

CABINET

MONDAY 15 JANUARY 2018

10.00 AM

Bourges/Viersen Room - Town Hall

Contact – philippa.turvey@peterborough.gov.uk, 01733 452560

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Circulation

Cabinet Members

Scrutiny Committee Representatives

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*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 THE CABINET MEETING
HELD AT 10:00AM, ON
MONDAY, 20 NOVEMBER 2017
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Cabinet Members Present: Councillor Holdich (Chair), Councillor Ayres Councillor Elsey, Councillor Fitzgerald, Councillor Hiller, Councillor Lamb, Councillor Seaton, Councillor Smith, and Councillor Walsh

Cabinet Advisors Present: Councillor Allen and Councillor Stokes

27. APOLOGIES FOR ABSENCE

No apologies for absence were received.

28. DECLARATIONS OF INTEREST

No declarations of interest were received.

29. MINUTES OF THE CABINET MEETINGS HELD ON 25 SEPTEMBER 2017

The minutes of the meeting held on 25 September 2017 were agreed as a true and accurate record.

STRATEGIC DECISIONS

30. ESTABLISHMENT OF ESPO TRADING COMPANY*

The Cabinet received a report in relation to the establishment of a new trading company, 'ESPO (Eastern Shires Purchasing Organisation) Trading Limited'.

The purpose of the report was to advise the Cabinet of the recommendations of the ESPO Management Committee and senior officers of the six member councils concerning the establishment of a new company, ESPO Trading Limited.

The Leader of the Council and Cabinet Member for the Peterborough and Cambridgeshire Combined Authority introduced the report. The Senior Lawyer advised that the current ESPO model restricted sales to specified bodies. The establishment of a trading company would lift this restriction, with all new customers access through the new trading company. Each existing ESPO constituent organisation would purchase 100 shares for £1 each. The Trading Company would have five directors and would have representation from an elected Member of each authority.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- A high level of consultation had been carried with stakeholders to ensure that the proposals were beneficial.

- The financial risks to Peterborough would be comparatively low, with a direct contribution of £100. The benefits were not massive, but the profit from ESPO Trading would increase.
- Lifting the current restrictions on trade would allow for additional customers, including schools that had been converted into academies.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Note the ESPO Joint Cabinet Committee's recommendation, following its meeting of 20 September 2017, to establish a new trading company 'ESPO Trading Limited';
2. Approve the establishment of a new trading company, 'ESPO Trading Limited' on the basis outlined in this report; and
3. Authorise the Chief Executive in consultation with the s151 Officer and Monitoring Officers to sign and complete on behalf of the Council such indemnities, agreements and documentation as she shall be required to enable the Council to become a shareholder in ESPO Trading Ltd.

REASONS FOR THE DECISION

ESPO was established as a joint committee set up in accordance with the Local Government Act 1972 and the Local Government Act 2000. Its servicing authority, Leicestershire County Council, was limited to trading under powers in section 1 of the Local Authorities (Goods and Services) Act 1970 with a limited number of organisations defined as public bodies under that Act.

Member authorities of ESPO had the opportunity to explore alternative markets that were not public bodies, by using the powers under:-

- (i) Section 4 of the Localism Act 2011 and Section 95 of the Local Government Act 2003 to trade for profit, through the new separate company;
- (ii) Section 3 of the Localism Act 2011 and Section 93 of the Local Government Act 2000 to make a charge through the existing joint committee and servicing authority for goods and services to organisations other than those with which ESPO may trade by virtue of the *Local Authority (Goods and Services) Act 1970*.

By virtue of being able to trade with organisations in addition to public bodies, ESPO and the new Company would be able to secure ESPO's position in an increasingly competitive market and deliver the growth and profit targets set by the ESPO Management Committee in its Medium Term Financial Strategy.

ALTERNATIVE OPTIONS CONSIDERED

If the trading company was not incorporated there were no alternative ways for ESPO to access the new markets set out.

31. PETERBOROUGH LOCAL PLAN PROPOSED SUBMISSION

The Cabinet received a report in relation to the Peterborough Local Plan Proposed Submission.

The purpose of the report was for Cabinet to consider and recommend to Council the approval of the Proposed Submission Local Plan for public consultation in January 2018 and then submission to the Secretary of State.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the draft plan had been deferred by Cabinet previously for further assessment of the housing provisions. A reduction in housing provision of 1,673 had been made with a number of sites be removed entirely, including 14 dwellings in Thorney and 2,000 dwellings near Castor and Ailsworth. 200 dwellings had been added to a site in Norwood.

The Plan had been approved by the Planning and Environmental Protection Committee and the Growth, Environment, and Resources Scrutiny Committee. Concerns were, however, raised in relation to the infrastructure of Eye and Thorney, the promotion of the city centre, traffic levels, and affordable housing levels.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- It was queried, in relation to development in Eye, what would be considered reasonable and how the Secretary of State considered levels of infrastructure.
- Clarification was provided that specific requirements had been set out for Eye development, which any planning application submitted would have to meet. If these were not met, an application could be refused. If it was felt that the requirements in the Plan were not sufficient, then this would need to be raised in response to the consultation and the Secretary of State would consider all responses.
- It was further noted that in the previous incarnation of the Local Plan, when development was removed from Eye, the planning inspector added it back in without the appropriate infrastructure.
- An Infrastructure Delivery Schedule would be created to support the implementation of the Plan.
- There was a windfall allowance for development within the Plan, with the Council currently being in a position of surplus proposed dwellings for the upcoming five years.
- The Plan as a whole was appraised against sustainability criteria.
- It was advised that when a development came forward with less than 30% affordable housing proposed, a very rigorous appraisal process was undertaken. In some cases, the need to provide a lesser percentage was legitimate.
- Comment was made that the Cambridgeshire and Peterborough Combined Authority was looking to invest their affordable housing funding to bridge any arising viability gap.
- It was noted that the timing of infrastructure delivery was often vitally important for the success of developments.
- Further comment was made that roads adopted by the Council needed to be of acceptable standard, and communication with the Highways Authorities was key.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend that Council:

1. Approves the Proposed Submission ('Publication Draft') Local Plan as attached at Appendix A, for the purpose of both its final consultation for six weeks (likely during January and February 2018); AND its subsequent submission to the Secretary of State for the purpose of independent

examination.

2. Approves the Policies Map (including associated inset maps) as set out as part of the agenda papers, for the purpose of consultation alongside the Local Plan consultation AND for subsequent submission to the Secretary of State for consideration alongside the examination of the Local Plan.
3. Delegates to the Head of Sustainable Growth Strategy any presentational improvements or other inconsequential changes (eg correcting typographical errors or factual inaccuracies) to the Publication Draft Plan or Policies Map that (taken together) do not materially affect the policies set out in the Local Plan prior to the consultation commencing.
4. Delegates to the Head of Sustainable Growth Strategy the ability to agree and consult upon a set of proposed modifications during the examination process (most likely at the very end of the examination process), if asked by the Inspector to do so.

REASONS FOR THE DECISION

Cabinet were asked to recommend that Full Council approves the Proposed Submission Local Plan for Public consultation and submission to Secretary of State for the purpose of independent examination.

ALTERNATIVE OPTIONS CONSIDERED

The alternative option of not preparing a new Local Plan was rejected by Cabinet in July 2015 as part of the approval of Local Development Scheme.

The alternative options for each policy would be assessed as part of the Local Plan Sustainability Appraisal Report to be published in January 2018. This was linked to the Council's Environment Action Plan. All suggested sites had been assessed against detailed site assessment criteria.

The alternative growth options had been assessed and were set out the Peterborough Local Plan - A Strategy For Accommodating Growth.

32. MEDIUM TERM FINANCIAL STRATEGY 2018-19 TO 2020-21 CONSULTATION

The Cabinet received a report in relation to phase one of the budget proposals for the 2018/19 to 2020/21 period.

The purpose of the report was for Cabinet to initiate and propose budget proposals to set a balanced and sustainable budget for the financial years 2018/19 to 2020/21. There was a legal requirement to set a balanced budget for 2018/19.

The Cabinet Member for Resources introduced the report and advised that the proposals had been discussed by the cross party Budget Working Group. The Council was facing the challenge of increasing demand and a decrease in funding support. It was felt that the Council needed to work together to ensure that Government understood that services would be impacted if a sustainable budget was to be achieved. Significant action would be required. An additional recommendation was put forward that Cabinet allow the Chief Executive to engage with other local authorities to investigate the possible of shared services for front line services.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- It was advised that the Peterborough City Council had been more affected by the Council Tax Freeze than some other authorities partly because the city had one of the lowest Council Tax rates in the country, with a low Council Tax branding. The freeze in Council Tax was not factored into the grants provided to authorities.
- The Autumn Statement would be announced on 22 November 2017.
- In previous years a balanced budget had been achieved without impacting on services. This year, however, the budget gap and available reserves were of a size that further action was required.
- Benefits had already been seen following shared services, and it was anticipated that further benefits could be found. Should Cabinet agree the Chief Executive would explore and bring some options back to Cabinet.
- Communication was open for staff to approach their managers or Directors with further ideas for budget savings.

The Leader introduced the 'Stand Up for Peterborough' campaign, which would be launched that day. It was no longer felt that Peterborough was receiving a fair funding deal from Government. The current level of funding did not take into account the growth of the city. All stakeholders in the city were asked to join the campaign, as it was felt that the Council would soon be in a position where services would be decreased.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Approve the phase one budget proposals, outlined in Appendix C and D, as the basis for public consultation. This included a 4.99 per cent council tax increase, as built into the 2017/18 Medium Term Financial Strategy.
2. Authorise the Chief Executive to explore shared services with other local authorities to support frontline services.

REASONS FOR THE DECISION

The Council must set a lawful and balanced budget. The approach outlined in this report worked towards this requirement.

ALTERNATIVE OPTIONS CONSIDERED

No alternative option had been considered as the Cabinet was responsible under the Constitution for initiating Budget Proposals and the Council was statutorily obliged to set a lawful and balanced budget by 11 March annually.

33. SEPTEMBER 2017 BUDGETARY CONTROL MONITORING

The Cabinet received a report in relation to Budgetary Control Monitoring, as part of the Council's agreed process within the Budget and Policy framework.

The purpose of the report was to provide Cabinet with the detailed September 2017 Budgetary Control position.

The Cabinet Member for Resources introduced the report and as part of the Council's budget process the half year position was recorded. At the end of September 2017 the Council had a recorded £1.3 million overspend with a £3million pressure in the People

and Communities directorate in relation to homelessness. This had been offset by reserves and balances.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- The capital receipts were a major risk at the current time. It was, however, noted that it was only halfway through the financial year. This was why regular monitoring was important.
- If the gap wasn't closed, this would impact on the budget for future years.

Cabinet considered the report and **RESOLVED** (unanimous) to note the current financial year budgetary control position, as at September 2017 and the continuing work by CMT to deliver a balanced budget.

REASONS FOR THE DECISION

The Council must set a lawful and balanced budget every year. The report set out spending against budget for the first six months of the 2017/18 financial year to ensure it was within the financial remit agreed at budget setting time.

ALTERNATIVE OPTIONS CONSIDERED

The Council should review its financial position on a periodic basis throughout the financial year. The next monitoring report would be presented to Cabinet in January 2018. The alternative of not providing any report would result in stakeholders not fully understanding the Council's financial position.

34. COUNCIL TAX SUPPORT SCHEME CONSULTATION

The Cabinet received a report in relation to consultation on the Council Tax Support Scheme for 2018/19.

The purpose of the report was to commence consultation for a localised council tax support scheme for the financial year 2018/19. There was a statutory requirement for the council to set a localised council tax support scheme by 31 January 2018 and formed part of the formal budget process under the Budget and Policy framework.

The Cabinet Member for Resources introduced the report and advised that the Council had a requirement to consult on the local support scheme. No change had been proposed from the current year's scheme.

Cabinet considered the report and **RESOLVED** (unanimous) to approve consultation on Peterborough's Council Tax Support Scheme 1 April 2018 – 31 March 2019 that contained the following local components:

- a) No change to the existing scheme reduction of 30% for all eligible working age claimants.

REASONS FOR THE DECISION

The council was statutorily required to approve a council tax support scheme by the 31 January 2018 having had regard for the council's financial position and feedback from responses to the consultation. As part of this consultation, the council was consulting on a council tax discretionary hardship policy.

ALTERNATIVE OPTIONS CONSIDERED

The council was statutorily required to approve a local scheme by 31 January. It had not chosen an alternative option, which would be to propose changes to the current 2017/18 local scheme.

35. ADOPTION OF THE CASTOR NEIGHBOURHOOD PLAN

The Cabinet received a report in relation to the Castor Neighbourhood Plan. The Neighbourhood Plan was subject to a referendum of voters in Castor Parish who were asked to vote on the following question: 'Do you want Peterborough City Council to use the Neighbourhood Plan for the Castor Neighbourhood Area to help it decide planning applications in the neighbourhood area?' This referendum was held on Thursday 2 November 2017 with 92.7% of those voting in support of the plan.

The purpose of the report was to seek Cabinet approval to recommend that Council adopted the Castor Neighbourhood Plan and made it part of the Development Plan for Peterborough.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the Neighbourhood Plan had been pulled together by the local community and Parish Councillors on behalf of the Parish Council. Substantial support had been shown at the referendum on 2 November 2017 within the community. The turnout was at 55%, with a 92% vote in favour.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- Those who had undertaken the work were congratulated on a job well done.
- It was confirmed that a Neighbourhood Development Plan carried the same weight as the Local Plan.
- The turnout figures were slightly higher than the previous Peakirk Neighbourhood Plan referendum figures, and significantly higher than other authority referendums. Most of these, however, were held in more rural areas.
- It was suggested that a number of smaller villages felt that the Local Plan provided sufficient development governance, and a Neighbourhood Plan would not be worth the effort in drafting it.
- It was further noted that communities did not need a Parish Council in order to submit a Neighbourhood Development Plan.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend to Council:

1. That following the successful referendum on 2 November 2017 the Castor Neighbourhood Plan, as set out at Appendix A, be 'made' (which means to all intents and purposes 'adopted') and thereby form part of the Development Plan for Peterborough for the purpose of making decisions on relevant planning applications within Castor Parish; *and*
2. That the decision statement included at Appendix B be published.

REASONS FOR THE DECISION

This recommendation was made to be in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations (as amended). The plan had been assessed by an independent examiner and officers agreed that the plan met the basic

conditions and other requirements of legislation. As such, the Plan should be 'made' part of the Development Plan.

ALTERNATIVE OPTIONS CONSIDERED

The Council did not have alternative options given the content of the legislation and the content of the Castor Neighbourhood Plan and the process followed in its production.

36. ADOPTION OF THE AILSWORTH NEIGHBOURHOOD PLAN

The Cabinet received a report in relation to the Ailsworth Neighbourhood Plan. The Neighbourhood Plan was subject to a referendum of voters in Ailsworth Parish who were asked to vote on the following question: 'Do you want Peterborough City Council to use the Neighbourhood Plan for the Ailsworth Neighbourhood Area to help it decide planning applications in the neighbourhood area?' This referendum was held on Thursday 2 November 2017 with 97.7% of those voting in support of the plan.

The purpose of the report was to seek Cabinet approval to recommend that Council adopt the Ailsworth Neighbourhood Plan make it part of the statutory Development Plan for Peterborough.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the referendum for the Ailsworth Neighbourhood Plan held on 2 November 2017 attracted a turnout of 66.4%, with 97.7% voting in favour.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend to Council:

1. That following the successful referendum on 2 November 2017 the Ailsworth Neighbourhood Plan, as set out at Appendix A, be 'made' (which means to all intents and purposes 'adopted') and thereby form part of the Development Plan for Peterborough for the purpose of making decisions on relevant planning applications within Ailsworth Parish; *and*
2. That the decision statement included at Appendix B be published.

REASONS FOR THE DECISION

This recommendation was made to be in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations (as amended). The plan had been assessed by an independent examiner and officers agreed that the plan met the basic conditions and other requirements of legislation. As such, the Plan should be 'made' part of the Development Plan.

ALTERNATIVE OPTIONS CONSIDERED

The Council did not have alternative options given the content of the legislation and the content of the Ailsworth Neighbourhood Plan and the process followed in its production.

37. JUNCTION 18 (RHUBARB BRIDGE) CROSS PARTY WORKING GROUP PROPOSAL

The Cabinet received a report following a recommendation from Full Council in relation to the setting up of a Cross Party Working Group to examine fully costed options for the improvement of Junction 18 (Rhubarb Bridge) and consider the comments made by the petitioner and Members of this Council, the purpose of which would be to ensure that priority was given to pedestrians and cyclists in line with the transport user hierarchy in the fourth Local Transport Plan.

The purpose of the report was for Cabinet to consider and agree to form a Cross Party Working Group to consider whether it was technically and financially feasible to reassign the proportion of the overall budget allocated to demolish the footbridges to instead make significant repairs to the footbridge at Junction 18 (Rhubarb Bridge), to examine long term solutions for a replacement footbridge and determine the preferred option to recommend to Cabinet, and to approve the terms of reference for the group.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and noted that the reference to 2017 in the proposed terms of reference should be amended to read 2018. The matter was referred as a motion from Council to examine long term solutions to the bridge issues.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- It was noted that at grade crossing would still be installed, as these would be required when the bridged closed for eventual works. A temporary crossing was note appropriate, as they would need to work with the surrounding road system.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Agree to form a Cross Party Working Group to consider:
 - a) Whether it is technically and financially feasible to reassign the proportion of the overall budget allocated to demolish the footbridges to instead make significant repairs to the bridge at Junction 18 (Rhubarb Bridge)
 - b) Examine the long term solutions for a replacement bridge at Junction 18 (Rhubarb Bridge) and determine the preferred option to recommend to Cabinet.
2. Approve the proposed Terms of Reference for the Cross Party Working Group for Junction 18 (Rhubarb Bridge), subject to the amendment of the date of the first meeting, which will be held in 2018.

REASONS FOR THE DECISION

The decision was made in line with the resolution taken by Full Council on 11 October 2017.

ALTERNATIVE OPTIONS CONSIDERED

The alternative options was to do nothing and progress with the Junction 18 (Rhubarb Bridge) Highways Improvement scheme that had already been designed or not deliver any highway improvement works at this location. Both of these options had been rejected as they would directly contradict commitments made by Council. Not carrying out an improvement scheme would lead to a significant increase in congestion at the junction associated with the growth of the city and increasing revenue repair costs for

the existing network of bridges given their physical condition. One option being explored was to use capital funding to make significant repairs to the bridge.

38. PROPOSED CHANGES TO HOUSING ALLOCATIONS POLICY

The Cabinet received a report in relation to recommended changes to the Housing Allocations Policy.

The purpose of the report was for Cabinet to consider the proposed changes to the Housing Allocations Policy in order to alleviate pressures to council services caused by higher levels of homelessness in the city.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the changes proposed to the scheme were small but important. A cross party Task and Finish Group was currently looking into the issue. Changes to legislation needed to be reflected, including working with families that were potentially becoming homeless. A change to the bidding requirements were also suggested to reduced and ideally eliminate the need for bed and breakfast accommodation.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- Agreement had been achieved to the proposed changes with social landlord partners.
- It was clarified that those with strong local connects would still receive priority.
- The proposed changes would also assist in cutting down multiple acceptance, which in turn caused delays in administration.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend to Council approval of proposed changes to the Housing Allocations policy.

REASONS FOR THE DECISION

To reduce time that families had to wait for accommodation and improve opportunities for housing for those families who were currently missing out on properties.

ALTERNATIVE OPTIONS CONSIDERED

The housing allocations policy could remain unchanged, however this would not help to address the housing issues that the Council was facing.

MONITORING ITEMS

39. OUTCOME OF PETITIONS

The Cabinet received a report in relation to the outcome of E-petitions received and petitions received at the Council meeting on 11 October 2017.

The purpose of the report was to update Cabinet on the progress being made in response to petitions submitted to the Council.

Cabinet considered the report and **RESOLVED** (unanimous) to note the actions taken in respect of petitions.

REASONS FOR THE DECISION

As the petitions presented in this report had been dealt with by Cabinet Members or officers, it was appropriate that the action taken was reported to Cabinet.

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

Chairman
10:00am – 11:21am
20 November 2017

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**MINUTES OF THE BUDGET CABINET MEETING
HELD AT 10:00AM, ON
MONDAY, 4 DECEMBER 2017
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Cabinet Members Present: Councillor Holdich (Chair), Councillor Ayres Councillor Elsey, Councillor Fitzgerald, Councillor Hiller, Councillor Lamb, Councillor Seaton, Councillor Smith, and Councillor Walsh

Cabinet Advisors Present: Councillor Allen and Councillor Stokes

40. APOLOGIES FOR ABSENCE

No apologies for absence were received.

41. DECLARATIONS OF INTEREST

No declarations of interest were received.

STRATEGIC DECISIONS

42. MEDIUM TERM FINANCIAL STRATEGY 2018-19 TO 2020-21

The Cabinet received a report and supplementary report in relation to the council's formal budget process as set out within the constitution and as per legislative requirements to set a balanced and sustainable budget for the 2018/19 to 2020/21 period.

The purpose of the report was for Cabinet to consider as part of the council's Budget and Policy Framework. This enabled Cabinet to consider the feedback from the consultation undertaken to date with residents, partner organisations, businesses and other interested parties, and to recommend approval of the budget proposals to set a balanced and sustainable budget for the financial years 2018/19 to 2020/21.

The Cabinet Member for Resources introduced the report and advised that the 5 March referred to in the report should read 7 March. It was noted that following consideration by the Joint Scrutiny Committee a recommendation had been made to Cabinet to continue to take all reasonable steps to invest in projects and pursue commercialisation to increase income and revenue in the city. It was felt that this was already covered by the priorities set out within the document, and further work would be done to explore further commercial opportunities. A range of views were received from the public consultation, however, no strong messages were received to make any changes to the proposal set out in phase one.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- It was noted that all Labour Group Members voted against the commercialisation recommendation at the Joint Scrutiny meeting.

- The key messages arising from the consultation included getting value for money, staffing, use of assets, working with other authorities, funding for preventative health measure and consultation with residents on individual issues.
- Only 28 responses to the public consultation were received, despite the consultation being well advertised.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Have regard to the consultation feedback received to date and statutory advice detailed in the report when determining the phase one budget proposals, noting that consultation remained open until 30 November 2017, and that an addendum was provided prior to the Cabinet meeting.
2. Note the timetable for the phase two consultation and formal approval of the 2018/19 to 2020/21 Medium Term Financial Strategy as detailed at section 5;
3. Note that budget proposals considered by Council on the 13 December 2017 would form part of the Medium Term Financial Strategy but would not form part of the second stage of consultation or Council debate on 5 March 2018.
4. Recommend to Council, having had regard to feedback, approval of the phase one budget proposals to enable implementation of these budget proposals to commence.

REASONS FOR THE DECISION

The Council must set a lawful and balanced budget. The approach outlined in the report worked towards this requirement.

ALTERNATIVE OPTIONS CONSIDERED

No alternative option had been considered as the Cabinet was responsible under the Constitution for initiating Budget Proposals and the Council was statutorily obliged to set a lawful and balanced budget by 11 March annually.

43. SEPTEMBER 2017 BUDGETARY CONTROL MONITORING UPDATE

The Cabinet received a report as part of the Council's agreed process within the Budget and Policy framework.

The purpose of the report was to provide Cabinet with an update on capital receipts. This followed the September 2017 Budgetary Control position reported to 20 November 2017 Cabinet.

The Cabinet Member for Resources introduced the report and advised that following two strategic asset disposals there was greater certainty that Council receipts would be achieved. Cabinet would be kept up to date with the future.

Cabinet considered the report and **RESOLVED** (unanimous) to note the update on the monitoring position reported to Cabinet on the 20 November 2017.

REASONS FOR THE DECISION

The report set out spending against budget for the first six months of the 2017/18 financial year to ensure it was within the financial remit agreed at budget setting time.

ALTERNATIVE OPTIONS CONSIDERED

There were no alternative options considered.

Chairman
10:00am – 10:07am
4 December 2017

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**MINUTES OF THE EXTRAORDINARY CABINET MEETING
HELD AT 2:00PM, ON
MONDAY, 18 DECEMBER 2017
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

Cabinet Members Present: Councillor Holdich (Chair), Councillor Ayres Councillor Elsey, Councillor Fitzgerald, Councillor Hiller, Councillor Lamb, Councillor Seaton, Councillor Smith, and Councillor Walsh

Cabinet Advisors Present: Councillor Allen and Councillor Stokes

44. APOLOGIES FOR ABSENCE

No apologies for absence were received.

45. DECLARATIONS OF INTEREST

No declarations of interest were received.

STRATEGIC DECISIONS

46. PROPOSAL FOR THE TERMINATION OF THE CONTRACT WITH ENTERPRISE MANAGED SERVICES LIMITED AND THE FUTURE PROVISION OF SERVICES

The Cabinet received a report and supplementary report in relation to proposal for the Council's current contract for services with Enterprise Managed Services Limited (EMS) to terminate by mutual agreement.

The purpose of the report was to seek approval from Cabinet to formally terminate the existing EMS contract and to commence arrangements to identify and put in place replacement contracts or other alternative provision for those services.

It was advised that the call-in period for the decision had been waived by the Chairman of the Growth, Environment and Resources Scrutiny Committee. This was because Amey's year end was December this allowed for their budget year forward planning. As such the Council needed to make payment in December to meet their year-end. If call-in was in place these deadlines were not achievable.

The Cabinet Member for Waste and Street Scene introduced the report and advised that when the EMS contract had begun, the Council was operating in a very different environment. The service had commenced at a very high standard, although challengers were faced around the number of key performance indicators in place. It was noted that Amey had delivered significant levels of savings for the Council in the years that they had been working together. Amey had also been instrumental in introducing food waste and garden waste services, and the staff were thanked for their efforts.

However, it was recognised that the contract had not operated as commercially as the Council had hoped. Rates of recycling had fallen and the level of complaints had

increased. Amey were being asked for additional services on a decreased budget, an arrangement which was no longer workable. As such, it was mutually pragmatic for the contract to end and to split the services into smaller contract to attract interest from experts.

Cabinet debated the report and in summary, key points raised and responses to questions included:

- It was confirmed that should Cabinet agree to terminate the contract, Amey's services would continue until August 2018.
- Officer would be exploring the possibility of working between various individual contacts to ensure that work was carried out in a practical fashion.
- The Cabinet Member for Waste and Street Scene would keep Cabinet Members informed once bidders for the new contracts were in place and once the Council was in a position to award the contracts.
- It was advised that parish councils may be interested in taking on additional responsibilities. Officers confirmed that this would be explored in the new contracts.
- It was proposed to split the contract into several smaller contracts to ensure that specific services were delivered by those with the relevant skills set, with specific tenders.
- As the contract was to be ended mutually, there would be no additional payment to Amey.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Authorise the entering into a Deed of Termination relating to the Council's contract for services with Enterprise Managed Services Limited;
2. Agree for the Cabinet Member for Waste and Street Scene to approve the award of replacement contracts or arrangement of alternative provisions for all services currently provided under the Enterprise Managed Services contract (such steps to include matters relating to contracts, leases and other relevant legal documentation and pensions arrangements) including:
 - Refuse, street cleansing vehicle workshop
 - Parks and open spaces
 - Property maintenance and property cleaning
 - Community link and home to school transport
 - Grounds and trees maintenance
 - Catering

REASONS FOR THE DECISION

The current EMS contract was no longer fit for purpose. The new contracts and service delivery arrangements would improve service delivery, achieve value for money, and be more responsive to the Council's changing needs. One of the key objectives would be to increase the levels of and quality of recycling to reduce potential treatment costs.

ALTERNATIVE OPTIONS CONSIDERED

Do nothing and remain with EMS. This option was ruled out due to performance concerns in connection with the EMS contract rendering improvements unlikely within the current operating climate.

Bring the services in house as a whole. This was ruled out due to a number of disadvantages related to the management resource required to establish the significant team necessary to operate the services in house. It would also run counter to the trend towards a commissioning council model which the Council is increasingly adopting across its service areas.

Chairman
2:00pm – 2:19pm
18 December 2017

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CABINET	AGENDA ITEM No. 5
15 JANUARY 2018	PUBLIC REPORT

Report of:	Adrian Chapman, Service Director for Communities and Safety	
Cabinet Member(s) responsible:	Cllr John Holdich, Leader of the Council	
Contact Officer(s):	Adrian Chapman, Service Director for Communities and Safety	Tel: 863887

ACQUISITION OF ACCOMMODATION TO REDUCE HOMELESSNESS

R E C O M M E N D A T I O N S	
FROM: <i>CMT</i>	Deadline date: <i>N/A</i>
<p>It is recommended that:</p> <ol style="list-style-type: none"> 1. Cabinet approves in principle the funding mechanisms and processes discussed in this report for managing the investment of previously agreed funding into Medesham Homes LLP for the purposes of increasing the supply of housing, helping address the demand for accommodation created as a result of the increase in homelessness; 2. In respect of the specific proposal in relation to Midland Road properties Cabinet delegates to the Corporate Director for Growth and Regeneration and the Service Director for Communities and Safety (in consultation with the Corporate Director of Resources) the authority to approve funding of up to £4m to Medesham Homes LLP subject to the submission of an acceptable business case by Medesham Homes LLP through the process defined in this report; 3. In respect of the specific proposal in relation to providing funding for Midland Road, Cabinet delegates to the Director of Law and Governance the authority to finalise and put in place any agreements and legal documentation necessary to give effect to these proposals, in consultation with the Corporate Director of Growth and Regeneration and the Corporate Director, Resources. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following a referral from CMT on 29 November 2017.

2. PURPOSE AND REASON FOR REPORT

2.1 In July 2016, Cabinet approved the creation of a new Housing Joint Venture between the Council and Cross Keys Homes, now established and named Medesham Homes LLP ("Medesham"). It will deliver new housing of all types and tenures at a range of scales as circumstances dictate. The report explained that Full Council has allocated, through the 16/17 budget process, £20m of Invest to Save funding to the Housing JV, and it noted that Full Council had also reallocated the Right to Buy receipts to it as well. This finance represents a significant commitment to both Medesham and tackling various housing needs in Peterborough.

- 2.2 Though this money was allocated to Medesham, the July 2016 report noted its actual investment would be a separate matter, subject to the Council’s decision-making process in the usual way. This report addresses that, and is the result of work to make clear the process and mechanisms by which this funding can be released.
- 2.3 The purpose of this report is to set out and obtain approval for the above funding mechanisms, which in the earliest instances will see the increase in the number of properties to help alleviate homelessness in Peterborough, and to reduce the financial pressure being experienced as a result of higher than normal volumes of households being accommodated in bed and breakfast or hotel accommodation.
- 2.4 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. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. **BACKGROUND AND KEY ISSUES**

4.1 **Background to Medesham Homes**

- 4.1.1 In July 2016, Cabinet approved the creation of a new Housing Joint Venture between the Council and Cross Keys Homes. It would deliver new housing of all types and tenures (including affordable rent, starter homes, shared equity, market sale, private rented, student accommodation and housing solutions for vulnerable groups including the elderly, disabled and ex-armed forces personnel) at a range of scales as circumstances dictate.
- 4.1.2 The recommendations to Cabinet in July 2016 followed the work of the cross-party task and finish group in the previous year to assess the Council’s housing strategy, in light of changes to the economy and city since the housing stock transfer to Cross Keys Homes in 2004. The Housing JV – now known as Medesham Homes – was the mechanism by which that group’s conclusion that the Council should finance and build new homes would be implemented.
- 4.1.3 To recap, Medesham Homes is a 50:50 Limited Liability Partnership between the Council and Cross Keys Homes’ wholly-owned development subsidiary. As with the Peterborough Investment Partnership (PIP), which has spear-headed the delivery of Fletton Quays, Medesham Homes is governed by a small board where decision making is – in all matters – by consensus. This has worked well with PIP, and creates a collaborative working partnership where both parties need to agree on decisions for progress to take place.
- 4.1.4 The July 2016 report explained that Full Council has allocated, through the 16/17 budget process, £20m of Invest to Save funding to the Housing JV, and it noted that Full Council had also reallocated the Right to Buy receipts to it as well. Combined, this gave a funding facility of c£35m to drive the delivery of housing in the city, and represents a significant commitment to both Medesham and tackling various housing needs in Peterborough.
- 4.1.5 The July 2016 report also noted that, though this money was allocated to Medesham, its actual investment would be a separate matter, subject to the Council’s decision-making process in the usual way. This report addresses that, and is the result of work to make clear the process and mechanisms by which this funding can be released.

4.2 **Homelessness**

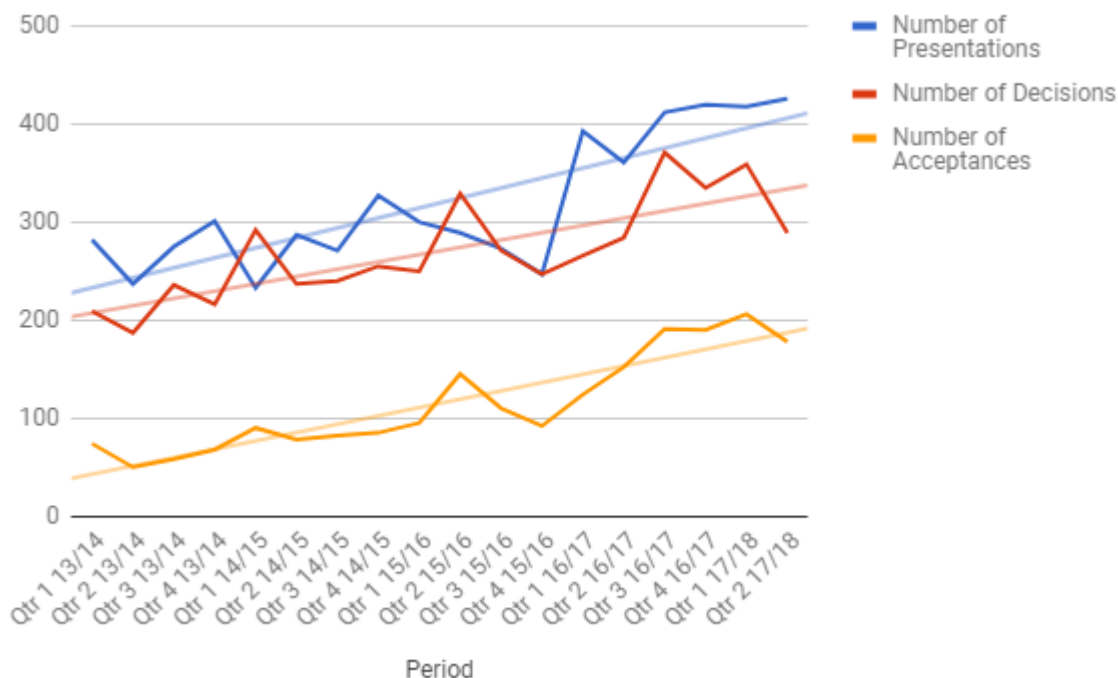
- 4.2.1 The current homelessness challenge in the city helps characterise part of the rationale for the creation of Medesham in the first place. Peterborough, like many other towns and cities across

the country, has experienced an unprecedented increase in households approaching the council for support as they are at risk of becoming homeless or are already homeless. This has led to a sharp increase in the number of households needing to be accommodated in temporary accommodation, including bed and breakfast and hotel accommodation.

4.2.2 During 2016/17 the Council experienced a 43% increase in homelessness presentations, although so far during 2017/18 the increase in demand has reduced to around 10%. This increase has resulted in around 350 households being accommodated in temporary accommodation, comprising:

- 75 hostel rooms
- 80 homes at St Michael's Gate
- 53 homes at Elizabeth Court
- The remainder in bed and breakfast/hotel accommodation

4.2.3 The graph below shows the number of homelessness presentations (i.e. the number of households formally approaching the Council as homeless or at risk of becoming homeless), the number of decisions made, and the number of households accepted as homeless. The trend is obvious and likely to continue.



4.2.4 There are a number of possible reasons why we, and many other Councils, are experiencing this increase in demand. In Peterborough however, the primary reason for homelessness is as a result of shorthold tenancies in the private rented sector ending, with around 33% of all homelessness presentations falling into this category.

4.2.5 We are also predicting a further increase in demand as a result of the roll-out of full service Universal Credit (other councils who have already implemented this have seen an average increase in eviction action within the private rented sector of 12%), and the introduction of the new Homelessness Reduction Act in April 2018 (the government has estimated an average increase in demand of 26%).

4.2.6 Aside from the challenges faced by households being accommodated in temporary accommodation, the result of this increase in its use is a significant financial pressure for the council. For example, the costs for bed and breakfast or hotel accommodation is around £390 per week per room. The maximum that the council can recover from Housing Benefit subsidy for this type of temporary accommodation is £92 per week leaving a shortfall of £298. The forecast pressure assuming demand continues to increase and if the council did nothing to

manage this demand is as follows:

- 2018/19: £1.605m
- 2019/20: £2.595m
- 2020/21: £5.764m

4.2.7 The Council is actively delivering or preparing to deliver a wide range of preventative measures to continue to help manage and reduce demand. However, the most impactful way we can achieve this is to combine this preventative activity with an increase in the supply of suitable accommodation, an action that Medesham Homes is ideally placed to help take forward and, as noted in 4.2.1. above, part of its rationale for creation.

4.3 Funding mechanisms

4.3.1 The Council has a variety of funding mechanisms available to it for the money it has allocated to Medesham Homes, some of which it has used before. Cabinet will be aware that the Council has previously provided grants to support affordable housing, for example, and the Council has used interest-bearing loans on a number of occasions to different organisations.

4.3.2 Different funding mechanisms have different characteristics that will shape their suitability for different schemes. Some schemes Medesham develop will be more suited to one type of funding mechanism than another, and so it is in both the Council's and Medesham's interest that it is clear what mechanisms the Council will consider as it can influence how schemes are developed, and ultimately the number of houses delivered. The initial focus and schemes for Medesham will be wholly affordable, providing direct support to address the homelessness challenge explored above.

4.3.3 To maximise the delivery of housing through the joint venture, a broad range of funding mechanisms are proposed as being supported. The mechanisms are grant (which is how, traditionally, the Council previously used the Right to Buy monies), loan (with market, reduced or zero interest rates all possible), and equity or quasi-equity options (where the Council's return relates to future profits).

4.3.4 These mechanisms may be used in isolation or in conjunction with one another; this would depend on the scheme proposed in question, and this again provides flexibility to both parties. For example, a hypothetical housing scheme might provide 50% affordable and 50% for sale. The affordable element would, because of the proportion, be likely to need grant support, whereas the Council might use a loan for the housing being built for sale. This is, of course, just a simple example, but it highlights the flexibility intended by the approach being taken.

4.3.5 It is important to note that the Invest to Save monies and the Right to Buy receipts have different constraints, and need to be and will be used differently. Right to Buy receipts must be used to facilitate affordable housing within the Peterborough area. This is in order to comply with the original legal agreements with Cross Keys Homes relating to the stock transfer in 2004 that governs how Right to Buy receipts could be used in the future. The Invest to Save funding has greater flexibility.

4.3.6 Security is an important consideration in any funding arrangement as it is one of the mechanisms that can protect the Council's investment and position. However, security over an asset is not the only protection: it is inherent in Medesham's decision-making-by-consensus design that the Council's position (and how its funding, once inside the JV, is used) provides an additional protection not normally available to it.

4.3.7 Where security forms part of the proposal it is important to note that this will not always necessarily cover the full funding being provided for a project, which is not unusual for development. As a simplified example, a house being bought for £200k can provide security for that £200k, but there are additional costs (stamp duty, legal and valuation fees) that mean the project cost might need funding to £225k. It is right for the Council to look to secure funding it provides, but it also recognises that it does not intend to fully secure every element of funding it provides or secure in every circumstance.

4.3.8 Finally, it is worth noting that there are a number of other investment options to increase the supply of housing in Peterborough, and these will continue to be separately pursued. For example, the Council's Section 106 receipts can be used to support housing growth with Medesham Homes or any other provider, and we are working closely with the Combined Authority to access some of the £170m allocation they have secured for housing growth. Where required, decisions relating to these and any other options would be subject to appropriate separate approvals in the usual way

4.4 **The funding process**

4.4.1 It is proposed that the Council's investment into Medesham Homes be determined on a case by case basis, although it is acknowledged that for schemes with any significant affordable housing a grant will be the only viable option to use as affordable housing is loss-making to developers. Additionally, a grant is likely to enable schemes with only limited affordable units within them to increase the numbers of affordable homes to help further meet our increasing demand. This is especially relevant to the current situation because, as noted above, Medesham's initial work is focussed on alleviating the homelessness issue by providing wholly affordable schemes.

4.4.2 The July 2016 Cabinet report described the process in outline for the development and delivery of projects through Medesham Homes. The process below will be used to determine investment into Medesham Homes, and is summarised as follows:

- (i) The Council identifies a housing need and discusses this need with Medesham Homes who seek development opportunities that meet this need OR Medesham Homes identify a development opportunity and discusses this with the Council
- (ii) Medesham prepares a scheme outline, including what is intended to be delivered in terms of the scope and mix of a scheme, the funding required, the extent of security if applicable, the expected source (funding mechanism(s)) for that, key risks and (if appropriate) the returns and profile. The Council, through a review group detailed below, assess this and indicate either the project is likely to be acceptable in broad terms or not.
- (iii) A business case for funding will be co-produced between Medesham Homes and the Council for schemes that reach this stage. This business case will expand on the scheme outline, and likely involve Medesham committing finance to develop a suitable appraisal and full development outline.
- (iv) The business case will be assessed by the review group, and if considered acceptable a report following the Council's usual governance process (likely a Cabinet Member Decision Notice) would be prepared to summarise the proposal and seek formal Member approval to enter into arrangements through the relevant funding mechanism(s).

4.4.3 Stage ii above is an important step because it allows the Council to, in effect, provide an 'in-principle' agreement to funding the scheme. This is not a guarantee to fund, but it means that neither party expends significant resource developing or assessing a detailed business case that is unlikely to be taken forward in practice.

4.4.4 It is proposed that, under the leadership of the Corporate Director of Growth and Regeneration, a review group is established that can assess the scheme outlines and business cases put together in the process above. This group would draw in skills as necessary but likely include senior finance, legal, growth and housing needs professionals.

4.5 **Midland Road**

4.5.1 There is an immediate opportunity to secure 29 units of accommodation in an off-plan agreement at Midland Road in Peterborough. Discussions have been held by Medesham Homes with the vendor and a price has been provisionally agreed. In order to secure the accommodation at this price contracts need to be exchanged and completed in January 2018.

4.5.2 It is therefore recommended that in respect of the specific proposal for the Midland Road development that Cabinet delegates to the Corporate Director for Growth and the Service Director for Communities and Safety, in consultation with the Director of Resources, the authority to approve a grant of up to £4m to Medesham Homes subject to the submission of an acceptable business case by Medesham Homes.

4.5.3 Properties delivered by Medesham Homes will be leased to the Council for our exclusive use, and the lease will include a housing management service. In most cases it is anticipated that the rental levels set by Medesham Homes will be capped at Local Housing Allowance rate meaning that the majority of these costs can be reclaimed by the Council through Housing Benefit Subsidy (where the tenant is in receipt of Housing Benefit). The full financial implications, including revenue savings to the Council will be incorporated into each business case to demonstrate the full financial implications of each investment.

5. CONSULTATION

5.1 The decisions to invest Right to Buy receipts and Invest to Save funding were previously made in 2016/17 as part of the Council's budget process, and the decision to create Medesham Homes was subject to a previous Cabinet Report and decision open to scrutiny in the usual way.

5.2 The issues associated with homelessness in Peterborough have been subject to significant discussion in various forums, including the Council's Adults and Communities Scrutiny Committee, Cabinet and Full Council.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that the investment described in this report, coupled with the preventative activities being delivered by the Housing Needs service, will result in the significant reduction in the use of temporary accommodation (particularly bed and breakfast and hotel accommodation), resulting in improved outcomes for homeless households and significant reductions in costs for the Council.

6.2 It is difficult to forecast the financial benefits to the Council as a result of this investment given the number of variables including the price paid for properties. However, acquiring around 250 properties and preventing the homelessness of two households per week reduces our current forecast pressure of £5.764m in 2020/21 to £1.709m.

7. REASON FOR THE RECOMMENDATION

7.1 The Cabinet Report that established Medesham Homes specifically did not deal with the mechanisms and processes associated with investment into the joint venture; these were reserved for a future – indeed, this – paper.

7.2 Continuing to provide temporary accommodation at the current rates is not sustainable for the Council nor is it sustainable for homeless households. These proposals seek to enable the Council to take greater control over the provision of accommodation for homeless households.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Doing nothing – this option was discounted as the previous Cabinet Report that established Medesham Homes required funding mechanisms to be put forward through the Council's governance. These mechanisms and approach will also help reduce the continued use of temporary accommodation that, coupled with the continued increase in demand, is not sustainable.

9. IMPLICATIONS

9.1 Financial Implications

9.1.1 This report confirms details of options and funding mechanisms that may be utilised to create additional housing provision to meet demand for homelessness accommodation. Funding for this overall programme can be met from two main sources, £14.6m Right to Buy Receipts and £20m Invest to Save capital budget. Regardless of the selected funding source for this and subsequent projects, it should be noted that the Council will need to borrow to make grants or fund loans for this purpose (this applies if funding is made through either the Invest to Save or Right to Buy funding route.)

9.1.2 This report also references s106 resources as a potential funding source for this type of housing project. It is noted that the Council is currently holding circa £3.2m of unallocated s106 monies under the Affordable Homes category.

9.1.3 Each project will be considered under the governance arrangements outlined in section 4.4 of this report, requiring the creation and consideration of a full business case, presenting a financial evaluation incorporating any ongoing impact on Council budgets. Due diligence processes will include evaluation of the business case and key financial risks associated with each project. Advice received from the Council's external legal advisers suggests that careful consideration will be required to ensure that State Aid, Right to Buy Funding and Procurement regulations are fully assessed and complied with. The recommended funding source, method and delivery vehicle for each business case will be based upon consideration of legal and regulatory guidance to ensure the solution is lawful and appropriate to the Council's needs.

9.1.4 Grants or loans provided by the Council will be treated as Capital Expenditure within the Council's accounts. Within the definition of the Local Authorities (Capital Finance and Accounting) (England) Regulations 2003 (the "Regulations") section 25 states that expenditure of a local authority will be treated as capital expenditure if 'the giving of a loan, grant or other financial assistance to any person, whether for use by that person or by a third party, towards expenditure which would, if incurred by the authority, be capital expenditure'. As the funds will be used for the provision of housing, the Council will need to class any grant or loan as Capital Expenditure.

9.1.5 Subject to the recommended method and source of funding, any final funding agreement will need to provide robust security to protect the use of Council resources during the construction, operation and any future divestment phases.

9.1.6 The requirement to charge Minimum Revenue Provision (MRP) on any loan provided by the Council will be determined by the final terms agreed in each business case. The process for managing MRP is set out in the Council's Treasury Management Strategy. The Treasury Management Strategy is approved by Council to reflect its investment requirements. On 11 October 2017 Council Agenda item 13(d) approved the use of loans as a form of Investment to organisations delivering services for the Council.

9.2 Legal Implications

9.2.1 This Report anticipates that the Council may pursue the delivery of housing projects through the Council's Housing Joint Venture, Medesham Homes LLP. In each case, where projects meet the requirements of and are intended to be funded by the Council they will be considered in accordance with the Council's project evaluation process set out above, which will include appropriate and tailored due diligence. The advice of external legal advisers will be sought in order to ensure the lawfulness of each project which the Council intends to recommend, including taking into account the particular legal considerations set out below.

9.2.2 Medesham Homes LLP

Legal advice has previously been sought from the Council's external legal advisers Pinsent Masons LLP and summarised in Cabinet Report: Creating a Housing Delivery Company and

- 9.2.3 Pinsent Masons' advice concluded that the Council has the power to utilise a Limited Liability Partnership for the Housing Joint Venture. This advice took account of the socio-economic nature of initial projects under consideration, (a focus on affordable housing and meeting needs of the community for new housing and related development) which enabled the Council to enter into a LLP structure, as opposed to a company limited by shares, given that the primary purpose of the Housing Joint Venture for the Council is not a commercial purpose.
- 9.2.4 s a clear socio-economic purpose which PCC may look to in order to have vires, recognising that the Housing Joint Venture may utilise elements of third party sales/commercial activity to underpin the broader purpose and deliver the primary objectives. As such, it can be demonstrated that the Housing Joint Venture is not acting with a primary commercial purpose to trade and so the Council could enter into an LLP arrangement.
- 9.2.5 It was recommended that the corporate structure of the Housing Joint Venture be kept under review should the primary purpose of the JV change and it became commercial in nature. To be clear, this does not prevent the Council supporting projects that are commercial in nature as long as those projects do not become the primary activities of Medesham (although it is understood that initial projects will be primarily entirely socio-economic in characteristic, being focussed on affordable housing delivery to alleviate homelessness).
- 9.2.6 The advice given by Pinsent Masons in JUL16/CAB/43 also concluded that on balance the Housing Joint Venture will not be subject to the Procurement Regulations 2015 as a 'body governed by public law'. This was on the basis that the Housing Joint Venture, whilst 'meeting needs in the general interest' (i.e. provision of housing and associated benefits within the Peterborough area, initially at least), will operate on a commercial basis, compete alongside other affordable housing providers and developers on the market, seek to make a profit in order to deliver on these objectives and bear the risks of its own activities. These aspects have been reflected in the incorporation and operational documentation associated with the Housing Joint Venture.
- 9.2.7 Pinsent Masons also considered the applicability of state aid legislation to the Housing JV. Unlawful state aid occurs where a benefit is granted from a public resource for free or on favourable terms which distorts or has the potential to distort competition. The Housing JV scheme structure followed market principles and as such there was no unlawful state aid implication. However again, the Council will keep this under review as projects are advanced through Medesham.
- 9.2.8 **The Council's powers**
Pinsent Masons extensively reviewed the powers of the Council when the JV was established and concluded that both that the Council has the power to lend to the JV and that entry into a housing development joint venture vehicle that is a LLP and financing the JV by way of a loan would be a proper exercise of those power(s) within general public law constraints (e.g. acting reasonably, taking into account all relevant considerations and disregarding irrelevant considerations) and in accordance with its general fiduciary duty).
- 9.2.9 In making any such investment the Council is required to give regard to the Government's commentary to the Guidance on Local Government Investment, as well as the statutory guidance issued by the Secretary of State and specific guidance published by the Chartered Institute of Public Finance and Accountancy. Furthermore, any such investment must be consistent with the Council's Annual Investment Policy.
- 9.2.10 The Council may also rely upon a number of other powers including the general power of competence contained in Section 1 of the Localism Act 2011, Section 123 of the Local Government Act 1972 (land disposal), Section 111 of the Local Government Act 1972 (incidental power), and the power to borrow in Section 1 of the Local Government Act 2003
- 9.2.11 The Council's power to lend to the JV and the need for the Council to exercise that power in a

proper manner within general public law restraints is applicable to any lending made by the Council in respect of housing projects anticipated in this Report and the Council will need to consider any project funding accordingly. In addition, any request for funding from the Invest to Save budget will be made in accordance with the Council's Constitution and applicable Contract Rules. The Council will, of course, seek to protect use of its resources for the agreed purpose, within the framework outlined above. Grants provided by the Council will be protected by relevant agreements about the delivery of the agreed housing units and loans from the Council will be secured as appropriate security as discussed above.

9.2.12 **Public Procurement Implications and State Aid**

In respect of each proposed new housing project, advice will be sought on whether it has the potential to contravene the 2015 Public Contracts Regulations or amounts to unlawful state aid. The provision of a loan, taking equity or quasi-equity and entering into a lease are all types of contract which do not fall within the scope of the Public Contracts Regulations 2015. The Council must have regard to the fact that it should not construct any contract in such a way as to exclude the application of the Regulations or of artificially narrowing competition. As the Council progresses and structures each housing project it will keep this under review.

9.2.13 As noted above, state aid is any advantage or benefit provided by a public body or using state resources which can include (but is not limited to) grants, loans, financial guarantees, the provision of goods or services on preferential terms, subsidies, consultancy advice and infrastructure projects benefiting specific users. The Council must have regard to whether any funding to be provided by it to Medesham could amount to state aid and ensure that it does not act unlawfully in providing such funding. The Council will review each funding opportunity individually to ensure compliance.

9.3 **Equalities Implications**

9.3.1 There are no negative equality implications. Instead, the provision of self-contained temporary and permanent accommodation instead of bed and breakfast and hotel accommodation is likely to address existing inequalities in terms of access to services.

10. **BACKGROUND DOCUMENTS**

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

10.1 Council Medium Term Financial Strategy 2016/17

11. **APPENDICES**

11.1 None

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CABINET	AGENDA ITEM No. 6
15 JANUARY 2018	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr David Seaton	
Contact Officer(s):	Marion Kelly, Interim Corporate Director Resources Peter Carpenter, Service Director Financial Services	Tel. 452520 Tel. 384564

COUNCIL TAXBASE, BUSINESS RATES, AND COLLECTION FUND DECLARATION 2018/19

R E C O M M E N D A T I O N S	
FROM : Interim Corporate Director Resources	Deadline date : 5 January 2018
Cabinet is requested to:	
<ol style="list-style-type: none"> 1. Propose the calculation of the Council Tax Base for 2018/19 set at a level of 56,259.29 Band D equivalent properties based on the existing council tax support scheme of 30%; 2. Note the estimated position on the Collection Fund in respect of Council Tax as at 31 March 2018 being: <p style="text-align: center;">£1.431m surplus</p> 3. Note the estimated position on the Collection Fund in respect of Business Rates as at 31 March 2018 being: <p style="text-align: center;">£0.194m deficit</p> 4. Delegate to the Interim Corporate Director Resources authority for approving the final estimated position on the collection fund balance and for returning the final NNDR1 return to the Secretary of State by 31 January 2018 to include any further revision to the business rates position 2017/18 and Business Rate income 2018/19. 	

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	15 January 2018
Date for relevant Council Meeting	7 March 2018	Date for submission to Government department	16 March 2018

4. INFORMATION RELEVANT TO DECISIONS REQUIRED

Council Tax Base Calculation 2018/19 (Appendix 1)

- 4.1 The Council Tax Base calculation is part of the budget process. The gross tax base for 2018/19 is estimated at 63,426.54 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 62,479.47, which is 1.25% more than the equivalent tax base for 2017/18 of 61,709.62.

- 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 proposed tax base for 2017/18 has therefore reduced to 56,259.29 which compares to 54,879.00 for 2017/18 and as there are no plans to amend the scheme continues to be based upon the existing 30% scheme.
- 4.3 The figure of 56,259.29 Band D equivalents reflects the best estimate, based on the latest factual position on the current council tax support scheme of 30%. The regulations provide for the Billing Authority's records to be calculated on data as at 30 November 2017, together with a forecast of any changes arising after that date until the end of the relevant financial year, in this case, 31 March 2019.

Collection Fund

- 4.4 The collection fund is split into two sections; in respect of council tax and business rates and has 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 31 March 2018 in respect of council tax has been estimated to be in surplus by £1.431m from residential property growth and impact of measures following the localisation of council tax support from 2013/14 and therefore will be shared between the Council, the Police and the Fire authority in proportion to the band D council tax levels.
- 4.6 The collection fund deficit as at 31st March 2018 in respect of business rates has been estimated at £0.194m. This is in line with part 4 of the draft National Non-Domestic Rates (NNDR1) form to be submitted to government by 31 January 2018. The values are based on information as at November and will be updated to December figures prior to submission, a copy of part 4 of NNDR1 is attached at Appendix 2. The deficit will be shared between the parties in the following proportions, government 50%, Peterborough city council 49%, Cambridgeshire fire authority 1%.
- 4.7 Following the introduction of the new business rates system in April 2013 the Police and crime commissioner does not receive any business rates income but receives alternative funding directly from government.
- 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 Corporate Director of Resources will make the formal calculation for council tax on 15 January 2018 and notify the relevant bodies at that time and will return the final NNDR1 by 31 January 2018.

Calculation of Non-domestic rate income, relevant shares and notification (NNDR1) 2017/18

- 4.9 The 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 31 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 and major preceptors (Fire Authority). The form will be completed using the data as at 31 December 2017 with an update to forecast to the end of the financial year and will be used to determine the business rate income within the council's budget for 2018/19. Note the current figures used for 2017/18 reported above for the collection fund deficit are based on November figures and will be updated accordingly.
- 4.12 For 2018/19 the NNDR1 was issued very late, (22 December) due to the complexities arising from the rating revaluation 2017 and the structural changes to certain reliefs provided to businesses e.g. Small

business rate relief (SBRR). Indeed the form does not provide a full picture as DCLG are still discussing how to deal with some elements with 'Local Government'.

4.13 The impact of this is that the Corporate Director of Resources will need to determine the final figures for the submission of the NNDR1, including part 4 (2017/18 outturn) which has an ongoing effect, very late in January prior to submission by 31 January 2018.

4.14 Any required update to the council's budget forecast on business rates will be updated accordingly as part of setting the formal budget for 2018/19.

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 proposes the calculation of the Council Tax Base, notes the position on the collection fund for both the Council Tax and Business Rates and delegates the final calculation of these balances and the approval and notification requirements for the final NNDR1 for 2018/19 to the Interim Corporate Director of 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

The Non-Domestic Rating (Rates Retention) Amendment Regulations 2014

11. APPENDICES

Appendix 1 – Council Tax Base for Tax Setting Purposes 2018/19

Appendix 2 – Provision National Non-Domestic Rates Return

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PETERBOROUGH CITY COUNCIL

COUNCIL TAX BASE FOR TAX SETTING PURPOSES 2018/19

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	10	21	96	42	51	32	7	0	259	245.67	241.98	234.63
Bainton	9	8	9	28	23	19	36	1	133	156.95	154.59	152.34
Barnack	76	105	29	89	76	40	44	1	460	450.28	443.52	415.29
Bretton	3,918	640	295	287	197	136	20	1	5,494	3,735.28	3,679.25	3,158.64
Castor	53	105	31	58	48	46	36	18	395	391.46	385.58	362.12
City (non-parished)	23,835	14,819	9,690	4,029	1,564	618	269	16	54,840	39,343.15	38,753.00	34,423.31
Deeping Gate	1	22	32	48	47	41	16	0	207	222.60	219.26	213.01
Etton	4	18	8	12	2	8	5	0	57	54.97	54.15	51.47
Eye	794	428	574	258	137	43	13	0	2,247	1,722.00	1,696.17	1,536.56
Glington	130	148	113	101	106	63	33	1	695	633.13	623.64	597.38
Hampton	485	1,134	950	1,390	820	90	14	2	4,885	4,240.97	4,177.35	3,921.26
Helpston	25	118	92	77	120	36	28	0	496	483.73	476.48	464.61
Marholm	2	20	9	13	13	10	10	1	78	80.60	79.39	76.53
Maxey	29	46	39	38	53	59	45	0	309	334.52	329.51	319.89
Newborough & Borough Fen	157	157	265	128	47	28	9	0	791	658.59	648.72	615.67
Northborough	39	176	154	83	72	43	12	1	580	516.96	509.21	489.84
Oiton Longueville	2,344	1,304	515	347	230	107	77	3	4,927	3,594.49	3,540.57	3,156.77
Oiton Waterville	1,727	823	746	585	601	247	77	2	4,808	3,879.23	3,821.04	3,529.69
Peakirk	17	22	33	43	22	32	10	0	179	182.19	179.46	175.68
Southorpe	2	0	6	9	13	14	14	1	59	73.72	72.62	72.62
St Martins Without	1	3	2	4	0	2	3	2	17	20.03	19.73	19.73
Sutton	0	0	0	6	7	22	11	2	48	65.78	64.79	64.21
Thorney	274	428	174	128	65	53	27	0	1,149	918.91	905.13	843.00
Thornhaugh	3	21	15	9	17	10	13	2	90	93.39	91.99	88.53
Ufford	16	4	7	8	19	33	23	3	113	134.76	132.74	128.78
Upton	0	14	0	4	2	3	2	0	25	24.06	23.69	22.92
Wansford	7	28	30	26	36	56	42	0	225	257.14	253.28	247.87
Wittering	784	250	66	32	7	7	3	4	1,153	733.07	726.40	701.70
Wothorpe	2	4	17	21	16	20	48	9	137	178.92	176.23	175.24
Totals	34,744	20,866	13,997	7,903	4,411	1,918	947	70	84,855	63,426.54	62,479.47	56,259.29
2017/18	34,568	20,559	13,706	7,710	4,369	1,873	934	70	83,789	62,644.30	61,709.62	54,879.00

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**PROVISIONAL NATIONAL NON-DOMESTIC RATES RETURN - NNDR1
2017-18**

All figures must be entered in whole £

Please check the Validation tab and answer the validation queries that need to be answered

Ver 1

Local Authority : Peterborough UA

PART 4: ESTIMATED COLLECTION FUND BALANCE

OPENING BALANCE

1. Opening Balance (From Collection Fund Statement)	£	£
		-2,931,737

BUSINESS RATES CREDITS AND CHARGES

2. Business rates credited and charged to the Collection Fund in 2016-17	100,381,000	
3. Sums written off in excess of the allowance for non-collection	0	
4. Changes to the allowance for non-collection	-2,006,000	
5. Amounts charged against the provision for appeals following RV list changes	2,020,000	
6. Changes to the provision for appeals	-2,178,000	
7. Total business rates credits and charges (Total lines 2 to 6)		98,217,000

OTHER RATES RETENTION SCHEME CREDITS

8. Transitional protection payments received, or to be received in 2016-17	0	
9. Transfers/payments to the Collection Fund for end-year reconciliations	28,000	
10. Transfers/payments into the Collection Fund in 2016-17 in respect of a previous year's deficit	1,717,000	
11. Total Other Credits (Total lines 8 to 10)		1,745,000

OTHER RATES RETENTION SCHEME CHARGES

12. Transitional protection payments made, or to be made, in 2016-17	-161,000	
13. Payments made, or to be made, to the Secretary of State in respect of the central share in 2016-17	-49,241,341	
14. Payments made, or to be made to, major precepting authorities in respect of business rates income in 2016-17	-984,827	
15. Transfers made, or to be made, to the billing authority's General Fund in respect of business rates income in 2016-17	-48,256,522	
16. Transfers made, or to be made, to the billing authority's General Fund; and payments made, or to be made, to a precepting authority in respect of disregarded amounts in 2016-17	-614,686	
17. Transfers/payments from the Collection Fund for end-year reconciliations		
18. Transfers/payments made from the Collection Fund in 2016-17 in respect of a previous year's surplus		
19. Total Other Charges (Total lines 12 to 18)		-99,258,376

ESTIMATED SURPLUS/(DEFICIT) ON COLLECTION FUND IN RESPECT OF FINANCIAL YEAR 2016-17

20. Opening balance plus total credits, less total charges (Total lines 1, 7, 11 & 19)		£
		-2,228,113

Checked by Chief Financial / Section 151 Officer :

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CABINET	AGENDA ITEM No. 7
15 JANUARY 2018	PUBLIC REPORT

Report of:	Marion Kelly, Interim Director of Resources	
Cabinet Member(s) responsible:	Councillor David Seaton, Cabinet Member for Resources	
Contact Officer(s):	Marion Kelly, Interim Corporate Director: Resources	Tel: 01733 452520
	Peter Carpenter, Service Director Financial Services	Tel: 01733 384564

NOVEMBER 2017 BUDGET CONTROL REPORT

RECOMMENDATIONS	
FROM: Cabinet Member for Resources	Deadline date: N/A
It is recommended that Cabinet notes the Budget Control Position for 2017/18 set out in the report.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following discussion by the Corporate Management Team (CMT), Cabinet Policy Forum, and the cross-party Budget Working Group.

2. PURPOSE AND REASON FOR REPORT

- 2.1 This report comes to Cabinet as part of the Council's agreed process within the Budget and Policy framework that requires Cabinet to initiate and consider financial strategy and budget proposals in order to set a balanced budget for the forthcoming financial year.
- 2.2 This report provides Cabinet with an update of the November 2017 Budgetary Control.
- 2.3 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' and 3.2.5 'To review and recommend to Council changes to the Council's Constitution, protocols and procedure rules'.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	15 JAN 18
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4. NOVEMBER BUDGETARY CONTROL

- 4.1 The revenue budget for 2017/18, agreed at Full Council on 8th March 2017, was approved at £146m. The revised budget is now £152m due to the additional Adult Social Care funding of £3.5m announced after the budget had been approved, and the one-off drawdown of reserves.

	£000
Approved Budget 2017/18	145,771
Additional 2017/18 Adult Social Care funding	3,524
Drawdown of reserves	2,783
Revised Budget at Nov 17	152,078

- 4.2 The year-end outturn, based on reported departmental information as at end of November 2017, is currently forecast to be a £1.125m underspend. The underspend will be transferred to the Capacity reserve to support the budget in future years. The position reflects £3.179m of pressures on People and Communities, over half of which relates to homelessness costs. The People and Communities position is offset by savings within Growth and Regeneration, Resources and Capital Financing.

- 4.3 The summary position is outlined in the following table:

Directorate	Budget 2017/18	Cont. from reserve	Revised Budget 2017/18	Forecast Spend 2017/18	Cont. to reserve	Forecast Variance 2017/18	Forecast Variance 2017/18	Previous Variance	Movement
	£000	£000	£000	£000	£000	£000	%	£000	£000
Chief Executives	1,633	217	1,850	1,775	0	(75)	-4%	(40)	(35)
Governance	4,497	115	4,612	4,654	0	42	1%	13	29
Growth & Regeneration	24,887	220	25,107	23,910	255	(942)	-4%	(761)	(181)
People & Communities	81,835	173	82,008	85,187	0	3,179	4%	2,976	203
Public Health	206	0	206	39	0	(167)	-81%	(1)	(166)
Resources	36,237	2,058	38,295	35,133	0	(3,162)	-8%	(872)	(2,290)
Total Expenditure	149,295	2,783	152,078	150,698	255	(1,125)	-1%	1,315	(2,440)
Financing	(149,295)	(2,783)	(152,078)	(152,078)	1,125	1,125	-1%	0	1,125
Net	0	0	0	(1,380)	1,380	0	-1%	1,315	(1,315)

- 4.4 It needs to be noted that the Resources Directorate is carrying a significant risk. The revenue budget assumes that £12.7m of capital receipts will be generated which Members agreed in the Budget to use to reduce the debt charges for capital (known as minimum revenue provision). The projected outturn assumes that the £12.7m of receipts is fully achieved, based on a risk assessment. However there remains a possibility that the receipts will fall short of the total. If this were to happen, the difference would need to be funded from reserves and balances. However if the disposals were achieved later than 31 March 2018 and received in 2018/19 the receipts could be used to replenish the reserves.

- 4.5 Further information is provided in the following appendices:
 Appendix 1 - Detailed Revenue Budgetary Control position and explanation of Key variance
 Appendix 2 - Risks Identified
 Appendix 3 - Reserves position
 Appendix 4 - Asset Investment and Treasury Budget Report

Appendix 1 – Detailed Revenue Budgetary Control position and explanation of Key Variances

Key Movements

	£000
September position	1,315
Capital Financing savings	(2,282)
Public Health savings	(165)
Energy From Waste Plant - additional income	(100)
Street Cleansing - Pro rata saving from delayed start in additional Cleansing	(50)
Clare Lodge	274
Minor variances	(117)
Contribution to Capacity reserve (bottom line underspend)	1,125
November position	0

Chief Executive's

	Budget 2017/18	Cont. from reserves	Revised Budget 2017/18	Forecast Spend 2017/18	Cont. to reserves 2017/18	Forecast Variance 2017/18	Forecast Variance 2017/18	Previous Variance	Mvmt
Budget Group	£000	£000	£000	£000	£000	£000	%	£000	£000
Chief Executive	240	0	240	201		(39)	-16%	(39)	0
HR	1,393	217	1,610	1,574		(36)	-2%	(1)	(35)
Total Chief Executives	1,633	217	1,850	1,775	0	(75)	-4%	(40)	(35)

Chief Executives is overall reporting a favourable variance of £0.075m against its budget.

Chief Executive

- An underspend of £0.039m is expected on the £0.240m budget for the Chief Executive due to one-off savings in supplies and services budgets.

HR

- There is a £0.046m saving on the salary budget of £1.220m due to vacant posts - the budgets will be corrected in 18/19.
- Other miscellaneous small overspends across the department are £0.010m.

Governance

	Budget 2017/18	Cont. from reserves	Revised Budget 2017/18	Forecast Spend 2017/18	Cont. to reserves 2017/18	Forecast Variance 2017/18	Forecast Variance 2017/18	Previous Variance	Mvmt
Budget Group	£000	£000	£000	£000	£000	£000	%	£000	£000
Director of Governance	395	0	395	374	0	(21)	-5%	(1)	(20)
Legal & Democratic	3,518	115	3,633	3,648	0	15	0%	(54)	69
Performance & Information	584	0	584	632	0	48	8%	68	(20)
Total Governance	4,497	115	4,612	4,654	0	42	1%	13	29

Governance is overall reporting an adverse variance of £0.042m against its budget.

Legal & Democratic

- An overspend of £0.290m is expected on the £1.740m Legal salaries budget due to a combination of the use of locums being used to cover vacancies, payment of market supplement to retain current staff and also an overspend in children's safeguarding legal costs. There has been agreement to fund an additional Lawyer and a Business Support Officer to cope with the increased workload.
- An underspend of £0.030m is expected on the salary budgets of £0.430m in the Governance Support and Elections Service.
- Additional income is expected of £0.100m on the £0.220m income budget for Land Charges.
- An underspend of £0.020m is expected on the elections budget of £0.250m due to the low number of elections this year. The budget will be required in full in 18/19.
- An underspend of £0.090m is forecast in relation to the Members' Allowances and Other Costs budget of £1.120m.
- Other miscellaneous small savings across the Department are £0.110m.

Performance & Information

- An overspend of £0.070m is expected on the £0.480m Coroner's budget due to an increase in demand. This ongoing pressure is being incorporated within the budget requirement for future years.
- An underspend of £0.020m is forecast on the £0.180m FOI Team staff cost budget.
- Other miscellaneous small overspends across the Department are £0.002m

Growth & Regeneration

Budget Group	Budget 2017/18	Cont. from reserves	Revised Budget 2017/18	Forecast Spend 2017/18	Cont. to reserves 2017/18	Forecast Variance 2017/18	Forecast Variance 2017/18	Previous Variance	Mvmt
	£000	£000	£000	£000	£000	£000	%	£000	£000
Development and Construction	291	0	291	354	0	63	22%	45	18
Director, OP & JV	528	185	713	(14)	150	(577)	-81%	(588)	11
Peterborough Highway Services	9,673	0	9,673	9,810	0	137	1%	101	36
Sustainable Growth Strategy	1,800	35	1,835	1,591	105	(139)	-8%	(56)	(83)
Corporate Property	639	0	639	463	0	(176)	-28%	(163)	(13)
Amey Peterborough & Waste Management	11,864	0	11,864	11,614	0	(250)	-2%	(100)	(150)
Westcombe Engineering	92	0	92	92	0	0	0%	0	0
Total Growth and Regeneration	24,887	220	25,107	23,910	255	(942)	-4%	(761)	(181)

Growth & Regeneration is overall reporting a favourable variance of £0.942m against its budget.

Development and Construction

- There is a forecast £0.050m variance on the £1.260m income budget within Development and Construction due to reduced external recharge income. Other miscellaneous small pressures across the Department are £0.013m

Director, Opportunity Peterborough & Joint Venture

- A saving of £0.438m has been delivered in respect of the Highways roadmap efficiency programme, covering £3.980m of maintenance and related budget. This includes removing budget from the Highways contract where the same level of service is delivered at a lower cost, to “bank” the saving, (such as programme co-ordination efficiencies to avoid separate traffic management costs). It also includes receiving rebates based on a percentage of additional works put through the contract e.g. works for third parties. The ongoing elements of these savings will be factored into 18/19 budgets.
- A saving of £0.139m has been achieved against a total budget for the directorate of £24.887m, through extracting budgets from across the directorate following outturn review for car allowances, administration expenses, telephones, salaries, professional services, and computer software.

Peterborough Highway Services

- An overspend of £0.310m is expected against a budget of £0.870m due to a substantial inflationary increase in street lighting energy costs and a delayed start to the LED project. A budget adjustment is proposed for 18/19.
- Highways Development is favourable by £0.099m on a £0.479m budget due to additional income. This is partly offset by other staff costs and Community Link Bus Service costs.

- The department is also delivering a further £0.100m of savings on a £9.673m budget. This is being delivered via savings within the transport planning, street lighting maintenance and the drainage services. These will be kept under review for 18/19. Other miscellaneous pressures across the Department are £0.026m.

Corporate Property

- Additional rental income of £0.120m on a £4.140m budget arises from investment property purchased in Fengate in March 2017. This will be built into the budget for 18/19.
- A saving of £0.060m is reported on Utility costs against a budget of £0.500m. Expected increases in costs are likely to mean this saving will not continue for 18/19. Other miscellaneous pressures across the Department are £0.004m.

Amey Peterborough & Waste Management

- An underspend of £0.180m arises on an £8.600m budget for the Amey contract, in respect of a lower pension contribution rate compared with that assumed in the contract. The impact of this in future years will be considered along with a number of other potential contract costs.
- However proposed savings from Bin Sponsorship income £0.040m, and charging developers for bins £0.040m have not been achieved. This will be an ongoing pressure.
- Energy from Waste £0.100m is reporting additional income on a surplus budget of (£2.580m). The one-off additional income due to increased volume and price change
- Street Cleansing £0.050m saving on budget of £2.210m - pro rata saving from delayed start in additional cleansing

People & Communities

Budget Group	Budget 2017/18	Cont. from reserves	Revised Budget 2017/18	Forecast Spend 2017/18	Cont. to reserves 2017/18	Forecast Variance 2017/18	Forecast Variance 2017/18	Previous Variance	Mvmt
	£000	£000	£000	£000	£000	£000	%	£000	£000
Adults	45,623	0	45,623	45,801		178	0%	237	(59)
Commissioning and Commercial Operations	14,243	0	14,243	15,148		905	6%	414	491
Children's & Safeguarding	10,588	66	10,654	10,800		146	1%	397	(251)
Director	774	0	774	(95)		(869)	-112%	(762)	(107)
Education	5,779	0	5,779	6,405		626	11%	582	44
Communities	4,828	107	4,935	7,128		2,193	44%	2,108	85
Total People and Communities	81,835	173	82,008	85,187	0	3,179	4%	2,976	203

People & Communities are overall reporting an adverse variance of £3.179m against its budget. The key variances in each of the service areas are as follows:

Adults

- The Therapy, Reablement, Community Equipment service area is forecast to overspend by £0.167m against a total budget of £2.900m. Staffing is forecast to overspend by £0.268m (the 0-25 Team accounts for £0.205m of this figure). Non-pay is forecast to underspend by £0.101m.
- The Home Services Delivery Model is forecast to underspend by £0.112m against a total budget of £1.400m. This saving is part of the non-digital element of the Digital Front Door savings.
- The Finance Service area is forecast to overspend by £0.219m against a total budget of £1.300m. This is due to a £0.219m commitment arising from the Care Act 2014. This issue will be addressed in the 2018-19 budget.
- Other miscellaneous Adults savings total £0.096m.

Commissioning and Commercial Operations

- The Clare Lodge secure unit is forecast to overspend by £620k against a budget of (£1.3m). £250k of this relates to the non-achievement of the additional MTFs Income target as a result of the delay in Construction work. A £100k pressure is as a result of non-achievement of pay terms and conditions savings. A pressure of £270k is forecast based on reduced occupancy and therefore Income. Note that this £270k pressure has been fully mitigated by other Commissioning savings. Clare Lodge in conjunction with the responsible Local Authority Officer are working to increase occupancy.
- The Commissioning service area is forecast to underspend by £0.140m against a budget of £1.100m. A pressure of £0.047m relating to Play Centre property costs has arisen as a result of the delayed Community Asset transfers. An underspend of £0.187m against Children's Commissioning budgets has been identified to mitigate the reported pressure against Clare Lodge.

- The Permanency Service (TACT) is forecast to overspend by £400k against a budget of £13m. The additional cost is as a result of LAC numbers being higher at the beginning of the contract than was anticipated, work is ongoing with TACT on plans to reduce this number however this is taking longer than anticipated and as such giving rise to a pressure in year. Work is still underway to address this with results more likely to give rise to savings in 18/19. Further work is being done around placement mix and the impact on the savings built into the contract for 17/18 due to the later than planned mobilisation of the contract and therefore the changes that TACT are making were later into the contract than was originally anticipated - we are expecting further pressures to arise from this piece of work being done in January. Discussions held with TACT are that at this time it is expected that this will be resolved for 18/19 and that they will be able to deliver the level of savings that the contract require. But this will depend upon working together to get the LAC numbers back to the level that the contract was built on.
- Other Commissioning and Commercial Operations pressures total £0.025m.

Children's & Safeguarding

- The Child Health service area is forecast to overspend by £0.097m against a budget of £1.400m, this is due to a £0.104m pressure on staffing costs (specifically overtime and lack of enhancement budgets).
- The Children's Social Care service area is forecast to overspend by £0.078m against a budget of £6.700m. This is due to a £0.165m pressure on car and travel allowances; a £0.146m saving on staffing costs; a £0.020m pressure on room hire costs; and a £0.039m pressure on other costs including ICT maintenance, mobile phone costs and financial assistance etc.
- Other Children's & Safeguarding budgets are forecast to underspend by £0.029m against a total budget of £2.600m

Director

- The £0.500m savings target in relation to 'New ways of working' has not been achieved and has therefore been reported as a pressure. This pressure has been partially offset by a £0.409m saving in relation the prior year element of the Norfolk Ordinary Residence case which has recently been agreed and paid.
- The MTFs saving re 'SERCO Insight and Analytics' has been reported as a £0.163m pressure. £0.563m of the departmental contingency has been released to off-set the Permanency Service (TACT) and 'SERCO Insight and Analytics' pressures. A departmental contingency was set up to help cover some in year pressures including the TACT contract which is the first of its type in the country. It was deemed appropriate to hold a contingency in light of this especially late mobilisation of the contract, an uncommitted balance of £0.127m remains.
- A pressure in relation to non-achievement of Business Support savings of £0.015m has been reported. Shared Management arrangements with Cambridgeshire have generated an underspend of £0.094m. Staff vacancies in the People and Communities Finance Team have resulted in an underspend of £0.043m.
- An additional underspend of £0.438m to mitigate Department overspends has been achieved by delaying or holding projects. A Community Investment project has been postponed. The project for Assistive Technology parent carers has been incorporated within the current Assistive Technology project. Admission avoidance has been incorporated in the Delayed Transfer of Care (DTC) work stream.

- The front door programme was a two year programme starting in 16/17 with further savings to be made in 17/18. The programme was made up of two overarching programmes - digital solutions (DFD) and (NDFD) practice initiatives and changes. The DFD element was cross cutting across the council (although the savings were allocated against People and Communities). The digital savings have not been delivered yet and are currently under a corporate review. The non-digital elements have been delivered with reductions in high cost placements, home services model delivery (including care and repair, reablement and increased use of Assistive Technology). The non-digital elements have been able to cover the savings related to the DFD and have therefore achieved the front door programme savings target for both years.

Education

- The Home to School and Children's Social Care Transport service area is forecast to overspend by £0.413m against the budget of £3.700m. The Home to School Transport budget is forecast to overspend by £0.269m. This forecast includes demographic pressure and the savings arising from the recent exercise to rationalise and re-tender routes. Children's Social Care transport is forecast to overspend by £0.107m. In part this is due to the loss of volunteer drivers and the necessity to therefore procure more taxi transport. The transport team are actively trying to recruit additional volunteer drivers. Other pressures total £0.037m.
- The Pupil Referral Service is forecast to overspend by £0.237m against a (surplus) budget of (£0.237m), this is as a result of the implementation of a new funding model. This pressure will be addressed in the 18-19 budget process
- Other Education savings total £0.024m.

Communities

- The Housing Service area is forecast to overspend by £1.691m against the total budget of £0.854m. Of the overspend £1.662m relates to Homelessness and temporary accommodation costs. This is being closely monitored by Management. Other Housing Service pressures total £0.029m.
- The Housing Enforcement Service area is forecast to overspend by £0.418m against the total net income budget of £0.083m. Selective Licensing is forecast to overspend by £0.293m which is primarily as a result of the very high take up of an early bird discount scheme. Work is being undertaken to identify additional homes that should be licensed. The additional income should close the gap in financial years 2018/19 onwards. An overspend of £0.143m has due to under achievement of income from EPC certificates. The income loss will be addressed in the 2018/19 budget setting process. Other Enforcement underspends total £0.020m.
- Other Communities pressures total £0.084m.

Public Health

Budget Group	Budget 2017/18	Cont. from reserves	Revised Budget 2017/18	Forecast Spend 2017/18	Cont. to reserves 2017/18	Forecast Variance 2017/18	Forecast Variance 2017/18	Previous Variance	Mvmt
	£000	£000	£000	£000	£000	£000	%	£000	£000
Children 0-5 Health Visitors	2,967	0	2,967	2,967		0	0%	0	0
Children 5-19 Health Programmes	1,999	0	1,999	1,999		0	0%	0	0
Sexual Health	1,817	0	1,817	1,817		0	0%	0	0
Substance Misuse	2,370	0	2,370	2,348		(22)	-1%	0	(22)
Smoking and Tobacco	374	0	374	321		(53)	-14%	(54)	1
Miscellaneous Public Health Services	1,875	0	1,875	1,783		(92)	-5%	53	(145)
Public Health Grant	(11,196)	0	(11,196)	(11,196)		0	0%	0	0
Total Public Health	206	0	206	39	0	(167)	-81%	(1)	(166)

Public Health is reporting a favourable variance of £0.167m against its budget. The Key variances in each of the service areas are as follows:

- Substance misuse is forecast to underspend by £0.022m against the budget of £2.370m. This underspend is as a result of an accrual for DETOX treatment which is no longer required.
- Smoking and Tobacco is forecast to underspend by £0.053m against the budget of £0.374m. This underspend is against Smoking cessation services.
- Miscellaneous Public Health Services is forecast to underspend by £0.092m against the budget of £1.875m. This underspend is as a result of an accrual for Redundancy which is no longer required (£0.060m) and the balance relates to two Public Health projects which will no longer be funded from 2017/18 revenue budgets. These are South Asian health checks for people aged under 40, which will no longer be implemented following changes to the relevant evidence base, and Healthier Eating in fast food outlets, which is still under discussion with the Environmental Health Team, and for which any costs will be funded from public health reserves.

Resources

Budget Group	Budget 2017/18	Cont. from reserves	Revised Budget 2017/18	Forecast Spend 2017/18	Cont.to reserves 2017/18	Forecast Variance 2017/18	Forecast Variance 2017/18	Previous Variance	Mvmt
	£000	£000	£000	£000	£000	£000	%	£000	£000
Director's Office	258	0	258	313	0	55	21%	62	(7)
Financial Services	3,605	458	4,063	3,997	0	(66)	-2%	(54)	(12)
Capital Financing	12,441	1,322	13,763	11,481	0	(2,282)	-17%	0	(2,282)
Corporate Items	5,726	90	5,816	4,039	0	(1,777)	-31%	(1,777)	0
Peterborough Serco Strategic Partnership	7,224	0	7,224	6,674	0	(550)	-8%	(550)	0
ICT	5,995	110	6,105	6,476	0	371	6%	371	0
Commercial Group	336	0	336	339	0	3	1%	3	0
Energy	392	0	392	1,163	0	771	197%	755	16
Vivacity/Cultural Services	2,473	0	2,473	2,497	0	24	1%	0	24
Cemeteries, Cremation & Registrars	(1,348)	38	(1,310)	(1,346)	0	(36)	3%	(13)	(23)
City Services & Communications	(865)	40	(825)	(500)	0	325	-39%	331	(6)
Total Resources	36,237	2,058	38,295	35,133	0	(3,162)	-8%	(872)	(2,290)

Resources is overall reporting a £3.162m favourable variance against its budget.

Directors Office

- An overspend of £0.055m is forecast for the Director's budget of £0.258m relating to staffing costs

Financial Services

- An additional income of £0.066m is forecast within Financial services, in respect of the £1.030m Insurance budget, arising from external recharges

Capital Financing

- A favourable position of £2.282m is being reported within this area. The variance includes:
 - A saving of £1.000m on Minimum Revenue Provision due to slippage in the capital programme.
 - The planned MTFs borrowing requirement was £101.276m. £33.000m has been borrowed to date and full year borrowing is now expected to be £66.700m. The reduced borrowing and better than expected interest rates achieved have led to a favourable variance of £1.200m.
- The capital financing budget is net of £12.7m capital receipts income. Non-delivery of the income is a key financial risk and is being carefully monitored. The income consists of a £1.3m brought forward balance; £3m of smaller disposals; and £8m of strategic disposals none of which have so far been completed.

Corporate Items

- There is a favourable variance of £1.777m within this area due to a recent review of corporate budgets, including re-profiling the expected income from Cross Keys VAT shelter (£0.430m variance on £0.380m budget) and the retention of £0.377m general and £0.100m specific inflation not allocated to services. There was a budget allocated for the introduction of the auto enrolment of the pension scheme which was to be introduced this year, but it is expected that this budget will no longer be required (£0.350m) and a further £0.350m saved on a budget of £2.230m in respect of lump sum pension fund contributions. Pension costs for premature retirement are forecast to be £0.100m lower than the £1.260m budgeted). External Audit fees are £0.020m lower than the £0.120m budgeted. Around £0.050m has been saved in respect of the Apprenticeship Levy. The 18/19 impact of all of these savings will be factored into budget proposals.

Peterborough Serco Strategic Partnership

- There is an additional £0.25m of Court Cost income against a budget of £0.600m based on early performance. This is expected to continue and has been factored into future budgets.
- There is a £300k favourable variance on the HB Subsidy Budget. The full cost of unsubsidised temporary accommodation is now charged to the People and Communities budget. It is proposed to amend the budget accordingly in future years.

ICT

- An overspend of £0.270m is expected on the £0.410m budget for the revenue impact of the IT Strategy of moving costs into the Cloud, as the cost was not fully identified at the time that the budget was set.
- There is also a pressure of £0.300m from the delay in delivering Salesforce Line Of Business applications & Box having not yet been decommissioned.
- The SLA's with our partner organisations including NPS and Opportunity Peterborough are generating a surplus of £0.050m on a budget of £0.100m.
- Other miscellaneous savings across the Department are £0.049m.

Energy

- One-off unbudgeted cost of £0.710m in relation to writing off abortive capital project costs.
- There is currently a £0.060m shortfall in the Energy Projects saving target of £0.320m expected this year. This is under review to assess the impact on the 18/19 budget.

City Services & Communications

- The off street parking income budget of £2.400m is £0.200m adverse, but this is being offset by staff parking income which is £0.030m higher than the budget of £0.310m
- An adverse variance of £0.190m is expected within the Market, events and Tourism service area. This is due to £0.155m lower income than the budgeted £0.465m at the Market, and £0.040m variance on £0.130m budget at the Destination Centre and a £0.020m surplus generated by the PGER. Additional miscellaneous pressures total £0.015m
- An overspend of £0.040m on £0.460m budget is reported in respect of increased costs in Food safety following pressures in the numbers of premises in need of inspection. The 18/19 budget will include proposals to address increased demand.

- Health and Safety recharges are expected to be £0.050m lower than the £0.090m budgeted. A proposal to amend the baseline budget will be included for 18/19.
- The Design and Print Team is expected to break even, through recharging all costs based on jobs completed, costing around £0.250m. It is expected that £0.030m of this sum will not be recovered.
- Following a review of spending across the City Services & Communications service area, in year savings of £0.280m have been identified for 17/18, over a gross expenditure budget of £5.740m.

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Appendix 2 – Risks Identified

The following table outlines the risks identified, which will have an impact on the council's MTFS.

Dep	Risk	Description
P&C	Clare Lodge	MTFS income savings target not achievable due to delay in construction works
P&C	Children's Health	Pressure on overtime and lack of enhancement budget at Cherry Lodge/Manor-this service is under review
P&C	Home to School Transport	Pressures are now being included in the 2018/19 MTFS
Res	Asset Disposals	Capital receipts included within the MTFS may not be achieved, creating a pressure. For more details see main report.
P&C	Homelessness Demand related pressure	Included within the BCR pressures and the 2018/19 MTFS
P&C/ Res	Schools funding/ Academisation	11 schools have indicated that they will become academies in 17/18 and 11 in 18/19
P&C	SEND funding	Ceases at the end of the year.
P&C	Universal Credit	administration cost and the risk of UC implementation increasing homelessness
Gov	Legal Income	To secure external income
Gov	Employee Costs	Regrades and restructures- including the costs for redundancy, and future incremental rises.
G&R	Street Lighting	Delays to LED implementation could increase adverse already reported
P&C	ASC Placements	Continuing demand pressure, which is picked up in the 2018/19 MTFS
Res	Parking Income	Demand led in nature -the Summer period traditionally sees a spike in demand, mainly in off street.
Res	Court Costs Income	To be kept under review
Res	Payments & Subsidy	To be kept under review
Res	Wellington St Car Park	Lease with Pelican for Wellington St Car Park
P&C	Troubled Families	Troubled families is a performance related grant from Government that is due to finish in 2020. This grant funds a number of early intervention services that will be at risk without this funding. There is a lobbying campaign for the grant to be extended but this is an early risk alert
Res	Amey-Norse Migration	Issues around volumetrics, inflation currents savings targets and the current contract position.
P&C	EPC income	Unachievable income target
Res	Performance Information	Unachievable savings target for ICT system support savings. ICT Services are being reviewed at the moment to give an optimum operating model going forward.
P&C	New ways of working	Unachievable savings target
Res	PSSP	Continuing review of this saving.

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Appendix 3 - Reserves

The Council's departmental reserves and the capacity building reserve are monitored throughout the year and feed into the budget setting process accordingly. The next table summarises the expected balance for all reserves for 2017/18 to 2020/21

Out of the total reserves balance only £14m is deemed available or uncommitted, due to restrictions placed on the remaining reserves.

Summary of Reserves (£000)	Bal Carried Fwd 1.4.17	Cont. from reserves allocated	Cont. from reserves (to be drawn down)	Transfer between reserves	Cont. to reserves	Forecast Balance at 31.03.18	Forecast Balance at 31.03.19	Forecast Balance at 31.03.20	Forecast Balance at 31.03.21
General Fund Balance	6,000					6,000	6,000	6,000	6,000
Capacity Building Reserve	4,314	(1,143)	(691)	1,445	1,325	5,250	1,934	729	729
Risk Management Contingency	680	(23)				657	0	0	0
Grant Equalisation Reserve	15,639	(633)	(7,194)	0	0	7,812	0	0	0
Development Equalisation Reserve	1,233	(689)				544	0	0	0
Departmental Reserve	3,855	(296)	(794)	(1,445)	255	1,575	870	870	870
Insurance Reserve	4,425				511	4,936	4,936	4,936	4,936
Schools Capital Expenditure Reserve	1,287					1,287	1,287	1,287	1,287
Parish Council Burial Ground Reserve	53					53	53	53	53
Hackney Carriage Reserve	155					155	155	155	155
School Leases Reserve	336				3	339	324	274	274
Future Cities Reserve	569		(569)			0	0	0	0
Public Health Reserve	428					428	360	360	360
TOTAL	38,974	(2,784)	(9,248)	0	2,094	29,037	15,920	14,665	14,665

* £7.194m was drawn down as part of the budget setting process, the remaining £2.982m has been drawn down during the year as and when it has been required.

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Appendix 4 - Asset Investment and Treasury Budget Report as at November 2017

Introduction

The following report provides an update on the Council's Asset Investment Plan and the Treasury activity as at November 2017. It also provides an estimate of the borrowing requirement for 2017/18 to fund the Asset Investment Plan.

Asset Investment Plan 2017/18

The revised Asset Investment Plan budget as at November 2017 is £103.9m, which includes £23.6m for Invest to Save (I2S) Schemes. The agreed investment as per the Medium Term Financial Plan (MTFS) was £219.3m. The movement between the MTFS position and the £324.7m as at Apr-17 was a result of slippages mainly due to delays completing projects from 2016/17.

The actual investment expenditure as at November 2017 is £46.7m (67.5% of the revised budget to date). The latest forecast provided by project managers predicts an overall spend of £103.9m, therefore the Council is expecting to spend a further £57.2m before Mar-18. The following table shows the breakdown of the Council's Asset Investment over the directorates and how this investment is to be financed.

Directorate	MTFS Budget	1.4.17 Budget	Current Budget FY	Revised Budget YTD	Actual YTD	Forecast Invest & Finance
	£000	£000	£000	£000	£000	£000
Governance	-	49	-	-	-	-
Growth & Regeneration	38,564	44,704	25,801	17,201	11,332	25,801
People & Communities	64,416	77,783	42,510	28,340	18,578	42,510
Resources	23,378	32,575	12,004	8,003	3,127	12,004
Invest to Save	92,954	169,546	23,588	15,726	13,710	23,588
TOTAL	219,312	324,657	103,904	69,269	46,747	103,904
Grants & Contributions	44,259	50,297	38,603	25,735	23,508	38,603
Capital Receipts	942	-	1,083	722	-	1,083
Borrowing	174,111	274,360	64,218	42,812	23,239	64,218
TOTAL	219,312	324,657	103,904	69,269	46,747	103,904

The movement of £209.1m between the budget as at April 17 (£324.7m) and the current budget of £103.9m follows a comprehensive review of the Asset Investment Plan. The Invest to Save projects have been cut significantly, and a number of other large projects across all directorates have been reprofiled to more accurately reflect the spending over future years. The Asset Investment Plan can be funded via three core elements, external third party income (including grants); capital receipts generated from the sale of Council assets: and borrowing from the external market. For the 2016/17 MTFS onwards the approved strategy is to use Capital Receipts as part of a contribution to the Minimum Revenue Provision (MRP) therefore they are no longer factored into the funding of the Asset Investment.

Borrowing and Funding the Asset Investment Plan

It is a statutory duty for the Council to determine and keep under review the level of borrowing it considers to be affordable. The Council's approved Prudential Indicators (affordable, prudent and sustainable limits) are outlined in the approved Treasury Management Strategy. The Council borrows only to fund the Asset Investment Plan. The current plan assumes that 61.8% of the budgeted expenditure will be funded by borrowing.

The Council's borrowing as at the end of November 2017 was £416.6m (see table below). The debt is measured against the Council's Authorised Limit for borrowing of £914.1m which must not be exceeded and the Operational Boundary (maximum working capital borrowing indicator) of £811.0m.

Borrowings	Less than 1 year	1-2 years	2-5 years	5-10 years	10+ years	Total	Average Interest Rate %
PWLB	-	-	4,500	16,143	308,944	329,587	3.7
Local Authority	7,000	9,000	50,500	-	-	66,500	1.4
Market Loans	-	-	-	-	17,500	17,500	4.5
LEP Loan	-	3,000	-	-	-	3,000	0.0
Total Borrowing	7,000	12,000	55,000	16,143	326,444	416,587	3.3
% of total Borrowing	2%	3%	13%	4%	78%		
Borrowing Limit (PI)	40%	40%	80%	80%	100%		

Loans Portfolio £000		
April 17 b/f		395,371
Repayment of loans to date	(11,784)	
New loans in year	33,000	
Net increase/(decrease) to date		21,216
Loans portfolio as at November 17		416,587

The table below shows the activity in Loans held by the Council for the year to date:

Total interest payable on existing loans for the year (£416.6m) is expected to be £13.5m.

As at November 2017 the Council held £23.2m of S106 and Planning Obligation Implementation Scheme (POIS) funding available for funding Asset Investment projects. To date £6.1m has been earmarked for specific projects. The process for allocation requires project managers to successfully submit project plans meeting the criteria for which the contributions were intended. The S106 Officer is responsible for approving S106 allocations.

The Capital Receipts are monitored on a monthly basis and each sale given a status of Red, Amber or Green to identify the likely receipt before March 2018. The MTFS includes a contribution of £12.7m Capital Receipts, which includes £2.2m rolled forward from uncompleted disposals in 16/17. Any shortfall of actual cash receipts in year will therefore have a direct impact on the final Revenue position and in turn the underpinning of the MTFS approach. The revenue forecast assumes that 100% of green receipts and 50% of amber receipts are achieved.

Capital Receipts				
RAG Status	Budgeted Income per MTFS £000	Revised Budget £000	Received to Date £000	Not yet received £000
Green	4,191	4,059	25	4,034
Amber	1,975	21,706	-	21,706
Red	6,572	1,375	-	1,375
Total	12,738	27,140	25	27,115

Investments

The Council aims to achieve the optimum interest on investments commensurate with the proper levels of security and liquidity. In the current economic climate the Council considers it appropriate to keep investments short term to cover cash-flow fluctuations, and only invest with Barclays (the Council's banking provider) and Bank of Scotland (part of the Lloyds Banking Group), the Debt Management Office and Local Authorities although the Council has recently opened a Money Market Fund account to help mitigate the investment risks, whilst increasing returns.

As at November 2017 the Council's external investments totalled £39.2m and have yielded £0.049m to date.

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CABINET	AGENDA ITEM No. 8
15 JANUARY 2018	PUBLIC REPORT

Report of:	Simon Machen -Corporate Director of Growth and Regeneration	
Cabinet Member responsible:	Councillor Peter Hiller- Cabinet Member for Growth, Planning and Economic Development	
Contact Officer(s):	Richard Kay – Head of Service - Sustainable Growth Strategy	Tel. 863795
	Darren Sharpe - Natural and Historic Environment Manager	Tel. 453596

TREE AND WOODLAND STRATEGY

RECOMMENDATIONS	
FROM: Corporate Director of Growth and Regeneration	Deadline date: N/A
It is recommended that Cabinet approves the Tree and Woodland Strategy for public consultation.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following consideration by the Growth, Environment and Resources Scrutiny Committee 10 January 2018.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present the City Council's updated Tree and Woodland Strategy for the Cabinet to approve for public consultation.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.9, 'To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	Late 2018 (date to be agreed)
Date for relevant Council meeting	Late 2018 (date to be agreed)	Date for submission to Government Dept.	N/A

4. BACKGROUND AND KEY ISSUES

- 4.1 The Council adopted its current Tree and Woodland Strategy in 2012. That Strategy has been extremely effective in putting in place clear process and guidelines as to how the city council will not only discharge its statutory functions in relation to Trees and Woodland, but also its guidelines, or 'service standards', in respect of this important resource, a matter which is very

‘public facing’ service the council delivers.

- 4.2 It is, however, time to refresh that strategy, building on the success of the current strategy, but also providing further clarification on what service the council will offer (and importantly what it will not).
- 4.3 The draft strategy has been drafted taking account of the following key principles:
- fulfilling our statutory duties (including health and safety)
 - being as clear as possible where the council will and will not provide service.
 - recognition of the vital importance of trees and woodland to our communities, quality of life and ecosystems services.
 - our financial constraints.

Statutory duties

- 4.4 The City Council’s Trees and Woodland Strategy takes account of the legislative requirement introduced by the Natural Environment and Rural Communities Act S40 and The Natural Choice: securing the value of nature –Environment White Paper.
- 4.5 In addition it will help the Council facilitate compliance with:
- Occupiers Liability Act 1957 [revised 1984] which requires it “to take reasonable care” to maintain its trees and woods in a reasonably safe condition.
 - The Health and Safety at Work Act 1974 which requires the council to have a duty of care to employees and members of the public in respect to safety of the trees in its ownership.
- 4.6 The systems of health and safety checks on trees that have been developed are proposed to be maintained. The aim will be to continue to keep risks presented by trees as low as it is reasonably practical to do so. In 2012 the Council’s contractors produced a Tree Risk Management Plan, now included within the revised strategy, which includes all the measures recommended in current guidance.

Service standards

- 4.7 As organisms of longevity and complexity, in order to manage trees sustainably, a strategic operational approach is essential. The understanding of the way pruning affects trees has evolved, but the basic premise has not changed: all tree surgery is not for the benefit of the tree, other than to enable it to continue to co-exist in an artificial human environment.
- 4.8 The analysis of enquiries received over the last five years of has enabled the Council to monitor customer concerns, prioritise work and establish best practice in the way that it is undertaken. Improved levels of consultation and communication have been developed. Equally, firmer policies have been developed, and proposed to be included in the new strategy, that inform residents of the Council’s actions in respect to common concerns. These policies are integral to a more pro-active level of service delivered within financial constraints.

Importance of trees

- 4.9 Trees are the largest and oldest living organisms in our environment. Trees and woodlands are dominant features of the landscape and environment of Peterborough. Collectively they form one of its finest and most important features. However, they are not simply embellishments, but provide a range of important ecosystem services and contribute towards the sustainable future of the City. At appendix A, examples are given to illustrate the importance of some of the ecosystem services provided and how trees can help to deliver its Environment Action Plan (EAP) targets.

Financial constraints

- 4.10 In these challenging financial times the strategy has been written within the constraints of the

current budgetary provision. No new financial demands are envisaged from the revised strategy however it does highlight the potential threats of major pest and disease that may in future impact financially on the council. It also highlights the need to retain existing resourcing chains to avoid existing problems getting worse to the point where the tree stock could be considered a negative asset.

- 4.11 Measures are also proposed to introduce mechanisation, such as a tractor mounted tree shears, where it is practicable to reduce the cost of selective woodland management. In addition to expanding tree and woodland cover through sustainable external funding sources.

5. CONSULTATION

- 5.1 Public consultation on the strategy is planned to commence post Cabinet approval. The responses received as part of the public consultation will be reviewed and fed into the documents as appropriate prior to consideration (and adoption) by Cabinet and Full Council later in 2018.

- 5.2 A range of local organisations will be invited to comment during this consultation period. These include:

- The Local Conservation Bodies
- Peterborough Environment City Trust
- Nene Park Trust
- The Woodland Trust

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that the Cabinet will recommend that the Tree and Woodland Strategy goes out to wider public consultation.

7. REASON FOR THE RECOMMENDATION

- 7.1 The strategy will help deliver the city's Environment Capital priority by providing clear strategic direction for the management of the council's tree resource and set targets with which the progress of the strategy will be measured.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The alternative option of not producing an updated strategy would mean that there would be no clear vision and targets associated with the management of the Council's Trees and Woodland, making progress difficult to monitor and the effective allocation of resources challenging. Therefore the alternative option of not updating the strategy was rejected.

9. IMPLICATIONS

Financial Implications

- 9.1 There are no financial implications on the Council, as a result of the policies proposed in the draft strategy. Where applicable, all targets contained within the plans are currently planned to be achieved within existing resources.

Legal Implications

- 9.2 As detailed in 4.2 above the strategy also ensures the council continues to fulfil its duties under the Health and Safety at Work Act and the Occupiers Liability Act.

Equalities Implications

- 9.3 There are no anticipated equalities implications of this recommendation.

10. BACKGROUND DOCUMENTS

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



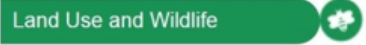




10.1 None.




11. APPENDICES

11.1 Appendix A - The Ways in which Trees and Woodland Contribute to a Sustainable Future for Peterborough

11.2 Appendix B – Peterborough Tree and Woodland Strategy 2018-2028

Appendix A

EAP Aims	The Ways in which Trees and Woodland Contribute to a Sustainable Future for Peterborough through the broad range of ecosystem services provided
	<ul style="list-style-type: none"> • Carbon is stored and locked in timber. • Around 6% of the carbon emissions of the City are sequestered by trees each year. • Fuel wood produced from sustainable woodland management is a source of carbon neutral fuel. • Help alleviate the effects of climate change
	<ul style="list-style-type: none"> • Trees reduce surface water runoff and help prevent flooding. All parts of the City are susceptible to flooding due to surface water runoff (Environment Agency, 2016). Additional tree planting particularly in conjunction with Sustainable Urban Drainage Schemes (SUDS) has the potential to intercept and slow down runoff reducing damage caused. • Trees in catchment areas delay and reduce run off into water courses. • Trees are important components of sustainable drainage schemes. • Trees help to improve the quality of polluted sites. • Help to reduce the impact of climate change.
	<ul style="list-style-type: none"> • Providing a range of wildlife habitats. • Ancient trees and ancient woodlands provide habitat for many rare species. • Woods provide wildlife corridors throughout the City. • Provide landscape benefits
	<ul style="list-style-type: none"> • Timber produced in the city's urban forest is sustainably managed. • All timber products used in tree and woodland management will be from Forestry Stewardship Council (FSC) registered sources.
	<ul style="list-style-type: none"> • Fruit trees and orchards throughout the city produce locally sourced food. • Old orchards provide important wildlife habitats.
	<ul style="list-style-type: none"> • Waste from tree works is recycled for fuel wood or composted for mulch. • Re-cycled green waste can be used for mulching of trees and shrubs and surfacing informal footpaths within the woods.
	<ul style="list-style-type: none"> • Paths through woodland and greenspace provide for safe walking and cycling routes across the city. • Road edge tree belts screen traffic, lower noise levels. • Trees trap atmospheric pollutants and particulates created by traffic.

<p>Culture and Heritage </p>	<ul style="list-style-type: none"> • Trees and woods provide an educational resource. • Provide a link with past lives and landscapes • Woods preserve archeological remains and features.
<p>Equity and Local Economy </p>	<ul style="list-style-type: none"> • Provides local jobs. • A recreational resource open to all. • Provides opportunities for community involvement. • The proximity of trees and woodland can increase property values.
<p>Health and Wellbeing </p>	<ul style="list-style-type: none"> • Provides Recreational opportunities. • In the UK it has been estimated only one third of the population does the recommended level of exercise. The estimated cost ill health due to obesity is £1 billion per year. The City's woodlands encourages outdoor recreation and a healthy life style • Air pollution from vehicles and industrial processes produces minute particles known as particulate matter as well as gasses such as ozone, nitrogen dioxide and sulphur dioxide. These present a risk to health, it has been estimated around 30,000 deaths in the UK are attributable to air pollution. Trees trap particulates on the leaves and take in gasses through the pores lowering the risk to health. • Gives a feeling of wellbeing and relieves stress. • Reduce air temperatures and provide shading. • Produces improvements in both physical and mental health.

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Peterborough

Tree and Woodland Strategy



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Preface

How to make comments on this Strategy

This is a consultation draft version of a proposed Tree and Woodland Strategy. The Council has an adopted Strategy of 2012, but we think now is the time to update and refresh it. Before we do, we are seeking your views as to whether this consultation draft is a suitable Strategy. The consultation starts at XXXXX on XXXX XXXXXXXX 2018 and closes at XXXXX pm on XXXX XXXXXXXX 2018.

The Strategy can be viewed at www.peterborough.gov.uk/LocalPlan. There are several ways that you can comment on the Strategy. Comments can be made by email to::

planningpolicy@peterborough.gov.uk

or by post to:

Peterborough Tree and Woodland Strategy Consultation
Sustainable Growth Strategy
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 12HF

All responses must be received by **XXXX pm** on **XXXXXXXX 2018**.

Please note that all comments will be uploaded to our online consultation portal and will not be confidential.

All comments received will be taken into consideration by the council before a final Strategy is approved later in 2018.

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1. Introduction

- 1.1 This new strategy will aim to build on the achievements and progress made during the life of the 2012 document. However, many of the old policies will remain unchanged. The City's trees and woodlands have the capacity to both improve the quality of life for Peterborough residents and make a significant contribution towards the Council's environmental targets and aspirations.
- 1.2 The new strategy will seek to consolidate the Council owned tree stocks and woodland and manage them in a sustainable way. This particularly applies to the extensive legacy woodlands planted by the Peterborough Development Corporation (PDC) in the 1970's. The strategy seeks to make the woodlands more resilient in the face of threats from introduced pests and diseases and the impact of climate change.
- 1.3 A key aim will be to increase tree canopy cover in the City by both planting new trees and ensuring proper development of newly established trees to maximise the benefits they can provide. Also to support and contribute to the Forest of Peterborough Project target to plant 183,000 trees in and around the city and surrounding countryside by 2030. The extension of canopy cover will focus on the urban areas and try to redress the balance between Wards with low numbers of trees and those with extensive tree and woodland cover. However, tree and woodland planting will be encouraged throughout the whole of the unitary area.
- 1.4 The strategy seeks to strike a balance between maximising benefits provided by trees and recognising that trees can cause significant problems for home owners when in close proximity to dwellings and gardens. Where possible, long term solutions will be applied to reduce the level of conflict between trees and residents.
- 1.5 The preservation and improvement of wildlife habitats and the conservation value of the City's trees and woodlands is at the heart of the strategy. The strategy will mesh with both National policies and the Council's Ecological and Green Space Plans.

2. Background

- 2.1 The Unitary Peterborough extends to 34,000 ha. The current (2016) population is approximately 200,000 which is expected to increase by a further 41,500 between 2016 and 2036.
- 2.2 The City is set in eastern England, where the Fens meet the lowlands of the Midlands. This junction of landscapes provides a rich and diverse range of contrasting and distinctive landscapes including fenlands, clay lands, river valleys, gravels and limestone.
- 2.3 The eastern half of the unitary area is reclaimed high quality agricultural land on the flat fens. Originally the margins would have consisted of wet woods and carrs of alder, birch, ash and oak, edging onto vast tracts of brackish marsh, river plains and reeds.
- 2.4 To the west of the City the land becomes more undulating and forms the eastern extent of the Rockingham Forest character area. There are numerous ancient woodlands in this area, many of which are of high nature-conservation interest and are attractive landscape features in their

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own right. Fields and roads are bounded by trees and hedgerows which link a patchwork of woods. These woods, the remnants of the Rockingham Forest, survive in western Peterborough.

- 2.5 Early settlements such as those found at Flag Fen and Barnack led to the clearance of the forest. Later as sea levels dropped, and man drained the Fens, so his impact on the tree cover of the area became even greater.
- 2.6 There has been continuous settlement at Peterborough since 45 AD. Early settlement was based around the great abbey of St Peter. The City grew beyond its medieval boundaries during the nineteenth century and the City's industrial heritage evolved with the great rail workshops. At the same time the brick industry, so closely linked to the City until the 1980's, was developing. The older parts of the City, which accommodated the industrial growth of Peterborough from Victorian times to the 1950s, have a structured layout with tree lined roads, formal promenading parks and open spaces.
- 2.7 In 1967 Peterborough was designated as a New Town and during the 1970s and 1980s the population increased significantly with three new townships constructed around the core of the old city. The PDC ceased to exist in 1988. However, the process of housing growth and township creation continues with the latest development; the privately funded Hamptons, built on former brickfields to the south of the City.
- 2.8 The PDC undertook extensive tree planting throughout the new townships using a naturalistic planting scheme including woodland belts tree groups and individual tree planting in close association with residential and commercial development. This planting style was partially influenced by the garden city concept. The main road network, created as part of the new town construction, was edged by tree belts, the main design influence here was the American parkway movement. Many of the roadside tree belts are also in close proximity to residential properties. The PDC tree and woodland planting is now coming to maturity providing a valuable legacy for today's residents of the City but is in need of ongoing management and renewal.

3. Aims of the Strategy

- 3.1 Sustainability is at the heart of the Council's long term aims and is encapsulated in the Environment Action Plan. This tree and woodland strategy seeks to provide:

"A sustainable tree and woodland resource for a growing city"

- 3.2 The strategy sets out how the benefits provided by trees and woodland will be maintained and enhanced. This will include positive steps to consolidate tree stocks and address some of the recurring problems associated with the Council's trees.

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3.3 The primary aims are summarised as follows:

- **To maintain and enhance the tree population of the City.**
- **To increase the tree canopy cover across the City with particular reference to areas with low canopy cover.**
- **To protect, consolidate and, where necessary, restructure the legacy of trees and woodland established by the PDC.**
- **To maintain and maximise the ecosystem services provided by the Council's trees.**
- **To ensure, as far possible, that the Council's tree stocks are resilient in the light of threats from introduced tree pests and diseases and climate change.**
- **To promote biodiversity and conserve tree and woodland eco-systems.**
- **To conserve and protect ancient woodland and ancient trees with significant ecological, historical and amenity value.**
- **To work with partners to expand the woodland cover through sustainable external funding.**
- **To fulfil the Council's duty of care in respect of its tree stocks. The systems of health and safety checks on trees that have been developed will be maintained. The aim will be to keep risks presented by trees as low as it is reasonably practical to do so.**

3.4 This document highlights the importance of the tree resource under the stewardship of the Council and sets a standard for its management, which ensures its long term conservation and development for the benefit of the people of Peterborough and future generations.

3.5 Many of the issues affecting tree and woodlands have strong links with other Council initiatives in urban design and land use. Tree and Woodland protection and care is concerned with managing the risks and benefits to ensure the best and most sustainable outcome.

3.6 The Council will act to conserve and enhance the quality, value, role and diversity of the trees and woodlands in the City. The focus will be on consolidation and, where necessary, rationalisation.

3.7 The Council will respond to the concerns and actions of residents. However, the removal of trees shall be resisted and, when it is necessary to do so, replacement planting will be required.

3.8 The Council are a lead partner in the Forest for Peterborough project led by Peterborough Environment City Trust (PECT), The projects target is to plant 183, 000 trees by the year 2030. Since the project started in 2010 a total of 93,600 native trees have been planted. Over the remaining 13 years of this project the Council will continue to review its land management practices and, where possible, provide areas for new trees and woodlands to be planted.

4. Achievements since the Last Strategy was Produced in 2012

4.1 There has been considerable progress since the last tree and woodland strategy was produced.

4.2 Management of the Council's tree stocks was contracted out in 2013, as part of a 23 year infrastructure support service contract currently managed by Amey plc.

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- 4.3 The focus of the work during the period has been the completion of extensive tree surveys to, as far as is reasonably practicable, reduce the risk of tree failures. A Tree Risk Management Plan was produced in 2012 setting out the procedures to be followed to fulfil the Council's duty of care. As a result of the adoption of the Tree Risk Management Plan proprietary tree management software was installed. Approximately 50,000 street trees have now been surveyed and logged into the tree database. This will greatly facilitate the day to day and future management of the Council's tree stocks and has led to management of tree stocks becoming pro-active rather than reactive.
- 4.4 A canopy cover survey was commissioned in 2014 which gives the percentage canopy cover over the City by Ward. Canopy cover is defined as the area occupied by the crowns of the trees as a percentage of the land area. The figure is used to assess the tree cover of the City and also allows comparison with other urban areas in the UK and across the world.
- 4.5 The legacy woodlands planted by PDC are extensive and extend to 280 ha. These have all had basic level health and safety surveys around the woodland edges and footpaths which included noting details of the woodland composition. Any trees presenting a risk of failure or highway obstructions have been dealt with by either remedial tree work or removal.
- 4.6 The Bretton Woodlands, including Grimshaw Wood, Pocock's Wood and Highlees Spinney are the only Ancient woodlands in the Council ownership. In 2013 after consultation with stakeholders a Management Plan for the woods was produced to ensure their long term sustainability. The plan took full account of the importance of the sites for heritage, wildlife, recreation and impact on the local landscape. Aided by a Heritage Lottery Fund grant and EWGS grant from the Forestry Commission the Peterborough Environmental City Trust restored coppice working to some of the areas of the woods providing opportunities for community involvement in traditional woodland crafts. New access paths and pedestrian bridges were constructed in Grimshaw and Pocock's wood and some non-native invasive species removed.
- 4.7 Some management work has been completed in the woodland belts including thinning, and removal of edge trees causing a nuisance. This was completed on a trial basis to gauge the response of residents. The trial in Werrington was completed with a largely positive reaction from local residents.
- 4.8 All this represents a considerable improvement to the position at the beginning of the last plan. However, now the systems are in place, a similar effort and focus is now needed to secure the Council's tree stock for the future.

5. Other Council Policies which Impact on the Tree and Woodland Strategy

The Environmental Action Plan






- 5.1.1 In 2017 PCC adopted an updated an Environment Action Plan (EAP) the key elements of which are shown in Table 1. The EAP sets out the Council's overarching strategy to make the city fully sustainable by 2050. The aim is to achieve 'One Planet Living' (at present we use the resources of three planets. One planet living would reduce this to utilising our planets resources in a fully sustainable way).

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5.1.2 Trees and woodland feature directly in selected aims of the EAP, however, the urban forest has the potential to provide a significant contribution to the broad range of Council’s targets.

5.1.3 Trees are the largest and oldest living organisms in our environment. Trees and woodlands are dominant features of the landscape and environment of Peterborough. Collectively they form one of its finest and most important features. However, they are not simply embellishments, but provide a range of important ecosystem services and contribute towards the sustainable future of the City. The following examples illustrate the importance of some of the ecosystem services provided and how trees can help to deliver its EAP targets.

Table 1 – The Contribution of the City’s Urban Forest to EAP Targets

EAP Aims	The Ways in which Trees and Woodland Contribute to a Sustainable Future for Peterborough through the broad range of ecosystem services provided
	<ul style="list-style-type: none"> • Carbon is stored and locked in timber. • Around 6% of the carbon emissions of the City are sequestered by trees each year. • Fuel wood produced from sustainable woodland management is a source of carbon neutral fuel. • Help alleviate the effects of climate change
	<ul style="list-style-type: none"> • Trees reduce surface water runoff and help prevent flooding. All parts of the City are susceptible to flooding due to surface water runoff (Environment Agency, 2016). Additional tree planting particularly in conjunction with Sustainable Urban Drainage Schemes (SUDS) has the potential to intercept and slow down runoff reducing damage caused. • Trees in catchment areas delay and reduce run off into water courses. • Trees are important components of sustainable drainage schemes. • Trees help to improve the quality of polluted sites. • Help to reduce the impact of climate change.
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	<ul style="list-style-type: none"> • Timber produced in the city’s urban forest is sustainably managed. • All timber products used in tree and woodland management will be from Forestry Stewardship Council (FSC) registered sources.
	<ul style="list-style-type: none"> • Fruit trees and orchards throughout the city produce locally sourced food. • Old orchards provide important wildlife habitats.

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<p>Zero Waste </p>	<ul style="list-style-type: none"> • Waste from tree works is recycled for fuel wood or composted for mulch. • Re-cycled green waste can be used for mulching of trees and shrubs and surfacing informal footpaths within the woods.
<p>Sustainable Transport </p>	<ul style="list-style-type: none"> • Paths through woodland and greenspace provide for safe walking and cycling routes across the city. • Road edge tree belts screen traffic, lower noise levels. • Trees trap atmospheric pollutants and particulates created by traffic.
<p>Culture and Heritage </p>	<ul style="list-style-type: none"> • Trees and woods provide an educational resource. • Provide a link with past lives and landscapes • Woods preserve archeological remains and features.
<p>Equity and Local Economy </p>	<ul style="list-style-type: none"> • Provides local jobs. • A recreational resource open to all. • Provides opportunities for community involvement. • The proximity of trees and woodland can increase property values.
<p>Health and Wellbeing </p>	<ul style="list-style-type: none"> • Provides Recreational opportunities. • In the UK it has been estimated only one third of the population does the recommended level of exercise. The estimated cost ill health due to obesity is £1 billion per year. The City's woodlands encourages outdoor recreation and a healthy life style • Air pollution from vehicles and industrial processes produces minute particles known as particulate matter as well as gasses such as ozone, nitrogen dioxide and sulphur dioxide. These present a risk to health, it has been estimated around 30,000 deaths in the UK are attributable to air pollution. Trees trap particulates on the leaves and take in gasses through the pores lowering the risk to health. • Gives a feeling of wellbeing and relieves stress. • Reduce air temperatures and provide shading. • Produces improvements in both physical and mental health.

Peterborough Local Plan 2016 to 2036

5.1.4 This plan is being revised to reflect latent housing, job and infrastructure needs, as well as latest National Policy. It is also strongly aligned with the EAP aims. It includes; polices designed to extend open space and green infrastructure (LP22), maintain green wedges between areas of development (LP26) and protect ancient woodland and ancient trees from development. (LP28). The plan refers to the tree and woodland strategy on questions of tree management hence the need to revise this document to give clear and up to date guidance.

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- 5.1.5 When considering planning applications, the Council will ensure that suitable trees are retained on development sites and that they are properly protected during the construction phase. Any tree losses will need to be replaced with new planting.
- 5.1.6 This revised strategy has been prepared with due consideration to current international, regional and corporate policies, and to provide a structure for compliance with the Council's legal responsibilities. The strategy will contribute to the delivery of the broad range of Council aims, objectives and priorities on the environment, communities, health, and land use planning.
- 5.1.7 The structure of this strategy is to ensure that key Council and National policies are considered and are at the core of the policies and priorities herein. This document will contribute to delivering the broad range of Council aims in conjunction with priorities on community and land use planning issues. In addition, the strategy also takes account of the latest Government Forestry and Woodlands Policy Statement issued by DEFRA in January 2013 and the UK Forestry Standard.
- 5.1.8 In recognition of the change that population growth will mean to communities and infrastructure, we need to ensure that stability and social cohesion continue and that growth will lead to a cleaner and greener city. The urban forest has an important role in this process.

The Biodiversity, Green Infrastructure and Open Space Strategies

- 5.1.9 These documents provide a strategic plan to deliver a network of high quality green spaces. They set out to ensure green space will be designed and managed as a multi-functional resource, delivering a wide range of environmental and quality of life benefits. Trees and woodlands are a very important part of this and play a vital role in defining Peterborough as an Environment City.
- 5.1.10 Woodlands, especially old trees and ancient woodlands, are amongst our richest habitats. The highest levels of biodiversity are often found in woodlands that are actively and sensitively managed. Their diversity is even greater when they form part of a mixed landscape in close proximity to other features such as ponds, grasslands and even residential gardens. Hedgerows linking woodlands act as wildlife corridors and so greatly promote the extent and range of wildlife. In order to protect this ecological asset an evaluation will be given to the sensitivity of the species and habitats identified to ensure public access remains appropriate, without harming the biodiversity interest.
- 5.1.11 The challenge in the future will be to maintain and enhance diversity. Planning and management needs to be aimed at providing a natural environment which is resilient to climate change. Climate change will impact on the range of native wild plants and animals and hence the character of our woods.
- 5.1.12 The presence of some invasive non-native species such as Japanese knotweed (*Fallopia japonica*) will need to be addressed.
- 5.1.13 Woodlands protect ground water from pollution and lessen the likelihood of flooding by intercepting rain before it reaches watercourses. Strategically planted shelterbelts intercept air pollutants. To realise integrated and multifunctional landscape management the Council will work closely with external partners and a variety of landowners.

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5.1.14 The Trees and Woodland Strategy is mutually compatible with these overlapping strategic documents and thus provides a clear direction for the management of the City’s Green space and natural environment assets.

6. The Resource (an Analysis of the Council’s Tree stocks)

6.1 As a result of the progress made in surveying and entering the Council’s tree stocks on to a database, the survey work carried out in the PDC legacy woodlands and the canopy cover survey carried out in 2014, it is possible to get a good overview of the state of the Council’s trees.

6.2 To draw conclusions from the data taken from the database it is necessary to separate the 280 ha of woodland planted by PDC from other tree stocks in streets and public open space which are defined as ‘Specimen trees’ .

Specimen Tree Stock-Age

6.3 In certain circumstances some species of tree can live to 200 to 300 years and beyond. However in dynamic urban conditions with poor soils and growing conditions life expectancy can be considerably shorter, in some cases as low as 20 to 30 years. Figure 1 shows the age structure of trees on the data base (excluding the PDC woods).

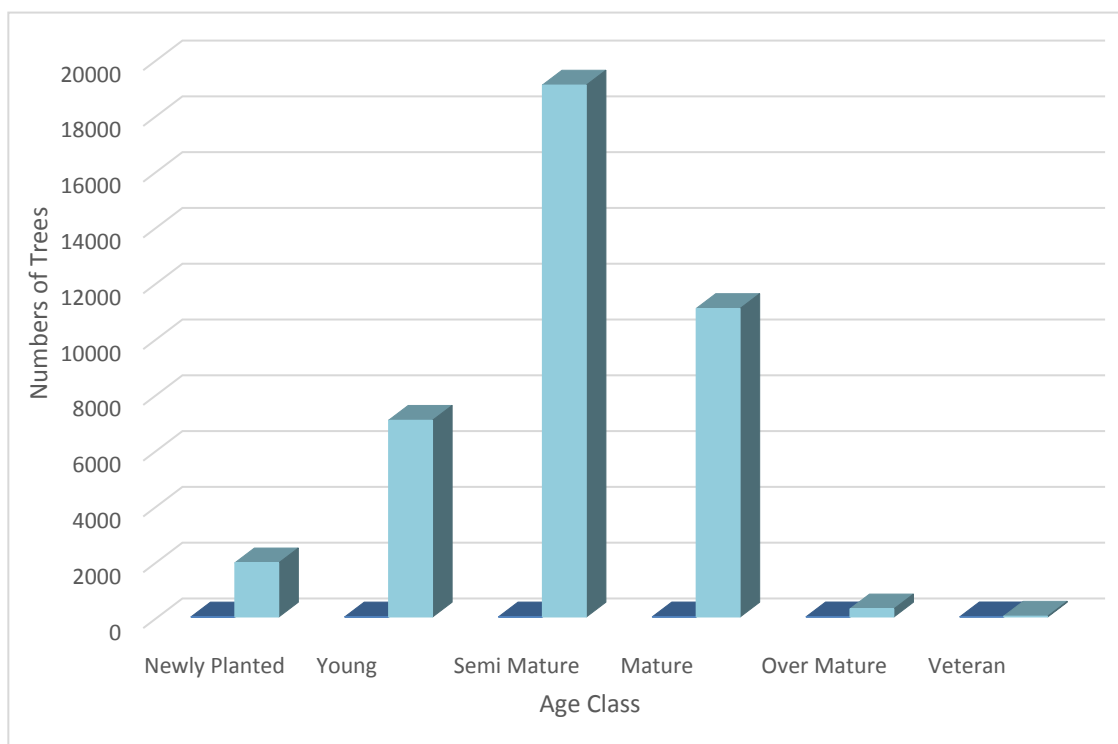


Fig 1: Bar chart showing the age distribution of the trees on City’s tree data base

6.1 It can be seen from Figure 1 that the vast majority of the Council’s urban trees are in the semi mature category. The semi-mature trees are defined as trees in the first third of their, expected safe, useful life and have reached the point where they will need increasing amounts of management. As the trees grow into maturity there will be increased encroachment of roots and crowns into adjoining properties and a higher incidence of tree failures and fungal infection.

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6.2 It should be noted that there are a very small number of over mature and veteran/ancient trees present in the City. The industrialisation of the nineteenth and twentieth centuries coupled with the sweeping landscape changes wrought by the new town development generally left few old trees. The veteran and ancient trees and woodlands that do exist are therefore of particular historic and conservation value.

Woodland Tree-Age

6.3 The demographics of the City's tree stocks are heavily influenced by the planting carried out by the PDC between 1970 and 1986. For example, 63% of these woods were planted in a four year period between 1975 and 1979 and are now between 40 and 50 years old. The Pie chart Figure 2 shows the age structure in the PDC woods. It can be seen that 93% of these woodlands are between 30 and 50 years old.

6.4 In the first third of their lifecycle trees in the PDC Legacy woodlands have been relatively trouble free and the trees have required minimal maintenance. However, they are growing inexorably towards neighbouring buildings and carriageways, obscuring road signs and blocking visibility splays.

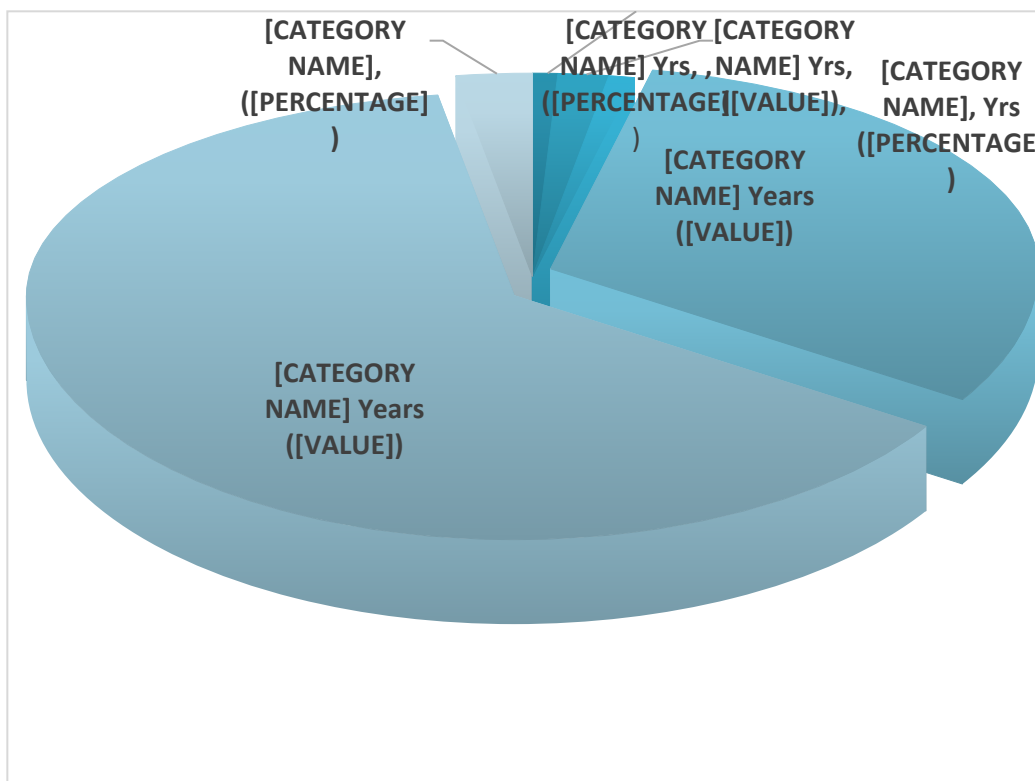


Fig 2: Pie Chart showing the age structure of the PDC Legacy woodlands

Canopy Cover

6.5 Peterborough's trees are not evenly distributed. The density of canopy cover in the City varies greatly, with densest tree cover in the new townships created by PDC. In 2014 a canopy cover survey was commissioned which involved analysing aerial photography and measuring the area occupied by tree crowns. This found that the average canopy cover in the City is 9.43%. However,

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there was a wide discrepancy between canopy cover in different Wards. For example, Bretton South, in the west, has 33.87% canopy cover compared with only 4.2% in Stanground East. The table showing the canopy cover survey by Ward forms Appendix 2 (Please note: some Ward boundaries have been changed since the survey was produced).



Fig 3: Stanground East Canopy Cover 4.2%



Fig 4: Bretton South Canopy cover 33.87%

6.6 Although the combined canopy cover, for both privately owned and council owned land is important, it was considered necessary to analyse this data for canopy cover on council owned land alone. This data, shown below show that overall the council has 26% canopy cover on land within its direct control (i.e. not leased out). The council's canopy cover forms 21% of the unitary areas total canopy cover. It can be clearly seen that many wards offer little land for further tree planting, without compromising other land uses.

Table 2 PCC Canopy Cover (Excluding Leased Land)

Ward	PCC Canopy Cover Excluding Leased Land (ha)	PCC Land by Ward (ha)	% PCC Land Covered
Stanground East	2.57	2.65	97.0
Glington and Wittering	34.05	35.46	96.0
Orton with Hampton	36.3	38	95.5
Bretton North	68.45	83.2	82.3
Bretton South	12.88	18.39	70.0
Orton Waterville	59.13	84.95	69.6
Werrington South	19.97	33.69	59.3
Ward	PCC Canopy Cover Excluding Leased Land (ha)	PCC Land by Ward (ha)	% PCC Land Covered
Werrington North	35.6	66.26	53.7
Park	8.48	17.25	49.2
Paston	19.31	44.58	43.3

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West	56.2	150.7	37.3
North	7.24	19.67	36.8
Orton Longueville	51.47	153.52	33.5
Ravensthorpe	21.19	69.98	30.3
Walton	6.57	24.73	26.6
East	32.62	142.87	22.8
Central	10.02	45.24	22.1
Fletton & Woodston	12.3	60.04	20.5
Barnack	15.03	78.61	19.1
Dogsthorpe	17.55	97.71	18.0
Eye Thorney	18.95	129.8	14.6
Stanground Central	9.45	68.62	13.8
Northborough	6.81	51.4	13.2
Newborough	9.72	103.58	9.4

Specimen Tree Stock- Species Mix

- 6.7 As protection against pests and diseases and the possible impact of climate change it is important to have a wide range of tree species and plant families making up the urban forest. Again there is a marked difference in the distribution of species between the street and park trees included on the database and in the PDC legacy woodlands. The database lists 269 different species and cultivars drawn from 76 genera. No single species exceeds 8% of the total. This is a healthy mixture that should provide a useful degree of resilience. However, where there are concentrations of a single species within an area there is, obviously, a greater vulnerability. Appendix 3 gives the full species list and percentages. The top ten species from the database are shown in Table 3.

Table 3 – Top Ten Species from the Database.

Species	Number of trees	% of Total	Origin
Norway maple	3243	8.0%	Introduced
Ash	3133	7.7%	Native
Common lime	2566	6.3%	Introduced clone
Wild cherry	1946	4.8%	Native
Hawthorn	1788	4.4%	Native
London plane	1734	4.3%	Hybrid Origin
Sycamore	1714	4.2%	Introduced
Silver birch	1680	4.2%	Native
Field maple	1509	3.7%	Native
Horse chestnut	1157	2.9%	Introduced
All other species		49.5	Mixed Origin

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6.8 It can be seen that at the top of the list is Norway maple (*Acer platanoides*). This tree thrives in the City and regenerates freely often at the expense of native species. A close second is ash (*Fraxinus excelsior*) currently under threat from ash dieback (see Section 9 below).

Woodland- species mix

6.9 The species mix in the PDC legacy woodlands is less varied. Figure 5 shows a pie chart with the estimated species mix derived from the 2013 survey of the belts. 309 sections of belt were inspected and the percentage of each tree species visually estimated. From these figures it was possible to obtain an estimate of the average species mix shown in Figure 3.

6.10 It can be seen in Figure 5 that 21% of the woodland trees are from the genus *Acer* (the maples) and 18.5% from the genus *Fraxinus* (ash). As almost 40% of the woodland tree stock comes from just two genera it is therefore considered vulnerable to pests and diseases.

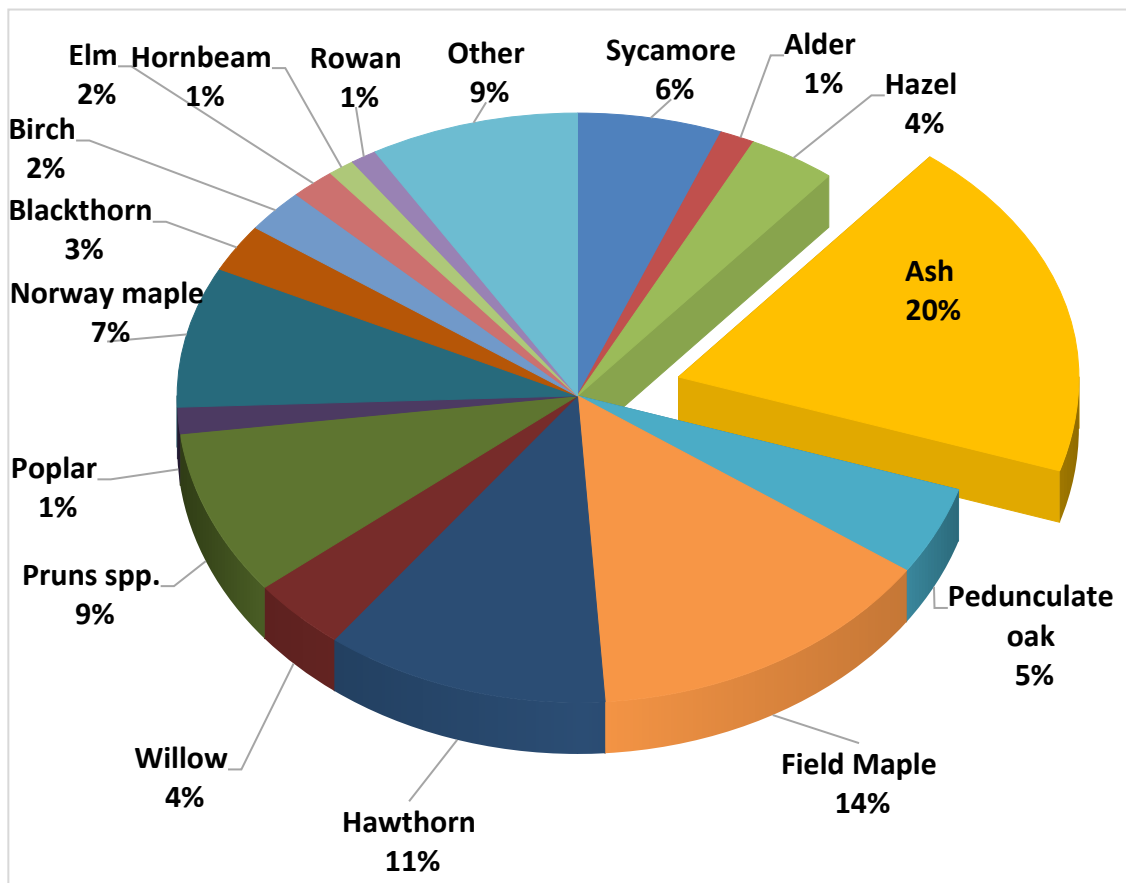


Fig 5: Estimated species mix in PDC Tree Belts - "Other" includes all species that form less than 1% of the total

6.11 With regard to ash 18.5% is the average proportion and some of the blocks sampled did not have any ash present. Of the belts that do have an ash component, it forms an average 25% of the trees present.

7. Problems Caused by the Council’s Trees

Analysis of tree based enquires 2016

7.1 It must be recognised that trees can be responsible for ecosystem disservices. For example they cause problems for residents where they are growing close to private property and gardens. In 2015 Amey staff dealt with 1288 enquires on behalf of the Council this increased slightly in 2016 to 1332. Figure 3 shows a bar graph of the number of enquires in 2016 by ward. It can be seen that by far the largest number of enquiries (48%) emanate from the former PDC townships.

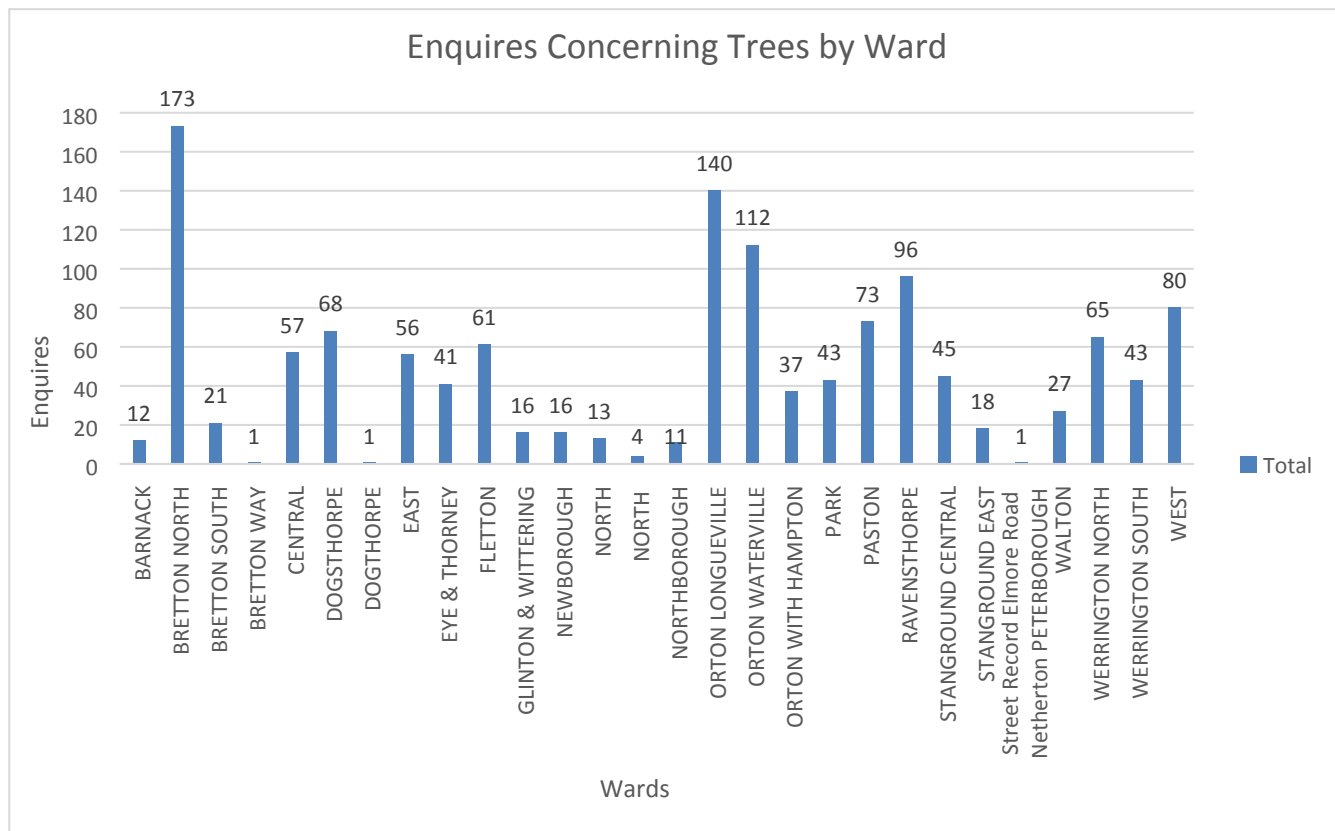


Fig 6: Tree enquiries concerning trees in 2016 by ward

7.2 The nature of the enquiries are varied; the top ten problems are listed in Table 4 below. It can be seen that by far the highest percentage of enquiries are related to overhanging and encroaching branches.

Table 4 – Showing the Most Frequent Types of Enquiries Regarding Trees.

Nature of Enquiry	Total per problem	% of Total
Overhanging Trees and Branches	495	39%
Branch Failure	74	6%
Trees blocking light	70	5%
Root encroachment	66	5%
Tree proximity	54	4%
Fallen tree needing emergency clearance	41	3%
Trees causing damage to property	74	6%
Dying Trees	40	3%
Leaning Trees	19	1%
All other enquiries	151	11%

Damage to Property Caused by Tree Roots

- 7.3 In Peterborough the potential for property damage due to volume change in clay soils is a significant limiting factor to maintenance of the existing tree cover and restricting the extent of new planting.
- 7.4 Clay soils predominate in the Peterborough area. Most of these are classed as shrinkable and are subject to volume change. When moisture is drawn out of shrinkable clay soils by vegetation, particularly trees, the clay shrinks which can lead, in some circumstances, to property damage. Most volume change is seasonal and as soils rehydrate in the winter months and levels are restored. Modern buildings are designed to cope with some seasonal movement. Since 1976 the National House Building Council (NHBC) Chapter 4.2 recommendations for foundation depth when building near trees has reduced the incidence of damage.
- 7.5 When soils no longer rehydrate a permanent water deficit is formed. If large trees are removed, where they have created a permanent water deficit, water uptake stops and the soils can rehydrate lifting any building that has been built on the dehydrated ground. This type of property damage known as heave is rare and mainly found on very plastic clay soils such as London clay. Local soil types are not normally associated with heave and the damage it can cause.
- 7.6 In the NHBC guidance tree species are classed depending on their water demand. It is often high water demand species such as poplar and willow that are linked with subsidence damage to properties. However, in some circumstances, tree species listed in the NHBC guidance as moderate or low water demand can be implicated in structural damage to buildings.
- 7.7 Any cases of property damage resulting from encroachment of the roots of Council owned trees on to private land will be investigated by the Council on a case by case basis. It is not reasonable to remove all trees that could conceivably damage property when no damage has occurred, this would involve a huge loss of amenity and ecosystem services. However, the potential of Council owned trees for root encroachment will be considered in the management of the existing woodland belts and street trees and when new trees are being planted. Where, in the past, trees and woodlands have been planted with unsuitable species in unsuitable positions in relation to

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buildings there will be a policy of restructuring and management to enable trees and buildings to co-exist.

- 7.8 Trees in close proximity to light structures such as free standing walls, patios and paved areas can cause damage by direct pressure of the stems and roots as they grow and expand. Stem and root expansion can cause cracks in free standing walls. Surface roots can lift pavements and other hard surfaces. The Council will seek to minimise the impact of roots of council owned trees particularly where these present a risk to the public safety. BS 5837:2012 gives guidance on the clearance needed to avoid direct damage and trees need to be very close, normally under 1 m from a structure, for this class of damage to occur.
- 7.9 Tree roots can proliferate in drains, which offer ideal rooting conditions, sometimes blocking them. However, tree roots have little capacity to enter well maintained and intact drainage systems. In the case of drainage problems linked to tree roots a drainage expert is the best source of advice.

8. Service Delivery, Policies and Priorities

Standards of service delivery

- 8.1 Trees are complex organisms with a long natural lifecycle, in order to manage them sustainably, a strategic operational approach is essential. As understanding of the way pruning affects trees has evolved, the basic premise has not changed: all tree surgery is not for the benefit of the tree, other than to enable it to continue to co-exist in an artificial human environment.
- 8.2 The management and maintenance of trees is therefore a complex and skilled task, often requiring different services and organisations to work closely together in order that trees are appropriately managed to minimise the risk they may pose and may be posed to them.
- 8.3 An important part of delivering an effective risk management system is ensuring that the tree managers have the pre-requisite skills, with suitable qualifications and experience to meet the challenges.
- 8.4 The complexity of tree stock within Peterborough requires well trained Arboriculturists as an integral part of a defensible tree and woodland management service. This has been substantiated by industry best practice, peer review and confirmed in common law precedence.
- 8.5 The breadth of arboricultural knowledge and skill is not only needed by those who undertake the works, pruning, planting and removing trees, but in this highly regulated industry, also those inspecting the trees, responding to service requests and specifying works must be appropriately qualified.
- 8.6 The analysis of enquiries received over the last five years of the contract has enabled the Council to monitor customer concerns, prioritise work and the way that it is undertaken. Improved levels of consultation and communication have been developed, which are detailed below. Equally, firmer policies have been developed that inform residents of the Council's actions in respect to

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common concerns. These policies are integral to a more pro-active level of service delivered within financial constraints (See Appendix 8 for the Consultation Protocol).

Legal Considerations (meeting the Council's Duty of care)

- 8.7 The risk presented by trees is low. For example the Health and Safety Executive estimate the risk of death caused by a falling tree or branch is 1 in 10,000,000 which is much lower than the risks accepted by people on a day to day basis such as using the roads where the risk of death is 1 in 16,800. These low risks must also be balanced with the benefits trees provide.
- 8.8 The Council has a duty of care to employees and members of the public in respect of safety of the trees in its ownership. This does not mean that the Council must maintain all its trees in a safe condition. Trees are dynamic organisms, subject to the forces of nature, which can fail without showing warning symptoms and can never be classed as entirely safe. However, the Council must try to keep risks presented by trees as low as is reasonably practicable.
- 8.9 The most recent guidance in the Tree Health and Safety Group's "Common Sense Guide to the Management of Tree Safety" published by the Forestry Commission in 2011 sets how out a Local Authority should approach tree safety. This involves zoning areas based on the usage of the ground around the trees, working out a level of tree inspection needed, employing trained and competent staff to complete various levels of survey and recording and storing all findings on a database.
- 8.10 In 2012 Council produced a Tree Risk Management Plan (Appendix 4) which includes all the measures recommended in current guidance. The strategy has been fully implemented with all streets trees checked and their details entered on the data base. Basic level inspections have been completed for the PDC legacy woodlands.
- 8.11 The instigation of the database and a system of inspections has led to a pro-active system of management complimented by structured systems to respond to service requests. These have delivered greater efficiency and economy savings over the position before the system was in place.

Stakeholder Involvement

- 8.12 It is very important that stakeholders and residents within the City understand the principles set out in this strategy particularly that cyclical renewal and management of trees is necessary to ensure their long term sustainably. The strategy will be widely distributed and available on line on the Peterborough City Council web site. It is hoped residents will be assured that the City's trees are being sensitively and professionally managed to achieve long term sustainability. The Council would like residents to feel a sense of involvement and communal ownership and take pride in the City's extensive tree cover, woods and greenspaces.
- 8.13 Before adopting this strategy the Council will have consulted with a range of local organisations who were invited to comment. These included;
- The Local Conservation Bodies
 - Peterborough Environmental City Trust

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- Town and Parish Councils
- The Nene Park Trust
- The Woodland Trust

- 8.14 The Council will seek to support community based projects regarding trees, in particular to encourage schools and youth groups to become involved in the City's trees and woodland.
- 8.15 Trees and woodlands offer a variety of outdoor opportunities for recreation and learning. The priority will be to provide high quality access near to where people live and work. To ensure woodlands remain valued as a lifelong resource, appropriate information needs to be freely available. This should include recognition of their historic, archaeological and cultural significance.
- 8.16 Partnership working promotes community involvement and so links to existing partners should be strengthened and new ones established by providing advice and support to communities with plans to create and maintain their own woodland or become involved in managing existing blocks of woodland in their neighbourhood. Partnerships can help support funding applications and could qualify for funding from organisations such as The Woodland Trust under the 'Morewoods' scheme. The proposed tree planting campaign to create the Forest Of Peterborough is another example of a productive partnership helping deliver the objectives of this Trees and Woodland Strategy.
- 8.17 All queries on tree matters will be promptly responded to and residents views given due consideration. When making management decisions, it may not always be possible to comply with resident's wishes in respect of neighbouring trees.
- 8.18 The Council are committed to ensuring that, when undertaking tree work, local residents are kept informed. Notice of major tree works will be published on the Council Website as detailed within the consultation protocol detailed that forms Appendix 7.

General policies

TP 1: The Council will maintain its trees and woodlands in accordance with its obligations to observe duty of care and the safety of both people and property.

Priorities:

TP 1.1: The regime of periodic tree inspections and data recording as set out in the Tree Risk Management Plan will be continued.

TP 1.2: Staff employed to deliver the contract will maintain a high level of training and continued professional development to ensure that tree management decisions are well founded and in line with current industry practice.

TP 1.3: To undertake tree works in line with the risk based prioritisation.

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TP 2: The Council will encourage a better understanding of tree and woodland management and in so doing promote community involvement.

Priorities:

TP 2.1: The Council will seek to disseminate information on its tree and woodland activities as widely as possible.

TP 2.2: The aim will be to support and maximise community involvement in the City's trees and woodlands.

TP3: The removal of trees and woodlands shall be resisted, unless there are sound Health and Safety or arboricultural reasons supported within this strategy.

Priorities:

TP 3.1: The removal of healthy trees in response to complaints shall be resisted unless the complaint has an overriding justification and no alternative management practice can be implemented.

TP4: The Council will maintain its trees and woodlands in a way that demonstrates best practice, providing worthy examples of management for others to follow.

Priorities:

TP 4.1: To provide plans for long term management and development of trees and woodlands as essential components within the landscape.

TP 4.2: To ensure the best use of resources is made during the planning of operations.

TP 4.3: To supplement the Council's spending by seeking additional funding from external sources where ever possible.

TP 4.4: To realise any economic potential of trees, and woodlands, or materials generated from them, where this does not conflict with the other policies and priorities of the Strategy.

Operational Policies

Bird Droppings

TP5: Policy: Council trees will not be prune or removed to stop or reduce bird droppings from trees, nor will the council remove bird droppings from private land.

Bird droppings may be a nuisance, but the problem is not considered a sufficient reason to prune or remove a tree. Nesting birds are protected under the Wildlife and Countryside Act (and other related wildlife law).

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Priority:

TP5.1 Residents will be advised of their powers to exercise your Common Law right to remove the nuisance associated with encroaching trees or alternatively that warm soapy water is usually sufficient in removing bird droppings.

Blossom

TP6: Policy: Council trees will not be removed to stop or reduce blossom from trees and fallen blossom will not be removed from private land.

Blossom is a natural occurrence, which cannot be avoided by pruning.

Priorities:

TP 6.1 Roads, streets, foot or cycle paths swept of excessive blossom as part of normal cleaning cycles.

TP 6.2 Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

Low Tree Branches; Road, Cycle or Footpath

TP 7: Policy: The council will carry out work to a council owned tree with the aim to maintain a minimum of:

- Road – 5.5 metre height clearance
- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance

Priority:

TP 7.1 These works will be identified and actioned in routine pro-active surveying and as a result of reported breaches of these standards.

Trees Overhanging Property

TP 8: Policy: Council owned trees will not be pruned or removed to stop the nuisance of overhanging branches.

Priority:

TP8.1 All trees (excluding woodland areas) will be inspected every three to five years, depending on how much the area surrounding them is used. Maintenance will be carried out, if the tree is considered likely to touch property structures prior to re-inspection.

TP8.2 Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

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Drains

TP9:Policy: The roots of Council owned trees will not be pruned, removed or cut to prevent roots entering a drain that is already broken or damaged.

Priorities;

TP 9.1 Residents will be advised that tree roots typically invade drains that are already broken or damaged.

TP 9.2 Trees themselves very rarely break or damage a drain. Tree roots found in drains are usually due to an underlying problem with a broken pipe.

TP 9.2 If residents are concerned about the condition of their drains they are advised to contact their water and Sewerage Company or a drainage expert.

Fruit, Berries, Nuts and Seeds

TP10:Policy: Council owned trees will not be pruned or removed to stop or reduce the nuisance of fruit, berries, nuts or seeds, nor will the council remove fallen fruit, seeds or seedlings from private land including gutters.

Priorities:

TP 10.1 Should fallen fruit lead to a significant anti-social problem residents will be advised to contact the police.

TP 10.2 Residents will be advised that the maintenance of gutters is the responsibility of the landowner and that the council is not obliged to remove fruit/berries/nuts/seeds or seedlings that may have fallen from council owned trees.

TP 10.3 Residents or the council's tree team will report a road, street or highway that needs to be cleaned, under the cleansing contract.

Poisonous Berries

TP11:Policy: There is no general policy to remove trees bearing poisonous fruit / foliage (such as yew trees). However, where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated and appropriate action considered.

Priority:

TP11.1 All reported concerns over a tree with poisonous berries that unsupervised young children are exposed to will be investigated promptly.

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Leaves

TP12: Policy: Council owned trees will not be pruned or removed to stop or reduce leaf fall nor will the council remove fallen leaves from private property.

Priorities:

TP12.1 Residents will be advised that the loss of leaves from trees in the autumn is part of the natural cycle and cannot be avoided by pruning.

TP 12.2 Residents will be advised that the maintenance of gutters is the responsibility of the landowner and the council is not obliged to remove leaves that may have fallen from council owned trees.

TP 12.3 Where leaves have been reported to have accumulated on council owned roads, footpaths these will be reported to the street cleansing team.

Light

TP13: Policy: A Council owned tree will not be pruned or removed to improve natural light in or to a property. This includes properties with (or planned to be installed) solar panels.

Priority:

TP13.1 Residents will be advised that in law there is no general right to light.

Suckers from Tree Roots

TP14: Policy: Council owned trees will not be pruned or removed to stop or reduce the nuisance of sucker growth on private land.

Priority:

TP 14.1 Residents will be advised of their rights to remove suckers on their land.

Personal Medical Condition – Complaint

TP15: There is no policy regarding personal medical conditions that may be specifically affected by nearby Council owned trees. Such cases will be investigated, and appropriate action considered.

Priority:

TP 15.1 Residents will be informed of their entitlement to exercise their Common Law right to remove (abate) the nuisance associated with encroaching trees.

Pollen

TP16:Policy: Council owned trees will not be pruned or removed to stop or reduce the release of pollen

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TP16.1 Residents will be advised that pollen is a natural and seasonal problem.

Trees Affecting Street Lights, Signs and Traffic View

TP17: Work on a council owned trees will be undertaken to maintain clear sight lines (where feasible) at junctions, access points (associated with a street, road or highway), traffic signals and street signs.

Priority:

TP 17.1 These works will be identified and actioned in routine pro-active surveying and as a result of reported, breach of these standards.

Sap and Honeydew

TP18: Policy: Council owned trees will not be pruned or removed to reduce honeydew or other sticky residue from trees.

Priority:

TP18.1 Residents will be advised that honeydew is a natural and seasonal problem. When new trees are planted we try to choose trees less likely to cause this problem.

Subsidence Damage to Property (Tree-related)

TP19: The council has in place active tree management systems to minimise risk of damage being caused to buildings and other structures because of the action of council owned trees.

Priorities:

TP19.1 Residents will be advised that if they have concerns about tree related subsidence damage to property, that they should contact their insurance provider for advice.

TP19.2 If a residents wishes to make a formal claim for damage they will be advised to contact the Council Insurance Team Direct. Alternatively the case will be investigated by the Council's Tree Team, once reported.

Trip Hazard

TP20: The council will make safe an unacceptable trip hazard caused by the growth of council owned trees.

Priority:

TP 20.1 All reported cases will be investigated and actioned accordingly.

Tree Touching Building

TP21: Policy: If a council owned tree is touching a property (house, boundary wall, garage etc.) action will be taken to remove the problem.

Priority:

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TP21.1 All reported cases will be investigated and actioned accordingly.

Tree Too Big / Too Tall

TP22: Policy: Council owned trees will not be pruned or removed because they are considered to be too big or tall.

Priorities:

TP22.1 Residents will be advised that a tree may seem too big for where it is, but this doesn't make it dangerous.

TP22.2 All trees (excluding woodland areas) will be inspected for safety. We inspect them every three to five years, depending on how much the area surround them is used. Maintenance will be carried out, if necessary.

Tree and TV / Satellite Reception

TP23: Policy: Council owned trees will not be pruned or removed to prevent interference with TV / satellite installation / reception.

Priority:

TP23.1 Residents will be advised that their satellite or TV provider may be able to suggest an alternative solution to the problem.

View

TP24: Policy: Council owned trees will not be pruned or removed to improve the view from a private property.

Priority:

TP 24.1 The Council will promote the amenity value offered by trees in their own right.

Wild Animal / Insect Pest

TP25: Policy: Council owned trees will not be pruned or removed to stop or reduce incidents of perceived pests such as bees, wasps, or wild animals, unless it is in the national or public safety interest to do so due to a harmful invasive species.

Priorities:

TP25.1 Residents will be advised that Bees are protected species and advice should be taken before considering their removal.

TP25.2 On private land residents will be advised that external companies provide a chargeable service for removing certain pest species.

9. Policies and Priorities for the Management of Council Owned Trees

9.1 The Council's tree stocks can be divided into seven main categories as follows:

- **Street Trees and Trees in Residential Areas:** Street trees are planted in pavements or road verges. These help to filter traffic pollution, provide shade for car parking and improve the overall appearance of the street scene. Trees in residential areas are trees growing within and around housing estates and planted by the original Parks Department or the Peterborough Development Corporation to enhance the local environment.
- **Avenues and other arboricultural features** were little utilised by PDC that favoured more naturalistic design layouts. The avenues that exist in the City are in the older parks or lining some of the streets (mostly planted since 1988).
- **Parks and Open Spaces:** These are frequently the trees of greatest local significance and provide maximum visual amenity for both residents and visitors.
- **Woodlands:** These are some of the remaining pockets of the original Rockingham Forest that once covered the area. Grimshaw Wood, an ancient woodland site and Local Nature Reserve in Bretton, is one such woodland which is an unusually valuable wildlife and amenity resource within the urban fringe.
- **PDC Legacy Woods:** Formerly classed as shelterbelts, they were mostly planted alongside the parkways and in areas that separated the new townships. They provide visual amenity and habitat for wildlife.
- **Village and Rural Trees:** The villages have a unique character, much of which is achieved by their content of historic trees, as well as those growing within the surrounding countryside.
- **New and Replacement Planting:** policies and priorities in respect of new and replacement planting are a key element of the strategy and decisions made now will have a bearing on the future resilience and sustainability of the City's tree cover.

9.2 Each category of tree cover is assessed below and the specific policies and priorities that relate to them are detailed.

Street Trees and trees in Residential Areas

9.2.1 The City has approximately 50,000 street trees and trees in residential areas which have to survive in difficult environments. Utilities demand space, as do road signs and streetlights. The limited space is made all the more challenging because of polluting car emissions, road salt, oil and other contaminants. Against the odds, trees can and do survive but often with a limited life expectancy.

9.2.2 The character of Peterborough's street trees varies considerably, from the older Victorian planting in roads like Broadway, the inter-war developments such as Dogsthorpe, to the newer developments built by the PDC. The Victorian areas contain large old trees, many of which are managed as pollards. Today there is access to a wider range of smaller ornamental trees that are suitable for restricted sites.

9.2.3 Many of Peterborough's streets have tree populations that are over-mature. Such trees are vulnerable to climatic change, disease and damage. As time progresses this over-mature population of street trees will be removed as individual trees deteriorate. In these areas new trees

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will be introduced between the mature specimens to ensure that there will be continuous future tree cover.

- 9.2.4 A large proportion of public sector housing in the City was built by the PDC. The PDC tree and shrub planting areas include individual trees and tree groups interspersed with shrub planting. These enhance the environment and are very important to the quality of life for the residents. However, as the trees mature, design faults such as planting trees too close to buildings and each other and selecting inappropriate species for a given situation become evident. Problems of encroachment of branches and in some cases property damage are therefore becoming more common and make up a high proportion of enquires to the Council.

Policy TP26: To endeavour to protect street trees from threats such as loss of verges and damage to same.

Priorities:

TP26.1: Work with and monitor the activities of utility companies in order to minimise accidental operational damage to trees.

Policy TP27: To place a priority on the replacement of ageing street trees; particularly where these adjoin major traffic routes. Planting will ensure the selection of the most appropriate species for the location.

Priorities:

TP27.1: To plant new and replacement street trees in appropriate sites, giving priority to streets where trees are currently standing or have been in the past.

TP27.2: To consider alternative planting positions and methods of establishment where maintenance of street trees in the same positions of the trees to be replaced will be either unduly difficult or expensive to maintain.

Policy TP28: To renew and restructure tree stocks planted by the Peterborough Development Corporation within residential areas;

Priorities:

TP28.1 To introduce a phased removal of trees growing too close to buildings and replace with new planting more appropriate to the situation or relocate planting areas to more suitable sites in the neighbourhood. Replanting will be, as far as is practicable, carried out using a combination of standard trees, whips and bare root transplants.

TP28.2: To thin dense groups of trees to allow full crown development where there is sufficient space.

TP28.3: To ensure that replacement planting is sufficient to retain the existing level of canopy cover in the area.

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Avenues and other Arboricultural Features

- 9.2.5 Avenues are found in some parks and in some cases street trees have been planted to form avenues such the example shown in Figure 7.
- 9.2.6 As avenue trees decline due to old age or due to the impact of pests and diseases, decisions on management and renewal are needed to perpetuate the formal landscape effect.
- 9.2.7 In some cases appropriate avenue species have been planted but in inappropriate situations. Figure 7 shows an avenue of fast growing London plane. These require careful management to maintain the landscape impact while avoiding issues caused by the proximity to buildings. Figure 8 shows the position of avenue tree in relation to a dwelling.



Fig 7: An avenue of semi mature London plane at Werrington.



Fig 8: The same avenue as shown in figure 7 showing the proximity to nearby buildings.

Policy TP29: To maintain formal arboricultural features in the urban landscape by careful management and timely renewal as required.

Priorities:

TP29.1 To consider the long term development and safe life expectancy of mature avenues and instigate a policy of gradual renewal and replacement in advance of them becoming untenable. Measures could include pruning, total removal and replacement, partial removal and replacement

Policy TP30: To take action to restructure avenue trees planted with inappropriate species too close to neighbouring properties.

Priorities:

TP30.1: In areas where avenue trees pose a potential threat to adjoining buildings, the council will manage or restructure the avenues to minimise the impact on the properties. Options will include but not be limited to:

- Removing avenue trees and replacing with low water demand species.
- Removing avenue trees adjoining buildings and filling the gaps with smaller low water demand species. As far as possible maintaining regular spacing and the avenue effect.

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- For suitable species such as lime and London plane reduce the crown or pollard to reduce water uptake. This will only reduce water demand if the trees are pruned on short and regular cycle of no more than three years.

Legacy Woodlands Established by PDC

9.2.8 280 ha of new woodland was planted by the PDC as part of the landscape masterplan. The woods extend for 117 kilometres. The woodland was planted with a limited number of core species predominantly ash, sycamore and Norway maple. However, a wide range of other native and ornamental species occur sporadically. The woods were designed to have good structure with larger trees at the centres grading to smaller trees and ground cover shrubs at the edges. Unfortunately the designs were not always adhered to and trees planted in random mixture sometimes putting large trees on the woodland boundaries.



Fig 9: An example of a well-structured belt with woody shrubs on the edge grading to ground cover shrubs on the roadside



Fig 10: A roadside of a belt with little structure and dense shallow crowned trees reducing the value of screening for residential properties to the rear.

9.2.9 Despite those localised issues, these woods provide considerable benefits in terms of ecosystem services, biodiversity and landscape amenity and represent an example of a far-seeing and impressive investment in the future by the PDC that is only now coming to fruition. However, the design of these woods has a flaw which is that many trees, including some unsuitable fast growing species, were planted too close to residential properties as illustrated in figures 11 and 12. It has been identified that the issue of proximity, particularly encroaching branches, accounts for around 40% of enquires received by the Council.

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Fig 11: Trees encroaching towards a residential property.



Fig 12: The close proximity of trees to the rear of properties cause a range of problems for residents which will become worse as the trees grow to maturity.

Policy TP31: The Council will seek to reduce impact of woodland trees on adjoining properties.

Priorities:

TP31.1: Starting on a trial basis, and only where necessary, the woodland belts will be restructured cutting trees back from the edge of property boundaries by up to 7m. Following the tree removal new native small trees and woody shrubs will be planted to form a woodland fringe. The replanting will both replace the lost biomass and provide improved wildlife habitat. In addition to the edge clearance some light selective thinning will be carried out in the belts to ensure some of the best trees have room for proper crown development. The aim of the thinning is to slowly reduce the number of trees in some of the belts to achieve the effect of groves of full crowned trees rather than dense woodland conditions. However this process will be done in stages, to maintain stability and to spread the significant financial impact.

TP31.2: High water demand trees within influencing distance of adjoining properties will be progressively removed in thinning.

TP31.3: As part of the Tree health and safety strategy basic level checks will be periodically carried out on boundary trees, looking for obvious defects that present a risk of failure.

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Policy TP32: The woods will be managed in a fully sustainable manner which will include periodic thinning to allow proper crown development and light to reach the woodland floor.

Priorities:

TP32.1: In suitable woods selective thinning will be carried out removing no more than 10% of the trees by number. Where appropriate these thinnings will be sold.

TP32.2: Mechanisation such as a tractor mounted tree shear shown in Figure 14 will be used where it is practicable to reduce the cost of management. Economical mechanised working will help address the problems of proximity to buildings and high water demand trees in a cost efficient way. However, not all areas are suitable for this approach. The tree belt survey completed in 2013 found that 40% of the tree belts were suitable for mechanised working and in a further 15% some mechanised working was considered possible.

TP32.3: Those woodland belts that are unsuitable for either thinning or re-structuring with a dense low cover of species such as hawthorn and blackthorn will be managed as non-intervention areas.



Fig 13: Sustainably produced woodland produce; a source of carbon neutral fuel wood



Fig 14: A tree shear mounted on an excavator or tractor can delicately extract trees from dense broadleaved woodlands

Policy TP33: The woods will not be clear felled and management will be on a continuous cover basis.

Priorities:

TP33.1: Natural re-generation within the woodland belts will be managed and encouraged.

TP33.2: Management will endeavour to increase the range of age classes within the woods.

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Policy TP34: The Council will encourage community involvement and advise residents when work is proposed.

Priorities:

TP33.1: The council will try to address the problems of anti-social behaviour in woodlands.

TP33.2: The Council will encourage community involvement in the woods and support projects such as Nene Coppicing and Craft.

Parks and Open Spaces

9.2.10 Trees are fundamental to the structure of parks and very important contributors to the environment of the area. The nature of different parks and green spaces is very variable. For example, Central Park has a declining tree population displaying over maturity in comparison to Bretton Park with younger but neglected stock all planted by the PDC which is now in great need of management by selective thinning. The latter is now urgently required to prevent very high losses over the next ten years. For this reason management has to be planned on a site by site basis.

9.2.11 Certain newer areas of Peterborough contain large open spaces of short grass and minimal structural planting. These areas are ideal for enhancement. Research within The Woodland Trust's "Trees or Turf" report aims to demonstrate that management of woodlands could be markedly cheaper than maintaining some types of grassland. By creating small woodlands on such amenity grassland opportunities for wildlife can be promoted in addition to landscape enhancement and providing a contribution to the forest for Peterborough targets.

Policy TP35: To maintain tree cover within all the City's parks by renewing the tree stocks and increasing the range of age classes present

Priorities:

TP35.1: To commence a replacement programme that incorporates a diverse range of tree species and, where appropriate, to re-establish historic landscapes.

TP35.2: To ensure that management work takes into consideration the sensitivities of the residents who use and care about the parks. In particular, to ensure that the reasons for particular operations are explained to the public before commencement.

TP35.3: To carry out tree removal and replanting in a phased way rather than causing large amounts of disturbance and change to the landscape of the park in one operation.

TP35.4: To carry out replacement tree planting in anticipation of the need to replace older tree stocks in the future. Planting of low maintenance bare rooted whips with appropriate guards will be favoured over larger planting stock.

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Woodland

- 9.2.12 Cambridgeshire and Peterborough are amongst the least wooded areas in the UK. The total area of woodland, of 0.1 ha and over, is 12,325 ha. This represents 3.6% of the county land area. A considerable proportion of this is ancient semi-natural woodland which represents a valuable wildlife and landscape resource.
- 9.2.13 The City Council own six ancient woodlands. It manages The Bretton Woodlands (including Grimshaw Wood and Pocock's Wood) and leases the others to Nene Park Trust and the Woodland Trust. These areas amount to approximately 27 hectares and have attracted the designation of Local Nature Reserves. The Bretton Woodlands include Highlees Spinney which is not an Ancient Woodland but is a former coppice and standards wood with the same species mix and general condition. Bretton woodlands contain a high proportion of ash and were formerly managed as oak and ash standards with mainly ash and some hazel coppice.
- 9.2.14 In 2013 a 20 year management plan was produced for the Bretton Woodlands which has now been implemented with the aid of Forestry Commission and Heritage Lottery fund grants. Improved access and signage has facilitated better access to the woods with some coppicing having been completed. However, coppicing of the ash stools in the wood has been suspended due to the risk of ash dieback.
- 9.2.15 Peterborough contains 78 hectares of wet woodland habitat across 73 sites. Of these, the majority are less than 1 hectare in size. Wet woodland is nationally and locally rare. It is a priority habitat within the Cambridgeshire and Peterborough Biodiversity Action Plan owing to a rich diversity of habitat. Opportunities to create new wet woodlands will be sought in accordance with the wet woodland audit completed in 2004 by a partnership of organisations including the Forestry Commission and the City Council.

Policy TP36: The Council will aim to achieve sustainable management of its ancient woodlands and to protect and preserve wet woodland habitats.

Priorities:

TP36.1: The Council will, as far as possible in the light of the threat from ash dieback, fully implement the Bretton Woodland Management Plan (Ash is a major component of the Bretton Woodlands).

TP36.2: The Council will monitor the impact of impact of ash dieback on its ancient woodlands and take all necessary measures to maintain the integrity and conservation value of the areas.

TP36.3: The Council will seek to protect and extend the areas of wet woodland.

Village and Rural Trees

- 9.2.16 Many of the trees in the villages and rural areas are privately owned. In spite of this the Council still has responsibility for a significant proportion which total approximately 5000. These trees include trees up to 200 years old and are amongst the oldest managed by the Authority.

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- 9.2.17 Locally, elm was once one of the most important trees. When Dutch Elm Disease (DED) struck this dominant hedgerow tree was lost. Considerable areas of relatively denuded landscape have not been replaced, particularly within areas of more intensive farming. While most of the common elm has gone, there remains elm regeneration that exists within a continual state of growth followed by disease related decline. Some mature DED resistant elms are found to the west of the City particularly Huntingdon elm (*Ulmus x hollandica* 'Vegeta') and wych elm (*Ulmus glabra*). While these species are resistant they are not totally immune from the disease.
- 9.2.18 Distinctive village scenes can be maintained and enhanced by planting tree species that originally generated such landscapes. The use of native species will be prioritised within locations where appropriate i.e. rural verges. In certain village locations the use of non-native stock may be considered where site restrictions or the surrounding landscape dictates. For the foreseeable future planting of ash will not be supported.
- 9.2.19 Many trees have been planted on verges by village communities. Where possible, the Council has helped facilitate these requests by offering suitable planting locations and the commitment to manage those trees planted on Council owned land.
- 9.2.20 The Council will fulfil its duty of care in respect of Council owned trees in villages which will be surveyed in line with the Tree Risk Management Plan.

Policy TP37: The Council will preserve and enhance the distinctiveness of village and rural trees in its ownership.

Priorities:

TP37.1: To ensure that all Council owned trees in Villages are logged on to the Tree data base and receive periodic inspection in line with the Tree Risk Management Plan.

TP37.2: To replace all trees which are removed in these areas and attempt to expand tree cover if appropriate.

TP37.3: To re-plant using suitable native trees except where this would result in loss of familiar vernacular.

New and Replacement Planting Plan

- 9.2.21 A key aim of this strategy is to increase the numbers of trees within the City by both new and replacement planting. Opportunities to improve wildlife habitats and connectivity between woods and tree groups will be a major consideration in setting out new planting areas.
- 9.2.22 Trees as living organisms have a finite life expectancy. Whilst relatively long-lived, the stress and strain of the urban environment significantly shortens their life span. Tree surveys and inspections in the City have revealed a large number which are not suitable for their location in the medium to long term.
- 9.2.23 The expansion of tree cover will be on a planned basis. To build in resilience to pests and diseases, planting stock will be selected from a wide range of genera and species. The guiding principle for

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new planting will be using no more than 10% of the same species, no more than 20% of the same genus and no more than 30% from the same plant family. However, this principle must be balanced with other factors such as site conditions and design criteria. There is a limited range of native tree species (approximately 35 species excluding micro species drawn from 21 genera and 11 plant families) therefore where ecological considerations dictate that native species are used it will be more difficult to achieve the desired variation.

9.2.24 While the aim is to produce a more even spread of canopy cover over Council Owned land it is important that we set targets to achieve this through a combination of Council tree planting budgets and the allocation of land for the “Forest for Peterborough” scheme. As detailed earlier within the strategy, the council has very high levels of canopy cover on land within its ownership. The aim will be to retain and expand this cover in the following ways:

- Council owned street trees that are removed will be replaced on a one for one basis, using established nursery grown standard trees.
- Trees felled owing to them being inappropriate for their location will replanted on a one for one basis, typically elsewhere within the ward. The size of nursery stock used within these location will vary to the planting location.
- Trees felled within groups, avenues or woodlands will not be replaced, where it is considered appropriate arboricultural or woodland management, to reduce competition between species.
- Wards where the % of city land covered by tree canopy falls below 25% will be the focus for additional tree planting. Simplistic modelling based on an average tree canopy of 0.012 ha (the average canopy spread from the canopy cover data) would indicate that a further **5164** trees would need to be planted on council owned land. The size and nature of planting will be dependent on the planting locations available. Delivery of these targets will be dependent on constraints within the land ownership.

- **Table 4 – Tree requirements to meet target by Ward**

Ward	%PCC Land Covered	Difference 25% Target	Land Required Ha	Trees required
East	22.84	2.16	3.09	257
Central	22.17	2.83	1.28	107
Fletton and Woodston	20.49	4.51	2.71	226
Barnack	19.13	5.84	6.62	385
Dogsthorpe	17.97	7.03	6.87	573
Eye Thorney	14.60	10.40	13.49	1124
Stanground Central	13.78	11.22	7.70	641
Northborough	13.26	11.74	6.04	503
Newborough	9.39	15.61	16.17	1348
			Total	5164

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- 9.2.25 Many of the problems encountered during the daily management of trees can be directly attributed to the inappropriate choice of species at the time of planting. Greatest long term economic savings in tree management can be achieved by ensuring the philosophy of “Right Tree in the Right Place” is followed every time a new or replacement tree is selected and planted.
- 9.2.26 Deciding which tree species to plant will take account of a range of factors beyond purely ornamental or conservation values. Trees must be selected in the light of the need for resilience to changes caused by climate change in particular drought resistance. Some diseases such as Ash Dieback will be a major limiting factor for the use of certain species or genera.
- 9.2.27 Planting is only the first stage in the process of planted trees achieving independence in the landscape. Well drafted planting specifications will ensure healthy trees are established, failures minimised, and defects, which could affect the mature condition of the tree, removed at the time which is most cost effective.
- 9.2.28 A tree requires space in which to grow, if it is to thrive and provide its many positive benefits. To achieve this any proposed site should provide adequate space for both the tree and, most importantly, its root system to develop in the long-term. Species selection must be with consideration to the tree's likely ultimate size.
- 9.2.29 The constraints of the urban environment can make the enlargement of woodland and other habitats impractical. With fore-planning and management of open spaces and gardens that border these sites, effective buffers and extensions can be created.
- 9.2.30 Peterborough's most limiting resource is space. This needs to be used appropriately, and to greatest sustainable benefit. The application of "Right Tree in the Right Place" framework will ensure new planting and natural regeneration are appropriately located and designed, and that woodland expansion is not to the detriment of protecting and restoring existing woodlands. The framework for tree and location selection is set out briefly in Appendix 5.
- 9.2.31 In some parts of the City the constraint of sufficient public space means a low number of trees. Often in these areas there are prominent privately owned sites.

Policy TP38: The Council will encourage an increase in tree cover by new and replacement planting, placing great emphasis on use of appropriate tree species.

Priorities:

TP38.1: To implement the planting plan that sustains the tree population, with emphasis on the long term replacement of mature and over mature trees.

TP38.2: Allocate a percentage of the total tree budget to fund the replacement and new tree planting targets set. CTNP 1.3: As and when the prospect arises, to work with other organisations to secure additional funding streams for the establishment and management of tree stocks.

TP38.3: To pay careful attention to the site conditions in particular providing sufficient space for root development.

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TP38.4: To ensure that all planting stock used, of whatever type, is healthy and has a well formed root structure. Imported plants must have spent at least one growing season in the UK and be free from pests and diseases.

TP38.5: To ensure all newly planted trees achieve independence in the landscape by virtue of a sustained programme of maintenance.

TP38.6: As far as is practicable, reduce the tree maintenance commitment by the use of smaller planting stock that will establish quickly and require less attention.

10. Threats and Challenges

Tree Pests and Diseases

10.1.1 In the last 20 years there has been a steady rise in the number of introduced tree pests and diseases some of which have the potential to cause significant loss of tree cover and the benefits they provide. The reasons for this include increasing levels of world trade particularly in plant material, world travel and changes in the climate making it suitable for pests from warmer environments to establish in the UK.

10.1.2 To illustrate the destructive potential of tree diseases the virulent strain of Dutch elm disease, which was imported into the country in the late 1960's on elm logs, killed around 23 million trees changing landscapes and reducing tree cover over large areas the UK countryside.

10.1.3 Among the recent introduction or occurrences of pests and diseases the following two examples pose a particular threat to Peterborough's trees and landscape:

Ash Dieback (*Hymenoscyphus fraxineus*)

10.1.4 This fungal disease has caused extensive tree losses in continental Europe, for example killing over 90% of the ash population in Sweden. It was first found in the UK in 2012 and has rapidly spread from east to west across the country.

10.1.5 Ash forms 7.7% of the street and park trees in the City and, an estimated, 18.5% of the woodland tree population. The level of infection is currently low but expected to rise significantly in the next few years. The symptoms are initially browning and dead leaves and diamond shaped stem lesions as illustrated in Figure 15. This is followed by a fairly rapid dieback in the crown on larger trees. Typically, an infected tree will have tufts of re-growth that eventually succumb to the disease and illustrated in Figure 16. The progress of the disease can be quite rapid with large trees killed in a single growing season in East Anglia where the disease has become well established.



Fig 15: Dead leaves and diamond shape stem lesions are symptomatic of the disease.



Fig 16: Typical crown dieback with tufts of regrowth

Forestry Commission Picture Library

Forestry Commission Picture Library

10.1.6 There is, currently, no proven cure or treatment that can be applied. However, there has been extensive research to try to isolate resistant individuals and indeed, in areas of high infection, some trees appear to remain free from infection.

10.1.7 It is not clear how the disease will progress in the area so, at this stage, ash should not be pre-emptively removed.

10.1.8 Ash should be excluded from new tree planting schemes and alternative species planted. However, in woodland conditions, natural re-generation of ash should, as far as possible, be retained as it may contain resistant individuals.

Oak Processionary Moth (*Thaumetopoea processionea*)

10.1.9 The caterpillars of this moth feed on oak trees and defoliate the tree by eating the foliage. However, perhaps a more serious problem is the effect of the caterpillars urticating hairs, which detach from caterpillars bodies, causing serious allergic reactions and respiratory difficulties in humans and their animals.

10.1.10 This pest was introduced on imported trees into the London area in 2005. It was hoped to contain or eradicate the species by volume spraying foliage with insecticide and destroying the communal silken nests which have an accumulation of toxic hairs. Unfortunately, this policy has not been successful and the pest is spreading outside the London area. The current most northerly sighting is at Watford some 80 miles south of Peterborough.

10.1.11 The hairy caterpillars are shown on Figure 17. Perhaps their most distinguishing feature is that they cluster near food and follow each other in a nose to tail line when moving to and from feeding areas. They make silken nests on the stems and branches of oak trees as shown in Figure 18.

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Fig 17: A cluster of caterpillars on an oak leaf clearly showing their urticating hairs



Fig 18: A communal nest on an oak tree full of toxic hairs

Forestry Commission Picture Library

Forestry Commission Picture Library

- 10.1.12 High populations of this insect will lead to repeated defoliation of oak trees which could seriously weaken them. However, trees are generally resistant to browsing insect damage and their lost leaves will generally grow back even after complete defoliation. This pest is more of a public health problem than a tree issue.
- 10.1.13 Oak trees form only 2% of the tree stock listed on the data base and around 4% of the PDC woodland belts but they are widely distributed around the City.
- 10.1.14 Given the public health risk the Council will take prompt action to try to eradicate populations of this insect as they are discovered on their land and offer help to private landowners to deal with the problem. The Council will also periodically review its policy on controlling this insect.
- 10.1.15 Both the Oak Processionary Moth and Ash Dieback present a serious threat and, if they become established, are likely to require a large amount of staff time and expenditure to deal with. Therefore they will both be added to the Council's risk register.



Brown-tail Moth (*Euproctis chrysorrhoea*)

- 10.1.16 Another defoliating moth species is the Brown-tail Moth (*Euproctis chrysorrhoea*). This insect has already been found the City in 2013, 2015 and 2016. The infestations were limited in scale and contained by prompt action of Amey staff. The caterpillars also have hairs that cause an allergic reaction and they make silken winter nests normally strung between branches. They are often found in association with hedgerow trees. These insects should be avoided and will be subject to the same control policy as Oak Processionary Moth.

Other Pests and Diseases

- 10.1.17 Other recently introduced diseases that have the potential to impact on the tree cover in the City are detailed in Table 4.

Table 5 – Two other serious tree pests and diseases.



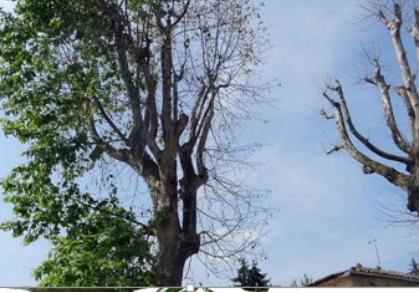
Species	Images of Infected trees	Details
<p>Ramorum Disease (<i>Phytophthora ramorum</i>)</p>	 <p>Crown dieback in larch caused by Ramorum Disease Forestry Commission Picture Library</p>	<p>Initially known as “sudden oak death” this disease is currently mainly affecting larch but could affect a wide species range. It can kill larch trees within 12 months. The only control for Ramorum disease is to remove both the infected trees and a buffer of healthy trees to prevent the spread. There are few larch at risk in the urban area where they make up 1% of the population. However, they are likely to form a more significant component of farm and estate woods in the west of the unitary area.</p>
<p>Sweet Chestnut Blight (<i>Cryphonectria parasitica</i>)</p>	 <p>Stem lesions caused by the disease and a sweet chestnut stem Forestry Commission Picture Library</p>	<p>Recently found in the UK, this disease of sweet chestnut wiped out the entire population of American sweet chestnut on the eastern seaboard of the USA; killing an estimated 3.5 billion trees. Symptoms appear as cankers on the stem fungal mycelium under the bark. Sweet chestnut makes up around 1% of the tree stock in the urban area but are likely to be a more significant component of woods and parkland to the west.</p>

Pests and diseases not yet established in the UK

10.1.18 There are a number of very serious pests and diseases that have either not yet been found in the UK or have been found, and eradicated. Three examples are shown in Table 5. If they become established in the country, all have the potential to seriously denude the City’s tree population:

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Table 6 – Potentially Damaging Pests yet to become established in the UK

Species	Images of Pests and Damage	Details
<p>The Asian Longhorn Beetle, (<i>Anoplophora glabripennis</i>)</p>	 <p>An adult beetle with distinctive white markings and long antenna Forestry Commission Picture Library</p>	<p>Introduced into the USA from Asia the larva of this wood boring insect has killed large areas of urban trees. It is transported around the world in packing timber and by the international plant trade. A small population found in Kent has been eradicated by plant health officials. Any sighting of the large (25 to 30 mm) distinctive beetle must be reported to DEFRA and the Council without delay. It has a large host range encompassing many of the broadleaved species found in the City including maples that make up a high proportion of the tree stock.</p>
<p>Emerald Ash Borer (<i>Agrilus planipennis</i>)</p>	 <p>The adult beetle Forestry Commission Picture Library</p>	<p>This wood boring insect was introduced into the USA where it has devastated ash populations killing millions of trees. It is now present in Europe with a rapidly expanding population centred on Moscow. The larva of the insect bore into the stems of trees weakening and killing them. Wood boring insects are particularly attracted to trees in a weakened condition and, if it reaches the UK, trees infected with ash dieback would facilitate its rapid spread.</p>
<p>Plane Wilt (<i>Ceratocystis platani</i>)</p>	 <p>Extensive dieback on one side of the crown of London plane Forestry Commission Picture Library</p>	<p>This fungal wilt disease is related to Elm disease and works in the same way blocking water carrying vessels in the tree causing rapid decline. It is currently killing large numbers of London plane trees in France and throughout Europe. London plane are important street and amenity trees in the City only forming 4% of the tree stock but occupying prominent positions in the street scene.</p>

Policy TP39: To maintain a high level of training and awareness of tree pests diseases and take prompt action, in accordance with best practice guidance, to, as far as is practicable, alleviate the impact when they are discovered.

Priorities:

TP39.1 The condition of Council owned trees will be monitored as part of the normal health and safety inspections policy and promptly dealt with if they present a significant risk to the public. This does not mean that all infected or dead trees will be removed. The Council's policy on tree pests will be reviewed on an annual basis.

TP39.2 Where appropriate and advised, simple biosecurity measures such as cleaning boots, shoes and tyres after visiting woodlands will be implemented.

TP39.3 With regard to protected trees, the Council will not grant permission to fell infected ash trees unless the disease has caused the tree to become dangerous or to present a significant health and safety risk.

Climate Change

- 10.2 The likely effects of climate change, caused by anthropogenic carbon emissions which are enhancing the greenhouse effect of the upper atmosphere include summer drought and more frequent storm events. Measures to both mitigate and adapt to these predicted effects of climate change will be incorporated into the strategy wherever possible, taking full account of the "Climate Change Strategy for Peterborough".

11. Privately Owned Trees and Woodland Policies and Priorities

Trees and Development

- 11.1 The significance of the London–Stansted–Cambridge–Peterborough (M11) Growth Corridor means there will be major investment in housing, community facilities and infrastructure. This brings with it opportunities for innovative and strategically planned tree and woodland enhancement. It is essential that trees and woodlands are recognised as an essential part of the design and fabric of growth.
- 11.2 Accommodating the predicted growth in Peterborough's population and economy provides significant opportunities for a strategic approach to tree and woodland planting. There are a number of initiatives to enhance the natural environment. They all offer opportunities to increase the tree and woodland cover of Peterborough as part of the mosaic of green space and habitats. However, as each has its own agenda and priorities, efforts should be made to ensure that they are coordinated and complimentary.
- 11.3 The scale of development which will need to take place in coming decades will facilitate significant funding for the creation of attractive and green residential and business environments.

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Developers have a valuable role as the key player in the majority of land use changes. They need to respect the existing trees and where appropriate incorporate tree planting within new developments. There is extensive research showing that retained trees and newly planted trees increase the sale value of new properties providing firm financial reasons for developers to consider trees as integral part of their projects.

Policy TP40: The Council will respond to tree issues within planning applications, in accordance with Local Plan Policies, in such a way that ensures the retention of good quality trees and woodland coverage or ensures its creation. Development will not be supported that would directly or indirectly damage existing ancient woodland or ancient trees.

Priorities:

TP40.1: To be guided by best practice and local policies for a consistent approach to assessing planning applications.

TP40.2: Trees and woodlands are to be given significant consideration within planning applications, requiring submission of Arboricultural Impact Assessment (AIA) surveys in accordance with British Standard 5837:2012 “*Trees in relation to demolition, design and construction – Recommendations*”. Where trees are on or within influencing distance of a potential development (within 15m of the development area), an AIA must be prepared and submitted as part of the planning application.

TP40.3: The British Standard sets out a process to protect trees at every stage of a development. The Council will, normally, condition the tree protection measures set out in the AIA. This will include proper provision for arboricultural supervision by a qualified arboriculturist and a timetable for inspection visits and the method of reporting findings to all parties including Council Tree Officers.

TP40.4: Producing an AIA is only the first stage in protecting trees during construction. The tree protection measures set out in the AIA are often either disregarded or are poorly implemented once planning permission has been granted. The Council will seek to enforce conditions relating to tree protection and to consider prosecution when planning conditions are breached or there are breaches of Tree Preservation Orders (TPO) or the requirements of Conservation Area regulations.

TP40.5: It is extremely important that plans for remedial tree planting and green infrastructure submitted as part of planning applications come to fruition. When granting planning permissions the Council will set conditions for the protection, planting and proper maintenance of trees and periodically check on compliance.

TP40.6: Where appropriate, the Council will allocate funds produced from the Community Infrastructure levy for community tree planting projects.

TP40.7: The Council will utilise planning powers to retain and protect good quality existing trees threatened by new development including changes to existing properties and enforce the tree protection measures put in place.

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Policy TP41: The Council will require that new and replacement tree and woodland planting to be included in new development proposals wherever it is practicable to do so.

Priorities:

TP41.1: To require developers to submit details of tree species, size of planting stock to be used and numbers to be planted as part of their proposals. Planting should aim to replace any loss of biomass and, where practicable, retain or increase the canopy cover on the site. Where it is difficult to achieve the Council will consider offering alternative planting sites on its own land.

TP41.2: To ensure that provision made for tree planning takes account of industry best practice, in particular, BS 8545:2014 "Trees from nursery to independence in the landscape-Recommendations". Further guidance is available from the publications of the Trees and Design Action Group (TDAG).

TP41.3: The Council will encourage planting of healthy plant material. In the light of the threat from imported pests and diseases all planting stock used in the City should be healthy and sourced from reliable sources with appropriate documentation such as plant passports where required. While British grown stock is preferable, if imported stock is used it should have spent at least one year in a UK nursery under observation.

Tree Protection

- 11.4 Statutory protection is afforded to trees under the Forestry Act 1967 (as amended) and permission from the Forestry Commission (FC) to fell growing trees is often required. There are certain exemptions which include trees in gardens, orchards, Churchyards and designated public open spaces. This permission is granted by the FC via a Felling Licence. Typically an application would be required where trees above 8 cm stem diameter at 1.3 m diameter above ground level need to be felled. If the felling is for thinning a plantation the minimum diameter rises to 10 cm and in the case of coppicing the minimum is 15 cm. A licence is not needed to fell up to 5 m³ of timber within a given calendar quarter. However, this drops to 2 m³ if the timber is sold. Any felling approved as part of a planning permission will not need a felling licence. Felling trees within the scope of the regulations without a felling licence is illegal and subject to prosecution and fines.
- 11.5 In conjunction with its duty, as set out in the Town and Country Planning Act, the Council will incorporate policies relating to Trees and Woodlands within its Local Development Framework. Policies protecting trees exist within the Core Strategy and Planning Policies Development Plan documents.
- 11.6 There are over 350 TPOs and 29 Local Authority Conservation Areas in the City. The pressure for development sometimes necessitates the pro-active use of TPOs. TPO's are also used reactively when a threat to the condition or retention of a tree is known. The Council will, as far as funding will allow, review many of its older Tree Preservation Orders.
- 11.7 The work on trees protected by a TPO places a duty on the tree owner to be granted permission from the Council prior to undertaking the work. The Council has a duty to respond to these

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requests within 8 weeks. In the event that the Council refuse permission for work on, or removal of a protected tree, the owner can appeal to the Planning Inspectorate.

- 11.8 Before carrying out any tree work or felling of trees within a Local Authority Conservation Area the Local Planning Authority must be given six weeks advance notice. During the six week period the Council may decide to protect the trees in question. However, if no response is received from the Council work may proceed. Trees removed in a Conservation area must be replaced.
- 11.9 To carry out work, damage or remove trees which are the subject of Tree Preservation Order or within a Conservation order without permission is a criminal offence that, on conviction, carry fines of up to £20,000 per tree. However, if trees are illegally removed to facilitate development then the fine per tree is unlimited and may reflect the increase in land value that has resulted from the loss of the tree.

11.10 Protection Through Advice

- 11.11 Where necessary and appropriate the Council will provide advice on trees in relation to planning TPOs and work in Conservation areas with the aim of making the process more efficient and therefore provide a cost effective service.
- 11.12 There are, unfortunately, many people willing to offer tree advice which is inaccurate, and may have serious consequences for the tree and its owner. Arboriculture is an established technical discipline where qualifications at various levels are available. Research is carried out to further our knowledge of trees and their care, good advice is available and should be sought from reliable sources. Tree owners should be aware that research has resulted in updated and substantially changed tree management in the last 20 years. Consequently, any person offering advice should keep their knowledge up to date, through membership of an appropriate professional body.
- 11.13 Also of concern is the number of people who carry out tree surgery work whose technical abilities are poor. This can lead to low standards of work, which are not in the interests of the tree or its owner. Only reputable companies, capable of working to recognised standards of work such as "British Standard 3998: 2010, "Tree work. Recommendations", should be engaged to carry out tree work. Companies or individuals undertaking tree work should hold Public Liability Insurance cover and proof of cover should be provided before commencement.
- 11.14 As the Local Planning Authority, the Council has a statutory duty to protect trees of greatest amenity value. This section sets out the City Council's approach to the protection of privately owned trees.

Policy TP42: The Council will seek to ensure that all trees and woodlands making a positive contribution to the environment are protected.

Priorities:

TP42.1: To utilise and enforce planning powers to retain and protect trees through Tree Preservation Orders and Conservation Area status.

TP42.2: To comment and advise on strategy and other initiatives which affect trees and woodlands.

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Policy TP43: The outright removal of good quality trees and woodlands shall be resisted unless there are sound arboricultural and technical reasons such as irrefutable evidence of damage caused to a property by soil volume change associated with trees.

Priorities:

TP43.1: To protect trees of amenity value

Policy TP44: The Council will promote public awareness and a better understanding of tree and woodland management through community consultation and involvement.

Priorities:

TP44.1 The Council will promote good standards of tree and woodland care.

TP44.2: To, as far as possible, encourage owners of notable trees that are worthy of protection to adopt better practices of tree care.

TP44.3: To support community tree initiatives.

TP44.4: To support the work of national bodies such as the Tree Council and the Trees and Design Action Group.

11.15 A summary of all policies for the management of all trees is provided in Appendix 6.

12. Summary of the Key Elements of the Strategy

12.1 This revised strategy highlights the immense value of Peterborough's urban forest to the wellbeing of its residents and the substantial contribution it makes to the City's sustainable future.

12.2 Since 2012 considerable progress has been made to put systems in place to manage the City's trees and woodlands, particularly the steps that have been taken to fulfil the Council's duty of care in respect of health and safety. This new strategy builds on these achievements.

12.3 The focus of this new strategy is consolidation of the Council's trees stocks; the legacy trees planted by PDC are even aged and all growing towards maturity at the same time. Up to this point they have required relatively low maintenance. However, increasing growth rates are causing conflicts with private properties on the boundaries of the woods and close to trees growing within residential areas. Dealing with these problems is taking up a high proportion of the allocated funds and unless positive management steps are put in place the level of service requests will increase exponentially. It is important that the need for this programme is recognised and adequate resources allocated.

12.4 Faults of both design and implementation by PDC such as planting trees too close to each other and buildings, and allowing deviation from carefully planned species layouts and mixtures need rectifying by restructuring the legacy woodlands and trees and tree groups in residential areas. Where it is necessary to remove trees these will be replaced with more suitable species while retaining or improving the level of canopy cover.

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- 12.5 Shallow, narrow crowned and un-thinned trees provide only a fraction of the ecosystem services of healthy full crowned trees. Dense woods prevent light reaching the ground leading to lack of ground flora and poor natural re-generation of tree species. It is therefore necessary to instigate a programme of periodic thinning in many of the woods and tree groups.
- 12.6 The tree stock must be carefully managed to provide a degree of resilience to both imported pests and diseases and the climate change.
- 12.7 The expansion of the urban forest will be a priority to ensure that the ecosystem services can be maintained to meet the needs of a growing population. However this will be carefully planned and targeted to as far as possible avoid the mistakes of the past. The Forest for Peterborough project will be strongly supported.
- 12.8 Development in the City presents both challenges and opportunities for its tree cover. The Council will seek to ensure suitable trees are retained on development sites and commensurate and appropriate provision is made for new tree planting and green space.
- 12.9 Unless adequate resourcing chains are provided there is a danger that the problems will get progressively worse to the point where the tree stocks become a negative asset.
- 12.10 It is hoped that both stakeholders and residents of Peterborough will appreciate that the urban forest requires careful management to thrive and provide the considerable benefits of which it is capable. The Council's policies and priorities contained in this strategy represent a commitment to sustainable management of the City's trees for both the existing and future generations.

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14. Glossary of Terms

Ancient Trees – Trees significantly older, and often larger in girth, than the general tree population providing a rich variety of habitats for wildlife.

Ancient Woodlands – Woodland thought to have been in existence since at least 1600 and designated on the Natural England register of ancient woodlands.

Biomass – Renewable vegetation that can be used as a carbon neutral fuel source. This includes not only the timber but small branches and foliage.

Carbon neutral fuel - The term carbon neutral fuel is used for wood used for fuel that comes from sustainably managed woodlands where the carbon loss will rapidly be mediated by replacement trees

Canopy Cover – The area of ground occupied (covered) by the overall branch spread of trees normally expressed as a percentage of the total land area; hence Peterborough has a land area of 34,343 ha, a canopy cover of 3239 ha and therefore a canopy cover of 9.4%.

Coppice and Standards – A traditional woodland management practice of retaining a proportion of single stemmed trees within an area of coppice to grow on for timber production.

Coppicing – A method of repeatedly cutting back trees and woody shrubs to the base of the stem on a short cycle to produce small poles or rods. A traditional management technique associated with ancient woodlands which provides an important sequence of habitats for woodland flora and fauna.

Ecosystem disservices – Trees can cause problems in urban conditions particularly when growing in close association with roads, railways and buildings.

Trees can also have negative effects on the urban atmosphere for example roadside trees trapping polluting gasses under the canopy. However, most researchers see the net effect of trees on the atmosphere as positive.

Ecosystem Services – Services provided by trees and vegetation that contribute to the quality of the environment such as their capacity to sequester carbon from the atmosphere and reduce surface water runoff.

Heat Island Effect – Urban areas are warmer than the surrounding countryside by virtue of the concentrated activities their population particularly energy use. Hard surfaces store thermal energy and release it slowly keeping up night time temperatures. In heat waves urban conditions can lead to even higher temperatures.

High Water Demand Trees – Trees that take up large amounts of water from the soil in comparison to other species with a lesser capacity to extract water.

Legacy Woodlands – Tree belts planted by PDC in the new townships and taken over by PCC on the winding up of the PDC in 1988.

Mature trees – Trees in the second third of their life cycle and still growing strongly.

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Natural Regeneration – Young self-sown trees derived from naturally distributed seed produced by nearby trees.

Newly planted trees – Trees that require regular maintenance and have yet to become established in the landscape.

Over mature trees – Trees in the final third of their life expectancy and beginning to decline with very slow growth rates of growth or signs of natural retrenchment (bare dead branches in the upper crown with a healthy but reduced crown at a lower level)

Pollarding – A traditional management technique often used in deer parks and wood pasture which involves cutting off the tree at a height of around 3 to 4 m on a cyclical basis to provide firewood and small poles; the regrowth is then safe from browsing livestock and deer. In an urban situation pollarding is often used to control the crown spread of trees and reduce the water demand. Cyclically reducing trees to a low framework of branches is a form of pollarding. Some species are particularly tolerant of this treatment such as lime, London plane and willow.

Semi Mature Trees – Trees in the first third of their life cycle and growing strongly.

SUDS – Acronym for Sustainable Urban Drainage Schemes which allow for natural drainage of water runoff from roofs and hard surfaces into the ground, rather than directing runoff into the sewerage and main drainage systems.

Specimen Trees - Largely free standing, Council owned trees in streets or public open spaces.

Structured Soils – Specially formed soils that can be compacted but still allow root growth and water percolation. Normal structural soils have a high percentage of sand and gravels.

Tree Stocks – The total of Council owned trees.

Tree Belt – Narrow belt of trees typically 15 to 20 m often planted for screening and shelter. Tree belts were widely planted by PDC surrounding residential areas and edging roads.

Urban Forest – All trees and woody vegetation which grow within a city collectively form the urban forest regardless of ownership.

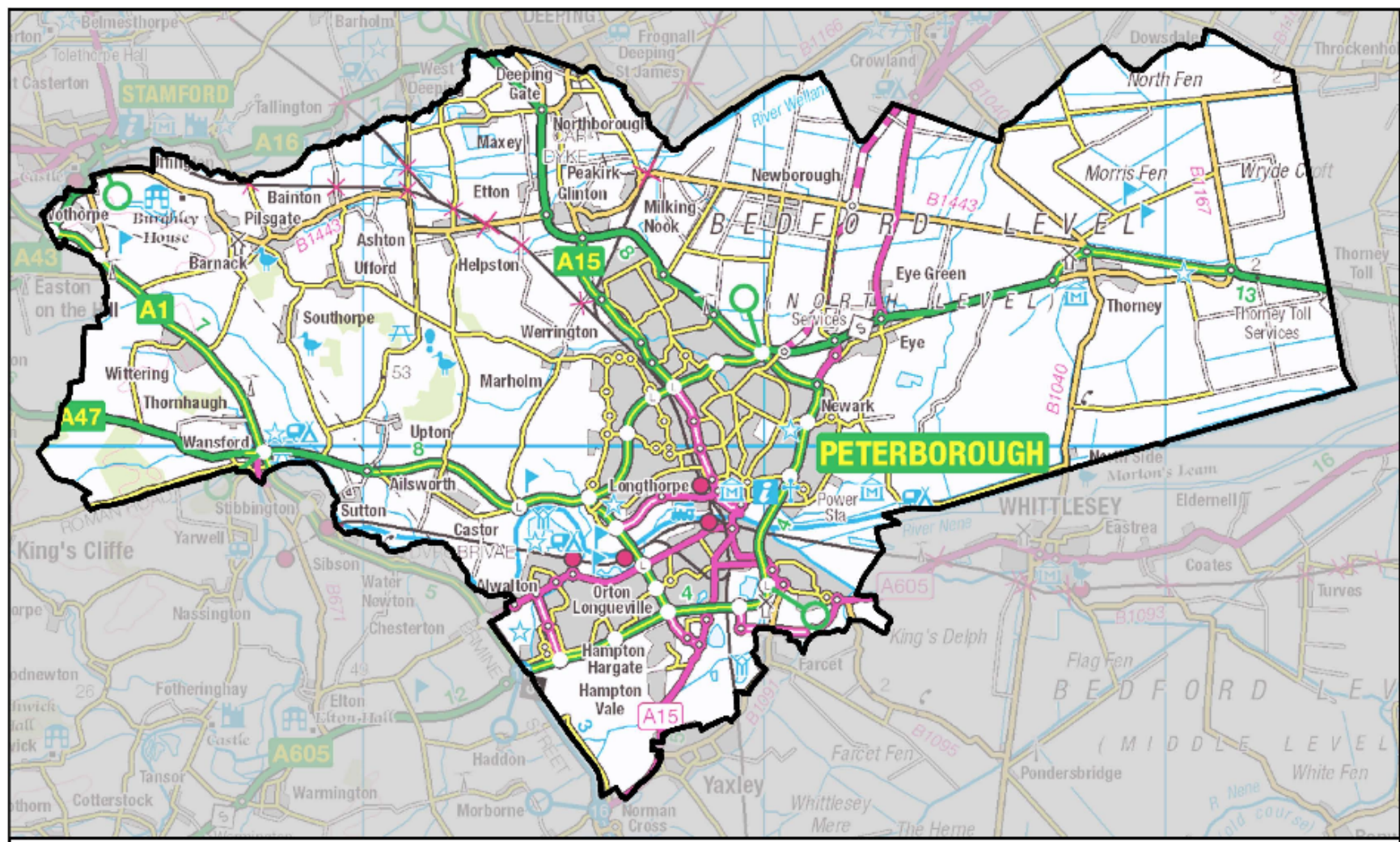
Veteran Trees – Traditionally, trees with the same characteristics as given for ancient trees. However, more recently, the term has been expanded to include trees of any age that have features that support wildlife such as splits, cracks, holes and dead wood.

Wet Woodlands – Woodland growing on soils subject to seasonal waterlogging often in river valleys and adjacent to watercourses. Common species in wet woodlands include alder, willow, aspen and birch.

Whips – Transplanted and bare rooted nursery stock 60 cm to 1.2 m.

Young Trees – Recently established trees that have achieved independence in the landscape.

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PETERBOROUGH CITY COUNCIL UNITARY AUTHORITY AREA

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5 km

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Appendix 2

Canopy cover by ward

ward	ward area	Area ha	canopy%
Bretton South Ward	101.79	34.48	33.87
Orton Longueville Ward	425.13	127.75	30.05
Bretton North Ward	311.65	88.28	28.33
West Ward	589.57	157.21	26.67
Orton Waterville Ward	676.81	146.01	21.57
Werrington North Ward	294.45	47.32	16.07
Glington and Wittering Ward	6348.43	1008.95	15.89
Ravensthorpe Ward	198.51	30.60	15.41
Barnack Ward	4513.67	652.22	14.45
Werrington South Ward	259.69	34.45	13.26
Dogsthorpe Ward	217.99	28.23	12.95
Fletton and Woodston Ward	270.51	34.27	12.67
Park Ward	203.42	25.06	12.32
Paston Ward	320.13	34.91	10.91
Orton with Hampton Ward	1549.26	162.83	10.51
North Ward	122.53	12.70	10.37
Walton Ward	168.38	16.86	10.01
Central Ward	256.94	23.14	9.01
Stanground Central Ward	871.69	61.60	7.07
East Ward	1017.66	69.33	6.81
Northborough Ward	1896.97	122.82	6.47
Stanground East Ward	122.21	5.28	4.32
Newborough Ward	4065.69	94.39	2.32
Eye and Thorney Ward	9540.72	221.23	2.32
	34343.80	3239.92	9.43

Note: Rural wards shown in bold type.

Some Ward boundaries have change since this report was produced

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Appendix 3 - Complete List of Tree Species on Peterborough City Council's Database

Common Name	Scientific Name	Totals	%
Maple	<i>Acer species</i>	38	0.1%
Field Maple	<i>Acer campestre</i>	1509	3.7%
Box Elder	<i>Acer negundo</i>	49	0.1%
Norway Maple	<i>Acer platanoides</i>	3243	8.0%
Norway Maple	<i>Acer platanoides 'Crimson King'</i>	107	0.3%
Norway Maple	<i>Acer platanoides Purple Variety</i>	53	0.1%
Sycamore	<i>Acer pseudoplatanus</i>	1714	4.2%
Silver Maple	<i>Acer saccharinum</i>	274	0.7%
Sugar Maple	<i>Acer saccharum</i>	25	0.1%
Horse Chestnut	<i>Aesculus hippocastanum</i>	1157	2.9%
Red Horse Chestnut	<i>Aesculus x carnea</i>	96	0.2%
Tree of Heaven	<i>Ailanthus altissima</i>	59	0.1%
Italian Alder	<i>Alnus cordata</i>	443	1.1%
Alder	<i>Alnus glutinosa</i>	327	0.8%
Grey Alder	<i>Alnus incana</i>	36	0.1%
Snowy mespil	<i>Amelanchier lamarckii</i>	63	0.2%
Jacquemont's Birch	<i>Betula jacquemontii</i>	88	0.2%
Paper Bark Birch	<i>Betula papyrifera</i>	38	0.1%
Silver Birch	<i>Betula pendula</i>	1680	4.2%
Silver Birch	<i>Betula species</i>	38	0.1%
Himalayan Birch	<i>Betula utilis</i>	57	0.1%
Hornbeam	<i>Carpinus betulus</i>	645	1.6%
Fastigate Hornbeam	<i>Carpinus betulus 'Fastigiata'</i>	142	0.4%
Sweet Chestnut	<i>Castanea sativa</i>	29	0.1%
Blue Atlas Cedar	<i>Cedrus atlantica glauca</i>	28	0.1%
Lawson Cypress	<i>Chamaecyparis (unknown)</i>	40	0.1%
Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	137	0.3%
Hazel	<i>Corylus avellana</i>	57	0.1%
Turkish	<i>Corylus colurna</i>	73	0.2%
Cotoneaster	<i>Cotoneaster 'Cornubia'</i>	48	0.1%
Cotoneaster	<i>Cotoneaster species</i>	40	0.1%
Cockspur thorn	<i>Crataegus crus-gallii</i>	98	0.2%
Hawthorn	<i>Crataegus monogyna</i>	1788	4.4%
Broad Leaved Cockspur Thorn	<i>Crataegus X persimilis 'prunifolia'</i>	38	0.1%
Hawthorn Species	<i>Crataegus species</i>	138	0.3%
Cypress	<i>Cupressus unknown species</i>	104	0.3%
Leyland Cypress	<i>Cupressocyparis leylandii</i>	285	0.7%
Dead	<i>Dead</i>	278	0.7%
Beech	<i>Fagus sylvatica</i>	274	0.7%
Copper Beech	<i>Fagus sylvatica purpurea</i>	80	0.2%
Ash	<i>Fraxinus excelsior</i>	3133	7.7%
Man Ash	<i>Fraxinus ornus</i>	70	0.2%
Narrow leafed Ash	<i>Fraxinus oxycarpa</i>	53	0.1%
Raywood Ash	<i>Fraxinus oxycarpa Raywood</i>	51	0.1%
Ash	<i>Fraxinus species</i>	53	0.1%
Ginkgo	<i>Ginkgo biloba</i>	34	0.1%
Hony locust	<i>Gleditsia triacanthos</i>	40	0.1%
Holy	<i>Ilex aquifolium</i>	126	0.3%
Holy	<i>Ilex species</i>	72	0.2%

Appendix 3 - Complete List of Tree Species on Peterborough City Council's Database

Common Name	Scientific Name	Totals	%
Walnut	<i>Juglans regia</i>	30	0.1%
Laburnum	<i>Laburnum anagyroides</i>	47	0.1%
European Larch	<i>Larix decidua</i>	28	0.1%
Liquid Ambar	<i>Liquidambar styraciflua</i>	32	0.1%
Flowering Crab Apple	<i>Malus baccata</i>	21	0.1%
Flowering Crab Apple	<i>Malus species</i>	931	2.3%
Pillar Apple	<i>Malus tschonoskii</i>	43	0.1%
Dawn Redwood	<i>Metasequoia glyptostroboides</i>	26	0.1%
Austrian Pine	<i>Pinus nigra</i>	73	0.2%
Pine	<i>Pinus species</i>	29	0.1%
Scots Pine	<i>Pinus sylvestris</i>	187	0.5%
London plane	<i>Platanus x hispanica</i>	1734	4.3%
White Poplar	<i>Populus alba</i>	187	0.5%
Black Poplar	<i>Populus nigra</i>	165	0.4%
Native Black poplar	<i>Populus nigra 'Betulifolia'</i>	31	0.1%
Lombardy Poplar	<i>Populus nigra 'Italica'</i>	109	0.3%
Poplar Species	<i>Populus species</i>	97	0.2%
Aspen	<i>Populus tremula</i>	36	0.1%
Lombardy Poplar Cherry	<i>Prunus 'Amanogawa'</i>	67	0.2%
Wild Cherry	<i>Prunus avium</i>	1946	4.8%
	<i>Prunus avium 'Plena'</i>	27	0.1%
Myobalan	<i>Prunus cerasifera</i>	125	0.3%
Purple Leafed Plum	<i>Prunus cerasifera 'Pissardii'</i>	413	1.0%
Plum	<i>Prunus domestica</i>	196	0.5%
Japanese Flowering Cherry	<i>Prunus 'Kanzan'</i>	34	0.1%
Laurel	<i>Prunus laurocerasus</i>	29	0.1%
Bird Cherry	<i>Prunus padus</i>	101	0.2%
	<i>Prunus serrulata</i>	40	0.1%
	<i>Prunus species</i>	1415	3.5%
Blackthorn	<i>Prunus spinosa</i>	46	0.1%
Calery Pear	<i>Pyrus calleryana 'Chanticleer'</i>	204	0.5%
	<i>Pyrus species</i>	35	0.1%
Pedunculate Oak	<i>Quercus robur</i>	814	2.0%
Red Oak	<i>Quercus rubra</i>	48	0.1%
Accaia	<i>Robinia pseudoacacia</i>	218	0.5%
	<i>Robinia species</i>	27	0.1%
White Willow	<i>Salix alba</i>	497	1.2%
Weeping Woillow	<i>Salix babylonica</i>	26	0.1%
Goat Willow	<i>Salix caprea</i>	66	0.2%
Crack Willow	<i>Salix fragilis</i>	259	0.6%
Willow Species	<i>Salix species</i>	162	0.4%
Golden Weeping Willow	<i>Salix x chrysocoma</i>	143	0.4%
Elder	<i>Sambucus nigra</i>	192	0.5%
Whitebeam	<i>Sorbus aria</i>	1124	2.8%
Whitebeam	<i>Sorbus aria 'Lutescens'</i>	22	0.1%
Rowan	<i>Sorbus aucuparia</i>	1337	3.3%
Swedish White Beam	<i>Sorbus intermedia</i>	949	2.3%
Sorbus Species	<i>Sorbus species</i>	225	0.6%
Bastard Servic Tree	<i>Sorbus x thuringiaca</i>	66	0.2%

Appendix 3 - Complete List of Tree Species on Peterborough City Council's Database

Common Name	Scientific Name	Totals	%
	<i>'Species not in list'</i>	27	0.1%
	<i>'Species not known'</i>	77	0.2%
Lilac	<i>Syringa vulgaris</i>	21	0.1%
Yew	<i>Taxus baccata</i>	366	0.9%
Small Leafed Lime	<i>Tilia cordata</i>	1365	3.4%
Large Leafed Lime	<i>Tilia platyphyllos</i>	68	0.2%
Lime	<i>Tilia species</i>	89	0.2%
Caucasian Lime	<i>Tilia x euchlora</i>	61	0.2%
Common Lime	<i>Tilia x europaea</i>	2566	6.3%
	<i>Tilia x europaea 'Pallida'</i>	39	0.1%
Common Elm	<i>Ulmus procera</i>	64	0.2%
Elm	<i>Ulmus species</i>	121	0.3%
	<i>Unknown Species - Broadleaf</i>	52	0.1%
		39638	
	<i>'Suitable locations for new trees'</i>	809	2.0%
Species	Number of trees	%	Origin
Norway Maple	3243	8.0%	Introduced
Ash	3133	7.7%	Native
Common Lime	2566	6.3%	Introduced
Wild Cherry	1946	4.8%	Native
Hawthorn	1788	4.4%	Native
London plane	1734	4.3%	Hybrid Origin
Sycamore	1714	4.2%	Introduced
Silver Birch	1680	4.2%	Native
Acer campestre	1509	3.7%	Native
Horse Chestnut	1157	2.9%	Introduced

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Species	Number of trees	%	Origin
Norway Maple	3243	8.0%	Introduced
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Silver Birch	1680	4.2%	Native
Acer campestre	1509	3.7%	Native
Horse Chestnut	1157	2.9%	Introduced

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APPENDIX 4
Tree Risk Management Plan

**Enterprise Peterborough
Nursery Lane
Fengate
Peterborough
PE1 5BG**



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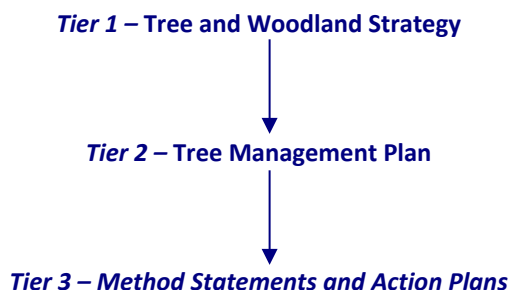
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Document control		
RAMeyort version	File reference	Quality check completed
α draft		
β draft	2012 11 29 1500 TMP	
γ draft		
Final release		



1. Introduction

1. This **Tree Risk Management Plan** (the Plan) supports Peterborough City Council's (PCC) adopted **Tree and Woodland Strategy** (TWS) and is integral to the sustainable management of the wide range of trees and woods managed by Amey in Peterborough (AP). In hierarchical terms the relationship between the documents is as follows:



2. This document has been revised to include updated strategies and method statements.
2. There was no credible historic data available for the vast majority of the tree stock that is managed by AMEY. That knowledge gap means that:
 - there is no understanding of the risks to citizens or visitors posed by the tree stock
 - there is no understanding of the risks to property posed by the tree stock
 - it is not possible to limit the Council's tree-related liabilities
 - it is not possible to accurately budget for the provision of tree services
 - there is no programme of tree works
 - there are limited records of works that may have been carried out
3. The Plan has been developed to address the knowledge gap in a considered and systematic way and to allow for realistic and rational plans to be made for the provision of a sustainable tree service, and for accurate records to be made that relate to the existing tree stock, and any works that may be carried out to those trees and the reasons for those works.

1. The abridged legal background

1. The TWS refers to the comprehensive and dynamic legislative framework under which tree management in the public realm must be delivered.
2. This Plan is AMEY's statement of their duty of care under the broad range of legislation and case law affecting trees, people and property, and in particular a response to the publication in 2007 of the **Health and Safety Executive's** (HSE) Sector Information Minute **Management of the risk from falling trees (SIM 01/2007/05)**.
3. When an occupier fails to meet the requirements of their duty of care, which subsequently results in reasonably foreseeable harm or damage to persons, animals, or property, it is likely to be construed that the occupier has been negligent. This may be either by their action (for example using a person without sufficient skill to survey trees, by undertaking incompetent pruning, or by destabilising a tree by root severance) or by their omission (for example by a failure to inspect trees on a reasonable cycle or the failure to carry out prescribed remedial actions).

The person responsible for a tree is expected to take reasonable care to avoid acts or omissions, which could reasonably be foreseen to be likely to cause harm. This person is deemed to be



whomever has sufficient control over the land to appreciate the extent of any dangers and to take any actions.

(Mynors, 2002:25)

4. As part of their carrying out of undertakings, or control of premises, including public spaces, employers have a duty of care under the **Health and Safety at Work etc. Act 1974** (HSW Act). In particular there is a duty to do what is reasonably practicable to ensure that they and other people are not exposed to risk. Section 3 of the Act confirms that an employer cannot pass on their legal duty by way of a contract to third parties.
5. The **Management of Health and Safety at Work Regulations 1999** (MHSWR) require a risk assessment to be carried out to identify the nature and level of the risks associated with the works and associated operations. Regulation 3.1 states:

1. *Every employer shall make a suitable and sufficient assessment of:*

- a. *the risks to the health and safety of his employees to which they are exposed whilst they are at work; and*
- b. *the risks to the health and safety of persons not in his employment arising out or in connection with the conduct by him of his undertakings.*

(Cited in Health and Safety Executive 2000:4)

6. The MHSWR affect all parts of the tree management process, though in the context of this Plan they apply most particularly to the undertaking of tree inspection on a reasonable cycle and the completion of the necessary remediation work.
7. Under **The Occupiers Liability Act 1957** AMEY, as the occupier, owes a duty of care to all visitors to ensure that their visit is reasonably safe. Trespassers are protected under **The Occupiers Liability Act 1984** from the risks that the occupier is aware of. Consideration, therefore, is needed to be given to any known tree-related risks and the actions necessary to reduce or remove them.
8. Other legislation requiring positive action in response to health and safety concerns includes the **Highways Act 1980**. The Government has, for at least three decades, published advice on the inspection and care of trees:

*The Secretaries of State wish to draw . . . attention **once again** to the need for regular inspection of roadside trees in order that any considered to be a danger to road users can be made safe or felled.*

(DOE, 1973:2)

9. Collectively, street trees and trees within falling distance of the highway (including those outside the ownership and direct control of the highway authority and so potentially some AMEY-managed trees) are classed as highway trees. The highway authority is responsible for ensuring that highway trees do not endanger the highway and its users. Recommendations in **Well-maintained Highways, Code of Practice for Highway Maintenance Management** include R9.3:

Highway safety inspections should include highway trees . . . Inspectors should take note of any encroachment or visible obstruction and any obvious damage, . . . a sAmeyarate programme of tree inspections should be undertaken by arboricultural advisors

(Roads Liaison Group, 2005:119)



10. Statute law has been reinforced, clarified and extended through legal precedent in common law. Precedents from neighbour conflicts dating back to the 1790's are still relevant, however it is some more recent cases which are particularly germane to the management of trees in the public realm. In **Chapman – v – Barking and Dagenham LBC** (1997) there was a clear failure to inspect. Judge Viscount Colville of Culross QC stated:

I am satisfied that, despite all encouragement and advice both from external sources and to some extent from their own officers, the defendant Council did not at any relevant time appreciate the distinction between making lists of trees and routine maintenance, as opposed to systematic expert inspection as often as would be reasonably required. I find that no such inspections were ever made, that it was a clear duty on the defendants to make them, and that they have failed in that duty.

(cited in Mynors, 2002:150)

11. The need to use a suitably trained, experienced and/or qualified tree inspector was at the core of **Poll – v – Bartholomew and Bartholomew** (2006) when the claimant successfully sued the landowners for negligence. The judgement also recognised that there are varying levels of skill in inspectors and it is the employers' duty to ensure that they employ a competent person at the appropriate skill level, re-asserted in **Atkin – v – Scott** (2008).
12. **Edwards – v – National Coal Board** (1949) provided a general precedence of what is reasonably practicable. Lord Justice Asquith in his summing up narrowed the interpretation of this to:

'Reasonably practicable' is a narrower term than 'physically possible' . . . a computation must be made by the owner in which the quantum of risk is placed on one scale and the sacrifice involved in the measures necessary for averting the risk (whether in money, time or trouble) is placed in the other, and that, if it be shown that there is a gross disproportion between them – the risk being insignificant in relation to the sacrifice – the defendants discharge the onus on them.

(LJ Asquith, cited on hse.gov.uk)

13. In 1999, a tree failed in Birmingham, killing three people; the City Council was successfully prosecuted for their failure to comply with the HSW Act, Section 3, Sub Section 1 (**Crown – v – Birmingham City Council**, 2002). An Improvement Notice was served as part of the proceedings, requiring the council to;
1. improve its systems to provide suitable and sufficient routine inspection, including identifying all trees and woodland, and
 2. procure competent advisors as necessary, and
 3. carry out and record necessary remedial actions.

Other incidents have resulted in similar Improvement Notices and requirements.

14. In December 2011 the **National Tree Safety Group** published **Common sense risk management of trees** which in Chapter 3 **What the law says** provides a summary of covers the law in respect of an owner's liabilities for injury to others caused by the fall of a tree or branch.
15. On 30 June 2011 a branch failed in a recreation ground in Yaxley killing a teenager sitting on a bench: in November 2012 the family reached an out-of-court settlement with Yaxley Parish Council which was responsible for the tree.



2. Tree Risk Management Plan structure

1. The Plan is presented in three sections, dealing with:
 - data capture
 - the tree service
 - the range of actions that will be followed

2. Data capture

1. The scope of the survey

1. As has been stated in **1.2** above there was no credible historical data available for the vast majority of the tree stock that is managed by AMEY.
2. In order to meet their duty of care under the tree-related legislation and case law, and especially the guidance on the standard of risk management of trees as rehearsed in SIM 01/2007/05, AMEY will carry out a systematic and thorough inventory survey of all the trees under their control.
3. During that survey and in the course of their normal activity, AMEY will record any obvious defects of those trees that are within falling distance of the highway.
4. The survey will be cyclical: the first cycle will create a complete inventory of all trees over 75 mm diameter at 1.5m above ground level and all planted trees:
 1. free-standing individuals will be plotted as individual data points,
 2. the extent of groups will be plotted by reference to the group's drip-line,
 3. in groups, there may be individual trees that stand out for whatever reason (e.g. age, species, condition etc.) and they may be plotted within the outline of the group as an individual data point.
5. The first cycle of the survey will be carried out according to geography: the surveyors will move systematically from ward to ward this program of wards has been selected based on historical records of public and Councillor enquiries
6. The timing of the second survey will be evidence lead and will depend upon the particular information about each individual tree that the surveyors capture during the first cycle of the survey.
7. The timing of subsequent surveys will continue to be evidence lead and will depend upon the particular information about each individual tree that the surveyors capture during their assessments.
8. The surveyors will develop a number of survey cycles depending upon, for example, tree health and condition, or the proximity of targets. Those cycles will be determined by the parameter that the surveyor has identified as requiring to be re-surveyed and might take seasonality into account (when looking at the quality of the crown or the tree's architecture or the presence of fungal fruiting bodies for example) or might simply be an annual re-survey to record any changes to the tree or its surroundings.
9. The period between surveys of individual trees will be determined by the surveyors: the maximum period between re-surveys will not exceed 60 months.



2. The extent of the survey

1. The inventory will include following, as defined in the TWS:
 - street trees
 - trees in parks and open spaces
 - trees in some, but not all, schools
 - trees in woodlands
 - trees in the urban woods
 - village and rural trees
 - trees on other sites
 - Landmark Trees
2. Trees on housing land previously owned by PCC are typically the responsibility of Cross Keys Homes and so are outside the scope of The Plan.

3. The survey software

1. There are a number of computerised tree management database tools available from UK software houses: all are equally worthy and all are capable of providing an organised means of capturing tree-related data and geo-spatial references, plotting the point data upon a map and allowing that data to be sorted, organised and manipulated in a variety of ways.
2. **Ezytreev** from RA Information Systems (www.ezytreev.com) was selected to manage the tree data which will be stored, updated within 5 working days and available for Peterborough City Council client access via a web portal.

4. The data to be captured

1. Two sorts of data will be captured and recorded for subsequent manipulation:
 1. **quantitative** data such as species, stem diameter, crown spread, height, date of inspection, date of re-inspection, the frequency of use of the target influenced by the tree, and
 2. **qualitative** data including an assessment of the tree's health, it's condition, the hazard it may pose, the target exposed to that hazard.
2. The data to be recorded may include numerical, textual, spatial or pictorial information: the data may be recorded in full or in abbreviated form as an agreed code.
3. One key piece of data that will be recorded for each and every tree will be the date of the next inspection: completion of this field will provide AMEY with the management information required to develop the programme for the second and subsequent surveys, see **2.2** above.

5. Tree risk assessment

1. There are a number of generally accepted protocols for assessing the risk that a tree may pose to adjacent targets, including but not limited to:
 - **Evaluation of Hazard Trees in Urban Areas**, Matheny and Clark 1994
 - **Hazards from Trees – A General Guide**, Forestry Commission, 2000
 - **Quantified Tree Risk Assessment**, Ellison, 1998
 - **Professional Tree Inspection**, Lantra, 2006
 - **Tree Hazard: Risk Evaluation and Treatment System**, Forbes-Laird, 2010



- **Visual Tree Assessment**, Mattheck and Breloer, 1994
2. Of the protocols listed above some are in the public domain as published papers or works of reference, others can only be accessed and used following attendance at a recognised training event.
 3. The protocol that has been adopted for the Plan is the **Tree Hazard: Risk Evaluation and Treatment System** (THREATS) developed by an Arboricultural Association Registered Consultant, Julian Forbes-Laird, www.flac.uk.com
 4. The THREATS **Guidance Note** is available at no direct cost as a download from the Forbes-Laird Arboricultural Consultancy web site, <http://tinyurl.com/7pfwurm>: AMEY will use the abridged version of THREATS that is embedded within ezytreev in what is described in the Guidance Note as “a compressed form to evaluate risk as part of larger scale tree surveys”.
 5. The first cycle of the survey regime will vary from the protocol established in THREATS in one significant detail: because there is no antecedent data from which to determine survey priorities the survey will proceed on a geographic basis, not on the perceived level of hazard (which will remain unknown until the survey has been undertaken).
 6. During the first cycle of the survey regime each individual tree and certain individual trees in the woodlands and urban woodlands will be assessed according to THREATS and the **Risk Evaluation Sum** will be calculated and recorded.
 7. The Risk Evaluation Sum will be used to determine the priority for second and subsequent survey regimes.

6. Tree value assessment

1. The **Forest Research** publication from April 2011 **Research Note 008 Street tree valuation systems** <http://tinyurl.com/7j9hftu> refers to three generally recognised methods for assessing the value that may be afforded to a tree:
 - **Capital Asset Value for Amenity Trees** (2007 Christopher Neilan, United Kingdom, <http://tinyurl.com/82bamct>)
 - **Visual Amenity Valuation of Trees and Woodlands (The Helliwell System 2008)** (2008 Rodney Helliwell, United Kingdom, <http://tinyurl.com/84yexfz>)
 - **iTree** (2006 USDA Forest Service, United States of America, www.itreetools.org)
2. In addition, over the last 50 years, the **Council of Tree and Landscape Appraisers** (CTLA) has developed an approach to tree valuation that is based on internationally recognised valuation principles.
3. **Capital Asset Value for Amenity Trees** (CAVAT) has been adopted as the preferred tree value assessment tool for The Plan; AMEY will use the abridged version of CAVAT that is embedded within ezytreev.
4. CAVAT is available as a download at no direct cost from the **London Tree Officers' Association** web site, <http://tinyurl.com/82bamct>
5. During the first cycle of the survey regime CAVAT *will not* be routinely applied: the imperative will be to generate the Risk Evaluation Sum under THREATS in order to determine the priority for tree works and future survey regimes.
6. During the first cycle of the survey regime CAVAT may be applied in certain situations, particularly where a tree that is intuitively considered to be of high value or benefit has been surveyed and found to be in need of removal or remedial works which might affect the tree's appearance or perceived value or benefit.



7. The tree surveyors

1. The tree survey will be undertaken by suitably trained, qualified and experienced AMEY staff. Typical minimum arboricultural qualifications awarded under the **National Qualifications Framework** would include the NVQ/SVQ Level 3 in Treework, the AA/ABC Awards Technician's Certificate in Arboriculture, the EAC European Tree Technician, or a National Award or Diploma (depending upon the syllabus), or their successors under the **Qualifications and Credit Framework**.
2. In addition, the AMEY tree surveyors would have completed the Lantra Awards Professional Tree Inspection course.
3. The requirement will be that a surveyor is able to demonstrate their competence in the recognition of tree species, diseases, defects and signs of debility, and the consequences of those symptoms. On-going training will be made available as required in order to maintain the currency of the surveyors' arboricultural knowledge.
4. In addition, a surveyor will be able to demonstrate:
 1. understanding of and competence in the use of ezytreev in the field.
 2. understanding of and competence in the implementation of THREATS to a consistent standard in the field, and
 3. understanding of and consistent implementation of CAVAT in the field, and
5. It will be the surveyor's responsibility to acknowledge their own limitations in both knowledge and understanding to ensure that they do not attempt to sign off a survey for which they are not suitably and sufficiently qualified. The surveyor will be encouraged to refer those trees for a second opinion, including a recommendation for a more detailed inspection, including the use of decay detection devices such as the resistograph or sonic tomograph, should the surveyor determine that to be necessary.

8. The delivery of the survey

1. The survey delivery will conform to the **Arboricultural Inspection Method Statement** which is annexed to The Plan.

1. The cyclical survey regime

1. Currently there is no credible data available for the vast majority of the tree stock that is managed by AMEY. The first cycle of the survey regime will provide:
 1. a complete inventory of all the individual trees over 75 mm diameter at 1.5m above ground level and all planted trees, and
 2. an inventory of the woodlands and shelterbelts, in general by group or area rather than by individual tree, and
 3. an assessment of tree health and condition against the parameters of the abridged version of THREATS that is embedded within ezytreev, and
 4. an evidence-lead programme of re-surveys and more detailed tree inspections derived from the parameters recorded to generate the Risk Evaluation Sum using THREATS as embedded within ezytreev, and
 5. an evidence-lead programme of tree works by priority derived from the parameters recorded to generate that Risk Evaluation Sum.



2. The obligations and responsibilities of AMEY and PCC for the inspection of highway trees, as defined in **1.1.9** above, are set out in paragraph 22.12 of the **Notification of Change**.
3. The first cycle of the survey regime will be complete by no later than 31 July 2015.
4. Those outputs will generate the management information required by AMEY to:
 1. determine the appropriate resource profile for the tree service, and
 2. determine the appropriate budget for the tree service, and
 3. deliver sustainable tree management in an even and consistent way that can withstand scrutiny and audit, and
 4. create suitable reporting templates, and
 5. finesse the parameters of the data that is being captured.
5. It has been decided to base the first cycle of the survey regime upon geography, to start with Central Park and Itter Park and then adopt the following route across the electoral wards:
 1. Bretton North
 2. Orton Longueville
 3. Orton Waterville
 4. Central
 5. Ravensthorpe
 6. Dogsthorpe
 7. Werrington North
 8. West
 9. Werrington South
 10. East
 11. Bretton South
 12. Park
 13. Fletton and Woodston
 14. Stanground Central
 15. Paston
 16. Glinton and Wittering
 17. Walton
 18. Eye and Thorney
 19. Stanground East
 20. Barnack
 21. Newborough
 22. Orton with Hampton
 23. North
 24. Northborough
6. The proposed route does not follow a clear and ordered geographic route but is a response to the number of tree-related enquiries that have been received by AMEY.
7. This survey route has been amended based on further enquiries from residents, Councillors and from finding of those enquiries by Amey staff from the tree services team.
7. The progress of the survey will be publicised on both the PCC and AMEY web sites.



2. *Ad hoc* inspections outside the survey regime

1. In addition to the programmed first cycle of the survey regime there will be occasions when *ad hoc* inspections of specific trees or tree groups are required in response to an enquiry. During these inspections the surveyors will apply, in their abridged forms as embedded in the ezytreev software,
 1. THREATS, and
 2. CAVAT
2. The outputs from the *ad hoc* surveys will therefore provide the opportunity to balance the need for work, as derived from the application of the embedded THREATS protocol, with an indication of the value of the tree, as derived from the application of the embedded CAVAT.

9. Monitoring the survey

1. For the monitoring of the implementation of the survey to be adequate then AMEY will need to put procedures in place to demonstrate that each of the following have been met and any agreed benchmarks and or milestones have been achieved, and if they have not then what control measures will be put in place:
 1. the scope of the survey has been met: either the following are true or they are not:
 - all free-standing individuals have been plotted as individual data points,
 - all groups will have been plotted by reference to their drip-line,
 - the noteworthy individuals in groups have been plotted within the outline of the group as an individual data point.
 2. the extent of the survey has been met: either the complete set of data has been captured for each tree under AMEY's control, of these areas or it has not:
 - street trees (and highway trees, see [2.1.9](#))
 - trees in parks and open spaces
 - trees in some, but not all, schools
 - trees in woodlands
 - trees in the urban woods
 - village and rural trees
 - trees on other sites
 - Landmark Trees
 3. all the required data fields have been completed:
 - quantitative data is likely to be recorded from a sequence of drop down menus and so should be consistently presented,
 - qualitative data may be recorded as free text that may require editing before it can be used, editing may give the opportunity to a suitably qualified and experienced arboriculturist to verify the data
 4. the embedded version of THREATS has been consistently applied, across time, geography and the team:
 - the use of a suitably qualified and experienced arboriculturist to lead the analysis and comparison of the data captured by the team will help the team move toward a common vocabulary of risk and a shared understanding of the interpretation of the THREATS protocol
 5. the embedded version of CAVAT has been consistently applied, across time, geography and the team:



- as for risk assessment, the leadership of a suitably qualified and experienced arboriculturist will help the team move toward a common vocabulary of value and a shared understanding of the interpretation of the CAVAT protocol

10. Discharging the duty of care

1. The SIM 01/2007/05 states, at paragraph 3:

*Employers, persons carrying out undertakings or in control of premises all have duties under the HSW Act. In particular, there is the duty to do all that is reasonably practicable to ensure that people are not exposed to risk to their health and safety. Doing all that is reasonably practicable does **not** mean that all trees have to be individually examined on a regular basis. A decision has to be taken on what is reasonable in the circumstances and this will include consideration of the risks to which people may be exposed.*

2. The SIM 01/2007/05 continues, at paragraph 5:

In addition to duties under the HSW Act there are a number of reasons why . . . duty holders . . . may want to manage their tree stocks, for example responsibilities under other legislation and the risk of civil liabilities to:

- *reduce the risk of property damage from subsidence;*
- *maintain stocks to preserve their amenity, conservation, and environmental value;*
- *prevent personal injury through trips and falls on footways disturbed by tree roots; and*
- *prevent vehicle damage and personal injury from obscured sightlines on the highway.*

For these and other reasons, some duty holders may undertake inspection of trees in a manner well beyond the reasonably practicable requirements of the HSW Act.

3. The SIM 01/2007/05 continues, at paragraph 7:

Individual tree inspection should only be necessary in specific circumstances, for example where a particular tree is in a place frequently visited by the public, has been identified as having structural faults that are likely to make it unstable, but a decision has been made to retain it with these faults.

4. It is clear therefore that the knowledge gap dictates that the first cycle of the survey regime shall generate a complete inventory of tree-related data, something that SIM 01/2007/05 would describe as

inspection of trees in a manner well beyond the reasonably practicable requirements of the HSW Act.

5. It is also clear therefore that by adopting and fully implementing the stAmeys described in **2. Data capture** above AMEY will be able to discharge their duty of care under the broad range of legislation and case law affecting trees, people and property.



3. The tree service

1. The profile of the tree service

1. AMEY will determine the appropriate structure for of the tree service required to deliver the Plan, and the authority, competence and responsibilities of the individuals in that structure. The appropriate level of resource will be kept under constant review by AMEY.
2. Analysis of the survey data will lead to the development of a tree work programme; the most appropriate means to deliver the programme will be agreed between AMEY and PCC.

2. The budget

1. AMEY will deliver the tree service through existing budgets allocated to them via PCC. In addition to the resources allocated at the commencement of the contract extra budget was allocated in the **Medium Term Financial Strategy** for years 2012 to 2017.
2. The indicative costs of the common range of tree service tasks or services will be used to plot how to draw down the available budget.
3. For operational reasons it is likely that some of the works that are identified by the survey will be brought forward and completed in advance of the recommended date because of the need to use the overall budget wisely and to consolidate service delivery within particular areas at given times.

3. Sustainable tree management

1. The Plan seeks to help to deliver PCC's commitment to protect, plant and maintain the trees and woodland within its authority. Sustainable systems of management will be promoted that will aim to:
 - maintain or enhance the tree population
 - facilitate the removal of dangerous or potentially hazardous trees
 - promote biodiversity and conserve the tree/woodland eco-system
 - conserve veteran trees with significant ecological, historical and amenity value
 - establish a tree population with a balanced diversity of age class
 - optimize the use of timber and other products of tree management
2. Records of tree management decisions that were based on high quality management information will help to deliver tree care in an even and consistent way that can withstand public scrutiny and audit.

4. Management information

1. The summary of the recommendations in SIM 01/2007/05 is that the tree manager in the public realm, as the duty holder, should have the following management information:
 1. an overall assessment of risks from trees to enable the risks associated with tree stocks to be prioritised, and to help identify any checks or inspections that may be needed,
 2. a system for periodic checks, to involve a quick visual check for obvious signs that a tree is likely to be unstable to be carried out by a person with a working knowledge of trees and their defects, but who need not be an arboriculturist,
 3. a record of when an individual tree has been checked or inspected with details of any defects found and action taken,



4. a procedure to obtain specialist assistance when a check reveals defects beyond the experience and knowledge of the person carrying out the check,
 5. a system to enable people to report damage to trees and to trigger checks following potentially damaging activities, such as work by the utilities in the vicinity of trees or severe gales,
 6. specific assessments for those trees that the duty holder wishes to retain, despite the presence of serious structural faults,
 7. an action plan to manage the risk that has been identified by a check, without unnecessarily felling or pruning trees,
 8. a register of individual trees that require more detailed inspection because, for example, they have structural faults that are likely to make them unstable and a decision has been made to retain the tree with these faults in close proximity to targets,
 9. a monitoring regime to ensure that the arrangements are fully implemented.
2. As one of the leading tree management database systems the developers of ezytreev have ensured that the available fields and the software architecture have been designed to meet the recommendations of SIM 01/2007/05.

5. Reports

1. Data capture is predicated upon the available fields and the software architecture of ezytreev.
2. Once the data has been recorded ezytreev allows it to be interrogated in a variety of ways and for high quality management information to be generated in a number of formats that will be suitable for a wide variety of purposes.
3. Typical reports that will be generated will include:
 1. the progress of the survey, both within each electoral ward and also across Peterborough,
 2. an analysis of the enquiries that have been received, for example how many over what period, what type (emergency, 20 day etc), Location
 3. the prescriptions for work as generated by the survey,
 4. the delivery of the tree work programme generated by the survey,
 5. and so on.
4. The progress of the tree work programme will be publicised on both the PCC and AMEY web sites, updates may be shared using social media.

6. Finessing the survey

1. It is to be expected that as the survey proceeds the surveyors and the tree service will want to make changes to the data that is recorded, or the way in which it is recorded.



4. Tree management

1. AMEY will follow two broad principles when considering what tree management action is appropriate in each circumstance, be that as part of planned works or an emergency response:
 1. appropriate action will be taken to minimise a clear and foreseeable threat to the personal safety of residents or visitors, or of harm to property, which is directly related to the condition of, or presence of, an AMEY-managed tree, and
 2. early intervention will be preferred to prevent everyday arboricultural situations from developing into a hazard that is difficult or unreasonably expensive to control.
2. AMEY will not take action against normal, routine, seasonal household maintenance tasks which property owners are expected to carry out, for example
 1. the clearing of leaves from gutters and pathways, or
 2. the weeding of self-set seedlings from the property
3. The general presumption will be that tree pruning will provide the preferred option of a sustainable solution; however in some circumstances tree removal may be the only option.
4. The appropriate response in each circumstance will be determined by the particular facts, however an analysis of the previous decisions that have been taken, each one based on high quality management information, will help to deliver tree care in an even and consistent way that can withstand public scrutiny and audit.

1. The two broad principles

1. An obvious defect

1. For example, where there is a concern that at some time in the future large limb failure may occur
 1. pruning will be the preferred option to provide a sustainable solution to address an asymmetric or disfigured profile, a limb might be reduced or removed for example, or the complete crown managed, or the target moved away from the hazard; or,
 2. the premature removal of the tree may be the only realistic option in order to mitigate the risk.
2. A second example might be when there is a concern that root growth will cause a trip hazard to be created then:
 1. root pruning will be the preferred option to reduce that risk; however,
 2. where there is a real risk that a trip hazard might develop because of tree roots underneath a footpath or car park surface then the intention will be to intervene early and take decisive action, for example to remove the tree that is giving rise to the concern.
3. Threats that arise that are an indirect consequence of the presence of the tree (including for example slippery leaves on the pavement in autumn, or seasonal fruit fall) will only be dealt with in extraordinary circumstances and when AMEY considers that no other option is available.

2. Early intervention

1. As a consequence of cyclical maintenance as part of planned works Amey will seek to ensure that:



1. adequate overhead clearance is maintained for an adopted highway: 2.4 m is generally considered adequate for pedestrians, 5.2 m may be required for double-decker buses for example,
 2. forward visibility of the full face of road signs is maintained,
 3. street furniture remains unobstructed by Amey-managed trees,
 4. trees under their management do not prevent street lamps from illuminating the highway (the purpose of street lamps is to illuminate the public highway; where there is adequate illumination of the highway Amey **will not** normally take action to improve the levels of illumination for an adjacent property).
2. In general a pruning regime will be the preferred option to manage obstruction; however premature tree removal may be the only realistic option available to AMEY.

3. A range of circumstances

7. Wildlife

1. Trees have co-evolved and co-exist in the wild with a wide range of wildlife, including insects and birds: in general AMEY will take no action to try to resolve the possible conflicts that may arise because of wildlife as it is most likely that tree pruning or removal will simply displace the problem, it will not provide a sustainable solution. For example:
 1. trees provide a source of food, or shelter for birds to nest or roost; in consequence bird-droppings may become a local problem. However, pruning will be unlikely to provide a solution as the birds will continue to sit on the remaining branches of the tree,
 2. all trees change with the passing seasons and they will bear pollen, petals, fruit, seed, leaves or needles which will simply drop, uncontrolled, to the ground or be carried freely on the wind. AMEY will not consider action to alleviate the problems that may arise as the clearance of these arisings is considered to be part of the routine, seasonal property maintenance that householders are expected to carry out,
 3. honeydew is an excretion from aphids and other plant sucking insects, it is a sticky dAmeyosit, an almost pure sugar solution, similar to the plant sap from which it is derived. Honeydew can not readily be controlled by pruning and the cleaning of affected surfaces should be considered to be routine maintenance
2. In contract, grey squirrels are considered to be destructive and opportunistic and are very well adapted to exploit both urban and suburban habitats. They strip the bark of thin barked trees, and bury fruits, nuts and seeds often destroying the seed's growth-point before it is buried. They can easily access buildings and they may take up residence: they may gnaw through electrical wiring, lead or plastic pipe, roof timbers or felt.
3. AMEY will be prAmeyared to consider pruning trees to provide a clearance of 2 to 3m from buildings to deter squirrels, but will not consider felling trees to displace squirrels as this will not provide a sustainable solution.

4. Trees and buildings

1. As a consequence of cyclical maintenance AMEY will seek to ensure that adequate clearance is maintained between an AMEY-managed tree and adjacent buildings, in order to prevent abrasion damage to either.
2. In certain areas of Peterborough there may be
 1. residents' requests for mitigation where tree-related damage to low-rise structures has been alleged, or
 2. insurance claims where subsidence has allegedly occurred as a consequence of an AMEY-managed tree.



The appropriate response in each circumstance will be determined by the particular facts,

Streets and public highways

Threats that arise that are an indirect consequence of the presence of the tree (including for example slippery leaves on the pavement in autumn, or seasonal fruit fall) will only be dealt with in extraordinary circumstances and when AMEY considers that no other option is available.

Review

This document will be reviewed every 2 years by the partner Amey and Peterborough City Council.



5. Abbreviations and references

1. Abbreviations

CAVAT	=	Capital Asset Value for Amenity Trees
AMEY	=	Enterprise Peterborough
HSE	=	Health and Safety Executive
HSW Act	=	Health and Safety at Work etc. Act 1974
MHSWR	=	Management of Health and Safety at Work Regulations 1999
PCC	=	Peterborough City Council
SIM 01/2007/05	=	Sector Information Minute Management of the risk from falling trees
The Plan	=	Tree Risk Management Plan
The TWS	=	Tree and Woodland Strategy
THREATS	=	Tree Hazard: Risk Evaluation and Treatment System

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Appendix 5 - The Right Tree In the Right Place Framework

- Landscape Impact**
- Consider the existing use of the space and question whether the presence of trees would be a positive addition.
 - Identify the landscape type and what constraints this will place on the selection of species.
 - Examine existing habitats so as to assess their compatibility with additional trees and woodlands and therefore the latter's ability to add value.
 - Establish the history of tree cover to determine whether new additions would be appropriate.
- Site Constraint**
- Maintain local distinctiveness.
 - Assess the impact of planting on vistas.
 - Consider the presence of underground and overhead services.
 - Meet the statutory safety requirements of access for pedestrians and vehicles.
 - Assess impact on the nearest buildings to be sure that future potential problems can be minimised, particularly subsidence.
 - Prioritise sites in relation to where greatest public benefit can be realised.
- Species Consideration**
- Select species known to thrive on the soil type, its compaction, nutrients and available water.
 - Consider space available relative to size of tree at maturity unless the tree is destined for controlled management such as coppicing or pollarding.
 - Select the largest growing species the site will reasonably accommodate.
 - Consider use of natural regeneration where appropriate.
 - Where possible use native species.
 - Maintain diversity within the tree population planting no more than 10% of any species, 20% of any genus and 30% of any plant family.
 - Consider the species' tolerance to disease and wind damage.
 - Consider the use of fruit tree planting as a productive and attractive feature.
 - Consider potential nuisance of fruit fall in the autumn, slippery paths and associated requests for service to deal with problems.

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Summary of Tree Policies (TP)

TP 1: The Council will maintain its trees and woodlands in accordance with its obligations to observe duty of care and the safety of both people and property.

TP 2: The Council will encourage a better understanding of tree and woodland management and in so doing promote community involvement.

TP3: The removal of trees and woodlands shall be resisted, unless there are sound Health and Safety or arboricultural reasons supported within this strategy.

TP4: The Council will maintain its trees and woodlands in a way that demonstrates best practice, providing worthy examples of management for others to follow.

TP5: Council trees will not be pruned or removed to stop or reduce bird droppings from trees, or remove bird droppings from private land.

TP6: Council trees will not be removed to stop or reduce blossom from trees and fallen blossom will not be removed from private land.

TP 7: The Council will carry out work on council owned trees to maintain a minimum of:

- Road – 5.5 metre height clearance
- Cycle path next to a road or highway – 3 metres height clearance
- Footpath next to a road or highway – 2.5 metres height clearance

TP 8: Council owned trees will not be pruned or removed to stop the nuisance of overhanging branches

TP9: The roots of Council owned trees will not be pruned removed or cut to prevent roots entering a drain that is already broken or damaged.

TP10: Council owned trees will not be pruned or removed to stop or reduce the nuisance of fruit, berries, nuts or seeds, or remove fallen fruit, seeds or seedlings from private land including gutters.

TP11: There is no general policy to remove trees bearing poisonous fruit / foliage (such as yew trees). However, where it is claimed or known that unsupervised young children or livestock are likely to be exposed to poisonous berries or foliage, such cases will be investigated, and appropriate action considered.

TP12: Council owned trees will not be pruned or removed to stop or reduce leaf fall or remove fallen leaves from private property.

TP13: A Council owned tree will not be pruned or removed to improve natural light in or to a property including solar panels.

TP14: Council owned trees will not be pruned or removed to stop or reduce the nuisance of sucker growth on private land.

Summary of Tree Policies (TP)

TP15: There is no policy regarding personal medical conditions that may be specifically affected by nearby Council owned trees such cases will be investigated, and appropriate action considered.

TP16: Council owned trees will not be pruned or removed to stop or reduce the release of pollen

TP17: Work on a council owned trees will be undertaken to maintain clear sight lines (where feasible) at junctions, access points (associated with a street, road or highway), traffic signals and street signs.

TP18: Council owned trees will not be pruned or removed to reduce honeydew or other sticky residue from trees.

TP19: The council has in place active tree management systems to avoid damage being caused to buildings and other structures because of the action of council owned trees.

TP20: The council will make safe an unacceptable trip hazard caused by the growth of council owned trees.

TP21: If a council owned tree is touching a property (house, boundary wall, garage etc.) action will be taken to remove the problem.

TP22: Council owned trees will not be pruned or removed because they are considered to be too big or tall.

TP23: Council owned trees will not be pruned or removed to prevent interference with TV / satellite installation / reception.

TP24: Council owned *trees* will not be pruned or removed to improve the view from a private property.

TP25: Council owned trees will not be pruned or removed to stop or reduce incidents of perceived pests such as bees, wasps, or wild animals.

TP26: To endeavour to protect street trees from threats such as loss of verges and damage to same.

TP27: To place a priority on the replacement of ageing street trees; particularly where these adjoin major traffic routes. Planting will ensure the selection of the most appropriate species for the location.

TP28: To renew and restructure tree stocks planted by the Peterborough Development Corporation within residential areas;

TP29: To maintain formal arboricultural features in the urban landscape by careful management and timely renewal as required.

TP30: To take action to restructure belts planted with inappropriate species too close to neighbouring properties.

TP31: The Council will seek to reduce impact of woodland trees on adjoining properties

TP32: The woods will be managed in a fully sustainable manner which will include periodic thinning to allow proper crown development and light to reach the woodland floor.

Summary of Tree Policies (TP)

TP33: The woods will not be clear felled and management will be on a continuous cover basis.

TP34 The Council will encourage community involvement and advise residents when work is proposed.

TP35: To maintain tree cover within all the City's parks by renewing the tree stocks and increasing the range of age classes present

TP36: The Council will aim to achieve sustainable management of its ancient woodlands and to protect and preserve wet woodland habitats.

TP37: The Council will preserve and enhance the distinctiveness of village and rural trees in its ownership.

TP38: The Council will encourage an increase in tree cover by new and replacement planting, placing great emphasis on use of appropriate tree species.

TP39: To maintain a high level of training and awareness of tree pests diseases and take prompt action, in accordance with best practice guidance, to, as far as is practicable, alleviate the impact when they are discovered.

TP40: The Council will respond to tree issues within planning applications, in accordance with Local Plan Policies, in such a way that ensures the retention of good quality trees and woodland coverage or ensures its creation. Development will not be supported that would directly or indirectly damage existing ancient woodland or ancient trees.

TP41: The Council will require that new and replacement tree and woodland planting to be included in new development proposals wherever it is practicable to do so.

TP42: The Council will seek to ensure that all trees and woodlands making a positive contribution to the environment are protected.

TP43: The outright removal of good quality trees and woodlands shall be resisted unless there are sound arboricultural and technical reasons such as irrefutable evidence of damage caused to a property by soil volume change associated with trees.

TP44: The Council will promote public awareness and a better understanding of tree and woodland management through community consultation and involvement.

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Appendix 7

Consultation Protocol

TREE WORK OPERATIONS Tree Work Operations are described as follows:

Major Tree Work Operations

These operations are classified as any work that alters the appearance of a tree significantly. These works may include:

- felling of any live tree over 20cm diameter at 1.5m from ground level.
- transplanting a tree that, prior to transplantation, does not require the support of a stake or underground guying system.
- major crown reduction - in excess of 30% of the canopy.
- pollarding, if the tree has not been pollarded before, or has not been pollarded within the last 10 years.
- coppicing, if the tree has not been coppiced before, or has not been coppiced within the last 20 years.
- schedule of minor works that would have a significant cumulative impact on a landscape character or habitat.

Minor Tree Work Operations

These procedures are good management practice and are carried out in accordance with BS 3998:2010 'Tree work-Recommendations'. Some of the operations are undertaken on a regular, cyclical basis. The work should have no adverse impact upon the health of the tree, or significantly change its appearance, such that the amenity of the tree, or the townscape, is diminished. This work includes the following operations:

- Felling of dead trees.
- Felling of dying or diseased trees, where 40% of the canopy has died and no recovery is possible.
- Felling of newly planted trees that had been damaged, vandalised, diseased, dead or dying.
- Pollarding, when the tree is under a regular management regime.
- Coppicing, when the tree is under a regular management regime.
- Formative pruning of young trees to promote a well developed canopy.
- Cleaning out the canopy. This operation includes the removal of dead wood, diseased or dying branches and snags, which may harbour pests and diseases. It also includes the removal of crossing branches, unwanted climbing plants and objects.
- Crown lifting is a procedure which removes the lower branches from the main stem, or branch system, up to a specified height above ground. It is usually carried out to provide sufficient headroom

for pedestrians, cyclists and vehicles to pass under the canopy, or to allow light to reach surrounding plants and buildings.

- Crown thinning is an operation carried out to reduce the density of foliage. This may help to make the tree safer by reducing wind resistance, giving a more balanced weight distribution and removing unsafe branches. It stimulates good growth by admitting more light and air to the crown and encourages good branch development in young trees. Thinning may also be carried out to allow light into buildings.
- The following pruning operations:
 - The removal, or shortening, of branches which are interfering with overhead public utility wires and lamp heads.
 - The removal, or shortening, of branches which would, in time, become excessively long and heavy.
 - Shortening branches so as to manage excessive end weight.
 - Removing, or shortening, branches which are weakly attached, dead, detached but hanging, cracked, seriously decayed or a hazard.
 - Balancing the crowns of storm-damaged trees.
 - Crown reduction and crown thinning to reduce the lever arm or the sail area of hazardous trees.
 - Root pruning to abate minor structural damage, or a trip hazard.

TREE MANAGEMENT PROCEDURES Tree Management Procedures fall within four categories which are described as follows:

Proactive Works: These are the subject of planned management surveys. These surveys are usually undertaken on a cyclical basis. In some circumstances, the client service may request a survey to be undertaken of a tree(s) on land for which it is responsible. Works set out in the schedules may include tree work operations of a major and minor nature.

Reactive Works This is reactive work. It is usually scheduled in response to enquiries or notifications to the Council, but may also include work identified as part of an unscheduled inspection. Works may include operations of a major and minor nature.

Emergency Works. These works are required to make a tree safe without delay. Under the Framework Agreement the contractor appointed to deal with such work shall be available 24 hours a day, 365 days a year, and is required to respond to a call out immediately. Occasionally, an event may occur whereby a tree does not present a hazard, but the situation, or circumstance, requires an immediate solution which can only be resolved by pruning or felling. These works may include operations of a major and minor nature.

Urgent Works. These works are required to rectify a hazard and, in accordance with the Framework Agreement, must be undertaken within 7 or less working days. These works may include operations of a major and minor nature.

CONSULTATION PROCESS FOR TREE WORK OPERATIONS

Major Tree Work Operations Consultation will take place in advance of any works being undertaken. The consultation will comprise the following:

1. Relevant Parish and Ward Councillors shall be advised of Major tree work operations that are programmed 14 day in advance of the works.
2. The works will be advertised on the Council's website.
3. Notices shall be posted on trees stating the nature of the proposals, a brief explanation for the reasons for undertaking the work.

Minor Tree Work Operations Consultation –no formal consultation will take place in advance of the works other than relevant Ward and Parish Council's being notified of the pro-active works commencing in their area.

Emergency Works Consultation - No consultation will be undertaken

Urgent Works Consultation - No consultation will be undertaken.

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CABINET	AGENDA ITEM No. 9
15 JANUARY 2018	PUBLIC REPORT

Report of:	Simon Machen - Corporate Director Growth and Regeneration	
Cabinet Member responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Darren Sharpe - Natural and Historic Environment Manager James Fisher - Wildlife Officer	Tel. 01733 453596 01733 453543

DRAFT PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY FOR CONSULTATION

RECOMMENDATIONS	
FROM: Corporate Director of Growth and Regeneration	Deadline date: N/A
It is recommended that Cabinet approves the draft Biodiversity Strategy for public consultation.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following consideration by the Growth, Environment and Resources Scrutiny Committee held on 10 January 2018.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present the draft Biodiversity Strategy to Cabinet, with a recommendation to approve it so that it can proceed to public consultation.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.9, 'To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	Late 2018 (date to be agreed)
Date for relevant Council meeting	Late 2018 (date to be agreed)	Date for submission to Government Dept.	N/A

4. BACKGROUND AND KEY ISSUES

- 4.1 The current Strategy was adopted at Full Council in 2010 and now is considered to be an appropriate time to review the Strategy.
- 4.2 The new strategy aims to:
- Retain the existing Vision and Approach;
 - Revise actions already completed and add new actions where appropriate;

- Provide a clearer structure to the strategy (helped by Defra's recommendations as to how public authorities can show regard for biodiversity) under four key headings:
 - 1) Promoting Biodiversity in Planning;
 - 2) Showing Regard for Biodiversity on Public Authority Managed Land & Buildings;
 - 3) Protected Sites;
 - 4) Green Infrastructure.

4.3 Of particular note in terms of proposed revisions since the 2010 version, Members attention is drawn in particular to:

- The strategy is now more closely aligned with that set out in the new draft Green Infrastructure & Biodiversity SPD
- Greater emphasis on habitat connectivity, reflecting current Government guidance and policies
- Seeking to expand areas of open space managed to benefit wildlife and bringing existing wildlife sites into more beneficial management
- Summary report setting out Council's progress against delivery of the objectives set out in the strategy to be included in, or linked to, the Council's Authority Monitoring Report (AMR)

5. CONSULTATION

5.1 Growth, Environment and Resources Scrutiny Committee received a copy of the draft Strategy on 10 January. Any comments it makes will be verbally reported to Cabinet.

5.2 Subject to Cabinet approval on 15 January 2018, officers propose to consult on the draft Strategy in Spring 2018. That public consultation will allow officers to collect views from environmental organisations and other interested parties. The public will be invited to comment, though due to the technical nature of the document, it is more likely that comments will be received from those involved in environmental sector.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that Cabinet will approve the draft Biodiversity Strategy for the purpose of public consultation in Spring 2018. Following public consultation, the Strategy will be amended accordingly and then, ultimately, it will be recommended to Full Council for adoption later in 2018.

7. REASON FOR THE RECOMMENDATION

7.1 In exercising its functions, the Council has a duty under section 40 of the Natural Environment and Rural Communities Act 2006 to have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity. It is important therefore that the Council sets out a clear strategy to ensure biodiversity is considered in all Council strategies, plans, programmes and practices. The Council's constitution determines that the Strategy is a 'major policy item', and therefore can only be adopted in due course by Full Council. Prior to that, Cabinet is able to approve a draft for consultation.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Alternative options considered were:

Option 1 - do not update the 2010 Biodiversity Strategy. This which would represent a missed opportunity to: refresh the now outdated list of actions; present information in a clearer format; and reflect current Government advice. As such, this is not the preferred option.

9. IMPLICATIONS

Financial Implications

9.1 The Strategy is not intended to introduce financial implications for the Council, but instead to provide guidance to assist with meeting current legislative and policy requirements.

Legal Implications

- 9.2 The Strategy is not intended to introduce legal implications for the council or developers, but instead to provide guidance to assist with meeting current relevant environmental legislation.

Equalities Implications

- 9.3 There are no equalities implications anticipated.

10. BACKGROUND DOCUMENTS

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

- 10.1 Natural Environment and Rural Communities Act 2006 (Section 40)
- 10.2 The Biodiversity Duty for Public Authorities, Defra Guidance, 2014
- 10.3 Peterborough City Council Approach to Biodiversity submitted to the Environment Capital Scrutiny Committee in 2010
- 10.4 Biodiversity 2020: A strategy for England's wildlife and ecosystem services, Defra 2011

11. APPENDICES

- 11.1 Appendix 1 - Draft PCC Biodiversity Strategy

PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY

Draft for Consultation xxxx 2018



PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY

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5	Glossary of Terms.....	10-11

Preface

How to make comments on this draft Strategy

We welcome your comments and views on the content of this draft Strategy. It is being made available for a xxxx week public consultation. The consultation starts at on XX 2018 and closes on XX xxx 2018.

Comments can be made by email to: planningpolicy@peterborough.gov.uk

or by post to:

Peterborough Biodiversity Strategy Consultation
Sustainable Growth Strategy
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HF

All comments received will be taken into consideration by the council before a final Strategy is adopted later in 2018.

PETERBOROUGH CITY COUNCIL BIODIVERSITY STRATEGY

Our Vision

The Council fully supports the vision set out in Peterborough's Green Infrastructure and Biodiversity SPD (2018) to create an ecological network across Peterborough that is rich in wildlife, providing connectivity of valuable habitats between areas of high quality natural green spaces, delivering multiple benefits to both people and wildlife, whilst enabling the city to grow sustainably and providing a high quality of life for all.

To achieve this vision the Council recognises that whilst Peterborough supports many valuable wildlife sites, these are often poorly connected to surrounding habitats and that significant enhancements may be required to better buffer, expand and join up these habitats.

The Council recognises that Biodiversity and the Natural Environment enhance wellbeing and quality of life by enhancing the places in which we live, work and play. It can provide economic benefits through tourism and the production of quality local produce. Natural habitats can absorb flood waters, help treat pollutants and act as windbreaks. There are also cultural and aesthetic aspects to Biodiversity, for example through the writings of John Clare.

The Council also recognises that Biodiversity is a truly cross-cutting theme. The Council will therefore, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity¹. As such it will be considered in all Council strategies, plans, programmes and practices.

The City Council recognises that biodiversity is under threat from habitat and population fragmentation, climate change, invasive non-native species as well as development and land pressures. The City Council will play its part in countering these threats, working to protect and enhance, sites, habitats and species of biodiversity importance, including the protection and provision of a network of wildlife corridors and stepping stones to establish links between sites and populations of known wildlife interest.

The City Council will work with partners to seek to achieve a net gain in Biodiversity in the Unitary Area by protecting these key habitats, species, and habitat networks; mitigating against potentially damaging impacts; seeking compensation where damage is unavoidable; and enhancing existing or creating new habitats of value wherever possible.

Our approach

To achieve this vision for Biodiversity, the City Council adopts the following broad approach to show how the Council is demonstrating progress against Defra's recommendations as to how public authorities can show regard for biodiversity. This approach sets out the Council's objectives under the four key headings of Promoting Biodiversity in Planning, Showing Regard for Biodiversity on Public Authority Managed Land & Buildings, Protected Sites and Green Infrastructure. Specific actions have then been identified to deliver these objectives as set out in Table 1 below.

¹ As required by section 40 of the Natural Environment and Rural Communities Act 2006.



Table 1

	Objective	Specific Actions for PCC to deliver objective
Promoting Biodiversity in Planning		
	<p>1) Biodiversity in Planning: Ensure that biodiversity is protected and enhanced within the planning system in Peterborough and deliver the key principles for biodiversity set out in national planning guidance. Where full protection is not possible mitigation and compensatory measures should be put in place.</p>	<ul style="list-style-type: none"> • Planning Services department to seek advice of internal advisors, and relevant statutory and non-statutory conservation bodies with regard to specific development proposals as well as during the development of related planning policy documents. • All developments to demonstrate no net loss to biodiversity and achieve net gains wherever possible. • Encourage all major (EIA) development schemes to adopt the approach to biodiversity and green infrastructure promoted by Natural Cambridgeshire's Developer Toolkit. • Monitor net impacts to priority habitats, which are recorded for all EIA developments, seeking to ensure all schemes result in overall priority habitat gain.

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	Objective	Specific Actions for PCC to deliver objective
		<ul style="list-style-type: none"> Promote the protection, extension and creation of priority habitats via the planning system.
2)	<p>Biodiversity Data: Ensure that up to date biodiversity data is available and used appropriately to support this approach.</p>	<ul style="list-style-type: none"> Support CPERC via appropriate service level agreements to ensure up to date ecological data is provided to help inform planning decisions and to enable the Council to report annually on its progress of ensuring that Local Sites are in positive conservation management (i.e. those sites which are being managed in order to conserve their nature conservation interest).
Showing Regard for Biodiversity on Public Authority Managed Land & Buildings		
3)	<p>Green Spaces: Increase and diversify wildlife interest in green spaces and provide access to sites of wildlife interest for all sections of the community. Also to promote accessibility to wildlife by creating these new habitats in public areas and encourage their creation in private areas such as schools and Council-owned places of work.</p>	<ul style="list-style-type: none"> Develop a Pollinator Action Plan for Peterborough in partnership with local environmental bodies to help deliver the Buglife B-Lines initiative locally (please see Glossary for further information) Identify suitable additional green spaces where the frequency of grass cutting may be reduced to one or two cuts per year or where natural regeneration will be appropriate, expanding on existing 'biodiversity areas' network, seeking to remove arisings wherever feasible. Modify management of selective green spaces to encourage wildflowers, using native wild-flower seeds/ plants to further enhance grassland as required. Where PCC owned or managed land forms part of a wildlife corridor (e.g. road verges), its management will aim to facilitate its role as a part of the ecological network it is part of. Continue to review the use of pesticides, including neonicotinoid insecticides (NNI's) which are currently subject to a temporary moratorium banning the use of three major NNI's, on Council managed land (including through external service providers), seeking to reduce or eliminate their use wherever possible, such that their use is consistent, minimised and very carefully targeted in line with COSHH regulations requirements.

	Objective	Specific Actions for PCC to deliver objective
		<ul style="list-style-type: none"> The loss of hedges and shrubs will be resisted unless there are sound horticultural or other reasons to indicate otherwise e.g. the maintenance of highway safety, disease, structural damage or the hedging or shrubs are at the end of their useful life expectancy.
	<p>4) Non-native invasive species: Take action to deal with invasive non-native species where these are present on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.</p>	<ul style="list-style-type: none"> Employ best practice procedures to deal with invasive non-native species (which locally include Japanese Knotweed, Giant Hogweed, Orange Balsam, New Zealand Pygmyweed and Parrots Feather) on sites of wildlife importance; or where these are on land in the authorities control and threaten habitats and species of importance or the coherence of habitat networks.
	<p>5) Priority Habitat and Species targets: Contribute to the achievement of the Priority Habitats and Species Targets relevant to the authorities functions and area 2. To continue to support the Cambridgeshire and Peterborough Biodiversity Specialist Group.</p>	<ul style="list-style-type: none"> Seek to bring all Council-owned open spaces which support priority habitats and/ or species into positive management via appropriate habitat restoration and long term management techniques. Sites currently identified include Fletton Fields/ Melrose Drive balancing ponds, Cherry Orton Road Pond, Basil Green Pond, Botolph Green Pond, Tenterhill Recreation Ground, Cuckoos Hollow and Werrington Meadows. Support city-wide initiatives to create new priority habitats e.g. Forest for Peterborough. Support existing long-term monitoring and enhancement of key priority species including Peterborough's Barn Owl and Kestrel population and Four-spotted moth colony.
	<p>6) Local wildlife groups: Assist local voluntary wildlife groups in their aims of protecting wildlife and promoting interest in conservation.</p>	<ul style="list-style-type: none"> Provide support and technical advice for small-scale community wildlife schemes, including encouraging community management of existing landscaping where appropriate. Work with conservation bodies such as Peterborough Conservation Volunteers, Buglife, Froglife, Nene Coppicing and Crafts and the Wildlife Trust, as well as

² www.cambridgeshire.gov.uk/environment/natureconservation/action/partnership

	Objective	Specific Actions for PCC to deliver objective
		residents associations, to support their greater involvement in the management of Council-managed wildlife sites and informal green-spaces.
	7) Awareness raising: Make every attempt to ensure that employees and members of Peterborough City Council are aware of the importance of and need to safeguard, enhance and promote Biodiversity through the City Council's activities and thereby contribute to the achievement of this approach.	<ul style="list-style-type: none"> • PCC Wildlife Officer and Natural & Historic Environment Team to provide advice and guidance to all relevant Council departments with regards to green infrastructure and biodiversity.
	8) Wider understanding: Promote wider understanding and enjoyment of Peterborough's wildlife.	<ul style="list-style-type: none"> • Provide relevant information for residents on the Council's website to promote local wildlife such as wildlife-friendly gardening and general wildlife advice.
	9) Involvement: Promote active interest and involvement in wildlife issues at the local, national and international levels by all sections of the community at home, in the workplace, as a leisure activity and as part of the local economy.	<ul style="list-style-type: none"> • Promote opportunities for conservation volunteering on the Council's website.
Protected Sites & Areas		
	10) Statutory Sites: Take reasonable steps consistent with the proper exercise of the authority's functions, to further the conservation and enhancement of Sites of Special Scientific Interest, International Sites and Local Nature Reserves 3.	<ul style="list-style-type: none"> • Working in partnership with Froglife, seek to further enhance the only PCC owned SSSI & SAC (treebelt which runs along the southern edge of the Fletton Parkway), by managing the woodland and associated amphibian habitats for the benefit of great crested newts and other priority species in line with the wider site management plan.

³ As required by Section 28G of the Wildlife and Countryside Act 1981 (as amended).

	Objective	Specific Actions for PCC to deliver objective
		<ul style="list-style-type: none"> • Other opportunities to assist Natural England with the conservation and enhancement of SSSIs should also be supported. This may for example include efforts to create habitat links to connect SSSIs within the wider landscape. • Continue to work with Natural England in their role as statutory advisor in planning and development matters pertaining to Nationally and Internationally designated sites. • Identify suitable locations that may be designated as new Local Nature Reserves (LNR's), seeking to meet The Council's Open Space Standards.
	<p>11) Non-Statutory Sites: Work with the Wildlife Trust, GeoPeterborough and Local Sites Partnership to further the conservation and enhancement of Local Wildlife and Geological Sites. Also to ensure that up-to-date information is available for all local sites in Peterborough and work with partners to deliver the targets of the Environment Action Plan with respect to Local Sites.</p>	<ul style="list-style-type: none"> • All PCC-managed County Wildlife Sites to be positively managed to conserve and where possible enhance the site for the criteria for which they are designated CWS. • PCC are responsible for 13 out of Peterborough's 106 wildlife sites: <ol style="list-style-type: none"> 1) Eye Green LNR 2) The Boardwalks LNR 3) Bretton Woods complex LNR 4) Pocock's Wood 5) Debdale pond 6) Broadway Cemetery 7) Holywell Fish Ponds 8) Stanground Newt pond (part of) 9) Protected Verges Network consisting of a) Southey Lodge verge (Langley Bush Road); b) Stamford Rd./Heath Rd./ Ailsworth Rd./King St. verges (Includes "Marholm road" west of King Street Crossroad); c) Barnack road verges; d) Bedford Purlieus-Wittering road verge and e) Highfield road • The Council will ensure that all protected road verges are managed using best practice techniques which involves mowing in late summer/ early autumn and all arisings removed. • Re-survey of all wildlife sites in the Peterborough area is in part covered under a service level agreement between the Wildlife Trust and the City Council.

	Objective	Specific Actions for PCC to deliver objective
	<p>12) Nene Valley Nature Improvement Area: Support the objectives of the Nene Valley NIA within the Peterborough Unitary Authority area, aiming to create more and better-connected habitats which provide the space for wildlife to thrive and adapt to climate change.</p>	<ul style="list-style-type: none"> • Continue to provide support and advice to the NIA Board and associated initiatives within Peterborough. • Work closely with the Nenescape Landscape Partnership Scheme to ensure successful delivery of HLF funded projects within Peterborough.
Green Infrastructure		
	<p>13) Peterborough Nature Partnership: Working with the emerging PNP, contribute towards delivery of the priority projects identified in the GI & Biodiversity SPD to help form a coherent and less fragmented green infrastructure network of habitats across the authority area; which will be robust to the effects of and facilitate adaptation to climate change by species and habitats.</p>	<ul style="list-style-type: none"> • The Council will work with partners to coordinate the monitoring and delivery of priority GI projects identified in the GI & Biodiversity SPD.

Monitoring & Reporting

Annual Report

At the end of each financial year, a summary report setting out the Council's progress against the delivery of the objectives described in Table 1 will be included in, or alongside, the Council's statutory Authority Monitoring Report (AMR). This will also assist in showing how the Council is meeting its statutory duties of having regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity.

Single Data List 160-00 (Local Sites) Reporting

The Government requires all local authorities to report annually on their progress of ensuring that Local Sites are in positive conservation management (i.e. those sites which are being managed in order to conserve their nature conservation interest). Peterborough is currently in the top ten best performing local authorities in England and aims to maintain this situation during the period of this strategy. Please refer to the Glossary for further background information.

Glossary of Terms

B-Lines & Pollinator Action Plans:

B-Lines is an initiative from conservation charity Buglife which aims to establish a series of 'insect pathways' running through the countryside and towns, along which they are restoring and creating a series of wildflower-rich habitat stepping stones. They link existing wildlife areas together, creating a network, like a railway, that will weave across the British landscape. This will provide large areas of brand new habitat benefiting bees and butterflies, but also a host of other wildlife. Buglife has set up a B-Lines Hub:

They have also produced guidance for local authorities on producing pollinator action plans:

<https://www.buglife.org.uk/sites/default/files/Helping%20Pollinators%20Locally.pdf>

Local Sites & SDL 160-00:

The Single Data List is an ongoing project to measure the conservation and management of local sites. Local Sites are non-statutory areas designated at local level for their significant nature conservation value. They include both local wildlife sites (designated for significant biodiversity value) and local geological sites (designated for their significant geological value).

There are more than 40,000 Local Sites in England, covering contrasting landscapes in coastal, rural and urban situations. Although they do not have any statutory status, many are equal in quality to the representative sample of sites that make up the series of statutory Sites of Special Scientific Interest (SSSIs). They are an important component of England's ecological network and have an important role to play in meeting national biodiversity objectives. The single data list is an important tool for monitoring the trends in management of these sites. The data also contributes to the Biodiversity 2020 indicators which are used to measure the success of England's biodiversity strategy. Further information is available using the following link: <https://www.gov.uk/government/statistics/local-sites-in-positive-conservation-management--2>

Priority Habitats and Species:

UK Priority Habitats and Species are those which are of particular conservation importance throughout the UK. They are recognised in national and local planning policy. The Cambridgeshire and Peterborough Biodiversity Partnership has reviewed the Local Priority Species (formerly Local Species Action Plans). Over 200 UK Priority Species are found in Cambridgeshire and Peterborough. Further information can be found using [this link](#)

SSSI:

A Site of Special Scientific Interest (SSSI) is one of the country's very best wildlife and/or geological sites. Peterborough currently has 17 SSSI's either fully or partially within the unitary authority area. Further information can be found using [this link](#)

SAC:

Special Areas of Conservation (SACs) are sites designated under the EU Habitats Directive (Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora). Peterborough currently has 3 SAC's either fully or partially within the unitary authority area. Further information can be found using [this link](#)

LNR:

Local Nature Reserves (LNRs) are for both people and wildlife. They are places with wildlife or geological features that are of special interest locally. They offer people special opportunities to study or learn about nature or simply to enjoy it. Peterborough currently has 5 LNR's within the unitary authority area. Further information can be found using [this link](#)

NIA:

The Nene Valley Nature Improvement Area (NIA) is one of 12 NIAs that were selected through a national competition announced in the Natural Environment White Paper in 2011. It seeks to re-create and re-connect natural areas along the Nene and its tributaries from Daventry to Peterborough. Further information can be found using [this link](#)

Peterborough Nature Partnership:

The desire to establish a Peterborough Nature Partnership (PNP) was recognised during the drafting of Peterborough's Green Infrastructure and Biodiversity SPD, as a successor to the Natural Networks Partnership. It is currently anticipated that the PNP will lead on the coordinated delivery of the priority projects identified in the GI & Biodiversity SPD, supporting the project lead organisations in addressing specific delivery issues as well as in seeking appropriate funding.

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CABINET	AGENDA ITEM No. 10
15 JANUARY 2018	PUBLIC REPORT

Report of:	Simon Machen - Corporate Director Growth and Regeneration	
Cabinet Member responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Gemma Wildman - Principal Planning Officer Richard Whelan Water Management Engineer	Tel. 01733 863824 453454

PETERBOROUGH FLOOD AND WATER MANAGEMENT SUPPLEMENTARY PLANNING DOCUMENT (SPD)

RECOMMENDATIONS	
FROM: Corporate Director Growth and Regeneration	Deadline date: N/A
It is recommended that Cabinet approves the draft Flood and Water Management Supplementary Planning Document for public consultation.	

1. ORIGIN OF REPORT

- 1.1 The Peterborough Flood and Water Management Supplementary Planning Document (SPD) was adopted by the Council as part of the Peterborough Planning Policy Framework on 10 December 2012.
- 1.2 As part of the review of the Peterborough Local Plan an updated Flood and Water SPD is being prepared to support the emerging Local Plan, and to take into account changes to the Flood and Water Act and National Planning Practice Guidance.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for Cabinet to approve the draft Flood and water management SPD (See Appendix 1) for the purpose of public consultation. The SPD will provide guidance to developers on flood and water management in Peterborough. It will expand on overarching headline policy contained in the council's emerging Local Plan (Proposed Submission version January 2018). Officers propose to consult with the public and stakeholders on the draft SPD in Spring 2018.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.9, 'To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

4.1 The Flood and Water Management SPD was previously adopted by Peterborough City Council in 2012 to support existing policy and provide guidance to developers and decision makers on how to manage surface water and main river flood risk. Rather than providing any additional burdens, the aim was to assist developers in meeting the requirements arising from the Flood and Water Management Act 2010 and the Water Framework Directive.

4.2 The Flood and Water Management SPD is being updated to support the emerging Peterborough Local Plan. The current SPD links to a number of policies in the adopted Local Plan which will soon become out of date.

4.3 The aims of the updated Flood and Water Management SPD remain the same as the current adopted version, namely:

- (a) to make sure that new development does not increase the risk of flooding from main rivers and surface water and also, where possible, actively reduces it; and
- (b) to expand on emerging policy in the Peterborough Local Plan relating to flood risk management and water quality.

4.4 There have been a number of developments in the industry since the adoption of the original document that lead us towards the need to update our existing SPD, these include;

- Schedule 3 of the Flood and Water Management Act 2010 is, as yet, not enacted and indications are that this is not likely to happen in the foreseeable future
- National Planning Practice Guidance has been updated for Flood Risk, this includes changes to the requirements for assessing the impact of climate change on the drainage system in a new development
- The Department for Communities and Local Government released a ministerial statement relating to the application of Sustainable Drainage in new developments
- National Non-Statutory Technical Standards for Sustainable Drainage have been released following a working group which included the Department for Environment, Food and Rural Affairs, Home Builders Federation and Local Government representatives
- Peterborough Local Flood Risk Management Strategy was adopted in 2015 by the council and its partners to set out our approach to managing flood risk locally
- The Environment Agency website has now been amalgamated into Gov.uk
- National Pollution Prevention Guidance has been archived

4.5 In addition to incorporating the changes listed above we have also taken this opportunity to use feedback from developers and planners to improve our guidance including;

- Updating the 'how to use the document' section to be more user friendly
- Identifying sources of relevant information for developers and providing links
- Highlight organisations that can potentially adopt new assets
- Clarify some of the terminology and recently outdated tables
- Detailing all permit requirements that currently exist

4.6 These matters are all important in reducing the likelihood and consequences of flooding in Peterborough.

4.7 This update looks to make the document more succinct and accessible, with many changes based on feedback from planning officers and developers who regularly use the adopted SPD. It does not create new policy.

5. CONSULTATION

5.1 As part of the development of this draft SPD views have been sought from planning officers and

the development industry as to how best to update and improve the adopted SPD.

5.2 The SPD will be presented to Growth, Environment and Resources Scrutiny Committee on 10 January 2018. A verbal update of any comments will be presented at Cabinet.

5.2 Subject to Cabinet approval on 15 January 2018, a four week public consultation on the draft SPD will take place in Spring 2018.

5.3 The public consultation will allow officers to collect views from developers and other interested parties. The public will be invited to comment, though due to the technical nature of the document, it is more likely that comments will be received from those involved in development and water-related industries.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is anticipated that Cabinet will approve the consultation draft version of the Flood and Water Management SPD for public consultation in Spring 2018. Following public consultation, the SPD will be amended accordingly and then will be recommended to Cabinet for adoption later in 2018 (alongside, or shortly after, the adoption of the new Peterborough Local Plan).

7. REASON FOR THE RECOMMENDATION

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 applications where flood or water management issues occur.

7.2 The existence of policy and guidance that all of Peterborough's water management partners support will improve current and future service delivery through the more efficient processing of planning applications and future drainage application approvals

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 Alternative options considered were:

Option 1 - do not update the document, policies remain outdated, links broken and missed opportunity to simplify the process for those involved in managing flood risk through development, as such this is not the preferred option.

Option 2 - Remove the SPD from circulation - this would result in a loss of a valuable resource for both planners and developers and carries the risk of flood risk not being consistently managed, as such this is not the preferred option.

Option 3 (Recommended) - update the document with the appropriate changes in policy, legislation and best practice. The document is held in regard across the industry but has become a little outdated. There are also steps that can be taken to simplify the document for the end user and this seems the most appropriate option.

Option 4 - full rewrite, there is little likelihood of a significantly changed document being produced and the associated demand on resources make this an ineffective option.

9. IMPLICATIONS

Financial Implications

9.1 The SPD is not intended to introduce financial implications for the council or developers, but instead to provide guidance to assist with the new obligations both parties have under national and European legislation such as the Flood and Water and Management Act 2010 and the

Water Framework Directive.

Legal Implications

- 9.2 The council must follow statutory regulations in preparing and consulting on the SPD. After the statutory process concludes, the final SPD document will be recommended to Cabinet for adoption. Once adopted, the document will be used as a material planning consideration in the determination of planning applications.
- 9.3 The SPD is not intended to introduce legal implications for the council or developers, but instead to provide guidance to assist with the new obligations both parties have under national and European legislation such as the Flood and Water and Management Act 2010 and the Water Framework Directive.

Equalities Implications

- 9.4 This SPD does not introduce new policy and is in support of policies in the Local Plan which have been subject to an Equalities Impact Assessment.

10. BACKGROUND DOCUMENTS

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

- 10.1 The new Local Plan which was considered by this Scrutiny Committee at its meeting on 1 November 2017.

11. APPENDICES

- 11.1 Appendix 1 - Draft Peterborough Flood and water Management Supplementary Planning Document



Peterborough Draft Flood and Water Management Supplementary Planning Document (SPD)

Draft for consultation XXX 2018

Peterborough City Council
Sustainable Growth Strategy
Peterborough City Council
Town Hall
Bridge Street
Peterborough

Telephone: (01733) 863872

www.peterborough.gov.uk

Preface

This is the Draft Flood and Water Management SPD, which will in due course replace the adopted Flood and Water Management SPD (December 2012).

Background

Peterborough City Council is preparing a new Local plan which will replace the following adopted Development Plan Documents (DPDs):

- Core Strategy (2011);
- Site Allocations (2012)
- Planning policies (2012); and
- City Centre DPD (2014)

The current Flood and Water Management SPD (December 2012) supplements the Core Strategy (policy CS30) and Planning Policies DPD (policy PP20), which will soon become out of date. Therefore an updated SPD is needed to support the emerging Local Plan. It is also necessary to update the SPD to take into account changes to the Flood and Water Act and National Planning Practice Guidance. The overall aims, however, of the updated Flood and Water Management SPD remain the same as the adopted:

- (a) to make sure that new development does not increase the risk of flooding from main rivers and surface water and also, where possible, actively reduces it; and
- (b) to expand on policy in the Peterborough Local Plan relating to flood risk management and water quality.

This SPD has been written to supplement and support the Proposed Submission (January 2018) version of the Local Plan, particularly policies **LP32** (Flood and Water Management) **LP28** (Biodiversity and Geological Conservation) and **LP33** (Development on Land Affected by Contamination).

If anything substantially changes to the Local Plan prior to its adoption, then this draft SPD will similarly be updated before the adoption of this SPD.

How to make comments on the Draft Flood and Water Management SPD

We are consulting on the Draft Flood and Water management SPD between 09.00 on xx and 11:59 on xx. The SPD can be viewed on the council's website at:

www.peterborough.gov.uk and our customer service centre at Bayard Place, Broadway, Peterborough PE1 1FZ (opening hours are Monday to Friday 9am to 5pm) comments can be made by:

Email to – planningpolicy@peterborough.gov.uk

Or Post to:

Flood and water SPD consultation
Sustainable Growth Strategy
Peterborough City Council
Town Hall
Bridge Street

Peterborough
PE1 1HF

All comments submitted will be reviewed and any necessary changes made to the SPD. It is expected that the SPD will be adopted later in 2018 alongside, or shortly after, the adoption of the new Peterborough Local Plan.

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Abbreviations

Defra	Department for Environment, Food and Rural Affairs
DPD	Development Plan Document
FRA	Flood Risk Assessment
FWMA	Flood and Water Management Act (2010)
IDB	Internal Drainage Board
LDF	Local Development Framework
LLFA	Lead Local Flood Authority
NPPF	National Planning Policy Framework
PFRA	Preliminary Flood Risk Assessment
PPG	Planning Policy Guidance
SAB	Sustainable Drainage Systems Approving Body
SFRA	Strategic Flood Risk Assessment
SPD	Supplementary Planning Document
SuDS	Sustainable Drainage Systems
SWMP	Surface Water Management Plan
WFD	Water Framework Directive
WRC	Water Recycling Centre

1 Introduction

1.1 Background

- 1.1.1** This Supplementary Planning Document (SPD) was adopted by Peterborough City Council on *[date to be inserted – likely late 2018]* and replaces the previous version of the SPD adopted in 2012. It forms a part of the planning policy framework for Peterborough and focuses on managing flood risk and the water environment in and around new developments in Peterborough. In order to reduce the likelihood and consequences of flooding, it is necessary that development is located in a safe environment with appropriately designed and maintained drainage networks.
- 1.1.2** It is predicted that climate change will bring more frequent short duration, high intensity rainfall and more frequent periods of long-duration rainfall, this combined with the additional pressures on the existing drainage network means both river and surface water flooding are likely to be an increasing problem. Firm application of national and local planning policy should mean risks can be managed allowing sustainable development to continue.
- 1.1.3** Under the Water Framework Directive water environments must also be protected and improved with regards to water quality, water habitats and biodiversity. There are also protective designations on a number of important sites across Peterborough.
- 1.1.4** Developers should initially consider the advice provided in this SPD. Thereafter, the city council offers a pre-application service. Further information on this service can be found on the city council's planning [web pages](#)¹.
- 1.1.5** To ensure that Peterborough has a consistent, locally appropriate approach to flood risk management, the SPD should be used by:
- developers when selecting new sites for development
 - developers when preparing the brief for their design team to ensure drainage and water management schemes are sustainably designed
 - consultants when carrying out site specific flood risk assessments
 - design teams preparing masterplans, landscape and surface water drainage schemes
 - development management officers when determining delegated planning applications, making recommendations to Committee and drawing up S106 obligations that include contributions for Sustainable Drainage Systems (SuDS)

¹ <https://www.peterborough.gov.uk/council/planning-and-development/>

1.2 How to use this supplementary planning document (SPD)

This step by step guide aims to help guide developers and their agents through assessing the water environment considerations for new developments. The objectives are to ensure that the location and delivery of a development are sustainable and that no adverse effects to the water environment are created over the lifetime of the development.

Whatever stage the development is at, from master planning and pre application through to detailed design and construction we would recommend an early and continued conversation is had with the city council planning department, the necessary water management authorities and any organisation adopting the constructed drainage to ensure a smooth transition through this process.

The city councils pre-application advice service is provided by the Local Planning Authority and includes comments from bodies within the council such as the Lead Local Flood Authority. Other organisations such as the Environment Agency (EA), Internal Drainage Boards (IDBs) or Anglian Water (AW) would need to be contacted separately for their advice.

Step 1 – Development type and vulnerability

Confirm the type of development and its level of vulnerability, section 4.2.1. **Go to Step 2**

Step 2 – Assessment requirements

If the development type and location are allocated in the Local Plan then the applicant should check that the level of flood risk is unchanged from what is shown in the Strategic Flood Risk Assessment (SFRA). If the level of flood risk is unchanged then there will be no need for the site to pass through any sequential tests (section 4.3.1) but a site specific flood risk assessment may be required. **Go to Step 4**

If the site is not identified in the Local Plan or the level of flood risk has changed since the production of the SFRA it will mean the developer is required to pass a sequential test section 4.3.2. **Go to Step 3**

Step 3 – Sequential and Exception Tests

The **sequential** test looks to assess the site selection and potential vulnerability of the site against all sources of flood risk to ensure that development is appropriate section 4.4. **If a sequential test can be passed then go to step 4, if it cannot be passed then an exception test will be required, see below.**

The **exception** test requires the development to achieve wider sustainability benefits that outweigh the flood risk and demonstrate through a site specific flood risk assessment that flood risk can be managed and will not adversely affect adjacent property. **A site requiring an exception test will always require a Flood Risk Assessment, therefore if an exception test can be passed go to step 5.**

Step 4 – Is a Flood Risk Assessment (FRA) required?

Section 4.6 provides details of when a FRA is required for a site, this includes references to the requirements of the National Planning Policy Framework (NPPF), the EA and Middle Level Commissioners (MLC). These requirements apply to all sites including those which have passed through a sequential test. It is advised that the developers check the planning history for any site specific requirements which have been previously identified. **Go to step 5**

Step 5 – Pre-Application Consultations, FRA and Drainage Strategy

At this point we would recommend that the developer continue their consultation with the city council and also start to consult directly with other water management authorities such as the EA, IDBs or AW. Section 4.7.

This will help to set the scope of contents for the FRA and Drainage Strategy whilst also identifying any local knowledge of site constraints and highlighting permissions that may be required outside of the planning process to enable the development to take place.

A number of these considerations are detailed within the SPD including;

- Site characteristics and constraints (6.5.)
- Design Principles (6.6)
- Where the water goes (6.7)
- Water Environment (6.8)
- Adoption and maintenance (6.10)
- WFD assessment (7.2)
- Land contamination (7.9)
- Minerals and waste (7.10)
- Tourism, recreation and navigation (7.11)
- Health and safety (6.9)

For example a separate permission would be required from the owner of any sewer or watercourse that a developer intends to utilise to drain the site chapter 8.

Crucially the work carried out as a part of the FRA will inform the site design and feed into the Development of the Drainage Strategy. Guidance on what should be included within a FRA is described within section 4.8.4.

At an early stage the Sustainable Drainage (SuDS) design principles should be set out with confirmation that the rainwater hierarchy has been followed. The SuDS solutions onsite can then be further developed as a part of the strategy and in consultation with the council and its partners. It is important to remember that when delivering the Drainage Strategy the SuDS on site should look to achieve multiple benefits.

2 Setting the scene

2.1 Legislation, policy and guidance

2.1.1 Flood and water management in Peterborough is influenced by legislation, national and local policy, technical studies and local knowledge. Figure 2 1 below attempts to summarise the main contributing documents with the rest of the chapter providing some brief commentary.

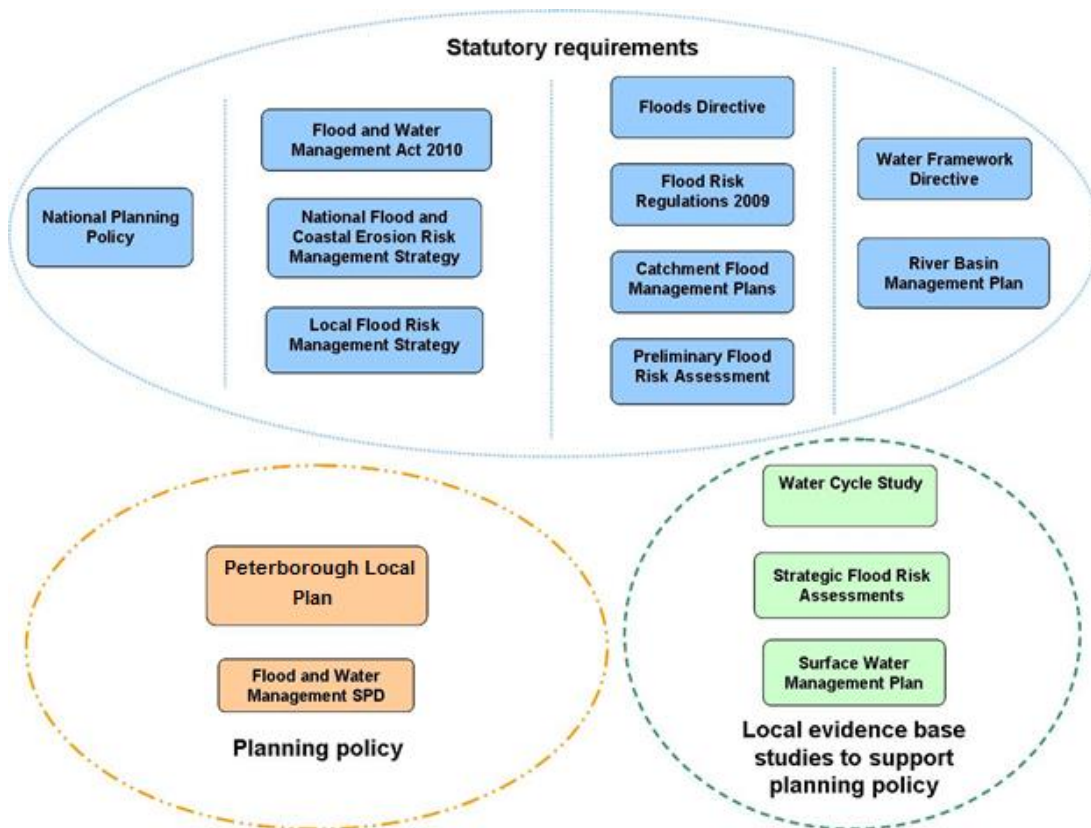


Figure 2 1: Linkages between relevant flood risk management documents and legislation

2.2 Local context

Local flood risk sources in Peterborough

2.2.1 Flood risk in Peterborough occurs from a variety of sources. These include:

- main rivers (18 of the watercourses in Peterborough, of a variety of sizes, have been classified as main river)
- ordinary watercourses
- surface runoff
- groundwater (high water table)
- reservoirs
- the sewerage network – sewers, rising mains and pumping stations

2.2.2 Landscape and flood risk characteristics vary across Peterborough. Notably the Fens area to the north and east varies from the rest of Peterborough because it is managed by Internal Drainage Boards (IDBs). In the 17th century the Fens were drained and IDBs now continuously manage the water levels in these areas. Without such management, the Fens would once again flood over.

The role of Peterborough City Council

2.2.3 The Lead Local Flood Authority (see 2.3.1) act as a statutory consultee on local flood risk as well as working with the Local Planning Authority to ensure that sustainable drainage systems (SuDS) are delivered on all major development. The council also continue to manage flood risk through their roles as a Land Drainage Authority and Local Highways Authority. The city council works with a wide range of other water and risk management partners in order to deliver its aims and duties in a co-ordinated way. Developing relevant planning policy and co-ordinating management procedures are important parts of reducing flood risk and ensuring that developments are appropriately drained.

The Environment Agency and Catchment Flood Management Plans

2.2.4 The Environment Agency has prepared catchment based guidance to ensure that main rivers and their respective flood risk have been considered as part of the wider river system in which they function. Catchment Flood Management Plans (CFMPs) discuss the management of flood risk for up to 100 years in the future by taking into account factors such as climate change, future development and changes in land management. As well as informing councils' planning policy and local flood management practises, the CFMPs will be part of the mechanism for reporting into the EU Floods Directive. The relevant CFMPs for Peterborough are for the River Nene, River Welland and River Ouse and these can all be accessed on the Environment Agency's Catchment Flood Management Plan [web pages](#)².

Peterborough Water Cycle Study and Strategic Flood Risk Assessment

2.2.5 The combined Water Cycle Study and Strategic Flood Risk Assessment (January 2018)³ for Peterborough sets out a range of recommendations. Linked to some of those recommendations, guidance in this SPD is provided on:

- creating a link between development, the Water Framework Directive and biodiversity priorities
- ensuring there is consideration of the capacity of the existing drainage network
- use of SuDS including the incorporation of green roofs, permeable pavements, swales and attenuation schemes

² <https://www.gov.uk/government/collections/catchment-flood-management-plans>

³ <https://peterboroughhcc.app.box.com/s/ss71rfi0ibjv5fwg7pns9x468zblk8ct>

2.2.8 The WCS and SFRA document provides the essential information on allocated sites including; flood risk, water supply, waste water management and biodiversity and conservation considerations. This allows the sequential test to be properly applied. SFRAs produced for Peterborough are available online on the city council's web library of [water management documents](#)⁴.

Peterborough Preliminary Flood Risk Assessment

2.2.9 The Peterborough Preliminary Flood Risk Assessment (PFRA) is a statutory document completed under the European Floods Directive. The PFRA process is aimed at providing a high level overview of flood risk from local flood sources, including surface runoff, groundwater, ordinary watercourses and public sewers. It is not concerned with flooding from main rivers or the sea.

2.2.10 The Peterborough PFRA report of June 2011 and subsequent addendum of 2017, confirms (based on the evidence collected) that there is no 'Flood Risk Area' of national significance within Peterborough's administrative area. However, the PFRA recognises that there are areas of flood risk with local significance that need further exploration. This is being undertaken as part of the Local Flood Risk Management Strategy (LFRMS)

Peterborough Local Flood Risk Management Strategy

2.2.11 The city council has adopted its [LFRMS](#)⁵ (which is one of its duties under the FWMA). The strategy sets actions to increase understanding and partnership work to tackle issues of flood risk in Peterborough. This focuses on addressing existing risks and highlights known local issues which may influence the delivery of new developments.

Local planning policy

2.2.12 The Proposed Submission Local Plan (January 2018) sets out the overall growth target of the city to 2036 and identifies sites delivery the growth targets.

This SPD provides detailed guidance to help implement the following policies:

- LP28 - Biodiversity and Geological Conservation
- LP32 - Flood and Water Management
- LP33 - Development on Land Affected by Contamination

(Please note: this SPD will be updated to take account of any changes made to the above policies in the adoption version expected by end of 2018)

⁴ <http://www.peterborough.gov.uk/waterdocuments>

⁵ <https://www.peterborough.gov.uk/council/planning-and-development/flood-and-water-management/water-data/>

2.3 National context

Flood and Water Management Act 2010

2.3.1 The Flood and Water Management Act (FWMA) places the responsibility for co-ordinating 'local flood risk' management on the county or unitary authority, making them a Lead Local Flood Authority (LLFA). In this context, the Act uses the term 'local flood risk' to mean flood risk from:

- surface runoff
- groundwater and
- ordinary watercourses

2.3.2 Peterborough City Council is a LLFA. The FWMA contains a range of different duties for LLFAs, including the need to prepare a Local Flood Risk Management Strategy.

2.3.3 The Act did seek to encourage the uptake of sustainable drainage systems (SuDS) by agreeing new approaches to the management of drainage systems and providing for LLFAs to adopt SuDS for new developments and redevelopments. At the time of writing this part of the Act was not enacted and alternative arrangements have been provided through the Town and Country Planning Order.

Ministerial Statement on SuDS

2.3.4 A [Ministerial Statement](#)⁶ was issued in December 2014 to 'make clear that the Government's expectation is that sustainable drainage systems will be provided in new developments wherever this is appropriate.' This change took effect from 6th April 2015.

2.3.5 Non Statutory Technical Standards for Sustainable Drainage Systems

In March 2015 the Department for Environment, Food and Rural Affairs released the [Non Statutory Technical Standards for Sustainable Drainage Systems](#)⁷. These standards address the design, maintenance and operation of SuDS.

National planning policy

2.3.6 Section 10 of the National Planning Policy Framework (NPPF) sets out the government's intention that planning should proactively help mitigation of, and adaption to, climate change including management of water and flood risk.

2.3.7 The NPPF states that both Local Plans and planning applications decisions should ensure that flood risk is not increased and that development should only be considered appropriate in flood risk areas where it can be demonstrated that:

- a site specific flood risk assessment has been undertaken which follows the Sequential Test, and if required, the Exception Test; and
- within the site, the most vulnerable development is located in areas of lowest flood risk unless there are overriding reasons to prefer a different location; and
- development is appropriately flood resilient and resistant, including safe access and escape routes where required; and
- that any residual risk can be safely managed, including by emergency planning; and
- the site gives priority to the use of sustainable drainage systems

⁶<http://www.parliament.uk/documents/commons-vote-office/December%202014/18%20December/6.%20DCLG-sustainable-drainage-systems.pdf>

⁷ <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

2.3.8 The Government has replaced the NPPF Technical Guidance with national Planning Practice Guidance (NPPG) to support the NPPF. The PPG for [Flood Risk and Coastal Change](#)⁸ advises on a series of tests that need to be met to ensure these risks are adequately considered for a development to be permitted. This includes steps to:

- assess the level the risk through Strategic Flood Risk Assessments and site specific flood risk assessments
- avoid the risk through sequential testing
- manage and mitigate against the risk using resilient and resist design whilst incorporating flood risk management measures and SuDS in developments

Town and Country Planning Procedure Order 2015

2.3.9 The Lead Local Flood Authority became a statutory consultee through this [order](#) from 15th April 2015⁹ and relates to surface water on major development.

⁸ <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

⁹ http://www.legislation.gov.uk/uksi/2015/595/pdfs/uksi_20150595_en.pdf

2.4 European context

The Floods Directive

2.4.1 The EU Floods Directive - 2007/60/EC came into force due to a need for European Union countries (member states) to better understand and gather accurate data about the risks from surface water flooding. In the UK the Directive came into force via the Flood Risk Regulations 2009 which in turn sets the requirement for Preliminary Flood Risk Assessments (PFRA) to be produced by all unitary and county councils. Peterborough's PFRA is discussed below under the heading on local background.

The Water Framework Directive

2.4.2 The Water Framework Directive – 2000/60/EC (WFD) is a piece of EU legislation that came into force in December 2000 and was enacted into UK law in December 2003. The legislation requires member states to make plans to protect and improve the water environment. It applies to all surface freshwater bodies, including lakes, streams, rivers and canals; transitional bodies such as estuaries; groundwater; and coastal waters out to one mile from low water. There are four main aims of the WFD which are to:

- improve and protect inland and coastal waters drive wiser
- promote sustainable use of water as a natural resource
- create better habitats for wildlife that lives in and around water
- create a better quality of life for everyone

2.4.3 The Directive requires European Union member states to:

- prevent deterioration in the status of aquatic ecosystems, protect them and improve the ecological condition of waters;
- aim to achieve at least 'good ecological status' for all water bodies by 2015. If a water body has good ecological status it means that it has biological, chemical and structural characteristics similar to those expected under nearly undisturbed conditions. Where it is not possible to achieve this by 2015, and subject to criteria set out in the directive, aim to achieve good ecological status by 2021 or 2027;
- meet the requirements of the Water Framework Directive Protected Areas;
- promote sustainable use of water as a natural resource;
- conserve habitats and species that depend directly on water;
- progressively reduce or phase out the release of individual pollutants or groups of pollutants that present a significant threat to the aquatic environment;
- progressively reduce the pollution of groundwater and prevent or limit the entry of pollutants;
- contribute to mitigating the effects of floods or droughts.

2.4.4 River Basin Management Plans produced by the Environment Agency detail the pressures facing the water environment and what actions need to be taken in order for the WFD to be met in each area. The [Anglian River Basin Management Plan 2009](#)¹⁰ covers Peterborough.

3 Consultation with water and flood risk partners

3.1 Principal water management partners and areas of interest

3.1.1 The city council recognises the importance of sharing expertise and information to be able to deliver effective and timely decisions. Flood risk should be factored into the earliest stages of applications and decisions.

3.1.2 A list of consultees and the relevant water related topics on which either the city council or the developer may need to consult them is presented in table 3-1.

¹⁰ <https://www.gov.uk/government/collections/river-basin-management-plans-2015#anglian-river-basin-district-rbmp:-2015>

Peterborough City Council

- 3.1.3** To date Schedule 3 of the Flood and Water Management Act 2010 has not been enacted, as such the anticipated SuDS Approving Body is not in place. April 6th 2015, Peterborough City Council as a Lead Local Flood Authority became statutory consultees for surface water flood risk to the Local Planning Authority. The city council manage a number of SuDS across the area and continue to adopt SuDS in new developments.

Drainage authorities in fenland areas

- 3.1.4** A large proportion of Peterborough is part of the Fen landscape and is specially managed to ensure that the area retains its significant agricultural, leisure and residential functions. The management is generally undertaken by Internal Drainage Boards (IDBs). IDBs are a type of operating authority which is established in areas of special drainage needs in England and Wales with permissive powers to undertake work to manage water levels within drainage districts.
- 3.1.5** There are four Risk Management Authorities managing the water levels in the fenland areas within the area of Peterborough City Council: North Level District IDB, Welland and Deeping IDB, Whittlesey and District IDB and the Middle Level Commissioners. The areas of each authority are illustrated in appendix A. Middle Level Commissioners is not technically an Internal Drainage Board but a Statutory Corporate. For ease of reference the Middle Level Commissioners have however agreed that the term IDB may be used loosely throughout this document to refer to all of the relevant drainage authorities.

Environment Agency

- 3.1.6** The Environment Agency is non departmental public body and has responsibilities for protecting and enhancing the environment as a whole (air, land and water) and contributing to the government's aim of achieving sustainable development in England and Wales. The Environment Agency manages flood risk from main rivers, but also has a strategic overview role across all types of flooding.
- 3.1.7** The Environment Agency has produced a list which details when it needs to be consulted on specific issues. This [consultation guide](#)¹¹ is available on the Environment Agency website.
- 3.1.8** The Environment Agency has created [standing advice](#)¹² to help determine when they should be consulted. This is aimed at Local Authorities but could be of use to developer teams. For the larger, more complex developments, standing advice is not sufficient and the Environment Agency should be consulted on the development application with an accompanying FRA. For some, generally smaller, development types the city council makes its decision without advice from the Agency.

Water and sewerage provider

- 3.1.9** As the water and sewerage company in Peterborough, Anglian Water Services Limited has the responsibility to maintain foul, surface and combined public sewers so that they can effectively drain the area. When flows are proposed to public sewers, Anglian Water needs to ensure that the public system has capacity to accept these flows. This is therefore assessed when a developer applies for a sewer connection. Information about Anglian Water's development service is available on their [website](#)¹³.
- 3.1.10** The Flood and Water Management Act 2010 intended to remove a developer's automatic right to discharge surface water to a public sewer. To date this has not been enacted.

3.2 Pre-application advice

¹¹ <https://www.gov.uk/guidance/developers-get-environmental-advice-on-your-planning-proposals>

¹² <https://www.gov.uk/guidance/flood-risk-assessment-local-planning-authorities>

¹³ <http://www.anglianwater.co.uk/developers/planning-services.aspx>

3.2.1 Many of Peterborough’s water management partners provide a pre-application advice service. There may be a charge for this service. The more information provided to the organisation about the site, its location and the proposed discharge points and drainage system, the better their advice can be. Some of the organisations have a specific form which needs completing. Peterborough City Council offer a pre-application service which is discussed in section 4.5.

3.3 Contact information

3.3.1 Table 3-1 provides an overview of the principal organisations which may need to be consulted during the development of a planning application. This list is not exhaustive.

3.3.2 Contact information and links for partner organisations are included on the city council’s water management [web pages](#)¹⁴.

Table 3-1: A simplified table of partner organisations with which it would be useful to consult during preparation of the water related elements of a planning application.

Organisation	Flood risk	Drainage (quantity and quality)	Land contamination	Water habitat (WFD, biodiversity)
Environment Agency (EA)	The Environment Agency should be consulted on any development on land of one hectare or more and any development requiring Environmental Impact Assessment. They are also consulted on specifically water related issues as detailed below:			
	All major and residential minor development sites within Flood Zones 2 or 3, sites within Flood Zone 1 that have been previously identified as having drainage issues and sites within 20m of a main river.		Where risk exists that pollution of controlled waters (includes groundwater) may occur or may have occurred in the past.	Where the city council thinks there may be a risk of deterioration in WFD potential of freshwater systems
Internal Drainage Boards (IDBs)	Development in the Fens or where development may affect or use an IDB managed watercourse – see appendix A			
Anglian Water Services (AW)	Foul and/or surface water flood risk	Connection to surface water sewers or regarding foul discharge	Where flows to the public sewerage system may be affected.	
Peterborough City Council (PCC) –through the pre-application service or the application process	Surface water risk - Drainage Team/ Lead Local Flood Authority Residual risk - Emergency Planning Team	Site drainage - Drainage Team Highway drainage – Drainage Team and Highway Control	Risk to human health and property – Strategic Regulatory Services	Biodiversity, wildlife, WFD - Natural Environment Team

¹⁴ <http://www.peterborough.gov.uk/water>

Organisation	Flood risk	Drainage (quantity and quality)	Land contamination	Water habitat (WFD, biodiversity)
English Heritage	Where flood risk, drainage or contamination may affect a listed building, a conservation area or a Scheduled Ancient Monument.			
Natural England	Development is within or affecting a County Wildlife Site, SSSI, RAMSAR, SAC, SPA or protected species			
Wildlife Trust				Within or affecting a County Wildlife site, protected species or urban wildlife.
Cambridge and Peterborough Local Resilience Forum (includes Emergency Services)	Where residual flood risk exists on larger sites or those with vulnerable users			
Highways England	surface water flood risk			
Other organisations	Other organisations may need to be consulted depending on issues arising on site.			

It should be noted at this point that developers may require consents or permissions from the organisations detailed above which lay outside of the planning process. More information on this is available in Chapter 8 of this document.

4 Site selection for sites within flood zones

4.1 Introduction

4.1.1 The aim of this section is to give advice to developers and decision makers on how to address flood risk in the planning process and implement the requirements of policy Local Plan LP32 (Flood and Water Management). The flow chart in section 1.2 sets out the steps a developer should take. This section applies to all scales of development. Explanatory notes are also provided, where necessary, for each of the steps. The notes in 4.2 to 4.9 below explain what is meant and/or required by steps 1-5 in the flow chart in section 1.2.

4.2 Site vulnerability

4.2.1 Identify how 'vulnerable' the proposed development is using the vulnerability classification in table 2 of the [Technical Guide to the National Planning Policy Framework \(2012\)](#)¹⁵. This is important because different types of development are acceptable in different flood risk situations. In simple terms, the more vulnerable the development type is, the more important it is to locate it in areas of the lowest possible flood risk.

4.3 Need for Sequential Test

4.3.1 **Are the type and location of development specifically allocated in the Local Plan?** If the site has been specifically allocated in the city council's Local Plan for the same land use type that is now being proposed, then an assessment of flood risk, at a strategic level, has already been done. This will have included assessing the site, against other alternative sites, as part of a sequential approach to flood risk.

4.3.2 **Are the vulnerability classification and flood zones still compatible?** However, there is a small chance that there has been a material change in the flood zoning of the development site since the adoption of the relevant part of the Local Plan. The site must therefore also pass confirm the vulnerability classification and flood zones are still compatible with the proposed development as set out in the National Planning Practice Guidance. For example, the site may have moved, in whole or part, from one flood band to another. If this has occurred, and the site has moved to a higher risk zone (e.g. from Flood Zone 1 to Flood Zone 2), it will be necessary to demonstrate that the proposed development passes the Sequential Test (see below).

4.3.3 While the Sequential Test covers all sources of flood risk, the flood zones are the starting point. Flood zones refer to the probability of sea and river flooding only, ignoring the presence of existing defences. To check whether there has been a change in flood zoning, please contact the Environment Agency. Flood Zones 2 and 3 are shown on the online [Environment Agency Flood Map](#)¹⁶, with Flood Zone 1 being all the land falling outside Flood Zones 2 and 3. Peterborough's SFRA sets out which areas of Peterborough are protected by formal flood defences and assesses the hazard associated with the failure of these defences. This information should inform the Sequential Test and if necessary, the Exception Test – see 2.2.5 for more details on the SFRA.

4.4 Passing the relevant tests

Flood Risk Sequential Test (a sequential approach to site selection)

4.4.1 The Sequential Test is about applying a sequential approach to site selection putting sites with no or low flood risk ahead of those at higher risk. This applies for all sources of flood risk, as clarified by paragraph 101 of the NPPF and the accompanying Planning Practice Guidance for flood risk and coastal change.

¹⁵ <http://www.communities.gov.uk/documents/planningandbuilding/pdf/2115548.pdf>

¹⁶ <https://flood-map-for-planning.service.gov.uk/>

- 4.4.2** The starting point for the Sequential Test is the risk of sea and river flooding. If the site is within Flood Zone 2 or Flood Zone 3 the Sequential Test steps described by the [NPPF](#)¹⁷, the agreed [Sequential Test Process](#)¹⁸ note and 4.4.3 to 4.4.7 of this chapter should be undertaken.
- 4.4.3** Using the table below, developers are required to check whether the vulnerability classification of the proposed land use is appropriate to the flood zone in which the site is located. Table 4-1 taken from the [Planning Practice Guidance](#)¹⁹ also shows when an Exception Test will be required.
- 4.4.4** However, this table cannot be taken as the final answer to whether or not a development is appropriate; the Sequential Test (and the Exception Test, where necessary) must be completed in full for all sources of flood risk. For example, if a 'more vulnerable' development is proposed to be located on a site in Zone 2 (and hence receives a in table 4-1) it will then be necessary for this site to be compared to other reasonably available similar sites within lower risk areas (i.e. for this example in Flood Zone 1).
- 4.4.5** For the comparison of reasonable available sites within the city centre the area of search will be Peterborough's city centre boundary. For regional infrastructure the area of search will be the East of England, Northamptonshire and Lincolnshire. For all other sites the area of search is the Peterborough Unitary Authority area. More details on how to search for comparable sites can be found in Appendix E.
- 4.4.6** The definition of the functional floodplain is land where water has to be stored in times of flood. It includes the land which would flood with an annual probability of 4% (1 in 25) and the associated water conveyance routes and flood storage areas (sometimes referred to as washlands). The annual probability has been formally agreed for Peterborough by Peterborough City Council and the Environment Agency, as recommended by national policy.

Table 4-1: Flood risk vulnerability and flood zone compatibility
(source: Flood Risk and Coastal Change Planning Practice Guidance, Paragraph 67, Table 3, March 2014)

Flood risk vulnerability classification	Essential infrastructure*	Water compatible*	Highly vulnerable*	More vulnerable*	Less vulnerable*
Zone 1	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Zone 2	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Exception Test required	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Zone 3a	Exception Test required	<input checked="" type="checkbox"/>	X	Exception Test required	<input checked="" type="checkbox"/>
Zone 3b 'functional flood plain'	Exception Test required	<input checked="" type="checkbox"/>	x	x	X
Key: <input checked="" type="checkbox"/> = Development may be appropriate x = Development should not be permitted					

- 4.4.7** Once these steps have been undertaken, other sources of flood risk for the site must then be discussed. While there are not yet clearly agreed flood bands for other types of flooding, the Environment Agency has produced strategic scale modelling that may be of use in considering the risk both from surface water and groundwater flooding. The current mapping datasets in use are known as: the Flood Map for Surface Water; Areas Susceptible to Surface Water Flooding and

¹⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

¹⁸ <https://www.gov.uk/guidance/flood-risk-assessment-the-sequential-test-for-applicants>

¹⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/575184/Table_3_-_Flood_risk_vulnerability_and_flood_zone_compatibility.pdf

Areas Susceptible to Groundwater Flooding. Since the data is relatively new, it is updated regularly and those wishing to use the data should always enquire as to the latest version available and how this is being interpreted for Peterborough. The maps should be used in conjunction with discussions with the city council about any known surface, ordinary watercourse or groundwater issues.

Sequential approach to site layout

- 4.4.8** When designing a site layout, it is important that a sequential approach to flood risk is also used within the site, i.e. locating development in the areas of lowest flood risk within the site boundary. Use table 4-1 to guide this exercise.

Exception Test

4.4.9 As shown in table 4-1, the Exception Test can be applied in a number of instances. Application of the Exception Test ensures that new developments which are needed in medium or high flood risk areas will only occur where flood risk is clearly outweighed by other sustainability factors and the development will be safe for its lifetime, taking climate change into account. For the Exception Test to be passed:

- it must be demonstrated that the development provides wider sustainability benefits to the community that outweigh flood risk, informed by a SFRA where one has been prepared (see Appendix E for more guidance); and
- a flood risk assessment must demonstrate that the development will be safe from all sources of flood risk, will not increase flood risk elsewhere, and, where possible, will reduce flood risk overall.

4.4.10 Peterborough City Council advises the use of the outcomes set within the Greater Peterborough Partnership Sustainable Community Strategy 2008-21 as the framework for demonstrating whether or not wider sustainability benefits can outweigh flood risk. There are sixteen outcomes (listed on page 11 and 12 of the Strategy) against which the development should be scored. These outcomes are those that Peterborough wishes to see delivered in order to benefit its communities. [The Sustainable Community Strategy](#)²⁰ has been adopted by the city council and its partners as the overarching and guiding strategy for Peterborough.

4.5 Consult city council

4.5.1 The city council offers a pre-application service that covers planning applications and drainage information (and in future SuDS applications). Further information on this service can be found on the city council's pre-application [advice web page](#)²¹. Developers are advised to use this service to discuss any potential issues that might arise as part of planning the development. It is recommended to consider the following at this stage:

- Which water management organisations is it necessary to consult with?
- Does the council confirm that the Sequential Test, and if required the Exception Test, that have been undertaken are appropriate?
- Is there potential for contamination on site which could affect site design and layout and the types of sustainable drainage components used?
- How the site can meet national and local SuDS requirements?
- Does the council confirm that the proposed development may be acceptable in principle from the perspective of flood risk and other planning constraints?
- Is a flood risk assessment is required? See step 5 below.

²⁰ <https://www.peterborough.gov.uk/pdf/SustainableCommunityStrategySummary.pdf>

²¹ <https://www.peterborough.gov.uk/council/planning-and-development/planning-and-building/apply-for-planning-building-permission/?topic=1>

4.6 Need for flood risk assessment

4.6.1 National planning policy should be the first indicator of whether or not a site requires a FRA. Paragraph 103, footnote 20, of the [National Planning Policy Framework](#)²² provides detail of this.

A site specific flood risk assessment is required for;

- proposals of 1 hectare or greater in Flood Zone 1,
- all proposals for new development in Flood Zones 2 and 3, or in an area within Flood Zone 1 which has critical drainage problems
 - where proposed development, or a change of use to a more vulnerable class, may be subject to other sources of flooding.
- If the site may be at risk from the breach of a local defence (even the site is actually in flood zone 1). See section 4.6.2 for more information.
- Where the site is intended to drain to the catchment or assets of a drainage authority who requires an FRA
- Where the site's drainage system meets the criteria of the Middle Level Commissioners, as listed in 4.6.4.

4.6.2 In areas of Peterborough that are defended the residual risk of breaching of the defence can mean that locations in Flood Zone 1 could be at risk of flooding. While the recognised flood maps show the areas that would be at risk if there were no defences, the failure of such structures can produce different results. The pressure the water may be under at the time of breach and the pathway that it is forced to take may not be same as if water were naturally overtopping the river banks. For this reason a flood risk assessment may sometimes be required for sites proposing people-based uses in defended areas that are actually within Flood Zone 1. If this situation applies breach modelling is also likely to be required as part of the planning process since this would enable determination of the actual risk to a site (see SPD 5.2.2). Please seek advice from the Environment Agency or the city council if further explanation is required on this point.

4.6.3 A large part of Peterborough is fenland. Since management practises in this area vary, there are some scenarios not listed by the NPPF, where an FRA could be required within the Fens. Development meeting the following criteria is required to submit an FRA to the Middle Level Commissioners:

- development being either within or adjacent to a drain/watercourse, and/or other flood defence structure within the area of an IDB overseen by Middle Level Commissioners.
- development being within the channel of any ordinary watercourse within the Commissioner's area
- where a direct discharge of surface water or treated effluent is proposed into the Middle Level Commissioners' catchment.
- for any development affecting more than one watercourse in the Commissioner's area and having possible strategic implications in an area of known flood risk.
- development being within the maintenance access strips provided under the Commissioners' Byelaws.
- any other application that, in the opinion of the Middle Level Commissioners' Chief Engineer, has material drainage implications.

4.6.4 The requirement for FRA should not be confused with the requirement to consult the Environment Agency on certain types of planning application and FRA. Chapter 3 provides more information about when the Environment Agency should be consulted. For clarity, the requirement for site specific FRA where the Agency does not want to be consulted on applications is in practise much simpler, as the FRA need consist only of the basic information referred to by SPD 4.8.3.

4.6.5 Flood risk assessments that the Environment Agency will not be consulted upon will be reviewed by the city council. For householder development this could be as simple as ensuring the development is being designed with an understanding of how the floor levels should relate to flood event levels.

²² <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

For most development this is likely to be as part of agreeing an appropriate drainage strategy for the site.

4.6.6 Please note that passing the Sequential Test does not remove the need for FRA.

4.7 Water management consultees

4.7.1 Each water management organisation offers their own formal pre-application service for developers. It is recommended that this opportunity is taken to:

- agree the scope of an appropriate FRA, if relevant,
- find out about any major opportunities or constraints to the site with regards to the management of flood risk, drainage, contamination or the quality of related water environments
- agree the discharge points for site drainage
- obtain any data needed in order to prepare the FRA and drainage strategy

4.7.2 Chapter 3 provides information about water management organisations with which you are encouraged to consult during the preparation stages of a planning application. Which organisations you need to liaise with depends on where the development site is and what issues need to be discussed.

4.8 Content of flood risk assessment

4.8.1 Flood risk, site design and emergency access and access can affect the value of land, the cost of developing it and the cost of its future management and use. They should be considered, as part of the FRA, as early as possible in preparing development proposals.

Basic flood risk assessment for smaller application sites

4.8.2 A very simple FRA is required for the following types of development:

- householder development and alterations in Flood Zones 2 and 3
- non-residential extensions with a footprint of less than 250 square metres in Flood Zones 2 and 3
- development of less than 1 hectare in Flood Zones 2 and 3
- any change of use that results in the developments vulnerability class becoming higher risk (e.g. water compatible to less vulnerable or less vulnerable to more vulnerable)

4.8.3 The requirement for FRA consists only of the completion of a simple flood risk table which must be completed and submitted along with supporting evidence, as part of the planning application. The relevant tables can be found in the Environment Agency's [online flood risk assessment](#)²³ guidance by following the links from the relevant development type and flood zone.

Full flood risk assessment for other sites

4.8.4 The text box below sets out the requirements of a formal site specific FRA.

²³ <https://www.gov.uk/guidance/flood-risk-assessment-for-planning-applications>

Flood risk assessments should:

- a) take a '**whole system**' approach to drainage to ensure site discharge does not cause problems further along in the drainage sub-catchment/can be safely catered for downstream of the site;
- b) **be proportionate** to the risk and appropriate to the scale, nature and location of the development;
- c) consider the risk of **flooding arising from the development** in addition to the risk of flooding to the development. This includes considering how the ability of water to infiltration into the ground may change after development;
- d) take the impacts of **climate change** into account;
- e) be undertaken **as early as possible** in the particular planning process, by a competent person, to avoid abortive work raising landowner expectations where land is unsuitable for development;
- f) consider both the potential adverse and beneficial **effects of flood risk management infrastructure** including raised defences, flow channels, flood storage areas and other artificial features together with the consequences of their failure;
- g) consider the **vulnerability of occupiers and users** of the development, taking account of the Sequential and Exception Tests and the vulnerability classification, and include arrangements for safe access;
- h) consider and quantify the **different types of flooding** (whether from natural or human sources and including joint and cumulative effects). The city council will expect links to be made to the management of surface water as described in chapter 6. Information to assist with the identification of surface water and groundwater flood risk is available from the city council and the Environment Agency;
- i) identify relevant **flood risk reduction measures** for all sources of flood risk,
- j) consider the effects of a range of flooding events including the **impacts of extreme events** on people, property, the natural and historic environments and river processes;
- k) include assessment of the '**residual**' (**remaining**) **risk** after risk reduction measures have been taken into account and demonstrate that this risk is acceptable for the particular development or land use. Further guidance on this is given in chapter 5;
- l) be supported by appropriate **evidence data** and information, including historical information on previous events.

4.8.5 It should be noted that even if the development passes the Sequential Test and Exception, there may be other material planning considerations that would render the development inappropriate. Likewise, if it is not possible to design a new development which is safe and which does not increase flood risk elsewhere, then it is unlikely that development will be permitted. Therefore pre-application discussions with the city council and other flood risk consultees are encouraged as soon as possible in the process.

4.9 Conclusions – responsibilities

4.9.1 Landowners have the primary responsibility for safeguarding their land and other property against natural hazards such as flooding. This applies during the construction period as much as it does when properties are sold or rented out. Individual property owners and users are also responsible for managing the drainage of their land in such a way as to prevent, as far as is reasonably practicable, adverse impacts on neighbouring land.

4.9.2 Developers proposing development in areas of flood risk have certain responsibilities as set out in the box below.

Those proposing development in areas of flood risk are responsible for:

- demonstrating that the proposed development is consistent with national and local planning policy (please refer to chapter 2);
- undertaking sufficient consultation with the flood risk consultees (chapter 3);
- providing a FRA, as part of the planning process, which meets the requirements of section 4.8.4;
- drawing up and building site designs that reduce flood risk to the development and elsewhere by incorporating appropriate flood management measures (chapter 5), including the use of sustainable drainage systems (chapter 6).
- ensuring that any necessary flood risk management measures are sufficiently funded to ensure that the site can be developed and occupied safely throughout its proposed lifetime;
- identifying opportunities to reduce flood risk, enhance biodiversity and amenity, protect the historic environment and seek collective solutions to managing flood risk (discussed throughout this document).

5 Managing and mitigating risk

5.1 Measures to control flood risk

5.1.1 This chapter covers ways of controlling and managing risk through site design to ensure that developments will be safe. The information in this chapter is intended for use only after it has been demonstrated that developing in flood risk areas has been avoided as much as possible and the site and location are appropriate for the chosen type of development. Site specific flood risk assessments and the Exception Test must detail how a site will be made safe and this chapter will assist with this requirement.

5.1.2 It should be noted that the city council's overarching planning policy, within the Local Plan, does not support residential development in Flood Zone 3a unless the site consists of previously development land. The city council believes that without a site providing the benefits that regeneration, for example of previously developed city centre land can bring, it is very unlikely that residential development could be safe and sustainable in this location throughout its lifetime.

5.1.3 When undertaking a flood risk assessment or the Exception Test developers are strongly encouraged to work closely with the Environment Agency, the city council and Peterborough's emergency services partners (see chapter 3). Partners must agree that developments are safe and that flood risk management partners would be able to respond quickly and appropriately to any incidents.

5.2 Modelling and mapping

5.2.1 The following flood related factors can influence the design of new developments and should be considered in the site's FRA: flood source and mechanism, predicted flood level, flood duration, debris, frequency, velocity of flood waters, flood depth and amount of warning time.

5.2.2 If developers need to undertake more detailed modelling for their sites to be able to accurately demonstrate the timings, velocity and depth of water inundation to their site, then it is recommended that the scope of works is discussed with the Environment Agency.

5.2.3 There are two types of breach modelling:

- instantaneous breach: the maximum extent of one or more breaches. This information is generally required by the Environment Agency.
- progressive breach: this involves modelling a breach over time, as the breach size increases, so that the impact on a development site over time can be assessed. This type of mapping does not currently exist for Peterborough.

5.2.4 Some high level modelling of breaches and overtopping has been undertaken for the Lower Nene and can be viewed in the appendices of the [Strategic Flood Risk Assessment Level 2](#)²⁴. The data relating to this mapping is held by the Environment Agency, from whom modelling for the Welland is also available.

Climate change information

5.2.5 For guidance on how to take climate change into account in flood risk assessments please refer to the National Planning Policy Framework and supporting [national advice](#)²⁵. Table 1 provides the recommended sensitivity range for peak river flows, which should be used to plan for the impacts of climate change within the design of the development. For surface water management a 40% sensitivity range should be used for rainfall intensity when designing any developments unless agreed otherwise with the LLFA.

Site layout

²⁴ <https://www.peterborough.gov.uk/council/planning-and-development/flood-and-water-management/water-data/>

²⁵ <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

- 5.2.6** The layout should consider natural flow paths for water and be designed to cater for safe exceedance flows both on the development and for neighbouring property. Chapter 6 provides more information on the design of drainage systems and exceedance events are covered in section 6.8.7.
- 5.2.7** The inclusion of good quality green infrastructure has the potential to significantly increase the profile and profitability of developments. Low lying ground can be designed to maximise benefits by providing flood conveyance and storage as well as recreation, amenity and environmental purposes. Where public areas are subject to flooding easy access to higher ground should be provided. Structures, such as benches, provided within the low lying areas should be flood resistant in design and firmly attached to the ground.
- 5.2.8** Short-term or employment related car parking may be appropriate in areas subject to flood risk provided that flood warnings and signs are in place. The ability of people to move their cars within the warning time should be considered (hence the unacceptability of long term and residential car parking where residents may be away from the area for long periods of time). Car parks should ideally not be subject to flood depths in excess of 300mm depth since vehicles can be moved by water of this depth and may cause obstruction and/or injury.

Raising levels

- 5.2.9** Where it is not possible to avoid flood risk or minimise it through site layout, raising floor levels above the flood level is a possible option to manage flood risk to new developments. This could include the placing of parking (see SPD 5.2.9) or other flood compatible uses at ground level with more vulnerable uses at higher levels. This will not be appropriate in all situations, but may be considered in conjunction with the city council and the Environment Agency. Ensuring that safe access and escape will always be available to upper floors will be an essential part of design and of the ongoing maintenance and legal agreements for the development.
- 5.2.10** Single storey residential development is generally more vulnerable to flood damage as occupants do not have the opportunity to retreat to higher floor levels. For this reason single storey housing in risk areas must provide safe refuge above the flood level.
- 5.2.11** In raising ground levels it is important that consideration is made for surrounding properties and what changes the new land height may have in diverting flood flows, influencing land drainage or preventing safe access for neighbours during a flood event.

Flood compensation

- 5.2.12** Any proposals to modify ground levels will need to demonstrate in the FRA that there is no increase in flood risk to the development itself or to any existing property in any location. Where land on site is raised above the level of the floodplain to protect properties, compensatory land must be returned to the floodplain. This is to ensure that new flood risk is not created elsewhere in an unknown or unplanned for location. For undefended sites floodplain compensation must be both 'level for level' and 'volume for volume'. For example, in Peterborough city centre. Direct (onsite or opposite bank) flood compensation is preferable since it is easier and cheaper to ensure it functions correctly. If off-site flood compensation is to be considered developers should liaise with the city council to understand whether storage sites are available that could protect multiple developments and potentially lead to shared costs. CIRIA's report C624 entitled 'Development and Flood Risk - Guidance for the Construction Industry (2004)' provides detailed advice on floodplain compensation.
- 5.2.13** In defended areas compensation need not normally be provided to the same extent. This applies, for example, to areas to the north and east of Peterborough in the IDB areas. Developers should however assess the risks to the area and undertake mitigating action if the raising of land has the potential to create additional risk elsewhere (especially to life). Consultation should be undertaken with flood risk partners to determine what type of compensation land or other mitigating actions would be appropriate.

New defences

5.2.14 The construction of new flood risk defences to enable development to take place needs to be very carefully considered with the Environment Agency and the city council. New defences create new residual risks that can take significant investment to fully understand and plan for. The Environment Agency is also not obliged to maintain defences and could potentially reprioritise or reduce expenditure in this area. Where defences are required maintenance agreements will need to be reached through section 106 of the Town and Country Planning Act 1990 or section 30 of the Anglian Water Authority Act 1977. The latter can be used by the Environment Agency to adopt flood defences directly.

5.3 Managing the residual risk

5.3.1 Residual risks are those remaining after the sequential approach has been applied to the layout of the different site uses and after specific measures have been taken to control the flood risk. At this stage management measures are no longer about reducing the risk, but about planning for flooding. Management of the residual risk must therefore be the very last stage of designing and planning a site, where all options for removing and reducing risk have already been addressed.

5.3.2 This document only provides an overview of residual risk related management measures. For more detailed information readers are encouraged to read C688 - Flood resilience and resistance for critical infrastructure (CIRIA, 2010) or refer to the [Planning Practice Guidance paragraphs 41 and 42²⁶](#), - [Improving the Flood Performance of New Buildings - Flood Resilient Construction²⁷](#) and [Flood resilient building²⁸](#).

5.3.3 Where flood defence and drainage infrastructure has been put in place there will be risks associated with both its failure and with the occurrence of flood events more significant than the design level of the defence or system. These are residual risks which can be managed. The costs of managing residual risk may be low compared to the damage avoided. It should be noted that climate change is expected to increase the level of residual risk.

5.3.4 Different types of measures to manage residual risk include:

- developer contributions towards publically funded flood alleviation schemes
- designing sustainable drainage systems so that storm events which exceed the design standard are properly planned for and the exceedance routes are known and appropriate (requirement explained in section 5.2.7, and 6.6.7)
- flood resistance and resilience measures into building design
- flood warning and evacuation plans

5.3.5 Flood resistance stops water from entering a building and can be referred to as dry proofing. Measures include doorway flood barriers and airbrick covers. The effectiveness of flood resistance products depends upon the occupier understanding the features, putting them in place correctly when required and carrying out any needed maintenance. Water pressure and carried debris can also damage buildings and result in breaching of barriers. As a result these measures should be used with caution and accompanied by resilience measures.

5.3.6 Flood resilient construction accepts that water will enter the building but thorough careful design minimises the damage to allow the re-occupancy of the building as soon as possible. Resilient construction can be achieved more consistently than resistance measures and is less likely to encourage occupiers to remain in buildings that could be inundated by rapidly rising water levels. Under this heading, the use of water resistant fixtures and materials for floors and walls may be appropriate alongside the siting of sockets, cables and electric appliances at higher than normal levels.

5.3.7 Flood resilience also includes information based actions and planning such as:

- the use of clear signage within a development to explain residual risks or required responses such as displaying information on access doors, in car parks or on riverside walkways
- ensuring that appropriate flood insurance is available and is in place for buildings and contents. Further information and links about flood insurance are available on the [Gov.UK website²⁹](#).
- businesses developing and maintaining business continuity plans. The city council encourages business continuity planning across all risk areas and can be contacted for further advice.

²⁶ <https://www.gov.uk/guidance/flood-risk-and-coastal-change#address-residual-risk>

²⁷ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/7730/flood_performance.pdf

²⁸ <https://www.brebookshop.com/details.jsp?id=326889>

²⁹ <https://www.gov.uk/prepare-for-flooding/get-insurance>

- preparing and acting on flood warning and evacuation plans. These plans are an essential part of managing residual risk and advice should be taken from the [Cambridge and Peterborough Local Resilience Forum](#)³⁰ during preparation. Particular attention should be given to communicating warnings to and the evacuation of vulnerable people.

5.3.8 Evacuation plans must include dry access and egress routes wherever possible. Any variation in this, particularly the consideration of on-site refuge must be agreed by partners from the Local Resilience Forum. In this situation the city council will seek to organise a technical meeting with the Environment Agency's development and flood risk officer and flood risk management officers from Cambridgeshire's Fire and Rescue Service and the Police Force in order to agree whether the development's strategy for access, egress and refuge is appropriate.

5.3.9 The areas of Peterborough covered by the Environment Agency's flood warning scheme can be viewed on the Agency's [online map](#)³¹. While this scheme provides prompt telephone calls and SMS text messages to registered individuals, it is dependent on residents signing up to the scheme. Developers must also bear in mind that warning areas may not be extended to cover new development areas. The Environment Agency's scheme also only covers flooding from main rivers. Flooding from rainfall, surface runoff and groundwater often occur much more quickly, making warning more difficult. No specific local or national warning system currently exists for these more localised mechanisms and developers will need to consider this in ensuring developments will be safe.

³⁰ <https://www.peterborough.gov.uk/business/commercial-information/Resilience/>

³¹ <https://flood-warning-information.service.gov.uk/long-term-flood-risk>

6 Managing surface water drainage

6.1 Introduction

This chapter is intended to:

- raise awareness of issues that may need to be discussed as part of pre-application planning discussions.
- be applicable to all development using or having the potential for sustainable drainage systems. While the bulk of the chapter is aimed at major development, minor development and minerals and waste management sites. Also specifically applies to householder development. All requirements will be considered by the council in proportion to the scale, nature and location of the site. Further advice on this can be provided by the council as part of the pre-application service.
- Designing site layouts to ensure that SuDS minimise local flood risk and are sustainable in the long term is an important part of the wider flood risk management strategy for a new development. This chapter therefore sets out what elements of drainage need to be considered to create a 'sustainable' system.

- 6.1.1** The expected increase in intense rainstorms (as a predicted result of climate change) and the nature of traditional drainage means that the likelihood of surface water flooding will increase over time in Peterborough, with or without development. Existing drainage systems are generally not designed to cater for more significant rainfall events (those greater than a 3.33% probability), although it should be noted that the drainage systems maintained by the Internal Drainage Boards have a design standard of around 1.3% to 1% depending on the specific drainage authority.
- 6.1.2** Loss of permeable (porous) ground through development, extensions and paving, will also increase surface runoff flow rates and associated flood risk. Therefore the city council requires the drainage systems for all scales of development to be 'sustainable' and include a % for urban creep. In this context the city council defines this as minimising flood risk, improving water quality, bringing wider benefits other than just site drainage (improved local environment and biodiversity and a safe public amenity) and being maintainable over the long-term.
- 6.1.3** The combination of urban creep, climate change and previous design standards highlight why it is important that redevelopment will require improvements from the existing site water management to ensure flood risk is not allowed to increase over time and a standard of protection is sustained.
- 6.1.4** Retrofitting of sustainable drainage systems (SuDS) particularly in the urban area is also something that the city council and its partners are looking to promote where possible.
- 6.1.5** The Flood and Water Management Act 2010 (FWMA) originally intended to create a SuDS Approving Body (SAB). If schedule three of the Act was enacted the SAB in Peterborough would be the city council and they would approve, inspect and adopt SuDS features in the area. To date this has not been enacted.
- 6.1.6** As confirmed in the NPPF, flood risk is a very important consideration in the determination of planning applications. There are often significant interactions between different sources of flooding, and in some locations surface water flooding may present a much greater risk to the development than risk from main rivers. For planning permission the city council must be content that the development will not increase risk from any sources of flooding and that it has a sustainable drainage system approved. An organisation adopting SuDS will have their own specific requirements about how the system will function, its construction and how it will be maintained, the requirement of such information will be set out side of the planning process.
- 6.1.7** By using this SPD to assist with the designing of sites for planning permission it should be possible to avoid late consideration of the flood risk and drainage during the site design process which can result in trying to find space for water and lead to expensive solutions.

6.1.8 Note about the use of planning conditions:

If it is decided by the city council during the planning process that any elements of drainage will be left to a planning condition, the same information will be required to discharge that condition as would have been required as part of the original process.

However, elements such as where the water goes, contamination and site permeability must still be explored as part of the application process before conditions can be applied to ensure that any significant constraints to site development and drainage are known about before potentially undeliverable site layouts are agreed.

6.2 Information for householder development

6.2.1 A simple drainage statement should accompany a householder planning application explaining where the site's surface water will go. There may, for example, be local options for connecting to a water course or a piped sewer. If the city council highlights that there may be capacity issues in the area the statement will need to consider simple measures to reduce the quantity and flow rate of water discharged. Advice can be sought from the council's [Sustainable Drainage Team](#)³².

³² <http://www.peterborough-suds.org/>

6.3 Consistency with FRA

6.3.1 It is important that there is consistency between the development's flood risk assessment and drainage strategy. Developers may want to consider working with the same design experts/consultants for both pieces of work. For example, if a flood risk assessment identifies surface water flood risk to a site, the city council and partners will expect to see the management of this flood risk addressed in the design of the site and its drainage system.

6.4 Drainage subcatchment

6.4.1 When water draining from a site leaves the development, the water may flow through a variety of watercourses or surface water sewers before reaching its destination in the Nene, Welland or Ouse main rivers. The rate and quality of flow can therefore easily affect locations downstream. For this reason a drainage strategy must take a catchment or subcatchment based approach and consider the route and impacts of flows after they leave a development site. Examples of how this could affect a drainage strategy would be:

- if the post-site flow route takes water into a wildlife site the water quality of the discharge might be particularly important
- if a change in flow rates or volumes increases the flood risk to properties upstream or downstream.

6.4.2 The city council is keen to understand more about the local catchments and make this information available to help those planning drainage schemes. Maps of Peterborough's subcatchments and some of the different characteristics of, and variations between, the subcatchments are therefore available online within the city council's water documents [web page](#)³³. It is intended that the information will be updated as more information becomes available. Web links are also included to useful data sets such as the British Geological Society's SuDS Infiltration Maps.

6.4.3 Different subcatchments have very different characteristics and it will also be useful at any early stage to scope out the types of constraints and opportunities that may exist in the area around the site. Examples could be permeable soil which would allow site infiltration, or significant numbers of combined sewers and hence limited sewer capacity in the area.

³³ <https://www.peterborough.gov.uk/council/planning-and-development/flood-and-water-management/water-data/>

6.5 Submission and evidence requirements

Submission and evidence requirements

The application must be submitted with a detailed SuDS (Sustainable Drainage System) drainage strategy which includes the following;

- (a) Confirm details of low flow conveyance, overflow and exceedance routes
- (b) Confirm details of how run-off is collected from all hard surfaces to keep water at or near the surface
- (c) Confirm details of Source Control feature for each sub-catchment
- (d) Confirm details of each Site Control feature with flow control locations and details
- (e) Confirm details of conveyance features from place to place
- (f) Confirmation of final storage volumes and flow control rates
- (g) Confirm detail design of Regional (Catchment) Controls in public open space where appropriate
- (h) Confirm the outfall design for “the controlled flow of clean water” from the site
- (i) Plan(s) showing detail of the SuDS including levels, detail locations, detail drawings

- 6.5.1** Site drainage is a key part of flood risk management and must be clearly discussed within a site specific FRA. It is therefore strongly encouraged that site drainage strategies are undertaken alongside the FRA and the rest of the planning application. If consultants are being used, it is also likely to be more cost efficient and result in better cross linkages for the same consultants to undertake both the drainage strategy and FRA. If drainage designs are submitted to the city council at the same time as the planning application, the process of receiving planning permission (and sustainable drainage approval when relevant) will be much more efficient. This significantly reduces the risk of abortive work being carried out at the expense of the developer through the site and highway design stages.
- 6.5.2** Standard drainage submission requirements, such as the inclusion of a clear site boundary and location plan, are listed on the council’s planning portal [web page](#)³⁴.
- 6.5.3** Ground conditions such as instability or contamination can have a significant effect on the design of a site drainage system. For this reason testing should be carried out before the initial planning application submission so that it can be established whether the results will affect flood risk management, drainage or site design. Increases in or the spread of contamination must be avoided. Should contamination be a potential issue, policy LP33 of the Local Plan must be followed and further advice should also be sought from the Environment Agency.
- 6.5.4** The developer should be aware that there are various methods for testing the infiltration capacities of the ground these are detailed in Appendix B. Also within IDB areas, some of the drainage authorities have their own standards for infiltration testing. If the site is within this area then please contact the drainage authority for more information.
- 6.5.5** In the IDB areas the drainage strategy or the planning application with which it is submitted should include information about the impacts of site drainage, during and after construction, on buried archaeological deposits. This is likely to involve consideration of groundwater levels, movement of water on and off the site and water quality. This will be especially important if the site is deemed to be in an area of high archaeological interest, or if it contains, or is close to, a Scheduled Ancient Monument, in which case planning will already require consideration of wider impacts on heritage. Developers should seek to avoid and/or mitigate any damage and hence the city council would strongly encourage seeking advice from English Heritage at any early stage. For example when

³⁴ <https://www.peterborough.gov.uk/council/planning-and-development/planning-and-building/apply-for-planning-building-permission/>

Flag Fen was designated as a Scheduled Ancient Monument it was listed as being at high risk of damage due to the drying out of its surrounding environment.

6.6 Design principles

Design principles

- (a) A complete sustainable drainage system should meet all parts of **SuDS treatment train**. This is to ensure that the system functions exactly as it should and achieves the intended benefits.
- (b) The number of **treatment stages** within a drainage system must be appropriate to the uses onsite.
- (c) The **full range of SuDS techniques** must be considered for all sites with the most appropriate technique(s) taken forward.
- (d) All drainage strategies must demonstrate **flow paths and exceedance routes, mimic natural drainage paths** and include appropriate mitigation measures.
- (e) Allowances for **climate change and urban creep** must be factored into designs.
- (f) There should be appropriate **storage** incorporated within the site to allow for rain events up to a 1% annual probability (1 in 100) and an allowance for climate change.
- (g) Where applicable, previously **culverted watercourses should be opened up** to create more natural drainage and reduce the likelihood of bottlenecks/blockages that can occur and cause flooding in localised areas
- (h) The **ease of maintenance** is an essential part of the design of sustainable drainage system
- (i) As well as managing water quantity and quality, SuDS can and should enhance the wider environment by providing opportunities for a net gain in biodiversity and delivering public amenity. However it must be remembered that the **primary function** of SuDS is to effectively drain an area.
- (j) The use of **permeable** surfaces on site (both green and paved) is encouraged.

6.6.1 The layout and design of SuDS and other flood risk management measures must be considered at the beginning of the development process using the design principles set out in this document. A key element to successful SuDS is integrating the design into the development master plan/site layout at an early stage, while also considering how SuDS will be maintained. Good SuDS design also requires early and effective consultation with all parties that are involved in the approval process including the city council and all other relevant stakeholders identified in chapter 3.

What is sustainable drainage?

6.6.2 Sustainable drainage means managing rainwater (including snow and other precipitation) as close to the surface as possible with the aim of :

- reducing flooding
- improving water quality
- protecting and improving the environment
- providing amenity for the community
- ensuring the stability and durability of the drainage system

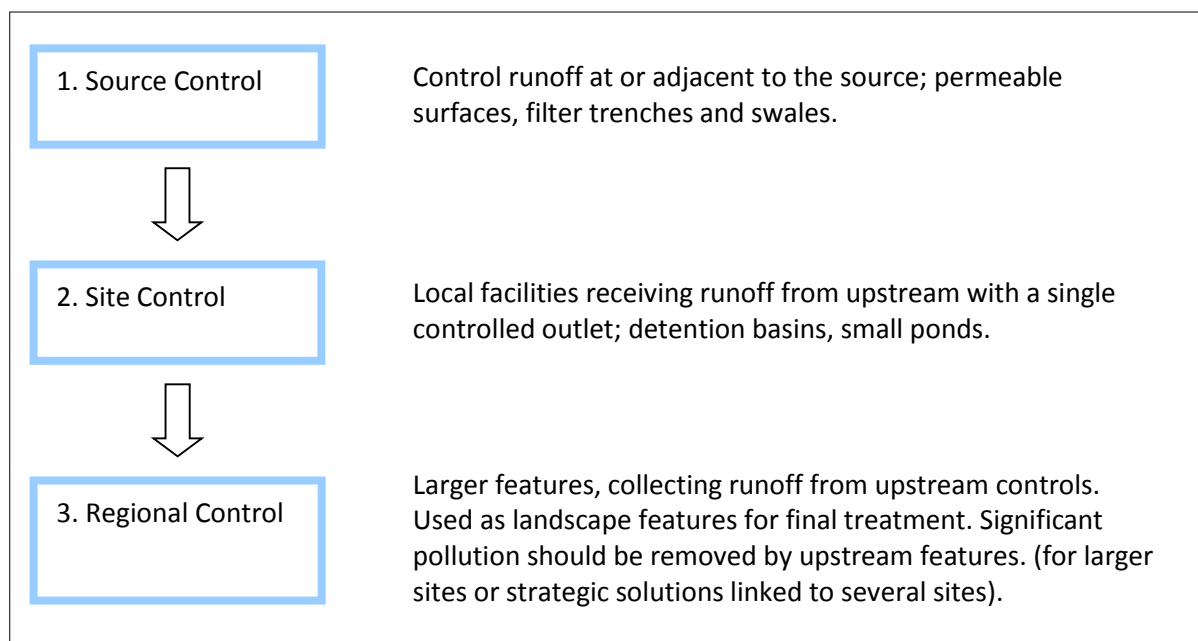
6.6.3 The primary function of SuDS is to provide effective drainage. SuDS replicate as closely as possible the natural drainage of the site before development. This reduces the risk of flooding downstream that could otherwise be caused when surface water with an increased flow rate leaves a development; helps to replenish groundwater; and removes pollutants gathered during runoff.

Management train and treatment stages

6.6.4 Different types of sustainable drainage components should be used in series throughout a development site in order to most effectively achieve the intended benefits of having SuDS. Figure 6-1 illustrates the hierarchy of use, known as the SuDS management train that should be followed

when planning the drainage strategy. The benefits discussed in 6.6.2 and 6.6.3 of this document are more likely to be achieved if the management train is followed.

Figure 6 1: SuDS management train



6.6.5 There are a wide range of sustainable drainage components available each using slightly different techniques to manage water. It is likely therefore that there will be a technique and components suitable for each site. Bear in mind that it is still possible to include traditional or piped methods within sustainable drainage systems. The overall design just needs to ensure that the different components work well together to achieve the end aims of sustainable drainage. Appendix B provides advice on where to find more information the SuDS management train, different types of SuDS components and their characteristics.

6.6.6 Different land uses result in differing qualities of water leaving a site. For example water running off a petrol station may be considerably more polluted than water from a residential roof. Each time water runs through a particular SuDS component the flow will be treated in some way to help reduce pollution – this is called a treatment stage. A greater number of treatment stages are required for more polluting land uses. Table 6-1 below was taken from the 2007 CIRIA SuDS manual and gives an approximation for many treatment stages are required for different land uses. These are approximate guides and should not be used to guide developments that carry a higher level of risk from pollution spills such as those storing chemicals or managing waste.

Table 6 1: Number of treatment stages required for different land uses

Runoff catchment characteristic	Minimum number of treatment stages required
Roofs only	1
Residential roads, parking areas, commercial zones	2
Refuse collection, industrial areas, loading bays, lorry parks, highways	3

Designing SuDS features

- 6.6.7** An exceedance route is a flow route that water will take over land when the capacity of a drainage system is exceeded, for drainage this is a rain event with an annual probability of less than 3.33% (1 in 30). It is crucial to effective flood risk management that exceedance routes above 3.33% are understood so that unexpected residual risks are not created. If flow routes are known they can be directed (through site design) to areas of less vulnerability. The city council and emergency services can also be prepared with appropriate responses. The preferred option is for exceedance routes to flow to open space where surface flooding for short periods of time are acceptable. Layout and landscaping will route water away from vulnerable property and avoid creating hazards to principal access and egress routes.
- 6.6.8** Local Plan policy LP28 states that the city council will not permit developments that do not take action to protect against the risk of Peterborough's international or European nature conservation sites being threatened by surface water drainage. This is referring to situations where there is the potential that surface run-off from the new development site could enter such sites. If this is the case, a sudden heavy downpour could cause flash flooding of the designated site, potentially destroying valuable habitat and nesting locations. An equally important issue is whether the quality of the water could change the habitat and kill sensitive species. Surface runoff can contain a wide range of pollutants that could harm the wildlife or habitats. The design of the site and its drainage system must take into account these issues, using SuDS to reduce the quantity of water and minimise pollutants, and including provision for acceptable exceedance routes away from the designated sites. This should be done in conjunction with the Environmental Impact Assessment.
- 6.6.9** A well designed surface water drainage system should ensure that there is no residual risk of property flooding during events that are well in excess of the capacity of the receiving system to which the site is discharging. No flooding of property should occur as a result of a storm of 1% annual probability (1 in 100) including climate change allowances. Much more detailed information can be obtained from [Designing for exceedance in urban drainage \(CIRIA, 2006\)](#)³⁵.
- 6.6.10** It is important that sufficient storage is incorporated within all drainage systems to allow for rain events up to a 1% annual probability (1 in 100) and an allowance for climate change. Storage provided through water re-use methods like rain water harvesting is not usually counted towards the provision of on-site storage for surface water balancing. This is because there may be times where the water is not re-used as hoped (e.g. for watering gardens or flushing toilets) and therefore storage will not be available for each new rain event. Rainwater harvesting is however recognised as very good practice for reducing the use of potable water and is encouraged by the council and its partners.
- 6.6.11** [Table 1 of the Planning Practice Guide](#)³⁶ for Flood Risk and Coastal Change provides information on recommended peak rainfall intensities for use when taking climate change into account within the design of the development. The city council expects a sensitivity range of 40% to be used for rainfall intensity for climate change when designing all developments.
- 6.6.12** [Appendix B of the Non Statutory Technical Standards](#)³⁷ sets out the appropriate allowances for urban creep considerations over the lifetime of the proposed development, this is set at between 0 and 10% depending on the density of the housing.
- 6.6.13** The culverting of watercourses is not generally supported by the city council. Culverting removes floodplain storage from a watercourse and can increase the risk of flooding upstream when bottlenecks or blockages occur. The need for improved green infrastructure corridors and the requirement for water environments to be improved under the Water Framework Directive are two other drivers for ensuring a natural environment around channels, ditches and dykes. Any loss of access to the watercourse can also be a serious problem for the city council and riparian owners who need to maintain the watercourse. Where culverting is required for access purposes the

³⁵ http://www.ciria.org/Resources/Free_publications/Designing_exceedance_drainage.aspx

³⁶ <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

³⁷ <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards>

developer will be required to obtain consent from the necessary flood risk management authority as set out in chapter 8, this is in separation to the planning application process.

- 6.6.14** The ease of maintenance is an essential part of the design of sustainable drainage system. As well as allowing for access, drainage designers should consider what kind of equipment would be required, e.g. to mow or remove sediment from a drainage system, and how often a certain types of SuDS component might need maintaining. Consideration will also be needed to allow sufficient access to maintain existing drainage and flood risk assets.
- 6.6.15** The city council is very keen to ensure that SuDS help to create a beneficial site environment. Sections 6.8 and 6.9 provide information on biodiversity and health and safety expectations.
- 6.6.16** It is recognised that some parts of Peterborough have clay-based soils and so infiltration may be not be possible to the same degree as in other areas of the Peterborough, this is not a reason to exclude SuDS. However, there is variation in soil type across Peterborough meaning that in some areas the soil may be more permeable. Infiltration tests will help to confirm the situation onsite.
- 6.6.17** A permeable area allows rain water to drain into the ground rather than run over a surface. There are certain rules relating to the provision of permeable areas. If an area of proposed hard standing at the front of a dwelling house exceeds five square metres, it will need planning permission unless it is of a permeable construction (made of porous materials) or provision made to direct runoff water from the hard surface to a permeable or porous area or surface within the curtilage of the dwelling (part F of the [General Permitted Development Order](#)³⁸).
- 6.6.18** Under Parts 8, 32, 41 and 42 of the 2010 amendments to the General Permitted Development Order, it is possible for warehouses/industrial, schools, offices and retail to implement certain floor areas of hard standing without planning permission. Please refer to the [2010 amendments](#)³⁹.

³⁸ http://www.legislation.gov.uk/uksi/2008/2362/pdfs/ukxi_20082362_en.pdf

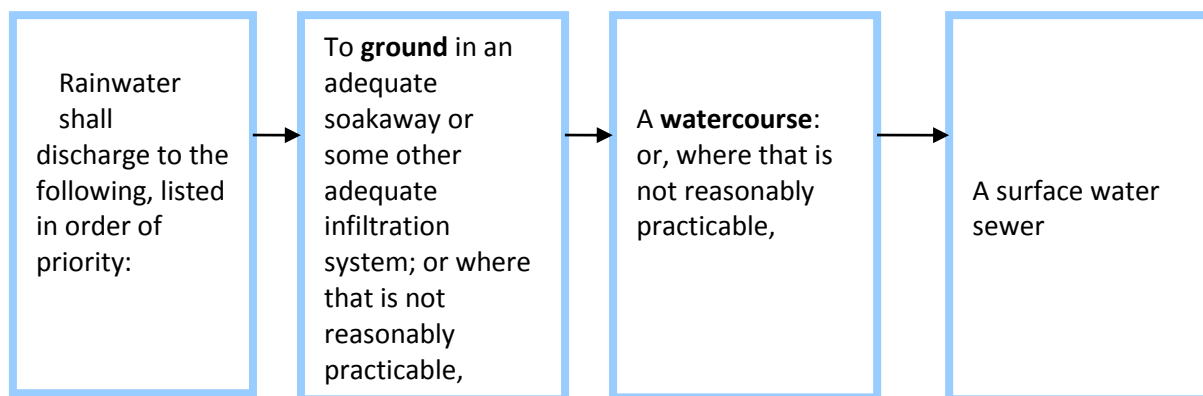
³⁹ <http://www.legislation.gov.uk/uksi/2010/654/contents/made>

6.7 Requirements for surface water leaving a site

- (a) Drainage strategies must demonstrate adequate consideration of each stage of the Building Regulations **rainwater drainage hierarchy** before moving to the next discharge option.
- (b) New surface water connections to the **combined or foul systems** will not be permitted.
- (c) If the site is brownfield, options for use of infiltration must still be demonstrated ahead of discharge to **existing surface water sewer connections**.
- (d) If the site is **brownfield and in an area of combined sewers**, the council and partners will seek betterment. It is expected through regeneration that surface water discharge will be reduced or removed from the combined system and will be managed in line with the rainwater drainage hierarchy (see Figure 6-2). Alongside source control measures, sites will be expected to consider the full range of SuDS techniques. Since unattenuated discharge to sewers will not normally be permitted, sites finding little potential for many of the SuDS measures will be expected to also consider on-site water re-use and recycling measures before final discharge.
- (e) If the site is greenfield, the design of SuDS must take into account **original greenfield drainage** catchments and the rate of runoff must be no greater than the greenfield rate.
- (f) If an application site is **adjoining a watercourse**, once infiltration opportunities have been maximised it will be expected that any remaining flows from the development will drain to this watercourse.
- (g) Developments wanting to discharge directly or indirectly into **Car Dyke** will need to demonstrate the impacts that any proposed actions will have on the Roman canal and plan mitigating actions.
- (h) Where a development will be discharging into an **Internal Drainage Board watercourse or into the River Nene** there are some specific circumstances where the council may allow a reduced level of attenuation prior to discharge to the watercourse. Source control and treatment of the 'first flush' of surface water will however still be required.

6.7.1 The [Buildings Regulations 2010 Part H3](#)⁴⁰ (2002 edition incorporating 2010 amendments) provides a rainwater discharge hierarchy, shown below, that must be followed. As this demonstrates, discharge of surface water from new developments to a sewer should only be considered as a last resort:

Figure 6 2: Rainwater drainage hierarchy



⁴⁰ <http://www.planningportal.gov.uk/buildingregulations/approveddocuments/parth/approved>

- 6.7.2** [Paragraph 80 of the NPPF](#)⁴¹ sets out a similar drainage hierarchy to building regulations;
- Into the ground (infiltration)
 - to a surface water body
 - to a surface water sewer, highway drain, or another drainage system;
 - to a combined sewer
- 6.7.3** There will be no new surface water connections to the combined or foul systems. Where sewers take rainwater as well as foul, this puts significant pressure on the network in the event of heavy downpours. In an environment where urbanisation has increased the amount of surface runoff entering the sewers, the risk of both foul and surface water flooding is increased as capacity in the system is reduced.
- 6.7.4** The city council and Anglian Water are seeking opportunities, through regeneration, to reduce and ultimately remove surface water discharge to combined sewers. This measure applies to brownfield redevelopment sites where surface water has historically drained into combined and foul sewers. Removal of surface water would leave the sewers to transport just the foul water from existing and future developments, thus reducing the flood risk presented by overloaded sewers.
- 6.7.5** Parts of Car Dyke have been designated as a Scheduled Ancient Monument due to the watercourse originating as a Roman canal. Any works proposed for the purposes of discharging water into the channel will need to be planned and undertaken sensitively and in keeping with the watercourse to ensure no deterioration to the nature of the monument. English Heritage and the city council may ask for a buffer between development and the watercourse as well as information about the water quality of the discharge and about any proposed outlet features to be used in or near Car Dyke. Mitigation of any impacts will be sought.
- 6.7.6** Discharge with reduced attenuation of surface water may be appropriate to the River Nene from riverside sites, although source control for pollution management is still required. For riverside sites, slowing down the discharge of water to the River Nene through the normally required attenuation measures might not always be the preferred approach for wider flood risk management. There is a time lag between heavy rainfall and high water levels in Northampton and the peak water levels being reached in the Nene in Peterborough. For some storm situations it could therefore be better if Peterborough's rainfall and surface water were removed from the system before the high flows arrive from upstream. The city council is willing to consider this as an option for riverside sites subject to the developer undertaking modelling to justify that flood risk from the River Nene will not be increased under certain rainfall conditions if less attenuation is permitted. If developers wish to consider this route they should jointly contact the city council's Flood and Water Management Officer and the Environment Agency for further information and to discuss what modelling work would be required. Reduced attenuation may also be considered if an application site is within an area managed by an Internal Drainage Board and the IDB is in favour of this proposal.

⁴¹ <https://www.gov.uk/guidance/flood-risk-and-coastal-change>

6.8 Water quality, biodiversity and habitat requirements

Water quality, biodiversity and habitat requirements

- (a) Opportunities to protect **wildlife habitat** or increase biodiversity on site should be taken ensuring that the wildlife requirements are fully compatible with the flood risk and drainage needs of the site.
- (b) **Planting** should assist and be appropriate to the function of the drainage system and preferably use native species that contribute positively to the local Biodiversity Action Plan.
- (c) All schemes **must prevent deterioration** of, or preferably enhance, water quality by reducing the risk of diffuse pollution in compliance with chapter 7. Where a water body is vulnerable to a change in ecological status or where biodiversity is particularly susceptible to change, a larger number of treatment stages might be required.
- (d) In designing infiltration systems, the depth of the infiltration system must be appropriate for local peak groundwater levels, ensuring that **no direct discharge to groundwater** occurs from the SuDS. This is to avoid a risk of groundwater pollution as well as to ensure that storage capacity is not lost.

- 6.8.1** The city council recognises that not all types of SuDS provide ecological benefits. However, the applicant is required to show that where practicable, the SuDS scheme will benefit water habitats and biodiversity. The city council therefore expects features such as ponds and wetlands to be planted to enhance biodiversity.
- 6.8.2** The planting of native species appropriate to the local conditions will be favoured and where appropriate the mix of planted species should aim to create habitats that contribute to the local Biodiversity Action Plan. Information about the [Cambridgeshire and Peterborough Biodiversity Action Plan](#)⁴² is available from the website of the Cambridge and Peterborough Biodiversity Partnership.
- 6.8.3** Some common landscape and ecological design requirements may have to be adapted slightly to ensure that the SuDS can function effectively. The city council's drainage and natural environment teams can agree these amendments. It will also be important that the types of planting proposed are considered in line with the design of the SuDS features. For example, the soil moisture profile may be very different at the top of a swale's bank to the bottom and this will need to be taken into consideration to ensure the success of both the plants and the operation of the drainage feature.
- 6.8.4** Consideration should be given as to whether SuDS within the development site can be designed appropriately to form part of dual amenity open space. SuDS features can provide opportunities for informal, quiet recreation and can also provide improved linkages between existing habitats. Peterborough's Green Infrastructure and Biodiversity SPD, referred to in section 6.9.7 highlights the importance of green infrastructure in linking green spaces for the benefit of both people and wildlife.
- 6.8.5** High level biodiversity information is also available in the document [Integrating Biodiversity and Development; guidance notes for developers](#)⁴³. This document covers a variety of ways to incorporate biodiversity into development.
- 6.8.6** As discussed in the [Peterborough Trees and Woodlands Strategy](#) (2018)⁴⁴, Peterborough City Council aims to sustainably maintain and improve the quality of existing tree and woodland cover as well as to find opportunities to expand the extent of woodland. Site design should therefore start with the assumption that existing native trees should be retained and where possible new native trees should be incorporated into the site design. Trees can provide benefits in terms of water

⁴² <http://www.cpbiodiversity.org.uk/biodiversity-action-plans>

⁴³ <https://www.peterborough.gov.uk/upload/PDFs/Planning/OSS/BioChklist%20Notesfordevelopers%20082013.pdf>

⁴⁴ <https://www.peterborough.gov.uk/council/planning-and-development/conservation-trees-and-hedges/tree-management/>

quality and flood risk management as discussed in the Environment Agency and Forestry Commission's [Woodland for Water \(2011\) report](https://www.forestry.gov.uk/pdf/FRMG004_Woodland4Water.pdf/$file/FRMG004_Woodland4Water.pdf)⁴⁵. The city council's natural environment team can provide advice on tree management.

- 6.8.7** Chapter 7 provides more detailed guidance on the importance of protecting and enhancing water environments to meet the Water Framework Directive.
- 6.8.8** The base of an infiltration system should have sufficient clearance above the peak seasonal groundwater levels this ensures that a rise in water levels during particularly wet periods will not cause groundwater to enter the base of infiltration system which would reduce capacity. It should also be noted that a direct discharge of surface water from that infiltration system into groundwater may contravene permitting requirements and environmental legislation.

⁴⁵ [https://www.forestry.gov.uk/pdf/FRMG004_Woodland4Water.pdf/\\$file/FRMG004_Woodland4Water.pdf](https://www.forestry.gov.uk/pdf/FRMG004_Woodland4Water.pdf/$file/FRMG004_Woodland4Water.pdf)

6.9 Health and safety, access and amenity requirements

Health and safety, access and amenity requirements

- (a) All SuDS schemes must be designed to ensure that the health and safety of people and animals is not put at risk. The environment created by SuDS must be a safe one. One of the council's SuDS objectives is to move away from the use of barriers, by schemes being designed to be inherently safe. A **health and safety statement/ risk assessment** must be submitted with all schemes to demonstrate that this principal has been applied;
- (b) If an application site adjoins a watercourse, development must be **set back** from it by a distance that allows appropriate access for maintenance or where relevant by the distance dictated in the byelaws of the responsible water management partner.
- (c) Schemes should consider how the site and incorporated **green infrastructure** can connect to the Peterborough Green Grid; and
- (d) All drainage schemes should have a **positive impact on the landscape**, create good quality spaces and where possible provide amenity value for residents

- 6.9.1** The Royal Society for the Prevention of Accidents (RoSPA) provides more detailed guidance about safety around inland water sites including SuDS in their [leisure safety guide](#)⁴⁶. Further information is also available in [chapter 36](#)⁴⁷ of the CIRIA SuDS manual.
- 6.9.2** An example of design that improves safety without the need for barriers is ensuring that the sides of SuDS features such as ponds and swales have very gently sloping sides. If a young children or elderly person can walk in they should be able to walk straight out again. Visibility of and around the feature is also important, not only so that visitors are aware of the features, but also for the purposes of passive or active surveillance.
- 6.9.3** Signage can be an important accompaniment to larger SuDS features, but must not be used as a replacement for appropriate design. Those potentially at risk may not be able to understand the signs. There is also benefit in signage covering a range of information issues relating to the drainage system so that residents can understand what they are seeing, know what functions and benefits the SuDS are delivering, and recognise safety precautions.
- 6.9.4** There must be appropriate space between the edge of a watercourse and development to allow for access and the use of equipment to maintain a water body. Even if certain types of maintenance are not envisaged initially consideration must be given to the long term situation. The required distance will vary according to the specific watercourse characteristics and any prescribed information contained within the byelaws of Peterborough's water management partners, see chapter 8. Wherever possible, SuDS features such as ponds and wetlands should be designed so that special machinery is not required to undertake maintenance.
- 6.9.5** Section 7.7.3 explains why set back is also important for wildlife, creating increased room for water based habitats and allowing wildlife access between fragmented habitats. Well linked habitat networks allow species to be more resistant to a changing environment and climate. Set back can also be required where it is needed to preserve the nature of a heritage monument such as Car Dyke.
- 6.9.6** The inclusion of green infrastructure and considered planting in developments is also of significant benefit in improving on-site drainage due to the increased interception and infiltration of water.

⁴⁶ <https://www.rospa.com/rospaweb/docs/advice-services/leisure-safety/journal/03-spring-2013.pdf>

⁴⁷ http://www.ciria.org/Memberships/The_SuDs_Manual_C753_Chapters.aspx

6.9.7 Further information about green infrastructure and the natural environment is available from the [‘Natural Environment’](#)⁴⁸ page of the city council’s website. The Peterborough’s Green Infrastructure and Biodiversity SPD, can also be downloaded. The aim of the Strategy was to draw up a framework for green space provision throughout Peterborough and its surrounding areas to ensure that the city’s growth goes hand in hand with the protection and provision of quality green infrastructure. Residents, visitors and wildlife should have access to a complete network of open space for leisure, access and habitat.

⁴⁸ <https://www.peterborough.gov.uk/council/planning-and-development/conservation-trees-and-hedges/natural-networks-partnership/>

6.10 Adoption and maintenance

Adoption and management

All sites must have made provision for the **properly funded** management and maintenance of the all drainage components for the lifetime of the development

- 6.10.1** The city council is keen to support developers in finding adoption arrangements for drainage system components and there are a number of opportunities available. Where site discharge would naturally flow into the catchment of an **Internal Drainage Board**, discussions about adoption by the IDB would be appropriate. Anglian Water may also consider adoption of certain systems and developers may wish to enter into discussions on this matter. The **city council** also has the power to adopt sustainable systems as a part of the public open space or highway, with a commuted sum for maintenance. It is recommended that developers who wish to consider these routes for adoption hold early discussions with the necessary organisation about this option so as to avoid designing and building assets which are not of an adoptable standard. Unless adopted by one of the above the responsibility for the future maintenance of drainage systems lies with the developer and hence it is possible that management companies will need to be established.
- 6.10.2** Should Schedule 3 be commenced the city council will become the approval and principal adoption body for surface water drainage systems. This would provide an increased level of certainty to developers about the intended procedures and pathways for their site drainage once construction has completed.
- 6.10.3** A key part of the Drainage Strategy will be to detail the long term maintenance requirements of the drainage system along with confirmation of the body responsible for that future maintenance.

7 Water quality and aquatic environments

7.1 Introduction

7.1.1 This chapter provides guidance to assist implementation of point (d) of policy PP16 -The Landscaping and Biodiversity Implications of Development (see section 12.4.14 for the policy text). Part (d) has been driven by the Water Framework Directive – 2000/60/EC (WFD).

7.1.2 This chapter will help readers to understand some of the additional considerations that need to be thought through when passing step 5 of the flowchart section 1.2.

7.2 Requirements of the Water Framework Directive

7.2.1 An important element of the WFD is the requirement for member states to aim to achieve ‘good ecological status’ in all surface freshwater bodies by 2015. This objective relates to the water body having biological, chemical and structural characteristics similar to those expected in nearly undisturbed conditions.

7.2.2 The directive also sets out the need for there to be ‘no deterioration’ in the ecological potential of the water environment. Development proposals affecting the water environment may impact the biological, hydro-morphological, physico-chemical and/or chemical quality elements. Impacts leading either to deterioration in the status of a water body or to the water body being unable to achieve its WFD objectives are unlikely to be permitted. New activities and schemes must be assessed to identify if they will:

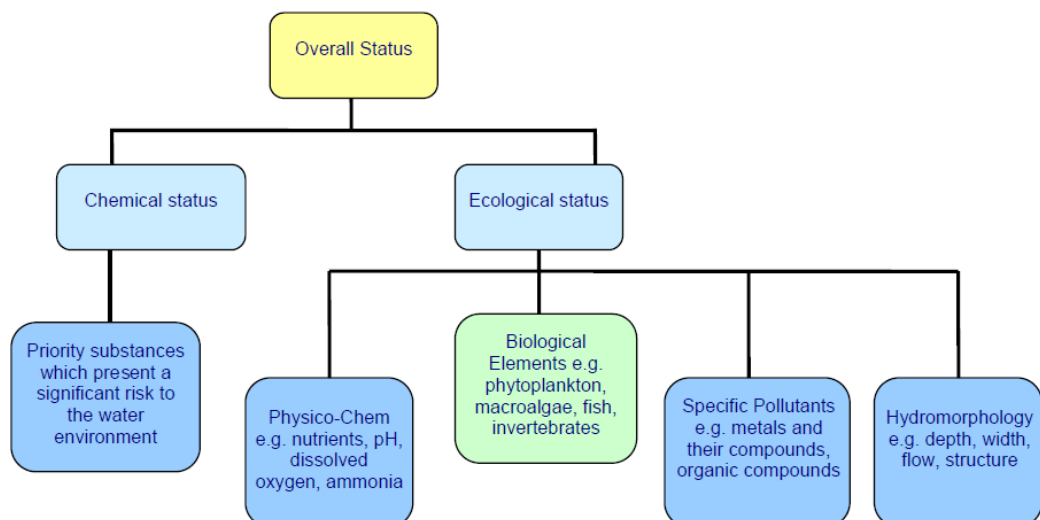
- cause deterioration, or
- lead to failures to achieve ecological objectives.

7.2.3 For surface waters, ‘good ecological status’ is a statement of overall status, made up of ecological and chemical components. This is illustrated in Figure 7 1 below. A range of elements are measured in each water body, such as priority substances (e.g. lead) and physical structure (hydromorphology). Classification is produced based on a ‘one out, all out’ principle, so that the poorest individual element result sets the overall status. For groundwater good status has a qualitative component and a chemical component.

7.2.4 The Anglian River Basin Management Plan, produced by the Environment Agency details pressures facing the water environment and actions that need to be taken by all partners in order to meet the requirements of the directive in the Anglian region.

7.2.5 The Water Framework Directive applies to all waters including inland surface waters, groundwater and transitional and coastal waters independent of size and characteristics.

Figure 7-1: Elements making up the WFD status of a water body



7.2.6 Every river has a defined catchment area within which changes can affect the watercourse. However the reporting mechanism used in River Basin Management Plans is based upon a single river line within each catchment. The river line is an over-simplified representation purely for larger scale reporting and provides an average for the catchment. This means that the potential or status of an individual watercourse could in fact be better or worse than indicated by the related water body status. Developers proposing large or industrial developments are strongly encouraged to liaise with the Environment Agency at any early stage in the planning process to gain further local information.

7.2.7 Information about locally reported Peterborough water bodies is provided in table 7-1 below.

7.2.8 Natural rivers with, for example, meandering courses and native vegetation tend to create good habitats for wildlife and may have a higher ecological status than a modified or artificial watercourse. The majority of watercourses in Peterborough are, however, not in their natural state. Modifications such as channel straightening or dredging have taken place over centuries for reasons such as transport, urbanisation, land drainage and flood defence. In most cases in Peterborough the rivers still serve these important purposes and hence channels cannot just be returned to a more natural state. Such watercourses have been designated as heavily modified or artificial water bodies by the WFD and are given the alternative objective of 'good ecological potential'. This is the best ecology possible without compromising the use of the water body for which it has been designated. There are actions that can be taken to help increase the ecological potential of these heavily modified or artificial watercourses, as discussed in section 7.7.6.

Table 7 1: A summary of the classification of the locally reported water bodies within Peterborough. This should be taken only as an indicator. Further consultation with the Environment Agency is encouraged.

Water body (or group of)	Water reporting ID	Hydromorphology designation	2009 Ecological Potential	2009 Chemical Status	2015 Predicted Ecological Status / Potential	2015 Predicted Chemical Status	Priority
Welland (western boundary of Peterborough)	GB105031050580	Heavily modified	Poor	Good	Poor	Good	High
Welland (north west boundary of Peterborough)	GB105031050600	Heavily modified	Moderate	Good	Moderate	Good	Medium
Welland (north and east of Peterborough)	GB105031050680	Artificial	Moderate	Good	Moderate	Good	High
Maxey Cut (WFD reference is Welland near Peakirk)	GB105031050590	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Folly River	GB105031050560	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Werrington Brook and Marholm Brook	GB105031050540	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Brook Drain	GB105031050570	Heavily modified	Moderate	Assessment not required	Moderate	Assessment not required	Medium
Southorpe Brook	GB105032050370	Not designated as heavily modified or artificial	Moderate	Assessment not required	Moderate	Assessment not required	Medium

Water body (or group of)	Water body reporting ID	Hydromorphology designation	2009 Ecological Potential	2009 Chemical Status	2015 Predicted Ecological Status / Potential	2015 Predicted Chemical Status	Priority
Wittering Brook	GB105032050360	Not designated as heavily modified or artificial	Good	Assessment not required	Good	Assessment not required	Medium
River Nene (through Peterborough)	GB105032050381	Heavily modified	Moderate	Fail	Moderate	Fail ⁴⁹	Medium
Morton's Leam and the Counter Drain	GB105032050382	Artificial	Moderate	Fail	Moderate	Good	High
Kings Dyke (WFD ref: Old River Nene)	GB70510037	Heavily modified	Good	Assessment not required	Good	Assessment not required	Medium
River Nene Old Course (WFD Ref: Middle Level Navigations)	GB70510035	Artificial	Good	Assessment not required	Good	Assessment not required	Medium
Stanground Lode	GB105032050340	Heavily modified	Moderate	Good	Moderate	Good	Medium

⁴⁹ It has been determined that it is technically infeasible and disproportionately expensive for this section of the Nene to reach 'good' by 2015. The objective is instead for it to reach 'good' by 2027.

- 7.2.9** In the event that measures to improve a heavily modified or artificial watercourse cannot easily be taken without affecting the important role that the watercourse plays, the legislation allows that water bodies do not require further assessment on that specific element.
- 7.2.10** Most development near a river or watercourse will have the potential to impact on the water quality and, in turn, on the biodiversity of the water body.
- 7.2.11** There are other benefits to Peterborough of improved water quality, other than ecological ones. These include reducing the damage caused to people and property by flood waters and reducing the impacts of pollution on waterlogged archaeology. The latter is a potentially relevant issue in Fen areas.

7.3 Assessment of the impacts

7.3.1 The Environment Agency and the city council have a duty to ensure that WFD requirements are met by new development. They will therefore screen the development, during the planning process, based on three issues in this order of importance:

- Causing harm - Does the development have the potential to cause deterioration in the WFD status of a water body?
- Preventing restoration - Does the development prevent future improvement to the water body and therefore prevent it from reaching good ecological status/potential?
- Taking positive action – Are there opportunities for development to assist with improving the ecological status of water bodies and meeting WFD objectives.

7.3.2 Development which may require a WFD assessment includes, but is not limited to:

- Development within 20 metres of a watercourse where changes are proposed to the channel or bank form or where the long term management of the watercourse would be affected
- Development requiring EIA for reasons linked to the water environment.
- New water infrastructure
- Developments on contaminated land

7.3.3 In the event that a development in Peterborough requires a Water Framework Directive assessment, guidance is provided in appendix C as to what would be expected. The Environment Agency may be able to provide additional guidance. Should future formal national guidance be released in this area then it will supersede the information in appendix C. No WFD assessments have been required or undertaken in Peterborough as of 2012.

7.4 How do people and development influence the WFD status of rivers?

7.4.1 The following development-related factors can influence the WFD status of rivers:

- a) Water supply, demand and abstraction
- b) Wastewater discharge
- c) Site drainage
- d) Location of development or works, in relation to water bodies
- e) Land contamination
- f) Highway provision
- g) Minerals and waste planning
- h) Tourism, recreation and navigation
- i) Community engagement

7.4.2 The city council is keen that local policy supports the implementation of the European Directive and that development in Peterborough does not compromise, but rather aids, achievement of WFD requirements. The following section gives further explanation of how development affects the WFD

status of watercourses so that this can be borne in mind by developers and planners in both planning decisions and future policy.

7.5 Water supply, demand, abstraction and wastewater discharge

- 7.5.1** If the water supply or wastewater discharge needs of any future development are likely to cause deterioration in WFD status, the city council and developers will need to take this into consideration and manage or determine impacts accordingly. In some cases the city council and its partners may require an appraisal to be carried out to indicate how the works as a whole will affect the WFD status of the watercourse. When the control and monitoring of such water related issues need to be addressed in the planning process the city council takes advice from the Environment Agency, local Internal Drainage Boards and the local water and sewerage provider.
- 7.5.2** The supply of drinking water to Peterborough involves abstraction from the Nene. When water is removed from a river it can reduce water quality due to reduced dilution of pollutants. Standards are in place between the Environment Agency and Anglian Water to ensure that most of the time water levels within the river are maintained at an appropriate level for fish and other wildlife. However, in drought periods or with increasing demand water companies may need to apply for a permit to increase abstraction, and hence reduce river levels.
- 7.5.3** New development also leads to an increase in demand for sewerage services and hence increased discharge flows from water recycling centre (WRC). Sewage effluent is collected and directed to the closest WRC. For urban Peterborough this is at the Flag Fen and hence the impact of additional flows is likely to be some distance from the development site. It is important therefore that these are not forgotten as wastewater impacts can still be significant. Further information is provided in the WCS and SFRA.
- 7.5.4** If Anglian Water reaches a point where it needs to apply for a permit for increased discharge flows from a WRC, it is likely that the water quality limits will be tightened. This will be intended to aid achievement of the water quality objectives of the receiving water body under the WFD. The Counter Drain, into which the treated effluent from Flag Fen WRC is discharged, currently has a chemical status of 'poor' and hence is far from reaching 'good' by 2015. Where consent limits are not achievable in terms of sustainability or scope for extending the water recycling works, planning issues may arise and strategies for foul drainage and treatment should be investigated. Peterborough's Local Plan policy LP14 (Infrastructure) requires that there is sufficient infrastructure capacity to support new development. This may require the phasing of development in line with infrastructure provision, in order to avoid environmental damage / WFD non-compliance.

7.6 Site drainage

- 7.6.1** Decisions made about how to drain a site need to consider the impacts on the downstream water environment, both in terms of flood risk and water quality. The Water Framework Directive does not allow for any deterioration in the downstream environment as well as in water bodies that are adjacent to or part of the site. An example of when deterioration could occur is if surface runoff, e.g. from construction, resulted in an increase in sediment being carried into the watercourse and then downstream within the catchment.
- 7.6.2** Where sewers are combined, taking both surface water and foul, heavy rainstorms leading to increases in the surface water flows can result in foul flooding. To reduce the likelihood of this causing damage, combined sewer overflows (CSOs) exist in certain locations. When the capacity of the sewer is reached, spills will result from the CSO into watercourses to reduce the pressure in the system. The connection of surface water and highway drainage to combined sewers therefore increases the risk of flooding and pollution from CSOs and WRC storm discharges. Therefore new surface water connections to the combined sewer system should be avoided where possible and where unavoidable should be restricted to greenfield flow rates. The transfer and treatment of surface water from a CSO or WRC discharge is not normally sustainable.
- 7.6.3** Increases in flows should also be avoided upstream of CSOs. Where this is not possible, if development will lead to an increase in population of more than ten percent in the wastewater catchment upstream of a CSO, the impact of growth should be assessed using Urban Pollution Manual (UPM) techniques to determine the mitigation required. Developers will be advised by Anglian Water and/or the council if there are CSO(s) near their site. Where the impact on the CSO is expected to be an issue, this should be included in the site's EIA or WFD assessment.
- 7.6.4** In order to reduce the frequency and duration of spills from CSOs, it is important to ensure that opportunities to divert surface water and highway drainage from combined sewers are fully explored.
- 7.6.5** As water runs over land it picks up pollutants and transports them ultimately into watercourses. Runoff from roads can contain heavy metals and hydrocarbons and run-off from farmland is more likely to contain nitrates and sediment. The impacts of this diffuse pollution can have serious implications for water quality and the WFD. Improving the quality of discharge from sites is one of the key aims of sustainable drainage systems, as discussed in section 6.8. By filtering runoff and slowing down flows SuDS can significantly reduce the impacts of pollution through mechanisms such as infiltration, filtration and evapotranspiration. SuDS can also create habitat for wildlife, which may help to improve the ecological potential of nearby water bodies.
- 7.6.6** Management of surface water flows during construction is very important in order to prevent construction debris entering nearby watercourses.

7.7 Development location

- 7.7.1** Since the Water Framework Directive applies to all water bodies the location of development within Peterborough is not specifically relevant. However, the development's position within a catchment or its proximity to a watercourse can be relevant.
- 7.7.2** Location within a catchment will affect how many different watercourses the site drainage could impact on and whether or not the development could be a driver for improvement opportunities for a specific watercourse.
- 7.7.3** Proximity to a watercourse is relevant where, for example, development or engineering works could affect the ability of a water management partner to access, maintain or improve the water body, or where it could affect the flow in a watercourse. Riverside development must therefore be set back a reasonable distance from the waters edge, allowing a corridor between the two environments. While this corridor is crucial for access for maintenance, it is also the most effective means of ensuring there is potential for habitat and ecological benefits. Appropriate form and landscaping of the riverbanks can then be fulfilled through good design. The distance of 'set back' may vary depending on the size of the watercourse, the type of maintenance that is required and the organisation responsible for maintenance. The distance will therefore be determined on a case by case basis with developers bearing in mind the need for access and green infrastructure.
- 7.7.4** Special consent is required from Peterborough's water management partners for development that takes place inside or within a certain distance of a watercourse. Chapter 8 explains what consents are needed, under what legislation and from which organisation. As well as the development or engineering works having the potential to affect flood risk, works (such as river straightening, dredging, putting in physical structures and impoundments and hard engineering) also all have the potential to cause deterioration and prevent WFD objectives being met. These works therefore require a level of WFD assessment.
- 7.7.5** Riverside development is likely to want to make the most of the river to enhance the aesthetics of the location. When landscaping measures are carried out these should be co-ordinated with the Environment Agency and other relevant partners in case methods would also provide ecological benefits or to help facilitate a locally desired partner project. Naturalisation and improvement of river banks and the surrounds of water environments has the most direct and measurable impact on water bodies and their status. Where hard surfaces or bank edges currently exist softening and planting the banks can make a significant contribution to biodiversity; creating and improving habitats for native species. It is recognised that there is significant scope in Peterborough for such improvements to be made.
- 7.7.6** Where a watercourse must still serve a function for which it has been modified or was originally created, naturalisation and habitat measures may need to be more subtle or more carefully considered since they must not, for example, increase flood risk. This could be the case in Peterborough with some of the watercourses in fenland areas which are managed by an Internal Drainage Board. Smaller changes such as the installation of fish passes alongside pumping stations or bank-side planting can be particularly valuable to improve the habitat for native species. The Middle Level IDB Biodiversity Partnership has their own [IDB Biodiversity Manual](https://middlelevel.gov.uk/conservation/idb-biodiversity-manual/)⁵⁰ explaining the actions taken to manage the waterways in a way that benefits wildlife. This includes methods such as:
- Forming marginal ledges in open channels
 - Changing the timing of works to accommodate species
 - Having maintenance rotation periods
 - Using 'softer' erosion control measures such as sedge plugs and coir roll revetments

⁵⁰ <https://middlelevel.gov.uk/conservation/idb-biodiversity-manual/>

7.7.7 The Environment Agency's [online mitigation manual](#)⁵¹ provides examples of methods currently used (where appropriate to individual sites) to bring about river naturalisation and improve the ecological potential of main rivers.

7.8 Highways

7.8.1 There are several ways in which highways can interact negatively with water bodies. Construction waste and discharge points for highway drainage are important as discussed in section 7.6. Three other examples are also given here:

- Where a bridge crosses a watercourse or a road runs down towards a river, surface water exceedance flows may lead water to run off these surfaces directly into a water body, taking heavy metals and hydrocarbons with it.
- The design of new bridges may require river edges to be strengthened and hardened on both sides potentially cutting off a wildlife corridor.
- Culverting of a watercourse under a carriageway causes a loss of morphological diversity and habitat continuity which may interrupt the migration routes of animals. The newt tunnels installed at Hampton in Peterborough are a very good example of how action has been taken to mitigate such an impact.

7.9 Land contamination

7.9.1 Groundwater beneath development sites can provide base flow to surface waters. Ground conditions on brownfield land potentially affected by contamination should therefore be investigated prior to decisions being made about site layout and design of drainage systems.

7.9.2 If there is potential for land contamination on site then this can have effects on more areas than just drainage and water environments. Policy LP33 in the Local Plan therefore requires that on sites with the potential to be affected by contamination a preliminary assessment should be carried out prior to a planning decision being made. This will identify if additional measures and investigations need be carried out before development should commence. Pre-application advice can be sought from the city council and the Environment Agency to ensure a smoother planning application process.

7.9.3 Planning conditions can usually control pollution during construction, but this are not appropriate for land contamination, which should be addressed in principle prior to development decisions. This is discussed in policy LP33.

7.9.4 Soakaways and other infiltration based sustainable drainage systems (SuDS) should not be constructed within contaminated ground. Non-infiltration based SuDs should be considered as an alternative.

7.9.5 Developers seeking further guidance about land contamination should visit the [Gov.UK website](#)⁵² and refer to any guidance produced by government or by nationally recognised planning and/or contamination based organisations. The following Environment Agency documents may be of use:

- The risk management framework provided in CLR11: model procedures for management of land contamination; and
- Guiding Principles for Land Contamination for the type of information required in order to assess risks to controlled waters from the site.

7.10 Minerals and waste planning

⁵¹ <http://evidence.environment-agency.gov.uk/fcerm/en/sc060065.aspx>

⁵² <https://www.gov.uk/guidance/land-affected-by-contamination>

7.10.1 Developers should address site restoration options for minerals and waste sites at an early stage. The options for restoration can be an important factor in both the viability and suitability of a site for mineral extraction.

7.10.2 The restoration of minerals and waste sites to water habitats can:

- offer opportunities to assist with creating areas for flood storage or with meeting water supply objectives. These must be incorporated within restoration schemes where there is a demonstrated need for them.
- provide opportunities for biodiversity improvements
- reduce the risks of pollution and enable natural groundwater flows to be maintained
- offer local amenity benefits

7.10.3 Landfill sites have to have stringent controls in place to ensure contaminants are contained, controlled and treated. Leachate from a landfill site will be controlled separately from surface water to ensure no contamination occurs. Other types of waste sites where there is the potential for surface water contamination need to be controlled through ensuring appropriate sealed drainage systems are in place. Without these measures or in the case of spills significant pollution could result causing a deterioration of water quality and the ecological potential of the watercourse.

7.11 Tourism, recreation and navigation

7.11.1 The use of water bodies for leisure can bring both positive and negative impacts. Through enjoyment visitors can become more aware of how pleasant water environments can be and often watercourses and lakes, for example, might be improved aesthetically to encourage increased visitor interest. Where aesthetics favour natural landscapes and presentation, measures may increase ecological potential. Conversely, trampling, litter and polluting emissions from boats may cause deterioration in the quality of an aquatic environment. Development wishing to make use of water bodies for leisure and recreation will need to consider the impacts of the specific uses. There is a risk that the insertion of structures and physical modifications to the watercourse, for example to facilitate boating, could potentially cause deterioration and therefore be non-compliant with the WFD.

7.12 Community engagement

7.12.1 Waterside development that encourages communities and companies to interact positively with their environment will be encouraged and commended. Informed and interested communities can do a lot to protect water resources that are important to them. This is demonstrated locally by the Peterborough RiverCare groups which have been established locally with help from Anglian Water. Such groups may carry out very beneficial works on a voluntary basis such as undertaking wildlife surveys, removing litter or monitoring non-native invasive species in watercourses. Local people may also be able to help implement some WFD mitigation measures.

8 Consents and permissions

8.1 When is consent required for works affecting watercourses?

- 8.1.1** If it is proposed to discharge into or undertake construction within the locality of, including over, under and within, a watercourse a specific consent is needed from one of Peterborough's water management partners. This consent is not included within planning permission but may be sought at the same time.
- 8.1.2** The type of consent required and the distance from the watercourse for which it is needed depends on what area of Peterborough the site is in and the classification of the watercourse.
- 8.1.3** Consenting requirements may prohibit development, lead to changes in design or layout and hence developers are advised to contact the relevant partners (illustrated in chapter 3 and below) early in the design process to ensure a smooth path through the planning process.
- 8.1.4** Works that are in, over, under or within 9 metres of the top of the bank of a main river require Flood Defence Consent from the Environment Agency. Where the channel is embanked, consent is required for works 9 metres from the landward toe of the raised embankment.
- 8.1.5** Ordinary watercourse consent is required for works affecting the flow of an ordinary watercourse, i.e. any ditch, dyke or channel carrying water which is not designated as a main river. This consent will be required from Peterborough City Council unless the site is in an area managed by an Internal Drainage Board where they will manage the consent application.
- 8.1.6** To support the many provisions of the Land Drainage Act 1991, organisations managing ordinary watercourses are able to have land drainage byelaws setting out clearly the required practises in their area of management. The distance from a watercourse, for which permission needs to be sought for works, varies between organisations. Table 8-1 below sets out these distances for each organisation and indicates where copies of the byelaws are available online.
- 8.1.7** In general land drainage byelaws will cover issues such as those listed below. However, for a full list of the situations covered by byelaws or advice on how to gain approval please refer to the relevant organisation.
- Control of introduction of water into watercourses
 - Control of sluices
 - Diversion of stopping up of watercourses
 - Obstructions within a certain distance of the watercourse
 - Fishing
 - Repairs
 - Dredging
 - Mooring of vessels
 - Navigation of vessels

Table 8 1: The different types of consents required and when they are applicable

Watercourse type	Consent required	Byelaw distance from watercourse	Organisation	Related legislation	Where to access the byelaws or relevant information
Main river	Flood defence	Within 9 metres	Environment Agency	Water Resources Act 1991	Contact the local Environment Agency office.
Ordinary watercourse	Land drainage byelaw	Within 20 metres	Middle Level Commissioners	Land Drainage Act 1991	http://www.middlelevel.gov.uk/docs/Byelaws/mlc.pdf
		Within 9 metres	North Level District IDB		http://www.northlevelidb.org/administration/byelaws
		Within 7 metres	Peterborough City Council		http://www.peterborough.gov.uk/pdf/PCCLandDrainageByelaws.pdf
		Within 9 metres	Welland Deeping IDB and		http://www.wellandidb.org.uk/byelaws
		Within 9 metres	Whittlesey and District		Contact http://www.wcidb.org.uk/
	Land drainage ordinary watercourse	Within channel or affecting flow	Peterborough City Council or Internal Drainage Board (IDB) - depends on location	Land Drainage Act 1991 and Flood and Water Management Act 2010	See http://www.peterborough.gov.uk/water for links to: <i>Partner organisations</i> – access contact details for each organisation <i>Water data</i> – find out if your site is within an IDB area

9 Implementation and monitoring

9.1 Delivery partners

9.1.1 Those that will help to deliver this SPD and put flood risk and water management policies into action are:

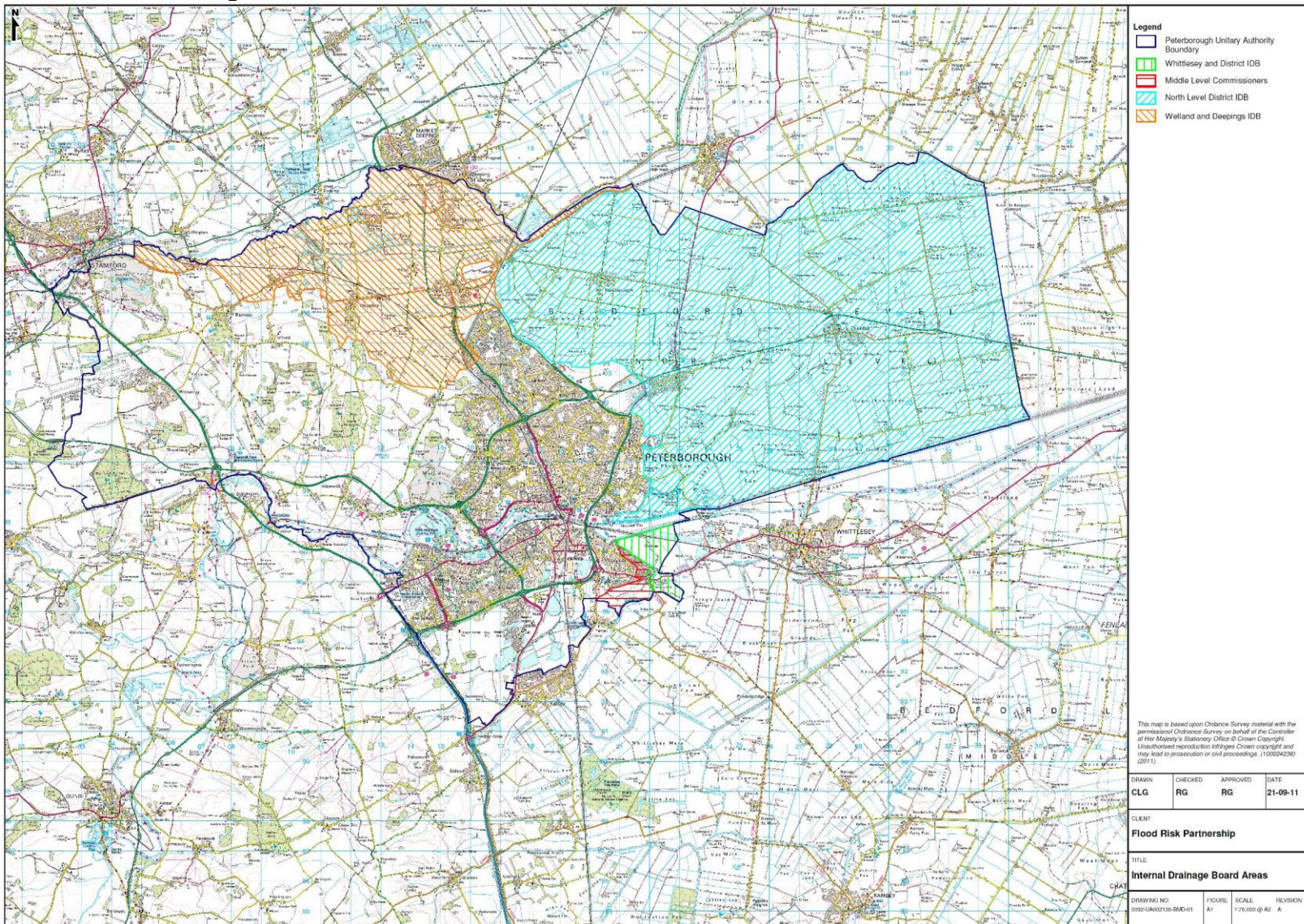
- Peterborough City Council
- Applicants and their agents
- The Environment Agency
- Anglian Water
- North Level District Internal Drainage Board
- Middle Level Commissioners
- Welland and Deeping Internal Drainage Board
- Whittlesey and District Internal Drainage Board

9.1.2 Appropriate indicators and targets have been identified to monitor the effectiveness of current policy, which are set out in Table 9-1 below. An additional indicator has been developed on surface water flows into sewers. The results of annual monitoring will identify which policies are succeeding, and which need revising or replacing because they are not achieving the intended effect.

Table 9 1: Indicators and targets for this supplementary planning document

Indicator	Target
Number of developments containing sustainable drainage systems.	All developments containing sustainable drainage systems to reduce, attenuate and clean water
Number of planning permissions granted contrary to advice from the Environment Agency on WFD and water quality grounds and which adversely affect a water body's potential to achieve statutory WFD targets.	WFD assessments undertaken where detriment is possible and no planning permissions granted contrary to the advice of the Environment Agency.
Number of planning permissions granted contrary to the water management advice of Peterborough's water management partners or officers	No planning permissions granted contrary to the advice of Peterborough's water management partners
Number of new dwellings in flood zones 3b.	No dwellings in 3b.
The number of new dwellings on Greenfield sites in flood risk zones 3a and 3b.	None in 3a and 3b.

Appendix A - Internal Drainage Board areas



Appendix B - Using Sustainable Drainage Systems

SuDS have been discussed throughout the Flood and Water Management SPD and to best help those delivering SuDS, below there is a list of some of the useful resources and best practice guidance currently available, keep an eye on the Peterborough SuDS Website for the latest developments.

Peterborough SuDS Website

The council SuDS website also provides a range of information on delivering SuDS and what is expected in Peterborough, with links to **case studies**, **technical standards** and lists of **planning requirements** <http://www.peterborough-suds.org/>

Peterborough Design and Evaluation Guide

The council are intending to release a **Design** and Evaluation guide for the use of SuDS in the new developments, once released this will be hosted on the Peterborough City Council Water Management webpages <https://www.peterborough.gov.uk/council/planning-and-development/flood-and-water-management/water-data/>

Interpave

Interpave make design guides and case studies for **permeable paving** freely available to all, this includes **design and construction** technical specifications which is supported widely across the industry. <http://www.paving.org.uk/commercial/permeable.php>

CIRIA SUDS manual

This has long been held as the approach for SuDS best practice, including details on water quality and pollutant removal mechanisms. There are sections to set out how to **design the site** and estimate storage needs as well as considerations for the **technical design** of assets. http://www.ciria.org/Resources/Free_publications/SuDS_manual_C753.aspx

UKSuDS

This is a website hosted by HR Wallingford and provides a number of useful tools freely available online, including **calculators and tools** that help to set the design parameters for a site <http://www.uksuds.com/>

Susdrain

This is an online SuDS community with a wealth of **case studies and resources** for SuDS best practice <http://www.susdrain.org/resources/> including advice on assessing **storage and attenuation** needs http://www.susdrain.org/files/resources/fact_sheets/03_14_fact_sheet_attenuation.pdf as well as on creating a **maintenance plan** http://www.susdrain.org/files/resources/SuDS_manual_output/paper_rp992_21_maintenance_plan_checklist.pdf

Non Statutory Technical Standards

These were developed by a multiagency group including working with government to create a **checklist for SuDS** design and achieving the need for SuDS in the planning process. <https://www.gov.uk/government/publications/sustainable-drainage-systems-non-statutory-technical-standards> . A separate interpretation of these standards by LASOO (Local Authority SuDS Officer Organisation) helps to translate what a Lead Local Flood Authority may expect to see in a new

planning application <http://www.peterborough-suds.org/wp-content/uploads/2016/09/155639-SUDS-Booklet-A4-LR.pdf>.

Climate Change and Urban Creep

Details on **Climate change** allowances can be found in the NPPF <https://www.gov.uk/guidance/flood-risk-assessments-climate-change-allowances>

Information on **Urban creep** and what allowances are expected can be found in Appendix B of LASOO guidance <http://www.peterborough-suds.org/wp-content/uploads/2016/09/155639-SUDS-Booklet-A4-LR.pdf>

Infiltration testing

For standard approaches on **Infiltration testing or soakage** have a look at the BRE365 Soakaway Design <https://www.bre.co.uk/page.jsp?id=904> and CIRIA R156 Infiltration Drainage – manual of good practice <http://www.ciria.org/ItemDetail?iProductCode=R156&Category=BOOK>

Myth Busting

There are a number of misconceptions that surround Sustainable Drainage that seem to have historically prevented SuDS being delivered on new developments. We believe this circulates around a misunderstanding of what the term Sustainable Drainage actually means with some interpretations only seeing SuDS as vegetated features that allow the water to soak into the ground. Whilst these type of features are welcome the designer cannot be this limited in their approach.

National and local policy have an expectation that surface water can be properly managed onsite and that flood risk will not be increased as a result of any development. A sustainable solution for the site drainage would be the most appropriate for managing the volume and quality of water on the site and will incorporate additional benefits such as habitat creation or recreational features where it can.

So before dismissing SuDS out of hand think about what you are trying to achieve, all developments must have a solution for the surface water management that is sustainable for the lifetime of that development, in other words a sustainable drainage system. Below are some of the common barriers to SuDS delivery;

I do not have space for SuDS – There is often an assumption that a site must have a large open water feature such as a pond for storing storm water, this is not the case. A site will need to be designed to manage surface water and provide the necessary attenuation and water treatment functions, this does not have to be vegetated or permanently wet. This volume of water could be managed via a range of smaller components distributed throughout the development.

SuDS cannot be used on clay soils – It is true that certain soil types allow less water to infiltrate into the ground and in this instance infiltration components may not be the most appropriate solution. However, as we have previously discussed, SuDS should look to mimic the natural processes, therefore on a clay site this may mean attenuating and cleaning water as it flows across the surface discharging at a greenfield rate.

I have high water tables so I cannot use SuDS – Similar to clay soils, a high water table may hinder the ability to include infiltration components onsite, however by sending the water underground in a pipe it is likely that a pump will be needed at the end of the pipe to get the water back up to ground level above the water table. This means it is important for the designer to consider keeping the water as close to the surface as possible which could reduce excavation costs

and mitigate the need for a pump onsite, in turn avoiding costly installation and long term maintenance.

There are ground contamination issues on site and I cannot use SuDS – As with clay soils or a high ground water table the presence of contamination onsite may act as a constraint to infiltrating water into the ground. In this instance the designer must consider whether the contamination covers the whole site or not and potentially look to drain the water to a portion of the site which is not contaminated. There may be a need to ensure that any drainage components are lined with an impermeable membrane to prevent infiltration in areas of contamination but this does not prevent the use of many SuDS components, it simply changes the technical detail of those features.

No one will adopt the SuDS, they only want pipework – There are perceived barriers to delivering SuDS on site as they have not been widely adopted by drainage authorities. The council have been using SuDS type techniques for a number of years to manage flood risk in Peterborough with some features such as Cuckoos Hollow being in place since the 1970s. The council are willing to consider adopting SuDS features as a part of Public Open Space and also within the adoptable Highway. Our partner organisations, such as Anglian Water, have also previously adopted SuDS features and are open to working with developers on new sites.

Appendix C - Water Framework Directive Assessment Guidance

Introduction

At pre-application stage the city council will make applicants aware of the need to consider impacts on water bodies from the construction of structures in or near channel or from proposed changes to water quality, habitat and/or biodiversity.

If a development site requires Environmental Impact Assessment (EIA), applicants should include the impacts in this assessment, using information obtained from the Anglian River Basin Management Plan or directly from the Agency about the status of potentially affected water bodies.

If a development does not require EIA but has the potential to impact on water bodies then applicants should refer to the Environment Agency. A separate assessment might be required.

Overview of process for assessing impacts on water bodies

If a separate WFD assessment is required the process below for assessing impacts on water bodies, should be followed. The process is derived from European Commission guidance and includes:

- **Preliminary assessment** – including data gathering (water body and proposed development) and identification of impacts on water bodies;
- **Detailed assessment** – including options to avoid impacts on water bodies, mitigation to reduce impacts and opportunities to contribute to betterment.
- **Justification** is required where new modifications led to deterioration of a water body or failure to meet WFD objectives (WFD Article 4.7).

Preliminary assessment

The preliminary assessment of potential impacts on water bodies should follow these stages:

- **development impacts** – how development would impact on water quality elements and thresholds that trigger detailed assessment;
- **cumulative impacts** – how the proposed development together with existing physical modifications might lead to deterioration;
- **sensitive water habitat** – how development would affect water habitat including protected areas;

Where the water body already has a status less than 'good' the assessment needs to include information on:

- **the risk of preventing improvement** – whether the proposed development would prevent implementation of any measures in the RBMP;
- **improving water bodies** – other practical opportunities to improve the water body as part of the proposed development.

Detailed assessment

A detailed assessment should have the following stages:

1. **Deterioration assessment** – should consider impacts from development, including physical modifications, on:
 - a) water quantity and flow, river continuity and groundwater connectivity;
 - b) biological elements (flora and fauna);
 - c) recognise where permits, licences or consents that we issue will deal with other impacts including the risk of water pollution.
2. **Ability to achieve good status** – should consider whether the proposed development will prevent implementation of measures in the first RBMPs to achieve good status or good potential as appropriate.
3. **Impacts on other water bodies** – should consider whether or not proposed development would permanently prevent a different water body from the one in which it is located from achieving good status or good potential as appropriate. Consider opportunities to improve status.
4. **Other EC legislation** – the outcome of Detailed Assessment must give the same level of protection as any other EC legislation that applies, to that water body through the designation of protected areas. These include Natura 2000 sites, Bathing Waters, Shellfish Waters, Freshwater Fish Directive reaches and Drinking Water Protected Areas.

Justification

Where the detailed assessment shows that physical modification would lead to unavoidable deterioration then it will only be acceptable if a justification under WFD Article 4.7 can be provided. Such circumstances should be discussed with PCC and the Environment Agency given the limited scope to achieve this under WFD legislation.

Appendix D - Glossary and acronyms
Glossary

Abstraction of water	the process of taking water from any source. Most abstracted water is treated to produce drinking water or used for irrigation.
Amenity	a general term used to describe the tangible and intangible benefits or features associated with a property or location that contribute to its character, comfort, convenience or attractiveness.
Annual flood probability	The estimated probability of a flood of given magnitude occurring or being exceeded in any year. Expressed as, for example, 1-in-100 chance or 1 per cent.
Attenuation	the process of slowing down the rate of flow usually to reduce peak flow downstream.
Biodiversity	all species of life on earth including plants and animals and the ecosystem of which they are all part.
Catchment	an area that serves a river with rainwater, this is every part of the land where the rainfall drains to a single watercourse is in the same catchment
Combined sewers	A sewer which carries foul sewage and surface runoff in the same pipe
Conveyance	movement of water from one location to another
Cross connections	any possible connection between a public surface water sewer and a foul sewer that could cause contamination
Defra	Department for Environment, Food and Rural Affairs
Discharge	Rate of flow of water.
Ecology	The study of environmental systems, particularly the relations of organisms to one another and to their physical surroundings.
Exceedance flow	Excess flow that emerges on the surface once the conveyance/carrying capacity of a drainage system is exceeded.
Exceedance routes	The route that exceedance flows take across the land
First flush	The initial runoff from a site/catchment following the start of a rainfall event. As runoff travels over a catchment it will collect pollutants and the “first flush” portion of the flow may be the most contaminated as a result. This is especially the case for intense storms and in small or more uniform catchments. In larger or more complex catchments pollution wash-off may contaminate runoff throughout a rainfall event.
Flash flood	A significant flood occurring very suddenly as a result of localised intense rainfall
Flood and water management unit	an area of Peterborough identified as having similar flood risk and drainage characteristics
Floodplain	Area of land that borders a watercourse, an estuary or the sea, over which water flows in time of flood, or would flow but for the presence of flood defences where they exist.
Flood storage	The temporary storage of excess runoff or river flow in ponds, basins, reservoirs or on the floodplain during a flood event.
Flood zones	The national flood zones as mapped by the Environment Agency cover all watercourses with a catchment greater than

	3 km ² i.e. they cover some ordinary watercourses as well as all main rivers.
Functional floodplain	Land where water has to be stored in times of flood. This includes the land which would flood with an annual probability of 4% (1 in 25), as agreed between Peterborough City Council and the Environment Agency, and water conveyance routes and flood storage areas (sometimes referred to as washlands).
Greenfield land	land which has not been developed before, other than for agriculture or forestry buildings or buildings associated with parks, recreation grounds and allotments.
Green infrastructure	a network of protected sites, nature reserves, green spaces, waterways and greenway linkages (including parks, sports grounds, cemeteries, school grounds, allotments, commons, historic parks and gardens and woodland). It offers opportunities to provide for a number of functions, including recreation and wildlife as well as landscape enhancement.
Green roof	a roof purposely covered in vegetation to retain, attenuate and treat water run-off and to contribute to local biodiversity
Infiltration	the soaking of water into the ground.
Internal Drainage Board	a type of operating authority which is established in areas of special drainage needs in England and Wales with permissive powers to undertake work to manage water levels within drainage districts. Middle Level Commissioners is not technically an Internal Drainage Board although it undertakes many of the same roles.
Local Development Framework	the collective term for the whole package of planning documents which are produced by a local planning authority to provide the planning framework for its area.
Local Resilience Forum	a multi-agency partnership made up of representatives from local public services, including the blue-light emergency services, local authorities, the NHS, the Environment Agency and other partners.
Main rivers	watercourses designated as such on statutory main river maps held by the Environment Agency and Defra and can include any structure or appliance for controlling or regulating the flow of water in or out of a channel. The Environment Agency has permissive powers to carry out maintenance and improvement works on these rivers.
Ordinary watercourse	An Ordinary Watercourse is defined as any watercourse not identified as a main river on maps held by the Environment Agency and Defra.
Peak fluvial flow	the maximum flow rate of water in a river during a particular period
Permeable surface	A surface that is formed of material that is itself water resistance but, by virtue of voids formed through the surface, allows infiltration of water to the sub-base – for example, concrete block paving.
Potable Water	Water that is suitable for drinking
Rapid Inundation Zone	In Peterborough the eastern part of the unitary authority is currently protected by defences along the River Nene. A rapid inundation zone is an area which is at risk of rapid flooding should a flood defence structure be breached or overtopped. The zones at highest risk of rapid inundation are typically located close behind the defences. Please note that the Environment Agency no longer use this term widely.

Residual risk	the risk that remains after all risk avoidance, reduction and mitigation measures have been implemented
Runoff	Water flow over the ground surface to the drainage system. This occurs if the ground is impermeable or saturated, or if rainfall is particularly intense.
Source control	The management of rainfall at or close to the place where it lands.
Sustainable drainage systems	a sequence of management practises and control structures often referred to as SuDS, designed to drain water in a more sustainable manner than some conventional techniques. SuDS processes are designed to replicate natural drainage systems which improve water quality and amenity as well. SuDS are typically used to attenuate run-off from sites.
Urban creep	Cumulative impact on towns and cities of gradual increases in impermeable areas.

Appendix E - Application of Sequential and Exception

Sequential Test

1. Area of search	
Location of development	Area of search
(A) City Centre	City Centre
(B) Urban (in City boundary)	Whole city area
(C) Village (that has a defined boundary)	Settlement of the same 'standing' or higher
(D) Rural	Whole rural area incl within settlements

2. Investigation of similar scale sites

Alternative sites can be 20% larger or smaller than the application site's gross site area.

3. How are alternative sites going to be found?

- Site allocations
- Land and property being currently marketed by agents
- Sites rejected during site allocation process (Site Allocations Evidence Report)

4. Are the alternative sites available?

Ownership / willingness to sell are not a matter that can be taken into consideration

Is the site capable of being developed within 5 years (see published 5 year land supply/ apply the used to establish the supply level to any unallocated sites that are identified. If 'NO' the site should still be listed but identified as not being available with the reasons why being stated.

5. Application

If sites are found of a similar size, which are available and at lesser flood risk (based on the Environment Agency's published 'undefended' flood risk maps then the sequential test is failed and the application should be refused. **Only if the test is failed should the exception test be undertaken.**

Exception Test

As per national policy the adopted SPD, both the following criteria must be passed:

Part 1 - The development must be safe in flood terms (typically flood depth vs floor height), not increase flood risk elsewhere, and where possible, will reduce flood risk overall.

AND

Part 2 - The development must provide wider sustainability benefits to the community that outweigh flood risk – i.e test the development against the objectives in the Community Strategy 2008-21:

[Score system is: 0 = neutral, -1 = or +1 and suggested scores are given below]

The list below identifies all the criteria against which schemes will be assessed. However we have shown those criteria where housing developments will normally score "0" points.'

- Improves Health - '0' unless the development is care/ support related
- Supports vulnerable people – '0' unless the development is care/ support related
- Improved skills and education - '0'
- Empowers the local community – '0'
- Makes Peterborough safer – '0'
- Builds community cohesion – '0'
- Builds pride in Peterborough – '0'
- Making Peterborough cleaner & Greener – '0' unless significantly exceeds policy compliance in terms of open space/ amenity space

- Conserves natural resources – ‘0’ same as above
- Growing our environmental business sector – ‘0’
- Increasing use of sustainable transport – ‘0’ unless the proposal will result in above the normal use of sustainable transport
- Creating safe, vibrant City Centre/ sustainable neighbourhood centres – ‘0’ unless the proposal is in these locations
- Increasing economic prosperity – ‘0’ (the fact that people would be involved in building the houses and the occupants may bring trade to local shops does not count)
- Building the sustainable infrastructure of the future – ‘0’ as above
- Creating a better place to live – ‘0’ unless brownfield redevelopment/ deals with an eyesore/ contaminated/ nuisance site

Must score 1+ in order to pass part 2

CABINET	AGENDA ITEM No. 11
15 JANUARY 2018	PUBLIC REPORT

Report of:	Simon Machen - Corporate Director Growth and Regeneration	
Cabinet Member responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Phil Hylton, Senior Strategic Planning Officer	Tel. 01733 863879

DEVELOPER CONTRIBUTIONS SUPPLEMENTARY PLANNING DOCUMENT (SPD) UPDATE

R E C O M M E N D A T I O N S	
FROM: Corporate Director Growth and Regeneration	Deadline date: N/A
It is recommended that Cabinet approves the Developer Contributions Supplementary Planning Document for public consultation.	

1. ORIGIN OF REPORT

- 1.1 The Developer Contributions Supplementary Planning Document (SPD) is an update to the existing SPD which was adopted in April 2015, which itself was prepared to coincide with the introduction of the Community Infrastructure Levy in Peterborough.
- 1.2 The current 2015 SPD is also linked to the policies of the existing Local Plan and will therefore be out of date when the new Local Plan is adopted in late 2018. The proposed replacement SPD links into the new Local Plan and updates references to external information where needed so that it remains relevant.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is for Cabinet to approve the draft Developer Contributions SPD (See Appendix 1) for the purpose of public consultation. The SPD expands on overarching headline policy contained in the council's emerging Local Plan (Proposed Submission version January 2018). Officers propose to consult with the public and stakeholders on the draft SPD in Spring 2018.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.9, 'To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

- 4.1 The Developer Contributions SPD was previously adopted in April 2015 alongside the introduction of the Community Infrastructure Levy (CIL) in Peterborough. It sets out the detail of what contributions would be expected by the council from development schemes coming forward in the area.
- 4.2 The current 2015 SPD links to a number of policies in the adopted Local Plan and contains a substantial amount of information to justify the need for infrastructure. As the council is updating its Local Plan, these policy links will soon become out of date. Furthermore, much of the information within the document has also become out of date as other documents, council policy or national policy has been replaced or amended.
- 4.3 It is important to refresh the SPD for a number of reasons, specifically:
- to link to the policies in the new Local Plan (due for adoption in late 2018);
 - to remove old information and links to old external documents so that it is usable;
 - to streamline the document so that it is more fit for purpose for both decision makers and applicants and, in turn, make it more future-proof by not replicating information in other documents; and
 - to make sure that the process for seeking contributions and details of what will be sought is clear so that it does not unduly delay development and so that developers can factor costs into land prices being paid to ensure viability and timely delivery of infrastructure.
- 4.4 The draft update has incorporated changes recommended by planning officers, infrastructure providers and officers from other council departments to ensure that it performs effectively going forward. One noteworthy comment received in early scoping work was that the SPD does not seem to be used by developers due to its length (the current document is 77 pages long). This length has, therefore, been significantly reduced so as to only include vital data and to remove duplication from other council strategies. It now also includes an Executive Summary to draw out the main issues. This should help to ensure that it is more accessible and therefore more effective.
- 4.5 The updated draft SPD does not seek to create new policy or to reinvent the way in which contributions are sought, instead it seeks to make it clearer what the process will be, what will be sought and when, and provides signposts to where additional information can be found to justify the need for infrastructure. It is important to have a Developer Contributions SPD to ensure that provision of infrastructure matches growth in the city.

5. CONSULTATION

- 5.1 As part of the development of this draft SPD infrastructure providers and officers from a number of council departments have been consulted. This has helped shape the revised draft SPD to ensure that it is user-friendly and fit for purpose.
- 5.2 The SPD will be presented to Growth, Environment and Resources Scrutiny Committee on 10 January 2018. A verbal update of any comments will be presented at Cabinet.
- 5.3 Subject to Cabinet approval on 15 January 2018, a four week public consultation on the draft SPD will take place in Spring.
- 5.4 That public consultation will allow officers to collect views from developers and other interested parties. The public will be invited to comment, but due to the specific nature of the document it is more likely that comments will be received from the development industry and infrastructure providers.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that Cabinet will approve the consultation draft version of the Developer Contributions SPD for public consultation in Spring 2018. Following public consultation, the SPD will be amended accordingly and then will be recommended to Cabinet for adoption later in 2018 (alongside, or shortly after, the adoption of the new Peterborough Local Plan).

7. REASON FOR THE RECOMMENDATION

- 7.1 There is no statutory duty to prepare this SPD. However, without it, there will be a lack of clarity for developers about what contributions to infrastructure will be sought by the council. Without the SPD there could be a detrimental impact on development coming forward and the ability of the council to deliver new and improved infrastructure to support growth.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Alternative options considered were:

Option 1 - do not update the document - policies remain outdated, references out of date and the opportunity to simplify the document to make it more usable is missed, as such this is not the preferred option.

Option 2 - Remove the SPD from circulation - this would result in a loss of a valuable resource for both planners and developers and carries the risk of infrastructure not being delivered in support of new development, as such this is not the preferred option..

9. IMPLICATIONS

Financial Implications

- 9.1 This SPD will update the approach for the council to secure contributions from development to the provision of infrastructure to support growth. It does not introduce new requirements from developers but seeks to make it clearer for both applicants and decision makers what contributions will be sought, how and in what circumstances. This will not necessarily result in any change in income for the council, but should streamline the negotiation process as it provides additional clarity and should be more user-friendly.

Legal Implications

- 9.2 The council must follow statutory regulations in preparing and consulting on the SPD. After the statutory process concludes, the final SPD document will be recommended to Cabinet for adoption. Once adopted, the document will be used as a material planning consideration in the determination of planning applications.
- 9.3 The SPD is not intended to introduce legal implications for the council or developers, but instead to provide guidance on obligations being sought and the relationship between S106 payments and CIL in accordance with the Community Infrastructure Levy Regulations (as amended).

Equalities Implications

- 9.4 This SPD does not introduce new policy and is in support of policies in the Local Plan which have been subject to an Equalities Impact Assessment. As this SPD seeks to foster the delivery of infrastructure that will support communities it is likely to have a positive effect on individuals with protected characteristics as well as the wider community.

10. BACKGROUND DOCUMENTS

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

- 10.1 The new Local Plan which was considered by this Scrutiny Committee at its meeting on 1

November 2017.

11. APPENDICES

11.1 Appendix 1 - The Developer Contributions SPD



Developer Contributions Supplementary Planning Document 2018 update

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Executive Summary

This Developer Contributions Supplementary Planning Document (SPD) identifies what will be expected from developers of sites in Peterborough to ensure that development adequately funds infrastructure to support its impacts in a wide number of areas.

It sets out the process for negotiating S106 planning obligations and clarifies the relationship between the Community Infrastructure Levy (CIL) and other obligations for a variety of site sizes and for different uses. It also provides information about the expectations for viability assessments in Peterborough.

This SPD goes into the detail of what may be sought from development proposals and in what circumstances and provides some justification for these requirements. The general summary of this is provided in Table 1 below, but this should be used as a quick referencing guide only and is not a substitute for the full policy requirements as set out in any relevant DPD, CIL related policies, the main part of this SPD or national policy. Anything below which appears to contradict any statement in those documents should be disregarded in favour of the requirements set out in those policy documents:

Table 1: Summary of Requirements for Contributions

Theme	Requirements from sites of less than 500 dwellings	Requirements from sites of 500 or more dwellings	Requirements from other uses
Transport	<ul style="list-style-type: none"> Provision of a Transport Statement for sites of 50-80 dwellings. Provision of a Transport Assessment and a Travel Plan for sites of 80 or more dwellings. CIL contributions towards strategic or city-wide impact transport projects. Planning obligations necessary to mitigate any direct impact on the highway network. 	<ul style="list-style-type: none"> Provision of a Transport Assessment and a Travel Plan. Planning obligations necessary to mitigate any direct impact on the highway network. 	<ul style="list-style-type: none"> Provision of a Transport Statement, Transport Assessment and/or Travel Plan as needed in accordance with Department for Transport guidance. CIL contributions towards strategic or city-wide impact transport projects from supermarkets, retail warehouses and district convenience stores. Planning obligations necessary to mitigate any direct impact on the highway network.
Education	<ul style="list-style-type: none"> CIL Contributions. The provision of land for an education facility may be sought where capacity issues mean it is necessary to make the scheme acceptable in planning terms. 	<ul style="list-style-type: none"> The delivery of new education facilities on-site through the delivery of the facilities to an agreed specification, or the provision of land at nil cost to the council. If more appropriate than on-site provision, contributions towards the provision an off-site facility. 	
Affordable housing	<ul style="list-style-type: none"> For sites of 15 or more dwellings 30% affordable housing will 	<ul style="list-style-type: none"> 30% affordable housing will be sought In line with Local Plan policy. 	<ul style="list-style-type: none"> No requirement from other non-residential uses, nor from care homes, nursing homes

Theme	Requirements from sites of less than 500 dwellings	Requirements from sites of 500 or more dwellings	Requirements from other uses
	<p>be sought, in line with Local Plan policy.</p> <ul style="list-style-type: none"> The tenure and type of affordable housing will be informed by the latest SHMA but will typically be 70% affordable rent and 30% intermediate in the form of shared ownership. 	<ul style="list-style-type: none"> The tenure and type of affordable housing will be informed by the latest SHMA but will typically be 70% affordable rent and 30% intermediate in the form of shared ownership. 	<p>or purpose-built student accommodation.</p>
Health facilities	<ul style="list-style-type: none"> CIL contributions. The provision of land for a health facility may be sought where capacity issues mean it is necessary to make the scheme acceptable in planning terms. 	<ul style="list-style-type: none"> The delivery of new health facilities on-site through the delivery of the facilities to an agreed specification, or the provision of land at nil cost to the Clinical Commissioning Group. If more appropriate than on-site provision, contributions towards the provision of an off-site facility. 	<ul style="list-style-type: none"> CIL contributions from schemes for supermarkets, retail warehouses and district convenience stores.
Open space and green infrastructure	<ul style="list-style-type: none"> CIL contributions. For sites of 15-40 dwellings, contributions toward provision of LAP, LEAP, NEAP, natural greenspace, allotments and playing pitches, usually off-site, and provision of a neighbourhood park either on-site or off-site. For sites of 41-499 dwellings, provision of one or more neighbourhood park, LAP, LEAP, NEAP, and allotments either on-site or off-site and contributions towards natural greenspace and playing pitches off-site. Costs for any off-site provision are included in Table 6 of this document. 	<ul style="list-style-type: none"> On-site provision of LAP, LEAP, NEAP, neighbourhood parks, natural greenspace, allotments, playing pitches, country park and synthetic turf pitches may be sought. 	<ul style="list-style-type: none"> CIL contributions from schemes for supermarkets, retail warehouses and district convenience stores.
Community and leisure	<ul style="list-style-type: none"> CIL contributions that may be used for indoor sports and recreation facilities, and library, museum and lifelong learning facilities. 	<ul style="list-style-type: none"> Provision of either serviced land at nil cost to the council or its partners, or the delivery of specific community and/or leisure facilities to any 	<ul style="list-style-type: none"> CIL contributions from schemes for supermarkets, retail warehouses and district convenience stores.

Theme	Requirements from sites of less than 500 dwellings	Requirements from sites of 500 or more dwellings	Requirements from other uses
		agreed specified standard.	
Waste management	<ul style="list-style-type: none"> • CIL contributions. • Meeting the standards set out in Appendix E of the Local Plan. • Any specific waste infrastructure needed to make the proposal acceptable in planning terms. 	<ul style="list-style-type: none"> • Meeting the standards set out in Appendix E of the Local Plan. • Any other specific waste infrastructure needed to make the proposal acceptable in planning terms. 	<ul style="list-style-type: none"> • Meeting the standards set out in Appendix E of the Local Plan. • Any specific waste infrastructure needed to make the proposal acceptable in planning terms.
Other requirements	<ul style="list-style-type: none"> • Other requests may be sought dependant on the nature and scale of the scheme. All requirements will be necessary to make the scheme acceptable in planning terms and will be subject to any national pooling restrictions which apply at the time. 	<ul style="list-style-type: none"> • Other requests may be made dependant on the nature and scale of the scheme. All requirements will be necessary to make the scheme acceptable in planning terms and will be subject to any national pooling restrictions which apply at the time. 	<ul style="list-style-type: none"> • Other requests may be made dependant on the nature and scale of the scheme. All requirements will be necessary to make the scheme acceptable in planning terms and will be subject to any national pooling restrictions which apply at the time.

It is highly recommended that the council’s pre-application service is used in order to establish what will be sought from a scheme given that the exact requirement will vary dependent on the proposals and their precise impacts.

1. Introduction

1.1. Consultation

- 1.1.1. This is a draft Supplementary Planning Document, being made available for public consultation. Comments can be made by....
- 1.1.2. The rest of this SPD is written as if it is the final version of the SPD. Following consultation, amendments are likely to be made prior to the SPD being ready for adoption and subsequent implementation. Additional amendments prior to adoption may also be necessary depending on the outcome of the emerging Peterborough Local Plan, because this SPD will need to reflect the final content of that Local Plan. This SPD will not be adopted until the emerging Local Plan has been adopted.
- 1.1.3. At this draft stage, the weight given to this draft SPD is likely to be minimal.
- 1.1.4. The council is also in the process of updating its CIL related policies, including its R123 list. However, the council has no present intention of reviewing its CIL charging rates.
- 1.1.5. The above paragraphs will not be included in the final adopted version of this SPD.

1.2. About this SPD

- 1.2.1. The purpose of this Supplementary Planning Document (SPD) is to set out Peterborough City Council's approach towards securing funding from developers to provide necessary infrastructure to support development.
- 1.2.2. In April 2015 the city council adopted its Community Infrastructure Levy (CIL) which sets a clearly defined tariff-style payment that is required from the majority of developments. However, it will sometimes be necessary to obtain funding through other means to make a planning application acceptable in planning terms and this SPD clarifies the relationship between CIL and other developer contributions. It replaces the previous version of this document which was published in April 2015.
- 1.2.3. This SPD provides a framework for implementation, amongst other matters, of existing policies contained in the adopted Peterborough Local Plan (2018) relating to the impacts of development. This SPD supports in particular policies LP13: Transport, LP14: Infrastructure to Support Growth, LP21: New Open Space, Sport and Recreation Facilities, and LP22: Green Infrastructure Network, of the Peterborough Local Plan.

1.3. About Developer Contributions

- 1.3.1. When assessing a planning application, the city council can take into account what is necessary to make an application acceptable in planning terms through the following mechanisms:
 - Planning **Conditions** (site/development related);

- Planning **Obligations** to secure infrastructure provision through financial contributions or works in kind e.g. S106 Agreements or Unilateral Undertakings (site/development related);
- The Peterborough Community Infrastructure Levy (**CIL**); and
- **Section 278 agreements** under the Highways Act 1980.

1.3.2. More details about the use of these mechanisms in the planning process is available in the [Planning Practice Guidance](#) available on the GOV.UK website.

1.3.3. All eligible development proposals for fewer than 500 dwellings or for supermarkets, retail warehouses and neighbourhood convenience stores will be required to pay CIL at the rate set out in the [Peterborough CIL Charging Schedule](#)¹. However, other contributions may also be sought on sites of fewer than 500 dwellings where this is necessary to make the application acceptable in planning terms by mitigating the impacts of the proposed development.

1.3.4. For developments of 500 or more dwellings, or for other uses not listed in the CIL Charging Schedule, CIL will not be charged, and contributions towards infrastructure necessary to support the growth will be sought through other forms of developer contributions.

1.3.5. Obligations will only be sought where they satisfy the tests set in the NPPF and in the CIL Regulations, specifically where they are:

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.

1.3.6. For more information on CIL, see the [CIL Supporting Policies Document](#)².

1.4. The process of agreeing contributions

1.4.1. Where obligations are being sought, the process will typically be as follows:

1. As part of the documentation submitted with the planning application, the developer provides a draft Planning Obligations Heads of Terms form, using the template available on the city council's website³.
2. Draft Heads of Terms are agreed in principle.
3. Once the Local Planning Authority is minded to approve the application, the city council's Legal Services Team are instructed to prepare a draft S106 Agreement / UU and the charge for this is paid for by the applicant.
4. S106 Agreement / Unilateral Undertaking is signed and sealed and planning permission can then be granted.
5. The agreed Planning Obligations and their relevant triggers monitored through to completion.

¹ Available at: <https://www.peterborough.gov.uk/upload/www.peterborough.gov.uk/council/planning-and-development/CILChargingScheduleApr15.pdf?inline=true>

² Available at: <https://www.peterborough.gov.uk/council/planning-and-development/planning-and-building/community-infrastructure-levy/>

³ Available at: <https://www.peterborough.gov.uk/council/planning-and-development/planning-and-building/apply-for-planning-building-permission/>

6. On discharge of all Planning Obligations the city council's Land Charges Section will remove the charge from the Land Charges Register.
- 1.4.2. It is recommended that all applicants engage with the city council at the earliest opportunity through the pre-application service to understand what impacts are anticipated and therefore what contributions may be sought. A detailed breakdown of the process for S106 Agreements and Unilateral Undertakings is provided in Appendix A.
- 1.4.3. It is important that the infrastructure costs sought through CIL and through S106 contributions are considered at the outset by applicants. The financial impacts of these costs should be factored into viability considerations at the outset when land is acquired.
- 1.4.4. Planning obligations or conditions may be sought to mitigate the impact from new development on a wide range of infrastructure, services or constraints. This SPD details the requirements that may be sought in relation to a number of different themes which are anticipated to be the main topic areas where obligations will be sought.
- 1.5. **Taking account of viability**
 - 1.5.1. Planning obligations are a necessary cost of development and it will be expected that the likely cost of obligations, including the cost of affordable housing provision, will be factored into development from an early stage. The council has tested the viability of development as part of the preparation of the CIL charging schedule and again for the Local Plan. The viability assessments tested the impact of the proposed CIL rates, alongside Local Plan policies and planning obligations on development and found that residual land values would still incentivise landowners to make land available.
 - 1.5.2. The costs arising from CIL and other planning conditions or obligations should be factored into land purchase price at the outset and it will not normally be accepted that viability would prevent the identified planning obligations from being paid for. However, it is recognised that there may be exceptional circumstances where development proposals are unable to meet, in full, the policy requirements of the Development Plan. If the Applicant can demonstrate, to the satisfaction of the council, that the scheme cannot be fully compliant and remain financially viable, the council may consider a reduced level of contributions in one or more areas.
 - 1.5.3. In order to determine such applications the applicant is required to submit an 'open book' viability assessment to the council. The applicant should use the Homes and Communities Agency Development Appraisal Tool. The viability assessment will need to address the fundamental issue of whether an otherwise viable development is made unviable by the extent of the Planning Obligations and CIL requirements.
 - 1.5.4. Appendix B includes the schedule of information to be provided as part of a Financial Viability Assessment on any development scheme.
 - 1.5.5. Submitted viability assessments will be assessed by the city council. Occasionally, it may be considered appropriate for complex schemes to appoint

an independent viability advisor with reasonable costs to be borne by the applicant. Commercially sensitive information will be treated in due confidence, however it may be necessary to report the key issues and broad conclusions to elected members at the time of their consideration of the planning application.

- 1.5.6. Where the applicant fails to demonstrate that a reduced level of contributions should be applied or that the level of Planning Obligations that the development can viably support cannot mitigate the impact of the proposed development, then the planning application is likely to be recommended for refusal.

2. Transport

2.1. Introduction

2.1.1. Investment in transport infrastructure represents one of the greatest challenges to Peterborough's growth agenda. Overall traffic levels in Peterborough have increased over the last decade, leading to increased congestion and a range of associated problems such as increased air pollution, noise impacts and visual intrusion. It is critical to the successful and sustainable growth of the city that major transport improvements are delivered.

2.1.2. The requirements for development proposals to manage and mitigate any impacts arising from growth is set out in Local Plan Policy LP13: Transport and the details of the transport package identified as necessary for the sustainable growth of Peterborough is currently set out in the [Long Term Transport Strategy and Local Transport Plan](#)⁴.

2.2. Requirement for sites of fewer than 500 dwellings

2.2.1. All development proposals will be required to deliver any improvements necessary to make the proposal acceptable in planning terms. For sites of fewer than 500 dwellings CIL payments will be made and may contribute to strategic or city wide impact transport projects.

2.2.2. Most developments generate new transport movements and many development schemes require either on or off-site specific works to mitigate their direct impact on the transport network. Where such a site-specific impact is identified a Planning Obligation may be sought to mitigate its impact. The impact is something that will be determined on a case by case basis which could be in addition to CIL.

2.2.3. Provision to be made for site-specific impacts can be made through Planning Conditions or a S106 Planning Obligation. In most circumstances the obligation will be on the developer to implement the approved works via the relevant legal agreements. However, there may be some circumstances where it would be acceptable to contribute a sum of money to the council to implement the works on the developer's behalf. Financial contributions will be negotiated on a case by case basis, and will be subject to any national limitations on pooling funds from different schemes imposed by any CIL Regulations applying at the time of the decision.

2.2.4. In order to identify the likely impacts of a development the council may ask the applicant to provide an assessment of the anticipated transport impacts and possible mitigation. Typically these will be in the form of a Transport Statement (TS), for sites between 50 and 80 dwellings, a Transport Assessment (TA) and a Travel Plan (TP), for sites of 80 or more dwellings. Other site or development-specific attributes may result in the council requiring an additional assessment and examples of these occasions are available in [Department for Transport](#)

⁴ Available at: <https://www.peterborough.gov.uk/council/strategies-policies-and-plans/transport-strategies/local-transport-plan/>

[guidance](#)⁵. Early engagement with the council through the pre-application advice service will identify specific measures required for the proposed scheme.

2.3. Requirement for sites of 500 or more dwellings

2.3.1. All development proposals of 500 or more dwellings will be required to deliver any improvements necessary to make the proposal acceptable in planning terms, but will not be required to pay CIL.

2.3.2. Proposals will be required to be accompanied by a TA and TP to identify any accessibility issues, the transport impacts of the proposed scheme and proposed mitigation. More information on what will be expected in a TP is available on the [Travelchoice website](#)⁶.

2.3.3. Transport improvements to be delivered will be agreed through S106 agreements and will be negotiated on a case by case basis, and will be subject to any national limitations on pooling funds from different schemes imposed by any CIL Regulations applying at the time of the decision.

2.4. Requirement for non-residential uses

2.4.1. All development proposals will be required to deliver any improvements necessary to make the proposal acceptable in planning terms. Supermarkets, retail warehouses and neighbourhood convenience stores will also be required to pay CIL and may also be required to produce a TS, TA or TP. Other non-residential uses will not pay CIL and mitigation for any impacts will be negotiated on a case-by-case basis through S106 agreements, and will be subject to any national limitations on pooling funds from different schemes imposed by any CIL Regulations applying at the time of the decision.

2.4.2. Thresholds for different uses where a TS, TA and / or a TP will likely be required, as well as exceptions to these thresholds, is provided in [Department for Transport guidance](#)⁷.

3. Education

3.1. Introduction

3.1.1. Education infrastructure is an integral component of balanced sustainable communities. It is the council's vision to ensure that the highest quality opportunities exist in education, learning and training, by improving school performance and raising aspirations and standards of achievement for all age groups.

3.1.2. Development of new homes creates a need for additional school places at early years centres, primary schools, secondary schools and other educational establishments. Recent demographic changes in Peterborough and the

⁵ Available at:

<http://webarchive.nationalarchives.gov.uk/+http://www.dft.gov.uk/adobepdf/165237/202657/guidanceontaappendixb>

⁶ Available at: <http://www.travelchoice.org.uk/developers/residential-travel-plans/>

⁷ Available at:

<http://webarchive.nationalarchives.gov.uk/+http://www.dft.gov.uk/adobepdf/165237/202657/guidanceontaappendixb>

cumulative impact of the growth of the city mean that there is, and will continue to be, a compelling need for additional capacity in the city's education infrastructure throughout the Local Plan period and beyond.

- 3.1.3. The enhancement and expansion of the education offer in the city is a key component of the essential infrastructure to be delivered through development as is identified in Local Plan Policy LP14: Infrastructure to Support Growth.
- 3.1.4. The city council's [School Organisation Plan](#)⁸ contains an assessment of pupil numbers and projections and the likely areas where there is pressure for school places. This will help inform where investment is needed and where any obligations will be sought for education.

3.2. Requirement for sites of fewer than 500 dwellings

- 3.2.1. For sites of fewer than 500 dwellings CIL payments will be made to contribute to the provision of educational facilities. For most sites under 500 dwellings this will be the only contribution to be made for education.
- 3.2.2. The availability of suitably located land to expand existing schools or to deliver new schools is a barrier to the enhancement of the education provision in the city. As such, where a site is within the catchment area of a school (or schools) which are at capacity and it is unable to expand on its existing site and where there are no identified solutions for expanding the local education provision, land for a new school site may be sought (usually fully serviced and at nil cost to the council) where this would be necessary to make the proposal acceptable in planning terms.
- 3.2.3. Furthermore, where a site is located immediately adjacent to a school site and it may offer a rare opportunity to expand the school, the provision of land may be sought, where this is necessary to make the scheme acceptable in planning terms.
- 3.2.4. Where land is being sought this will be dealt with on a case-by-case basis through negotiation and other obligations which ordinarily would have been sought may be offset against the land provided, dependant on the specific circumstances.

3.3. Requirement for sites of 500 or more dwellings

- 3.3.1. For sites of 500 or more dwellings, obligations will be sought for new education facilities through S106 negotiation. This could include, but is not limited to:
 - The on-site provision of land within the development to accommodate identified education facilities, usually fully serviced land provided by the developer at nil cost to the city council;
 - Contributions towards a facility in an off-site location (where this is more appropriate than on-site provision). Where more than 50% of need for the off-site infrastructure is generated by the proposal itself, a proportionate financial contribution to purchase the land, or provision of the land as an in-kind payment, will be required;

⁸ Available at: <https://www.peterborough.gov.uk/residents/schools-and-education/school-organisation-plan/>

- The construction of, or funding for the construction of, education facilities, including the facilities being built to an agreed specification, where appropriate; and,
- Contributions to secure the necessary provision of new school places. This includes the provision of children’s centre places, early years places, primary education places, secondary education places and post-16 education places.

3.3.2. Typically, education provision will be sought on-site for sites of 500 or more dwellings, but it is acknowledged that this may not always be the most appropriate solution. Any contributions will be subject to any national limitations on pooling funds from different schemes imposed by any CIL Regulations applying at the time of the decision.

3.4. Requirement for non-residential uses

3.4.1. Supermarkets, retail warehouses and neighbourhood convenience stores will be required to pay CIL, which indirectly may be used to fund education facilities. For all other uses it is not envisaged that any obligations relating to education would be sought.

4. Affordable housing

4.1. Introduction

4.1.1. Affordable housing is housing that is provided for eligible households who are unable to meet their housing needs in the open market because of the relationship between housing costs and income. It is tightly defined by national policy.

4.1.2. The city council publishes a Housing Strategy to set priorities for Peterborough and what will be done to deliver on these priorities with the latest publication being the [Housing Strategy for 2016-2021](#)⁹. The [Strategic Housing Market Assessment \(SHMA\)](#)¹⁰ provides details of housing need in Peterborough.

4.1.3. Local Plan Policy LP8: Meeting Housing Needs is a detailed policy on how the Council will negotiate affordable housing contributions.

4.2. Requirement for sites of fewer than 500 dwellings

4.2.1. In line with present CIL Regulations, CIL cannot be charged on affordable housing and therefore it is dealt with through S106 planning obligations.

4.2.2. In all cases where a proposal is for 15 or more dwellings (whether this is through new build or conversion) 30% affordable housing will be sought through negotiation. This 15 dwelling threshold will also be applicable on sites below this threshold where it is obviously linked to a subsequent development scheme where the original scheme is extant or up to 5 years following its completion, where combined the schemes would deliver 15 or more dwellings.

⁹ Available at: <https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/strategic-housing/>

¹⁰ Available at: https://www.peterborough.gov.uk/council/planning-and-development/planning-policies/strategic-housing/#StrategicHousing_shma

- 4.2.3. As is stipulated in Local Plan Policy LP8 this affordable housing will be expected to be delivered on-site unless exceptional circumstances can be demonstrated to justify the provision of homes and/or land off-site through a commuted sum.
- 4.2.4. Contributions for affordable housing will not be required from care / nursing homes or student accommodation, where occupancy is restricted by planning conditions or legal agreements. Provision for affordable housing will be required from sheltered and supported housing schemes, recognising the requirement to meet the housing needs of all sections of our communities.
- 4.2.5. The precise tenure and types of housing to be sought from a proposal will be informed by the latest SHMA and will form part of the negotiation during the application process, but the city council will typically seek 70% affordable rent and 30% intermediate in the form of shared ownership.
- 4.3. Requirement for sites of 500 or more dwellings**
- 4.3.1. The requirements for sites of 500 or more dwellings are the same as for smaller sites as detailed above.
- 4.4. Requirement for non-residential uses**
- 4.4.1. Non-residential uses will not be asked to contribute to the delivery of affordable housing. Where a scheme is mixed use and includes some residential development, the city council will negotiate on the basis of the residential proportion of the scheme.

5. Health facilities

5.1. Introduction

- 5.1.1. Local Plan Policy LP7: Health and Wellbeing sets out a requirement for development proposals to provide developer contributions towards new or enhanced health facilities in line with the requirements of Policy LP14: Infrastructure to Support Growth. This is because new residential developments put pressure on existing health facilities and cumulatively create the need for additional facilities and services. In order to cope with pressures arising from the growth of the city, investment will be needed in a number of primary care facilities. These facilities may include, but are not limited to:
- GP services;
 - Day places and beds; and
 - Mental health services
- 5.1.2. With NHS Choices offering the ability to choose where care is received, people no longer have to visit their local surgery or other facility. This means that facilities as a whole across the area may be impacted by new growth rather than just the most local facilities.

5.2. Requirement for sites of fewer than 500 dwellings

- 5.2.1. For the vast majority of sites of fewer than 500 dwellings, contributions towards health facilities will be funded solely through CIL payments. The exception to this will be where there is a specified need for land for health facilities locally and where the provision of this land to provide new health facilities is necessary in

order to make the scheme acceptable in planning terms. This will only typically occur on larger sites of 50 or more dwellings. For any scheme over 50 dwellings, the Cambridgeshire and Peterborough Clinical Commissioning Group (CCG) should be consulted at the earliest opportunity to consider whether this provision may be triggered by the scheme.

5.3. Requirement for sites of 500 or more dwellings

- 5.3.1. For sites of 500 or more dwellings, the provision of health facilities or improvements to existing facilities necessary to accommodate the growth coming from the development will be negotiated through Section 106. This may be in the form of the provision of the facility itself or it may be best delivered through the extension to an existing facility or the provision of serviced land for a facility at nil cost to the Cambridgeshire and Peterborough Clinical Commissioning Group (CCG). The provision of facilities or land should be agreed upon through discussion with the city council and the CCG.

5.4. Requirement for non-residential uses

- 5.4.1. Proposals for supermarkets, retail warehouses and neighbourhood convenience stores will, indirectly, contribute to the provision of health facilities through CIL payments. For all other uses it is not envisaged that any obligations relating to health facilities would be sought.

6. Open space, outdoor sports and recreational facilities and green infrastructure

(Note: See Community and Leisure for indoor sports provision)

6.1. Introduction

- 6.1.1. Open spaces, outdoor sports facilities and green infrastructure are essential infrastructure to support the growing city. They perform a range of functions from enabling active lifestyles and participation in sports and other activities, to providing an essential habitat for wildlife. As the city continues to grow this will create additional pressure on open spaces and the delivery of new and expanded high quality open spaces are essential to ensure adequate quality of life.
- 6.1.2. Local Plan Policy LP21: New Open Space, Sport and Recreation Facilities sets out what will be sought by the city council on sites of a variety of sizes. It stipulates that preference will be for on-site provision of open space but that in some circumstances (as detailed within the policy) off-site provision through financial or in-kind contributions may be acceptable, subject to limitations imposed by the CIL Regulations.
- 6.1.3. The Peterborough [Open Space Strategy Update 2016](#)¹¹ takes account of the planned growth of the city to 2026, together with the current shortfall of open space provision by type, across the district, and identifies target areas for future provision or improvements. It also recommends a number of open space standards, based upon the needs across the city, which have been embedded in Policy LP21 of the Local Plan. Other similar evidence documents may be

¹¹ Available at: <https://peterboroughcc.app.box.com/s/chp40k6zwcx7j0zifaba2alfyqtjos48>

produced, to further help identify and justify open space and green infrastructure developer contributions.

6.1.4. Open space and green infrastructure types can be categorised into strategic and non-strategic types and these are defined as follows:

Table 2: Types of Open Space

Strategic Open Space	Non-Strategic Open Space
<ul style="list-style-type: none"> Country parks Synthetic turf pitches Wider strategic-level projects which establish or enhance habitat connectivity at a larger than local scale 	<ul style="list-style-type: none"> Children’s play areas (including LAP, LEAP, NEAP) Neighbourhood Parks Allotments Natural greenspace Playing pitches or other areas for outside sports

6.1.5. The pressure on these open spaces resulting from new development will require mitigation to ensure that the open space standards set out in the Local Plan are achieved. Strategic open spaces will typically be delivered through CIL funding whilst non-strategic open spaces will be provided through S106 contributions in accordance with the requirements of Policy LP21.

6.2. Requirement for sites of fewer than 500 dwellings

6.2.1. For sites of fewer than 500 dwellings CIL payments made may be used to fund open space improvements. The council has established (and confirmed through Local Plan Policy LP21) an open space provision requirement for a number of thresholds to provide clarity of the expectations for what will be delivered on and off-site on development proposals of a variety of sizes. These requirements are as follows:

Table 3: Open Space Requirements - Type of Provision

Type of open space	Development scheme thresholds for open space provision		
	<15 dwellings	15-40 dwellings	41-499 dwellings
Neighbourhood parks	No requirement	On-site or off-site S106	On-site or off-site S106
Children’s play - LAP	No requirement	On-site S106	On-site or off-site S106
Children’s play - LEAP	No requirement	Off-site S106	On-site or off-site S106
Children’s play - NEAP	No requirement	Off-site S106	On-site or off-site S106
Natural greenspace	No requirement	Off-site S106	Off-site S106
Allotments	No requirement	Off-site S106	On-site or off-site S106
Playing pitches	No requirement	Off-site S106	Off-site S106

6.2.2. The Local Plan also establishes quantitative standards, as follows:

Table 4: Open Space Requirements - Amount of Provision

Open Space types for which on-site provision may be required	Ha per 1,000 persons	Equivalent M ² per person
Children's Play LAP LEAP NEAP	0.04	0.4
Neighbourhood parks	1.36	13.6
Allotments	0.29	2.9
Natural greenspace	0.42	4.2
Playing pitches / outdoor sports	1.0	10

6.2.3. These requirements take account of the anticipated pressure resulting from developments of different sizes in accordance with the open space standards detailed in the Open Space Strategy Update 2016. Standards should not be simply added together to generate a total requirement for open space. This is because it may be possible to provide some open space types within the boundary of another. For example, a neighbourhood park may contain one or a number of the other open space types such as a LEAP, NEAP, allotments and amenity greenspace.

6.2.4. For Table 4 above, converting a development scheme into M² requirements will first require a calculation to determine how many people are assumed to occupy the homes once complete. This is done using Office for National Statistics data for average household sizes for household types in Peterborough based on the 2011 Census as shown in Table 5 below.

Table 5: Open Space Requirements - Household Size Assumptions

Household Type	Household size
Flat – 2 bedroom	2.2
House – 1 bedroom	2.2
House – 2 bedroom	2.8
House – 3 bedroom	3.2
House – 4 bedroom	3.4

6.2.5. Where the first table above indicates an option for either on or off-site provision, the city council's preference is for on-site provision in a suitable location wherever possible, and the precise type of on-site provision required will depend on the nature and location of the proposal and the open space needs in the area.

6.2.6. In certain circumstances it may be more appropriate to make provision at an alternative location off-site. If such off-site provision is agreed by the council to be appropriate, then one of the following two scenarios will apply:

1. Off-site provision may be in the form of an appropriate enhancement or expansion of an existing open space facility/facilities, within a reasonable proximity of the development. In such circumstances, a proportionate financial contribution towards the provision will be required, based on the costs table below.

2. If option 1 is not possible (because of no locally available open space facility available or in need of upgrade), then a proportionate financial contribution to purchase land, or provision of the land as an in-kind payment, will also be required, in addition to contributions to make the land (and any appropriate equipment) in an appropriate condition for its intended purpose.

6.2.7. Where only partial provision can be met on-site, the developer may be expected to make a proportionate financial contribution towards the provision of off-site open space to redress the on-site shortfall.

6.2.8. The quantitative standards set out above can be converted into **indicative costs** using the following:

Table 6: Open Space Requirements - Indicative Costs

Open Space types for which on-site provision may be required	Indicative Cost of Provision £/M ² (assumes nil land purchase needed)
Children's Play LAP LEAP NEAP	£173.38
Neighbourhood parks	£11.48
Allotments	£5.20
Natural greenspace	£8.11
Playing pitches / outdoor sports	See Appendix C for Toolkit and Calculator

6.2.9. These costs are based on historic examples delivered by the current grounds maintenance contractor or Spon's External Works and Landscape Price Book 2017 and will be revised annually in line with future additions or indices used within the Grounds Maintenance Contract. The above costs should, therefore, be used as a guide not a fixed cost.

6.2.10. The standards set out in this section of the SPD will be applied flexibly although the financial value of what is provided should remain broadly consistent with that calculated when determining the open space requirement for a proposal. The city council will take into account existing open space provision, capacity, accessibility and condition within the area, along with other planned provision for the area, when interpreting the open space standards and requirements. Pre-application discussion as part of the planning application process can be beneficial to all in order to provide the most appropriate open space provision for the development and the wider community.

6.2.11. **Adoption and Maintenance:** The council is normally prepared (but is not legally obliged) to adopt and maintain properly laid out green space, play space or playing pitches that are intended for wider public use, where these amenities are provided by the developer on-site as part of a development, and meet agreed standards. This will be subject to a payment towards the future costs of maintenance by the council. This commuted sum is normally calculated for a 20 year period, calculated on the cost to maintain each component of the open space provided. The rates applied will be according to the current Peterborough

City Council Grounds Maintenance Contract and any relevant annual revisions will be applied.

6.2.12. In addition to all of the above, applicants should be mindful of Part C of Policy LP21, which makes it clear that open space provision over and above the standards set out may be necessary in order to mitigate against the potential of significant adverse effects on a designated nature conservation site. This SPD provides no further clarification or detail on this requirement, therefore the policy on this matter is as set out in the Local Plan. Pre-application advice will assist you in identifying whether this may apply.

6.3. Requirement for sites of 500 or more dwellings

6.3.1. The requirements for sites of 500 dwellings or more will be the same as for sites below 500 dwellings, detailed above, with the exceptions that all open space provision will be required on site, and that the provision of a country park or synthetic turf pitches may be sought on site, subject to any national limitations on pooling funds from different schemes imposed by any CIL Regulations applying at the time of the decision.

6.4. Requirement for non-residential uses

6.4.1. Proposals for non-residential uses will typically not be required to provide open space or contributions towards open space, unless the proposal would be likely to give rise to additional pressures on open space provision.

6.4.2. However, given the physical and psychological benefits that open space offers, the provision of open space as part of a landscaping scheme may be beneficial to be provided on schemes for non-residential uses too.

7. Community and Leisure

7.1. Introduction

7.1.1. 'Community and leisure' can cover a wide range of facilities and services available for use by the public, organisations and business communities. Many of these facilities will perform a number of functions and will be flexible to help meet many social, cultural and leisure needs of the community. These facilities may include, but are not limited to:

- Indoor sports and recreation facilities, such as gyms or swimming pools
- Community halls
- Libraries
- Museums
- Facilities for lifelong learning

7.1.2. Because of the functions performed by these facilities they will often become a hub for the community.

7.1.3. Growth in the city applies increased pressure on these services and their availability is also reduced and therefore it is essential that these facilities are enhanced and new facilities are provided to ensure that this wide-ranging and important offer is maintained.

7.2. Requirement for sites of fewer than 500 dwellings

- 7.2.1. Mitigation for impacts arising from growth from sites of fewer than 500 dwellings will usually be through CIL payments.

7.3. Requirement for sites of 500 or more dwellings

- 7.3.1. New facilities will be sought from developments of 500 or more dwellings where the need for these facilities arises from the proposal and existing facilities cannot accommodate this growth either due to capacity issues or the location of existing facilities not being adequately accessible to the new population. Enhancements for specific existing facilities may be sought where this would be the most suitable mitigation for increased pressure, subject to any national limitations on pooling funds from different schemes imposed by any CIL Regulations applying at the time of the decision.
- 7.3.2. Obligations may include the provision of serviced land and the facilities, or financial contributions to purchase land and for the council and other partners to deliver the facilities or services.
- 7.3.3. Where a facility has been delivered it may need to meet relevant industry or other standards and may be required to be adopted by the council, Vivacity or another partner as necessary. Pre-application discussions will provide an important opportunity to discuss requirements appropriate to the case and what will be sought.

7.4. Requirement for non-residential uses

- 7.4.1. Proposals for supermarkets, retail warehouses and neighbourhood convenience stores will typically contribute to leisure and community facilities indirectly through CIL payments. For all other uses it is not envisaged that any obligations relating to community and leisure facilities would be sought.

8. Waste management

8.1. Introduction

- 8.1.1. Development should be designed and constructed in such a way as to minimise the production of waste, maximise the re-use of materials, and maximise the use of recycled materials, and to facilitate, by provision of adequate space and facilities, the ongoing recycling and recovery of waste as may arise from the completed development proposal. These recommendations are set out in both the [Waste Management Plan for England](#)¹² (2013) and the [Cambridgeshire and Peterborough Minerals and Waste Core Strategy](#)¹³ (Adopted July 2011) and they are applicable to the design and construction of all schemes from single buildings through to whole communities in the form of urban extensions and new villages.
- 8.1.2. The Cambridgeshire and Peterborough Minerals and Waste Core Strategy policies CS16 Household Recycling Centres and CS28 Waste Minimisation, Re-Use and Resource Recovery provide the policy basis for seeking contributions towards the provision of household recycling centres and residential waste

¹² Available at: <https://www.gov.uk/government/publications/waste-management-plan-for-england>

¹³ Available at: <https://www.peterborough.gov.uk/upload/www.peterborough.gov.uk/council/planning-and-development/Planning-MineralsWaste-CoreStrategyDPD.pdf?inline=true>

storage containers. It should be noted that the Minerals and Waste Development Plan is being updated over the next 1-2 years, and once adopted the provisions within it will then apply. If there is any conflict between what this SPD states and what the updated Minerals and Waste Development Plan states, then the provisions of the Development Plan apply.

8.2. Requirement for sites of fewer than 500 dwellings

- 8.2.1. All development proposals should satisfy the recommended standards of the guidance in Appendix E of the Local Plan to accommodate the on-site waste management needs.
- 8.2.2. Should a scheme give rise to the need for a specific piece of waste infrastructure to make it acceptable in planning terms, this may be sought through planning obligations.
- 8.2.3. Pressure on strategic waste facilities will be generated from new development across the city and CIL payments from sites of fewer than 500 dwellings may be used to fund the delivery of an anaerobic digestion plant and a southern householder recycling centre.

8.3. Requirement for sites of 500 or more dwellings

- 8.3.1. All development proposals should satisfy the recommended standards of the guidance in Appendix E of the Local Plan to accommodate the on-site waste management needs.
- 8.3.2. Should a scheme give rise to the need for a specific piece of waste infrastructure to make it acceptable in planning terms, this may be sought through planning obligations.

8.4. Requirement for non-residential uses

- 8.4.1. All development proposals should satisfy the recommended standards of the guidance in Appendix E of the Local Plan to accommodate the on-site waste management needs.
- 8.4.2. Should a scheme give rise to the need for a specific piece of waste infrastructure to make it acceptable in planning terms, this may be sought through planning obligations.

9. Other Potential Development Specific Requirements

- 9.1.1. This document has detailed the main areas where provision will likely be sought from development. However the precise circumstances of each development will be different and, therefore, there may be additional development specific requirements, such as mitigation measures, that may be needed to address the impact of individual developments. Such requirements by reason of their nature will need to be assessed on a site by site basis.
- 9.1.2. The list below sets out some additional examples (but by no means exhaustive list) of potential Planning Obligations that may be applicable, depending on the individual circumstances and constraints of the development site and the nature of the proposed development:

- Emergency services;
- Impacts on the historic environment;
- Nature conservation mitigation measures;
- Pollution/air quality mitigation measures;
- Public realm improvements;
- CCTV.

Appendix A

Approach for S106 Agreements and Unilateral Undertakings

Where it is agreed that it will be necessary to secure Developer Contributions via a S106 Planning Obligation (in the form of a S106 Agreement or Unilateral Undertaking) then a draft 'Heads of Terms' must be submitted with a planning application. Prior to submitting a Draft Heads of Terms, developers will need to consider a range of factors that influence contributions. The process for agreeing Developer Contributions involves a series of steps, set out below, that are designed to ensure that the process is as swift and transparent as possible.

Legal and Monitoring Processes

S106 Agreements and UUs will normally be drafted by the city council's Legal Services Team – a service paid for by applicants. Title has to be deduced to the city council and all persons with an interest in the land must be party to the agreement. The city council carries out searches to make sure there have been no new owners or mortgages in the period before completion. Agreements and UUs are registered as local land charges and their provisions bind future purchasers/tenants of the site. Both draft and completed s106 Agreements and UUs may be viewed by members of the public and are not confidential documents.

If contributions are being sought for a range of items, they will usually be addressed in a single document. However, some infrastructure is provided by outside agencies, for example, electricity and water. Their requirements may occasionally be set out in separate documents, but to save time and costs a combined S106 Deed is usually entered into.

Each Agreement or UU has to be entered into before any planning permission is granted. In non-appeal cases the city council seeks to issue the planning permission within one working day of completion of the Agreement or UU. In appeal cases the Agreement or UU needs to be completed before the appeal is determined by the Planning Inspectorate.

The council will track compliance with each provision contained in a legal agreement as a development proceeds to ensure that payment of financial contributions and completion of non-financial obligations is in accordance with the terms in the agreements. Late payment of contributions will incur additional interest charges at the rates set out in the Agreement.

The council will require a payment for the preparation of the legal agreement. The current minimum charge is £550.

Details regarding Planning Obligations and CIL payments will be recorded on a database. This will include what payments are due, triggers, and where/on what the funds are to be spent. Reports on the holding balances, and how the funds have been used will be made available annually within the planning authority's Annual Monitoring Report or equivalent.

Late Interest Payments

In the event of any delay in making any payment required under a S106 Agreement, (regardless of whether or not any formal demand for payment has been made by the council) interest shall be added to such contribution until payment is made on a daily basis at the rate of 5% per annum above the standard rate of Barclays Bank plc.

Triggers for Planning Obligations

Planning Obligations are normally triggered on commencement of development i.e. the date on which works to begin the development start, as defined by the carrying out of a material operation (Section 56 of the 1990 Town and Country Planning Act), but may be earlier or later e.g. upon first occupation.

Timing of Developer Contributions Payments

The timescale for payment of planning contributions will be set out in the Agreement. This will normally be due on commencement of development, but may be prior to completion or first occupation. In the case of significant major development, payments may be phased to assist development viability.

Inflation

Unless otherwise stated to the contrary all contributions (sums payable) by the owner will be subject to increase by application of the principles of indexation. For the purpose of applying indexation the index will usually mean the Building Cost Information Service All-in Tender Price Index (TPI) of the Royal Institution of Chartered Surveyors, however separate indices may be used for affordable housing contributions.

Indexation will commence on the date planning permission is issued and will end on the date(s) the Contributions or sums are actually paid in full.

Further detail on the above matters are set out in the S106 agreement documentation and via the council's Legal Service.

Use of S106 Financial Contributions

When a financial contribution is secured, the use of the funds will be stipulated in the S106 Agreement.

Time limits, usually ten years from the date that the contribution is paid in full (but potentially longer), for the expenditure of financial contributions will be included within the Planning Obligation agreements. After the agreed time limit, any unused contributions are returned to the developer with any accrued interest.

Appendix B

Viability Assessments

The city council has tested the viability of development in Peterborough as part of the development of the CIL and as part of the production of the Local Plan, on the basis of current conditions and taking into account the provision of 30% affordable housing with no grant provision, in line with current policy requirements. This has shown that sites in Peterborough should normally be viable when policy requirements and planning obligations are taken into account.

The costs arising from CIL and other planning conditions or obligations should be factored into land purchase price at the outset and it will not normally be accepted that viability would prevent the identified planning obligations from being paid for. However, it is recognised that there may be exceptional circumstances where development proposals are unable to meet, in full, the policy requirements of the Development Plan. If the Applicant can demonstrate, to the satisfaction of the council, that the scheme cannot be fully compliant and remain financially viable, the council may consider a reduced level of contributions in one or more areas.

Peterborough’s approach to viability

If developers wish to raise the viability of their development as an issue for its deliverability they will be expected to set it out in a formal submission to the city council prior to the submission of a planning application including:

- Whether viability considerations mean that they are not able to provide the full policy requirements deemed to be necessary to be secured through a S106 (e.g. affordable housing) and the statutory CIL charges;
- Why they consider not meeting the policy requirements should be found acceptable.

The assessment of this information will be considered on a case by case basis, weighing up the benefits of the development against the degree of harm caused from under-provision of the required infrastructure to consider whether planning permission should be approved.

An evidential approach to viability is required detailing the specific development economics of the scheme and an informed view as to what policy requirements can and cannot be reasonably and fairly afforded and the benefits of progressing on that basis. The following guidance should be adhered to when submitting viability assessments:

Provision of financial information about the scheme will be on an “open book” basis;
<p>The following should be included in a viability assessment:</p> <ul style="list-style-type: none"> • Electronic version of the viability assessment in the form of the Homes and Communities Agency supported Development Appraisal Toolkit (DAT); • Full Build Cost Plan; • Market Evidence for Sales Rates – set out in a sales and marketing report, including comparables; • Market evidence to support Gross Development Value and the assumptions on yield and financing costs. ; • Market Evidence for Site Value and/or legal evidence of land purchase price; • Development and Sales Programme; • Likely CIL charge including showing payments in line with the adopted Instalments Policy.
All costs and valuations will be based on current values and costs this includes:

<ul style="list-style-type: none"> • Value of residential sales – demonstrated with independent evidence to justify the values; • Value of affordable housing – demonstrated through a statement setting out the assumptions made in relation to tenure, rents, yields, and management costs; • Commercial values – demonstrated through independent evidence to justify the rents, capital values and investment yields assumed; • Build costs – demonstrated in a build cost plan including justification from an accredited quantity surveyor, including information about the quality of construction to be adopted and any industry standards to be incorporated. • Supporting evidence of any identified external works, infrastructure costs and abnormal costs in the form of quotes from contractors and/or consultants; • Planning obligations in accordance with this SPD, any CIL payments to be made and affordable housing at a level consistent with the relevant Local Plan policy should be included in calculations; • Finance costs – details should include borrowing rate and period of borrowing; • Profit – the percentage profit that the scheme will deliver should be included; and • Valuations should comply with RICS valuation standards available at www.rics.org.uk.
<p>Where necessary, the city council may seek independent valuation advice to review the assessment – this cost will be met by the applicant.</p>
<p>Wherever possible, viability assessments should be provided at pre-application stage to ensure any concerns are raised and can be considered at the earliest possible opportunity.</p>
<p>The inclusion of affordable housing should assume no grant being provided.</p>

What happens if a scheme is not policy-compliant

If an applicant can demonstrate to the council’s satisfaction that the scheme will not be viable when policy considerations and required obligations are factored in, **and** that the scheme would deliver benefits that might outweigh any harm caused by not satisfying the requirements, the council may consider making an exception. Where an exception may be made, the council will consider the following steps in priority order:

- Alternative scheme – if an alternative scheme on the site may be more suitable and more likely to deliver on policy requirements whilst remaining viable, this may be explored at pre-application stage if viability concerns are raised;
- Deferral of planning obligations – if viability would be improved by deferred timing of planning obligations, the delay of some costs arising from on-site infrastructure to coincide with key trigger points in the development or the deferral of financial payments due may be considered, provided adequate protection to ensure these costs will be made can be secured;
- Reduce the amount of planning obligations being sought – where a scheme can be shown not to be viable but it would deliver substantial benefits, as an exception the council may consider a reduction in obligations being sought. This will be the minimum reduction needed to make the scheme viable.

Where the council agrees to defer obligations or reduces the amount of obligation being paid, the council may:

- issue a short permission or secure commitments to ensure early delivery;

- expect developers to bid for additional funding from other sources, such as government grant funds; or
- require mechanisms to be included to capture any uplift in the market to fund infrastructure, usually in the form of overage or clawback clauses in the S106.

Should the council include clauses to capture uplift in the market these will be based on the net profit of the scheme which would constitute a substantial additional net profit secured as additional financial contributions or affordable housing. These clauses will require a reassessment of costs and values of the scheme near to the end of development being completed, typically where approximately 90% of the scheme has been completed. This revaluation will be an independent assessment, such as by the District Valuer with the costs being met by the developer. Enhanced values and profits will exclude grant input received and will be limited to the full policy requirement of the scheme.

Appendix C

Playing Pitch Strategy Developer Contributions Toolkit

Introduction


This is a step by step guide to securing developer contributions for playing pitch and outdoor sports facilities in Peterborough using the Playing Pitch Strategy (PPS).

For any application warranting a developer contribution the following processes should be followed in order to help inform the potential needs a new housing development may require and/or should look to consider.

In accordance with National Planning Policy Guidance, contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floor space of no more than 1,000 square metres (gross internal area).

Any obligations sought should be based on a tailored approach to each development, using the robust evidence base provided as part of the Playing Pitch Strategy (PPS) to help with clearly justifying the needs arising and how they are to be met.

Step by step guide

Step 1	Determine the playing pitch requirement resulting from the development	Navigation
	The main tool for determining this is the PPS New Development Calculator which is a Sport England tool provided on completion of the Strategy. This has been populated with the current demand data from the Playing Pitch Assessment Report.	 Demand Calculator.xlsx

The PPS Assessment Report provides an estimate of future demand for key pitch sports (football, rugby, hockey and cricket) based on population forecasts and club consultation. This demand is translated into teams likely to be generated, rather than actual pitch provision required.

The PPS New Development Calculator adds to this, updating the likely demand generated for pitch sports based on housing increases and converts the demand into match equivalent sessions and the number of pitches required. This is achieved by taking the current demand/team generation rates (TGRs) and population in the PPS Assessment Report to determine how many new teams would be generated from an increase in population derived from housing growth. This also gives the associated costs of supplying the increased pitch provision.

Part 5 of PPS New Development Calculator provides an estimation of the number of new pitches that would be required to meet the match equivalent sessions presented in Part 3. Part 5 also presents an estimate of the associated costs for providing these new pitches. Please note that these are indicative costs only and appropriate local work should be undertaken to determine the true costs of any new pitches.

As identified within the Strategy, the longer term aim is to move towards increasing use of 3G pitches to accommodate competitive football fixtures. Therefore, there is a case to suggest that contributions towards football provision (and in some cases rugby union) could be made. Such provision would, however, require a business plan for the facility which aligned to FA programming and pricing and to encourage use of the facility on weekday evenings for training and for fixtures at weekends.

Step 2	Determine the other pitch and non-pitch requirements resulting from the development	Navigation
	Use the Playing Pitch Strategy to identify level of need that may be generated from new development(s) for outdoor sporting provision not included within the PPS New Development Calculator.	◀ Playing Pitch Strategy (Part 4 & 6)

The PPS New Development Calculator does not calculate demand for other types of pitches or non-pitch provision which may be played in the Area. However, the PPS identifies (where relevant) current and future demand for the following additional types of outdoor sporting provision; bowling greens, tennis courts, netball courts, athletics tracks, golf courses and cycling facilities.

Where there is no identified shortfall in provision or future demand for new provision within an area relevant to the development (e.g. an analysis area or settlement), consideration should be given to the nearest site to the development containing that type of pitch provision. This should consider if the site could benefit from a contribution towards increasing capacity to meet likely need generated from the development. For example, this could include increasing quality, addition of ancillary facilities such as floodlighting, changing rooms or car parking. Use the PPS action plan to identify site by site recommendations.

Step 3	Determine whether new provision is required and whether this should be on or off site	Navigation
	Consider if the nearest site/s to the development containing that type of provision could benefit from a contribution towards increasing capacity to meet likely need generated from the development. If there are no potential options to improve existing, or extend planned provision to create additional capacity then new provision will be required. Where the calculator does not create demand for a whole pitch, which is often the case for smaller size developments, it is recommended to make a contribution to increasing the capacity of an existing site to meet demand generated from the development.	◀ Playing Pitch Strategy Action Plan (Part 6)

When identifying a site for off-site contributions, consider the proximity and location of existing playing pitch sites and whether it could help serve the new development. Identify the analysis area in which the development sits and identify if there are any Hub sites or Key centres within the Area.

If there are no analysis areas or the development site is close to the local authority boundary, apply an initial one mile radius around the site in order to help identify the nearest priority sites. This may require consultation with neighbouring authorities.

Hub sites are of City wide importance where users are willing to travel further to access the range and high quality of facilities offered. Hub sites are likely to be multi-sport facilities. These have been identified on the basis of high impact on addressing the issues identified in the assessment.

The financial, social and sporting benefits which can be achieved through development of strategic sites (also known as hub sites) are significant. Sport England provides further guidance on the development of community sports hubs at:

http://www.sportengland.org/facilities_planning/planning_tools_and_guidance/sports_hubs.aspx

Key centres although these sites are more community focused, some are still likely to service a wider analysis area (or slightly wider). However, there may be more of a focus on a specific sport i.e. a dedicated site.

Step 4	Determine how best to satisfy demand through new onsite provision	Navigation
	To further help determine how best to satisfy demand for new onsite provision, use the Playing Pitch Strategy to identify existing shortfalls and consult with local clubs/groups to identify local issues.	◀ Playing Pitch Strategy (1.3 Headline Findings)

Although the Playing Pitch Strategy will help to identify existing shortfalls (and in doing so provide a guide as to how best to meet demand generated from the new development), local clubs/groups should be consulted to further update the most recent local situation. Useful questions to answer may include, for example:

- ◀ Are there any teams/clubs playing outside of the local area (displaced demand) which could utilise provision at the site?
- ◀ Do any local clubs identify existing plans/demand for access to new provision?
- ◀ Are there any overplayed sites in the local area where existing demand could be transferred to a new site?
- ◀ Do any local clubs identify any latent demand (i.e. if they had access to more pitches they could they field more teams?)

Step 5	Determine how best to satisfy demand through new offsite provision	Navigation
	Identify the potential sites for investment within the Playing Pitch Strategy Action Plan to help determine how best to meet demand generated from the new development.	◀ Playing Pitch Strategy Action Plan (Part 6)

Consider the location of the new population (e.g. the location of the development site) alongside the results of the PPS assessment work. This will enable you to understand the nature of the current playing pitch sites within an appropriate catchment of the new population and the issues in the area. This may lead to suggestions of one or more ways of meeting the estimated demand, such as:

- ◀ Enhancing existing pitches to increase their capacity and ensure adequate maintenance to maintain the higher level of use
- ◀ Securing greater community access to currently restricted provision and undertaking necessary works to allow such use to occur (e.g. enhanced changing provision)
- ◀ Providing new playing pitches on existing sites.

This decision should be based on the potential to improve existing facilities within an appropriate catchment of a development to create additional capacity, and how realistic it is given the nature of the local area to provide new provision. For example, there may be some poor quality playing fields that could potentially be improved with additional drainage and long-term maintenance works, along with enhanced changing provision, to enable their use to be increased, thereby creating additional capacity to meet the increased demand generated from the development.

Discussions should be held with relevant parties (e.g. landowners, facility operators and user groups), and any further necessary evidence gathered (e.g. a feasibility study), to help identify the specific works that are required, and to ensure they will provide the necessary additional capacity to meet the needs. It will also be important to demonstrate that the specific works can be delivered within an appropriate timescale in relation to the occupation of the development site.

Step 6	Consider design principles for new provision	Navigation
	The exact nature and location of provision associated with onsite developments should be fully determined in partnership with each relevant NGB. Further to this, each pitch sport NGB provides national guidance in relation to provision of new pitches.	FA guide to developing facilities FA 3G pitch guidance RFU Facilities Guide ECB guide to developing pitches England Hockey Facilities Strategy

There is also a need to ensure that the location of outdoor sports pitches and ancillary facilities are appropriately located in the context of indoor sports provision (if also being provided onsite) to ensure a cohesive approach to the whole sporting offer.

Step 7	Calculate the financial contribution required	Navigation
	After using the PPS New Development Calculator as a starting point for cost, the local cost of provision should be fully determined in order to calculate the financial contributions.	N/A

A clear and transparent methodology for calculating up to date costs for the specific works, including appropriate ancillary provision, should be presented. Where appropriate, depending on how the needs are to be met, the cost of any required land purchase should be included in the financial contribution. If an obligation will be directed to an off-site project it should be ensured the costs are limited to meet the needs of the individual development.

Along with any capital costs for the works, an obligation should ensure an appropriate level of lifecycle costs towards the new or enhanced provision. This is required to cover the day to day maintenance for an agreed long term period and to help ensure a sinking fund exists for any major replacement work, e.g. the future resurfacing of an artificial grass pitch.

Wherever possible, specific local costs should be used, especially if the works are to improve the existing quality of a site to increase capacity as there may be a number of site specifics to take into account. Sport England does provide indicative costs for new provision:

<https://www.sportengland.org/facilities-planning/design-and-cost-guidance/cost-guidance/>

For all developments community use agreements between providers and users would ensure that such demand continues to be provided for in the long-term.

Step 8	Identify potential management options for new provision	Navigation
	To further help determine the sustainability of establishing new provision, consideration should be given to the potential management opportunities which may be available.	N/A

To further help determine the sustainability of establishing new provision, consideration should be given to the potential management opportunities which may be available onsite:

- ◀ Is the local authority (or town/parish council) in a position to take on further outdoor sports facilities from a financial point of view?
- ◀ Is an education establishment to be provided as part of the development which offers a potential management option of outdoor sports facilities?
- ◀ Is there a leisure trust in place which has the capacity to take on the management of outdoor sports facilities?
- ◀ Is there an opportunity for a trust based model of management, for example, by formation of a Community Interest Company (CIC) or Charitable Incorporated Organisation (CIO)?
- ◀ Is there an existing sports club that has the capacity to take on the management of another site?

At this point, further dialogue with the relevant NGB may be required to help determine options available.

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CABINET	AGENDA ITEM No. 12
15 JANUARY 2018	PUBLIC REPORT

Report of:	Simon Machen - Corporate Director Growth and Regeneration	
Cabinet Member(s) responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Gemma Wildman - Principal Planning Officer James Fisher - Wildlife Officer	Tel. 01733 863824 01733 453543

PETERBOROUGH GREEN INFRASTRUCTURE AND BIODIVERSITY SUPPLEMENTARY PLANNING DOCUMENT (SPD)

RECOMMENDATIONS	
FROM: Corporate Director of Growth and Regeneration	Deadline date: N/A
It is recommended that Cabinet approves the Green Infrastructure and Biodiversity SPD for the purpose of public consultation.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to Cabinet following consideration by the Growth, Environment and Resources Scrutiny Committee 10 January 2018.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to present the Green Infrastructure and Biodiversity SPD in order for Cabinet to approve it for public consultation.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.9, 'To commission reviews by and determine any changes of policy proposed by the Scrutiny Committees and Commissions making recommendations to Council about proposed changes to the Council's major policy and budget framework.'

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. BACKGROUND AND KEY ISSUES

- 4.1 The current Green Grid Strategy was published in 2007, though it was not formally adopted by the Council at that time. In addition, various biodiversity planning guidance documents are currently available on the Council's website, having being revised several times during the last 5-10 years.

- 4.2 The SPD aims to:
- Bring together appropriate material, and gain formal council approval for the document.
 - Support the emerging Local Plan. It will not introduce new policy but explains how policies in the Local Plan should be implemented.
 - Act as a material consideration when determining planning applications and is intended

to act as a “one stop shop” source of guidance and advice in relation to both biodiversity and green infrastructure (GI).

- Incorporate relevant new Government legislation and policies, with the “Lawton Review” and associated Natural Environment White Paper being key influences.
- Include an updated list of Priority GI Projects which have been carefully assessed against relevant criteria to ensure that the limited resources available are focussed on the most deliverable and beneficial initiatives.

5. CONSULTATION

- 5.1 The draft SPD has been developed by the City Council working in close partnership with a small working group consisting of a range of conservation organisations and land managers.
- 5.2 In July 2016 a wider stakeholder engagement workshop was held, attended by 40 people, representing 33 different organisations, which further informed the priorities and areas of focus for this Draft SPD.
- 5.3 In July 2016 a presentation was also made at the City Council’s Planning Customer Forum to inform and invite feedback to help inform the Draft SPD.
- 5.4 Growth, Environment and Resources Scrutiny Committee received a copy of the draft SPD on 10 January. Any comments it makes will be verbally reported to Cabinet.
- 5.5 Subject to Cabinet approval on 15 January 2018, officers propose to consult on the draft SPD in Spring 2018 (it is a legal requirement to undertake such public consultation). That public consultation will allow officers to collect views from developers and other interested parties. The public will be invited to comment, though due to the technical nature of the document, it is more likely that comments will be received from those involved in development and environmental sector.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that Cabinet will approve (with any amendments as it sees fit) the Green Infrastructure and Biodiversity SPD for the purpose of public consultation in Spring 2018. Following public consultation, the SPD will be amended accordingly and then will be recommended to Cabinet for adoption later in Autumn 2018 (alongside, or shortly after, the Peterborough Local Plan).

7. REASON FOR THE RECOMMENDATION

- 7.1 There is no statutory duty to prepare this SPD. However, without this “one stop shop”, developers could be confused or misinformed in relation to appropriate consideration and implementation of biodiversity and green infrastructure requirements in Peterborough. This could have an impact on development coming forward as additional time would need to be spent on applications where biodiversity and GI issues occur.
- 7.2 In addition, this SPD provides a focus for identifying and driving forward delivery of priority GI projects in partnership with a wide range of environmental organisations and community groups within Peterborough.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 Alternative options considered were:

Option 1 - do not update the 2006 Green Grid Strategy and various biodiversity guidance notes available on the Council’s website. This would represent a missed opportunity to simplify the process for those requiring advice in relation to both biodiversity and green infrastructure, as such this is not the preferred option.

9. IMPLICATIONS

Financial Implications

- 9.1 The SPD is not intended to introduce financial implications for the Council or developers, but instead to provide guidance to assist with meeting current legislative and policy requirements.

Legal Implications

- 9.2 The council must follow statutory regulations in preparing and consulting on the SPD. After the statutory process concludes, the final SPD document will be recommended to Cabinet for adoption. Once adopted, the document will be used as a material planning consideration in the determination of planning applications.

The SPD is not intended to introduce legal implications for the council or developers, but instead to provide guidance to assist with meeting current relevant environmental legislation.

Equalities Implications

- 9.3 There are no equalities implications anticipated.

10. BACKGROUND DOCUMENTS

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

- 10.1 Biodiversity 2020: A strategy for England's wildlife and ecosystem services, Defra 2011
- 10.2 Making Space for Nature: a Review of England's Wildlife Sites and Ecological Network, Defra 2010
- 10.3 The Natural Choice: Securing the Value of Nature, Defra 2011
- 10.4 Peterborough Green Grid Strategy, 2007.

11. APPENDICES

- 11.1 Appendix 1 - Draft Green Infrastructure and Biodiversity SPD.

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Peterborough's Green Infrastructure & Biodiversity Supplementary Planning Document

Positive Planning for the Natural Environment

Consultation Draft January 2018



Preface

How to make comments on this Supplementary Planning Document (SPD)

We welcome your comments and views on the content of this draft SPD. It is being made available for a xxxx week public consultation. The consultation starts at on XX 2018 and closes on XX xxx 2018.

The SPD can be viewed at www.peterborough.gov.uk/LocalPlan. There are several ways that you can comment on the SPD. Comments can be made by email to:

planningpolicy@peterborough.gov.uk

or by post to:

Peterborough Green Infrastructure and Biodiversity Draft SPD Consultation
Sustainable Growth Strategy
Peterborough City Council
Town Hall
Bridge Street
Peterborough
PE1 1HF

All responses must be received by XX xxxx 2018.

All comments received will be taken into consideration by the council before a final SPD is adopted later in 2018.

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Purpose of the SPD

This Supplementary Planning Document (SPD) sets out a vision for how Peterborough's network of green infrastructure and associated biodiversity should be protected and enhanced during the next 20 years. It seeks to raise the profile of the natural environment and ensure its value is recognised in key decision-making by all those involved in delivering Peterborough's sustainable growth during the period of the new Local Plan.

It aims to provide practical guidance and advice on how Green Infrastructure (GI) and biodiversity considerations should be integrated into the development process, primarily to planning applicants, developers and land owners, as well as decision makers such as planning officers. However it will also be of interest to a broad range of other stake-holders including conservation organisations, community groups and interested local residents.

Status of the SPD

As SPD, this document does not introduce new policy and does not form part of the Development Plan. Rather it explains how policies in the Peterborough Local Plan should be implemented. It will be a material consideration when determining planning applications.

Structure and Content of the SPD

Guidance and information on the following are covered in this SPD:

- Provision of straight forward and effective guidance and advice regarding biodiversity and GI for developers and those considering applying for planning permission, as well as decision makers.
- Priority GI focus areas and the identification of a range of priority GI projects to take forward and deliver the Council's GI vision on the ground.

A Collaborative Approach

This SPD has been produced by the City Council working in close partnership with a small working group, established in 2015, consisting of a range of conservation organisations and land managers. The Council would particularly like to thank and acknowledge the following partners and organisations who have contributed towards this strategy document: Clare Freeman (Nene Park Trust), Justin Tilley (Natural England), Martin Baker (The Wildlife Trust BCN), Silviu Petrovan (Froglife) and Jamie Robins (Buglife).

In July 2016 a wider stakeholder engagement workshop was held, attended by 40 people, representing 33 different organisations, which further informed the priorities and areas of focus for this strategy. The success of this event demonstrated a real interest in GI and determination to continue the excellent partnership collaborative working approach. This then led to the inaugural Peterborough Nature Partnership meeting in November 2016.

In July 2016 a presentation was also made at the City Council's Planning Customer Forum to inform and invite feedback to the strategy. This well-attended event included a range of interested parties including Parish Council representatives, land owners, developers and agents as well as specialists such as ecological consultants and architects.

Definitions

Green Infrastructure is a strategically planned and delivered network of high quality green spaces and other environmental features (known as **Natural Capital** areas). It should be designed and managed as a multifunctional resource capable of delivering a wide range of environmental and quality of life benefits (**Ecosystem Services**) for local communities. Green infrastructure can include parks and natural green spaces, wildlife sites, playing fields, woodlands, allotments and private gardens.

It should be noted that GI and open space (as defined in Peterborough's Open Space Strategy) are complementary but distinct: GI has a much greater focus on wildlife, biodiversity, ecosystem services and countryside access and may include both public and private land.

Green infrastructure networks have previously been identified at both strategic and local scales across Peterborough in the 2007 Green Grid (GG) Strategy which remains a valid evidence base in highlighting GI resources and where deficiencies in GI can be found. Therefore this document aims to refresh rather replace the GG Strategy, seeking to provide an up-to-date deliverable GI plan for Peterborough.

Biodiversity is the "wealth of wildlife" incorporating both rare and common species and habitats; all of which play a vital role in ecosystems. A healthy ecosystem can provide a variety of **ecosystem services** such as soil formation, nutrient recycling, climate regulation, flood control and social benefits such as education, recreation and tourism. Biodiversity also has an intrinsic value which we have a responsibility to protect for future generations.

Benefits of Green Infrastructure

Green infrastructure provides multiple benefits to Peterborough, not only to the natural environment but also for the economy and people. In fact GI provision is now considered as important as the provision of grey infrastructure such as transport, food and energy supplies, water and waste management systems.

Seven key benefits of green infrastructure have been identified for Peterborough which are supported by numerous studies and evidence:

1) Supporting Healthy lifestyles and thriving communities:

There is strong evidence, from a large number of high-quality studies that nature promotes recovery from stress and attention fatigue, and that it has positive effects on mood, concentration, self-discipline, and physiological stress (*Health Council of the Netherlands, 2004*).

Proximity to greenspace is generally associated with increased levels of physical activity. This effect is particularly marked in the under 25s, who are more likely to be obese if they do not have access to greenspace.

Residents who live near nature generally cope better with the stress of everyday life and are considered as happier than those who do not have easy access to green spaces.

Education involving the natural environment and green spaces can positively influence the functioning of communities through reducing anti-social behaviour, increasing self-esteem and improving skills.

2) Providing active access to the outdoors

Well designed, attractive and welcoming walking, cycling and equestrian routes connecting people with green-spaces help to maximise health benefits and people's enjoyment and appreciation of the natural environment.

Physical activity in natural environments, or 'green exercise', is estimated to provide health benefits of £2.2 billion a year to the English adult population, according to research published in the journal *Preventive Medicine* (2016).

3) Enhancing landscape character and built heritage

Well designed GI can assist in conserving and enhancing heritage assets such as historic landscapes and archaeology, and improving the setting of historic buildings and monuments.

Integrating access to green spaces and historic places into the everyday lives of communities can help to develop a connection with the local area, increase community participation and reduce anti-social behaviour.

4) Enhancing biodiversity

High quality, planned GI offers opportunities for creating and enhancing Priority Habitats with associated benefits for Priority Species, connecting sites via wildlife corridors and networks, protecting and enhancing landscape character, and improving the quality of rivers and streams.

5) Supporting healthy ecosystems

A robust and resilient ecological network can help to mitigate the impacts of extreme weather events, for example by providing shading and natural cooling and improved air quality from urban trees as well as storm water storage in upstream catchments and floodplains.

GI can play a key role in sustainable drainage, drought mitigation, and in flood and water stress reduction, through providing opportunities for attenuation or infiltration that can help to recharge aquifers as well as to maintain levels in watercourses or other wetland features. Green infrastructure can influence water quality through limiting diffuse pollution and controlling water levels in watercourses.

6) Providing climate change solutions

In Tony Juniper's book "What has nature done for Britain" he demonstrates significant carbon storage benefits using a local example to Peterborough:
"...the Great Fen will bring a number of benefits. One is in relation to the job of carbon capture. Reversing the drainage and returning this area of the Fens to wetland will arrest the continuing degradation of the peat. Over the 80 or so years when the peat would have continued to disappear (with much of it expected to be gone long before then), each re-wetted hectare of the Great Fen will on average result in avoided emissions of 10,000 tonnes of carbon dioxide equivalent. By my rough calculations 2,000 hectares of re-wetted land will save 20 million tonnes of

CO₂ over 80 years or the equivalent of 2.5 million tonnes per year (the emissions of 1.5 medium sized cities)".

7) Invigorating the local economy and natural tourism

It is estimated that a property located within 450 metres of a park can be worth up to 19% more than houses not in such a location (Neil Dunse et al., 2007). Views of forests or water can increase house values by 7% and 5% respectively (Garrod and Willis, 1992).

The natural environment provides an enormous range of products and services worth £15 billion to the national economy and supports a wide range of economic sectors including agriculture and horticulture with pollination services being of particular value. Protecting natural areas can deliver economic returns that are 100 times greater than the cost of their protection and maintenance.

Green infrastructure also supports the green economy through the provision of goods such as biofuels, which offer renewable energy opportunities. Technological innovation in this area will enable business growth, skills development and new employment opportunities.

Locally, there are significant opportunities for Peterborough's economy to benefit from natural tourism, for example in relation to the high profile Great Fen Project which is located in close proximity to south of the city.

Who should think about GI and Biodiversity?

GI and biodiversity should be considered and incorporated at every scale of planning, from the strategic level down to individual buildings. Everyone has a role to play. From householder applicants, to community groups, to developers designing new housing sites and new communities. For strategic level schemes, such as sustainable urban extensions and large scale allocations, it will be important that a collaborative and multi-disciplinary approach is taken to develop solutions that will work on the ground. Of equal importance is seeking input from local communities. Not only could they provide useful information on existing GI and biodiversity assets that are important to them, but also what new GI they would like to see in their area.

2

Setting the Scene

Background to developing the SPD

This SPD builds on a range of previous strategies including Peterborough's Green Grid Strategy (2007) as well as Developer Guidance Advice (2012) and Biodiversity Checklist Guidance (2013). By refreshing and bringing these documents together for the first time, it is envisaged that this new document will provide a helpful and straight forward "one stop shop" source of guidance and advice relating to GI and biodiversity for Peterborough.

It should be noted that a **Council-specific [Biodiversity Strategy](#)** is also currently being updated which is intended to demonstrate the Council's commitment to having due regard to biodiversity in the exercising of its functions under the key headings of:

- 1) Promoting Biodiversity in Planning;
- 2) Showing Regard for Biodiversity on Council Managed Land & Buildings;
- 3) Protected Sites and
- 4) Green Infrastructure

It is intended that the Council's Strategy will reference and fully support the vision and approach set out in this SPD.

Peterborough's [Open Space Strategy](#) (OSS) has also recently been refreshed in parallel with this document and now provides a comprehensive up-to-date assessment of the supply and demand for open space, and given the obvious cross-over with GI, should be referred to alongside this document.

In addition Peterborough's recently revised [Rights of Way Improvement Plan](#) is a key document for identifying and taking forward a range of strategic access-related projects to benefit cyclists, horse-riders and pedestrians.

Peterborough's [Trees & Woodland Strategy](#) has clear links to this SPD, for example as one of the drivers for key projects such as the Forest for Peterborough initiative and the evolving Ward-based Tree Canopy Cover approach to tree planting.

National Policy Context

The [National Planning Policy Framework](#) (NPPF), published in 2012, sets out the Government's planning policies for England with a presumption in favour of sustainable development and conserving and enhancing the natural environment as a core planning principle. The NPPF states that local planning authorities should "set out a strategic approach in their local plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure".

In addition the NPPF requires local authorities to "plan for biodiversity at a landscape scale across local authority boundaries" and "identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and areas identified by local partnerships for habitat restoration or creation".

This SPD is also prepared in the context of the [National Planning Practice Guidance](#) (NPPG), published in March 2014 and periodically updated, which expands on national policy. It defines GI as a network of multifunctional green space, urban and rural, which is capable of delivering a wide range of environmental and quality of life benefits. It goes on to state: “Green infrastructure is not simply an alternative description for conventional open space. As a network, it includes parks, open spaces, playing fields, woodlands, but also trees, allotments and private gardens. It can also include streams, canals and other water bodies and features such as green roofs and walls”.

The core principles of this SPD are driven by the objectives of the [Natural Environment White Paper, The Natural Choice: Securing the Value of Nature](#), the aims of which include halting biodiversity loss by 2020, supporting healthy functioning ecosystems, and establishing coherent ecological networks. [The Lawton Review Making Space for Nature](#) which informed the White Paper concluded that England’s collection of wildlife sites, diverse that it is, does not comprise a coherent ecological network even today, let alone one that is capable of coping with the challenge of climate change and other pressures.

The White Paper refers to the role of urban GI as completing ‘the links in our national ecological network’ and ‘one of the most effective tools available to us in managing environmental risks such as flooding and heat waves’. It advocates that green spaces should be factored into the development of all communities.

The White Paper also introduced a number of policies and initiatives including [Nature Improvement Areas \(NIAs\)](#), intended to enhance and reconnect nature on a significant scale, which, locally, led to the [Nene Valley NIA](#) being designated in 2012. Consequently the Nene Valley forms one of the key ecological areas in this document (see **section 3**).

The White Paper also introduced [Local Nature Partnerships \(LNPs\)](#), intended to work at a strategic scale for a better natural environment. Locally, [Natural Cambridgeshire](#) was established in 2012 as the LNP for Cambridgeshire and Peterborough, and has more recently developed a [vision](#) and action plan.

The [Biodiversity Strategy for England, Biodiversity 2020](#), builds on the Natural Environment White Paper, setting out how the approach of the planning system will guide development to the best location, encourage greener design and enhance natural networks.

The [National Pollinator Strategy](#) (2014) sets out a 10 year plan to help pollinating insects survive and thrive across England, and promotes the need for “more, bigger, better, joined up, diverse and high quality flower-rich habitats (including nesting places and shelter) supporting our pollinators across the country”.

The [State of Nature Report](#) (2013 and updated in 2016) is the first of its kind to document the status and population trends of animals and plants in the UK, with an alarming overall decline in species recorded. However the report also identifies ways in which to stop the losses and ‘bring back nature’.

The [UK Action Plan for Biodiversity](#) was launched in 1994 with action plans produced for nationally important species and habitats. These were subsequently reviewed and replaced by the UK Post-2010 Biodiversity Framework, leading to the [UK Priority](#)

Habitats and Species List. This forms the basis of [Cambridgeshire and Peterborough's Action Plans](#), and associated [list of important local species](#), which are an important consideration in local habitat and species-focussed projects.

Legislation

The Council is required to have regard to the safeguarding of species and habitats protected under UK, European and International legislation when determining all planning applications. The main legislation includes:

- [the Wildlife and Countryside Act 1981 \(as amended\)](#)
- [the Hedgerows Regulations 1997](#)
- [the Natural Environment and Rural Communities Act 2006](#)
- [the Conservation of Habitats & Species Regulations 2010 \(The Habitats Regulations\)](#)
- [the Protection of Badgers Act 1992](#) and [Wild Mammals \(Protection\) Act 1996](#)

Local Policy Context

The council is currently preparing a new Local Plan, which will set out the plans and policies for sustainable growth and regeneration in Peterborough over the next 20 years. The new Local Plan is currently at the Proposed Submission stage. On adoption, the Local Plan will replace the current adopted Development Plan Documents that provide the council's local planning policy framework.

This SPD expands on the Local Plan to provide detailed guidance to help implement policies LP22 Green Infrastructure Network and LP28 Biodiversity and Geodiversity Conservation.

LP22 requires all development proposals to ensure that existing and new green infrastructure is considered and integrated into the scheme design from the outset. Development proposals that are consistent with and support the delivery of the opportunities, priorities and initiatives identified in the Peterborough Green Infrastructure and Biodiversity SPD will be supported.

Policy LP28 requires development proposals to ensure **no net loss to biodiversity** and that a **net gain in biodiversity** is achieved wherever possible. In addition, all proposals are required to follow the "mitigation hierarchy", by seeking to avoid impacts to biodiversity in the first instance, then to mitigate unavoidable impacts, and, as a last resort, to compensate for unavoidable residual impacts that remain after avoidance and mitigation measures.

3 Peterborough's Approach to Green Infrastructure and Biodiversity

GI and Biodiversity in Peterborough; the Current Situation

Green Infrastructure: Within the urban areas of Peterborough, the city has benefited from enlightened green infrastructure planning by the Peterborough Development Corporation during the late twentieth century, which incorporated significant areas of green spaces throughout the new townships.

It was also during this period that the Nene Park Trust (NPT) was established which has resulted in the provision of a significant area of connected green spaces along the river Nene corridor; today NPT is an exemplar of a well-run and managed Country Park, and welcomes over 1m visitors annually.

The Trust's recently published Master Plan builds on this foundation, setting out an exciting vision for the park over the next 20 years; in fact many of the projects and initiatives identified in the [Master Plan](#) are likely to be taken forward through the delivery of this strategy.

During the 1990's Peterborough became an Environment City, a period which also saw the establishment of Peterborough Environment City Trust. More recently, Peterborough has set out its ambition to become the UK's Environment Capital with an associated [Environment Action Plan](#).

Biodiversity: Despite its relatively small geographical area, Peterborough supports a number of distinctive landscapes and rich mosaic of habitats including woodland, parkland, limestone grassland, river valleys and wetlands.

Approximately 10% of the Unitary Area is of at least county significance for its wildlife and 2% of the area is of national importance. This includes 3 sites (Barnack Hills & Holes, Orton Pit and The Nene Washes) which are also of international importance.

Orton Pit is of particular note for supporting the largest known population of great crested newts in Europe. Castor Hanglands National Nature Reserve (NNR) includes a pond that is considered to be the most valuable for aquatic invertebrates in England.

Peterborough also supports a rich geological resource with a number of designated sites including Eye Gravel Pit Geological Site of Special Scientific Interest (SSSI) and six Local Geological Sites.

Access to the Natural Environment: There are currently a number of strategic long distance routes available to cyclists, equestrians and pedestrians including the Green Wheel cycle network which provides a unique continuous 50km cycle path around the city with connecting "spokes" connecting the route to the city centre, as well as the Nene Way, Hereward Way and Torpel Way, which are complemented by an extensive network of other rights of way.

It should be noted that the [Rights of Way Improvement Plan](#) identifies specific gaps and deficiencies in the network which are being addressed via the Peterborough Local Access Forum (PLAF).

This SPD promotes the **Accessible Natural Greenspace Standard (ANGSt)**, as developed by Natural England and further information on this standard can be found in [Peterborough's Open Space Strategy](#) as well as the document [Nature Nearby: Accessible Natural Greenspace](#).

One key aspect of ANGSt that is particularly relevant to this SPD is the recommendation that everyone, wherever they live, should have an accessible natural green-space equivalent to "a minimum of one hectare of statutory Local Nature Reserves (LNR) per thousand population". Peterborough's OSS has identified that there is currently 0.42ha of LNR per thousand population (equating to 82ha), however when NNRs are included, the total area of designated natural green space is 420ha. This results in a provision of 2.12ha per thousand population which is significantly above the standard.

Nevertheless an initiative that seeks to increase the current provision of LNRs has been identified as a specific project in the Schedule of Priority GI Projects (**Appendix 1**). This initiative will be taken forward by the City Council in partnership with other relevant organisations.

Peterborough's Vision for the Future:

It is important to recognise that many of the City's habitats (and associated species) have declined in quality and extent during the past few decades, and without careful forward planning, the city's planned growth has the potential to significantly impact on these natural resources through both direct and indirect impacts such as reduced habitat connectivity and fragmentation, increased visitor disturbance and a reduction of wildlife habitat features.

With significant development growth proposed in the Local Plan, it is important that Peterborough's growth ambitions deliver not just housing and employment targets, but enable the provision of a high quality, robust GI network (please refer to figure 1) which provides the natural services required to support the sustainable development of the city.

It is therefore Peterborough's ambition to ensure that:

By 2036 the Council and its partners will have helped to create an ecological network across Peterborough that is rich in wildlife, providing connectivity of valuable habitats between areas of high quality natural green spaces, delivering multiple benefits to both people and wildlife, whilst enabling the city to grow sustainably and providing a high quality of life for all.

In order to realise the city's vision, the Council and its stakeholders will promote, seek funding for, and deliver projects which maximise the benefits of green infrastructure including:

- Supporting healthy lifestyles and thriving communities
- Providing active access to the outdoors
- Enhancing landscape character and built heritage

- Enhancing biodiversity
- Supporting healthy ecosystems
- Providing climate change solutions
- Invigorating the local economy and natural tourism

This will involve continued close collaborative partnership working and project delivery between a broad spectrum of organisations including conservation groups and charities, statutory bodies, planners, developers, land owners and the local community.

Figure 1

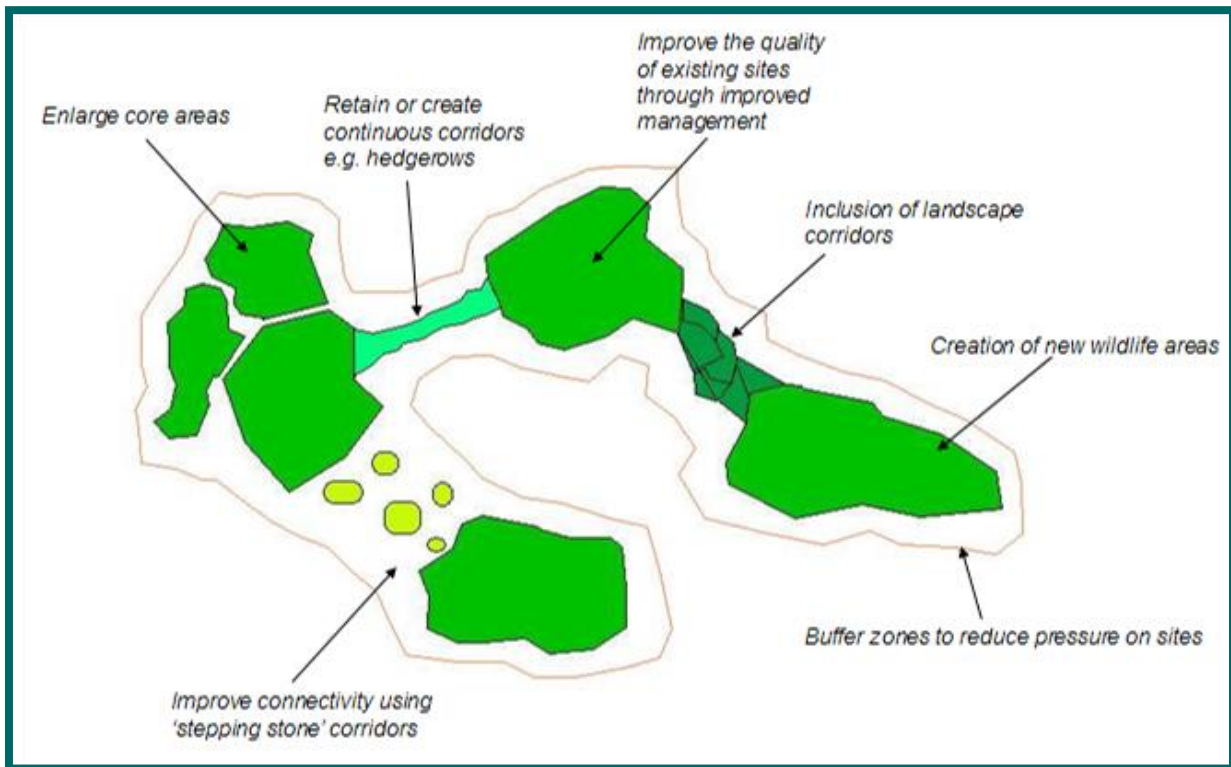


Figure 1 above highlights the principles of how green infrastructure networks may be created and enhanced at a strategic planning level.

Peterborough's Key GI Focus Areas:

An analysis of Peterborough's distinctive landscapes and geology has helped to identify five key areas which will provide the focus for delivering green infrastructure-related projects and initiatives going forwards. However it is recognised that there are a number of strategic outcomes which are better addressed at a city-wide scale, therefore separate specific projects are identified under a sixth "city-wide" heading. The focus areas are as follows:

- 1) **Nene Valley:** a key wildlife corridor which passes through the heart of Peterborough and presents significant opportunities for biodiversity and landscape enhancement and creation, as well as excellent opportunities to promote greater public access to nature
- 2) **Welland Valley:** forming much of Peterborough's northern boundary with Lincolnshire, the catchment actually covers a surprising amount of Peterborough and provides good opportunities for biodiversity and landscape enhancement and creation
- 3) **South Peterborough Green Parks:** located to the south of the city, this area of former brick works supports some significant wildlife sites and links closely to the Great Fen area as well as the Nene Washes. It is now a major urban extension growth area which presents excellent opportunities to promote access and recreation opportunities whilst ensuring that the network of wildlife sites are carefully managed and better connected
- 4) **The Fens:** a significant landscape to the east of the city, much of the fens are now intensively managed for agriculture, however there are real opportunities to restore and re-create traditional habitats and associated species via agri-environment schemes as well as through major projects such as the Great Fen Restoration Project.
- 5) **John Clare Country:** the mosaic of limestone grassland meadows, hedgerows and woodlands, associated with poet John Clare, presents opportunities to restore and create a better connected network of wildlife sites including former minerals sites
- 6) **City-wide Area:** many outcomes are better achieved by taking a more encompassing city-wide approach, delivering projects at a more strategic scale to benefit key species and habitats as well as addressing wider impacts that may result from planned housing growth. There are also significant opportunities to enhance urban biodiversity and provide greater, improved access to nature, helping to reconnect people and wildlife and the associated health benefits that brings

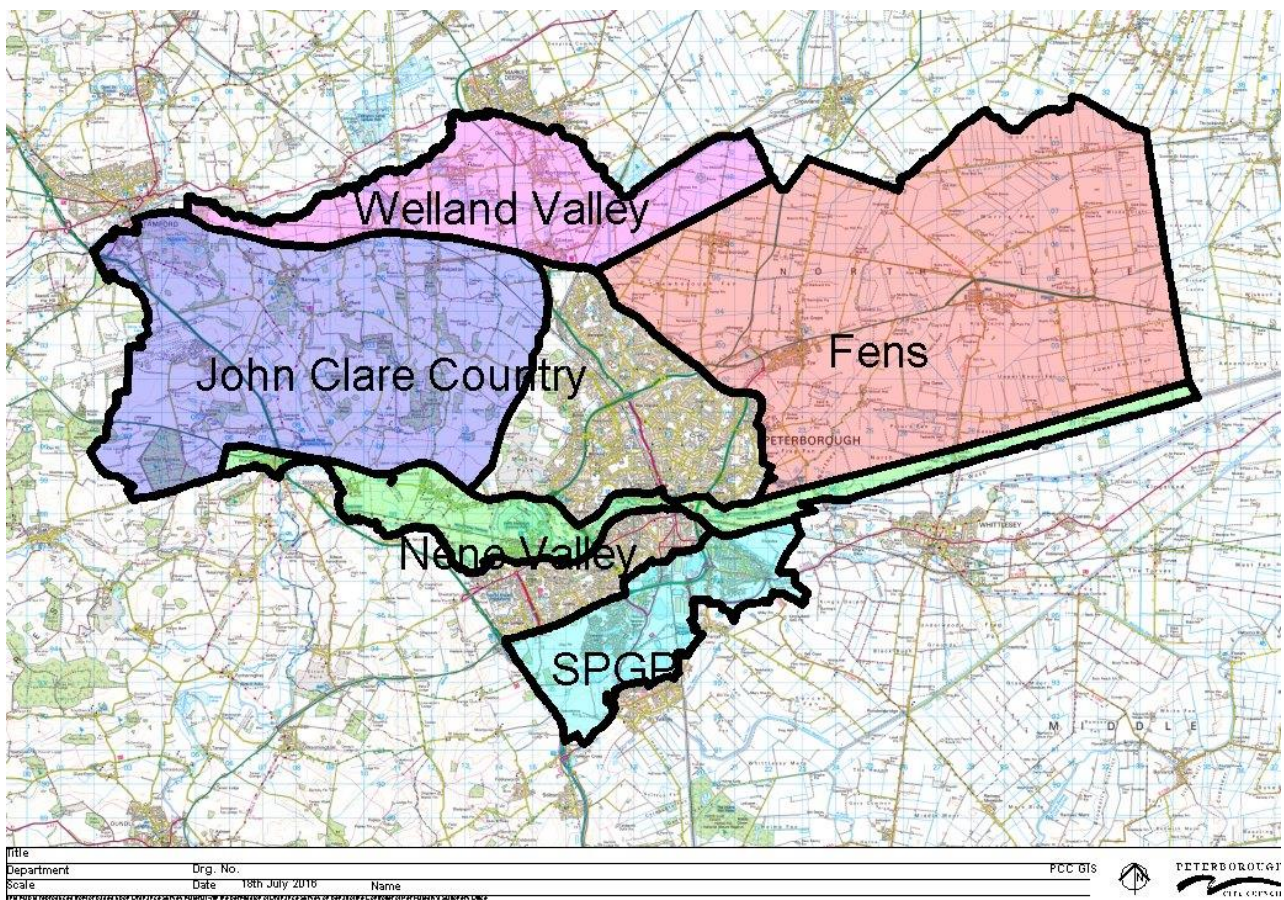
Whilst this area-focussed approach has been developed to focus and group initiatives and projects around distinctive and recognised local landscapes, it is important to note that there are definite and clear connections between these areas, for example there are strong historic links between the Nene and Welland Valleys which are linked geographically through the John Clare Country area. It is also recognised that cross-

boundary working is a key principle of GI, for example the South Peterborough Green Parks area has obvious and strong connections beyond the Peterborough boundary towards the Great Fen in Huntingdonshire District.

The Nene Valley connects upstream to Northamptonshire and Peterborough’s continued involvement in the development and delivery of the Nene Valley Catchment Partnership is vital to ensure enhancements to the river corridor are achieved at a landscape scale. The Fens area of Peterborough forms a relatively small but valuable component of the overall Fens natural area; close partnership working with the Fens for the Future Partnership is therefore key to developing and delivering significant enhancements to this landscape. The Welland Valley is also a landscape well connected to neighbouring areas including Northants, Rutland and Lincolnshire; continued partnership working with the Welland Valley Catchment Partnership is vital to realising the benefits to this GI corridor.

The following section describes the key features and associated issues relating to these focus areas, sets out what approach will be taken to address the issues identified and how this will be achieved. Figure 2 below summarises those areas, geographically.

Figure 2: Peterborough’s Green Infrastructure Focus Areas



The Nene Valley

The Nene Valley rises in the west of Northamptonshire before flowing through Peterborough then out to the Washes. The Nene supports a wide range of natural habitats including wet grasslands, marshes, wetlands and wild-flower meadows, which are valuable for many species such as kingfishers, otters, herons, as well as over-wintering birds including large flocks of swans and geese.

However the habitats and associated wildlife face many threats in the future due to pressures from planned population growth and anticipated climate change expected to result in increased flash floods and more frequent droughts. Non-native invasive species (such as Himalayan and Orange Balsam) are also relatively widespread along the river corridor. Many of the most valuable habitats are also often isolated from one another, being surrounded by intensively farmed land or urban areas.



Marginal (© Carry Ackroyd)

Historically many of the wet grasslands have been drained and flower-rich meadows sprayed with herbicides as part of agricultural improvements which in turn has led to a significant decline in associated wildlife.

There is also a strong and valued historic archaeological interest to the Nene Valley from the Roman settlement of Dvrobrivae and Ermine Street Roman Road to the west of the city and the Bronze Age site at Flag Fen on the edge of the Fens. However there remains scope to better interpret these sites and also to enhance access particularly from the city centre.

The Nene is also an important navigable route for boating and is popular with canoeists and anglers, who all share an interest in improving the water quality of the river. The Nene Way is a long distance footpath popular with walkers. However opportunities exist to further enhance the quality and connectivity of routes for the benefit of walkers, cyclists and equestrians.

What we plan to do:

Taking a landscape-scale approach, the Nene Valley will be promoted as a “[Living Landscape](#)”, with the aim of working with farmers and land owners to better connect habitats and manage land in a more wildlife-friendly way. Opportunities to provide more suitable areas of well-connected open spaces for public enjoyment will be sought. Improving people’s understanding and interpretation of the historic, archaeological and geological interest of the area will be promoted.

How we will achieve this:

- Restoration & enhancement of flood meadows & associated habitats
- Delivery of “urban study” projects such as coir roll installation, fish refuges and back-water restoration
- Enhancing recreation & access opportunities such as the Thorpe Meadows and Boardwalks nature reserve area

The Welland Valley

The Welland Valley forms, in part, the northern boundary of the Peterborough unitary authority area, however its catchment extends much further south towards the city. The river's naturally meandering course becomes significantly more modified east of Glinton village, with the Maxey Cut forming a major canalised section of the river within Peterborough.

What we plan to do:

The [Welland Valley Partnership](#) has developed a River Improvement Plan which sets out a clear vision for the river valley and its tributaries which will:

- Be cleaner and healthier
- Continue to provide drainage and manage flood risk
- Support more fish, birds and other wildlife
- Meet the needs of drinking water suppliers and businesses
- Provide a more attractive place for people to enjoy
- Be sensitively managed by everyone whose activities affect it

How we will achieve this:

- Promote as a corridor for biodiversity and landscape enhancement & creation including promoting wet woodland habitat creation where appropriate
- Enhancing habitat connectivity including habitat protection and enhancement along Maxey Cut Drain
- Improving the Water Framework Directive status of Werrington Brook and Brook Drain tributaries by delivering the Werrington Brook Improvement Project
- Promoting enhanced public access from Werrington Brook to the river Welland including a new footbridge over the Welland



Kingfisher (© Carry Ackroyd)

John Clare Country

The limestone country to the west of the city was home to 19th century poet John Clare who wrote passionately about changes to the open landscape that took place here during the time of the Enclosure Acts.

The area includes wild-flower rich grassland, ancient woodlands and hedgerows and several wildlife-rich limestone quarries. The more undulating terrain here provides warm and sheltered conditions for many reptiles and insects such as common lizard and the green tiger beetle.

There is an extensive network of road-side verges as well as several existing and former railway lines that support species-rich limestone grassland and provide connectivity through the landscape.

Future threats to this landscape include pressures from planned population growth, and in particular from potential recreational visitor pressures to existing wildlife sites such as Castor Hanglands NNR and Barnack Hills and Holes SSSI and Special Area of Conservation (SAC).

The connectivity of access routes is also limited in places due to physical constraints such as the A1 and A47 roads and the river Nene.

What we plan to do:

Taking a landscape-scale approach, John Clare Country will be promoted as a “[Living Landscape](#)”, with the aim of working with farmers and land owners to link, extend and better manage existing fragments of meadow and verges, woodland, wetland and former limestone quarries for wildlife.

Opportunities to enhance access routes as well as providing more suitable areas of well-connected open spaces for public enjoyment will be sought.

How we will achieve this:

- Enhancement and creation of limestone grassland habitats
- Extension and buffering of core ecological sites
- Enhancing recreation & access opportunities



Swaddywell field (© Carry Ackroyd)

The Fens

The Fens was England's largest wetland, however less than 1% of the original wetland habitat now remains. Today the Fens are nationally important for modern productive farming. The provision for wildlife in the farmed landscape increases significantly with the uptake of environmentally friendly farming practices and sensitive ditch and drain management, thereby creating a network of wildlife habitats extending throughout Fenland. The variety and abundance of farmland wildlife increases and iconic Fenland species thrive.



Morton's Leam (© Carry Ackroyd)

What we plan to do:

A vision has been developed by the [Fens for the Future Partnership](#) which is to see sustainable wetlands restored, re-created and reconnected across the Fens for the benefit of people, our natural and historic heritage and the rural economy. Sustainable wetlands will help reduce storm effects, make available clean water and retain peatland soils so helping mitigate the effects of climate change, while at the same time offering a haven for wildlife, protecting our historic heritage and providing exciting areas for people to visit. Recreational access and tourism increases with more people taking exercise in the countryside. The diversity of the local economy widens and opportunities for employment in local communities are created.

How we will achieve this:

- Supporting the development of practical approaches and techniques for establishing corridors, buffer zones and sustainable use areas
- Maintaining up to date information on the Fens to inform future priorities
- Encouraging the establishment of multifunctional wetlands that support biodiversity, natural heritage and management of water resources
- Raising awareness of the Fens to support development of tourism opportunities to benefit the area's economy and communities

South Peterborough Green Parks

The South Peterborough Green Parks (SPGP) covers an extensive area of land to the south of Peterborough stretching from the A1 in the west, through the Hamptons up to the Nene Washes and Whittlesey in the east. The Great Fen is also located adjacent to the south of this area.



Along the drain (© Carry Ackroyd)

Historically, this area has been dominated by the brick-making

industry, however as this industry has declined, many of the former clay extraction sites have developed into important sites for wildlife, the most significant being Orton Pit SSSI & SAC which is now believed to support the largest population of great crested newts in Europe. The area also includes numerous water bodies with excellent water quality that support a range of stoneworts and other aquatic plants.

Much of the area has, or is, scheduled to be redeveloped for residential and employment uses. This presents potentially significant pressures to existing wildlife sites such as Orton Pit SSSI through habitat fragmentation and isolation, increased recreational visitor use and pollution issues.

What we plan to do:

A [vision](#) for SPGP was developed in 2007 by a partnership including Natural England, the Council, local conservation organisations as well as major land-owner O&H Hampton Ltd:

“South Peterborough Green Parks will be an exciting, inspirational place to visit, a mosaic of water, woods, grassland and play areas with surprises around every corner. A place that people will want to visit again and again. A place that people will make their own and call their own”.

How we will achieve this:

- Ensuring that habitat connectivity, enhancement and creation is carefully integrated into planned development.
- Providing plentiful opportunities for people to appreciate, be involved with and enjoy nature close to where they live and work with large areas of well-designed open spaces and promoting natural play.
- Recognising and interpreting the history and culture of the area including the brick-making industry.
- Promoting links to the Great Fen both in terms of physical access and habitat connectivity.

City-wide Area

To complement the area-specific focus areas it is important to recognise that many green infrastructure, geo and biodiversity issues are more strategic in nature. This includes key species and habitats, however these projects also recognise the importance and value of engaging with residents to promote the enjoyment and protection of wildlife along with providing access to nature.



Flock and Pylons (© Carry Ackroyd)

What we plan to do:

Develop projects that are “city-wide”. For example, issues surrounding habitat connectivity affecting priority species such as hedgehogs, water voles, amphibians and reptiles are considered, along with habitats important to the whole city such as Open Mosaic (brownfield) Habitats and Ponds. Species associated with the wider built environment such as swifts and house sparrows are also included.

A habitat opportunity mapping project is planned which will cover the whole city; this will look at opportunities to create new habitat that would enhance a) biodiversity, b) water quality and c) air quality, and then bringing everything together to look at multiple benefits (Ecosystem Services) and highlighting the best sites to this take forward.

In addition, strategic access opportunities are included to ensure that all residents and visitors have access to good quality, well managed natural green spaces.

How we will achieve this:

- Targeting habitat enhancements for priority species and habitats, informed by identification and mapping of key habitats and opportunities
- Extension and buffering of core ecological sites
- Identifying and delivering projects that improve people’s connectivity to quality natural green spaces
- Developing projects that focus on urban areas of the city including targeted tree planting and enhancements to open mosaic habitats
- Promoting opportunities for residents to help wildlife such as through caring for gardens and allotments

4 Making It Happen – GI Delivery

Priority Green Infrastructure Projects

The GI projects set out in **Appendix 1** are considered to represent the most deliverable and beneficial schemes currently identified in Peterborough. These projects are anticipated to provide multiple GI benefits which are highlighted against each specific project. The key principles of these projects however should focus on collaborative partnership working, delivering connectivity for the benefit of wildlife and people as well as between geographic areas as appropriate.

Each specific project includes a brief description, details of the lead and partner organisations, estimated costs, key GI benefits, potential funding sources and its current deliverability status. Projects have been grouped under the relevant landscape area and strategic outcome.

It is also important to recognise that **Appendix 1** is a “live” document, and as such, new projects may be added to the table and existing projects may be removed, either upon completion or due to significant impediments to delivery.

Projects will be delivered by a wide range of partners, who must be prepared to take ownership of and commit to taking forward the specific projects they have proposed for implementation. To be included, there must be reasonable certainty that projects will have both human and monetary resources available over a realistic timescale.

Governance

It is anticipated that the emerging Peterborough Nature Partnership will lead on the coordinated delivery of the priority projects listed in **Appendix 1**, supporting the project lead organisations in addressing specific delivery issues as well as in seeking appropriate funding.

It is also important to recognise the vital role that the City Council has in ensuring momentum is maintained and that projects and initiatives are delivered on the ground. The specific actions that the Council intends to take forward in managing its own land and resources are set out in the Council’s [Biodiversity Strategy](#).

Funding

The Peterborough Nature Partnership will wherever possible support the project lead organisations in seeking appropriate funding. Such funding may be available from a wide variety of sources including, but not limited to, the Community Infrastructure Levy (CIL), Specific Planning Contributions (via Section 106 Agreements), growth-related sources e.g. Local Nature Partnership, Agri-environment Schemes and Woodland Grant Schemes, The Health and Education Sectors, Lottery Funding and Charitable Trusts.

5 Integrating GI and Biodiversity with Sustainable Development

This section of the SPD describes how biodiversity and GI should be considered as part of all development proposals within the Peterborough Unitary Authority area.

The wider benefits of green infrastructure to society have been set out earlier in **section 1**, however it is also important to recognise that biodiversity and GI can also bring many opportunities to individual development proposals; rather than acting as a constraint, well designed GI can provide a significant asset to new and existing communities, raise the value of new developments and may also help address local objections to schemes.

GI and Biodiversity Design Principles

Providing Habitat Connectivity

It is important that existing natural features such as hedgerows, woodlands and water courses are identified and then incorporated into development proposals at the outset, around which connectivity of habitats can be further enhanced, benefiting priority habitats and species.

Habitat fragmentation is a significant issue for wildlife; the transfer of species is necessary to maintain healthy, self-sustaining ecosystems. Poorly planned development which fails to take adequate account of the principles of habitat connectivity may result in significant impacts to priority habitats and species.

New developments can play a vital role in bridging these gaps in urban areas to the wider countryside. Those species which may particularly benefit from well designed and integrated GI provision include amphibians (e.g. common toad and great crested newt), reptiles (e.g. common lizard and grass snake) and mammals including water voles, hedgehogs and bats.

An interesting case study in Peterborough is the small adder population (UK Priority Species) which, due to isolation factors, has led to concerns over in-breeding and lack of genetic diversity amongst this local population. Conservation charity Froglife is currently carrying out research identify how to best address these concerns which is likely to include measures to better connect suitable adder habitats, enabling the population to spread further in the area.

Delivering Ecosystem Services

Ecosystem services are defined as services provided by the natural environment that benefit people. Some of these ecosystem services are well known including food, fibre and fuel provision and the cultural services that provide benefits to people through recreation and appreciation of nature. Other services provided by ecosystems are not so well known. These include the regulation of the climate, the purification of air and water, flood protection, soil formation and nutrient cycling.

Ecosystem services contribute to economic welfare in two ways – through contributions to the generation of income and wellbeing and through the prevention of damages that inflict

costs on society. By focussing on valuing the benefits provided by ecosystems, it is increasingly recognised that investing in natural capital can make economic sense.




The National Planning Policy Framework states that the planning system should recognise the wider benefits of ecosystem services; the Council therefore wishes to see development proposals coming forward that recognise the value of ecosystem services to Peterborough, for example by providing suitable habitats that support pollinating insects (in line with the National Pollinator Strategy) and addressing flood protection issues utilising natural habitat features. Further information about ecosystems services is in [Biodiversity 2020: A strategy for England’s biodiversity and ecosystems services](#).

Adhering to the Ecological Mitigation Hierarchy

The Council expects all development proposals to adhere to the ecological mitigation hierarchy to help avoid or minimise any negative environmental impacts and ensure no net loss to biodiversity, and achieve a net gain wherever possible.

As set out in LP28 Biodiversity & Geological Conservation, all developments should avoid adverse impact on existing biodiversity and geodiversity features as a first principle. Where adverse impacts are unavoidable they must be adequately and proportionately mitigated. If full mitigation cannot be provided, compensation will be required as a last resort where there is no alternative. Please see **Table 1** below for further information.

Table 1: Applying the mitigation hierarchy:

<p>Information: It is essential that sufficient information is gathered at the outset to properly assess the impact of any given development on biodiversity. It is recommended that professional ecological expertise is appointed at start of concept design process for all major schemes and that the Cambridgeshire and Peterborough Environmental Records Centre www.cperc.org.uk is contacted at the earliest stage to ensure information about the site’s biological resource is understood along with its potential effects and their significance.</p>

<p>Avoidance: Seek to avoid significant harm to wildlife species and habitats by selecting sites with less harmful impacts and identifying, retaining, buffering and connecting priority habitats at the outset of the development process.</p>

<p>Mitigation: Where significant harm cannot be wholly or partially avoided, minimise by design or by the use of effective mitigation measures e.g. carrying out vegetation clearance outside the bird nesting season and providing suitable alternative nesting features and feeding habitats, ensuring lighting schemes are carefully designed to minimise disturbance to bats and other nocturnal animals and providing gaps in fencing to enable hedgehogs to continue to roam freely.</p>

<p>Compensation: Where, despite whatever mitigation would be effective, there would still be significant residual harm, as a last resort, this must be properly compensated for by measures to provide for an equivalent value of biodiversity e.g. provision of new habitats such as native woodland, hedgerows or wildlife ponds, or translocation of habitats in certain circumstances.</p>

Recommended Approach to GI & Biodiversity for all Planning Applications

Table 2 (below) aims to provide clear guidance to applicants as to how the Council will expect a development proposal to consider biodiversity and GI at each stage during the development process, to ensure no net loss to biodiversity and wherever possible achieving an overall biodiversity net gain. Following the steps set out in the table will ensure biodiversity and GI is properly assessed through the development management process.

Table 2: Recommended Approach to GI & Biodiversity for all Planning Applications

		Planning Stage
STEP 1	<ul style="list-style-type: none"> Seeking pre-application advice from the Local Planning Authority (LPA) and relevant agencies and organisations is strongly recommended. In addition it is advised that Natural England is contacted at the earliest stage possible where a development is likely to impact on a National or International Site as there may be a requirement to carry out an Appropriate Assessment under the Habitats Regulations. <p><i>This will ensure all potential ecological and/or GI issues and requirements are considered before a planning application is submitted and help prevent delays.</i></p>	Pre-application
STEP 2	<ul style="list-style-type: none"> Complete Biodiversity Checklist (required for all applications other than those creating no additional floor space) <p><i>Two versions available which apply to either Minor Proposals (up to 10 dwellings or less than 0.5 hectares and for non-residential development is less than 1000m² floor area or less than 1 hectare) or Major proposals (more than 10 dwellings or more than 0.5 hectares and for non-residential development is more than 1000m² floor area or more than 1 hectare).</i></p> <p><i>It should be possible for a non-specialist member of the public, planning agent or developer to complete the checklist.</i></p> <p><i>The Checklists can be found in Appendix 2 and 3 and are also available on the Council's website for major and minor proposals.</i></p> <p><i>Guidance on Specific Species (and Habitat) Questions can be found in Appendix 4.</i></p>	Pre-application
STEP 3	<ul style="list-style-type: none"> If the checklist identifies the potential presence of protected species and/or habitats, relevant ecological survey(s) must be undertaken by a suitably qualified ecologist in accordance with British Standard BS42020 and details of this must be submitted with your application. Provision of this information is a pre-requisite to the planning validation process. 	Pre-application

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	<p><i>It is also recommended that professional ecological expertise is appointed at start of concept design process for all major schemes.</i></p> <p><i>The Chartered Institute of Ecology and Environmental Management (CIEEM) provides a professional directory of qualified, regulated ecologists which can be found at www.cieem.net/members</i></p> <p><i>This will help to avoid potentially costly delays at a later date and allow a planning decision to be made in a timely manner, which is beneficial for both the applicant and the planning authority. It is also important to consider that some species can only be surveyed at certain times of the year, for example bat roost emergence and activity surveys may only be carried out between May and September. Figure B in Appendix 4 outlines ecological survey seasons for the species identified in the biodiversity checklist. Failure to address this aspect at the onset of the application could result in costly time delays for the developer and may potentially result in the application being rejected at a later date.</i></p>	
<p>STEP 4</p> <p>324</p>	<ul style="list-style-type: none"> Carefully design scheme in context of wider landscape and ecological networks, ensuring development contributes towards enhancement of relevant strategic green infrastructure focus areas that the application site is located within i.e. the Nene Valley, Welland Valley, John Clare Country, the Fens or South Peterborough Green Parks. Alternatively the scheme may contribute towards the objectives for the City-wide area. Full details are provided in section 3. This may be achieved on site where appropriate or alternatively the use of CIL or S.106 contributions may be sought to assist in delivery of a nearby GI priority project identified in Appendix 1. <p>Plan green and hard infrastructure at same time, following the ecological mitigation hierarchy by retaining existing natural features such as hedgerows, woodlands and mature trees, ponds and water courses wherever possible, around which connectivity of habitats can be further enhanced, benefiting priority habitats and species.</p>	<p>Strategic Concept Design Stage</p>

<p>STEP 5</p>	<ul style="list-style-type: none"> • Design a landscaping scheme taking account of local landscape character. Use native species of trees, shrubs and other plants. In addition to being attractive, they will benefit birds, bats and invertebrates, helping to deliver the objectives of the National Pollinators Strategy with trees also providing natural shade in urban developments. <p><i>Incorporating native wildflower species into seed mixes for areas of public open space is also extremely beneficial to invertebrates (as well as being visually attractive to new residents), and should be used wherever possible. Wild-flower grassland will usually require less frequent mowing and therefore can reduce management costs. Flora Locale’s website is a useful source of further information and also provides a link to approved UK wildflower seed suppliers: www.floralocale.org The RHS has produced the following list of pollinator-friendly plants: www.rhs.org.uk/science/pdf/conservation-and-biodiversity/wildlife/rhs_perfectforpollinators_plantlist-jan15</i></p>	<p>Detailed Technical Design Stage</p>
<p>325 STEP 6</p>	<ul style="list-style-type: none"> • Provide Sustainable Drainage Systems (SuDS) with integral wildlife features. <p><i>The natural features offered by grass swales, infiltration strips, reed beds and ponds may provide habitats for amphibians, birds, mammals and invertebrates. The replacement of open drains and gully pots with surface features will also reduce the number of animals becoming trapped in drains.</i></p> <p><i>Further information may be found on the Council’s website: http://www.peterborough-suds.org/developers/ The RSPB has also produced a useful guide which provides more detailed SuDS information including the use of Green Roofs, Living Walls and Rain Gardens: www.rspb.org.uk/Images/SuDS_report_final_tcm9-338064.pdf Buglife has produced a best practice guide to creating green roofs for invertebrates: www.buglife.org.uk/sites/default/files/Creating%20Green%20Roofs%20for%20Invertebrates_Best%20practice%20guidance_2.pdf Green Roof Shelters Ltd provides good examples of integrating habitats within buildings: greenroofshelters.co.uk/</i></p>	<p>Detailed Technical Design Stage</p>

<p>STEP 7</p>	<ul style="list-style-type: none"> • Provide full range of breeding sites, shelter and year-round food resources for protected/ priority species as part of on-site ecological mitigation and enhancement measures. Full details and specifications may be provided as part of the application or, where appropriate, later at the detailed planning stage and secured by condition. <p><i>More detailed guidance is provided in Appendix 4 in relation to Birds, Bats, Water Voles, Amphibians, Reptiles, Badgers, Hedgehogs and other Mammals and Invertebrates.</i></p>	<p>Detailed Technical Design Stage</p>
<p>STEP 8</p>	<ul style="list-style-type: none"> • Submit completed Biodiversity Checklist along with Preliminary Ecological Appraisal and/ or additional protected species survey reports as required. <p><i>Professional scrutiny from statutory and non-governmental bodies to ensure adequate ecological information has been provided; requests for further information from the applicant may be made should it not be considered adequate.</i></p> <p><i>Statutory obligations including having due regard to biodiversity conservation, must be fulfilled.</i></p> <p><i>Approved applications may be subject to relevant biodiversity planning conditions.</i></p> <p><i>To ensure biodiversity is protected during the construction phase, measures such Construction Environmental Management Plans (CEMP), use of Ecological Clerk of Works (ECW) and restrictions on timings of works may be required.</i></p>	<p>Validation & registration</p> <p>Decision-making</p> <p>Determination</p>
<p>STEP 9</p>	<ul style="list-style-type: none"> • Post-development management and/ or monitoring of habitats and species should be carried out as appropriate (may be subject to specific conditions). <p><i>It is important to implement appropriate management of biodiversity features and habitats that are retained or created on site. These may include measures such reducing the frequency of grassland/ wild-flower meadow mowing, avoiding or reducing the use of pesticides and herbicides and retaining rough grassland buffer zones along field margins, hedges and ditches. Details of all such management measures should be clearly identified in an Ecological/ Landscape Management Plan.</i></p>	<p>Implementation</p>

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	<p><i>Ecological monitoring (and reporting) of natural green-spaces and associated species/ habitats for a period of five or more years may be required to ensure their satisfactory establishment.</i></p> <p><i>Options for long-term management of natural green-space may include entering into an agreement with conservation bodies such as the Wildlife Trust or Parish Council as an alternative to the land's adoption by the Local Authority.</i></p>	
<p>STEP 10 (optional)</p> <p>327</p>	<ul style="list-style-type: none"> • Peterborough City Council actively encourages all planning applicants to engage with the Developing with Nature Toolkit, which has been developed by the Natural Cambridgeshire Local Nature Partnership (LNP) and comprises of a simple list of “10 Things to do for Nature”. This is aimed at major developments, generally those that require Environmental Impact Assessment. <p><i>The Developing with Nature Toolkit does not replace planning policies seeking to protect the most important wildlife sites, legal requirements related to protected sites and species, or replace the established mitigation hierarchy. However, it does provide an approach, which if followed, enables developers and infrastructure providers to demonstrate their commitment to achieving a net biodiversity gain to the public, local authorities or shareholders.</i></p> <p><i>The Developing with Nature Toolkit provides the basis for a proposed “LNP Developing with Nature charter mark”. This will judge schemes at the design stage, during construction and post-construction, award the charter mark and monitor continued compliance with the charter mark requirements.</i></p> <p><i>By adhering to the guidance set out in this SPD it is envisaged that schemes which do so are highly likely to meet many of the criteria set out in the Toolkit and are therefore in a positive position to be awarded the Charter Mark.</i></p>	

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Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100- 500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
NENE VALLEY						
Promote as corridor for biodiversity and landscape enhancement and creation						
329 Delivery of WFD Urban Study Projects (Report identifies range of specific river enhancement projects e.g. creation of fish refuges, coir roll installation, back-water restoration)	1) Orton fish and eel pass: Installation of fish pass at Orton Lock to meet WFD requirements	EA (RRC)	L	Climate change Biodiversity	High deliverability subject to funding	CIL, EA
	2) Electric Cut Restoration Scheme: Enhance cut to benefit fish & other wildlife	RNRP (PCC, EA)	M	Climate change Biodiversity Healthy ecosystems	High deliverability: Business Case being prepared & permits in place	HLF Nenescape
	3) Flood-plain Forest Project: better connecting flood-plain & refuge pools to the main river (Orton Brook to Woodston Ponds)	NPT (EA, PCC)	M	Climate change Biodiversity Healthy ecosystems	No Business Case currently developed	POIS, EA
	4) Greening of Hard-engineered Banks: Installation of coir rolls etc. at key locations e.g. Fletton Quays	PCC, EA	M	Climate change Biodiversity Healthy ecosystems	High deliverability: Business Case being developed	POIS, S.106
	5) East Holmes Species-rich flood-plain meadow creation: Restoration of meadow plus protection & creation of marginal wetland habitat	NPT (PCC)	S	Climate change Biodiversity Healthy ecosystems	No Business Case currently developed	CIL, POIS, HLF

Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100-500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
	6) Alwalton Lock/Castor Mill Fish & Eel Pass: Enhancement of former mill channel & creation of fish & eel passage.	NPT (PCC)	S	Climate change Biodiversity Healthy ecosystems	No Business Case currently developed	CIL, POIS
	7) Lynch Wood River Habitat Restoration Scheme: Develop detailed river management plan for this reach and implement quick-win opportunities	NPT (PCC)	S	Climate change Biodiversity Healthy ecosystems	No Business Case currently developed	CIL, POIS
	8) Thorpe Meadows Golf Course Backwater & Wetland habitat creation: Creation of more diverse riparian habitat including wet grassland, scrapes, pools, tree planting & SuDS wetlands	NPT (PCC)	M	Climate change Biodiversity Healthy ecosystems	No Business Case currently developed	CIL, POIS
Nene Valley Flood Meadow Restoration	9) Bringing Nature Closer Project: Restoration & enhancement of wet meadows within Nene Park	NPT (WTBCN)	S	Climate change Biodiversity Healthy ecosystems	High deliverability	Countryside Stewardship (CS) CIL, EA
Enhanced Public Access & Recreation Opportunities	10) Enhancing access & engagement with nature: developing opportunities in the city centre to Boardwalks area	NE (WTBCN/ PCC/ NPT/ Froglife)	S	Healthy lifestyles Active access Biodiversity	High deliverability	NE

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Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100-500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
	11) Cycle West Project: enhancing access west of Castor & A1	Cycle West Group (NPT/ PCC)	L	Healthy lifestyles Active access Climate change Economy & tourism	Scheme designed & costed, consultation on-going, planning app due to be submitted late 2016	HLF, CIL, S106
	12) Bluebell Wood Riverside Walk Access Enhancements: Path and boardwalk improvements to create a circular walk	NPT	M	Healthy lifestyles Active access	High deliverability	HLF, CIL
	13) Nene Park Access Improvements: improve condition, length & width of shared routes & the variety of promoted trails for different users	NPT, PCC (Sustrans, Cycle West, HE)	L	Healthy lifestyles Active access	Nene Park Master-plan due for adoption Sept 2016	HLF, CIL
	14) Growing Nene Park: increasing the quantity & quality of accessible green-space including improved access/ facilities at Thorpe Lea Meadows, Ferry Meadows & Castor	NPT (PCC, NE)	L	Climate change Biodiversity Healthy lifestyles Active access Economy & tourism	Nene Park Master-plan due for adoption Sept 2016	HLF, CIL, BL, S106

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Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100- 500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
WELLAND VALLEY						
Promote as corridor for biodiversity and landscape enhancement and creation						
Enhanced Habitat Connectivity	15) Maxey Cut Climate Change Resilience Project: Habitat protection and enhancement along Maxey Cut drain	EA	L	Climate change Biodiversity Healthy lifestyles Active access Economy & tourism	High deliverability	EA, CIL
	16) Werrington Brook Improvement Project	EA, PCC (PECT)	L	Climate change Biodiversity Healthy lifestyles Active access	High deliverability (Business case prepared)	EA, CIL
SOUTH PETERBOROUGH GREEN PARKS						
Enhance and extend the mosaic of lakes, water features and woodland within the former brick pits to the south and east of Peterborough						
Enhanced Public Access & Recreation Opportunities	17) Great Fen Access & Green Wheel Extension: Development of sustainable walking, cycling & equestrian access routes between Peterborough & the Great Fen	Hunts DC (WTBCN, PCC)	M	Healthy lifestyles Active access Economy & tourism	In Great Fen masterplan	CIL, Grants
	18) Fen Edge Long Distance Geology Route: Geology themed path	GeoPeterborough & Cambs Geology Group	S	Healthy lifestyles Active access Economy & tourism	TBD	

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Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100-500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
Enhanced Habitat Connectivity	19) Fenland Habitat Connectivity Project: Promote the extension of the existing Fenland habitats at Woodwalton and Holme Fen throughout the Great Fen Project area and develop links northwards to Peterborough	Hunts DC (WTBCN, PCC)	M	Climate change Biodiversity	TBD	CIL, HLF
THE FENS						
Promote the protection and creation of traditional fen habitats including wetland, meadow, drainage ditches, wet woodland and seasonal flood meadows						
Targeted Habitat Enhancements	20) Water for Farming and Wildlife: Development of new 'storage wetlands' through partnership approach – Black Sluice/ Forty Foot pilot	Fens for the Future Partnership (EA, AW)	S	Climate change Biodiversity Healthy ecosystems Economy & tourism	High deliverability	CIL, EA
	21) RSPB Thorney Farmland Bird Friendly Zone: Landscape-scale conservation partnership project	RSPB	S	Biodiversity	High deliverability	Countryside Stewardship (CS)
	22) Fen Ditches Project: Survey to identify key areas for priority species & provision of advice	TBC (IDB, Sarah Lambert, Wit)	S	Biodiversity Healthy ecosystems	TBD	
	23) Barn Owl Recovery Programme: Monitoring of population and provision of nest sites across fens area of city	PCC	S	Biodiversity	High deliverability (funding secured)	CIL, S106

Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100-500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
Enhanced Public Access & Recreation Opportunities	24) Destination Fens: Development of a Fenland tourism strategy including Archaeology Theme	Fens for the Future Partnership	S	Economy & tourism Healthy lifestyles Active access	High deliverability	CIL, EA
CITY-WIDE AREA						
Enhanced connectivity and buffering of key urban & rural wildlife habitats & features						
Extension & Buffering of Core Ecological Sites	25) Dogsthorpe Star Pit SSSI extension/buffer: Provision of new strategic GI site as part of north east Peterborough urban expansion	PCC (Developers, WTBCN)	L	Biodiversity Healthy lifestyles Healthy ecosystems Economy & tourism Active access	TBD	CIL, S.106
Targeted Habitat Enhancements to Priority Habitats & Species	26) Strategic Species Habitat Connectivity Mapping Project: Identification of key habitats and opportunities for enhancements for key priority species including water voles, amphibians, reptiles & hedgehogs	Froglife (PCC, WTBCN, NE)	S	Climate change Biodiversity Healthy ecosystems	TBD	CIL, S.106
	27) Habitat opportunity mapping project looking at opportunities to create new habitat to enhance biodiversity, water quantity and air quality, plus looking at multiple benefits (Ecosystem Services) and highlighting the best sites to this take forward	PCC (RNRP)	S	Biodiversity Climate Change Healthy ecosystems	Project under way	PCC, NIA

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Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100-500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
	28) Swifts Project: Survey & Promotion of swift conservation measures	RSPB (Action for Swifts, PCC)	S	Biodiversity	TBD	
	29) Ponds Project: Restoration & creation of network of amphibian breeding ponds across city	PCC (Froglife)	S	Climate change Biodiversity Healthy ecosystems	TBD	CIL, S.106
	30) Forest for Peterborough: Planting of 183,500 trees in Peterborough over 20 years, plus associated habitat creation	PECT (PCC)	M	Climate change Biodiversity Healthy lifestyles	High deliverability	CIL, S.106
	31) Brownfield Project: Identification, assessment and protection of key Open Mosaic Habitats across city	PCC (Buglife)	S	Biodiversity	TBD	CIL
Enhanced Habitat Connectivity	32) B-Lines: Promote flower-rich habitat creation or management within B-Lines network	Buglife	S	Biodiversity, Healthy ecosystems	TBD	HLF, CIL, local community trusts
Enhanced Public Access & Recreation Opportunities	33) Geotrails: Development & promotion of geology-focussed walking routes across city	GeoPeterborough	S	Healthy lifestyles Active access	High deliverability	

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Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100-500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
	34) Local Nature Reserves Project: Identification and designation of new LNR's to meet ANGSt standard	PCC	S	Healthy lifestyles Active access Biodiversity	High deliverability	CIL, S.106
	35) Green Wheel Cycle Network: Identify & deliver enhancements to Green Wheel network	(BHS, PCC)	M	Healthy lifestyles Active access	TBD	CIL, S.106
Establishing Range of Community Gardens Across City	36) Community Gardens Project: Various growing areas & improved access at Ferndale Way, Welland	PECT	M	Biodiversity Healthy lifestyles Active access	Medium deliverability: outline project only	POIS, Awards for All, Postcode lottery
Promoting Traditional Wildlife Conservation & Heritage Skills	37) Heritage Skills Project: Creating multiple hubs for teaching heritage skills across city	PECT (Vivacity, Sacrewell, Showground, NPT)	M	Biodiversity Healthy lifestyles Active access Healthy ecosystems Landscape character	High deliverability	HLF
JOHN CLARE COUNTRY						
Restoration & creation of grassland & woodland habitats including road verges, calcareous meadows, hedgerows and restored quarries						
Limestone Grassland Habitat Enhancement & Creation	38) Living Landscapes Project: Limestone grassland habitat survey, restoration and creation and woodland buffering & linkage	WTBCN (Langdyke Countryside Trust)	S	Climate change Biodiversity Healthy lifestyles Healthy ecosystems Economy & tourism	TBD	CIL, HLF, Countryside Stewardship (CS)

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Appendix 1: Schedule of Priority Green infrastructure Projects

Strategic Outcome	Supporting Projects & Description & Project Number	Lead Organisation (& other Partners)	Costs S (<£100K) M (£100-500K) L (>£500K)	GI Benefits	Project Status (e.g. business case prepared/ approvals secured)	Potential funding source(s)
	39) Limestone Grassland Verges Project: Trialling of restoration techniques incl. soil stripping, alteratios to mowing regimes etc.	Barnack Wildlife Group (PCC)	S	Climate change Biodiversity Healthy ecosystems	TBD	
Extension & Buffering of Core Ecological Sites	40) Barnack Hills and Holes SAC extension/buffer: Provision of additional accessible GI to address increased recreational pressure on SAC	NE	M / L	Climate change Biodiversity Healthy lifestyles Healthy ecosystems Economy & tourism	TBD	CIL, HLF, Countryside Stewardship (CS)
	41) Castor Hanglands NNR: Provision of additional accessible GI, including new Country Park, to address increased recreational pressure resulting from planned housing growth	PCC (NE, NPT)	M / L	Climate change Biodiversity Healthy lifestyles Healthy ecosystems Economy & tourism	TBD	CIL, S.106, HLF

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Appendix 2:

Validation of Planning Applications

PLANNING APPLICATION REQUIREMENTS (LOCAL)

**FOR BIODIVERSITY CONSERVATION SURVEY
AND REPORT**

**THE PETERBOROUGH BIODIVERSITY CHECKLIST
(MINOR PROPOSALS)**

In Accordance With

The Town and Country Planning Development Management Procedure Order 2010

Revised July 2013

Biodiversity Checklist to accompany planning applications

Please refer to the guidance notes which specify the types of application which must be accompanied by this checklist. Where identified as required any surveys must also accompany an application.

Question 1: Pre-existing knowledge

To the best of your knowledge are any protected species such as, but not limited to, bats, specially protected birds such as barn owl, great crested newts, reptiles, water voles, badgers or otters present within the site or would be affected by the proposal?

Yes/ No

If Yes, please provide further details:

Question 2: Water Voles

Does the proposal affect or is it within 5m of a river, stream, ditch, canal or lake?

Yes/No

Question 3: Great Crested Newts

Is the proposal within 100m of a pond (excluding small garden ponds under 25m² or heavily fish-stocked ponds)? If so will the building and associated working area of the development directly affect any rubble or log piles, scrub, hedgerows or long grassland?

Yes/No

Question 4: Bats

Does the proposed development constitute or include the modification conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:

- All agricultural buildings (e.g. farmhouses and barns) particularly of traditional brick or stone construction and/or with exposed wooden beams greater than 20cm thick?
- All buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water?
- Pre-1960 detached buildings and structures within 200m of woodland and/or water?
- Pre-1914 buildings within 400m of woodland and/or water?
- Pre-1914 buildings with gable ends or slate roofs, regardless of location?
- All tunnels, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures?
- Proposals affecting gravel pits or quarries and natural cliff faces and rock outcrops with crevices or caves?
- All bridge structures, aqueducts and viaducts (especially over water and wet ground)?
- Lighting of churches and listed buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water?
- Affecting woodland, or field hedgerows and/or lines of trees especially those with obvious connectivity to woodland or water bodies?
- Proposals affecting or within 200*m of rivers, streams, canals, lakes, or other aquatic habitats.
- Buildings and walls with thick, dense ivy covering?
- Tall walls (higher than 2 m) with crevices present?

- Proposed tree work (felling or lopping) and/or development affecting?
 - old and veteran trees, and trees that are older than 100 years?
 - trees with obvious holes, cracks or cavities?
 - trees with a girth greater than 1m at chest height?
 - trees with substantial coverings of ivy?

Yes/No

Question 5: Barn owls

- Does the proposal include modification, conversion, demolition or removal of any agricultural buildings (e.g. farmhouses and barns)?

Yes/No

Question 6: Badgers and/ or Reptiles

Does the building and associated working area of your proposal directly affect any derelict (brown-field) land, allotments, woodland or linear features e.g. hedgerows, ditches or rows of trees?

Yes/No

Further action for questions 2- 6:

Where a positive answer is given to any of questions 2 to 6, relevant protected species survey work should be carried out by a suitably experienced ecologist and a report must accompany the planning application.

Alternatively you may provide evidence (e.g. statement from a suitably qualified ecologist) to demonstrate that no priority species or habitats are likely to be impacted on by your proposals to rule out the need for further survey work.

Details of person responsible for completing checklist

Name: _____ **Relationship to proposal:**
(E.g. agent, applicant, ecological consultant).

Declaration:
Being familiar with the proposal and site in question the information supplied above is correct to the best of my knowledge.

Signed: _____ **Date:** _____

Appendix 3:

Validation of Planning Applications

PLANNING APPLICATION REQUIREMENTS (LOCAL)

**FOR BIODIVERSITY CONSERVATION SURVEY
AND REPORT**

**THE PETERBOROUGH BIODIVERSITY CHECKLIST
(MAJOR PROPOSALS INCLUDING EIA DEVELOPMENT)**

In Accordance With

The Town and Country Planning Development Management Procedure Order 2010

Revised July 2013

Biodiversity Checklist to accompany planning applications

Please refer to the guidance notes which specify the types of application which must be accompanied by this checklist. Where identified as required any surveys must also accompany an application.

Question 1: Pre-existing knowledge

To the best of your knowledge are any protected species such as, but not limited to, bats, specially protected birds such as barn owl or kingfisher, great crested newts, reptiles, water voles, badgers or otters present within the site or would be affected by the proposal?

Yes/No

If Yes, please provide further details:

Question 2: Water Voles

Does the proposal affect or is it within 5m of a river, stream, ditch, canal or lake?

Yes/No

Question 3: Great Crested Newts

Is the proposal within 500m of a pond? If so will the building and associated working area of the development directly affect any rubble or log piles, trees, scrub, hedgerows or long grassland?

Yes/No

Question 4: Bats

Does the proposed development constitute or include the modification conversion, demolition or removal of buildings and structures (especially roof voids) involving the following:

- All agricultural buildings (e.g. farmhouses and barns) particularly of traditional brick or stone construction and/or with exposed wooden beams greater than 20cm thick?
- All buildings with weather boarding and/or hanging tiles that are within 200m of woodland and/or water?
- Pre-1960 detached buildings and structures within 200m of woodland and/or water?
- Pre-1914 buildings within 400m of woodland and/or water?
- Pre-1914 buildings with gable ends or slate roofs, regardless of location?
- All tunnels, kilns, ice-houses, adits, military fortifications, air raid shelters, cellars and similar underground ducts and structures?
- Proposals affecting gravel pits or quarries and natural cliff faces and rock outcrops with crevices or caves?
- All bridge structures, aqueducts and viaducts (especially over water and wet ground)?
- Lighting of churches and listed buildings or flood lighting of green space within 50m of woodland, water, field hedgerows or lines of trees with obvious connectivity to woodland or water?
- Affecting woodland, or field hedgerows and/or lines of trees especially those with obvious connectivity to woodland or water bodies?
- Proposals affecting or within 200*m of rivers, streams, canals, lakes, or other aquatic habitats.
- Buildings and walls with thick, dense ivy covering?
- Tall walls (higher than 2 m) with crevices present?
- Proposed tree work (felling or lopping) and/or development affecting?

- old and veteran trees, and trees that are older than 100 years?
- trees with obvious holes, cracks or cavities?
- trees with a girth greater than 1m at chest height?
- trees with substantial coverings of ivy?

Yes/No

Question 5: Birds

Is the proposal likely to affect any of the following protected bird species:

- 1) Those listed on Schedule 1 of the Wildlife & Countryside Act 1981 (as amended)?
http://jncc.defra.gov.uk/pdf/waca1981_schedule1.pdf
- 2) Those listed as Species of Principle Importance in England under S41 of the NERC Act?
<http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habandspeciesimportance.aspx>
- 3) Those associated with the Nene Washes (or other National or European designated sites if relevant)? <http://jncc.defra.gov.uk/pdf/SPA/UK9008031.pdf>

Yes/No

Question 6: Badgers and/ or Reptiles

Does the building and associated working area of your proposal directly affect any derelict (brown-field) land, allotments, woodland or linear features e.g. hedgerows, ditches or rows of trees?

Yes/No

Further action for questions 2-6:

Where a positive answer is given to any of questions 2 to 6, relevant protected species survey work should be carried out by a suitably experienced ecologist and a report must accompany the planning application.

Alternatively you may provide evidence (e.g. statement from a suitably qualified ecologist) to demonstrate that no priority species or habitats are likely to be impacted on by your proposals to rule out the need for further survey work.

Question 7: Nationally and Locally important wildlife sites

- Will the proposal impact (directly or indirectly) on a Site of Special Scientific Interest (SSSI), Regionally Important Geological Site (RIGS) or County Wildlife Site (CWS)?

Yes/No

If Yes, please provide further evidence with your planning submission including the amount (m²) of affected sites. Please also state the relevant section within your Environmental Statement where this information may be found:

Please note, answers to Questions 8 and 9 are only required for EIA Development

Question 8: Habitats of Principle Importance for Conservation

Will your proposal result in a net gain in Priority Habitats?

Yes/ No

Please state the relevant section within your Environmental Statement where this information may be found or alternatively please complete the following table:

Amount (Ha) of Habitats of Principle Importance for Conservation created and/or enhanced which can be attributed to proposed development

Local BAP Habitat	Existing	Proposed habitat (ha or linear metres)				Comments
	Existing habitat (Ha or linear m)	Existing habitat Loss	Habitat retained (current condition)	Habitat retained & enhanced	New habitat created	
<u>Arable Field Margins</u>	0	0	0	0	0	
<u>Fenland Drainage Ditches</u>	0	0	0	0	0	
<u>Fens</u>	0	0	0	0	0	
<u>Floodplain and Grazing Marsh</u>	0	0	0	0	0	
<u>Hedgerows</u>	0	0	0	0	0	
<u>Lowland Chalk Grassland</u>	0	0	0	0	0	
<u>Neutral Grassland</u>	0	0	0	0	0	
Open mosaic habitats on previously developed land	0	0	0	0	0	
<u>Ponds, Lakes and Standing Water</u>	0	0	0	0	0	
<u>Reedbeds</u>	0	0	0	0	0	
<u>Rivers and Streams</u>	0	0	0	0	0	
<u>Traditional Orchards</u>	0	0	0	0	0	
<u>Veteran Trees and Parklands</u>	0	0	0	0	0	
<u>Wet Woodland</u>	0	0	0	0	0	
<u>Lowland Mixed Deciduous Woodland</u>	0	0	0	0	0	
TOTALS	0	0	0	0	ha (+ m)	

Question 9: Green Infrastructure (GI)

Will your proposal result in a net gain in GI (excluding Priority Habitats)

Yes/ No

Please also state the relevant section within your Environmental Statement where this information may be found or alternatively please complete the following table:

Amount and quality of green infrastructure attributed to proposed development

Green Infrastructure (GI) Types	Proposed Green Infrastructure (ha or linear metres or number if mature trees)					Comments
	Existing GI (Ha or linear metres)	Existing habitat Loss	Habitat retained (current condition)	Habitat retained & enhanced	New habitat created	
Individual Broadleaf and/ or coniferous trees	0	0	0	0	0	
Non-BAP Grassland	0	0	0	0	0	
Non-BAP Wetland Habitat	0	0	0	0	0	
Non-BAP Woodland	0	0	0	0	0	
Other	0	0	0	0	0	
	0	0	0	0	0	
TOTALS	0	0	0	0	Ha (+ no. trees)	

Impact on Public Rights of Way Network

Will the proposal permanently affect the public rights of way network?

PROW Network – Adversely Affected (Loss) (Length - linear metres)	PROW Network – Adversely Affected (Qualitative loss)	PROW Network – Enhancement (Gain) (Length - linear metres)	PROW Network – Enhancement (Qualitative Improvements)
<u>e.g. x m of footpath to be lost.</u>	<u>e.g. x m of bridleway to be downgraded to footpath status.</u>	<u>e.g. Additional x m of footpath - permissive right of way.</u>	<u>e.g. x m of existing Green Wheel route to be upgraded to bridleway status</u>

Details of person responsible for completing checklist

Name:

Relationship to proposal:

(E.g. agent, applicant, ecological consultant).

Declaration:

Being familiar with the proposal and site in question the information supplied above is correct to the best of my knowledge.

Signed:

Date:

Appendix 4: Species-specific Advice incorporating Biodiversity Checklist Guidance Notes

Pre-existing knowledge (Question 1 in Biodiversity Checklist)

There may already be a known wildlife interest on a site even without specific survey work being carried out. This could be through your own involvement with a site or it may have been notified to you by neighbouring landowners, the Local Planning Authority (LPA), and/or by Natural England, the Environment Agency or other nature conservation organisations. Where this is the case, even if not indicated by subsequent questions, further professional survey work should be carried out in accordance with the process outlined below.

It may also be useful in this respect for a data search to be carried out via the Cambridgeshire and Peterborough Environmental Records Centre: www.cperc.org.uk

Water Voles (Question 2 in Biodiversity Checklist)

Water voles are present throughout the authority area, but tend to be confined to watercourses, drains and aquatic features that hold water. Important habitat for water voles extends up to 5 metres from the top of the bank of a ditch or watercourse. This includes both habitat that the water voles themselves will utilise and also a sufficient buffer between the water vole habitat and development activity/ nearby activity, operation of machinery etc.

Surveys should be carried out in accordance with the standards set out in the Water Vole Conservation Handbook 3rd Edition (Strachan and Moorhouse 2011).

Watercourses are less likely to be suitable for water voles if they are dry for much of the year or have been concrete lined or culverted for the length of watercourse that relates to the proposal.

Further information about water voles can be found on the GOV.UK website: <https://www.gov.uk/water-voles-protection-surveys-and-licences>

Amphibians

Great crested newts, smooth newts, common toads and frogs can all be found throughout the Peterborough area. Amphibians have declined through habitat loss and pollution. All native species receive legal protection under the Wildlife and Countryside Act (as amended) with the great crested newt also receiving full protection by the Habitat Regulations and the Common Toad being a UK Priority Species of Conservation Concern.

Great Crested Newts (Question 3 in Biodiversity Checklist)

This species will move some distance from their breeding ponds, which they only visit for a few weeks every year. Suitable habitat for newts includes: ponds, rubble and log piles, trees, scrub, hedgerows and long/ rough grassland. A pond that dries out occasionally, but not constantly, can be ideal for great crested newts as this will eradicate fish but not the newts which can survive out of water. Newts can live for several years, therefore if a pond has recently been filled in; it is possible that a population of great crested newts may still be present. Stationary ditches can also provide suitable breeding habitat for great crested newts.

Further guidance and survey requirements can be found on the Gov.uk website and in the Great Crested Newt Conservation Handbook using the following links:

<https://www.gov.uk/guidance/great-crested-newts-surveys-and-mitigation-for-development-projects>

http://www.froglife.org/wp-content/uploads/2013/06/GCN-Conservation-Handbook_compressed.pdf

- **Habitat creation and enhancement**

Wildlife ponds are an excellent way of enhancing local wildlife and the Council encourages their incorporation into development sites. Ponds should be particularly considered when the proposed development is near known amphibian populations such as toads and/ or great crested newts.

Aquatic plants need to be carefully considered, based on the size of the pond – for example, Common Reed *Phragmites australis* should only be introduced to larger ponds as it can quickly spread. Your ecologist should be able to advise further on suitable plants, landscaping and management for any ponds on site.

Conservation charity Froglife provides plenty of useful information regarding pond creation and creating amphibian friendly habitats:

www.froglife.org/what-we-do/just-add-water

Bats (Question 4 in Biodiversity Checklist)

All bats and their roosts are afforded strong legal protection by both domestic and international legislation. Deliberate or reckless disturbance to bats and their roosts is a criminal offence and licences must be obtained when undertaking activities which may affect them.

Ten species of bat have been recorded in the Peterborough area including the Common Pipistrelle, Brown Long-eared bat and the rarer Barbastelle bat, each of which have their own preferred habitat and roosting behaviour. This means that bats can be found in a wide variety of situations (with those listed in question 4 of the checklist being the most likely). This is made more likely if a proposal is in close proximity to foraging habitats which are particularly favourable for bats such as wetland and woodland habitats.

A useful guide for home owners commissioning bat surveys has been produced by CIEEM:

www.cieem.net/data/files/Publications/Bat_Survey_Guidelines_for_UK_Home_Owners.pdf

Further guidance and survey requirements can be found on the Gov.uk website, Bat Conservation Trust Survey Guidelines and Natural England Bat Mitigation Guidelines using the following links:

The BCT bat survey guidelines:

<http://www.bats.org.uk/pages/guidanceforprofessionals.html>

Natural England Publication “Bat Mitigation Guidelines”:

<http://webarchive.nationalarchives.gov.uk/20150429000001/http://publications.naturalengland.org.uk/publication/69046>

Natural England Publication “Bats in Buildings”:

<http://webarchive.nationalarchives.gov.uk/20150429000001/http://publications.naturalengland.org.uk/publication/68027>

<https://www.gov.uk/guidance/bats-protection-surveys-and-licences>

Bats and buildings

Many bat species make use of buildings, particularly near areas of open space or in the countryside. There are many ways of enhancing new buildings for bats, including provision of the following:

- Bat bricks; used to create hibernating crevices on the inside of structures
- Purpose built bat lofts
- Specially designed access bricks and roof tiles
- External bat boxes placed on buildings or trees

These can easily be incorporated into new buildings without the need for major changes to plans and with no negative effects on the aesthetics of the design. These plans should be included in the architect's brief.

Bat box installation guidelines

- Temperature is a critical factor to ensure bat box success; Boxes should face south or south east to obtain maximum sunlight exposure.
- Boxes should be specific to species present in the area (CPERC can provide this information).
- The ideal location for mounting bat boxes is on mature trees in an open area. If the tree is suitable, aim to install three per tree as bats move between boxes as temperatures change during the seasons (facing north, south-east and south west). Buildings can also be used – ideally placed under eaves.
- If boxes are found to remain unoccupied after three years, they should be re-located.
- Boxes should be placed at least 5m above the ground. Bats need a clear swoop zone to enter and exit their roosts therefore access to the box should be unobstructed so as to provide a clear flight path and ensure there is a clear drop below the box.
- Boxes should be attached with wire around the trunk or branch (nails should be avoided). To prevent damage to the tree, wrap a piece of hose or a section of car tyre around the wire.
- Boxes should be located within 10-30m of natural linear features e.g. hedgerows or tree lines.
- Do not mount boxes within close vicinity of strong lights (see below for more information)

Further Sources of Advice

The Bat Conservation Trust website provides more information on bats including specific species requirements, as well as additional

information on how to incorporate bats into buildings plus guidance regarding bats and artificial lighting:

www.bats.org.uk/pages/uk_bats.html

www.bats.org.uk/pages/accommodating_bats_in_buildings.html

www.bats.org.uk/pages/bats_and_lighting.html

Birds (Question 5 in Biodiversity Checklist)

In the UK, all wild birds, their nests and their eggs are protected by law under the Wildlife and Countryside Act (as amended). Certain birds, including Barn owls and Kingfishers, are also listed on Schedule 1 of this Act and are afforded further protection from disturbance whilst breeding.

In addition, the 2009 EU Birds Directive seeks to protect, manage and regulate all wild birds and their associated habitats. Habitat loss and degradation have been identified as the main factors causing declines in wild bird populations.

Barn owls

Due to many years of active conservation and an annual monitoring programme, Peterborough is now an important area for this species. Barn owls can be found in close proximity to humans, however as they are most active at dusk and dawn it is not unusual for those living close to an occupied site to be unaware of this.

Barn owls will make use of farm buildings, dovecotes, church towers and bale stacks as well as unused buildings. Trees with hollows/cavities of a sufficient size are also used for nesting and roosting. While most eggs are laid during April and May Barn owls can breed at any time of year and can have a second brood later in the season in particularly good years.

Barn owls are most likely to be affected in the situations outlined in question 5 but are less likely to be present in the following situations:

- Structures/disused buildings without roofs.
- Weather tight structures that consequently do not have suitable access points for barn owls.

However, Barn Owls can be affected from disturbance if they are breeding in proximity to a proposed development site so that surveys for this species and any proposed mitigation are needed to take this into account.

Specific information about Barn Owls in Peterborough can be obtained from the Council's Wildlife Officer and via Natural England:

<http://webarchive.nationalarchives.gov.uk/20150429000001/http://publications.naturalengland.org.uk/publication/76007>

Enhancements for Barn owls

Where a new agricultural building or new development is being erected adjacent to habitat suitable for Barn Owls, the Council strongly encourages provision to be made for this species. Owl lofts can be incorporated into roof designs or nest boxes installed on nearby trees or poles in areas where future development is unlikely to occur.

Useful links:

Barn Owl Conservation Network: www.bocn.org

Barn Owl Trust: www.barnowltrust.org.uk

Breeding Birds

There are very many different species of birds that can be found in the Peterborough area, each of which have their own preferred habitat and specialised behaviour. For these reasons birds can be found in almost any situation. The main sorts of proposals that will particularly affect birds in general and birds of specific conservation concern include removal/ cutting of trees and hedgerows, as well as building demolition and roofing works.

Impact on nesting birds can generally be avoided by either:

- Commencing works outside of the bird nesting season, generally March to August,
- Inside of the nesting season having a suitably qualified ecologist undertake a survey for nesting birds and only undertake works in parts where nesting birds have been confirmed to not be present.

For smaller sites this can generally be secured through the use of a planning condition, however for larger sites/major applications it can be appropriate for a survey to be undertaken to establish what the bird interest of a site consists of. This can include both bird nesting and over wintering. Such a survey can often be used to inform mitigation measures, such as the erection of suitable alternative nesting, landscaping or the programming of works. If a survey is required to accompany a planning application is highly subjective and will depend upon:

- The size and complexity of the site.
- The type of birds that may be likely to be found within the site or disturbed by the proposal.

Further information about birds and bird surveys can be found via the following links:

- Royal Society for the Protection of Birds: <http://www.rspb.org.uk/>
- The British Trust for Ornithology: <http://www.bto.org/>

- **Birds and buildings**

- Species that rely on buildings, eaves and ledges are increasingly under threat.
- Modern housing is generally designed to be weather tight and well pointed, so can easily exclude birds. Careful conversion or simple design changes in new buildings can easily make provision for these species, particularly in eaves or outbuildings.
- Others are less specific in their nesting choice and can be more easily catered for with a wide range of external bird boxes. Be sure to take key local bird populations into account when planning enhancements for birds in new developments.

Swifts

Swifts are entirely dependent upon buildings for nesting, and will ideally nest above 4m in areas with an unobstructed flight path. Incorporating 'letterbox' slots (measuring 65mm x 25-30mm) into eaves allows swifts to access and nest on top of the closed cavity. Specialised bricks and nest boxes can also be integrated into the building design. They should be installed in straight lines under eaves or at the top of the vertical wall away from windows.

If the development site is close to a known population of swifts or within their natural habitat range, it is important to include enhancements for them. Your ecologist will be able to advise you as to the necessity of catering for swifts. Multiple boxes can be placed on individual

buildings – as a rough guide, individual buildings could be expected to hold the following number of swift boxes:

- Individual houses: 1-4 boxes per house
- Small block of flats: 4-10 boxes per building
- Schools/apartments/hospitals/warehouses: 10-20 boxes per building

The following websites provide useful information on how to cater for swifts in new buildings:

www.swift-conservation.org

www.concernforswifts.com

House Martins

House martins will tend to use eaves in which to build their own nests; however artificial nests can also be provided which are readily available and easy to install. Ensure these are located in an area where droppings will not fall on windows, doors or paths below.

Swallows

Swallow nests are normally built inside a building upon a beam or ledge, typically no higher than 3 metres. Ideal nest sites are dry, dimly lit, secure and close to plentiful sources of insects. Artificial nests and nest platforms may be provided in new developments – these should be fixed out of the reach of cats. Incorporating H: 50mm x W: 70mm openings into garages and outbuildings allow access for swallows. Be aware that droppings could become a nuisance so site nests in undisturbed areas or place a board or bag beneath nesting areas to catch droppings.

Starlings and House Sparrows

Both of these birds are priority species and IUCN red listed species and are highly dependent on buildings for nesting. Provision of appropriately sized holes in eaves (32mm for sparrows, 45mm for starlings) allows access for nesting. Ensure there is no access to the roof void.

Bird Nest Box Installation Guidelines

- Position boxes 2-5 metres high on trees or walls, out of reach of predators such as cats.
- Attach boxes using wire around tree trunks or branches (nails should be avoided). To prevent damage to the tree, wrap a piece of hose or section of car tyre around the wire.
- Select suitable box designs appropriate to local area to ensure relevant priority species are targeted. Please contact CPERC for further information:
www.cperc.org.uk
- Position boxes to face between north or eastwards in sheltered positions which avoid full sun.
- Position boxes tilted slightly forwards to ensure that rain will bounce clear.
- Install one box per tree due to the territorial nature of some bird species, with the exception of colonial species such as house sparrows, swifts and starlings which prefer to have their boxes placed closely to each other.
- Ensure access is available for maintenance of boxes which should be cleaned out between August and January after birds have flown the nest.
- Use boxes constructed of materials such as “woodcrete” or integral brick designs where possible which are longer lasting and blend into building materials better.

Reptiles (Question 6 in Biodiversity checklist)

Reptiles in the UK have declined through habitat loss and degradation. All native reptiles receive legal protection under the Wildlife and Countryside Act (as amended). Reptile species are found throughout the Peterborough area and include grass snake, common lizard and slow worm. Adders are also very rarely found in the west of the district. These species tend to be found in association with the following habitat features:

- South or west facing banks tend to favour reptiles as they are warmer and suit the reptiles' requirement to bask to warm up.
- Slow worms can tend to be found in woodland and established grassland such as old allotment sites.
- Reptiles may take shelter in piles of wood and or rubble piles that have generally lain undisturbed for some time. These piles may have become partially vegetated.
- Piles of decomposing plant material such as compost and manure heaps; woodchip and sawdust piles may be used by grass snakes for egg laying. Slow worms may take shelter in these sorts of features.
- Wetland features such as rivers, streams, ditches, ponds or lakes may be particularly good habitat for grass snakes.
- In farmland lizards and snakes can use linear habitats such as hedges and/or grass field margins.
- Derelict sites with deteriorating walls with holes beneath can provide good habitat for reptiles especially when connected to grassy areas.

- **Habitat creation and enhancement**

Creation of hibernacula such as stone or log piles, where reptiles such as common lizards can shelter inside or sunbathe on top, are valuable enhancement additions and should be included when creating reptile habitat.

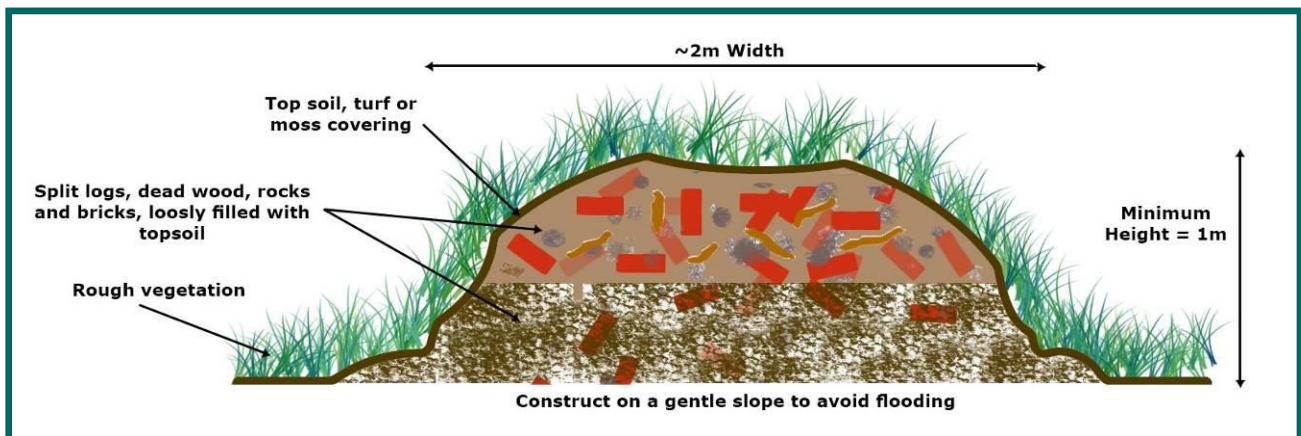


Figure A: An example of reptile hibernacula

Reptile surveys should be carried out in accordance with the standards outlined in Froglife Advice Sheet 10. Further information about reptiles can be obtained via the following links:

- Froglife Advice Sheets: http://www.devon.gov.uk/froglife_advice_sheet_10_-_reptile_surveys.pdf
- Natural England, Reptiles, Guidelines for Developers: <http://webarchive.nationalarchives.gov.uk/20150429000001/http://publications.naturalengland.org.uk/publication/76006>
- Froglife Advice: www.froglife.org/amphibians-and-reptiles/reptiles

Badgers (Question 6 in Biodiversity Checklist)

Badgers can be found throughout the Peterborough area and while badger setts more likely to be found in the situations outlined in question 6 they can also be found in almost any situation including within farmed fields, and in the banks of drainage ditches. A development may be capable of impacting on a badger sett that is within 30 metres of the edge of a construction site.

If badgers use a proposal site to forage for food or to move to foraging areas it can still be important to consider badgers at the design, implementation and landscaping phases. If you are in any doubt with respect to if a badger sett may be present on the site or badgers affected by a proposal professional advice should be sought at the earliest stage of planning the proposed development and a survey undertaken by a suitably qualified ecologist.

Further information about badgers can be found at:

- Natural England Publication "Badgers and Development"
<http://webarchive.nationalarchives.gov.uk/20150429000001/http://publications.natureland.org.uk/publication/73034>
- The Mammal Society:
www.mammal.org.uk/sites/default/files/factsheets/badger_complete.pdf

Hedgehogs

Hedgehogs are a UK Biodiversity Action Plan priority species and listed as a Species of Principle Importance under s41 of the NERC Act 2006. It is therefore recommended that any potential nesting areas be hand-searched by an experienced mammalogist prior to site clearance.

Simple measures, such as lifting fences 150mm off the ground to allow garden access for hedgehogs and provision of dropped kerbs to allow small animals movement, should be also be considered.

Further information about hedgehogs can be found at: www.wildlifetrusts.org/hedgehogs

Other Mammals

Mammals including Foxes and Rabbits are protected under the Wild Mammals Act 1996 from crushing, asphyxiation etc. It is therefore important if animals are present on a development site (e.g. young are in the tunnel/ fox earth) then the tunnels/ earth should be adequately protected until all animals have safely left the site. If no young are found, then adult foxes may be excluded from the tunnels and prevented from returning.

As a general measure for all mammals, it is recommended that construction trenches are covered overnight or a means of escape provided for any mammals that may have become trapped.

Invertebrates

Invertebrate habitats can easily be incorporated into walls, gardens and green spaces, or protected simply by maintaining existing natural features such as dead wood piles, sandy banks, ponds, hedgerows and native shrubs.

Incorporating invertebrate friendly planting schemes into development plans – such as using a wildflower seed mix or including a variety of nectar producing plants for pollinators such as bees, butterflies and other flying insects, is a great way to enhance biodiversity.

The Cheshire Wildlife Trust and Froglife have prepared advice sheets on creating invertebrate habitats:

www.cheshirewildlifetrust.co.uk/documents/advice_invertebrate_habitat2.pdf

www.froglife.org/documents/Froglife-helping-bugs-info.pdf

Designated Sites (Question 7 in Biodiversity Checklist):

Nationally and Internationally Protected Wildlife Sites

Natural England is the statutory advisor to the Planning Authority for Sites of National and International Importance. Nationally important sites are classified as Sites of Special Scientific Interest (SSSI). International Sites include Special Areas of Conservation (SAC), Special Protection Areas (SPA) and Ramsar sites.

Collectively the internationally designated sites are known as Natura 2000 sites and all will also be nationally designated as SSSIs in addition to their international designations. It is possible for international sites to be designated as only or possibly all of the above.

The locations of national and international sites can be found on the mapping which accompanies the Peterborough Local Plan. The sites can also be identified via the Multi Agency Geographic Information for the Countryside (or MAGIC) website:

www.magic.gov.uk

Further information on these sites can be found on the GOV.UK Website:

www.gov.uk/planning-development/protected-sites-species

Local Sites

The Peterborough area has approximately one hundred County Wildlife Sites (CWS) and six Local Geological Sites (LGS). All such local sites are protected in relation to development as set out in the Local Plan. Each site is by definition of importance at least at the County level and may be much higher.

Locations of Local Sites are indicated on Local Plan Mapping as well as on the City Councils Website www.peterborough.gov.uk/hawkeye.aspx

A search can also be carried out via the Cambridgeshire and Peterborough Environmental Records Centre who are also able to supply specific information with respect to the sites:

www.cperc.org.uk

Further action for question 7

Peterborough City Council has a duty to consider the conservation of biodiversity when determining a planning application; this includes having regard to the safeguard of designated sites and priority habitats. Where a proposed development is likely to affect such a site or habitat feature, please provide further evidence with your planning submission including the amount (m²) of affected sites. Please also state the relevant section within your Environmental Statement where this information may be found.

Ecological Assessment for sites, priority habitats or biodiversity features

Your supporting ecological information should identify and describe potential development impacts likely to harm designated sites, priority habitats, other listed biodiversity features (these should include both direct and indirect effects both during construction and afterwards). Where harm is likely, evidence must be submitted to show:

- How alternative designs or locations have been considered;
- How adverse effects will be avoided wherever possible;
- How unavoidable impacts will be mitigated or reduced;
- How impacts that cannot be avoided or mitigated will be compensated.

In addition, proposals are to be encouraged that will enhance, restore or add to designated sites priority habitats, or other biodiversity features. The Assessment should quantify the likely change in the area (hectares) of priority habitat on the site after development e.g. whether there will be a net loss or gain. An ecological survey and assessment may form part of a wider Environmental Impact Assessment.

Figure B ECOLOGICAL SURVEY SEASONS

Key: Optimal Survey Time ■
Extending into ■

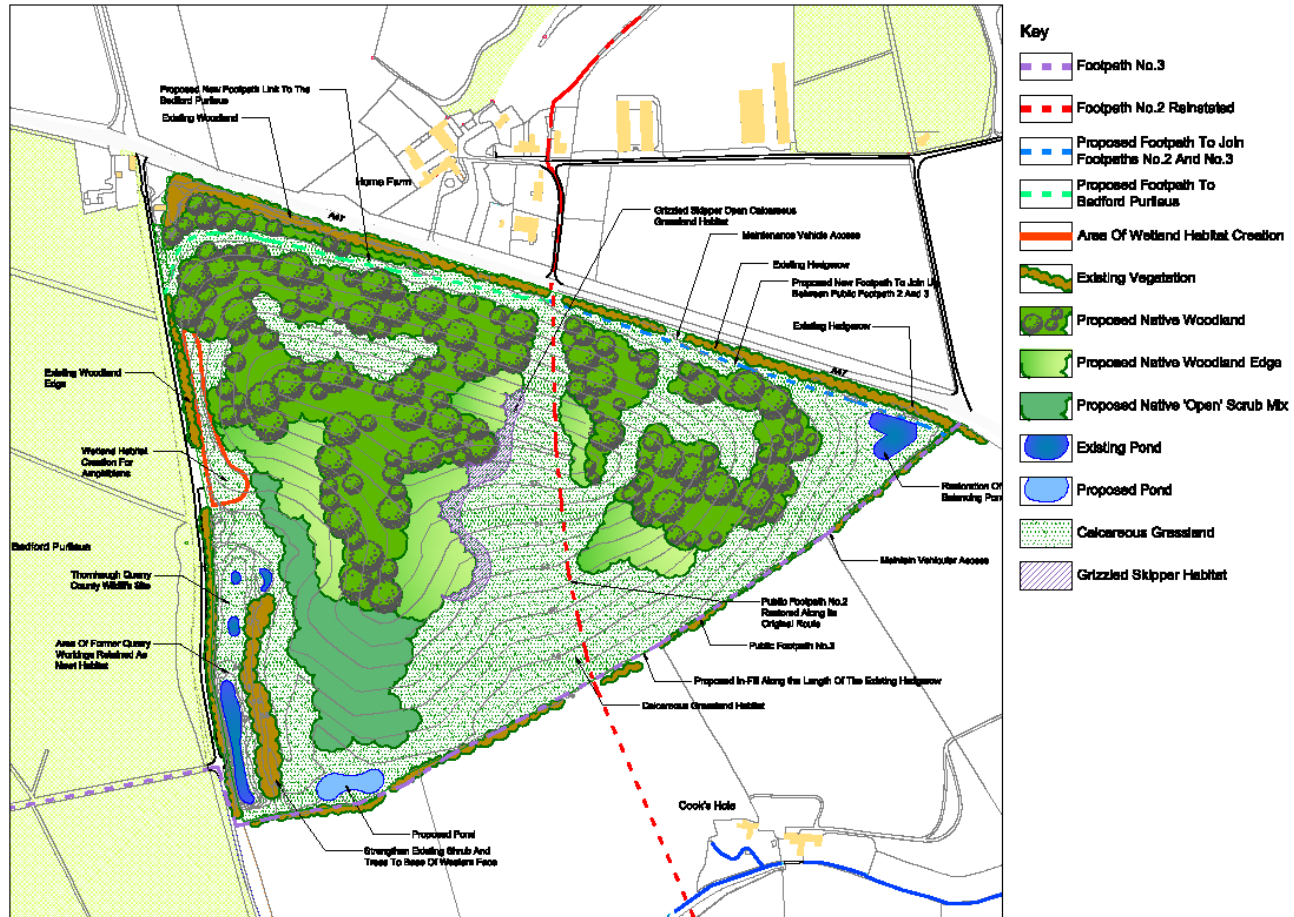
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Badgers												
Bats (Hibernation Roosts)												
Bats (Summer Roosts)												
Bats (Foraging/Commuting)												
Birds (Breeding)												
BIRDS (Over Wintering)												
Great Crested Newts: Terrestrial survey												
Great Crested Newts: Aquatic survey (ponds etc)												
Invertebrates												
Otters												
Reptiles												
Water Voles												
Habitats/Vegetation												

Points to note regarding surveys are as follows:

- For certain species and habitats surveys can be carried out at any time of year, but for other species, particular times of year are required to give the most reliable results, as indicated in Figure B.
- Surveys conducted outside of optimal times (Figure 1) may be unreliable. For certain species (e.g. great crested newt) surveys over the winter period are unlikely to yield any useful information. Negative results gained outside the optimal period should not be interpreted as absence of a species and further survey work maybe required during the optimal survey season. This is especially important where existing surveys and records show the species has been found previously on site or in the surrounding area. An application may not be valid until survey information is gathered from an optimum time of year.
- Species surveys are also very weather dependent so it may be necessary to delay a survey or to carry out more than one survey if the weather is not suitable, e.g. heavy rain is not good for surveying for otters, as it washes away their spraint (droppings). Likewise bat surveys carried out in wet or cold weather may not yield accurate results.
- Absence of evidence of a species does not necessarily mean that the species is not there, nor that its habitat is not protected (e.g. a bat roost used in the summer is protected during the winter whether any bats are present or not).

Appendix 5: Best Practice Case Studies

Thornhaugh 1 Quarry: This site is located within the John Clare Country GI focus area and lies adjacent to Bedford Purlieus National Nature Reserve. The restoration scheme involves the creation of a significant area of calcareous grassland, native woodland and scrub planting and creation of new ponds which support a large great crested newt population.



Eyebury Quarry: Located in the Fens area east of Peterborough, the restoration scheme has involved the creation of new wetland habitats strategically positioned alongside the Cat's Water Drain County Wildlife Site, thereby helping to buffer and extend existing habitats. By establishing new ponds and ditches at an early stage, habitats have become sufficiently well established to enable protected species including great crested newts and water voles to be trans-located from areas planned for in-filling. Through careful management and long-term monitoring, the new habitats are now of County Wildlife Site standard themselves.



Great Haddon: Located in the South Peterborough Green Parks area, this major urban extension proposes the provision of over 40% green space, excluding surface water features and a restricted access habitat buffer to Orton Pit SAC. The mixture of semi-natural habitat creation, informal parkland open space and avenue street tree planting helps to deliver effective habitat connectivity for wildlife and accessible natural green spaces for people, whilst ensuring impacts to the SAC are sufficiently addressed through careful site design and mitigation measures.



CABINET	AGENDA ITEM No. 13
15 JANUARY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Cabinet Member(s) responsible:	Councillor Seaton, Cabinet Member for Resources	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

OUTCOME OF PETITIONS

RECOMMENDATIONS	
FROM: <i>Directors</i>	Deadline date: <i>N/A</i>
It is recommended that Cabinet notes the actions taken in respect of petitions.	

1. ORIGIN OF REPORT

- 1.1 This report is submitted following the submission of an E-Petition and the presentation of a petition to Council officers.

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 submitted to the Council.
- 2.2 This report is for Cabinet to consider under its Terms of Reference No. 3.2.3, '*To take a leading role in promoting the economic, environmental and social well-being of the area*'.

3. TIMESCALES

Is this a Major Policy Item/Statutory Plan?	NO	If yes, date for Cabinet meeting	N/A
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4. OUTCOME OF PETITIONS

E-Petitions

4.1 Vista Parking

This E-petition was submitted on 25 October 2017 by Neil Thomas. The petition contained 90 valid signatures and called on the Council to establish parking restrictions and a 20 mph speed limit within the new Vista site.

The Principal Transport Planning Officer advised that the road network in question is not yet the responsibility of the council. The Council were working with the developer to get the road dedicated to become highway as soon as all the obligations are met, but there was currently no a timescale for this.

The Council would soon be writing out to all households to consult with the residents to see if

they would like to have a resident parking scheme. If there was support for this then the Council will be able to setup the scheme once we have responsibility for the roads. This would help to alleviate unwanted parking on the streets.

Regarding the speeding concerns, the roads were quite narrow with on-street parking that would act as a measure to help reduce speeds. When the road become highway the Council would be able to investigate vehicle speeds and accident data to see whether further traffic calming measures were needed.

The Council was investigating the roll-out of 20mph speed limits. A councillor led task and finish group reported its finding into 20mph signed only limits to cabinet in July 2014. Cabinet made 3 recommendations which were progressing with the aim to gain more evidence at both a national and local level before committing to a city wide roll-out.

Since the task and finish group presented its findings, a number of authorities had committed to implementing or had implemented signed only limits. However there was still limited conclusive evidence on the impact in terms of mode of travel, reduction in speed and casualties and overall costs involved.

Peterborough City Council were also waiting for a review that had been commissioned by the Department for Transport into 20mph signed only limits. Consequently, there were no plans to make these roads 20mph. If there were issues with speed and/or accidents the Council would investigate to see what measures could be implemented.

Petitions Presented to Council officers on 13 October 2017

4.2 Werrington Speed Limit

This petition was presented to Council officers on 13 October 2017 by Mr Proudfoot. The petition contained 561 valid signatures and called on the Council to introduce a default 20mph speed limit on The Green, Church Street, Amberley Slope, Twelvetree Avenue and parts of Lincoln Road, Werrington ward.

The Prevention and Enforcement Service Manager advised of the previously mentioned councillor led task and finish group into 20mph speed limits. A date would be arranged with the lead petitioner to meet on site with Highways Services and if there were any issues with speed and/or accidents the Council would investigate this and see what other measures could be implemented.

As this petition has received over 500 signatures, the lead petition has requested that it be debated by Full Council. The item will be included on the agenda of the next Full Council meeting on 24 January 2018.

5. REASON FOR THE RECOMMENDATION

- 5.1 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.

6. ALTERNATIVE OPTIONS CONSIDERED

- 6.1 There have been no alternative options considered.

7. IMPLICATIONS

- 7.1 There are no legal, financial, or equalities implications arising from the issues considered.

8. BACKGROUND DOCUMENTS

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

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