

CABINET

MONDAY 20 JANUARY 2014

10.00 AM

Bourges/Viersen Rooms - Town Hall

Contact – gemma.george@peterborough.gov.uk, 01733 452268

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 16 DECEMBER 2013

PRESENT

Cabinet Members: Councillor Cereste (Chairman), Councillor Elsey, Councillor Fitzgerald, Councillor Holdich, Councillor North, Councillor Seaton and Councillor Walsh.

Cabinet Advisers: Councillor Casey, Councillor Goodwin and Councillor Todd.

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Scott.

2. DECLARATIONS OF INTEREST

No declarations of interest were received.

3. MINUTES OF THE MEETINGS HELD 18 NOVEMBER 2013

The minutes of the meeting held on 18 November 2013 were agreed as a true and accurate record.

STRATEGIC DECISIONS

4. ENVIRONMENT CAPITAL ACTION PLAN (ECAP)

Cabinet received a report seeking its approval of the ECAP for the purpose of public consultation. Officers proposed to consult with the public and stakeholders on the draft Plan in early 2014. The Plan would provide, for the first time, a clear vision for how the 'Creating the UK's Environment Capital' strategic priority would be delivered. The Plan was based on the internationally recognised concept of 'One Planet Living', defined as a vision of a sustainable world where people lead prosperous, happy, healthy lives within their fair share of the earth's resources.

Councillor North introduced the report and highlighted the structure of the ECAP. As well as it being an action plan to foster healthier and happier lives, it would support economic prosperity and security for residents of the city and help to generate stronger, cohesive, supportive communities. In achieving this it would also help to improve the local environment and contribute to minimising and mitigating against the effects of climate change.

With two different set targets, 2013-2016 targets which mostly already existed in the city, and 2050 targets which were designed to be visionary, the Plan had been developed with key stakeholders and was intended to be a true reflection of what they could commit to within existing resources.

Councillor North and the Council's Climate Change Team Managers' responses to questions included:

- An increasing amount of work was being undertaken alongside the Peterborough Environment City Trust (PECT). This worked well from a number of perspectives, but particularly from a funding perspective;

- The adoption of visionary targets up to 2050 set Peterborough apart from other councils, however the One Planet Living Framework had been adopted by Brighton and Middlesbrough, although they had approached it very differently to Peterborough;
- Food was one of the ten themes within the Plan as to which there was a lesser understanding, hence an action contained within the Plan to seek funding to carry out a full feasibility study into local food production;
- Engagement with Transition Peterborough would be undertaken as part of the process; and
- In relation to the eradication of fuel poverty in the city, going forward there would be real benefits to utilising local and quality green energy.

Following questions, Councillor Cereste congratulated the Team on the report and on all of the work undertaken, further highlighting that there were a number of innovative money saving projects being undertaken in the city including the Energy Switching Scheme.

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

Approve the ECAP for public consultation.

REASONS FOR THE DECISION

The approval of the Plan for public consultation would help deliver the city's Environment Capital priority by providing clear strategic direction for the priority whilst creating, for the first time, a set of targets with which the progress of this priority would be measured.

ALTERNATIVE OPTIONS CONSIDERED

The alternative option was to not produce a Plan. This was rejected because this would mean that there would be no clear vision and targets associated with the Environment Capital priority, making progress difficult to monitor and the effective allocation of resources difficult.

5. COUNCIL TAX SUPPORT SCHEME

Cabinet received a report updating it on the implementation of the new local Council Tax Scheme in 2013/14 and seeking its approval for the draft scheme for 2014/15, to be used as the basis for undertaking public consultation, to be the same as the current year. The report further outlined the approach for consultation and outlined the timescales for implementation.

Councillor Seaton introduced the report and provided an overview of the 2013/14 implemented local scheme, which had been extensively consulted upon prior to its approval at Full Council in January 2013. The consultation included many options of how the local scheme could operate and it had been agreed that a fair and simple approach was to reduce benefit for all by 30%. The impact of the new scheme, both on the council's finances and on individuals had been monitored over the course of the year and upon review, it was clear that the financial challenges remained the same. It was therefore proposed that the Scheme remained the same as it was for 2013/14.

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

Approve that the draft Council Tax Benefit Support Scheme for 2014/15 should be the same as for the current year, and to use this as a basis for consultation.

REASONS FOR THE DECISION

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

ALTERNATIVE OPTIONS CONSIDERED

The alternative options available to the Council were:

- i) To do nothing. This was rejected because if the Council did not agree a local scheme, legislation meant that a 'default scheme' would be applied to any council that did not formally adopt a Council Tax Support scheme by 31 January 2014. For Peterborough this would result in an additional pressure of £2.4m and savings to be made from elsewhere in its budget. This could also affect the services provided by the Fire and Police Authorities as over 17% of the council tax that was collected was distributed to these preceptors; and
- ii) Somewhere in between, a lower than 30% reduction. This was rejected because absorbing any deficit from a shortfall in funding would impact on the services that the Council delivered, but would mean a lesser impact on benefit recipients.

6. ADULT SOCIAL CARE TRANSFORMATION AND PERSONALISATION

Cabinet received a report which informed it of the scope and progress made on the Transformation Programme for Adult Social Care. The report enabled review of progress against the Cabinet decision to:

- i. Revise the Eligibility Criteria for Adult Social Care from high/moderate to critical/substantial, in line with Department of Health categories with effect from April 2013 for new service users and for existing service users from the date of their annual review or sooner if there was a change in circumstance which merited earlier review;
- ii. Provide Reablement to all existing and new service users who would benefit;
- iii. Offer longer term transitional support to younger adults with long term conditions including those who fall below critical/substantial needs as part of the Council's preventative offer; and
- iv. Re-commission and further invest in 'a preventative offer' available to the wider community.

The report also provided Cabinet with an overview of the internal background and external drivers for the transformation of Adult Social Care Services in Peterborough and informed on the scope and progress made on the Adult Social Care, Transformation Programme and the expected delivery date of the detailed business case upon which the Council would decide on the future operating model to be implemented from April 2014.

Councillor Fitzgerald introduced the report highlighting that it was part of the wider ongoing work and certain issues, including the Customer Strategy, were still a work in progress. Further key points highlighted included:

- Transformation would be driven by a number of factors, not solely financial. The response to the factors driving change was the creation of a service which supported the principles of personalisation;
- Two key strategies were being finalised, the Customer Strategy and the Digital Strategy and the report detailed how the resources were being managed due to the ongoing spending review in terms of public finances;

- Personalisation was a key word, with people's destinies being put into their own hands wherever possible. Managed accounts by the Council would only be offered where all other options had been explored; and
- The consultation had been fully inclusive and emphasis had been placed onto carers as much as the service users themselves. There was a good Carers Strategy in place that was under constant review.

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

1. Note the report about the ongoing Transformation to a Personalisation model in Adult Social Care;
2. Note the next stages in the Transformation to a Personalisation model in Adult Social Care; and
3. Discuss and feedback any comments to the Adult Social Care Team.

REASONS FOR THE DECISION

To ensure that Cabinet were informed of the scope and progress made on the Transformation programme for Adult Social Care.

ALTERNATIVE OPTIONS CONSIDERED

There were no alternative options considered.

7. TRANSFORMING DAY OPPORTUNITIES FOR ADULTS UNDER 65

Cabinet received a report which informed it of the review of day opportunities for people under 65 with physical and learning disabilities, including employment services and day centres. The report further informed Cabinet of a set of proposals that had been put together following extensive engagement from May 2013 to November 2013, with the people who use the services and their families and carers, as well as staff, other day service providers and other local authorities that had modernised their services.

The report also sought Cabinet's approval to go out to public consultation on the proposals on how activities and lifestyle opportunities for adults under 65 were to be provided in the future. Following completion of the consultation, and consideration of all responses, a further report would be presented to Cabinet to seek its approval for a final set of proposals on how day opportunities for adults under 65 with learning and physical disabilities could be offered in the future.

A short video on the Transformation of Day Opportunities for Adults was shown. Following this, Councillor Fitzgerald introduced the report and highlighted that there would not be a 'one size fits all' model, it would be for trained Adult Social Care staff to determine the right outcomes for individuals. The Executive Director of Adult Social Care and Health and Wellbeing added that the proposals were a major turning point for Adult Social Care, giving aspirations and hope to people and making sure that even those individuals with profound disabilities had the opportunity to make choices about their lives.

Cabinet debated the report and comments included:

- There were many individuals who could develop further with the right support and dramatic improvements could be made to people's lives;
- Sporting and leisure activities had a role to play within the strategy as a way of raising people's confidence within themselves; however it was about getting the right balance in the first instance, by teaching individuals to manage their own

lives and enabling them to make the choice to take part in sports and leisure activities as part of their daily routines;

- Support could be provided by a number of areas within the Council and within outsourced areas such as Vivacity, Opportunity Peterborough and the Education Academies;
- Digital inclusion was extremely important and there were protected social networking sites available for people with learning disabilities; and
- It was of the utmost importance to ensure that all individuals were given the opportunities to reach their maximum potential.

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

1. Consider the proposals outlined within the report and in the accompanying consultation document for modernising day services for adults under 65 with physical and learning disabilities; and
2. Agree for the proposals to go out to public consultation for a period of eight weeks to allow the Executive Director for Adult Social Care, Health and Wellbeing to formally consider the views of users of the services, other organisations, residents and other interested parties.

REASONS FOR THE DECISION

The recommendation to consult on the proposals would ensure that the Council would provide its residents with the opportunity to comment on the proposals, which was likely in turn to result in amendments to the proposals prior to Cabinet in March 2014.

ALTERNATIVE OPTIONS CONSIDERED

- i) To maintain current services. This would minimise disruption to current users but it did not do enough to maximise people's independence, choice and control. It was costly and inefficient, it did not meet national guidance and fostered a dependency culture, therefore doing nothing to change could not be an option; and
- ii) To decommission in-house services and give all current services users a personal budget. This would help create more individualised services in line with the national priorities to offer for Personalised Support and realise capital assets. However, more work needed to be done in developing Personal Assistants in Peterborough to fill the gap. Also there was work still to be done to support people to manage personal budgets. Currently the independent market, like council services in the area, was underdeveloped and increasingly work needed to be undertaken, as part of the transformation and implementation of the vision, to develop new solutions.

8. 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 introduce the report.

Cabinet debated the report and comments included:

- In relation to the petition proposing a dedicated cycle lane along Bridge Street, Peterborough, a motion had been moved at the meeting of Full Council held on 9 October 2013 and the motion had been defeated by a margin;
- In relation to the petition requesting the removal of a parking barrier at Crowhurst, Councillor North stated that it was an important local issue and he had been working with officers and ward councillor on this towards a resolution; and

- The Council's Petition Scheme was being looked into, following comments at the meeting of Full Council held on 4 December 2013, and a report would be presented to Full Council in January 2014.

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 required that Council received a report about the action taken on petitions. As the petitions presented in the report had been dealt with by Cabinet Members or officers, it was appropriate that the action taken was 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 Cabinet.

Chairman
10.00am - 11.00 am

CABINET	AGENDA ITEM No. 4
20 JANUARY 2014	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	John Harrison, Executive Director Resources Steven Pilsworth, Head of Strategic Finance	Tel. 452520 Tel. 384564

COUNCIL TAX BASE, COLLECTION FUND SURPLUS & BUSINESS RATES 2014/15

R E C O M M E N D A T I O N S					
FROM : Executive Director Resources	Deadline date : 20 th January 2014				
<p>Cabinet is requested to:</p> <ol style="list-style-type: none"> Endorse the calculation of the Council Tax Base for 2014/15 at a level of 51,054.03 Band D equivalent properties; and Note the estimated position on the Collection Fund balances as at 31st March 2014 of: <table style="margin-left: 40px;"> <tr> <td>Council Tax</td> <td>£0</td> </tr> <tr> <td>Business Rates</td> <td>£2,204,026 Surplus</td> </tr> </table> Delegate to the Executive Director Resources responsibility for approving and returning the final NNDR1 return to the Secretary of State by 31st January 2014 to include any further revision to the business rates surplus 2013/14 and Business Rate income 2014/15. 		Council Tax	£0	Business Rates	£2,204,026 Surplus
Council Tax	£0				
Business Rates	£2,204,026 Surplus				

1. ORIGIN OF REPORT

1.1 This report forms part of the preparation for setting the council's budget. It needs to be considered so that figures for the tax base, the Collection Fund and the amount of business rates to be collected can be used in setting the Council Tax and business rate Income and can be notified to other affected authorities.

2. PURPOSE AND REASON FOR REPORT

2.1 This report is before Cabinet to consider under its delegated function No 3.2.7. 'to be responsible for the council's overall budget and determine action required to ensure that the overall budget remains within the total cash limit'.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	Yes (Part of budget setting)	If Yes, date for relevant Cabinet Meeting	20 January 2014
Date for relevant Council Meeting	5 March 2014	Date for submission to Government department	11 March 2014

4. INFORMATION RELEVANT TO DECISIONS REQUIRED

Council Tax Base Calculation 2014/15 (Annex A)

- 4.1 The Council Tax Base calculation is part of the budget process. The gross tax base for 2014/15 is estimated at 59,634.81 Band D equivalents. This is reduced by 1.5% to allow any in year variation from the estimates e.g. for properties not being built or occupied, additional discounts being available or for losses on collection, to give a net council tax base of 58,740.29 which is 2.05% more than the equivalent taxbase for 2013/14 of 57,557.88.
- 4.2 A further reduction to the taxbase to reflect the changes to the funding of council tax benefits which came into effect for the first time in 2013/14 is necessary. The final taxbase for 2014/15 has therefore reduced to 51,054.03 which compares to 50,158.11 for 2013/14.
- 4.3 The figure of 51,054.03 Band D equivalents reflects the best estimate, based on the latest factual position. The regulations provide for the Billing Authority's records to be calculated on data as at 30 November 2013, together with a forecast of any changes arising after that date until the end of the relevant financial year, in this case, 31 March 2015.

Collection Fund

- 4.4 For 2013/14 the collection fund is effectively split into two sections; in respect of Council Tax and Business Rates and needs to have separate calculations of the surplus/deficit at the year end. This is because prior to 2013/14 the total amount of business rates was transferred to the government whereas under the new system it is shared between the Council, the Fire Authority and the Government.
- 4.5 The collection fund as at 31st March 2014 in respect of Council Tax has been estimated to be in balance and therefore there is no amount to be shared between the Council, the Police and the Fire authority.
- 4.6 The collection fund surplus for 2013/14 in respect of business rates has been estimated at £2,204,026 in line with the mid year estimate submitted to government in November 2013, copy attached at Annex B. The surplus has mainly arisen because like a number of other authorities the council took a prudent approach to setting the first years business rate income levels by matching our forecast to the figures provided by government. This was done because the system of funding was in its first year, had a number of uncertainties and involves external issues such as appeals which can have a significant effect on the income. When the income levels were set the rateable value for the authority was £227.006m but due to a number of new properties including new units at the hospital by April 2013 it had risen to £231.37m and is still at £230.31m as at 5th January 2014. These increases in rateable value have contributed the bulk of the surplus being reported.
- 4.7 The collection fund surplus will be shared as follows:

	%	£
Government	50	1,102,013
Cambridgeshire Fire Authority	1	22,040
Peterborough City Council	49	1,079,973
Total	100	2,204,026

Following the introduction of the new business rates system in April 2013 the Police Authority does not receive any business rates income but receives alternative funding directly from government. In line with regulations the impact of the 2013/14 surplus is made in 2014/15 and the councils budget planning has been based on these figures. Each of the authorities also need to take into account a separate calculation to determine the amount of

any safety net payment to be received on losses or as in Peterborough's case the levy to be paid on growth which for 2013/14 will be £161k and will be reflected in that years accounts. The levy will reduce the councils share of the £1,080k

- 4.8 The relevant share of both elements of the collection fund surplus/deficit calculation is used by each of the relevant bodies in setting its budget for the following year. The figures in this report are provided for information as the Executive Director Resources will make the formal calculation for council tax on 15th January 2014 and notify the relevant bodies at that time and will return the final NNDR1 by 31st January 2014.

Calculation of Non-domestic rate income, relevant shares and notification (NNDR1)

- 4.9 The new system of local government finance which allows local authorities to retain locally 50% of the total non domestic rates collected nationally requires by virtue of the Non-Domestic Rating (Rates Retention) Regulations 2013, regulation 3(1-3) a billing authority to make certain calculations and notify relevant bodies by 31st January each year.
- 4.10 The calculations in question are the total non domestic rate income for the year, the central share and the shares attributable to precepting authorities.
- 4.11 The NNDR1 form is completed on the basis of regulations and guidance and it is a requirement that it is signed by the Council's chief financial officer. The form includes all the relevant information required by the regulations and effectively provides the calculations and notification to the Secretary of State. The format and detail of the NNDR1 and the associated regulations will not be finally available until 17th January 2014. This is due to the major revisions by government to reflect the new system and some elements e.g. the treatment of appeals are still being reviewed and require changes to legislation.
- 4.12 The councils budget for 2014/15 onwards has been based on the mid year estimate for 2013/14 projected forward and latest information continues to be in line with these projections which are likely to be reflected in the NNDR1 form, subject to final confirmation of the requirements from government. This means that the impact of the surplus for 2013/14 is now fully reflected on an ongoing basis but due to the ongoing complexities and uncertainties surrounding the system no further assumptions have been made at this stage for increased income.

5. CONSULTATION

- 5.1 Consultation is not required in making the calculations referred to in this report, however the council are in contact with the Police and fire authority during the budget setting process.

6. ANTICIPATED OUTCOMES

- 6.1 That Cabinet endorses the calculation of the Council Tax Base, notes the position on the collection fund for both the Council Tax and Business Rates, notes the figures in the mid year estimate as the basis for the final return for 2014/15 and delegates the approval and notification requirements for the final NNDR1 for 2014/15 to the Executive Director Resources.

7. REASONS FOR RECOMMENDATIONS

- 7.1 The Council Tax Base could be set at a higher or lower level. However, this could have the effect of either inflating unnecessarily the amount of Council Tax to be set or setting the tax at a level insufficient to meet the Council's budget requirements. A similar position could arise if the surplus or deficit were set at a higher or lower level.
- 7.2 The calculation and return of the information included in the NNDR1 is a statutory requirement which can be formally delegated to an officer. As with council tax if the amount of business rates estimated to be collected is increased or reduced or the surplus or deficit is set at a higher or lower level then the amount of income available to the council will change with the consequent effect on service provision or council tax levels.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 This report covers calculations that are all prescribed by regulations with the effect that no other options need to be considered.

9. IMPLICATIONS

- 9.1 This report does not have any implications effecting legal, human rights act or human resource issues.

10. BACKGROUND DOCUMENTS

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

Local Government Finance Act 1992

Local Government Act 2003

The Local Authorities (Calculation of Council Tax Base) (Amendment) (England) Regulations 2003

The Council Tax (Prescribed Classes of Dwellings) (England) Regulations 2003.

Council Tax Banding List

The Non-Domestic Rating (Rates Retention) Regulations 2013

PETERBOROUGH CITY COUNCILCOUNCIL TAX BASE FOR TAX SETTING PURPOSES 2014/15

Parish Council	Number of Properties on Valuation List in Bands									TAXBASE		FINAL
	A	B	C	D	E	F	G	H	TOTAL	GROSS	NET	TAXBASE
Ailsworth	9	21	99	40	50	30	7	0	256	245.22	241.54	228.57
Bainton	8	8	9	28	22	18	36	1	130	152.89	150.60	146.14
Barnack	76	105	28	91	75	41	39	1	456	448.44	441.72	405.39
Bretton	3,838	639	296	288	194	138	19	1	5,413	3,670.19	3,615.14	2,984.43
Castor	52	106	31	58	48	46	35	18	394	389.22	383.38	359.17
City (non-parished)	23,300	13,441	8,901	3,641	1,494	568	253	17	51,615	36,659.06	36,109.18	30,764.03
Deeping Gate	1	22	32	48	45	39	15	0	202	217.70	214.43	205.98
Etton	4	17	8	13	2	8	5	0	57	54.94	54.12	50.27
Eye	779	419	535	223	115	31	14	0	2,116	1,592.41	1,568.53	1,377.47
Glington	130	148	112	99	104	63	32	1	689	629.27	619.83	586.93
Hampton	433	1,021	788	1,273	780	88	11	1	4,395	3,782.04	3,725.31	3,414.72
Helpston	31	94	104	79	88	27	23	0	446	424.82	418.45	403.38
Marholm	1	20	9	12	13	10	10	1	76	77.76	76.59	73.39
Maxey	29	46	39	38	54	60	36	0	302	321.57	316.75	304.79
Newborough & Borough Fen	136	158	252	118	42	26	9	0	741	612.91	603.72	564.38
Northborough	40	177	154	83	70	42	11	1	578	516.03	508.29	481.62
Orton Longueville	2,362	1,298	516	347	224	103	71	3	4,924	3,549.34	3,496.10	3,010.97
Orton Waterville	1,557	806	684	557	593	242	79	2	4,520	3,665.01	3,610.04	3,240.56
Peakirk	17	22	35	41	22	32	9	0	178	173.06	170.46	165.59
Southorpe	0	0	6	10	14	12	15	1	58	73.53	72.43	72.22
St Martins Without	1	3	2	4	0	3	2	2	17	19.78	19.48	19.48
Sutton	0	0	0	7	6	23	12	2	50	68.75	67.72	67.12
Thorney	261	392	163	122	56	46	27	0	1,067	850.68	837.92	756.79
Thornhaugh	3	21	15	9	17	10	12	2	89	92.86	91.47	87.89
Ufford	17	3	7	8	19	32	20	3	109	128.75	126.82	123.42
Upton	0	14	0	4	2	3	2	0	25	24.11	23.75	22.43
Wansford	6	29	24	24	36	55	41	0	215	247.22	243.51	236.30
Wittering	784	250	66	32	4	2	4	4	1,146	769.49	757.94	728.85
Wothorpe	2	4	18	21	17	20	48	8	138	177.75	175.08	171.76
Totals	33,877	19,284	12,933	7,318	4,206	1,818	897	69	80,402	59,634.81	58,740.29	51,054.03
2013/2014	33,783	19,024	12,783	7,142	4,170	1,790	883	67	79,642	58,434.39	57,557.88	50,158.11

NATIONAL NON-DOMESTIC RATES RETURN - MID-YEAR FORECAST

2013-14

Please e-mail to: nndr.statistics@communities.gsi.gov.uk by no later than **Wednesday 13 November 2013**Any enquiries should be directed to Dennis Herbert, Department for Communities and Local Government,
Zone 5/J6, Eland House, Bressenden Place, London SW1E 5DU

All figures should be rounded to the nearest pound.

Ver 1.2

Select your local authority's name from this list:

Oldham	▲
Oxford	
Pendle	
Peterborough	▼

Authority Name
E-code
Local authority contact name
Local authority contact number
Local authority fax number
Local authority e-mail address

Peterborough
E0501

FORECAST NON-DOMESTIC RATING INCOME 2013-14

£

NET RATES PAYABLE

1. Gross sum payable by rate payers after taking account of transitional adjustments, empty property rate, mandatory and discretionary reliefs

94,764,704

(LESS) ACCOUNTING ADJUSTMENTS:**LOSSES IN COLLECTION**

2. Provision for bad debt

1,167,963

LOSSES ON APPEAL

3. Provision for appeals

2,773,283

4. Full provision for backdated appeal costs

8,273,440

5. Has the authority taken advantage of the ability to spread the cost of the provision for backdated appeal costs over 5 years

Yes ▼

6. If "Yes" what is the notional year 1 provision for backdated appeal costs?

1,654,688

COLLECTIBLE RATES

7. Equals: net rates payable (line1) less accounting adjustments

89,168,770

TRANSITIONAL PROTECTION PAYMENTS

8a. Addition revenue received because reductions in rates have been deferred

213,727

0

8b. Revenue foregone because increases in rates have been deferred

1,545,595

0

9. Transitional protection (payments) / receipts (Line 8b minus line 8a)

1,331,868

COST OF COLLECTION

10. Allowance for cost of collection (Line 22 NNDR1 2013-14)

275,537

SPECIAL AUTHORITY DEDUCTIONS

11. City of London Offset

0

DISREGARDED AMOUNTS

12. Amounts retained in respect of NDD areas

0

13. Amounts retained in respect of Enterprise Zones

0

14. Amounts retained in respect of Renewable Energy Schemes

0

of which:

15. Sums retained by billing authority

16. Sums retained by major precepting authority

NON-DOMESTIC RATING INCOME

17. Equals: collectible rates (line 7) plus line 9 less lines 10 - 14

90,225,101

18. Non-Domestic Rating Income (Line 36 NNDR1 2013-14)

88,021,075

19. Difference between NNDR1 and mid-year forecast (line 17 minus line 18)

2,204,026

Surplus on collection fund

CABINET	AGENDA ITEM No. 5
20 JANUARY 2014	PUBLIC REPORT

Cabinet responsible:	Member(s)	Councillor David Seaton, Cabinet Member for Resources
Contact Officer(s):	John Harrison, Executive Director Resources	Tel. 452520

COUNCIL TAX SUPPORT SCHEME 2014/15

R E C O M M E N D A T I O N S	
FROM : Executive Director Resources	Deadline date : 20 th January 2014
<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Recommends to the meeting of Full Council on 29th January 2014 that the Council Tax Support Scheme for 2014/15 should be the same as for the current year, keeping the reduction in benefit for working age claimants at 30%; and 2. Approves the adoption of the Citizen's Advice Bureau (CAB) good practice protocol for council tax collection. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following the consultation on proposals made by Cabinet on 16th December 2013.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to make a recommendation to Full Council on the Council Tax Support Scheme to be implemented in Peterborough.
- 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 programme to deliver excellent services'.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	Yes	If Yes, date for relevant Cabinet Meeting	20 January 2014
Deadline for relevant Council Meeting	31 January 2014	Date when these changes will apply from	1 April 2014

4. BACKGROUND AND CURRENT SCHEME

Background

- 4.1 Council Tax Benefit (CTB) was the means tested way of reducing the Council Tax Bill for those on low incomes. Effectively the household paid less council tax (sometimes none) and the Government paid grant to the council to cover it.
- 4.2 CTB expenditure has increased nationally from £2bn in 1997/98 to £4.3bn in 2010/11. The Government announced in the Spending Review 2010 that it would localise support for council tax making Councils responsible for local schemes and reducing the grant by 10%, saving £410m nationally in England. Councils would be responsible for determining, through their local scheme, how these savings are made. If councils do not make savings through the scheme, they will need to meet the cost of this elsewhere in their budgets. Schemes must fully protect pensioners and so the impact is met by 'working age' claimants.
- 4.3 Council Tax Benefit (CTB) became Council Tax Support (CTS) from April 2013. The Council implemented a local scheme that came into effect on 1st April 2013.

Financial Impact for Peterborough in 2013/14

- 4.4 In Peterborough there were almost 18,000 Council Tax Benefit claimants (24% of households) which cost around £12m in 2010/11. The Medium Term Financial Strategy (MTFS) approved by Council in February 2012 was based on a local scheme being adopted in 2013/14 and there being no additional pressure on the council's budget i.e. any reduction in grant would be fully met through changes in the benefit scheme, rather than cuts being made in services elsewhere across the Council.
- 4.5 The Government claimed that the reduction in funding should be around 10% of the benefit bill. However this assumed that the number of people claiming this benefit, and hence the cost of it, reduced by 2013/14. Many parts of the country, including Peterborough, were seeing costs of benefit increasing. The Council estimated that the grant reduction would see a shortfall of nearer 20%. The gap between grant and the benefit bill for 2013/14 was estimated to be £2.4m.
- 4.6 Failure to devise and implement a local scheme by 31 January 2013 would have resulted in the Department for Communities and Local Government (DCLG) 'default scheme' being used by the Council. This scheme mirrors the current CTB scheme. If this were to happen the Council and Police and Fire would have had to find the £2.4m of savings from elsewhere in their budgets.
- 4.7 In Peterborough 40% of claimants and 38% of the bill relates to pensioners. As Government legislation protects this group, the 20% loss in CTB funding has to be met by the remaining 60% of claimants. In order to achieve the strategy approved in the MTFS, this would require a reduction in benefit of 30%.
- 4.8 Cabinet approved this approach as the basis for consultation at their meeting of 24 September 2012 (the reduction was initially estimated at 35% and was consulted at this level, but changes to the grant meant this was finally 30%). The consultation also included options to fully protect groups, such as the disabled. Such protection would mean higher reductions for working age claimants to keep the scheme self-funding in line with the MTFS strategy.
- 4.9 Following Cabinet, an intensive period of public and stakeholder consultations ran for six weeks from 25 September to 5 November 2012, along with further

engagement leading up to approval by Full Council on January 30th 2013. This included:

- Residents were encouraged to 'have their say' by completing an on-line survey, copies of which were made available in hard format from The Town Hall, Bayard Place and the Libraries.
- Direct engagement with groups identified through the Equalities Impact Assessment
- The project team also engaged with Job Centre Plus where their relationship manager has informed front line staff of the proposed changes and consultation.
- Drop-in sessions were held at each of the 10 libraries where residents could ask questions and were encouraged to complete the survey.
- Benefit notification letters were also amended during the period of consultation to include an additional sheet advising customers of the changes and how they can have their say. Using this approach **6,145** separate notifications have been issued to benefit customers alerting them to the changes and giving them the opportunity to comment.
- The proposals were discussed by Sustainable Growth and Environment Capital Scrutiny Committee on 8th November 2012.

4.10 The feedback was generally inconclusive. Whilst respondents felt that Peterborough City Council should continue to support people on low income by reducing their council tax bill, there was no clear indication of any preference as to how the new scheme should be designed.

New scheme implemented for 2013/14

4.11 Given the unacceptable impact that cuts of £2.4m would have, it was agreed that a 30% reduction would be applied from 2013/14.

4.12 Analysis showed that under the new council tax support scheme there would be the following impact:

- 8,437 households who previously received 100% council tax benefit would now have something to pay
- 2,458 households will be paying more council tax than before

Examples of how this would impact during 2013/14 are outlined below

- Currently Band A council tax in the city (including Police and Fire) is £908. A household in receipt of 100% benefit would currently pay no council tax. In future they would pay 30%, or £272 per year (£5.24 per week). They would still receive £636 in council tax benefit
- Currently Band B council tax in the city (including Police and Fire) is £1,059. A household in receipt of 50% benefit would currently pay council tax of £530, and receive benefit of £530. In future they would pay an extra £159 per year (£3.05 per week), taking their total payment to £689 per year. They would still receive £371 in council tax benefit
- The average amount paid in benefit is currently £730 per year. This would reduce by £219 to £512 per year. As such the average household in receipt of benefit would pay £4.21 per week extra
- Pensioner households are protected and hence unaffected by the proposals

4.13 The original Cabinet reports in 2012/13 outlined a range of measures that the Council intended to undertake to mitigate the impact on households. The Council works in a number of areas to support people in Peterborough, covering two main areas:

- Helping people get back into work and off benefit
- Helping alleviate the impacts of poverty on individuals and households

The majority of these activities are led by the Neighbourhoods service, linking in with a number of partners across the city.

5. IMPACT OF THE NEW SCHEME AND PROPOSALS FOR 2014/15

5.1 The Council has closely monitored the impact of the new scheme in the current financial year. As we are only 9 months into the new scheme, we should remain cautious in drawing definitive conclusions. The scheme is likely to need to be monitored over several years to fully assess the impact.

5.2 The scheme received media coverage during the year, especially when individuals were summoned to court. However it should be noted that whilst the scheme has seen an overall increase in summons, the majority have been issued for those not affected by the changes, as can be seen in the figures below to the end of October:

Summons – non-CTS	6,427
Summons – CTS	5,266
total	11,693

5.3 Collection rates are being impacted, but overall not by a significant amount. Collection at the end of October for all council tax was 65.8% in the year to date, compared to 66.2% at the same stage last year. The collection rate is currently lower for household paying for the first time, many of these households are now paying through instalments during the year, and the lower collection rate in part reflects issues earlier in the year when some of these households did not fully appreciate the impact of the new arrangements and the need to start paying council tax.

5.4 The process of collecting council tax from these households (and indeed all households) continues. The Council continues to encourage those who may encounter difficulty in paying to get in touch as soon as possible. Where households have ignored reminders and not been in touch, then further recovery action will be taken.

5.5 The comments above focus more on the collection process, and it recognised that there may be an impact on individual households. Measures that the Council would undertake to support households were outlined in the Cabinet reports last year (and are summarised in 4.13 above). Currently it does not appear that there is evidence of households presenting themselves elsewhere in the council and requiring services or support as a result of the local scheme. The Council will continue to monitor this, especially in light of wider changes to welfare benefits.

5.6 The Council needs to revisit and approve its local scheme every year. In doing so the council needs to consider several key issues:

- What is the forecast cost of CTSS, and how has it changed ?
- Is the level of funding available still the same as expected ?
- Should the principle of the scheme being cost neutral still be maintained ?

5.7 Current figures indicate that there is a small reduction in the cost of council tax support. This is however offset by additional grant reductions announced during this year. As such Cabinet proposed at its meeting of 16th December that the local scheme remains as it is, with the level of CTS reduction remaining at 30%. A short consultation was then undertaken on this proposal (and indeed remains open).

6. CONSULTATION APPROACH AND FEEDBACK

6.1 As Cabinet was not proposing to change the local scheme, the consultation is being run as follows.

- Comments and feedback invited from the public
- The key stakeholders who were targeted last year will be contacted again to seek feedback on the scheme so far

6.2 So far the Council has not received comments from the public. The consultation remains open right through to 27th January 2014, to enable the maximum time for people to comment. Updates will be provided at the Cabinet and then Council meeting as necessary.

6.3 The Council has also contacted the following organisations directly, given that their roles mean they are likely to come into contact with those affected by the changes

- Citizen's Advice Bureau (CAB) Peterborough
- DIAL
- Peterborough Council for Voluntary Service (PCVS)
- Cross Keys Homes
- Groups identified from the Equalities Impact Assessment

6.4 The detailed response provided by CAB is included in **Appendix 1**. This outlines support for the Cabinet proposals. A number of helpful comments relating to council tax and collection are also raised and responded to in the following section.

7. PROPOSED SCHEME FOR 2014/15

7.1 In reviewing the scheme, it is clear that the financial challenges for the Council remain exactly the same, and it would not be possible to reduce the benefit cut and make the reductions in funding elsewhere without having a far greater impact on vulnerable people.

7.2 There is no consultation feedback calling for changes to the scheme. As such it recommended that the Council does not amend the scheme for next year, and leave it as it stands. A summary of the scheme is included in **Appendix 2**.

7.3 The feedback received from the CAB included a number of helpful comments relating to council tax collection, including use of Bailiffs. Some initial responses from the Council are outlined below:

- We meet regularly with the bailiff's we use to ensure they adhere to their agreed code of conduct. If a bailiff's conduct is found to be unprofessional then we can remove them from our use. That has not been the case to date. The fees that are charged are in line with standard fees, we are not aware of any illegal or excessive fees being charged in Peterborough.
- The Council has a direct line available for those customers referred via Peterborough Community Assistance Scheme (PCAS) who are struggling to pay their Council Tax and we will always look to make arrangements to pay where possible for all customers.

- The Council has recently undertaken a major channel shift project carried out over the summer as part of the launch of the on-line benefit claim form. We worked with third sector agencies in Peterborough, to ensure that there were no detrimental effects and as such achieved 100% channel shift.

7.4 The CAB have also shared with the Council the code developed by the CAB in conjunction with the LGA. A copy is included in **Appendix 3** (PDF doc). The Council takes its responsibility to help customers who are struggling to pay seriously and continue to strive to do this whilst balancing our responsibility to collect Council Tax. Much of the practice outlined in the CAB/LGA code is already in place. To demonstrate the Councils continued commitment in this area, it is proposed that Cabinet adopt this code.

8. REASONS FOR RECOMMENDATIONS

8.1 The regulations require Full Council to approve the new Council Tax Support scheme. Any alternative to the proposed reduction in benefit would leave the Council facing significant additional costs.

9. ALTERNATIVE OPTIONS CONSIDERED

9.1 The options available to the council are:

1. Do nothing

If the Council does nothing then the CTS scheme for 2014/15 will remain exactly the same as the scheme for 2013/14 and will not reflect the legislative changes applied to other benefits under welfare reform and the annual uprating applied to benefits by central government.

2. Keep the current scheme but reflect annual uprating

To reduce all CTB equally - as the Government has made clear that pensioners must be protected, the 30% reduction applied in 2013/14 is necessary in 2014/15 to meet the funding shortfall but the council will apply annual uprating as determined by central government. This is the recommended option

3. Somewhere in between – a lower than 30% reduction

As with the option to 'Do Nothing', absorbing any deficit from a shortfall in funding will impact on the services that the Council currently delivers, but would mean a lesser impact on benefit recipients.

10. IMPLICATIONS

10.1 Elected Members

Further to this Cabinet meeting, this proposal will be presented to Full Council on 29th January 2014 and all Elected Members will be asked to approve the scheme. As a recommendation to Council, the Cabinet decision is not subject to call-in.

Members must have regard to the advice of the Section 151 Officer. The Council may take decisions which are at variance with this advice, providing there are reasonable grounds to do so.

10.2 **Financial**

The financial implications are outlined in detail in section 4 of this report

10.3 **Legal Implications**

The introduction of the localised Council Tax Support Scheme is as a result of the Local Government Finance Bill 2012, and a local scheme must be implemented by the end of January prior to the relevant financial year.

10.4 **Human Resource Implications**

The introduction of Council Tax Support has led to an increase in the number of customers who contact the council. These contacts are managed by Serco who have been involved in the process throughout.

10.5 **Risk Management**

The change from Council Tax Benefit to Council Tax Support presents a risk for the council and the precepting authorities (Fire & Police), as in future they will have to meet the financial impact of any increased demand and lower council tax collection rate. The council and its precepting partners will need to closely monitor local social and economic changes, and factor the impact into the financial planning.

10.6 **Equality and Diversity**

An initial and full Equalities Impact Assessment (EIA) together with an action plan was developed and published on the website as part of the considerations initially in 2012

11. **BACKGROUND DOCUMENTS**

11.1 **Link to supporting documents**

DCLG – Localising Council Tax Support:

<http://www.communities.gov.uk/localgovernment/localgovernmentfinance/counciltax/counciltaxsupport/>

Council Report – 30th January 2013

<http://democracy.peterborough.gov.uk/documents/s13498/Cabinet%20-%20Council%20Tax%20Support%2021st%20Jan.pdf>

Appendix 1 – consultation response from CAB

Dear Councillor Seaton

Thank you for giving me the opportunity to comment on the Councils proposals for the Council Tax Support Scheme for the coming fiscal year.

At Citizens Advice we are broadly in favour of reforming welfare to make claiming benefits simpler and improve work incentives. We have a unique insight into the many problems people face and see the issues that people may have with struggling to manage a very tight budget, not having access to a basic bank account, not knowing where to go for support or not having access to a computer or a fast internet connection. We can only provide the overall support our clients need through strong partnerships with the local authority and it is an incredibly important time for CAB and the City Council to be working together proactively.

We acknowledge and understand the financial pressures all local authorities are under to fulfil their statutory obligations and in addition provide meaningful services to local residents and this pressure will grow year on year unless there is a policy change from Government; to that end we support the proposal that the scheme for 2014/15 be continued on the same basis as the current year with CTS reduction remaining at 30%

However we have concerns that the Council may be passing debts to bailiffs too quickly and Serco are not doing enough to support those who are struggling to pay; figures released from the Money Advice Trust reveal local authorities referred 1.8 million debts to bailiffs in the past 12 months. Half of people we at CAB help with bailiff problems are families with children; a bailiff turning up at the doorstep of your home is frightening for children and families. Evidence from CAB has found private bailiffs frequently overstate their powers, act aggressively and bump up debts by levying excessive and illegal fees and charges; so exacerbating the debt problems being faced and the knock on effect to health, work and family life.

The move from council tax benefit to the localised support scheme has meant that fewer people who are on a financial knife-edge will get help with their bills, and puts more people at risk of bailiff action. We want the Council to agree to try to avoid the use of bailiffs by supporting those who are struggling by such means as offering a different day to pay, sorting out suitable repayment plans and proactively putting them in touch with debt charities like CAB which could keep the bailiffs at bay. We all have a duty to protect and support the people who live in our communities and we need to recognise and understand the current squeeze on household finances. If a family is struggling to pay their council tax bill it is quite likely they are battling other bills too; it should be an alarm bell that people and families need help.

We would like to call on Peterborough City Council to sign up to the revised CAB/LGA good practice protocol on council tax debts. The protocol includes commitments such as promoting help that's available to those who are struggling and highlighting different payment date options for council tax payers so they can budget more effectively. A copy of the code is attached.

To conclude we at CAB will continue to work constructively with the local authority and our PCAS partners to ensure the best possible service is provided for the people that need it in our city.

Regards

Keith Jones

Chief Executive

Appendix 2 – Summary of Council Tax Support Scheme

This appendix summarises the changes to the default regulations that the Council will make for its local scheme. The full regulations, including the updates, is included in **Appendix 3**. It is expected that the following changes are those needed for the local scheme.

Peterborough City Council's Council Tax Support Scheme will be based on the Council Tax Reduction Schemes (Default Scheme) (England) Regulations 2012. The Secretary of State makes these Regulations in exercise of the powers conferred by section 113(2) of, and paragraph 4 of Schedule 1A to, the Local Government Finance Act 1992(1).

Peterborough City Council's Council Tax Support Scheme will contain the following two local components:

1. An overall reduction of 30% from all working age claimants

Peterborough City Council's Local Council Tax Support Scheme will show a 30% reduction in support for all working age claimants under:

PART 7

Maximum council tax reduction for the purposes of calculating eligibility for a reduction under this scheme and amount of reduction

28. Maximum council tax reduction under this scheme: persons who are not pensioners

2. Treatment of Income from War Pensions/Armed Forces Compensation Scheme

The existing council tax benefit regulations instruct Local Authorities to disregard the first £10.00 and permits them the discretion to disregard up to 100% of any income received from the following:

- Armed Forces Compensation Scheme
- War Disablement Pension
- War Widows Disablement Pension
- War Widows Pension

Peterborough City Council's Local Council Tax Support Scheme will also update the following Schedules to reflect that the existing local policy of disregarding 100% of this income from the benefit calculation continues:

Schedule 7 – Sums disregarded in the calculation of earnings: persons who are not pensioners

Schedule 8 – Sums disregarded in the calculation of income other than earnings: persons who are not pensioners

The detailed scheme can be found at the following link from last year's Council Report. The Council will update the scheme for any legislative updates from Government, and for the annual uprating of other benefits:

<http://democracy.peterborough.gov.uk/documents/s13394/5.%20APPENDIX%20%20-%20detailed%20scheme.pdf>

NB: The 30% reduction continues to only affect working age claimants, not Pensioners.

Collection of council tax arrears good practice protocol

Council tax payers will receive a better level of service if local authorities and debt advice agencies work together.

This good practice protocol makes a number of suggestions on how relations can be strengthened. It has been developed through partnership work between the national bodies representing advice agencies and local government throughout England and Wales. It reflects best practice at local level and is intended to facilitate regular liaison on practices and policy concerning council tax debt collection. In setting down clear procedures and keeping them regularly under review all parties can ensure that cases of arrears are dealt with quickly and realistically whilst complaints are handled efficiently.

By signing up to the protocol you can help ensure that taxpayers pay their council tax bills on time while accessing timely debt advice when needed.

In its report of June 2013¹ the Government endorses the Citizens Advice Local Government Association Good Practice Protocol and recommends local authorities who have not done so already to commit to it.

Use the section below to sign up to the protocol as a public commitment to its principles of fairness, partnership working and transparency in local authority debt collection.

Signature

Signature

.....

Local Authority representative

.....

CAB/advice agency representative

¹ DCLG: Council Tax, Guidance to local councils on good practice in the collection of council tax arrears

Partnership

The following items cover effective liaison between local authorities and advice agencies.

- Local authorities and advice agencies should meet regularly to discuss practical and policy issues with a recommendation to meet quarterly at officer level and annually with elected members.
- All parties should have dedicated contacts accessible on direct lines and electronically so that issues can be taken up quickly.
- All parties should promote mutual understanding by providing training workshops and/or exchange visits.
- Advice agencies and local authorities should work together to develop a fair collection and enforcement policy highlighting examples of vulnerable people and specifying clear procedures in dealing with them. Contractual arrangement with bailiffs should specify procedures for the council to take back cases involving vulnerable people.
- Local authorities should consider informal complaints as evidence of problems with collection or enforcement with bailiffs. Debtors may be afraid to complain formally where bailiff activity is ongoing. Informal complaints received from advice agencies can indicate problems worthy of further investigation.

Information

Literature should be reviewed as part of liaison work between local authorities and advice agencies.

- Publicise debt advice contact details on literature and notices. Local Authorities can provide council tax payment plans to help people budget. Advice agencies can help by promoting the need for debtors to contact their local authority promptly in order to agree payment plans. Both parties can work together to ensure the tone of letters is not intimidating but encouraging of engagement..
- Local authorities should consider providing literature about concerns council tax debtors may have on bailiffs and enforcement. Information could cover charges bailiffs are allowed to make by law, how to complain about bailiff behaviour or check bailiff certification and further help available from the local authority or advice agencies.
- All parties should work together to promote engagement by council tax payers. Include information on how bills can be reduced through reliefs, exemptions and council tax support schemes, how tax payers should contact the local authority if they experience financial hardship and the consequences of allowing debts to accumulate. Information should be made available on local authority and advice agency websites, via social media and available at offices of relevant agencies. This is an opportunity for joint campaign work.
- Promote different payment dates within the month as options available to council tax payers. This can allow people to budget more effectively. .

Recovery

If a council tax bill not paid then the recovery process comes into play. The first stage of the recovery process will involve the billing authority obtaining a liability order from the courts. While authorities strive to make contact with a debtor the first point of contact often occurs only when a bailiff visits the premises. The following items should be considered to ensure an appropriate response.

- Local Authorities should work in partnership with advice agencies on the content of all documents produced by the billing authority and agents acting on its behalf which are part of the enforcement process. This should ensure that the rights and responsibilities of all parties are clearly set out.
- Bailiffs should provide the debtor with a contact number should they wish to speak to the local authority.
- All charges associated with recovery should be kept regularly under review to ensure they are reasonable. Bailiffs should only make changes in accordance with council tax collection and enforcement regulations.
- The level of debt (inclusive of liability order fees) should be considered before bailiff action is taken.
- Local authorities may have different definitions of a vulnerable person/household. Recovery action will be referred to the local authority where these criteria are found to have been met.
- The debtor may have outstanding claims for council tax support or housing benefit which are contributing to arrears. Recovery can be suspended once it is established that a legitimate claim is pending.
- Local authorities should prioritise direct deduction from benefits or attachment of earnings in preference to using bailiffs. This avoids extra debts being incurred by people who may already have substantial liabilities.
- Procedures should exist for debt advisors to negotiate payments on behalf of the taxpayer at any point in the process including when the debt has been passed to the bailiff. In some cases the debtor may only, contact an advice agency following a visit from the bailiff.
- Set down, as part of contractual arrangements, a clear procedure for people to report complaints about recovery action. Local authorities will regularly monitor the performance of those recovering debts on their behalf and ensure that contractual and legal arrangements are met.
- A key part of the recovery is treating each case on its merits. Arrangements need to be affordable and sustainable while ensuring that the debt is paid off within a reasonable period.

Approved by



For more copies of this protocol visit:
www.citizensadvice.org.uk/pdf-ct-protocol2013.pdf

Published by Citizens Advice

October 2013

First published in July 2009

www.citizensadvice.org.uk
www.adviceguide.org.uk

CABINET	AGENDA ITEM No. 6
20 JANUARY 2014	PUBLIC REPORT

Contact Officer:	Gemma George, Senior Governance Officer, Democratic Services	Tel. 01733 452268
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OUTCOME OF PETITIONS

R E C O M M E N D A T I O N S	
FROM : Directors	Deadline date : N/A
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 withdrawal of the Route 406 bus service along Garton End Road, Peterborough

This petition was presented to full Council on 4 December 2013 by Councillor John Shearman and requested that the Council and Stagecoach commence discussions, with a view to re-routing, along Garton End Road and Elmfield Road, a number of journeys each day on Route 2. The Council's Transport and Infrastructure Planning Manager responded stating that he had brought the issue up on a number of occasions with Stagecoach and it was proposed, with Councillor Shearman's agreement, that a meeting be organised between Stagecoach, Councillor Shearman and the Transport and Infrastructure Planning Manager in order for further face to face discussions to be held around the issue. This was welcomed by Councillor Shearman.

4.2 Petition objecting to Tesco opening a store on Oundle Road (Boro Bar Site)

This petition was presented to full Council on 4 December 2013 by Councillor Nick Thulbourn and requested that the Council look into its existing powers and options for further action to be taken to ensure the Tesco development did not go ahead, until the local residents had been consulted and were in agreement. The Council's Group Manager

Development Management responded advising why some developments, including some changes of use to land and buildings, could take place without the need for planning permission to be applied for, this being permitted development, an example of which being the change of use from a public house to a shop.

A local planning authority does have power to remove permitted development rights through what is known as an Article 4 direction (under the Town & Country Planning General Permitted Development Order) and Article 4 directions must be made in accordance with national Government guidance given in the *National Planning Policy Framework* which directs that there must be a clear justification for removing national permitted development rights

An Article 4 direction would not be appropriate in the case of the Boro Bar for a number of reasons and the consideration of whether or not to make an Article 4 Direction rests with the City Council's Planning and Environmental Protection Committee. On the basis of the assessment undertaken, which had identified no merits in the case for an Article 4 Direction, the Director of Growth and Regeneration is not minded to present a report on the matter to the Committee.

4.3 **Petition objecting to the proposed closure of six Peterborough Children's Centres by Peterborough City Council**

This petition was presented to full Council on 4 December 2013 by a member of the public, Mrs Angela Brennan, requesting that the proposals to close down six children's centres and to restructure others, be rescinded. The Council's Director for Communities responded stating that the consultation document had been sent to all interested parties and a questionnaire had been devised to gather responses. Both the consultation document and questionnaire had appeared on a dedicated link on the council's website.

All relevant statutory bodies had been consulted and the commissioned organisations who ran the children's centres, Barnardos and Spurgeons had also been consulted. Six public consultation events had been held, one in each locality, and these had been attended by a total of 107 people. In addition, officers were due to meet with members of the children's centres parents' advisory board and parents/others who attended the individual centres in all 15 of the children's centres to hear their views and to take away their suggestions and concerns.

Meetings at Fulbridge, Werrington, Bretton, Brewster Avenue/Stanground, Gladstone and East children's centres had taken place on Tuesday 10 December 2013 and a meeting at Hampton children's centre had taken place on Wednesday 11 December.

A report was due to go to Scrutiny on the 6 January and to Cabinet on 20 January. Both reports would include what the public's views were on the proposal and that the proposal may be amended in response to these views.

4.4 **Petition requesting that the Council rescind the proposals to close down six children's centres and to restructure others**

This petition was presented to full Council on 4 December 2013 by a member of the public requesting that the proposals to close down six children's centres and to restructure others, be rescinded. The Council's Director for Communities responded as per paragraph 4.3 above.

4.5 **Petition requesting that the Council rescind the proposals to close down Hampton and five other children's centres and to restructure the others**

This petition was presented to full Council on 4 December 2013 by a member of the public, Ms Faustina Yang, requesting that the proposals to close down Hampton Children's Centre

and to restructure the others be rescinded. The Council's Director for Communities responded as per paragraph 4.3 above.

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.

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