

CABINET

MONDAY 10 DECEMBER 2012, 9.00 AM

Bourges/Viersen Room - Town Hall

Contact – Alexander.daynes@peterborough.gov.uk, 01733 452447

AGENDA

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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 5 NOVEMBER 2012

PRESENT

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

Cabinet Advisers: Councillor Elsey and Councillor North.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Scott and Councillor Goodwin.

2. DECLARATIONS OF INTEREST

None received.

3. MINUTES OF CABINET MEETING 24 SEPTEMBER 2012

Cabinet agreed that the minutes of the meeting held 24 September 2012 were accurate.

STRATEGIC DECISIONS

4. OLDER PEOPLE'S ACCOMMODATION STRATEGY - 2012: CONSULTATION REPORT ON THE PROPOSAL TO CLOSE GREENWOOD HOUSE AND WELLAND HOUSE

Cabinet received a report 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, seeking its approval for the closure of the two care homes, Greenwood House and Welland House, and commissioning plans. Cabinet further received and considered recommendations from the Scrutiny Commission for Health Issues held on 1 November 2012.

Councillor Harrington addressed Cabinet as Group Leader of the Peterborough Independent Forum Group, raising concerns including the lack of detail of the proposed Dementia Resource Centre, the limited scope of the consultation as it revolved mainly about job losses and not about the impact of the closures on the residents, the difficulties for the staff to find new jobs and the moral obligation for the council to provide care homes. Councillor Harrington stated that it was a positive move to ensure that no residents would be moved until a permanent place had been found elsewhere and also commented positively about the level of scrutiny that the proposal had received.

Councillor Fitzgerald introduced the report highlighting that there were places available for all residents within the private sector, a three month consultation had been undertaken that highlighted alternative options, some residents had already moved from the homes and the scrutiny recommendations would be incorporated into the decision.

The Council's Assistant Director, Strategic Commissioning for Adult Social Care, addressed Cabinet advising that three additional recommendations from the Scrutiny Commission could be incorporated into the decision. It was further noted that some corrections to the report were required:

- Paragraph 7.6.8:
The table in the report showed mortality rates during the first 12 months, and then the next 12 to 24 months and then finally at 31 December 2012. It therefore excluded the 132 people who were admitted to care during 2007-08 who died during 2011-12. It also excludes the 25 people who were admitted to care during 2009-10 who died during 2012.

In addition the last row should show 75 people (43%) died in the first 12 months not 79 people.

The percentages have been rounded so will not add up to 100%

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%

- Appendix C should show a Cost of refurbishment (£600 per bed x 86 beds); and
- Points 2.2 to 2.5 of the milestones in Appendix F should show dates in 2013 not 2012.

Councillors Fitzgerald and Seaton commented that there had already been many comments given and questions raised that were addressed and responded to at the Scrutiny Commission for Health Issues held on 1 November.

Councillor Cereste passed on his thanks to the Scrutiny Commission for Health Issues for its work on this issue.

Cabinet considered the report and recommendations from the Scrutiny Commission and **RESOLVED** to:

1. Approve 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. Affirm 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. Endorse the commissioning plans to secure:
 - 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.

The respite care and day care should not be on an interim basis and permanent contracts should, wherever possible, be in place before the closure of the homes to avoid moving the clients more than once;
4. Receive a report from the Cabinet Member for Adult Social Care on: a) progress with closure; and b) progress with commissioning plans for replacement services in March 2013;

5. Agree that where permanent residents are moved to alternative accommodation in the private sector an audit of the new accommodation takes place on a quarterly basis during the first year and then on an annual basis. The audit reports to be presented to the Scrutiny Commission for Health Issues with the quarterly Adult Social Care performance report;
6. Retain key staff for a suitable period of time after the closure to ensure the safe resettlement of residents into their new homes; and
7. Continued as established practice the good practice undertaken during this consultation and agreed that a review was undertaken of all older people who are currently in receipt of respite care and day care under Adult Social Care.

REASONS FOR THE DECISION

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 was Cabinet's view that the way forward was to proceed with the proposed closures of Greenwood House and Welland House.

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

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

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

ALTERNATIVE OPTIONS CONSIDERED

A range of alternative options were explored and considered within the report, along with views on the viability of those options including the demolition of the existing homes and the rebuild of a new care home and for the refurbishment of both homes.

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

Cabinet received a report seeking its approval to move to public consultation and final preparation stage culminating in the submission of planning applications for solar farms at the three sites in the farms estate. The development of wind turbines and possibly other technologies would 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 did not detail any potential proposals for wind turbines, and made recommendations solely in relation to solar farms. Cabinet further received and considered recommendations from the Joint Meeting of the Sustainable Growth & Environment Capital Scrutiny Committee and Scrutiny Commission for Rural Communities held on Friday 2 November.

Councillor Cereste introduced the report highlighting that the decision today concerned the installation of solar panels and not wind turbines, 900 of the 3000 acres of farm land would

be needed for the project and much of this could still be farmed if wind turbines were installed. The project was a long term ambition to make the city self sufficient in terms of energy and to protect residents against rising power costs.

Councillor Harrington addressed Cabinet as Group Leader of the Peterborough Independent Forum Group, raising concerns including the guarantees for the financial figures in the report, the tight timescales to deliver the project and the impact on local industry.

The Council's Executive Director Strategic Resources address Cabinet highlighting details including that many questions were responded to at the previous scrutiny meeting, the risk register addressed the impact of any time delays in the project, financial figures had been independently audited, no agreed tariff for community funds currently existed but would be developed and there was still the possibility of developing an anaerobic digestion facility on the farms estate.

Cabinet debated the report highlighting issues including the environmental benefits of renewable energy, the financial difficulties facing the council and the desire to generate revenue without raising council tax or making spending cuts and the need to address any sensitivities with English Heritage relating to the proximity of Flag Fen to one of the sites.

Cabinet considered the report and the recommendations from the Joint Scrutiny meeting and **RESOLVED** to:

1. Note 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. Approve the proposal to submit planning applications in respect of development of ground mounted solar photovoltaic panels;
3. Note 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. Note 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;
5. Welcome the support of scrutiny;
6. Request officers work with rural communities and key stakeholders in formulating proposals for a planning application and considers how their suggestions can be incorporated into the development of the solar project, as far as is possible without restricting the viability of the project overall;
7. Note that in relation to determining the appropriate amount and range of community funds resulting from the developments, there is no agreed national or local tariff for such contributions. The level of contribution will be negotiated based on the type of development (wind or ground mounted) and the overall scale of the development. At the scrutiny committee a figure of around £6.7m, based on another local scheme, was discussed as being the expected level of contribution from this scheme. There is sufficient flexibility within the overall financial parameters of the scheme to make an appropriate level of contribution. It would be inappropriate to agree any level of

contribution at this stage as this will be subject to negotiation as part of the next stage development of the proposals;

8. Request officers submit a further written update to the Cabinet and scrutiny members of a further analysis of the financial proposals and contingency arrangements but notes that the figures are considered appropriate for the purpose of the decision today, also noting that the financial appraisal has been subject to due diligence by Deloitte and Davis Langdon;
9. Confirm that:
 1. That the integration of farming with renewable energy generation is already under consideration as part of the proposals.
 2. That the sensitivities around the two sites near America Farm (Oxney Grange and Flag Fen) will be taken into detailed consideration as part of the planning process.

REASONS FOR THE DECISION

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 was recommended in an attempt to ‘bank’ the higher levels of subsidy currently being offered by the government this financial year.

ALTERNATIVE OPTIONS CONSIDERED

The Cabinet could decide not to proceed with the studies and potential development of the identified sites. If it chose to do so, it would lose a valuable opportunity to progress its development of green energy. At this stage, no credible alternative sites to those proposed have emerged.

If the Local Planning Authority concludes that the sites require EIAs (Equality Impact Assessments), 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 was therefore considered, on balance, that the staged approach is preferable.

The Cabinet 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 was unlikely to achieve the best value for money from the land.

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 was not sold with restrictions on use or existing tenancies. This equates to a value of £3,144/acre which was significantly lower than the regional average of £7,063.

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 was an indicator

that the farms were not currently as productive as they could be, or that the land was less productive than the average values of land in the East Midlands. However it seemed likely that sale of the whole estate would achieve a one-off sum in the region of £10m, which was 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.

6. COLLECTIVE ENERGY SWITCHING SCHEME

Cabinet received a report providing background information to the Collective Energy Switching Initiative and to seek the Cabinet's approval in relation to the recommendation of contract award.

Councillor Cereste introduced the report highlighting that this could reduce the energy costs of many residents across the city.

The Council's Executive Director Strategic Resources address Cabinet highlighting that this scheme was the first national scheme to be launched and included registered social landlords and homes using pre-pay metres.

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

1. Approve the Peterborough Collective Energy Scheme; and
2. Authorise the award of the contract for collective energy switching to IChoosr.

REASONS FOR THE DECISION

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.

The council will benefit from an income stream based on users switching to the new energy suppliers.

It was recommended that IChoosr was 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.

ALTERNATIVE OPTIONS CONSIDERED

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

7. PETERBOROUGH STATEMENT OF COMMUNITY INVOLVEMENT (SCI)

Cabinet received a report following the approval of a draft version of the SCI for public consultation (at the Cabinet meeting on 26 March 2012) and following the subsequent public consultation. The report recommended the adoption of a final version of the Peterborough Statement of Community Involvement, which took into account comments made on the draft consultation version and sought to revoke the current Peterborough Statement of Community Involvement, which dated from 2008.

Councillor Hiller introduced the report highlighting that it had been subject to a six week consultation and the current SCI was out of date and needed to be replaced.

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

Adopt the Peterborough Statement of Community Involvement replacing and revoking the current Peterborough Statement of Community Involvement (adopted on 27 February 2008).

REASONS FOR THE DECISION

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.

ALTERNATIVE OPTIONS CONSIDERED

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.

8. PETERBOROUGH PLANNING POLICIES DEVELOPMENT PLAN DOCUMENT (DPD)

Cabinet received a report 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 took 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. The report sought Cabinet's approval to recommend the Planning Policies DPD to Council for adoption.

Councillor Hiller introduced the report and highlighted that the document had been consulted on and had been found acceptable by the Inspector. If approved, this would go to full Council for adoption.

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

1. Note the conclusions of the independent Inspector who was appointed to examine the council's submitted Peterborough Planning Policies Development Plan Document; and
2. Recommend 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').

REASONS FOR THE DECISION

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 was recommended, as it was a statutory duty to prepare a Planning Policies DPD, and, in adopting it, Peterborough would have a clear and robust policy document setting out its policies for making decisions on planning applications.

ALTERNATIVE OPTIONS CONSIDERED

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. CHILDREN'S SERVICES UPDATE

Cabinet received a report updating it 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.

The Council's Executive Director Children's Services addressed Cabinet and highlighted that improvements were still being made, the recruitment campaign for more social workers was very successful but officers still could not be complacent.

Councillor Walsh thanked the Executive Director for his work.

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

Note the improvement activity and progress within Children's Services.

REASONS FOR THE DECISION

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.

ALTERNATIVE OPTIONS

Not applicable.

11.25 a.m.

CABINET	AGENDA ITEM No. 4
10 DECEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Fitzgerald, Cabinet Member for Adult Social Care	
Contact Officer(s):	Terry Rich, Executive Director of Adult Social Care Jana Burton, Assistant Director Care Services Delivery Paul Stevenson, Head of Finance, Adult Social Care	Tel. 452407 Tel. 452440 Tel. 452306

CONSULTATION ON PROPOSED CHANGES TO ELIGIBILITY CRITERIA AND CHARGES FOR ADULT SOCIAL CARE

R E C O M M E N D A T I O N S	
FROM : Executive Director of Adult Social Care	Deadline date : n/a
<p>Cabinet is asked to:</p> <ol style="list-style-type: none"> 1. Approve the commencement of consultation with social care service users, carers and partners on revising the Council's eligibility criteria for Council supported social care services. 2. Include within that consultation, proposals to enhance the range of preventative services available to people with care needs who fall below current or any revised eligibility criteria. 3. Approve consultation on a series of modifications to the Adult Social Care charging policy including a review of the treatment of Disability Related Expenditure in the financial assessment, the introduction of charges for the supply of assistive technology and the "Appointeeship Service" (as detailed in paragraph 4.15) and the removal of the subsidy to the home meals delivery service (as detailed in paragraph 4.16). 4. To note that phase three of the increases in charges agreed in 2010/11 is due to be implemented in April 2013 as set out in the attached schedule. 	

1. ORIGIN OF REPORT

- 1.1 The report arises out of a continuing review of the operation of Adult Social Care following its transfer back to the Council from the NHS in March 2012.
- 1.2 It is part of the way in which services are brought in line with good practice and address an historic gap between demand and available resources.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to seek approval to commence consultation on a number of measures designed to increase the emphasis on promoting independence and prevention amongst people with developing social care needs and to revise the eligibility criteria for Adult Social Care from April 2013.
- 2.2 It also proposes some changes to the Adult Social Care charging policy, including a review of the Disability Related Expenditure Disregard in the financial assessment and the introduction of new charges for assistive technology and the appointeeship service.

- 2.3 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, to take responsibility of 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?	NO
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4. BACKGROUND AND KEY ISSUES

Eligibility Criteria

- 4.1 Adult Social Care services are subject to eligibility criteria which were introduced by the Department of Health in 2003 (see appendix 1). This is the Fair Access to Care Services (FACS) framework. The principle was that there should be one single process to determine eligibility for adult social care and to provide a fairer, more transparent and consistent system for allocation of social care support.
- 4.2 FACS identifies four levels of need: Critical, Substantial, Moderate and Low. Councils are required to determine which bands of eligibility they will provide to, taking into account factors including the resources available to them to deliver care.
- 4.3 Peterborough City Council has operated at a level which is essentially Critical and Substantial – in common with an estimated 84% of Social Services authorities, but also included a variation, defined as “High Moderate”.
- 4.4 Many authorities have undertaken regular reviews of eligibility criteria together with their charging policies. There are fewer than 16% of authorities remaining that operate eligibility below the level of Critical and Substantial. Public funding for social care will always be limited in the face of demand for resources and the majority of Councils have tightened eligibility criteria to shift their focus to groups with the highest needs.
- 4.5 Since 2003, there have been significant changes in the delivery of Adult Social Care in line with ‘Putting People First: a shared vision and commitment to the transformation of Adult Social Care.’ This sets out the approach to personalisation and culminated in the White Paper published earlier this year.
- 4.6 The White Paper signals that there is likely to be national guidance for local authorities on eligibility criteria by 2015. It is expected that the national threshold will be set at substantial. There has been an increasing move by some authorities to consider tightening of eligibility criteria to include only “critical” and the White Paper discourages such further eligibility tightening in advance of a national threshold being set. However, in Peterborough, eligibility is more generous than is provided in the majority of Councils and the level anticipated within a future national threshold.
- 4.7 In addition, the criteria have not been reviewed for nine years and have not been considered either in relation to the resources available to the Council, or in the light of the transformation of adult social care and the increased emphasis on personalisation and promoting independence.
- 4.8 Over the last decade our average length of stay in residential and nursing home settings in the city would indicate that in the past many people were admitted to long term care at too early a stage rather than being supported to maintain their independence at home. Today people with similar levels of needs are successfully being supported either in supported housing, including extra care housing, or in their own homes. This option is now routinely available for people who fall within the substantial and often the critical bands of eligibility.

- 4.9 More recently the development of reablement for people at the point where they first enter the social care system is also being successful in helping people, often with lower levels of need and dependency, regain full independence and be free of funded social care support for longer.
- 4.10 Greater emphasis is also being given to providing information, advice and guidance to people with developing care needs and their families and signposting them to services which may be provided within the community or through voluntary organisations rather than offering to provide formal, funded care.
- 4.11 As well as ensuring the council's resources are deployed to prioritise those in greatest need of social care support, it is also the intention to better identify and address the needs of the wider community including self funders. There are already a number of services which are provided or commissioned by Adult Social Care and the wider Council which form a preventative strategy. The intention is to cost, quantify, strengthen and include these services as part of a more universal offering from information and advice to low level support, brokerage and other support to enable the wider population to benefit.
- 4.12 It is intended that the proposed consultation will both outline the range of preventative services already available and to seek views on the types of services which might be required to help people to remain independent for longer and, therefore, not need to become reliant on council-funded social care services.

Charging policy

- 4.13 Members agreed at the last review of the Council's Adult Social Care charging policy in 2011 to allow care charges to rise to the level of their actual cost for those service users who can afford to pay (either because they have capital above the funding threshold of £23,250, or have high incomes); and approved phased increases of these charges for existing service users over three financial years to protect them from the impact of steep increases.
- 4.14 The first two phased increases have been applied, and the third and final phased increase is due to be applied from April 2013, and will affect the following services:

Respite	Increase from £364 to the full cost (£387 to £430pw).
Day care	Increase from £24 to £35 per day care session.
Homecare x 2 carers	Increase from £21.94 per hour to £26.32 per hour.

- 4.15 In addition to the charge increases to be applied from April 2013, it is now proposed to consult on the introduction of further amendments to the charging policy to be introduced at the same date:
- Disability Related Expenditure disregard - within the financial assessment calculation for people who pay an assessed charge towards the cost of their care, there is a deduction for additional costs they might expect to incur relating to their disability - known as the Disability Related Expenditure (DRE) disregard. Peterborough currently operates a flat rate DRE of £32 applied to all those with an assessed charge. A comparison with other local authorities has identified that the level of this disregard is both comparatively high and unusual in that it is applied universally. It is proposed to consult on the introduction of a banded Disability Related Expenditure disregard, applied only where specific evidence of additional costs of living with a disability is identified. If implemented, this change could affect around 600 people and generate in the region of £250,000 per annum, depending on the bandings introduced.
 - Assistive Technology - to be included as a chargeable service both when part of a personal budget or as a commissioned service. Those over the upper income or capital threshold would meet the full cost whilst the majority of service users will continue to pay an affordable charge towards the total cost of their personal budget following a financial assessment. The charge will range from £2.88 to £6.40 per week depending

on the equipment provided. There are currently 229 service users in receipt of an AT service. Some of these service users are already in receipt of care services and paying their maximum assessed charge, so there would be no additional impact from these. There are around 60 service users whom these changes would affect, and could generate additional income of around £9,000 per annum.

- Protected levels of income used in the charging policy are based on Department for Work and Pension's original Pension Credit qualifying age of 60. As the qualifying age for Pension Credit will increase to 66 by 2020, it is proposed to substitute "Pension Credit qualifying age" in order to reflect this change in place of "at age 60".
- Adult Social Care acts as "appointee" for a number of service users who lack mental capacity to manage their own finances and who have no next of kin or representative who can do so. No charge is currently made for this service. However the Association of Public Authority Deputies (APAD) has advised that Councils can charge for the provision of an appointee client income management service, and has provided comprehensive good practice guidance. This emphasises that charges should not be applied if it is likely to cause financial hardship. Adult Social Care is currently appointee for approximately 160 clients and it is estimated that, if introduced, a minimum of a third of this group would be subject to a charge of the APAD recommended figure of £5 per week. This could generate additional income of £13,000 per annum.

4.16 In addition it is proposed to consult on the proposal to remove the subsidy from the current home meals service. If the subsidy were to be removed in a single phase, it would result in an increase from £3.20 to £5.20 per meal for hot meals and from £2.00 to £2.60 for frozen meals. The consultation will also test out alternatives, including whether there remains a case to continue with a hot meals delivery service. This would generate additional income in the region of £96,000 per annum, if the subsidy is removed in one year.

5. CONSULTATION

- 5.1 Changes to eligibility criteria and charging are subject to consultation with those affected by the proposal. It is intended that a questionnaire will go out to existing service users and their carers/families and to organisations representing service users and carers groups.
- 5.2 Consultation will take place during December 2012 and January 2013 and the results considered prior to a final decision being proposed to be taken as part of the Council's budget setting process.
- 5.3 The approach to the consultation needs to be handled well to ensure a coherent rationale and process as well as compliance with equalities legislation. In so doing, it is important to be mindful of two recent High Court Judgements: **R (W) v Birmingham City Council (2011)** and **JG and Another v Lancashire County Council (2011)**.
- 5.4 Commencing consultation now would enable implementation for the new criteria from April 2013. Existing service users would be reviewed in line with the dates for their annual review. The full year savings would, therefore, come into effect from 2014 in preparation for the new national thresholds due in 2015 together with the anticipated decisions about carers. It is expected that from 2015 all carers will have a right to an assessment and clear entitlement to support so they can maintain their own health and well being.
- 5.5 It is proposed that consultation takes place on the proposal to tighten eligibility criteria and charging with all current service users, carers and families as well as other partners and stakeholders. Focus groups will be held with each customer group to discuss and seek input to the 'preventative offer' to help mitigate the effects of giving priority for ongoing statutory support to those in the greatest need.
- 5.6 The charging policy was last reviewed by Council in February 2011 when consultation about the charge increases was included in the extensive city-wide consultation undertaken for the Council's mid-term financial strategy.

6. ANTICIPATED OUTCOMES

- 6.1 Analysis of existing spend suggests that a change of criteria to critical/substantial could result in savings in the order of £500,000 p.a. This is based on an assumption that there would be a reduction in low value (less than £150 per week) packages of care as more people are reabled, signposted to other services or are provided with advice on how else they might meet their needs. It is acknowledged that some low value packages will continue, for example where a family carer provides the majority of the care to someone with high needs but receives a low level of funded support to help them to manage.
- 6.2 Should a change in eligibility criteria be agreed, changes to individual care packages would only take place following a review of needs. Such a review may well identify changes, increased needs, but may also identify reablement potential.
- 6.3 It is anticipated that following consultation, if the changes are to proceed, investment of part of the future savings will be recommended to be made in additional preventative services to ensure that those no longer eligible are able to access other support.

7. REASONS FOR RECOMMENDATIONS

- 7.1 Consultation with those affected by a change to eligibility criteria will enable implications of those changes to be fully considered. It will provide opportunities for people receiving care services, their families and carers, and for partner agencies to give their views and to outline any concerns or consequences.
- 7.2 The consultation will also enable views and evidence to be gathered of the effectiveness of the current range of preventative services in place and views of where these might be developed should the decision be made to implement a change in criteria.
- 7.3 Consultation on the proposed revisions to the charging policy will enable views to be gathered from those likely to be affected by changes and for the impact to be fully considered prior to decisions being made. In relation to the Disability Related Expenditure disregard, consultation will involve discussion with disabled service users and with disability groups, including the Disability Forum, about the best ways of targeting resources and in this case income disregards to take account of the additional costs of living as a disabled person.
- 7.4 Given that each of these proposals, if implemented, will result in financial savings either through reducing costs or increasing income, consultation will also ensure that when decisions are made, consideration of the availability of resources and the service implications are appropriately balanced.

8. ALTERNATIVE OPTIONS CONSIDERED

Eligibility criteria

- 8.1 Consideration was given to waiting for Department of Health guidance on eligibility criteria expected in 2015. However, it is felt reviewing the criteria now places the Authority in a sound position to be prepared for the national changes being signalled in line with available resources.

Charging policy

- 8.2 i) No review off the level of the Disability Related Expenditure disregard could be undertaken and the DRED could be retained at the current level. This option is rejected as the current scheme does not take account of differing levels of need, and people with lower level requirements, in terms of disability related expenditure requirements, currently receive the same level of disregard as people with higher requirements. In addition, it does not

take account of the higher level of disregard allowed in Peterborough in comparison with other authorities.

ii) Leave the charging policy unchanged. This option is rejected because the charging policy would be inconsistent in its treatment of charges for different care services, and would not be in-step with national changes to the state pension age.

iii) Maintain the status quo in terms of charging for the appointee client income service and meals charges. This option is rejected because additional revenue can be reasonably raised from the application of a charge / charge increase for these specific care services.

- 8.3 The consultation will seek to explore the implications of the proposals set out in this report and may lead to alternatives or modifications being considered prior to final recommendations being made.

9. IMPLICATIONS

9.1 Financial

These changes would result in financial savings which would contribute to meeting the significant financial pressures faced by the Council in relation to increasing demand for social care services at times of financial restraint. Failure to identify areas where costs can be reduced or income increased will place significant pressure on Adult Social Care's ability to manage within the resources available and to meet priority needs.

9.2 Legal

Consultation is a statutory requirement for eligibility criteria and charging.

9.3 Diversity and Equality

- 9.3.1 Should a change to eligibility criteria be agreed, consideration will need to be given to the differential access to preventative services for different groups that might be affected by a change. The preventative strategy and the implementation and access to services like reablement will ensure that people with disabilities are not disadvantaged. The 'preventative offer' will ensure that account is taken of wider equality issues to ensure advice, information and low level support can be easier to access across the community.

- 9.3.2 An equalities impact assessment has previously been completed in respect of the Day Care, Respite and Home Care (2 carers) charge increases. The recommended change to Disability Related Expenditure disregard will be designed to specifically take account of disadvantages faced by people living with a disability who are subject to a means test to determine their social care charges. The other changes proposed, whilst not likely to have a significant impact on any particular section of the community, will also be considered in a fresh Equality Impact Assessment prior to final recommendations being made.

10. BACKGROUND DOCUMENTS

DH White Paper: Caring for Our Future Reforming Care and Support July 2012-11-16
Fair Access to Care Services (FACS) Assessment Criteria among Local Authorities in England

DH Guidance on Eligibility Criteria for Adult Social Care 2012
PCC Medium Term Financial Strategy and Plan to 2015/16

Appendix 1

FACS bandings and eligibility criteria for individuals

Critical – when

- Life is, or will be, threatened; and/or
- Significant health problems have developed or will develop; and/or
- There is, or will be, little or no choice and control over vital aspects of the immediate environment ; and /or
- Serious abuse or neglect has occurred or will occur; and/or
- There is, or will be, an inability to carry out vital personal care or domestic routines; and/or
- Vital involvement in work, education or learning cannot or will be sustained; and/or
- Vital social support systems and relationships cannot or will be sustained; and/or
- Vital family and other social roles and responsibilities cannot or will not be undertaken.

Substantial – when

- There is, or will be, only partial choice and control over the immediate environment; and/or
- Abuse or neglect has occurred or will occur; and/or
- There is, or will be, an inability to carry out the majority of personal care of domestic routines; and/or
Involvement in many aspects of work, education or learning cannot or will not be sustained; and/or
- The majority of social support systems and relationships cannot or will not be sustained; and/or
- The majority of family and other social roles and responsibilities cannot or will not be undertaken.

Moderate – when

- There is, or will be, an inability to carry out several personal care or domestic routines; and/or
- Involvement in several aspects of work, education or learning cannot or will not be sustained; and/or
- Several social support systems and relationships cannot or will not be sustained; and/or
- Several family and other social roles and responsibilities cannot or will not be undertaken.

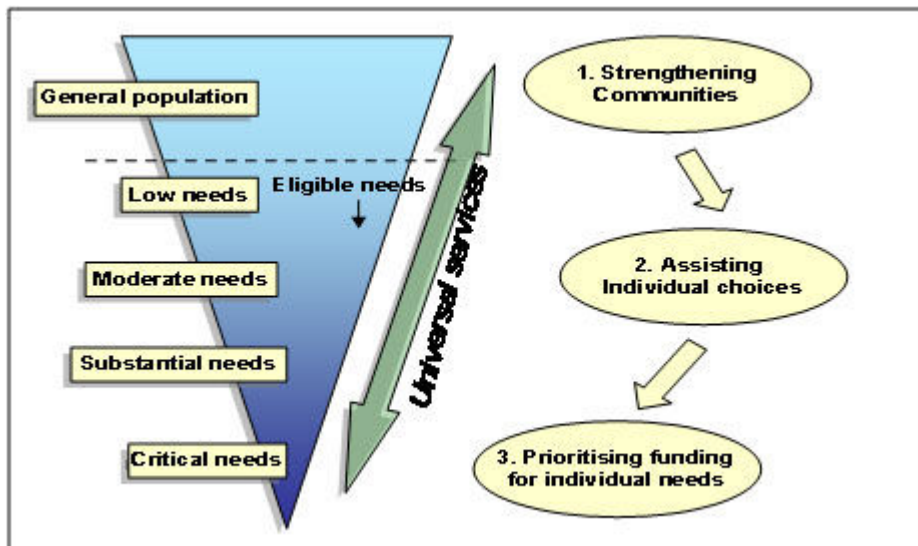
Low – when

- There is, or will be, an inability to carry out one or two personal care or domestic routines; and/or
- Involvement in one or two aspects of work, education or learning cannot or will not be sustained; and/or
- One or two social support systems and relationships cannot or will not be sustained; and/or
One or two family and other social roles and responsibilities cannot or will not be undertaken.

As indicated in Figure 1 below, the eligibility bands are set in the context of the:

- General population recognition that universal services need to be expanded to meet the needs, demands and expectations of the general population and for individuals and carers
- Need to strengthen communities, assist individual choices and prioritise funding for individual needs.

Figure 1: Eligibility needs in the context of the environment



Case Studies

High Moderate

Mr K is an 87 year old man who was admitted to hospital with infective exacerbation of COPD on the 30 October 2012 and deemed medically fit for discharge on the 6 November 2012. Mr K lives with his wife who provides natural support in relation to general household tasks, shopping and meals. Prior to his admission to hospital Mr K was independent with washing and dressing ensuring he took his time to complete these tasks and resting intermittently when he became short of breathe. Mr K was quite anxious about returning home and less confident about being able to meet his personal care needs and therefore he was referred to the reablement service who supported him to regain his confidence, relieve his anxiety and work towards becoming independent with washing and dressing. Mr K was discharged from reablement on the 20 November 2012 and without this service he may have become more dependent and reliant on a longer term care package due to his level of anxiety which exacerbates his COPD (chronic obstructive pulmonary disease).

High Moderate

Young person, mid 20s was in foster care then Shared Lives Scheme then moved into boyfriend's family home, developing skills along the way. Boyfriend also mild LD. About to set up home with boyfriend. Requires low level support such as floating support to look at mail, direct debits set up for utilities and support to make health appointments (not to attend but to remember to make). Without this support care needs might increase.

Substantial

Mr T is a 60 year old man who lives alone in sheltered accommodation and has been diagnosed with Myotonic Dystrophy (characterised by wasting of the muscles, muscle pain and disabling distal weakness). Mr T has frequent falls and requires support to access the community and his work and support in his home environment to meet his activities of daily living safely. Mr T has a care package of four calls per day to support him with his personal care needs and meal preparation. Mr T has support from his work colleagues three mornings a week to enable him to

continue to work. Mr T is supported to remain as independent as possible and whilst the risk of falls remain due to maintaining this level of independence the number of falls resulting in injury and hospital admission have significantly decreased. Mr T is supported to make informed choices and have control over decisions, for example access to work. He is aware of the risks in terms of falls and increased pain/debility but he feels the benefits far outweigh the risks.

Substantial

Young person, 18 years of age. Has autism and severe LD, elective non-verbal communication. Isolates himself both emotionally and physically requiring significant support to participate in any activity including basic Activities of Daily Living (although technically physically able).

Critical

Mrs H is a 63 year old woman who lives with her husband. Mrs H has multiple sclerosis and is dependent on others to meet most of her activities of daily living. Mrs H spends most of her time in bed where she feels more comfortable but she will sit out in a wheelchair on occasions for short periods of time. Mrs H is unable to mobilise independently and support to meet all personal care (washing/dressing toileting) is provided by 2 carers and all transfers are carried out using a hoist. Full assistance with meal preparation is provided and her carers/ husband ensure food is cut up or finger foods are offered to give Mrs H some independence as she has no useful movement in her left hand.

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CABINET	AGENDA ITEM No. 5
10 DECEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital. Cllr Hiller - Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Simon Machen Head of Planning, Transport and Engineering Services Gemma Wildman Principal Planner	Tel. 453475 Tel. 863824

**PETERBOROUGH CITY CENTRE DEVELOPMENT PLAN DOCUMENT (DPD)
CONSULTATION DRAFT**

RECOMMENDATIONS	
FROM : Paul Phillipson Executive Director of Operations	Deadline date :
<p>That Cabinet approves the publication of the City Centre Plan (Consultation Draft Version) for six weeks public consultation starting in early 2013.</p>	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following approval of the Council's Local Development Scheme (LDS) by Cllr Cereste - Leader of the Council and Cabinet Member for Growth, Strategic Planning, Economic Development, Business Engagement and Environment Capital, which identifies that the council will prepare a City Centre Plan during the period 2012 – 2014.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to enable Cabinet to agree the City Centre DPD Consultation Draft (hereafter referred to as the 'City Centre Plan') for public consultation starting early in the new year.

2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.1, to take responsibility of 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.

2.3 TIMESCALE

Is this a Major Policy Item/Statutory Plan?	YES	If Yes, date for relevant Cabinet Meeting	Later in 2013 (an updated version of the City Centre Plan)
Date for relevant Council meeting	Late 2013	Date for submission to Government Dept	Spring 2014 submission to DCLG

3. CITY CENTRE PLAN

- 3.1 The overall strategy for the development of Peterborough to 2026 has been established by the Peterborough Core Strategy, which was adopted by the council in February 2011. This established broad growth and development principles, including for the city centre. The City Centre Plan will set out more detailed policies, in conformity with the requirements of the Core Strategy.
- 3.2 Peterborough will undergo significant growth over the next 10 to 15 years, including the city centre which is set for widespread improvements, growth and regeneration. This will see the city centre 'offer' expanded, its population base increased, and a general greater range of facilities.
- 3.3 To ensure that this planned growth in the city centre takes place in a way which meets the needs of the city's growing population now and in the future, there is a need for an overall plan, vision and strategy to guide new development and help create a diverse, lively and successful place.
- 3.4 The consultation draft version of the City Centre Plan sets out the council's long-term vision and objectives for the city centre; it sets out the policies and proposals that will help direct how new development and regeneration will be achieved and how the council's vision for the city centre will be met. The plan identifies and addresses a number of key themes which affect the strategy for the city centre as a whole, such as:
- Sustainable Development
 - Retail
 - Leisure
 - Office development and employment
 - Housing
 - Historic environment
 - Transport and other infrastructure
- 3.5 Within the Plan, the city centre is divided into eight distinct segments or "Policy Areas"; each one with its own policy setting out the vision, potential developments and planning requirements for the area. It identifies land that might be available for new development and, in some cases, "Opportunity Areas" where there is real scope for transformation of the area through some form of comprehensive redevelopment. The eight Policy Areas are shown on the attached map, together with a summary of the main emerging proposals for each Policy Area.

4. CONSULTATION

- 4.1 The consultation draft version of the City Centre Plan was presented to Planning and Environmental Protection Committee on 6 November and Sustainable Growth and Environment Capital Scrutiny on 8 November. There was overwhelming support for the City Centre Plan from both meetings. Whilst a few concerns were raised regarding deliverability of the plan, it was explained to the two committees that significant investment has recently taken place in the city centre, and continues to do so, and therefore whilst the plan is aspirational it is considered realistic and achievable. No changes were suggested to the text of the document.

The next stages of public consultation are:

- Six week public consultation on the draft City Centre Plan – late January/early February to March 2013
- Opportunity for formal representations on final version of the plan - January to March 2014
- Submission to government – spring 2014

- Independent examination – autumn 2014
- Adoption – late 2014 or early 2015.

5. ANTICIPATED OUTCOMES

- 5.1 It is anticipated that Cabinet will approve the City Centre Plan (Consultation Draft) for public consultation starting in early 2013.

6. REASONS FOR RECOMMENDATIONS

- 6.1 Cabinet is recommended to approve the City Centre Plan (consultation draft) for public consultation because it will help deliver the city's growth targets set out in the Core Strategy, it will help to encourage and coordinate further investment in the city centre and the regeneration of a number of large brownfield sites in the City Centre such as the former Hospital site, the Railway station and North Westgate.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 The council is required to produce a City Centre Plan in accordance with its approved LDS and Core Strategy. The option of not producing a City Centre Plan would mean that the council would not be working in accordance with its LDS and would not be in a position to deliver the growth and regeneration for the city centre. Therefore the alternative option of not producing the City Centre Plan was rejected.

8. IMPLICATIONS

- 8.1 The City Centre Plan will have implications for all sectors of the community and visitors to the city.

- 8.2 Legal Implications - The Council must follow due Regulations in preparing the City Centre Plan. Eventually, once the final document is adopted in 2014/15, the Council has a legal duty to determine planning applications in accordance with the plan, unless material considerations indicate otherwise.

- 8.3 Financial Implications - There are no immediate significant financial implications flowing from the approval of consultation draft of the City Centre other than costs associated with consulting on it, which can be covered by existing budgets. However, Members should be aware of two future financial implications:

(a) The council owns land within the city centre and there could be financial implications on the value of that land. To be clear, all council owned land has been assessed and treated like all other proposed areas for development.

(b) There could be indirect financial implications arising from the development of sites (e.g. provision of infrastructure and services for the new residents, s106 arrangements, and increased council tax or other receipts).

- 8.4 Environment Capital Implications – The plan has been written using Sustainability Appraisal principles. It also has an explicit policy (CC1) which states that all development proposals in the City Centre should contribute to Peterborough's ambition to be the Environment Capital of the UK. The City Centre Plan, therefore, positively contributes to the city's Environment Capital aspirations.

9. BACKGROUND DOCUMENTS

- Peterborough Core Strategy (February 2011)
- Local Development Scheme (April 2012)

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CABINET	AGENDA ITEM No. 6
10 DECEMBER 2012	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Peter Hiller - Cabinet Member for Housing, Neighbourhoods and Planning	
Contact Officer(s):	Richard Kay – Group Manager Strategic Planning, Housing and Environment	Tel. 453475
	Julia Chatterton – Flood and Water Management Officer	Tel. 452620

FLOOD AND WATER MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT

RECOMMENDATIONS	
FROM : Executive Director Operations	Deadline date : N/A
<p>1. That Cabinet adopts the Flood and Water Management Supplementary Planning Document (SPD).</p>	

1. ORIGIN OF REPORT

1.1 The Flood and Water Management Supplementary Planning Document (SPD) has been prepared following recent and forthcoming changes in legislation around flood and water management, the adoption of the Core Strategy and the expected adoption by Council on 5 December 2012 of the Planning Policies Development Plan Document (DPD).

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to ask Cabinet to adopt the Flood and Water SPD. The SPD will provide guidance to developers on flood and water management in Peterborough. It expands on overarching headline policy contained in the Council’s adopted Core Strategy and (assuming it was adopted on 5th December 2012) Planning Policies DPDs. The document has been subject to public consultation and has now been revised and updated accordingly ready 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?	NO
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4. FLOOD AND WATER MANAGEMENT SPD - BACKGROUND AND KEY ISSUES

4.1 The SPD forms part of a package of work arising following the Flood and Water Management Act (FWMA) 2010, which made Peterborough City Council a ‘Lead Local Flood Authority’. The Council is now responsible for co-ordinating surface water management.

- 4.2 Flood risk management is high on the agenda in Peterborough. Ensuring that the drainage network and watercourses are managed appropriately, that sites are designed and constructed to drain well and that development is located in a safe environment are all key to reducing the likelihood and consequences of flooding in Peterborough.
- 4.3 It is predicted that the future will bring more frequent short duration, high intensity rainfall and more frequent periods of long-duration rainfall, meaning both river and surface water flooding are likely to be an increasing problem. Around two-thirds of the flooding across the country in summer 2007 was due to surface water (Environment Agency, 2007).
- 4.4 The council and all water management partners also have a responsibility under European legislation (the Water Framework Directive) to ensure there is no deterioration in the quality of any water environments.
- 4.5 The Council's adopted Core Strategy proposes a high level of growth in Peterborough up to 2026. The aims of the Flood and Water Management SPD are: to make sure that new development does not increase the risk of flooding or reduce water quality, but actively seeks to protect our environments; and to support and elaborate on adopted higher level policy relating to flood risk management and water quality.
- 4.6 The objectives of the SPD are to provide guidance to applicants and decision makers on:
- a. How to assess whether or not a site is suitable for development based on flood risk grounds.
 - b. Designing an appropriate site drainage system in Peterborough, using sustainable drainage measures
 - c. How development should contribute to protecting aquatic environments.
- 4.7 The broad thrust of the SPD is not to place additional burdens on developers, but rather to assist them in meeting existing adopted planning policy and wider statutory flood and water matters, such as those arising from the Flood and Water Management Act 2010 and Water Framework Directive.

5. CONSULTATION

- 5.1 The Flood and Water Management SPD has been written in consultation with the Environment Agency, Anglian Water, Internal Drainage Boards and council officers.
- 5.2 Following Cabinet approval on 12th December 2011, formal public consultation was undertaken during February and March 2012 for a period of 6 weeks. All comments received (which were primarily from the key stakeholders referred to above) have been reviewed and the draft document amended as appropriate. In general terms, the SPD has been well received by key water management partners and is being used by them as 'model policy' when they have discussions with other local authorities on water related policies.
- 5.3 Further updates have also been made to take into account the latest national policy and guidance such as the National Planning Policy Framework.
- 5.4 The SPD was presented to the Planning and Environmental Protection Committee on 6th November and to the Growth and Environment Capital Scrutiny Committee on 8th November. It was well received by both groups. Some minor changes were suggested and these have been addressed.

6. ANTICIPATED OUTCOMES

- 6.1 It is anticipated that Cabinet will approve and adopt the Flood and Water Management SPD.

7. REASONS FOR RECOMMENDATIONS

- 7.1 There is no statutory duty to prepare this SPD. However, without it, developers could be confused or misinformed as to how they can deliver fit-for-purpose development schemes in Peterborough that meet flood and water management requirements. This could have an impact on development coming forward as additional time would need to be spent on negotiating applications where flood or water management issues occur.
- 7.2 This policy document is supported by Peterborough's water management partners, improves current and future service delivery through the more efficient processing of planning applications and future drainage approval applications.
- 7.3 Overall, the document helps developers, helps deliver growth and helps achieve sustainable development.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Option 1 (*Recommended*) – Adopt this SPD so that developers and water management partners have clear guidance and policy to assist development in meeting local, national and European flood and water management requirements. The SPD also allows planning and development to make a smoother transition to, and be better aligned in the long term with, the new sustainable drainage provisions to be commenced by government in 2013/4.
- 8.2 Option 2 – The Council could decide not to adopt this SPD and leave policy to be produced nationally. This would leave more areas of European and national policy open to wider interpretation which would reduce the efficiency of Peterborough's planning service. It could be harder for local considerations to be taken into account when developers try to meet national flood and drainage legislation. Working relations with water management partners would also be less efficient due to the lack of formal local agreement on water issues.
- 8.3 Option 3 - The Council could undertake another public consultation on the SPD. This would lead to a potential adoption date of summer/autumn 2013. In the interim there would be less clarity over the inclusion of drainage and water environment issues within planning applications. Development may struggle to understand what is expected of it by Peterborough City Council and other water management partners.

9. IMPLICATIONS

- 9.1 The Flood and Water Management SPD is relevant to the whole unitary authority area and is aimed predominantly at developers and their agents.
- 9.2 This matter is directly linked to the Priorities of the Sustainable Communities Strategy, especially priorities relating to Growth and Environment Capital.
- 9.3 Once adopted, the document will become part of Peterborough's planning policy framework and will be used in the determination of planning applications.
- 9.4 The SPD is not intended to introduce new burdens (legal or financial) for the Council or developers, but instead provide guidance to assist with meeting the new obligations parties have under national and European legislation such as the Flood and Water and Management Act 2010 and the Water Framework Directive.

10. BACKGROUND DOCUMENTS

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

- The Peterborough Core Strategy Development Plan Document, adopted February 2011.
- The Peterborough Planning Policies Development Plan Document Submission Version (April 2012)
- Flood and Water Management Act 2010
- Water Framework Directive

- National Planning Policy Framework, March 2012
- Technical Guide to the National Planning Policy Framework, March 2012
- The Environment Agency's River Basin Management Guide to Hydromorphology no.6

CABINET	AGENDA ITEM No. 7
10 DECEMBER 2012	PUBLIC REPORT

Contact Officer:	Alex Daynes, Senior Governance Officer, Democratic Services	Tel. 01733 452447
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UPDATE - PETITIONS

RECOMMENDATIONS	
FROM : Directors	
1. That Cabinet notes the action taken in respect of petitions presented to full Council.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following the presentation of petitions to full Council.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to update Cabinet on the progress being made in response to petitions in accordance with Standing Order 13 of the Council's Rules of Procedure.
- 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. OUTCOME OF PETITIONS

4.1 Petition Against the Proposed Wind Turbine and Solar Panel Installation on the Newborough Estate

This petition was presented to full Council on 10 October 2012 by Councillor David Harrington. The Council's Area Manager Development Management responded on 6 November 2012 stating that the petition had been included in the ongoing consultation, officers had met and were planning further meetings with the Newborough Land Protection Group on a fortnightly basis to discuss any updates and concerns and future dates for these meetings were being arranged.

4.2 Petitions for A Skate Park In Thorney

This petition was presented to full Council on 10 October 2012 by Councillor Dale McKean. The Council's Assistant Neighbourhood Manager (North and West) responded on 8 November stating that the Neighbourhood Delivery Team had considered the issue and a junior sub-committee was to be set up to help with the necessary consultation and decision

making including dealing with funding bids. A consultation plan had been created for the village before bidding for any available grants and discussions have been held with the local primary school about membership of the working group in order to move the project forward.

4.3 Petition to Release Funds to Build a New Residential Care Home

This petition was presented to full Council on 10 October 2012 by Councillor Ed Murphy. The Council's Head of Commissioning - Older People, Physical Disabilities, Sensory Impairment, HIV and Carers responded on 25 October stating that the option to build a new care home had been investigated and considered as part of the council's consultation paper which was available on the council's website. Due to success with the reablement services, it was expected that there would be reduced demand for residential placements. Residents would still have to move out of their current home to take up residence in any new build. Commissioning of a dementia resource centre was planned to provide help to those people living with dementia as well as their carers. The Cabinet report for its meeting on 5 November would contain more details of this.

4.4 Petition Calling for a Referendum Deferring Closure of the Greenwood House and Welland House Care Homes Until A New Building Is Established

This petition was presented to full Council on 10 October 2012 by Councillor Ed Murphy. The Council's Head of Commissioning - Older People, Physical Disabilities, Sensory Impairment, HIV and Carers responded on 25 October stating that the request for a referendum on the issue was acknowledged. However, the consultation on this issue was for three months and all those impacted were able to provide their views and alternative proposals before final consideration by Cabinet on 5 November. The referendum request would be included in the responses received to the consultation.

5. REASONS FOR RECOMMENDATIONS

- 5.1 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.

6. ALTERNATIVE OPTIONS CONSIDERED

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

7. LEGAL IMPLICATIONS

- 7.1 There are no legal implications.

8. BACKGROUND DOCUMENTS

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

- 8.1 Petitions presented to full Council and responses from officers.