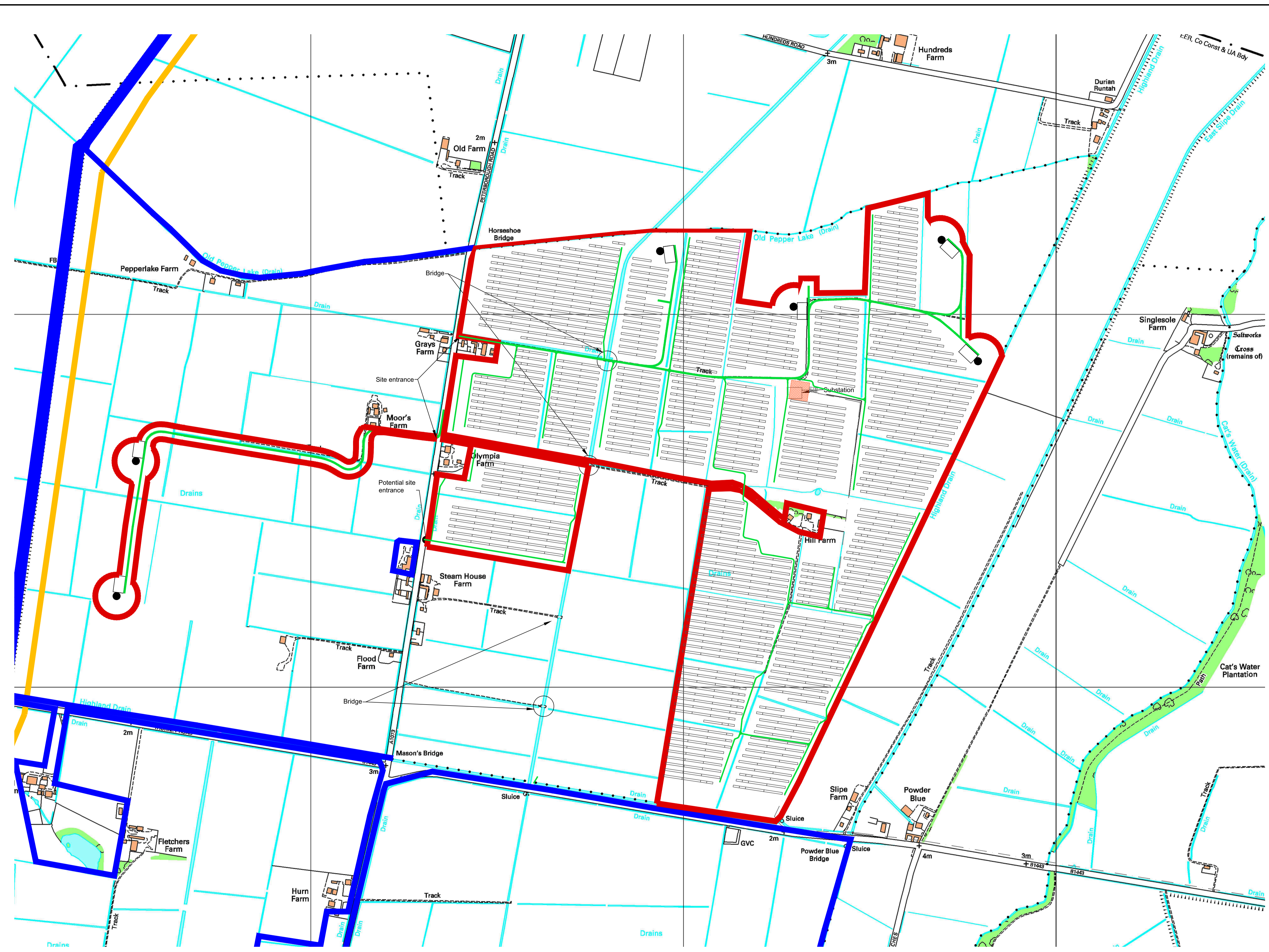
60271594

SHEET TITLE

NEWBOROUGH FARM
SOLAR & WIND LAYOUT

SHEET NUMBER

60271594-S3-ENG-358

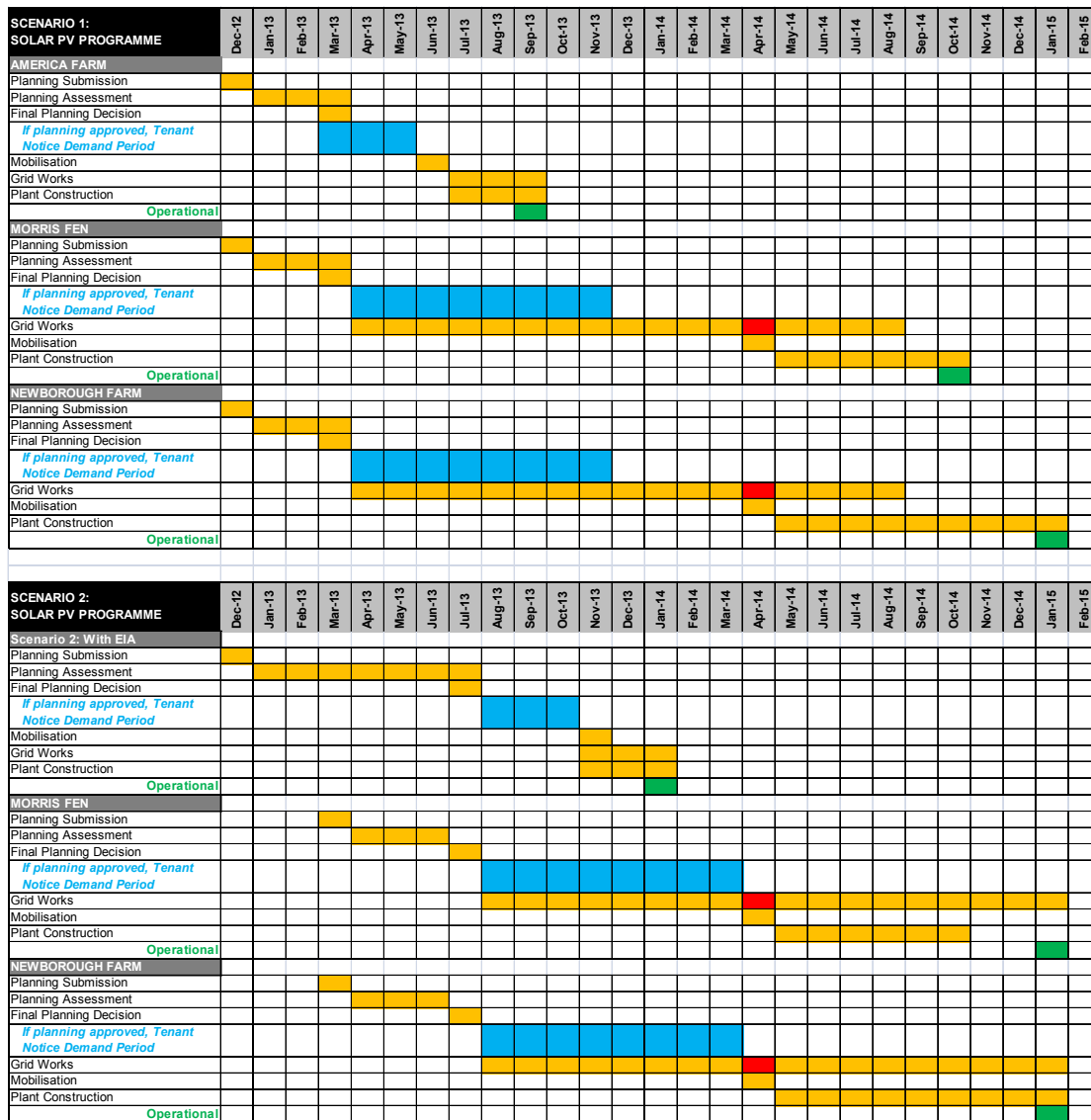


	Capacity (MW)	Rack Size	No. of Racks	No. of Strings
Solar	31	50 x 5.2	872	5232
Wind	12 to 18	16.7 x 5.2	319	638
Total			1191	5870

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Appendix 5.0



The above Gantt chart illustrates a high level summary of the programme dates of the three solar farms according to the two scenarios. It should be noted that the dates here are indicative only and are not fixed.

All planning approvals could be subject to judicial review which would further extend out the completion dates stated.

All grid works are subject to confirmation in terms of lead in, durations and commencement date. The Red item is a consistent, critical date in that it is when the grid connection works are sufficiently progressed to enable the plant construction to commence. This date is still to be fixed as it is the District Network Operator, UKPN that will determine when that date is.

The following pages provide Gantt charts for individual farms under both scenarios. The Caveats stated above apply to these too.

AMERICA FARM SOLAR PV PROGRAMME	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14
Scenario 1: No EIA															
Planning Submission	Yellow														
Planning Assessment		Yellow	Yellow	Yellow											
Final Planning Decision				Yellow											
<i>If planning approved, Tenant Notice Demand Period</i>				Blue	Blue	Blue									
Mobilisation							Yellow								
Grid Works								Yellow	Yellow	Yellow					
Plant Construction								Yellow	Yellow	Yellow					
Operational										Yellow					
Scenario 2: With EIA															
Planning Submission	Yellow														
Planning Assessment		Yellow	Yellow	Yellow	Yellow	Yellow	Yellow	Yellow							
Final Planning Decision								Yellow							
<i>If planning approved, Tenant Notice Demand Period</i>									Blue	Blue	Blue				
Mobilisation												Yellow			
Grid Works												Yellow	Yellow	Yellow	
Plant Construction												Yellow	Yellow	Yellow	
Operational														Yellow	

FARMS OF NEWBOROUGH SOLAR PV PROGRAMME	Dec-12	Jan-13	Feb-13	Mar-13	Apr-13	May-13	Jun-13	Jul-13	Aug-13	Sep-13	Oct-13	Nov-13	Dec-13	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14	Jul-14	Aug-14	Sep-14	Oct-14	Nov-14	Dec-14	Jan-15	Feb-15
Scenario 1: No EIA																											
Planning Submission	█																										
Planning Assessment		█	█	█																							
Final Planning Decision				█																							
<i>If planning approved, Tenant Notice Demand Period</i>					█	█	█	█	█	█	█	█															
Grid Works					█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Mobilisation																		█									
Plant Construction																			█	█	█	█	█	█	█	█	█
Operational																										█	█
Scenario 2: With EIA																											
Planning Submission				█																							
Planning Assessment					█	█	█																				
Final Planning Decision								█																			
<i>If planning approved, Tenant Notice Demand Period</i>									█	█	█	█	█	█	█	█											
Grid Works									█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█	█
Mobilisation																			█								
Plant Construction																				█	█	█	█	█	█	█	█
Operational																										█	█

Financial Model – Option 1

OPTION 1	America's Farm Solar	Newborough Farm Solar	Morris Fen Solar	Total
MW Installed	8	49	27	84
Capital Repayment	£m 13.8	£m 80.3	£m 47.3	£m 141.3
Operating Costs	10.1	62.8	34.5	107.4
Interest	8.4	48.6	29.2	86.2
Total Expenditure	32.2	191.6	111.0	334.8
Income - ROC	11.8	72.3	40.7	124.9
Income - PPA	22.8	139.3	78.4	240.6
Total Income	34.6	211.6	119.2	365.5
Net Income	2.4	20.0	8.2	30.7
Value	1.6	10.9	5.2	17.7

Financial Model – Option 2

OPTION 2	America's Farm Solar	Newborough Farm Wind	Morris Fen Wind	Newborough Farm Solar	Morris Fen Solar	Total
MW Installed	8	18	9	31	27	93
Capital Repayment	£m 13.8	£m 27.8	£m 15.3	£m 50.5	£m 44.5	£m 151.9
Operating Costs	10.1	19.1	9.7	40.3	34.2	113.3
Interest	8.4	14.2	7.9	30.6	27.5	88.6
Total Expenditure	32.2	61.2	32.8	121.4	106.3	353.8
Income - ROC	11.8	34.8	17.4	45.8	40.7	150.5
Income - PPA	22.8	85.4	42.7	88.1	78.4	317.5
Total Income	34.6	120.2	60.1	133.9	119.2	468.1
Net Income	2.4	59.1	27.3	12.5	12.9	114.2
Net Present Value	1.6	26.42	12.1	7.1	7.3	54.4

Tenancy Implications

	Length of tenancy	Type of tenancy	Has tenancy already terminated tenancy?	Does tenancy include residential accommodation?	Is this core business to tenant?	Total Hectares?	Total Acres?	Acres needed for renewable energy?		Will any farming be able to continue on the site?	If not is alternative land available to the tenant?	Is compensation payable to the tenant?
								(i) solar max	(ii) solar and wind combined			
Farm 1	1 Year	Short Term FBT	No	No	No	66.4	164	164	150	No	No	No - tenancy due to end automatically October 2013
Farm 2	1 Year	Short Term FBT	No	No	No	40.58	100	100	100	No - although tenant farms a further 192 acres	No	No - tenancy due to end automatically October 2013
Farm 3	1 Year	Short Term FBT	Yes - October 2013	Yes	Not applicable - tenant retiring	48.3	119	52	62	Yes	N/A	No - tenancy due to end automatically October 2013
Farm 4	Approx 10 years	AHA Retirement	No	No	No - additional income only	34.26	84	62	36	Yes	No	Yes
Farm 5	Approx 8 years	AHA Retirement plus Long Term FBT	No	Yes	Yes	49.71	123	123	0	Up to 123 acres will be available if wind development is approved.	Yes	Yes
Farm 6	Approx 11 years	AHA Retirement Tenancy	No	Yes	Yes	54.84	135	0	5	Yes	N/A	Yes
Farm 7	Approx 7 years	AHA Retirement plus Long Term FBT 2018	No	Yes	Yes	72.8	180	180	180	No	Yes	Yes
Farm 8	Approx 8 years	Long Term FBT to 2020	No	Yes	Yes	30.8	76	76	65	No	Yes	Yes
Farm 9	N/A	AHA Lifetime Tenancy	No	Yes	Yes	41.54	102	83	N/A	Yes	No	Yes

AHA Farm tenancy let under the provisions of the Agricultural Holdings Act 1988

As AHA. Tenancy runs for the lifetime of the tenant with no right of the landlord to terminate except in certain circumstances such as breach of tenancy and planning permission for non-agricultural use

Retirement Tenancy As AHA. Unique to Council small holdings where landlord and tenant agreed that the landlord may service notice to quit on the tenant reaching retirement age. Where tenancy includes a house, suitable alternative accommodation must be found in order to serve a valid notice.

FBT Farm Business Tenancy let under the provision of the Agricultural Tenancies Act 1997

Long Term FBT As FBT. Once initial term has expired then it runs from year to year until either party serves notice to terminate

Short Term FBT As FBT with less than two years. Tenancy ends automatically on the end of the term.

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CABINET	AGENDA ITEM No. 6
5 NOVEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Marco Cereste – Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environmental Capital	
Contact Officer(s):	John Harrison – Executive Director – Strategic Resources	Tel. 452520

COLLECTIVE ENERGY SWITCHING

RECOMMENDATIONS	
FROM : John Harrison – Executive Director – Strategic Resources	Deadline date : N/A
Cabinet is recommended to:-	
<ol style="list-style-type: none"> 1. Approve the Peterborough Collective Energy Scheme; and 2. Authorise the award of the contract for collective energy switching to IChoosr. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following a referral from CMT on 15 October 2012.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to provide background information to the Collective Energy Switching Initiative and to seek the Cabinet’s approval in relation to the recommendation of contract award.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, to take a leading role in promoting the economic, environmental and social well-being of the area.

3. TIMESCALE *(If this is not a Major Policy item, answer NO and delete second line of boxes).*

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	
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4. COLLECTIVE ENERGY SWITCHING

4.1 Background

Introduction

4.1.1 The cost of energy has significantly risen in previous years and continues to do so placing more financial pressure on all consumers in an already difficult financial climate. This has created tremendous strain on the authority, households and businesses alike and forced more households into fuel poverty. To address this, the government has looked at innovative ways in which the effect of price increases and fuel poverty can be mitigated through better purchasing methods. Collective purchasing and switching has been identified

as a means where consumers can collectively address these issues. The latest figures from Peterborough City Council's Neighbourhoods Team show that 10,264 households in the city are in fuel poverty, approximately 14 per cent of the city's housing stock. The definition of fuel poverty is when a household has to spend more than 10 per cent of their household income on fuel to keep their home in a 'satisfactory' condition.

What is collective energy switching?

- 4.1.2 Collective purchasing and switching occurs when a group of likeminded consumers band together to negotiate a better deal with their gas and electricity suppliers. There is no set model for how individual schemes operate, however this kind of activity is usually facilitated by a third party who works on your behalf. In general, collective switching is where a third party actively negotiates a better tariff on behalf of the consumers they represent. Collective purchasing is where the third party / collective is directly purchasing a commodity from the gas or electricity supplier.

Collective switching started in Holland and Belgium in 2008. To date over one million customers have switched using this initiative to get cheaper energy.

The Energy Summit – Autumn 2011

- 4.1.3 In Autumn 2011 an Energy Summit was held by the Department of Energy and Climate Change (DECC), Ministers were keen to build on the potential for consumers in the gas and electricity market to benefit from collective energy purchasing and switching, becoming more empowered as a result of greater leverage in the marketplace and thereby reducing energy costs as a result.
- 4.1.4 In order to explore this, a working group consisting of representatives from industry, consumer groups, interested third parties, the Independent Regulator, Ofgem and Government Officials met a number of times to see what potential there was for collective purchasing and switching models and review any barriers preventing consumers coming together to get a better deal. The Group was asked to undertake this and make its recommendations to Ministers to facilitate this in April 2012. The Group recommended that two fact sheets were to be produced by the DECC in conjunction with Consumer Focus, one to highlight key things for collective switchers or purchasers to consider, the other for organisations and individuals who might organise collective purchasing or switching for energy consumers to highlight key issues to consider when setting up the schemes.
- 4.1.5 In May 2012, the fact sheets were published following a round table meeting chaired by the Secretary of State, Edward Davey, at which industry and consumer representatives considered how to encourage more organisations to become involved in collective switching schemes.

Open Letter to Councils from the Secretary of State

- 4.1.6 In July 2012, the Secretary of State, Edward Davey sent an open letter to all Chief Executives of Local Authorities encouraging them into thinking how they might lead and facilitate community energy and bulk buying schemes.
- 4.1.7 Since the council is already actively promoting its own Renewable Energy Strategy and associated Energy Services Company (ESCo), in response to the Secretary of State's letter, the council, took the lead and contacted other local authorities across England to gauge the appetite to aggregate the purchasing power of several councils together, in a collective purchasing scheme with Peterborough City Council taking the lead in procuring and delivering the scheme. As a result of this, the following councils responded and made a commitment to being included into the initiative:

- Blackpool Council;
- Bolton Council;

- Cheshire West and Chester Council;
- Hertfordshire County Council;
- Hull City Council;
- London Borough of Havering Council;
- Luton Borough Council;
- Manchester City Council;
- Northumberland County Council;
- South Holland District Council;
- Stockport Council;
- Suffolk Coastal District Council;
- Trafford Council;
- Waveney District Council; and
- Wiltshire Council.

4.2 The Peterborough Scheme

- 4.2.1 The Peterborough Collective Energy Scheme will enable people from across the city, and from other authorities and communities in the UK, to join together as a single unit to negotiate cheaper energy bills.
- 4.2.2 The scheme would be open to each Authority's residents, commercial entities including Small Medium Enterprises (SME's) and also other commercial and corporate entities outside their administrative areas.
- 4.2.3 If the initiative is approved, the unique element above other previous schemes is that Peterborough would lead the UK's first ever collaborative scheme for collective energy switching. The local authorities listed, will join the city council as part of the scheme, which in total will open up potential savings to two million UK households covered by the local authority areas above.
- 4.2.4 In response to the rise of households in fuel poverty, the scheme will also be the first in the UK to allow residents who use pre-paid meters to register.
- 4.2.5 To participate in the scheme, residents will be invited to visit a new website or to contact the council to register their details free of charge, giving their current energy usage figures for gas and electricity.
- 4.2.6 The scheme will work by means of a reverse auction where energy suppliers will be invited to bid the lowest price to supply the energy to all those signed up for the scheme. Residents will then be sent an offer to switch provider and accept their new energy rates.
- 4.2.7 Collective energy switching schemes exist in the UK and have been proven to save households money on their energy bills. A scheme started by the consumer magazine Which? attracted over 37,000 people to sign up to its collective switching initiative. On average those who registered saved £223 on their energy bills annually. South Lakeland Council recently ran a scheme and although the level of interest was less than 1,000 households the savings were between £60 – 200 per annum.
- 4.2.8 In addition the government has made it easier for people on pre-payment meters to switch from 1 November 2012.
- 4.2.9 It is not possible to estimate the savings to those on pre-payment meters and SME's. The Peterborough scheme will be the first in the UK for these two groups.

4.3 Delivering the Solution

- 4.3.1 In order to deliver the scheme, an IT based solution is required to facilitate the running of electronic reverse auctions to allow potential energy suppliers to bid their lowest bid for which a provider has been sought. As the lead authority, the council undertook a procurement exercise on behalf of the participating councils, which is detailed in Appendix 1. IChoosr was selected as the preferred bidder and a recommendation has been made to award the contract to them in the Recommendations Section above. IChoosr have been selected because they offer a value for money solution and have experience of delivery of such projects in the UK, Belgium and Holland. The Contract will be for a duration of 3 years and subject to a renewal of 2 years at the council's sole discretion.

4.3 Timetable

- 4.4.1 Domestic - Scheme registration will be launched in November 2012 and the result of auction available before Christmas.
- 4.4.2 SME's - Scheme publicity will start in November 2012 with registration and auctions held in January 2013.

5. CONSULTATION

- 5.1 Relevant internal departments including finance, legal and procurement have been consulted together with representatives of the participating councils. External legal consultation has been sought through Pinsent Masons LLP.

6. ANTICIPATED OUTCOMES

It is anticipated that Cabinet will approve the Peterborough Collective Energy Scheme and authorise the award of a contract to IChoosr for the provision of services for collective energy switching.

7. REASONS FOR RECOMMENDATIONS

- 7.1 In entering into the Peterborough Collective Energy Scheme, the council, residents and businesses of Peterborough and the communities of other local authorities will benefit from a reduction in energy rates.
- 7.2 The council will benefit from an income stream based on users switching to the new energy suppliers.
- 7.3 It is recommended that IChoosr is awarded the contract for collective energy switching as they have demonstrated that their submission offers the council and its fellow 'Participating Councils' a value for money solution.

8. ALTERNATIVE OPTIONS CONSIDERED

Do nothing – this was discounted because the council could potentially lose an income stream through the opportunity.

9. IMPLICATIONS

Financial - There will be no cost to the council from administering the scheme as all costs will be recovered via commissioning arrangements.

Legal - The legal implications have been considered at the various stages of this process and, where relevant, addressed in this report. All procurement has been carried out in accordance with the council's governance and statutory requirements and the scheme accords with the requirements of the energy legislation.

10. BACKGROUND DOCUMENTS

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

No additional documents were used.

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Appendix 1 – Procurement Process

The procurement process was split into two Stages, Stage 1 being the Pre-Qualification Stage and Stage 2 being the Invitation to Tender Stage which follows the EU Restricted Procedure. Those suppliers passing Stage 1 were selected to go forward to Stage 2.

Stage 1 - Expressions of Interest and Pre-Qualification Questionnaire (PQQ)

The Council invited expressions of interest to which a total of fourteen suppliers expressed an interest in the opportunity. Of the fourteen that expressed an interest, three submitted PQQ's, the suppliers were:-

CACI Ltd
IChoosr
Nextenders (UK) Ltd

Each supplier was evaluated against pre-selection criteria. Nextenders (UK) Ltd were disqualified at this point due to their Financial Details being inadequate. Both CACI Ltd and IChoosr scored 64 marks out of a possible 100 marks and were therefore shortlisted to Invitation to Tender Stage (ITT).

Stage 2 - Invitation to Tender (ITT)

The evaluation criteria for the Invitation to Tender was split into two areas:-

Area of Evaluation	Overall Weighting
Financial	40%
Technical	60%

Financial Evaluation

A commission schedule was included in the ITT to which each bidder was required to respond to based on the commission payable to the Council over the number of contract years.

Technical Evaluation

Bidders were evaluated against their technical solution and commitment to the switching programme. Each Proposal was evaluated and scored by the evaluation team using the above judgements. Submissions scoring 2 or below on any technical contractor Proposal or response was deemed non compliant and disqualified.

Final Evaluation Outcome

One tender was submitted by IChoosr, CACI Ltd declined to tender midway through the ITT Stage. Applying the award criteria, IChoosr scored 26 marks out of 40 for the financial element and 48 marks out of 60 for the technical element giving them an Overall Evaluation of 74 marks out of 100.

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CABINET	AGENDA ITEM No. 7
5 November 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Hiller, Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Simon Machen – Head of Planning, Transport and Engineering Services Peter Heath-Brown – Planning Policy Manager	Tel. 01733 453475 01733 863796

PETERBOROUGH STATEMENT OF COMMUNITY INVOLVEMENT

RECOMMENDATIONS	
FROM : Paul Phillipson, Executive Director Operations	Deadline date : November 2012
Cabinet is recommended to adopt the Peterborough Statement of Community Involvement, as attached at Appendix 3, replacing and revoking the current Peterborough Statement of Community Involvement (adopted on 27 February 2008).	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following the approval of a draft version for public consultation (at the Cabinet meeting on 26 March 2012) and following the subsequent public consultation.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is twofold: (a) to recommend the adoption of a final version of the Peterborough Statement of Community Involvement, which takes into account comments made on the draft consultation version; and (b) to revoke the current Peterborough Statement of Community Involvement, which dates from 2008.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.4, to promote the Council's corporate and key strategies and Peterborough's Community Strategy and approve strategies and cross-cutting programmes not included within the Council's major policy and budget framework.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	5 November 2012
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4. PETERBOROUGH STATEMENT OF COMMUNITY INVOLVEMENT

Introduction

4.1 Planning is a high profile and contentious issue, whether that is plan-making (such as allocating sites for development) or determining planning applications.

4.2 How we plan, and how people can get involved in planning decisions, is also under a period of significant change as a result of the Localism Act 2011.

- 4.3 It is, therefore, essential that the council sets out the 'rules' for all these matters, in order to ensure that:
- the public has full knowledge of the process and know exactly when best to get involved;
 - officers prepare plans and deal with planning applications, in the knowledge that they are being prepared in accordance with Members' wishes with respect to public engagement and consultation; and
 - Members have confidence that a robust and consistent process is in place.

4.4 As such, from time to time, it is important that the council refreshes its consultation framework, and helps people get the most out of the planning system.

4.5 It is a statutory requirement for the council to set out how it will consult the public on planning matters, in a document entitled a '**Statement of Community Involvement**' (SCI). The council adopted its first (and current) SCI in February 2008.

4.6 There have been considerable changes in the past four years, especially since the Localism Act 2011 was given royal assent in November 2011. As a result, Cabinet (in March) approved the draft of a new SCI for the purposes of public consultation.

Principal changes to the SCI since the 2008 version

4.7 Cabinet will recall at the draft SCI stage in March, that some parts of the SCI have simply been updated from the 2008 version, to ensure that changes to secondary legislation and government guidance in the intervening period is properly reflected and any best practice taken advantage of. However, two new significant sections to the SCI have been added relating to a 'Pre-application Advice Note' and 'Neighbourhood Planning'.

4.8 The Localism Act paves the way for much stronger requirements for developers to undertake consultation with communities before submitting a formal planning application to the city council. It also offers the possibility of local planning authorities preparing a local 'advice note' on this matter which a developer should have regard to when undertaking pre-application consultation.

4.9 However, neither of these parts of the Act have been brought into operation to date, and there is no more information on the types of development that might be subject to such a requirement than was available in March. To ensure the city council is well prepared in this regard, we set out in the SCI an 'advice note' but Members should appreciate that it can only offer guidance at present. If the Government subsequently brings these parts of the Act into effect, there will be secondary legislation specifying how the system will operate. The council will be able to revise its advice note at that stage, and the SCI makes this clear.

4.10 A second significant new section in the SCI is entitled 'Neighbourhood Planning in Peterborough'. This section sets out how the council will take forward the wide range of issues which come under the 'Neighbourhood Planning' section of the Localism Act.

4.11 To remind cabinet, 'Neighbourhood Planning' has two principal elements:

- A '**neighbourhood development plan**', which is defined in the Localism Act as 'a plan which sets out policies (however expressed) in relation to the development and use of land in the whole or any part of a particular neighbourhood area specified in the plan'.
- A '**neighbourhood development order**', which is defined as 'an order which grants planning permission in relation to a particular neighbourhood area...for development specified in the order, or for development of any class specified in the order'.

4.12 The SCI explains all of the stages involved in the preparation of a plan or order.

Public Consultation on the draft SCI

- 4.13 Following the Cabinet meeting in March, the consultation draft version of the SCI was published on 25 May and there was a six week period in which people could make comments, to 5 July. The document and a supply of leaflets and comments forms were made available at each library in Peterborough and at the Bayard Place Customer Service Centre. The document was published on the consultation portal of our website, where comments could be submitted online. Direct notification was sent to a wide range of individuals and organisations on our consultee database, and officers presented the consultation opportunity to each of the neighbourhood committees.
- 4.14 We received 58 separate comments on the consultation draft version, and these are summarised in Appendix 1. Members can see the comments in full at <http://consult.peterborough.gov.uk/portal/planning/peterborough/sci/s2c> or by arrangement with officers in the Strategic Planning section of the Planning Service.
- 4.15 Changes have been made to the draft version in the light of those comments; and changes have also been made in response to officer-recommended improvements and the introduction of new national regulations and advice. The main changes are itemised in Appendix 2.
- 4.16 The outcome of all of this is a final version of the SCI, attached at Appendix 3, which is now recommended for adoption.

5. CONSULTATION

- 5.1 The draft version of the SCI was considered by Planning and Environmental Protection Committee and by Sustainable Growth Scrutiny Committee on 6 March; and by Scrutiny Commission for Rural Communities on 19 March. Their comments, which were broadly supportive, were reported to and considered by Cabinet at its meeting on 26 March. Although changes have been made as a result of the public consultation, none of these are so fundamental as to require reconsideration by each of those Committees.
- 5.2 Details of the public consultation appear in paragraph 4.13 above.

6 ANTICIPATED OUTCOMES

- 6.1 It is anticipated that Cabinet will adopt the Peterborough Statement of Community Involvement in accordance with section 23(5) of the Planning and Compulsory Purchase Act 2004 and at the same time revoke the existing 2008 document.

7 REASONS FOR RECOMMENDATIONS

- 7.1 It is a statutory duty to prepare an SCI, under section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). While the council already has an SCI in place, it is considered somewhat out of date and in need of a refresh. This will ensure communities are fully aware of how and when best to get involved in planning matters, whether that is plan making, planning applications or neighbourhood planning.

8 ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The council could decide not to adopt a replacement SCI, but this would mean the existing SCI would remain in force which has out of date commitments and expectations and is no longer in accordance with various statutory Regulations.

9 IMPLICATIONS

- 9.1 **Financial:** The only costs arising directly from a decision to adopt the SCI are those of printing a supply of copies and notifying respondents. These are relatively small and can be met from existing revenue budgets. The recommended SCI commits the council to

doing certain things in fulfilling its statutory duties under the Planning Acts. These will be all the usual costs involved (postage, printing, exhibitions, inspector's fees for examinations etc) but these would need to be incurred irrespective of the adoption of the SCI and it does not, in itself, commit any direct expenditure.

9.2 **Legal Implications:** The SCI, once adopted, must be adhered to by the council in the way it conducts its planning business. Failure to do so could result in legal challenges.

9.3 **Environmental:** There are no direct implications

10 **BACKGROUND DOCUMENTS**

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

All of the comments submitted on the consultation version of the SCI (available at <http://consult.peterborough.gov.uk/portal/planning/peterborough/sci/s2c>)

Summary of Comments made on the Consultation Draft version of the Peterborough Statement of Community Involvement (May 2012)

A total of 58 separate comments were received on the Consultation Draft version of the Statement of Community Involvement. There was some overall support for the document and individual sections, and no fundamental objection to it as a whole. The majority of comments were seeking changes to specific sections, paragraphs or appendices. All of the comments can be seen at <http://consult.peterborough.gov.uk/portal/planning/peterborough/sci/s2c>

This is a summary of the main points made, arranged in chapter order, together with the council's response (references to paragraph numbers are to those in the Consultation Draft version, which are not necessarily the same in the final version).

Chapter 1: Introduction, and general comments	
Summary of main comments	<ul style="list-style-type: none"> • There is not enough in the document about the way that the council will engage with people who cannot read, are blind or have significant visual problems, or are deaf. Various specific sentences, paragraphs and tables highlighted where the council would need to make material available in a different format, instead of relying on written text, plans etc. • In some places (for example, Appendices 4 and 5, Figures 3 and 5) the font size is too small for people with visual impairments. • There needs to be some consistency over the use of the phrases "officer", "planning officer" and "planning policy officer" throughout. • It would be sensible to change the structure of the document so it deals with planning applications etc after the local development framework and neighbourhood planning. • In paragraph 1.0.12, will the council listen to people's concerns?
Response	<p>New section added into chapter 1 to explain steps we will take to meet the needs of members of the community with disabilities – for example, to supply information to people who are blind or have visual impairments, and to record their comments or responses on a planning matter, to provide web pages that are compliant with international accessibility guidelines, to use venues for meetings and exhibitions that are accessible for all, and to make hearing loops available at meetings of committee, cabinet and council. Figures 3 and 5 enlarged so font size is larger. Use of the term "officer" has been standardised throughout wherever appropriate. Structure of the document is considered appropriate, so no change needed. No change necessary to para 1.0.12.</p>

Chapter 2: The pre-application process, planning applications and planning compliance	
Summary of main comments	<ul style="list-style-type: none"> • The rules for speaking at Committee should be changed to allow less time for ward councillors to speak; to give the Committee the discretion to allow more time for other speakers; and to give objectors the chance to rebut misleading or erroneous statements made by applicants, agents or officers. • You should put the comments on planning applications from statutory consultees on your website. • Regarding section 2.3 (Developer pre-application consultation with the community), the council should only require consultation that matches the national thresholds and requirements.

	<ul style="list-style-type: none"> • Regarding section 2.3 (Developer pre-application consultation with the community), the council should require consultation for potential schemes that are much smaller than the suggested national size threshold; and should refer to the size threshold in the main text (not just the Appendix 1). • In section 2.4 it should be made clear that statutory consultees have 21 days to respond from the date they receive all the necessary information (not from the date of first notification). • In table 3 a reference to impact on the environment should be added.
Response	<p>Rules for speaking at committee have recently been reviewed and revised, so no further change considered necessary. Comments on planning applications are already placed on our website. Section 2.3 and Appendix 1 amended to take account of the fact that the new duty for developers to consult on proposals before submitting an application have not been brought into effect by the Government. Therefore the text makes it clear this is purely advisory at this stage; it is not possible to set any threshold as a requirement. Footnote has been added to para 2.4.6 to explain when 21 day consultation period starts. Reference to the environment included in table 3.</p>

Chapter 3: How you can be involved in planning for Peterborough's future	
Summary of main comments	<ul style="list-style-type: none"> • There should be a way in which objections made to a plan at one consultation stage should be able to be carried forward to each subsequent stage. • Methods of consultation identified in para 3.2.4 should also appear in para 3.4.1. • Para 3.2.8 should give an indication of the types of locations where documents can be seen e.g. libraries. • The Duty to Co-operate section (para 3.1.14 onwards) provides little comfort that there will be co-operation between neighbouring authorities. • Reference to infrastructure providers and prescribed bodies should be included in the Duty to Co-operate section (para 3.1.14 onwards). • In section 3.1 there should be reference to minerals and waste plans; and the difference between DPDs and SPDs should be explained. • In paras 3.2.18 to 20 there should be a reference to the possibility of further written statements. • Para 3.2.5 should say how long the informal consultation period prior to publishing a DPD might last. • There should be more creativity in the range of consultation and engagement that the council uses.
Response	<p>It is not possible for objections made to a plan at one stage to be carried forward to each subsequent stage, because the law does not allow for this; the content of the plan will change from one stage to another; and some respondents may have died or moved away in the intervening period. Potential methods of consultation in section 3.4 have been extended to match those in 3.2.4. Para 3.2.8 amended to refer to public libraries as places where documents might be available for inspection. Duty to co-operate section is considered appropriate as a summary in the SCI, but has been amended to include reference to prescribed bodies. Para 3.1.1 revised to clarify the distinction between a DPD and an SPD and figure 2 replaced with a new version showing minerals and waste plans. Paras 3.2.18 and 19 clarified regarding the role of written statements at the DPD examination. Para 3.2.5 revised to refer to "at</p>

	least four weeks” for the informal consultation period. Range of consultation techniques are considered appropriate for the nature of consultations and the budget available.
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Chapter 4: Neighbourhood planning in Peterborough

Summary of main comments	<ul style="list-style-type: none"> • In para 4.1 (options for local communities) the legal status of documents should be made clear. • In para 4.1 (options for local communities) it should be made clear that the neighbourhood planning option is the only one that is community-led. Also, it is not the case that one option has to be chosen over the other three. • Paragraph 4.2.16 should include a bullet point about green infrastructure. • Paragraph 4.2.18 should include a bullet point about flood mitigation and habitat provision. • Section 4 should clarify who makes the application for a neighbourhood area, if the proposed area covers more than one parish. • Can the representatives of a proposed neighbourhood planning group speak at committee when their application for the designation of an area comes up for decision? • In para 4.3.7 it would be helpful if contact telephone numbers were given, as well, as website addresses, for people who cannot use the web. • In para 4.4.13, surely one hour is not long enough for an exploratory meeting with the council about a possible neighbourhood plan. • In the section for tips on drawing up a neighbourhood plan, (para 4.4.61) there should be references to working with key bodies such as statutory consultees, and disabled people should be added to those groups who might need special efforts to be included.
Response	Figure 3 amended to make clear that neighbourhood planning options are community led; and to make clear the legal status of SPDs and neighbourhood plans and orders. Para 4.1.3 amended to clarify that a local neighbourhood may proceed with more than one option to shape its future. Reference to green infrastructure included in para 4.2.16, and flood mitigation and habitat provision included in para 4.2.18. Telephone numbers added into para 4.3.7. Limit of one hour for a meeting has been deleted from para 4.4.13. References to working with key stakeholders and the need to engage with disabled people have been added to para 4.4.61.

Appendices

Summary of main comments	<ul style="list-style-type: none"> • In Appendix 1 it might be worth listing all the statutory consultees. • There are quite a few terms that ought to be explained in the Glossary. • In Appendix 1 there is a cross-reference to a section which does not exist elsewhere in the document.
Response	Not appropriate to list all statutory consultees in Appendix 1. Glossary has been expanded with additional definitions of terms used in the document. The error in the cross-reference in appendix 1 has been deleted.

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Main Changes made to the Peterborough Statement of Community Involvement between Consultation Draft and Final Versions (November 2012)

This is a summary of the main changes made to the Consultation Draft version of the Peterborough Statement of Community Involvement, which have been incorporated into the final version. It is not a comprehensive list of all changes. Changes have been made in response to comments received, officer-recommended improvements and changes in national regulations and advice. References to paragraph numbers are to those in the Consultation Draft version, which are not necessarily the same in the final version.

- Amendments to paras 1.0.6 and 1.0.7 to refer to minerals and waste planning.
- Re-ordering the bullet points in para 1.0.11 so that they are in a more logical order.
- New section added into chapter 1 to explain steps we will take to meet the needs of members of the community with disabilities – for example, to supply information to people who are blind or have visual impairments, and to record their comments or responses on a planning matter, to provide web pages that are compliant with international accessibility guidelines, to use venues for meetings and exhibitions that are accessible for all, and to make hearing loops available at meetings of committee, cabinet and council.
- Section 2.1 has been expanded to explain that consents for Nationally Significant Infrastructure Projects are handled in a different way to a normal planning application.
- Paras 2.2.1 and 2.2.2 have been amended to clarify that the council's pre-application service is optional, and there is a fee involved.
- Section 2.3 and Appendix 1 have been amended to take account of the fact that the new duty for developers to consult on proposals before submitting an application have not been brought into effect by the Government. Therefore the text makes it clear this is purely advisory at this stage. The error in the cross-reference in Appendix 1 has been deleted.
- Footnote added to para 2.4.6 to explain when 21 day consultation period starts.
- Table 1 amended to avoid apparent distinction between neighbours and adjoining occupiers.
- Contact details for Planning Aid added into para 2.4.13.
- Reference to the environment included in table 3.
- Para 2.5.1 amended to refer to the planning code of conduct.
- Reference to the Flood and Water Management Act 2010 included in para 2.6.7.
- Section 2.7 brought up to date to accord with the Planning Compliance Plan.
- Section 3.1 revised to clarify the distinction between a Development Plan Document and a Supplementary Planning Document, and to explain the Government's use of the term "Local Plan".
- Paras 3.1.12 to 3.1.14 revised to include reference to prescribed bodies and Peterborough's role as a Minerals and Waste Planning Authority.
- Para 3.2.5 revised to say that any informal consultation period prior to formal publication of a DPD will last at least four weeks.
- Para 3.2.8 amended to refer to public libraries as places where documents might be available for inspection.
- Para 3.2.10 amended to make it clear that formal representations on a DPD are not considered by the council; they are passed to the Inspector who considers them as part of the examination process.
- Para 3.2.17 amended regarding people to be notified of the submission of a DPD.
- Paras 3.2.18 and 19 clarified regarding the role of written statements at the DPD examination.
- Paras 3.2.22 and 23 amended regarding notification of the inspector's report and the opportunity for judicial review, following adoption of a DPD.

- The potential methods of consultation on LDF documents (section 3.4) have been extended to include teleconferences and workshops.
- Amendments have been made throughout Section 4 to bring it up to date in the light of the publication of the neighbourhood planning regulations and the separate regulations concerning referendums. These include the specified questions to be used in a referendum and the need for two referendums if the neighbourhood area has been designated as a business area.
- The use of the term “officer” has been standardised throughout the document, wherever appropriate
- Figure 3 amended to make clear that neighbourhood planning options are community led; and to make clear the legal status of SPDs and neighbourhood plans and orders. The font size used in the figure has been increased.
- Para 4.1.3 amended to clarify that a local neighbourhood may proceed with more than one option to shape its future.
- In para 4.2.16 the typical subjects for a parish/village appraisal have been amended to replace the reference to Diamond Jubilee projects with a reference to green infrastructure.
- Flood mitigation and habitat provision have been added into the types of issues that a local action plan might cover (para 4.2.18).
- In para 4.3.7, telephone numbers have been added for each of the organisations identified as being able to offer independent advice on neighbourhood planning.
- Figure 5 has been enlarged so the font size is bigger.
- Para 4.4.9 amended to advise that applications for a neighbourhood area covering more than one parish should be submitted jointly.
- Para 4.4.13 amended to delete reference to the limit of one hour for a preliminary meeting to discuss neighbourhood planning.
- In the tips for drawing up a neighbourhood plan (para 4.4.61) disabled people have been added as a group where special efforts should be made to gain opinions; and the importance of working with key stakeholders and undertaking technical work have been emphasised.
- A reference has been added into Appendix 2 to say that the arrangements for public speaking at committee may change from time to time, and therefore people should check for the latest rules at any point in time.
- The Glossary has been expanded with definitions for a number of new terms and phrases.

CABINET	AGENDA ITEM No. 8
5 November 2012	PUBLIC REPORT

Cabinet Member responsible:	Councillor Peter Hiller - Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officers:	Simon Machen - Head of Planning, Transport and Engineering Peter Heath-Brown – Planning Policy Manager Harj Kumar – Senior Planning Officer	Tel. 453492 863796 863852

PETERBOROUGH PLANNING POLICIES DEVELOPMENT PLAN DOCUMENT (VERSION FOR ADOPTION)

R E C O M M E N D A T I O N S	
FROM : Paul Phillipson, Executive Director Operations	Deadline date : 5 December 2012
<ol style="list-style-type: none"> 1. That Cabinet notes the conclusions of the independent Inspector who was appointed to examine the council’s submitted Peterborough Planning Policies Development Plan Document. 2. That Cabinet recommends to Council the adoption of the Peterborough Planning Policies Development Plan Document, incorporating modifications as recommended by the Inspector (‘Main Modifications’) and other minor editorial modifications (‘Additional Modifications’). 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following Council’s decision on 7 December 2011 to approve the Peterborough Planning Policies Development Plan Document (DPD) (Proposed Submission Version) for the purposes of public consultation and submission to the Secretary of State. Such consultation has taken place and the DPD was submitted to the Secretary of State in April 2012. Subsequently, an independent Planning Inspector appointed by the Secretary of State has carried out a public examination into the document. The Inspector has sent his report to the Chief Executive setting out his conclusions on the DPD.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to set out the recommendations made by the independent Inspector and, subsequently, seek Cabinet’s approval to recommend the Planning Policies DPD (attached at Appendix 2) to Council for adoption.

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?	YES	If Yes, date for relevant Cabinet Meeting	5 November 2012
Date for relevant Council meeting	5 December 2012	Date for submission to Government Dept	N/A

4. **PETERBOROUGH PLANNING POLICIES DPD – THE INSPECTOR’S REPORT AND THE PLANNING POLICIES DPD RECOMMENDED FOR ADOPTION**

Introduction

- 4.1 The preparation of the Peterborough Planning Policies DPD has reached its final stage. Following considerable public consultation over the last few years, we have now reached the stage where Council has to decide whether to adopt the DPD as part of its major policy framework.
- 4.2 Cabinet will recall that on 7 November 2011, the ‘submission’ version was considered before subsequently being approved by Council on 7 December 2011. That approval set in motion two key events:
- (i) the issuing of the Planning Policies DPD for its final public consultation stage (February-March 2012); and
 - (ii) the ‘examination’ of the DPD by an independent Inspector appointed by the Secretary of State (summer 2012), and the subsequent issuing of an ‘Inspector’s Report’ (October 2012) setting out his recommendations for modifications to the DPD.

Content of the Planning Policies DPD

- 4.3 Before coming to the Inspector’s findings and recommendations, Cabinet may wish to remind themselves as to the purpose, content and status of the Planning Policies DPD. If adopted, it will become part of the statutory development plan, and, as such, will be part of the council’s major policy framework. It will be one of the documents (including, for example, the adopted Core Strategy) that together comprise the Local Development Framework, and it will replace the majority of the remaining policies in the Peterborough Local Plan (First Replacement) (2005).
- 4.4 The Planning Policies DPD sets out detailed policy statements to help in determining planning applications. The policies will help in delivering the overarching principles established in the Peterborough Core Strategy. At the end of each policy there is a reference to the appropriate Core Strategy policy (or policies) and objectives which it supports.

The Inspector’s Role and the Inspector’s Report

- 4.5 Government regulations stipulate that an Inspector must be appointed by the Secretary of State to undertake an ‘examination’ of a proposed DPD, and consider all comments and objections that have been made. The Inspector holds a ‘hearing’ session as part of the examination process. The Inspector then subsequently issues an ‘Inspector’s Report’, which must state either:
- (i) That the DPD is ‘unsound’, and that it is impossible for changes to be made to it to make it ‘sound’; under this scenario the Council is not permitted to adopt the DPD; or
 - (ii) That the DPD is ‘sound’ as submitted, or provided that certain modifications as recommended by the Inspector are made before it is adopted.

- 4.6 We are very pleased to report that the Inspector, Mr Ron Punshon, has found our DPD 'sound' and, in effect, has given permission to the city council to adopt it, provided his recommended modifications are incorporated into the final adopted version. His full report is attached at Appendix 1. This includes a list of all modifications (see Appendix).
- 4.7 The Inspector concludes that the Planning Policies DPD provides an appropriate basis for the planning of the City over the next 15 years, providing that a number of modifications are made to it. These include modifications to bring the plan into line with the National Planning Policy Framework (NPPF), which was issued by the Government after the DPD had been published by the council for comments. All of the modifications are ones which officers had suggested to the Inspector during the course of the examination, to overcome objections etc. Among the modifications are:
- Inclusion of a new standard policy in support of sustainable development
 - Inclusion of a new policy about planning applications on contaminated land
 - Inclusion of a new policy setting out the requirements for permitting agricultural dwellings
 - Defining the new shopping centre at Stanground South (Cardea) on the Policies Map as a local centre
 - Revising the policies on heritage assets and buildings of local importance to accord more closely with national policy as expressed in the NPPF
 - Clarifying the indicators and targets for monitoring purposes
- 4.8 It is important to note that, in accordance with regulations, the recommended modifications in the Inspector's Report are 'binding' on the council. This means that the council cannot 'pick and choose' which of his modifications to accept or reject; it must accept them all (if the council wishes to adopt the DPD) or, indirectly, reject them all (and, thus, not adopt the DPD).

Adoption of the Peterborough Planning Policies DPD

- 4.9 Cabinet must decide whether to recommend to Council the adoption of the Peterborough Planning Policies DPD. Attached at Appendix 2 is the version which Cabinet is asked to recommend. This version incorporates all of the recommended modifications made by the Inspector. It also includes a number of minor changes which do not affect the soundness of the document, and which the council is permitted to make under provisions introduced by the Localism Act 2011. These changes are minor editing and updating of the document and are listed in Appendix 3 to this report. The majority of these minor changes have arisen from discussions that took place during the examination and they have been the subject of consultation in August/September 2012.
- 4.10 If the DPD is adopted by Council, it will include adoption of all the accompanying changes to the Peterborough Policies Map, which is the map covering the whole of the local authority area (with insets at larger scales) showing all the areas to which policies apply. The Policies Map will be updated each time the council adopts a DPD which has policies for specific geographical areas.
- 4.11 To be absolutely clear on this matter, Cabinet (and then Council) can only support or reject the version as at Appendix 2.
- 4.12 If Council agree the Planning Policies DPD as per Appendix 2, then the document is 'adopted' and comes into effect immediately.
- 4.13 If Council does not agree the Planning Policies DPD as per Appendix 2, then, in accordance with the regulations, it is not obliged to adopt it. Under this scenario, the council would need to re-commence the preparation of a new DPD, following the same cycle of extensive data collection, consultation and examination as before.

5. CONSULTATION

- 5.1 Extensive consultation with the public and a wide variety of other stakeholders has taken place at various stages in the preparation of the DPD. Emerging drafts have also been considered by various Neighbourhood Councils, Scrutiny Committee, Cabinet and Council meetings. The Inspector was satisfied that we had undertaken appropriate consultation throughout.
- 5.2 There is no opportunity for further consultation or comment on the document.

6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that Cabinet will recommend to Council that the Planning Policies DPD, as amended as a result of the Inspector's recommended modifications, be adopted.

7. REASONS FOR RECOMMENDATIONS

- 7.1 As outlined in the report, Council only has two options available to it; either adopt the document with the modifications or not adopt the document. The former is recommended, as it is a statutory duty to prepare a Planning Policies DPD, and, in adopting it, Peterborough will have a clear and robust policy document setting out its policies for making decisions on planning applications.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The option of not adopting the DPD is not recommended, because in doing so the council would not have an up-to-date policy basis for deciding planning applications.

9. IMPLICATIONS

- 9.1 The DPD will have implications for all sectors of society and all wards and parishes of the local authority area. The process of sustainability appraisal, based on social, economic and environmental criteria, ensures that all potential implications are taken into account in a systematic way.
- 9.2 Legal Implications: On adoption, the council must consider all relevant planning applications against the policies in the DPD.
- 9.3 Financial Implications: There are no immediate financial implications flowing from the adoption of the DPD.

10. BACKGROUND DOCUMENTS

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

None.

CABINET	AGENDA ITEM No. 9
5 NOVEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Sheila Scott, Cabinet Member for Children's Services	
Contact Officer(s):	Malcolm Newsam, Interim Director of Children's Services	Tel: 01733 863606

IMPROVING CHILDREN'S SERVICES UPDATE

R E C O M M E N D A T I O N S	
FROM : Interim Director of Children's Services	Deadline date : N/A
1. That Cabinet notes the improvement activity and progress within Children's Services	

1. ORIGIN OF REPORT

This report is the fourth quarterly update on progress in implementing the actions and recommendations arising from the Ofsted Inspection.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to update Cabinet with details of improvement actions undertaken since the July Cabinet meeting in response to the findings of the Ofsted Inspection of Safeguarding carried out in August 2011.
- 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.

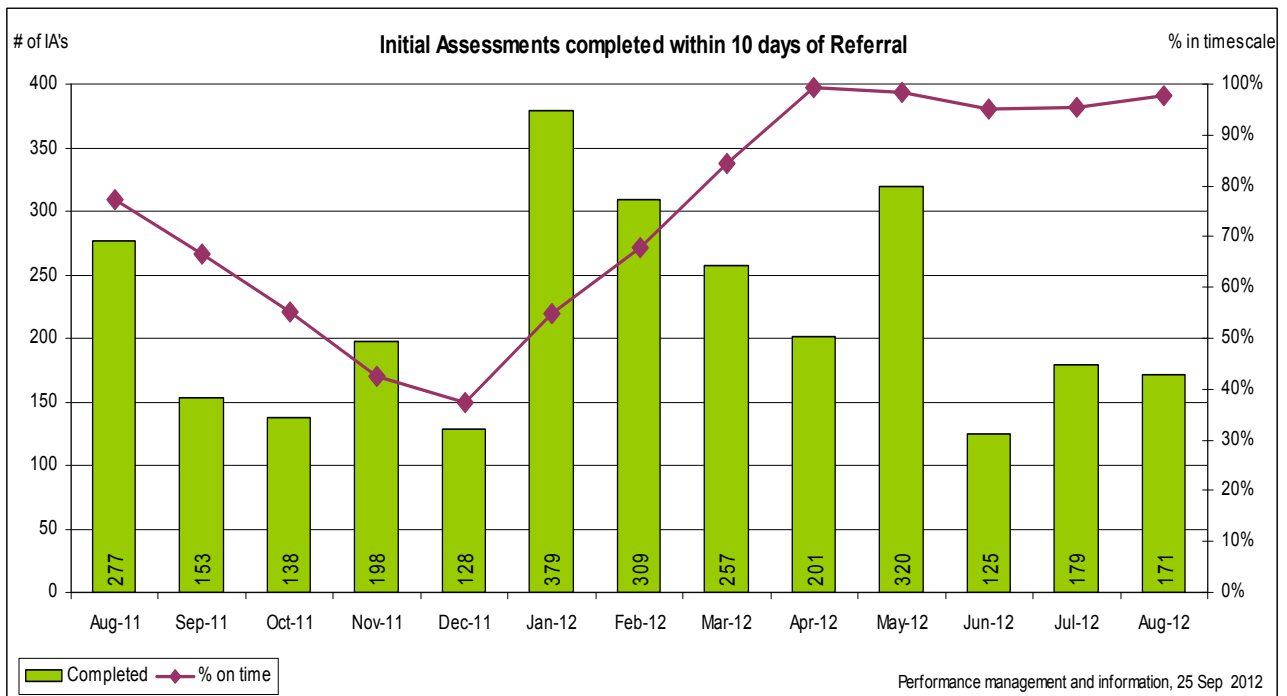
3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO
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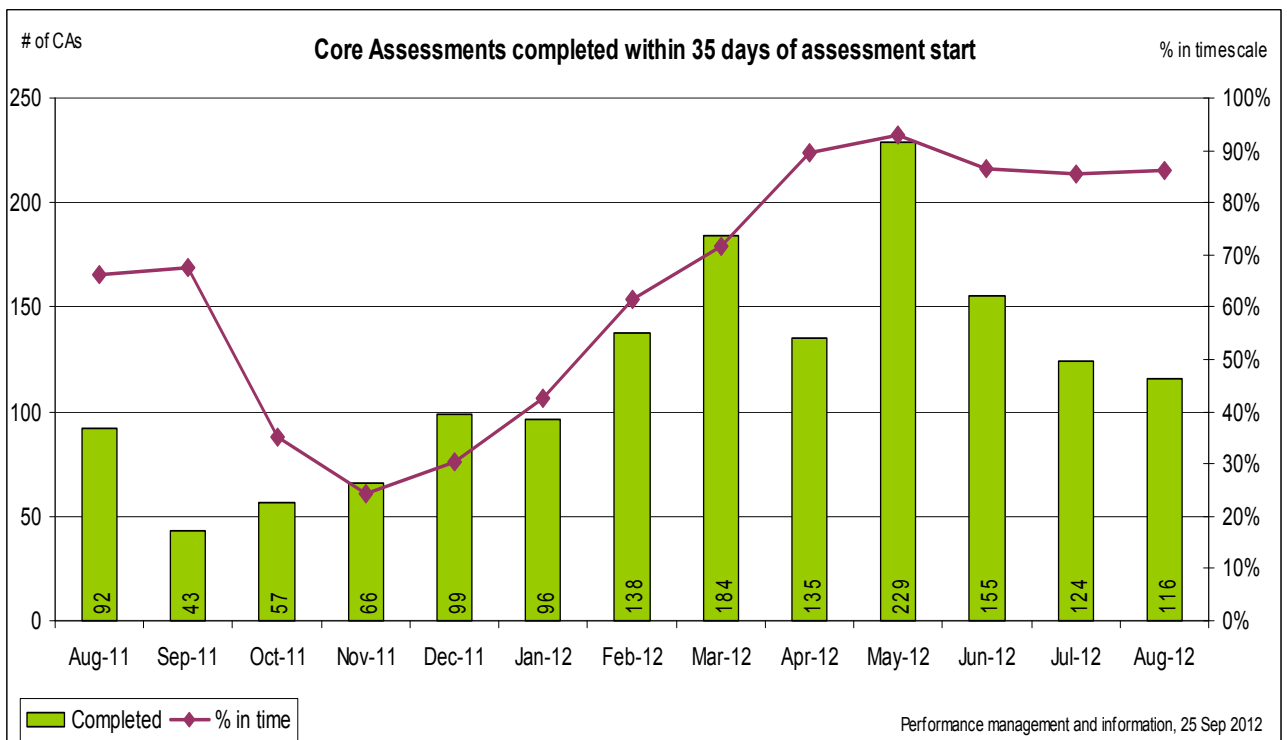
4. PROGRESS REPORT

- 4.1 This report provides the Cabinet with an overview summary of the Council's performance since the last quarterly report to Cabinet in July 2012.
- 4.2 At the July meeting of Cabinet the Phase Two of the Improvement Programme was launched.
- 4.3 **Progress on Phase Two**

We have continued to ensure that families are assessed quickly. Our year to date figures in September show we have completed 97.6% of initial assessments within 10 days.

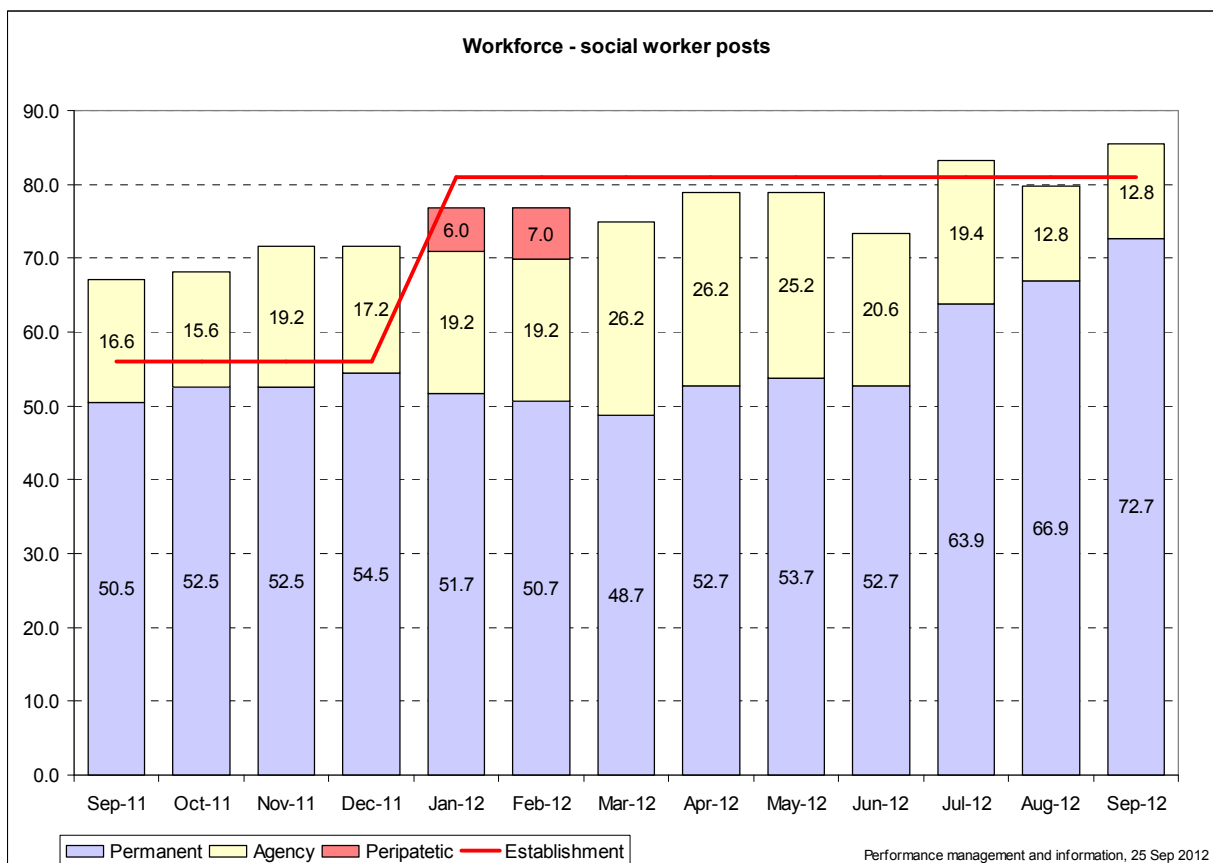


4.4 Similarly good performance has been maintained for completion of core assessments with 88.8% completed within 35 days. There are few outstanding assessments and those completed out of timescale only miss the due date by a few days.



4.5 Since June, we have seen a significant reduction in volumes of referrals and initial assessments. This has also been reflected in significantly greater numbers of children progressing to a Common Assessment (the CAF) and encouraging signs of a multi-agency commitment to this process. This has been assisted by the remodelling of the CAF form down to four pages. In September we also introduced the Multi-agency Allocation Groups. These groups made up of key professionals across the localities, co-ordinate the early offer of help to children and families who need preventive support. The initial feedback has been immensely positive from partners.

4.6 In April we launched our recruitment campaign (Head and Heart). Since the campaign started, 697 application forms have been downloaded from the micro site, with 154 applications being received and we have made 31 social worker appointments. We have been very impressed by the calibre of the new arrivals. We have now got 73 permanent social workers in the front-line teams – a remarkable shift from 49 only six months ago. The social worker vacancy rate as at 27 September 2012 had been reduced to 6.7 (8.3%) against the establishment of 81 social workers. There are 1.6fte in the recruitment pipeline who have been offered a permanent post. These residual vacancies are covered by temporary agency staff. We have been running slightly over-establishment with agency staff to provide an overlap for new staff to be appropriately inducted.



4.7 Following a national recruitment campaign Members interviewed for the post of Executive Director of Children’s Services last month and I am delighted to report that the Employment Committee unanimously appointed Sue Westcott. Ms Westcott has tremendous experience and has played a vital role in assisting the interim director Malcolm Newsam take giant strides forward in making sustained improvements in the service. Ms Westcott will commence her new role in the New Year and we will be putting in place a robust hand-over plan to secure the transition.

4.8 Jane Held, the Independent Chair of the External Improvement Board has completed her second progress report to the Minister, Edward Timpson. Jane Held concludes in her report back to the Minister:

A robust senior management team is in post, and following significant increases in establishment and an exceptional recruitment campaign, new permanent social workers are rapidly coming into post. Quality assurance and performance management systems and arrangements are robust and key areas of practice in terms of referrals and assessments as well as care plans significantly improved. This is aided by a new IT system. In addition a culture of self awareness is growing and the ambition to be excellent is tempered by realism about the need to maintain focus on basic good practice.

I am also pleased to report that the focus of the Council, with its partners, has moved from getting a grip of the service and addressing the basics (phase one of the improvement

process) to ensuring that the change is properly embedded and sustainable in the long term.

The report is attached as an appendix to this document.

- 4.9 In summary we have continued to make good progress. The introduction of a permanent workforce now provides a platform for consistent high quality practice to be embedded across the organisation. To support this, our next recruitment campaign will be focused on attracting high quality permanent managers to the service and the appointment of the permanent Executive Director will assist this. We have made great strides this year to put in place the foundations of an effective service. All the evidence points to the fact that significant progress has been made and all the areas for improvement specified by Ofsted are being addressed. However it would be wrong to be complacent and it is well understood that authorities who have found themselves in this position must accept that securing sustained improvement takes longer than the twelve months that has elapsed since the last inspection. Everyone within the service is, therefore, determined that we continue the same pace of progress and remain absolutely focussed on delivering lasting improvements in Childrens' social care.

5. CONSULTATION

- 5.1 Partner agencies through the Peterborough Safeguarding Children's Board and the External Improvement Board are involved in the improvement activity. Members, led by the Cabinet Member for Children's Services, continue to be actively engaged in challenging and supporting this improvement activity. A Member Task and Finish Group continues to meet regularly to examine the improvement programme and the evidence around for progress. Regular progress reports have also been considered by the Creating Opportunities and Tackling Inequalities Scrutiny Committee.

6. ANTICIPATED OUTCOMES

- 6.1 The improvement activity has been planned to secure the following outcomes laid out in the Children's Services Improvement programme:
- Providing confident leadership across children's services
 - Putting in place effective front-line practice
 - Creating an organisation fit for purpose
 - Strengthening partnerships to make a difference
 - Becoming the employer of choice in the region
 - Robustly managing performance

7. REASONS FOR RECOMMENDATIONS

- 7.1 The Council needs to continue to deliver improvements to safeguard children and in the longer term put in place a sustainable high quality Children's Service in Peterborough.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Not applicable

9. IMPLICATIONS

- 9.1 The cost of the improvement programme can be met from within existing budgets. Resources are available to secure improvement in the immediate and longer term.

9.2 The Secretary of State has the power to issue a statutory notice if he or she deems this is required to secure the necessary improvements within a failing service.

10. BACKGROUND DOCUMENTS

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

None.

Edward Timpson MP
Parliamentary Under Secretary of State
Department for Education
Sanctuary Buildings
Great Smith Street,
London, SW1P 3BT

8th October 2012

Dear Minister

Re: Peterborough Children's Services Improvement Programme

I am pleased to present to you my second formal report on the work by Peterborough City Council to address the areas of weakness identified in the Ofsted Safeguarding and Looked After Children Inspection of September 2011 and the Notice of Improvement of 5th February 2012.

This report builds on the interim short report presented to Tim Loughton MP for his visit to Peterborough in June 2007. It also takes account of the full reports to and discussion held with your officials at their 6 month review meeting on the 14th September 2012.

I am pleased to inform you that there has been very rapid and impressive progress since March 2012 in terms of establishing strong, clear, and informed professional and political leadership, firm financial arrangements, and a strong management grip.

Summary

A robust senior management team is in post, and following significant increases in establishment and an exceptional recruitment campaign permanent new permanent social workers are rapidly coming into post. Quality assurance and performance management systems and arrangements are robust and key areas of practice in terms of referrals and assessments as well as care plans significantly improved. This is aided by a new IT system. In addition a culture of self awareness is growing and the ambition to be excellence is tempered by realism about the need to maintain focus on basic good practice.

I am also pleased to report that the focus of the Council, with its partners, has moved from getting a grip of the service and addressing the basics (phase one of the improvement process) to ensuring that the change is properly embedded and sustainable in the long term.

Social Care Practice

The management of contacts, referrals and assessments is now well developed, stable, timely and of a significantly improved quality. The backlogs are resolved and work progresses from contact through to core assessment within timescales. At July 2012 the year to date figures showed 98% of initial assessments were completed within timescales and 88% of core assessments. There has been little fluctuation in this and performance remains good. All staff are informally supervised on an ongoing basis, which is much valued and formal supervision and case auditing is now taking place on a regular, well managed and monitored basis.

A new and impressively thorough Quality Assurance Framework has been introduced and a full caseload audit of 954 cases fully completed. Of these 149 were rated as inadequate. Issues identified from the audits relate to the absence of clear evidence of supervision, care planning, statutory visits and the quality of core assessments. Action plans to immediately address the inadequacies were put in place, monitored and reviewed and 135 of these action plans are completed.

Whilst the programme to date has been very challenging the benefits are beginning to show. Emerging themes reflect the ongoing need to focus on the quality of social work practice. The audits allow for a clear understanding of whole team as well as individual performance which is leading to stronger intervention where weaknesses are greatest.

A rolling programme of audit activity is now in place. A new Quality Assurance Manager has recently come into post and is driving the ongoing use of audits through a comprehensive rolling programme of case audit and the rigorous application of the new Framework.

Senior Managers Team Managers meet weekly with the Assistant Director to review performance and audit information and this is beginning to systematically identify ongoing areas of strength and areas for development which need to be addressed.

A new revised Threshold document has been developed with partners and introduced. This has assisted in consistent decision making at referral although the rate of referrals and contacts is still at the statistical neighbour average. The number of initial assessments done each month is reducing but it is too early to assess whether this is a sustainable trend. The volume of core assessments has reduced as decision making improves.

Engagement with partners on thresholds as well as on early intervention and prevention is steadily improving. There has, after revision of the material to support it, been a very significant increase in the use of the Common Assessment Framework (CAF) which is now standing at 94.8 per 10,000 (against a local target of 80 per 10,000). The introduction of multiagency fora (The Peterborough Access to Support Panel, or PASP, and the Multi-Agency Support Groups or MASG) is already having an impact on the quality of decision making in relation to Looked After Children (where numbers are reducing) and care planning for children with multiple complex needs and is proving very popular with partners.

Recent work has established that a rapid reduction in children subject to a child protection plan (to 125 cases) was due to premature removals from plans. This was quickly identified, and addressed. The reasons for the drop were that the new model of conferencing introduced recently included a consensus decision making process, coupled with partner agencies all being very positive about early changes. This was quickly remedied so the Conference Chair now holds the power to make the final decision. A number of cases have been put back into the conference system after a review of recent cases. Cases are now standing at 150 which is broadly in line with expectations.

This issue reflects the ongoing need to use performance data and audits to identify issues and deal with them, and the capacity in the system to now do so. The risk is that over time the rigour currently in place is not fully embedded but in my view that risk, whilst present, is lessening with the current leadership team.

The new IT system is now fully introduced, tested and embedded and has improved quality of practice, social work morale, the provision of reliable performance data, managerial oversight and the ability to QA practice effectively.

Capacity and Capability

The overall approach to workforce has been well managed and thorough. The additional capacity agreed by the Council has resulted in much more manageable workloads which are standing at an average of 17.4 children per caseload. At present the service is over capacity as new permanent staff arrive and are inducted into the service, before Agency Staff leave. Only 12.6% of the staff are Agency staff, which is a significant reduction.

The social work service has been brought together in one location, with team managers and senior managers close by, which has improved practice and morale significantly. A regular Social Work Forum is held with representatives from across social care.

Gradually increasing morale as well as optimism for the future has been reflected in the significant improvement in sickness rates. This stands at 4.3% overall in Children's Services, and 4.5% in

social care. Staff have told me they feel well supervised and managed as well as supported. Retention has also significantly improved and only 4 staff have left since April 2012.

The workforce development plans that are being put in place to support the recruitment strategy have ensured that staff are guaranteed induction, new social workers are given an assessed year of employment and a staff development programme is now in place. Auditing has shown that the induction programme has been variable and this is now being actively addressed. Work is underway to develop a comprehensive continuous professional development programme which will facilitate continued career progression as well as support the quality of managers within the service.

A new strong leadership team is in place. The Council have been appropriately ambitious about the qualities and nature of the person needed to fulfil the permanent DCS role and have appointed Sue Westcott after a very rigorous process.

Challenges still to address

There are however a number of significant challenges that still need addressed.

Embedding the changes made over the last 10 months will require stability and continuity (so the rate of progress will inevitably slow down) and an ongoing commitment to the service at all levels as well as on a multi –agency basis. This will be particularly challenging in the light of the current extensive organisational change for partners, particularly in the NHS, and increased expectations across the public sector to cut expenditure now and in the next three years. The positive political leadership and support provided this year will need to continue despite the pressures on the Council as a whole.

It also needs an ongoing long term focus on high support and high challenge. The Authority is developing a peer health check programme in liaison with colleagues across the Eastern Region which will bring ongoing external validation locally as well as for the Improvement Board and yourself.

In addition the real work of focussing down, and looking deeper and more strongly at quality and consistency of practice will bring new workforce challenges especially for front line managers. Retention and workforce development, especially in terms of career progression, whilst maintaining successful ongoing recruitment is a particular challenge as is improving the quality and competency of front line managers.

Changes to the pattern of provision with an increased range of early help services and reduced numbers of Looked After Children are planned but will take time to achieve and need to be underpinned by consistent robust care planning processes. They need to be accompanied by consistent improvements in partnership working at the front line, particularly in terms of multi-agency assessments through CAF and support to manage the threshold between family support and safeguarding services better. Engagement with children and young people and their families to establish what they feel they need and their views of what they receive still needs to be better developed.

The PSCB also needs to maintain the initial progress it has made in developing a multi-agency data set, and becoming more focussed on the local practice agenda as well as taking a stronger leadership role and working more collaboratively with other partnership bodies in sharing responsibility for improvements in practice.

Risks

Two other challenges are increasingly important and are both potentially risks to ongoing progress. The first is the development of the PSCB to become a robust source of constructive and collaborative challenge, and in effect fulfil the role of the Improvement Board in leading and driving continuous improvement. This is acknowledged by the PSCB but is not yet fully integrated into their approach to the task. Their role as critical friend needs further development.

The second is to ensure a seamless transition from the Interim to a permanent DCS. The Interim Director who has led very strong delivery of change, partially through a relentless focus on performance, quality and management grip, and also the self awareness and insight to recognise the journey ahead as well as what has been achieved, leaves at the end of November. The appointment of Sue Westcott better secures a smooth transition but leaves a vacancy at second tier.

I am of course happy to discuss any of this second report with you

Yours sincerely

Jane Held
Independent Chair
External Improvement Board

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