

PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING

You are hereby summonsed to attend a meeting of the Peterborough City Council, which will be held in the Council Chamber, Town Hall, Peterborough on

MONDAY 21 MAY 2018 at 7.45 pm

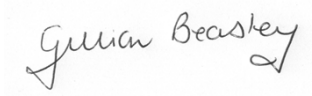
AGENDA

	Page No.
1. Apologies for Absence	
2. Declarations of Interest	
3. Minutes of the Meeting held on 7 March 2018	3 - 28
4. Mayor's Announcements	
5. Political Groups and Group Officers 2018/2019	29 - 30
6. Appointment of the Executive and the Leader's Scheme of Delegation	31 - 32
7. Committee Structures 2018/2019	33 - 84
8. Political Balance and Allocation of Committee Seats	85 - 88
9. Appointments to Committees	89 - 90
10. Appointments and Nominations to Other Authorities and Outside Bodies	91 - 98
11. Executive and Committee Recommendations to Council	
(i) Cabinet Recommendation - Report of the Task and Finish Group to Assist the Development of a New Homelessness Strategy	99 - 142
(ii) Audit Committee Recommendation - Changes to the Constitution	143 - 188



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Chief Executive

11 May 2018
Town Hall
Bridge Street
Peterborough

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**RECORD OF OUTCOMES OF THE COUNCIL MEETING
HELD WEDNESDAY 7 MARCH 2018
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

THE MAYOR – COUNCILLOR JOHN FOX

Present:

Councillors Aitken, Ali, Allen, Ash, Ayres, Barkham, Bisby, Bond, Brown, Bull, Casey, Cereste, Clark, Coles, Davidson, Ellis, Elsey, Ferris, Fitzgerald, Fuller, John Fox, Judy Fox, Goodwin, Harper, Hiller, Holdich, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, King, Lamb, Lane, Lillis, Mahabadi, Martin, Murphy, Nadeem, Shaz Nawaz, Okonkowski, Over, Peach, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Sylvester, Walsh

75. Apologies for Absence

Apologies for absence were received from Councillor Sharp, Councillor Azher Iqbal, Councillor Whitby, Councillor Fower, and Councillor Gul Nawaz.

76. Declarations of Interest

There were no declaration of interest received.

77. Minutes of the Meeting Held on 24 January 2018

The minutes of the meeting held on 24 January 2018 were approved as a true and accurate record, subject to the correction of typographical errors.

COMMUNICATIONS

78. Mayor's Announcements

The Mayor advised that it was the fourth year of the Civic Award scheme, these being awards which recognised residents, groups, organisations and businesses that had made a difference in their local community. The following nominees had been selected to receive a Civic Award:

Community Involvement Civic Award:

- Mr Mark Asplin
- Community Action Peterborough
- Mr Duncan Davies
- Mrs Margaret Fletcher
- Mrs Kerrie Garner
- Mr Henk and Mrs Felicity Kamminga
- Mrs Sue Lane
- Mrs Karen Oldale
- Mr Silvio Perna
- Mr Robert Randall, Mr Gerard Kirt and Mr Peter Skinner

- Mr David Wait
- Mr David and Mr Jason Watling
- Ms Faustina Yang

Sports Civic Award:

- Mr Steve Thorpe
- Mr Kevin Sanders
- Peterborough Special Olympic Swimming Group

Environment Civic Award:

- The Late Mr William Robertson
- Mr Peter Metzger
- Mr Ivan Hammond

Business Civic Award:

- Dr Tarasum Shah

Young Person Civic Award:

- Miss Princess Adekemi

Contribution to Art and Culture Award:

- Ms Ann Bellamy

The winners were to be presented with their awards at a ceremony, date to be confirmed.

79. Leader's Announcements

There were no announcements from the Leader.

QUESTIONS AND PETITIONS

80. Questions with Notice by Members of the Public

Questions from members of the public were raised in respect of the following:

1. Consultation on using the Manor for residential care.
2. Drug paraphernalia on Council land.

The questions and responses are attached in **APPENDIX A** to these minutes.

81. Petitions

(a) Presented by Members of the Public

There were no petitions presented by members of the public.

(b) Presented by Members

Councillor Davidson presented three petitions to Council requesting the following:

- 1) To stop and reconsider the proposed closure of the Manor children and young people's home.
- 2) To improve the outdated play equipment at the John Clare recreation park.
- 3) To repeal the decision not to allow members of the public to sit in the gallery in the Chamber, during meetings of Full Council.

Councillor Rush presented a petition to Council requesting the Council to take action in relation to the damage and safety aspect of cars parked on the grass verges along Southfields Avenue and Southfields Drive.

82. Questions on Notice

- (a) To the Mayor**
- (b) To the Leader or member of the Cabinet**
- (c) To the Chair of any Committee or Sub-Committee**

Questions (b) and (c) to the Leader or Member of the Cabinet and to the Chair of any Committee or Sub-Committee were raised and taken as read in respect of the following:

1. St Johns Hall, Spinney, the Grange and Stafford Hall.
2. Special Responsibility Allowances to Conservative Members.
3. Vaccinations Sign Up.
4. Manor Drive Access.
5. Green Burials.
6. Noise and Anti-Social Behaviour.
7. Permanency Services and TACT.
8. Collaboration with the Department for Housing, Communities and Local Government.
9. Selective Licensing.

The questions and responses are attached in **APPENDIX A** to these minutes.

(d) To the Cambridgeshire and Peterborough Combined Authority Representatives

There were no questions to the Cambridgeshire and Peterborough Combined Authority Representatives.

RECOMMENDATIONS AND REPORTS

83. Executive and Committee Recommendations to Council

(a) Cabinet Recommendation – Safer Peterborough Partnership Plan 2017 - 2020

Cabinet, at its meeting on 9 February 2018, received a report in relation to the production of a Community Safety Plan. This was a statutory requirement for upper tier councils, and as such Peterborough City Council was required to produce a plan for approval by Full Council.

Councillor Walsh introduced the report and moved the proposal. Councillor Walsh advised that the plan was presented to Cabinet in 2017, however it was put on hold to consider changes that were taking place within the police force. There were significant pressures placed on the police that had resulted in them prioritising high harm issues. The Safer Peterborough Partnership and the Adults and Communities Scrutiny Committee felt that sufficient focus should be maintained on low harm crimes and, as such, the new priority in relation to anti-social behaviour and environmental crime had been included in the plan. All other aspects remained unchanged.

Councillor Fuller seconded the proposal and reserved his right to speak.

Members debated the proposal and in summary the points raised included:

- Comment was made that the concerns of residents were not being reflected in the proposed plan and that the Safer Peterborough Partnership were not meeting in public to allow residents to hold them to account.
- Concern was raised that the Adults and Communities Scrutiny Committee had not had sight of the revised plan.
- The focus on anti-social behaviour and environmental crime was welcome.
- It was questioned why the plan did not include any targets or measures of success.
- Further comment was made that the response to consultation only reflected 0.08 percent on the Peterborough population, so could not be taken as the opinion of the area as a whole.

Councillor Fuller exercised his right to speak and explained that the plan had been fully considered by the Adults and Communities Scrutiny Committee with a number of issues raised by Members in what was a complex matter.

Councillor Walsh summed up as mover of the proposal and in so doing advised that the plan was not based solely on the outcome of the public consultation, but the responses provided were taken into account. The priorities identified within the plan were areas in which the partnership could make the biggest difference working together; each individual body would still undertake their day to day work. It was felt that deferring the submission of the plan to Council was the right thing to do given the circumstances. Concerns were noted and it was advised that an upcoming restructure of the Safer Peterborough Partnership would allow for greater transparency.

A vote was taken (35 in favour, 17 against, 0 abstaining) and it was **RESOLVED** that Council approve the Safer Peterborough Partnership Plan 2017 – 2020, including the new priority added.

(b) Cabinet Recommendation – Medium Term Financial Strategy Phase Two 2018/19 to 2020/21

Cabinet, at its meeting on 26 February 2018, received a report on phase two of the Medium Term Financial Strategy 2018/2019 to 2020/2021 as part of 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 2018/19. The Cabinet also received a supplementary report detailing additional responses to the public consultation.

Councillor Seaton introduced the report and moved the proposals. Councillor Seaton advised that the proposals had been discussed at the cross party working group and the Joint Scrutiny Committee. In line with a number of petitions received in relation to Bretton Water Park, it had been arranged for Vivacity to take on responsibility for this facility. Alterations to the proposals were outlined in the additional information packs and included the removal of the bin charge and clarity on the proposals for respite care. It was confirmed that the Council would work closely with those families currently using the Manor for overnight respite.

The challenges facing the Council were clear, adult social care, homelessness, additional growth, high deprivation and low property value. The first phase of the budget had focused on tackling homelessness, lobbying central Government for a fairer funding deal, and tasking the Chief Executive with reviewing shared service possibilities. There were some positives to report; the £120 million investment in Fletton Quays had created

3,000 jobs in the last year, a number of schools in the area had been marked as outstanding, the development of a University was progressing, 5,000 new homes had been built and unemployment in the area was below the national average.

Councillor Fuller seconded the proposals and reserved his right to speak.

Councillor Murphy moved amendments to the proposals and advised that he sympathised with the discussions around paying for a second bin and hoped that in the future this service could be brought back in-house. It was suggested that longer term plans around housing were required as Peterborough had the highest number of families in bed and breakfast accommodation in the whole of the east of England. Comment was made that if an additional £300,000 had been added into reserves within the proposals, then funding could be found for a bridge to the Fletton Quays development. Councillor Murphy identified that the special responsibility allowance paid to Conservative Members was in excess of £17,000 and that this could be put towards the £18,000 needed to fund the Bretton Water Park. Suggestion was made to reduce the number of Cabinet Members to decrease special responsibility allowance costs. It was proposed to reduce the communications budget and to remove the payment of terrorism insurance. Councillor Murphy confirmed that the Corporate Management Team had had sight of the Labour group's proposals.

Councillor Shaz Nawaz seconded the amendments and reserved his right to speak.

Members debated the amendments and in summary the points raised included:

- In relation to the brown bins, the option to bring the service in-house had already been investigated and dismissed, as it was felt the model would not work for Peterborough.
- It was noted that the council tax proposals remained the same under the amendment.
- The amendment proposals in relation to verge parking were welcomed by a number of Members.
- Comment was made that the reason for the increase in council tax was due to severe cuts from central Government and the transfer of responsibilities to local authorities.
- It was suggested that the Stand Up for Peterborough campaign should be extended to ask for further funding, rather than simply fairer funding.
- The work of the cross party Budget Working Group was welcomed, however, it was felt by some Members that they could look at more than simply the fundamental proposals.
- Members were pleased to see that the proposed charges for replacement bins had been removed.
- Discussion was had around the costs of procuring a replacement for the Amey contract.
- Concern was raised in relation to the provision of sustainable transport and the closure of the bus enquiry kiosk.
- Comment was made that the level of special responsibility allowance for Councillors should be determined by an independent panel.
- Members raised verge parking as a persistent problem across the Peterborough area, with petitions raised around the issue. It was clarified that funding had already been set aside to deal with this matter.
- Members felt that cutting the Council's terrorism insurance would be negligent.
- Further comment was made in relation to Members' special responsibility allowances, explaining that all Group Leaders received an additional payment for that position, which all Group Leaders had taken.

- Suggestion was made that if all Members returned part of their allowance, then this would help fund other services.
- Members remarked that more interesting ways to expand housing across the city should be considered.
- It was felt by some Members that the Conservative Group did not properly consider proposals from opposition groups.
- In relation to Bretton Water Park, it was advised that an alternative arrangement had been found so that Vivacity would take on the running of the park, with no financial support from the Council.
- Comment was made in relation to the proposals around the Manor where the human cost of the proposals was highlighted. Concern was raised that cuts would continue to be made until the service was not used at all and that the message had not been properly communicated to the public.
- Explanation was provided that Cherry Lodge offered a more complete service and would increase overall capacity even after moving all the Manor users over.
- The matter of shared services was raised with attention drawn to the complex and wide ranging implications for such a proposal, and the hard work that had already been put into it.
- In relation to comments made around the Manor it was advised that 12 families currently used the service. Two were transitioning to adult services and seven children used the overnight services. Cherry Lodge currently provided for more complex needs and was open for seven nights a week, whereas the Manor was open for four nights. Cherry Lodge was only at 40% capacity.
- Moving over to Cherry Lodge was one option. Other options included improving links with foster carers and day care services. Users would still be able to use the Manor services in the day. The Council were assured that their team were child focused and that the children involved would be provided for.

During the course of the debate Councillor Davidson left the meeting.

Councillor Shaz Nawaz exercised his right to speak and thanked the Cabinet Member and officers for their work. Councillor Shaz Nawaz indicated that he would be willing to sacrifice £10,000 of his allowance if Councillor Fitzgerald would match this, thus providing an additional £20,000 that could be spent on tackling parking on grass verges. It was advised that, having been elected to the Council less than a year ago he was not in a position to present a complete alternative budget. Councillor Shaz Nawaz was pleased to hear that money was being invested in Medesham Homes, but felt that further work was required to generate profit from this to reinvest. This could allow the Council to buy additional land property. It was suggested that the amendments proposed were all sensible, and Councillor Shaz Nawaz hoped that Members would support them.

Councillor Seaton summed up as mover of the original proposals and in so doing noted that the amendments from Councillor Murphy were only circulated to Members on Monday. Support was shown for the statements made around parking, which reflected current practice. It was suggested that proposals to drop terrorism insurance when the country was at its highest terrorism risk level was not sensible. Councillor Seaton supported the move to shared services, however noted that progress needed to be made carefully, as individual jobs would be involved.

A recorded vote was taken on item one of an amendment to the proposals:

Councillors For: Ali, Barkham, Bond, Clark, Dowson, Ellis, Ferris, Amjad Iqbal, Jamil, Johnson, Khan, King, Lillis, Mahabadi, Martin, Murphy, Okonkowski, Saltmarsh, Sandford, Shaheed, Shaz Nawaz, Sylvester

Councillors Against: Aitken, Allen, Ayres, Bisby, Brown, Bull, Casey, Cereste, Coles, Elsey, Fitzgerald, Judy Fox, Fuller, Goodwin, Harper, Hiller, Holdich, Lamb, Lane, Peach, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh

Councillors Abstaining: Nil

Councillors Not Voting: Ash, John Fox, Hussain, Nadeem, Over

The amendment was **DEFEATED** (22 in favour, 27 against, 0 abstaining).

A recorded vote was taken on item two of an amendment to the proposals:

Councillors For: Aitken, Ali, Allen, Ash, Ayres, Barkham, Bisby, Bond, Brown, Bull, Casey, Cereste, Clark, Coles, Dowson, Ellis, Elsey, Ferris, Fitzgerald, Fuller, Goodwin, Harper, Hiller, Holdich, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Lamb, Lane, Lillis, Mahabadi, Martin, Murphy, Shaz Nawaz, Okonkowski, Over, Peach, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Sylvester, Walsh

Councillors Against: King

Councillors Abstaining: Ash, Judy Fox

Councillors Not Voting: John Fox, Nadeem

The amendment was **CARRIED** (49 in favour, 1 against, 2 abstaining).

A recorded vote was taken on item three of an amendment to the proposals:

Councillors For: Aitken, Ali, Allen, Ayres, Barkham, Bond, Brown, Bull, Cereste, Clark, Dowson, Elsey, Ferris, Fitzgerald, Goodwin, Hiller, Holdich, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, King, Lamb, Lane, Lillis, Mahabadi, Martin, Murphy, Shaz Nawaz, Okonkowski, Over, Peach, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Sylvester, Walsh

Councillors Against: Bisby, Coles, Fuller, Harper, Rush

Councillors Abstaining: Ash, Judy Fox

Councillors Not Voting: Casey, Ellis, John Fox, Nadeem

The amendment was **CARRIED** (43 in favour, 5 against, 2 abstaining).

A recorded vote was taken on item four of an amendment to the proposals:

Councillors For: Clark, Dowson, Ellis, Hussain, Amjad Iqbal, Jamil, Khan, Mahabadi, Martin, Murphy, Shaz Nawaz, Okonkowski, Saltmarsh

Councillors Against: Aitken, Allen, Bisby, Brown, Casey, Cereste, Coles, Elsey, Fitzgerald, Fuller, Goodwin, Harper, Hiller, Holdich, King, Lamb, Seaton, Serluca, Simons, Smith, Stokes, Walsh

Councillors Abstaining: Ash, Barkham, Bond, Judy Fox, Lane, Lillis, Sandford, Shaheed

Councillors Not Voting: Ali, Ayres, Bull, Ferris, John Fox, Johnson, Nadeem, Over, Peach, Rush, Sylvester

The amendment was **DEFEATED** (13 in favour, 22 against, 8 abstaining).

A recorded vote was taken on item five of an amendment to the proposals:

Councillors For: Ali, Barkham, Bond, Clark, Dowson, Ellis, Ferris, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Lillis, Mahabadi, Martin, Murphy, Shaz Nawaz, Okonkowski, Saltmarsh, Sandford, Shaheed, Sylvester.

Councillors Against: Aitken, Allen, Ayres, Bisby, Brown, Casey, Coles, Elsey, Fuller, Goodwin, Harper, Hiller, King, Lamb, Over, Rush, Seaton, Serluca, Simons, Smith, Walsh

Councillors Abstaining: Ash, Judy Fox, Lane

Councillors Not Voting: Bull, Cereste, Fitzgerald, Holdich, John Fox, Peach, Stokes, Nadeem

The amendment was **CARRIED** (22 in favour, 21 against, 3 abstaining).

A recorded vote was taken on item six of an amendment to the proposals:

Councillors For: Ali, Clark, Dowson, Ellis, Ferris, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sylvester

Councillors Against: Aitken, Allen, Ayres, Bisby, Brown, Bull, Casey, Cereste, Coles, Elsey, Fitzgerald, Fuller, Goodwin, Harper, Hiller, Holdich, King, Lamb, Lane, Okonkowski, Over, Peach, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh

Councillors Abstaining: Barkham, Bond, Judy Fox, Lillis, Mahabadi, Sandford, Shaheed

Councillors Not Voting: Ash, John Fox, Nadeem

The amendment was **DEFEATED** (15 in favour, 29 against, 7 abstaining).

A recorded vote was taken on item seven of an amendment to the proposals:

Councillors For: Ali, Barkham, Bond, Clark, Dowson, Ellis, Ferris, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Lillis, Mahabadi, Martin, Murphy, Shaz Nawaz, Okonkowski, Saltmarsh, Sandford, Shaheed, Sylvester

Councillors Against: Aitken, Allen, Ayres, Bisby, Brown, Bull, Casey, Cereste, Coles, Elsey, Fitzgerald, Judy Fox, Fuller, Goodwin, Harper, Hiller, Holdich, King, Lamb, Lane, Over, Peach, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh

Councillors Abstaining: Nil

Councillors Not Voting: Ash, Nadeem, John Fox

The amendment was **DEFEATED** (22 in favour, 29 against, 0 abstaining).

Following the announcement of the voting results a significant number of Members addressed the Mayor to advise that their votes had not been registered on the electronic voting system.

The meeting was adjourned for five minutes for officers to review the electronic voting system software and establish whether votes had not been registered.

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The Legal Officer advised that a significant number of votes had not been registered by the electronic voting system. As such, the Mayor announced that voting on items five and six of the amendment to the proposals would be run again.

A number of Members expressed their dissatisfaction with this decision.

A recorded vote was taken on item five of an amendment to the proposals:

Councillors For: Ali, Barkham, Bond, Clark, Dowson, Ellis, Ferris, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Lillis, Mahabadi, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed, Sylvester

Councillors Against: Aitken, Allen, Ayres, Bisby, Brown, Bull, Casey, Cereste, Coles, Elsey, Fitzgerald, Fuller, Goodwin, Harper, Hiller, Holdich, King, Lamb, Nadeem, Okonkowski, Over, Peach, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh

Councillors Abstaining: Ash, John Fox, Judy Fox, Lane

Councillors Abstaining: Nil

The amendment was **DEFEATED** (21 in favour, 29 against, 4 abstaining).

A recorded vote was taken on item six of an amendment to the proposals:

Councillors For: Ali, Clark, Dowson, Ellis, Ferris, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Mahabadi, Martin, Murphy, Shaz Nawaz, Sylvester

Councillors Against: Aitken, Allen, Ayres, Bisby, Brown, Bull, Casey, Cereste, Coles, Elsey, Fitzgerald, Fuller, Judy Fox, Goodwin, Harper, Hiller, Holdich, King, Lamb, Lane, Nadeem, Okonkowski, Over, Peach, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh

Councillors Abstaining: Ash, Barkham, Bond, John Fox, Lillis, Saltmarsh, Sandford, Shaheed

Councillors Not Voting: Nil

The amendment was **DEFEATED** (15 in favour, 31 against, 8 abstaining).

Councillor Khan moved a motion to suspend standing order 14.2 so that the meeting could be extended beyond the four hour guillotine.

Councillor Jamil seconded the motion.

A vote was taken on the motion (17 in favour, 30 against, 1 abstaining) and the motion was **DEFEATED**.

At this point Councillor Dowson left the meeting.

Members debated the substantive proposals and in summary the points raised included:

- Comment was made that the proposed budget was not one for the people of Peterborough.
- Concern was expressed in relation to the increase in cost for brown bins.
- Members were pleased to hear that the Manor was not proposed for complete closure. It was noted, however, that the families using the respite services were used to the service and felt safe with it.
- It was highlighted that no money was proposed to be put back into reserves and it was hoped that services would not be cut in future years as a result.
- Suggestion was made that the Council had failed to provide innovatively for housing needs.
- Clarity was provided that funding was being put into social housing in the form of Medesham Homes.

At this point the guillotine was reached and in line with standing order 14.2 all debate was ceased. Members were directed to move to the vote on the remaining agenda items, where all motions, amendments and recommendations would be deemed formally moved and seconded.

A recorded vote was taken on the substantive proposals:

Councillors For: Aitken, Allen, Ayres, Bisby, Brown, Bull, Casey, Cereste, Coles, Elsey, Fitzgerald, Fuller, Goodwin, Harper, Hiller, Holdich, King, Lamb, Lane, Nadeem, Okonkowski, Over, Peach, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh

Councillors Against: Ali, Bond, Clark, Ellis, Ferris, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Lillis, Mahabadi, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed, Sylvester

Councillors Abstaining: Ash, Barkham, John Fox, Judy Fox

It was **RESOLVED** (30 in favour, 19 against, 4 abstaining) that Council approved:

1. The Phase Two budget proposals, outlined in Appendix H, subject to additional wording to clarify that Vivacity had agreed to take on the running of Bretton Water Park. This includes a 5.99 per cent council tax increase, and a change in service delivery for the 0-25 Provider service.
2. The Medium Term Financial Strategy 2018/19-2020/21 as set out in the body of the report and the following appendices:
 - Appendix A – Budget Context highlighted in Phase One, MTFS for 2018/19-2020/21
 - Appendix B – 2018/19 MTFS detailed position
 - Appendix C – 2018/19 MTFS by department
 - Appendix D – 2018/19 MTFS by Service
 - Appendix E – Capital Schemes
 - Appendix F – Council Grants

- Appendix G – Fees and Charges
- Appendix H – Budget Proposals (consultation document)
- Appendix I – Equality Impact Assessments
- Appendix J – Budget Consultation Feedback
- Appendix K – December 2018 Budgetary Control Report
- Appendix L – Treasury Management Strategy 2018/19-2020/21
- Appendix M – Asset Investment and Acquisition Strategy, Capital Programme 2018/19-2020/21
- Appendix N– Asset Management Plan

subject to:

- the rewording of the Equality Impact Assessment: 0 – 25 Residential/Respite homes for children with disabilities - The Manor & Cherry Lodge in Appendix I, to clarify that overnight care will no longer be provided at The Manor; the building will not be closed and will be used for outreach services;
 - the removal of the charging for replacement bins recommendation set out in Appendix H. A report will be produced for budget working group, looking at mechanisms, including appeals, used by other authorities and allowing time for further discussions with the police.
 - New Proposal - Verge Parking: Have a £40k Capital Budget to deliver/test verge parking measures. Revenue costs of this proposal are detailed in the following table:
- | 2018/19 | 2019/20 | 2020/21 |
|---------|---------|---------|
| £5,000 | £5,000 | £5,000 |
- A Parking review that had been instigated and efficiencies and price changes would be considered as part of the quarterly budget process starting in July.

(c) Cabinet Recommendation – Rolling Medium Term Financial Strategy Budget Process

Cabinet, at its meeting on 26 February 2018, received a report that proposed an amendment to the Council’s formal budget setting process.

A vote was taken and it was **RESOLVED** (unanimous) that Council approved the rolling budget and delegated authority to the Interim Director of Law and Governance to approve the amendment of the ‘Budget Framework Procedure Rules’ to follow the revised budget process.

(d) Cabinet Recommendation – Council Tax Support Scheme 2018-19

Cabinet, at its meeting on 26 February 2018, received a report following consultation on proposals for the Council Tax Support Scheme 2018/19 including discussion at the cross party Budget Working Group.

A vote was taken and it was **RESOLVED** (36 in favour, 14 against, 0 abstaining) that Council agreed a local Council Tax Support Scheme for Peterborough that contained the following local components:

- a) No change to the existing scheme reduction of 30% for all eligible working age claimants
- b) To keep the scheme mirroring the Housing Benefit scheme as much as possible, the following amendments are also proposed:
 - to limit the award of Council Tax Support based on a maximum of 2 children;
 - to provide protection to existing claims that already include more than 2 children;

- to make provision for more than 2 children in the applicable amount where the child tax credit calculation includes additional children; and
 - to disregard earnings from part-time fire fighters and payments from the infected blood payment scheme.
- c) To amend appropriate rates in line with annual upratings.

(e) Cabinet Recommendation – Fletton Quays and Office Consolidation Update

Cabinet, at its meeting on 26 February 2018, received a report in relation to Fletton Quays and the office consolidation process, following a referral from CMT on 31 January 2018.

A vote was taken and it was **RESOLVED** (31 in favour, 6 against, 14 abstaining) that Council approved additional capital investment of £2,636,025 (including a contingency of £500,000), to ensure council office buildings, including Sand Martin House, were able to meet the new and emerging needs of the council and provide opportunities for other organisations to lease parts of the office building to provide the council with additional income streams. It also facilitated the conversion and refurbishments of Bayard Place reception to provide an improved customer experience.

84. Questions on the Executive Decisions Made Since the Last Meeting

A report was received that detailed Executive decisions taken since the last meeting including:

1. Decisions made at the Cabinet meeting held on 9 February 2018
2. Decisions made at the Budget Cabinet meeting held on 26 February 2018
3. Use of the Urgency, Special Urgency and Waiver of Call-in provisions on 26 January 2018.
4. Decisions made by Cabinet Members between 25 January 2018 and 21 February 2018.

No questions were asked on questions on the Executive decisions made since the last meeting.

85. Questions on the Cambridgeshire and Peterborough Combined Authority Representatives Made Since the Last Meeting

A report was received that detailed Combined Authority decisions taken since the last meeting including:

1. Decisions made by the Combined Authority Overview and Scrutiny Committee on 29 January 2018.
2. Decisions made by the Combined Authority Board on 31 January 2018.

No questions were asked on questions on Combined Authority decisions taken since the last meeting.

COUNCIL BUSINESS TIME

86. Motions on Notice

(1) Motion from Councillor Murphy

A vote was taken on a motion to refer the motion from Councillor Murphy to the relevant scrutiny committee for consideration (21 in favour, 29 against, 0 abstaining) and the motion was **DEFEATED**.

A vote was taken on an amendment to the motion (6 in favour, 45 against, 0 abstaining) and the amendment was **DEFEATED**.

A vote was taken on the original motion (20 in favour, 30 against, 0 abstaining) and the motion was **DEFEATED**.

(2) Motion from Councillor Walsh

The motion from Councillor Walsh was withdrawn.

(3) Motion from Councillor Coles

A vote was taken (unanimous) and the motion was **CARRIED AS FOLLOWS**:

Peterborough City Council has had a good record of supporting residents who are in the grip of drug addiction, ensuring those who inject themselves with illegal drugs get access to clean equipment so that they can avoid taking risks to their health through sharing needles.

Public Health estimates that approximately 1,500 addicts inject opiates or crack cocaine in Peterborough. Aspire, who run the Council's drug programmes, report that between 800 to 1,200 individuals are receiving treatment at any one time.

Residents in my ward in Fletton and Woodston have seen a noticeable increase in used needles being found in the streets, along the riverbank, in public toilets and even in children's play areas.

This problem is not seen purely in my own ward, but is becoming very noticeable across the city and members from my own and other political groups have been receiving reports from residents about discarded needles in public spaces.

We need a coordinated response across Council portfolios to ensure that this issue is addressed.

Therefore this Council calls on the Chief Executive to instruct the Directors of Public Health and People and Communities to immediately put the structure in place to examine the issue and to work towards its resolution.

(4) Motion from Councillor Sandford

A vote was taken (unanimous) and the motion was **CARRIED AS FOLLOWS**:

Council believes that it is wrong for councillors to have the final say on the allowances that they themselves receive.

Council therefore asks the chief executive to write to the minister for local government requesting that legislation be brought forward to make the recommendations of independent member allowances panels mandatory on councils.

In the absence of such legislation, Council asks the Leader of the Council to work with

opposition group leaders to try to establish a cross party agreement that recommendations of future independent member allowances panels be accepted, other than in the most exceptional circumstances.

(5) Motion from Councillor Sandford

A vote was taken (unanimous) and the motion was **CARRIED AS FOLLOWS**:

Council believes that councillors are representatives of the people and therefore members of the public should be able to easily find out how their councillor has voted on any given issue.

In pursuance of this principle, Council resolves that lists of how each councillor has voted in electronic votes taken at Full Council meetings be published on the Council website with the minutes of each meeting.

87. Reports to Council

(a) Council Tax Resolution

Council received a report as part of the Council's formal budget process as set out within the constitution and as per legislative requirements to set a balanced budget for 2018/19.

A recorded vote was taken:

Councillors For: Aitken, Allen, Ayres, Barkham, Bisby, Bond, Brown, Bull, Casey, Cereste, Coles, Elsey, Fitzgerald, Fuller, Goodwin, Harper, Hiller, Holdich, King, Lamb, Lane, Lillis, Nadeem, Okonkowski, Over, Peach, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Walsh

Councillors Against: Ali, Clark, Ellis, Ferris, Hussain, Amjad Iqbal, Jamil, Johnson, Khan, Mahabadi, Martin, Murphy, Shaz Nawaz, Sylvester

Councillors Abstaining: Ash, John Fox, Judy Fox

It was **RESOLVED** (36 in favour, 14 against, 3 abstaining) that Council approved the Council Tax Resolution which proposed:

- A rise in general Council Tax of 2.99%
- A rise in Adult Social Care precept of 3.00%

(b) Allocation of Seats to Political Groups Update

Council received a report that outlined the impact on the political balance of the Council, following the resignation of two Members from the Labour Group and the Liberal Democrat Group.

A vote was taken and it was **RESOLVED** (unanimous) that Council:

- (a) Notes that there are 102 seats on committees, as agreed at Annual Council on 22 May 2017;
- (b) Agrees the allocation of seats on those committees subject to the political balance arrangements set out in appendix 1 to the report; and
- (c) Confirms the allocation of seats on those committees not subject to political

balance arrangements remains unchanged.

(c) Draft Programme of Meetings 2018 - 19

Council received a report that set out the proposed draft annual programme of meetings for 2018/19.

A vote was taken and it was **RESOLVED** (unanimous) that Council approved, in principle, the draft programme of meetings for 2018/19 attached at appendix 1 to the report.

(d) Annual Pay Policy Statement 2018/2019

Council received a report that sought approval of the Pay Policy Statement for 2018/19.

A vote was taken and it was **RESOLVED** (37 in favour, 0 against, 14 abstaining) that Council approved the Pay Policy Statement for 2018/19. The Policy was attached at Appendix 1 to the report.

The Mayor
7.00pm – 11.39pm
7 March 2018

FULL COUNCIL 7 MARCH 2018

QUESTIONS

Questions were received under the following categories:

6. PUBLIC PARTICIPATION

Questions from members of the public

1. **Question from Sam Hemraj**

To Councillor Smith, Cabinet Member for Children's Services

In the second proposed budget it is set out to stop using the Manor for residential care. What consultation have you done for this to be even proposed to be added in the budget, as there is very limited information in this part of the budget. It states that this will be consulted on as part of the budget consultation, and consultation will take place with effected staff and families. Surely the consultation should have happened before going in the budget so that the public can read the outcome and whether it costs more in the long term to close these services due to knock on affects to carers health.

Why can't Peterborough City Council change the service so that direct payments can be used to fund the service?

Councillor Smith responded

Thank you for your question.

For background...

Thirteen families currently have the support of The Manor, 7 of these use the centre for overnight stays. Families are given that support based on assessed need, agreed at a panel meeting.

We have two facilities in Peterborough providing short breaks in the form of overnight care, as well as day care and outreach.

The average occupancy over the last six months at both homes is:

- 22.6% at The Manor
- 60.2% at Cherry Lodge

To answer your question, there is one joint budget for both homes with a £500k income target where partners purchase placements. In recent years the requests for placements from health and other local authorities has decreased resulting in a budget pressure of £250k.

A direct payment is a cash payment paid by the council directly to the person needing care services, and they then choose how they spend that money to support themselves, they cannot be redirected to fund the service.

	<p>Families have been engaged by their social workers. Likely needs for replacement services have been thought through, but conversations on actual replacement services cannot happen until a decision on The Manor has been agreed by Full Council. As part of the budget process we review and consider feedback received on the consultation.</p> <p>I can assure you the families who receive overnight care at the Manor are receiving support from their social workers to agree alternative provision;</p> <p>I hope that puts your mind at rest and answers your question.</p> <p>Supplementary question from Sam Hemraj:</p> <p>Will the Cabinet Member set up a meeting between myself, services users and the manager and the staff of the Manor and social services and take a report to the relevant Scrutiny Committee and allow service users to attend to provide information to the Scrutiny Committee.</p> <p>Cllr Smith responded:</p> <p>To be honest I would have to check that, but I am happy to have a conversation with you and invite senior offices to that meeting. I'm not sure what the process is through Scrutiny because the budget consultation has already been through the scrutiny panel, but we can certainly meet to discuss further.</p>
2.	<p>Question from Nigel North</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>The ward of Fletton and Woodston is beset with drugs paraphernalia being dropped in waste ground, verges, fields and unbelievably even designated play areas. This includes needles (sharps), blood soaked wipes and drug spoons.</p> <p>This is a serious risk to local residents as well as anyone walking dogs enjoying the riverside etc. Parents are afraid to let their children run freely. This occurs in PCC as well as private land.</p> <p>Would the Cabinet Member please explain what is being done now and what they are planning to do differently to improve matters?</p> <p>Councillor Walsh responded:</p> <p>Firstly, please be absolutely assured that this issue is a top priority one and we intend to address it, both in the area you describe and in other affected areas across Peterborough.</p> <p>Colleagues on the other side of the chamber just this evening joined myself and officers to discuss this very issue and to take the matter forward.</p> <p>Our officers have recently briefed Cabinet Members on the issues, and work to develop and deliver an action plan is being undertaken as we speak. This plan will focus not only on enforcement, but preventative solutions aimed at changing the behaviour of substance misusers.</p> <p>Time would not allow me to elaborate further on the detail of this plan, but I would be</p>

more than happy to share this with you outside of this meeting.

It should be mentioned that officers have already met with a number of local residents to hear their concerns and update them on the efforts we are putting in place to tackle this serious issue. The Police and the Public Health team also attended the meeting.

Some immediate actions have taken place including urgent clean-up activity carried out by both Amey and Community Payback. This will also now be an ongoing regular activity, in addition to the existing ad-hoc call out arrangements, but there is much more to be developed in the action plan and I will certainly be pleased to keep you updated Mr North, thank you.

Supplementary question from Nigel North:

I did mention private land and one of the concerns raise at a residents meetings I went to the other day is that drugs paraphernalia can be picked up on PCC land and then two yards at the other side its left there because it is on private land and then there is a dispute between the Council and the land owner. Can I have reassurance that this is going to be dealt with and that in some manner perhaps the land owner can be charged afterwards, but we must get these needles off the ground for the safety of our children as well as every other resident

Councillor Walsh responded:

The issue of paraphernalia on private land is being picked up as part of the scope of the action plan that is being developed at this moment and we will find a way to deal with both public and private land, thank you.

COUNCIL BUSINESS

8. Questions on notice to:

- a) The Mayor
- b) To the Leader or Member of the Cabinet
- c) To the Chair of any Committee or Sub-committee

1. **Question from Councillor Murphy**

To Councillor Walsh, Cabinet Member for Communities

Concerning asset transfers in Ravensthorpe and community facilities, can you let me know what, if anything, is being done to replace St Johns Hall and how are the plans going concerning the Spinney, The Grange and Stafford Hall?

Councillor Walsh responded:

Having reviewed all aspects of the three locations Cllr Murphy has referred to, I would say that matters are proceeding satisfactorily. Time does not allow, within this response, to set out in detail the various considerations and detail of each location. I am sure that, as a responsible Ward Councillor, Cllr Murphy has followed developments closely. However, if that is not the case, I would be happy to arrange for him to meet with officers involved in Community Asset Transfer to give him a thorough briefing.

Supplementary question from Cllr Murphy

Thank you very much for your answer Could I ask that the closure of St Johns the issues around the Grange and the Spinney and its management are referred to the relevant Scrutiny Committee so we can get to the bottom of this matter.

Councillor Walsh responded:

Thank you I doubt that there is any bottom to any matter to get to, however I can refer the matter onto officers and I will invite Councillor Murphy to speak to them because I do believe that there is an issue with regard to his turning up to meetings. It is important that he gets to know the detail first, thank you.

2. **Question from Councillor Murphy**

To Councillor Seaton, Cabinet Member for Resources

What was the total amount paid in special responsibility allowances to Conservative Councillors when Councillor Holdich became leader, what is the total increase over the period since he has been leader, what currently is the total annual figure, and who gets paid what?

Councillor Seaton responded:

Councillors may be interested to know that the cost of special responsibility allowances has reduced by about 20% since 2009-10. Subsequently of course specific allowances

were frozen. Councillor Holdich became leader in 2015 and in 2015-16, the SRAs amounted to £182,818.42. SRAs increased by a total of £17,616.25 as the cost in 2016/2017 was £200, 434.67, still £50,000 below where they were seven years earlier. The current total from 1 April 2017 - 31 December 2017 is £172,168.43.

It's interesting to note Members that the Cabinet Member SRA allowance increased in 2017 £14,331 to £15,150 that was around 6%, but was over a seven year period, so well under 1%. For comparison over the same period, basic allowance for Councillors increased by 27%, from £7960 to £10,100 and I believe of course Councillor Murphy and all our Labour colleagues accepted that. I will of course arrange a link for this information, which is available to view on line to be sent to all Councillors after this meeting to respond to the final part of your question Councillor Murphy, which appear to be a list of names that is all available on line as I said.

Supplementary question from Councillor Murphy:

For the benefit of those people watching or listening in I was asking how much special responsibility allowances Conservative Councillors get, how much it is and who gets paid it because of the increase. Does the Cabinet Member not recall the media last year of 30% hikes in the leader and deputy leader national newspapers and local newspapers £180,000 additionally was spent on Councillors allowances does he think he and his fellow Conservatives get paid too much for what they do and he will look with me at trying to reduce it.

Councillor Seaton responded:

Councillor Murphy seems to be forgetting his own SRA as group leader although I'm not surprised as it's not like he earns it. Just to answer those specific points I actually, in the reply I gave, gave full details and answered the questions. You are incorrect in that I do not believe that the deputy leader received 30% increases, that's untrue, but I do agree with you that there is a question of councillors giving value. So I know that Councillor Murphy you've got 2 labour councillors that turn up at 75% of meetings giving value, but also you've also got two who struggle to attend half the meetings, is that giving value? Thank you Councillor Murphy.

3. Question from Councillor Mahabadi

To Councillor Lamb, Cabinet Member for Public Health

What is the percentage level of uptake for vaccinations per the "Childhood vaccines timeline" published on NHS.uk in Peterborough, what steps are being taken to ensure that Herd Immunity is being maintained against the diseases vaccinated against, and what messaging is being provided by PCC to counter 'anti-vaccination' propaganda?

Councillor Lamb responded:

The main responsibility for childhood vaccinations sits with NHS England and not with the Council. NHS England fund and commission the national childhood vaccination programme.

Vaccinations are delivered by GP surgeries and in some cases by NHS vaccination teams who visit schools. The City Council public health office and communications team work with NHS England, to encourage local residents to take up the offer of vaccination.

The latest published percentage uptake for each childhood vaccination in Peterborough, is available on the national 'Public Health Outcomes Framework'

	<p>website. This information is also included in the 'Annual Health Protection Report,' which will be reviewed at the Peterborough Health and Wellbeing Board next week.</p> <p>The aim for all childhood programmes is to achieve at least 95% uptake; the level which ensures Herd Immunity and makes spread of the disease in the community unlikely. However, the target uptake, as outlined in the Public Health Outcomes Frameworks is 90%.</p> <p>In Peterborough we achieved over 90% for most childhood vaccinations in the year 2016 to 2017, but the five year booster vaccination for Hib/Men C and the second dose of MMR vaccine were below this level.</p> <p>The current Healthy Peterborough campaign is promoting the uptake of childhood vaccinations, including HPV vaccine. The key messages are, 'Childhood vaccinations can protect your child against 7 serious diseases,' and 'Arm against cervical cancer with the HPV vaccine'. These messages counter anti-vaccination propaganda.</p> <p>Further messages are being provided on posters and lamp post banners, along with social media, magazines advertorial, a radio Cambridgeshire 'Health Matters' interview, and the Healthy Peterborough website. I hope that gives you some idea and there is quite a lot about vaccinations that I put in my cabinet report to all of you in February. So if there is anything further I'm sure it will come up.</p>
4.	<p>Question from Councillor Bond</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Could the Cabinet Member please advise me as to what support the Council can provide to residents of the Manor Drive development in Gunthorpe who are facing noise and access issues due to construction vehicles entering and leaving the site on a regular basis?</p> <p>Councillor Hiller responded:</p> <p>I thank Councillor Bond for his question. I have some good news which you may wish to pass on to anybody concerned with construction traffic on this development. Planning Permission for Phase 2 of the Paston Reserve Development whilst initially using Manor Drive as the construction traffic route will change so that Newborough Road is used instead.</p> <p>A planning application for the construction access on Newborough Road has been received by the City Council to make this change and consent is expected to be issued in about two weeks' time, with construction following very soon afterwards. Thank you Mr. Mayor.</p>
5.	<p>Question from Councillor Sandford</p> <p>To Councillor Gavin Eisey, Cabinet Member for Waste and Street Scene</p> <p>Some years ago, the Council used to promote a "green burial" scheme at the Fletton Cemetery. This was a popular scheme and strongly supported the Council's environment city agenda.</p> <p>Given the upsurge in interest in green burials across the country and the Council's pressing need for increased revenue, this would be an ideal time to start promoting this concept to Peterborough people and those in surrounding areas.</p> <p>Could the Cabinet Member tell me what has happened to the Green Burial scheme, is</p>

it still operating and, if so, why is it hardly ever mentioned in City Council publicity materials?

Councillor Elsey responded:

Thank you Mr. Mayor and thank you to Councillor Sandford for his question.

The Green Burial scheme is still operating and information is available on the Council's website, in Bereavement Services literature and locally to residents via their funeral directors. It was opened in January 1998 and in the first year 7 burials took place. This number has stayed fairly consistent over the last 20 years with 136 burials to date.

As Green Burial became popular nationally several Green Burial sites have opened in Cambridgeshire in quiet countryside or woodland settings. Our scheme at Fletton is sited within an existing traditional cemetery in a residential area close to the noise of Fletton Parkway. This puts our scheme at a disadvantage compared to the peaceful countryside habitats the other sites can offer and their fees are lower. Therefore it is not likely that further promotion of the scheme to those in the surrounding area is likely to generate further interest in this burial option we offer at Fletton cemetery.

Supplementary question asked by Cllr Sandford:

Yes, I do and I'm grateful to Councillor Elsey for that response. The reason I asked the question was that I was approached by a member of the public who said they had got a plot reserved at Fletton cemetery for a green burial but they heard that there was a shortage of space. Would Cllr Elsey agree that if we could ensure that burial sites are available it would be a good way of enhancing the Council's environmental credentials but also perhaps bringing in a much needed source of income for the Council.

Councillor Elsey responded:

The short answer is yes and yes, the total burial space of the scheme is 247, remaining spaces for burial are 72 excluding reserved graves. Therefore I am somewhat concerned that the person who has spoken to you has suggested that there isn't space because if it is a reserve grave then it should be there. If you would like to give me the details, I will look into it for you.

6. Question from Councillor Shaz Nawaz

To Councillor Walsh, Cabinet Member for Communities

What action is the Cabinet Member taking to address issues of noise and anti-social behaviour across the city?

Councillor Walsh responded:

Tackling anti-social behaviour is one of the agreed priorities for the Safer Peterborough Partnership, which comprises a number of statutory agencies including the council and the police.

The council, via the Prevention and Enforcement Service, responds to reports of ASB regardless of their nature, ranging from neighbour disputes through to community-wide ASB issues. Following a risk assessment, those that present the highest risks are dealt with in a robust and timely manner.

Since 1st April 2016, more than 1,000 ASB incidents have been reported and

	<p>responded to by the PES. Incidents of ASB can be reported through to the service either by phone or via the council website.</p> <p>With regard to noise nuisance the Council, through its development control function, apply conditions to help mitigate against noise disturbance. In addition, complaints are investigated to determine whether they meet the threshold to be classified as a 'statutory nuisance'. In such cases the Council serves an abatement notice, and follows this up, if breached, with legal proceedings.</p> <p>Supplementary question asked by Shaz Nawaz:</p> <p>Thank you Councillor Walsh for your extensive response. I have received a number of complaints from residents round central park and they are keen to meet with you so I was hoping that you and I could meet with them to discuss some of their issues in person, would that be a possibility?</p> <p>Councillor Walsh responded:</p> <p>Yes of course it would be. Just get in touch and we'll arrange it.</p>
7.	<p>Question from Councillor Bull</p> <p>To Councillor Smith, Cabinet Member for Children's Services</p> <p>On 31 January there was a formal launch of the Permanency Service. Whilst it is good to hear from staff and foster carers about how the transition process has been managed, can the Cabinet Member let us know more about this smooth transition over to TACT (The Adolescent and Children's Trust) and what significant changes in support have resulted?</p> <p>Councillor Smith responded:</p> <p>Many of you know that TACT took over our permanency service from the first of 1st April 2017, let me correct that, it's not a takeover it's a partnership, apologies. Since then, TACT has invested in enhanced training for our foster carers, and our foster carers also now benefit from 24/7 support in terms of a call line they can ring if they need any emergency help. Foster carers are also now able to access improved consultation services, and that has helped them in turn to support some of our more complex children who have got certain needs that a foster carer may not have been able to address and that as a result has stopped many foster children going into residential places or us paying more to send them to independent foster caring agencies.</p> <p>TACT are actively recruiting more fostering households for us including link foster carers which will take some of the children from the manor. They are tasked in 2018/19 with 30 new households in 2018/19 and it's always better that our kids are in Peterborough than outside of the area, so that will benefit our children.</p> <p>The really nice thing that we have seen is different type of carer groups coming together, so in the past foster carers met together, adoption carers met together and special guardianship orders were out on the peripheries. The foster carers are now bringing those under their wings and really all supporting each other so that is also a real benefit for the carers and they can share experiences and help each other.</p> <p>It is still early days, but TACT are really making a difference to the quality of our fostering and adoption services, so I am pleased with how things are going.</p>

<p>8.</p>	<p>Question from Councillor Bull</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>The government is committed to bringing forward a new strategy to help achieve integrated communities. Peterborough is one of five councils invited to take part in implementing the strategy in collaboration with the Department of Housing, Communities and Local Government. How is this important work progressing?</p> <p>Councillor Walsh responded:</p> <p>Integrated Communities is one of two important programmes which we have been invited to participate in as a city</p> <p>Work on both of these programmes is progressing very well and the two projects have the capacity to impact significantly on all of our communities. Once procedural matters allow, I will be able to share the detail with all Members and I look forward to hearing their views on these two very important programmes.</p>
<p>9.</p>	<p>Question from Councillor Shaz Nawaz</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>How well is selective licensing working and was there a net cost to the Council for 2017/18?</p> <p>Councillor Walsh responded:</p> <p>Peterborough's selective licensing schemes are working very effectively. We have received in excess of 7,100 applications, with more than 3,600 inspections of properties already carried out. Of those inspections, 670 enforcement cases have been opened relating to non-completion of works identified as being needed at the initial inspection. We have also taken 10 enforcement cases to court because of non-compliance, with a positive court outcome in every case.</p> <p>Landlords in the licensed areas must satisfy a wide range of basic conditions, which result in swathes of privately rented properties being maintained in a safe and appropriate manner.</p> <p>In order not to penalise good landlords, we offered a heavily discounted licence fee in the first three months of the schemes being launched, in return for certain criteria being met. We received far more applications in this category than we had envisaged which, whilst causing a financial pressure in the first year, has resulted, very positively, in far more properties being licensed willingly than we had anticipated.</p> <p>However, Council must remember that the Selective Licensing schemes are five-year schemes, and that they need to cover their own costs without generating any surplus at the end of that period. We are aware of some 1,600 properties that remain unlicensed in the regulated areas, and these will now be subject to the higher fee of £900 per property. The schemes will therefore deliver a financially neutral outcome to the Council at the end of the five-year period.</p> <p>Council Nawaz: I don't believe my question has been fully answered. The second part of my question was what was the net cost to the Council for 2017/18?</p> <p>Councillor Walsh: I will get the exact figure sent to Councillor Nawaz. I think the</p>

important thing is that the scheme is meeting its objectives and so therefore honing in on one year is not representative of the scheme. Thank you.

Councillor Nawaz asked a supplementary question:

I am pleased to hear the scheme is working very effectively and I understand that there may be other areas in Peterborough that meet the criteria for selective licensing. Is there a plan to extend the scheme to those particular areas?

Councillor Walsh responded:

A regulated area depends on the conditions prevailing in that area. It has to be very strongly evidenced based. If you have any particular areas that you would like us to have a look at we will certainly do that. We do keep a close watch, a watching brief on all areas of the City and if any of those do meet the criteria, then yes, selective licensing could be rolled out to them, but as I say it is important that we meet the criteria.

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ANNUAL COUNCIL	AGENDA ITEM No. 5
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

POLITICAL GROUPS AND GROUP OFFICERS 2018/2019

R E C O M M E N D A T I O N S	
FROM: <i>Interim Director of Law and Governance</i>	Deadline date: <i>N/A</i>
It is recommended that Council notes the membership of political groups (Appendix 1 to be tabled) and their officers (Appendix 2 to be tabled) for 2018/2019.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to notify Council of the political group membership for the municipal year 2018/2019 and the group officer positions allocated within.

2. BACKGROUND AND KEY ISSUES

- 2.1 The details of the composition of political groups can be seen at **Appendix 1** (to be tabled) to this report.
- 2.2 The details of group officers can be seen at **Appendix 2** (to be tabled) to this report.

3. BACKGROUND DOCUMENTS

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

- 3.1 None.

4. APPENDICES

- 4.1 Appendix 1 – Composition of Political Groups (to be tabled).
- 4.2 Appendix 2 – Group Officers (to be tabled).

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ANNUAL COUNCIL	AGENDA ITEM No. 6
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

APPOINTMENT OF THE EXECUTIVE AND THE LEADER'S SCHEME OF DELEGATION

R E C O M M E N D A T I O N S	
FROM: <i>Interim Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Notes the decision of Full Council on 15 May 2015 'to elect Councillor John Holdich as Leader of the Council for a period of four years'. 2. Notes the appointment of the Cabinet and the Leader's Scheme of Delegation to Cabinet members and officers (Appendix 1 and Appendix 2 to be tabled). 3. Notes that the Constitution will be updated to include the Leader's Scheme of Delegation to Cabinet members and officers (Appendix 1 and Appendix 2 to be tabled). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 All Executive functions are delegated to the Leader who may then delegate further to Cabinet, committees of the Cabinet, Cabinet Members and officer.
- 1.2 Council is responsible for amending the Constitution to include the Leader's Scheme of Delegation.

2. BACKGROUND AND KEY ISSUES

- 2.1 At its meeting in October 2010, Council adopted the Leader and Cabinet executive model. This took effect from May 2011. Therefore, from May 2011 and every fourth year thereafter, at its Annual Meeting, the Council elects the Leader of the Council. The current Leader, Councillor Holdich, was elected at the 2015/2016 Annual Council meeting for a period of four years, ending at the close of the 2018/2019 municipal year.

3. DELEGATION TO CABINET MEMBERS AND OFFICERS

- 3.1 The Leader must appoint a Deputy Leader and up to eight other members to form the Executive. Peterborough City Council uses the term Cabinet to describe its Executive.
- 3.2 The Leader is only required to confirm the appointment of the Cabinet and delegations of his executive functions to Cabinet, any Cabinet committees, including any Cabinet Members and officers, to the Council meeting (**Appendix 1** and **Appendix 2** to be tabled).

4. IMPLICATIONS

Financial Implications

4.1 There are no direct financial consequences arising from this report.

Legal Implications

4.2 There are no legal implications arising from this report. These are statutory requirements.

Equalities Implications

4.3 There are no equalities implications arising from this report.

5. BACKGROUND DOCUMENTS

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

5.1 Peterborough City Council's Constitution

6. APPENDICES

6.1 **Appendix 1** – Peterborough City Council Constitution, Part 3, Delegations Section 3 - Executive Functions (to be tabled)

6.2 **Appendix 2** – Peterborough City Council Constitution, Part 3, Delegations Section 3 – Officer Delegations (to be tabled)

ANNUAL COUNCIL	AGENDA ITEM No. 7
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

COMMITTEE STRUCTURE 2018/2019

R E C O M M E N D A T I O N S	
FROM: <i>Interim Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> Appoints the following Committees for the 2018/2019 municipal year: <ul style="list-style-type: none"> <u>Ordinary Committees subject to political balance seat allocations:</u> <ul style="list-style-type: none"> Growth, Environment and Resources Scrutiny Committee Adults and Communities Scrutiny Committee Health Scrutiny Committee Children and Education Scrutiny Committee Employment Committee Licensing Committee (Regulatory) Planning and Environmental Protection Committee Appeals and Planning Review Committee Audit Committee Corporate Parenting Committee Constitution and Ethics Committee <u>Other bodies to which Section 15 LGHA does not apply</u> <ul style="list-style-type: none"> Health and Wellbeing Board Licensing Committee (Licensing Act 2003) Agree the committee terms of reference set out in the Regulatory Committee Functions and the Overview and Scrutiny Functions (Appendix 1 and Appendix 2). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The Constitution provides under Part 4 Section 1.2.1 that the Annual Council meetings considered the establishment and terms of reference of committees.
- 1.2 Full Council must consider the committee structure before seats can be allocated to committees in accordance with the political balance rules.

2. BACKGROUND AND KEY ISSUES

2.1 The proposed structures is as follows:

Committee
<u>Ordinary Committees subject to political balance seat allocations:</u> Growth, Environment and Resources Scrutiny Committee Adults and Communities Scrutiny Committee Health Scrutiny Committee Children and Education Scrutiny Committee Employment Committee Licensing Committee (Regulatory) Planning and Environmental Protection Committee Appeals and Planning Review Committee Audit Committee Corporate Parenting Committee Constitution and Ethics Committee
<u>Other bodies to which Section 15 LGHA does not apply</u> Health and Wellbeing Board Licensing Committee (Licensing Act 2003)

2.2 The current structure is in accordance with Part 4, Section 1 of the Constitution that states the Council must appoint at least one overview and scrutiny committee and other committees as it considered appropriate to deal with the matters that are neither reserved to Full Council nor are executive (Leader and Cabinet) functions.

2.3 At its meeting on 19 March 2018 the Health and Wellbeing Board recommended to amend the Board's terms of reference in order to delegate powers from the Council to the Health and Wellbeing Board to establish a joint Cambridgeshire and Peterborough sub-committee in relation to issues that cross local authority boundaries, if the need arises. This amendment is included in **Appendix 1**.

2.4 The addition of the Constitution and Ethics Committee is proposed to provide a separate forum for the consideration of constitution and ethics issues and to report into Council. The proposed terms of reference for this committee is included in **Appendix 1**. This would replace the current Governance Board working group and would take over responsibility for some functions currently within the Audit Committee remit.

3. **IMPLICATIONS**

3.1 There are no financial, legal, or equalities implications arising from these decisions.

4. **BACKGROUND DOCUMENTS**

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

4.1 Peterborough City Council's Constitution

5. **APPENDICES**

5.1 **Appendix 1** – Peterborough City Council Constitution Part 3, Section 2 – Delegations – Regulatory Committee Functions

5.2 **Appendix 2** – Peterborough City Constitution Part 3, Section 4 – Overview and Scrutiny Functions

Section 2 – Regulatory Committee Functions

Introduction

These regulatory functions consist of:

- functions which the Executive may not in law exercise, and
- 'local choice' functions where Council has decided that they shall not be exercised by the Executive.

The Council has delegated to every Committee full powers to act in all matters covered by the Committee's terms of reference subject to:

- (a) the provisions of any financial or procedural rules for the time being in force as set out in this constitution, except where such rule has been specifically waived by resolution of the Council;
- (b) prior Council approval to recommendations for the allocation of duties or powers;
- (c) the right of Council to call for a report on any committee decision;
- (d) the right of Council to exercise the powers which have been delegated, when necessary.

Each Committee may appoint, and delegate any of its powers to, sub-committees and officers and may also authorise an officer, after consultation with the chairman of the Committee, to take other decisions on specific urgent matters falling within its own terms of reference. Each Committee may, from time to time, amend or vary the delegation of its powers to sub-committees and officers.

Every Committee shall have the power to undertake its functions for other local authorities.

Any sub-committee established by a Committee must refer back to the Committee for decision any matters which the committee reserves to itself, and must submit to it the minutes of all the sub-committee's meetings.

Where any delegation under this part of the Constitution refers to specific legislation or regulations, it includes a reference to that legislation or those regulations as re-enacted, consolidated, modified or amended.

*Part 3, Delegations Section 2 – Regulatory Committee Functions***2.1 Appeals and Planning Review Committee**

2.1.1 Members must have undertaken relevant training within the past three years in order to hold a seat on this committee.

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2.1.1 Terms of Reference

2.1.2 To review appeals procedures for the Council's various services (excluding appeals procedures which are determined by statute) and, where change is recommended, formulate proposals to the Executive or Council.

2.1.3 To hear and determine appeals about all the Council's services, other than employee appeals and those for which there are separate, statutory appeals procedures, and to set up panels for this purpose.

Planning Reviews

2.1.4 To determine any planning matter that has been referred to the Committee following the implementation of the planning call-in procedure.

2.1.5 The Committee shall adopt the Planning Speaking Scheme at its meetings and shall follow the same procedure as the Planning and Environmental Protection Committee.

2.1.6 All Members of the Committee (and substitutes) shall have received appropriate training before being involved in the determination of a planning matter.

Appeals Panel

2.1.7 The Committee has set up a panel to hear appeals about Council Services. The panel will consist of three members drawn from the Committee. For this purpose, officers may draw upon members with training relevant to the subject matter of the appeal in order to ensure sufficient members are available to conduct the hearing, and to avoid involving any member who was involved in the original decision which is the subject of the appeal. Panel members should not be a representative of the Ward of the appellant. The quorum shall be three members. Political balance applies to the panel.

*Part 3, Delegations Section 2 – Regulatory Committee Functions***2.2. Audit Committee**

2.2.1 Members must have undertaken relevant training within the past three years in order to hold a seat on this committee.

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2.2.42 Terms of Reference

2.2.42.1 To consider the annual report and opinion of the Corporate Director Resources and a summary of internal audit activity (actual and proposed) and the level of assurance it can give over the Council's corporate governance arrangements.

2.2.42.2 To consider summaries of specific internal audit reports as requested.

2.2.42.3 To consider reports dealing with the management and performance of the providers of internal audit services.

2.2.42.4 To consider a report from internal audit on agreed recommendations not implemented within a reasonable timescale.

2.2.42.5 To consider the external auditor's annual letter, relevant reports, and the report to those charged with governance.

2.2.42.6 To consider specific reports as agreed with the external auditor.

2.2.42.7 To comment on the scope and depth of external audit work and to ensure it gives value for money.

2.2.42.8 To liaise with the Public Sector Audit Appointments Ltd (PSAA) over the appointment of the council's external auditor.

2.2.42.9 To commission work from internal and external audit.

2.2.2.10 To have oversight of the Regulation of Investigatory Powers policy and processes.

Regulatory Framework

~~2.2.1.10 To maintain an overview of the Council's constitution with the exception of those matters under the remit of the Executive or a regulatory committee.~~

2.2.42.11 To review any issue referred to it by the Chief Executive or a Director, or any Council body.

2.2.42.12 To monitor the effective development and operation of risk management and corporate governance in the council.

2.2.24.13 To monitor Council policies on "raising concerns at work" and the anti-fraud and anti-corruption strategy and the Council's complaints process.

2.2.24.14 To oversee the production of the authority's Statement on Internal Control and to recommend its adoption.

2.2.42.15 To consider the Council's arrangements for corporate governance and agreeing necessary actions to ensure compliance with best practice.

Accounts

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.2.1.16 To review the annual statement of accounts, specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from the financial statements or from the audit that need to be brought to the attention of the council.

2.2.1.17 To consider the external auditors report to those charged with governance on issues arising from the audit of the accounts.

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.3 Employment Committee

2.3.1 Members must have undertaken relevant training within the past three years in order to hold a seat on this committee.

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2.3.42 Terms of Reference

2.3.42.1 To appoint Directors and Heads of Service, and determine terms and conditions of employment.

2.3.42.2 To determine employee procedures, including dismissal procedures.

2.3.42.3 To act as the Employer's Side of the Joint Consultative Panel (the Council's consultative body with recognised trade union representatives), for discussion and negotiation. When meeting in this context, the Cabinet member with human resource responsibilities may attend and speak, if not already a member of this committee.

2.3.42.4 To determine local terms and conditions of employment for employees.

2.3.42.5 To consider, and recommend appropriate actions where necessary in response to, executive proposals relating to:

- (a) changes within a Department's/Division's structure which involve substantial changes in the responsibilities of first and second tier posts;
- (b) requests for Trade Union facilities, including budget and establishment;
- (c) other executive human resources matters.

2.3.42.6 To promote and pursue a policy of equal opportunities in employment.

2.3.42.7 To determine pension issues which relate to auto enrolment.

2.3.23 Delegation to Officers

2.3.23.1 The appropriate Director is authorised to make appointments to vacancies on the establishment at levels below Head of Service, within approved policy and budgets, subject to:

- (a) appointments of Directors and Heads of Service (unless on an interim or acting up basis in which case such appointments may be made by the Chief Executive) being made by the Employment Committee (the Chief Executive's appointment is subject to a separate procedure reserved to Council);
- (b) any limitations or other conditions in relation to filling vacancies which are currently required by the Executive.

2.3.23.2 The Chief Executive shall advertise vacancies subject to the authorisation of a recruitment requisition, to any overriding Council policy, to there being adequate budget provision, and to compliance with national or local agreements.

2.3.23.3 In respect of all employees, Directors may:

- (a) suspend employees in accordance with the agreed procedure, subject to consultation with the Director of Governance;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (b) subject to the approved appeals procedure and consultation with the Director of Governance, take any disciplinary action (including dismissal) and any action relating to incapability (including dismissal);
- (c) approve the transfer of probationary staff to the permanent establishment at the end of their probationary period;
- (d) terminate the employment of staff whose performance has not been satisfactory during their probationary period;
- (e) in consultation with the Director of Governance, determine whether a post is unsuitable for job-share and appoint in accordance with that determination and Council policy;
- (f) award an additional payment/honorarium to any member of staff within the guide-lines determined by Director of Governance;
- (g) authorise Essential and Casual Car Allowances in accordance with Council policy and having regard to the circumstances of each case;
- (h) authorise reimbursement for the installation and rental charges in respect of telephones at private residences where staff are subject to contact in cases of emergency or where private telephones are used for business reasons;
- (i) vary job titles and job descriptions;
- (j) authorise pay in lieu of holidays (in exceptional circumstances);
- (k) terminate the employment of staff for any lawful reason, in consultation with the Director of Governance.
- (l) take decisions relating to the employment of staff, including establishment control and matters of staff recruitment, reward and discipline that are necessary for the effective delivery of service and to stay within allocated budgets, in consultation with the relevant Cabinet Member in relation to executive functions

2.3.23.4 Senior Officers from departments other than where the employee was employed should hear the appeal.

2.3.23.5 The Chief Executive is authorised to grade all posts other than Chief Executive, Directors, Heads of Service, Teachers, Crafts employees and posts covered by Soulbury Scales, in accordance with the Council's agreed Job Evaluation Scheme with the aim of recruiting and retaining high quality employees.

2.3.23.6 The Chief Executive to exercise personal responsibility for delegations to officers in relation to non-executive human resource matters, including the creation and disestablishment of posts, changes to job descriptions and matters related to the recruitment, reward and disciplining of staff.

2.3.23.7 Directors may determine matters relating to training and development, leave, temporary (including agency) and overlapping appointments and minor variations to the relocation scheme for new employees, within agreed cash limits and in accordance with approved Council policies, consulting the Director of Governance where appropriate.

2.3.23.8 The relevant Director, in consultation with the Corporate Director Resources, is authorised to consider and determine:-

- (a) any redundancy within the Council's redundancy policy;
- (b) premature retirement on the grounds of ill-health;
- (c) premature retirement in the interests of the service.

Part 3, Delegations Section 2 – Regulatory Committee Functions

- | 2.3.23.9 Directors, in consultation with the Director of Governance and the Chairman of the Committee, may authorise the extension of an employee's contract beyond retirement age for a maximum period of 6 months.
- | 2.3.23.10 The Corporate Director Resources and Director of Governance are authorised following agreement by the relevant Director to approve, complete and transfer agreements relating to car loans including those which do not fall within Council policy, subject in these cases to consultation with the Director of Governance.
- | 2.3.23.11 The Director of Governance is authorised to implement agreed employee policies.
- | 2.3.23.12 The Chief Executive and Directors respectively in consultation with the relevant portfolio holder and the Director of Governance are authorised to update and amend the job descriptions and person specifications of Directors and Heads of Service/Assistant Directors.
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Part 3, Delegations Section 2 – Regulatory Committee Functions

2.4 Peterborough Corporate Parenting Committee

2.4.1 Members must have undertaken relevant training within the past three years in order to hold a seat on this committee.

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2.4.42 Terms of Reference

2.4.42.1 Our Commitment to Children and Young People in Care:

2.4.42.1 Peterborough City Council is committed to raising the quality of life of everyone living within the city. For children in particular, the city council aims to provide high quality opportunities for learning and ensure children are healthy and safe. It is important that the Corporate Parenting Committee members ensure that the Council provides such care, education and opportunities that the Committee would be afforded to their own children.

2.4.23 Purpose:

2.4.23.1 To ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers and holds partners to account for the discharge of their responsibilities.

2.4.23.2 On behalf of the Council and partners of the Local Authority to ensure that all services directly provided for children and young people in care and care leavers are scrutinised to deliver to a high standard and to all statutory requirements.

2.4.23.3 To raise the aspiration, ambitions and life chances of children and young people in care, narrowing the gap of achievement between children in care and their peers.

2.4.23.4 To ensure that the Council effectively discharges its role as Corporate Parent for all children and young people in care and care leavers and holds partners to account for the discharge of their responsibilities.

2.4.3.5 To ensure that all elected members are aware of their corporate parenting responsibilities and that all Council services are mindful of the needs of children in care and respond accordingly within their particular remit.

2.4.3 2.4.4 Functions of the Committee:

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2.4.34.1 To act as advocates for looked after children and care leavers.

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2.4.34.2 To receive statutory reports in relation to the adoption, fostering, commissioning, looked after children services and children’s homes with a view to recommending any changes.

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2.4.3.32.4.4.3 Ensure that the needs of looked after children and care leavers are addressed through key plans, policies and strategies throughout the Council overseeing interagency working arrangements.

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2.4.3.42.4.4.4 Review complaints from looked after children to ensure officers have dealt with these appropriately and made any recommendations for change.

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2.4.3.52.4.4.5 Raise awareness in Peterborough City Council and the wider community by promoting the role of members as corporate parents and the Council as a large corporate family with key responsibilities.

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Part 3, Delegations Section 2 – Regulatory Committee Functions

2.4.3.62.4.4.6 To monitor the quality of care delivered by the City Council and review the performance of outcomes for children and young people in care.

- (a) Raise the profile of the needs of looked after children and care leavers through a range of actions including through the organising of celebratory events for the recognition of achievement.
- (b) Ensure that leisure, cultural, further education and employment opportunities are offered and taken up by our looked after children and care leavers.
- (c) Promote the development of participation and ensure that the view of children and young people are regularly heard through the Corporate Parenting Committee to improve educational, health and social outcomes to raise aspiration and attainments.
- (d) Hold meetings with children and young people in care, frontline staff and foster carers to inform the committee of the standards of care and improvement outcomes for looked after children.
- (e) Monitor the ongoing commitment to providing support, training and clarity of expectations to foster carers to achieve excellent and high quality care.
- (f) To appoint elected members as Champions for Children in Care in respect of the following strands:
 - i) Housing
 - ii) Employment and training opportunities within council departments and with partner agencies
 - iii) Health
 - iv) Educational Attainment and access to Higher Education
 - v) Recreation and Leisure activities
 - vi) Finance and benefits

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2.4.45 Work Programme

2.4.45.1 The Corporate Parenting Committee will formally agree a skeleton work programme annually which will be reviewed at each formal meeting. In reviewing the work programme, the Committee may agree to request reports on particular matters of their own preference or as advised by the lead officer.

2.4.46.2 Performance Monitoring

2.4.46.3. The Corporate Parenting Committee will scrutinise and monitor outcomes for children in care and care leavers. To this end, the Committee will develop and agree a core data set which it wishes to receive at each Committee meeting. Additional detailed monitoring reports will be presented in accordance with the agreed work programme on the following key aspects of care:

- (a) Placement stability
- (b) Independent child care reviews
- (c) The performance of all care standards regulated services
- (d) Adoption and adoption support
- (e) Fostering
- (f) Children's homes
- (g) Service to care leavers, including accommodation, education, employment and training
- (h) The health needs of children in care
- (i) Educational attainment of children in care

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.4.46.4 The Corporate Parenting Committee will report to the Cabinet Member for Children’s Services and to the Scrutiny Committee on an annual basis or more frequently if required.

2.4.52.4.7 Membership of the Committee

2.4.5.12.4.7.1 There will be a standing membership of the Corporate Parenting Committee to provide continuity and consistency. Councillors outside the standing membership will be invited to discuss issues and raise questions within a standing agenda item.

2.4.5.22.4.7.2 The membership of the Corporate Parenting Committee must include the Cabinet Member with the responsibility for Children’s Services.

2.4.5.32.4.7.3 All Councillors are invited to attend the informal meetings. The Committee may also co-opt non-voting members. Membership may include up to four foster carers and representatives from the Children in Care Council. The Committee may invite participation from non-members where this is relevant to their work.

2.4.62.4.8 Children in Care Council

2.4.68.1 Representatives from the Children in Care Council may attend the Corporate Parenting Committee up until and no later than 8pm.

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*Part 3, Delegations Section 2 – Regulatory Committee Functions***2.5 Licensing Committee**

2.5.1 Members must have undertaken relevant training within the past year in order to hold a seat on this committee.

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2.5.42 Terms of reference

2.5.42.1 To undertake and perform all of the Licensing Authority's statutory functions and duties under the Licensing Act 2003 and to delegate functions in accordance with Guidance issued under Section 182 of that Act.

2.5.42.2 To delegate to sub-committees consisting of three members of the Licensing Committee the functions listed at 2.5.23.

2.5.42.3 To exercise the functions of the authority as listed in Schedule 2.5.54, where these are not delegated to officers as listed at section 2.5.34, namely:-

- (a) hackney carriage and private hire vehicle licensing
- (b) licensing marriage and entertainment
- (c) licensing shops and food premises
- (d) safety issues (sports grounds, and Health and Safety at Work Act)
- (e) licensing premises associated with live animals
- (f) approval and enforcement duties relating to premises associated with dead animals and food production
- (g) employment related licensing functions
- (h) Betting, gaming, lotteries and charity collections
- (i) Licences for alcohol and entertainment etc
- (j) issue, grant, refuse, revoke, transfer, renew, vary, add conditions and set fees in relation to the licensing of sex establishments
- (k) Licences for scrap metal dealers

2.5.42.4 To consider and determine all applications in relation to the functions in Schedule 2.5.45, where:

- (a) they are not delegated to Officers;
- (b) the Officer with delegated authority refers the application to the Committee.

2.5.42.5 To consider whether or not to:

- (a) suspend, and/or
- (b) revoke, and/or
- (c) refuse to renew, and/or
- (d) amend any conditions of any existing licence/permit/consent in any case which is referred to the Licensing Committee by the relevant Officer where the holder has been:
 - (i) convicted of an offence involving dishonesty, indecency or violence, and/or
 - (ii) convicted of an offence or has failed to comply with the statutory provisions relating to the issue of any licence/permit/consent, or
 - (iii) in breach of any conditions attached to the issue of any licence/permit/consent, and/or
 - (iv) any other reasonable cause.

2.5.42.6 To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council.

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.5.42.7 On recommendation by the Licensing Committee all statutory policies within the Licensing Committee's remit must go to Full Council for formal adoption. This includes any modifications, amendments to those policies.

2.5.24.8 On recommendation by the Licensing Committee all non-statutory policies must be submitted either to Full Council or Cabinet for formal adoption. Thereafter, any minor amendments or modifications, can be adopted by the Licensing Committee.

2.5.42.9 There is no power to suspend and call in any Licensing Committee decisions to Council for determination.

2.5.23 Delegations to Sub-Committees

2.5.23.1 To undertake and perform all of the statutory duties and functions required of local authorities under the Licensing Act 2003 as follows:

- (a) application for a Personal License if there is a Police objection
- (b) application for a Personal License with unspent convictions in all cases
- (c) application for Premises License/Club Premises Certificate if a relevant representation is made
- (d) application for a provisional statement, if a relevant representation is made
- (e) application to vary Premises Licence/Club Premises Certificate if a relevant representation is made
- (f) application to vary the Designated Premises Supervisor if there is a Police objection
- (g) application for transfer of a Premises Licence if there is a Police objection
- (h) application for interim authorities if there is a Police objection
- (i) application to review a Premises Licence/Club Premises Certificate in all cases
- (j) decision to object when the Local Authority is a consultee and not the relevant authority considering the application
- (k) determination of a Temporary Event Notice where objections have been received from relevant persons
- (l) in the event of all relevant representations concerning an application being withdrawn, the application is delegated to officers as per 2.5.3-4 below
- (m) decision to revoke or suspend (up to 6 months) personal licenses where a personal licence holder (licensed by this authority) has been convicted of a relevant or foreign offence or an immigration offence or penalty

2.5.23.2 To undertake and perform all of the statutory duties and functions proposed for local authorities under the Gambling Act 2005 as follows:

- (a) application for a premises license where representations have been received and not withdrawn;
- (b) application for a variation to a licence where representations have been received and not withdrawn;
- (c) application for a transfer of a licence where representations have been received from the Commission;
- (d) application for a provisional statement where representations have been received and not withdrawn;
- (e) review of a premise licence;
- (f) application for a club gaming/club machine permit where objections have been made and not withdrawn;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (g) cancellation of a club gaming/club machine permit;
- (h) decision to give counter notice to temporary use notice.

2.5.34 Delegations to officers

2.5.34.1 **The Corporate Director Resources is authorised:**

- (a) to set fees, issue/renew/suspend/revoke hackney carriage drivers' and vehicle licences and private hire drivers' and vehicle licences, except where the Officer is of the opinion that the application/matter should be considered by the Licensing Committee;
- (b) to approve advertising in or on purpose-built Hackney Carriage vehicles subject to there being no advertising of alcohol or tobacco related products and the advertisements complying with the code of acceptance except where the Officer is of the opinion that an application should be considered by Licensing Committee;
- (c) to set fees, issue/renew/suspend/revoke Private Hire Operator's licences except where the Officer is of the opinion that an application should be considered by the Licensing Committee.
- (d) to set the fees under the Gambling Act 2005 in consultation with the Chairman of the Licensing Committee
- (e) to determine Street Collection Permits; including those for special Christmas collections;
- (f) to determine house-to-house collection licences;
- (g) to determine house-to-house Christmas Carol Float permits;
- (h) to deal with the following registrations:
 - (i) Ear piercing, acupuncture, electrolysis and tattooing;
 - (ii) Food premises;
- (i) to issue/renew/amend/suspend/revoke the following licences:
 - (i) Riding establishments;
 - (ii) Keeping of dangerous wild animals;
 - (iii) Keeping a pet shop;
 - (iv) Keeping a dog breeding establishment;
 - (v) Keeping an animal boarding establishment;
 - (vi) Zoos.
- (j) to take all necessary action under the Breeding of Dogs Act 1991;
- (k) to issue, amend, revoke or refuse street trading consents boroughwide and including the use of the city centre pedestrian area, including those for:-
 - (i) annual food/commercial concessions; and
 - (ii) the Christmas street festival;
- (l) to prepare, amend, vary, attach and adopt as necessary, standard and other conditions to all licences, registrations and consents. The Corporate Director Resources will incorporate any special conditions requested or determined by Licensing Committee;
- (m) to consider and determine applications for certificates under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987.
- (n) to serve notices requiring information in relation to ownership of land and property under Section 16 of the Local government (Miscellaneous Provisions) Act 1976;
- (o) to take appropriate action and issue all notices (including notices of entry) under the Health and Safety at Work, etc Act 1974;
- (p) to take all necessary action under the Scrap Metal Dealers Act 2013 except where the Officer is of the opinion that the application/matter should be considered by the Licensing Committee.

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Part 3, Delegations Section 2 – Regulatory Committee Functions

- (q) to exercise all the functions conferred by the Acts, Orders and Regulations set out below or any Act, Order or Regulation which extends or amends them or any Order, Instrument, Regulation or Byelaw made under them:
 - (i) Celluloid and Cinematograph Films Act 1922 – fire safety and storage provisions relating to celluloid film kept on premises;
 - (ii) Explosives Acts 1875 and 1923 – storage conditions and licensing for explosives;
 - (iii) Nurses Agencies Act 1957 – licensing and regulation of Nurses Agencies;
 - (iv) Performing Animals (Regulation) Act 1925 – registration of persons exhibiting or training performing animals;
 - (v) Poisons Act 1972 – registration of sellers of some categories of poisons;
 - (vi) Criminal Justice and Police Act 2001.
- (r) to issue game dealers' licences;
- (s) under the Licensing Act 2003:
 - (i) to consider Applications for a Personal License if no objection is made
 - (ii) to consider Applications for a Premises Licence/Club Premises Certificate if no relevant representation is made
 - (iii) to consider Applications for a provisional statement if no relevant representation is made
 - (iv) to consider Applications to vary Premises Licence/Club Premises Certificate if no relevant representation is made
 - (v) to consider Applications to vary the designated premises supervisor if there is no Police objection
 - (vi) to request to be removed as Designated Premises Supervisor in all cases
 - (vii) to consider Applications for transfer of Premises Licence if there is no Police objection
 - (viii) to consider Applications for interim authorities if there is no Police objection
 - (ix) to decide on whether a complaint is irrelevant, frivolous or vexatious in all cases
 - (x) to determine the suitability of films to be shown to particular age groups and licensing of premises showing films;
 - (xi) to license theatre premises in accordance with the Licensing Act 2003
 - (xii) to issue, amend, suspend or refuse licenses under the Licensing Act 2003
 - (xiii) to issue, amend, suspend or refuse licenses under the Licensing Act 2003
 - (xiv) to take decisions in respect of applications for a minor variation to a premises/club premises certificate in all cases; and to take decisions relating to applications for the mandatory alcohol condition requiring a Designated Premises Supervisor in respect of a premises licence to be disapplied if there is no police objection
 - (xv) issue Closure Notices to premises operating in breach of their licensing conditions and apply for an Order to close the premises should the illegal behaviour continue.
- (t) under the Gambling Act 2005
 - (i) to set the fees when appropriate following consultation with the Chair of the Committee
 - (ii) to consider applications for premises licenses where no representations have been received or representations have been withdrawn;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (iii) to consider applications for a variation of a license where no representations have been received or representations have been withdrawn;
- (iv) to consider applications for a transfer of a licence where no representations have been received
- (v) to consider applications for a provisional statement where no representations have been received or representations have been withdrawn
- (vi) to consider applications for a club gaming/club machine permit where no objections have been made or objections have been withdrawn;
- (vii) to consider applications for other permits under the Act;
- (viii) to cancel licensed premises gaming machine permits as appropriate;
- (ix) to consider temporary use notices as appropriate
- (x) to designate an officer of a licensing authority as an authorised person for a purpose relating to premises under Section 304 of the Gambling Act 2005
- (xi) to institute criminal proceedings for offences under section 342 of the Gambling Act 2005 – Section 346 of the Act
- (xii) to exchange information under Section 350 of the Act
- (xiii) to have a statement of principles for Unlicensed Family Entertainment Centres.
- (xiv) to have a statement of principles for Prize Gaming.
- (u) To issue/renew/transfer and add conditions in relation to sex establishment licences where no representations have been received or representations have been withdrawn.
- (v) Determine variation applications in relation to sex establishments, in consultation with the Chairman of the Licensing Committee.
- (w) To grant or refuse and attach conditions to permit an exhibition, demonstration or performance of hypnotism on any person and to vary and/or attach conditions.

| 2.5.34.2 The Corporate Director Resources, in consultation with the Chair of the Licensing Committee, is authorised to:
Determine the fees for premises licences (The Gambling (Premises License Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)).

| 2.5.34.3 The Executive Director People and Communities Cambridgeshire and Peterborough Councils is authorised:

- (a) to monitor and regulate the employment of young people below school leaving age, including issuing of work permits, investigation of breaches to bye-laws and meeting all LEA statutory responsibilities with regard to prosecution of employers who contravene employment legislation;
- (b) to grant or refuse licences for children to take part in public entertainment or performances and to grant or refuse chaperone licences, in accordance with bye-laws.

| 2.5.34.4 The Corporate Director Resources is authorised to determine applications for licenses to use premises for holding a marriage or civil ceremony

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.5.4.5 Schedule of relevant functions – Licensing Committee**2.5.45.1 Hackney carriage and private hire licensing**

Function	Relevant legislation
Licensing hackney carriages and private hire vehicles	HACKNEY CARRIAGES Town Police Clauses Act 1847 (10 & 11 Vict. C.89), as extended by Public Health Act 1875 (38 & 39 Vict. C.55), Section 171 and Transport Act 1985 (c.67) Section 15; and Local Government (Miscellaneous Provisions) Act 1976 (c.57) Sections 47, 57-58, 60, 70 and 79. PRIVATE HIRE VEHICLES Local Government (Miscellaneous Provisions) Act 1976 Sections 48, 57-58, 60 and 79.
Licensing drivers of hackney carriages and private hire vehicles	Local Government (Miscellaneous Provisions) Act 1976, Sections 51, 53-54, 59, 61, 70 and 79
Licensing operators of hackney carriages and private hire vehicles	Local Government (Miscellaneous Provisions) Act 1976, Sections 55-58, 62, 70 and 79

2.5.45.2 Licences for Marriage and Entertainment

Approving premises for the solemnisation of marriage and civil partnerships	Marriage Act 1949 (c.76) s46A (as inserted by Marriage Act 1994 (c.34), Section 1); and The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005, No.: 3168)
Licensing sex shops and sex cinemas	Local Government (Miscellaneous Provisions) Act 1982 (c.30), Section 2 and Schedule 3 (as amended by Licensing Act 2003 (c.17), Schedule 6, paragraph 85.
Licensing performances of hypnotism	The Hypnotism Act 1952 (c.46), Section 1 as amended by Licensing Act 2003 (c.17) paragraph 198 and Schedule 6, paragraphs 25 – 27

Part 3, Delegations Section 2 – Regulatory Committee Functions

Licensing pleasure boats and pleasure vessels	Public Health Acts Amendment Act 1907 (c.53), s.94 as amended by Local Government Act 1974 (c.7) Schedule 6 Para 1 and Local Government (Miscellaneous Provisions) Act 1976 (c.57), Section 18 and Local Government, Planning and Land Act 1980 (c.65), s186 as substituted by ; Deregulation (Public Health Acts Amendment Act) Order 1997 (SI 1997/1187), Section 94(8)
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2.5.45.3 Licensing of shops and food premises

Licensing premises for acupuncture, tattooing, ear-piercing and electrolysis	Local Government (Miscellaneous Provisions) Act 1982, Sections 13 – 17
Licensing market and street trading	Local Government (Miscellaneous Provisions) Act 1982, Part III of, and Schedule 4
Duty to keep a list of persons entitled to sell non-medicinal poisons	Poisons Act 1972 (c.66), Sections 3(1)(b)(ii), 5, 6 and 11 as amended by Local Government, Planning and Land Act 1980, Schedule 6 Para 13(1)
Licensing dealers in game and the killing and selling of game	Game Act 1831 (c.32), Sections 5-6, 17-18, 21-23 and Game Licensing Act 1860 (c.90), Sections 2-16; and Customs and Inland Revenue Act 1883 (c.10), Section 4; Sections 12(3) and 27 Local Government Act 1874 (c.73); Section 213 Local Government Act 1972 (c.70)
Registering and licensing premises for the preparation of food	Section 19 Food Safety Act 1990 (c.16)

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.5.45.4 Safety functions (sports grounds and Health and Safety at Work)

Issuing, amending or replacing safety certificates (general or special) for sports grounds	The Safety of Sports Grounds Act 1975 (c.52), as amended by Fire Safety and Safety of Places of Sport Act 1987 (c.27), Part II and Schedule 2
Issuing, cancelling, amending or replacing safety certificates for regulated stands at sports grounds	Fire Safety and Safety of Places of Sport Act 1987 (c.27), Part III
Sanctioning use of parts of buildings for storage of celluloid	Celluloid and Cinematographic Film Act 1922 (c.1935), Section 1 – 4
Health and Safety at Work Act functions under any of the “relevant statutory provisions” within the meaning of Part I (health, safety and welfare in connection with work, and control of dangerous substances) of the 1974 Act [not including the authority’s discharge of these functions in relation to its own employees, which is an executive responsibility]	Health and Safety at Work, etc Act 1974 (c.37), Part I [For “relevant statutory provisions” see the various definitions in Sections 53(1) and 15(1) of the Act, the latter section having been substituted by Employment Protection Act 1975 (c.71), Schedule 15 Para 5]

2.5.45.5 Licensing associated with live animals

Licensing premises for the breeding of dogs	Section Breeding of Dogs Act 1973 (c.60); Section 1 Breeding and Sale of Dogs (Welfare) Act 1999 (c.11)
Licensing pet shops and other establishments where animals are bred or kept for the purposes of carrying on a business	Pet Animals Act 1951 (c.35), Section 1 as amended by Local Government Act 1974 Schedules 6 and 8 Animal Boarding Establishments Act 1963 (c.43), Section 1 as amended by Local Government Act 1974, Schedule 6 Para 17 and Protection of Animals (Amendment) Act 1988 (c.29) Sections 3(2) and (3) and Schedule Riding Establishments Act 1964 (c.70) and 1970 (c.70) as amended by Local Government Act 1974, Section 35(1) and (2) and Schedule 6 Para 18 and Schedule Protection of Animals (Amendment) Act 1988, Sections 3(2) and (3) Breeding of Dogs Act 1973 (c.60), Section 1 as amended by Local Government Planning and Land Act 1980, Section 1(6), Schedule 6, Schedule 34 Para 15 and Protection of Animals (Amendment) Act 1988 Sections 3(2) and (3) and Schedule and Breeding and Sale of Dogs (Welfare) Act 1999, Sections 1 and 8

Part 3, Delegations Section 2 – Regulatory Committee Functions

Registering animal training and exhibitors	Performing Animals (Regulation) Act 1925 (c.38), Section 1 as amended by Local Government Act 1974, Sections 35(1) and (2), Schedule 6 Para 2(1) and Schedule 8
Licensing zoos	Zoo Licensing Act 1981 (c.37), Section 1 as amended by Zoo Licensing Act 1981 (Amendment) (England and Wales) Regulations 2002 (SI 2002, No. 3080), Regulations 3 and 4 and Local Government (Wales) Act 1994, s.66(6) and (8) and Schedule 16, and Schedule 18, paragraph 62(2)
Licensing dangerous wild animals	Dangerous Wild Animals Act 1976 (c.38), Section 1
Enforcing provisions for Record Keeping, Identification Marking and Movement relating to pigs	The Pigs (Records, Identification and Movement) Order 2003 (SI 2003, No. 2632), Section 27.
Enforcing provisions for Record Keeping, Identification and Movement of Cattle	The Cattle Identification Regulations 2007 (SI 2007, No.: 529) as amended by The Cattle Identification (Amendment) Regulations 2007 (SI2007, No. 1046)
Enforcing provisions for Record Keeping, Identification and Movement of Sheep and Goats	The Sheep and Goats (Records, Identification and Movement) (England) Order 2005 (SI 2005 No.: 3100) and The Sheep and Goats (Records, Identification and Movement) (England) (Amendment) Order 2006 (SI 2006, No.: 2987)

2.5.45.6 Approval and Enforcement of duties relating to premises associated with dead animals and food production

Licensing knackery yards	Section 4 Slaughterhouses Act 1974 (and see also Animal By-Products Order 1999, SI 1999/646)
Enforcing requirements in relation to any food business premises as to e.g. hygiene, HACCP principles and registration as well as approving the food business premises.	Food Hygiene (England) Regulations 2006 (SI 2006, No 14) as amended by the Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No. 56) both to be read in conjunction with 2004/852/EC

Part 3, Delegations Section 2 – Regulatory Committee Functions

Enforcing requirements in relation to any relevant food business operators (dealing with e.g. meat, minced meat, eggs, dairy and fish products) as to e.g. hygiene, HACCP principles, identification marking, slaughtering and preparation, transport and storage etc as well as approving the premises.	Food Hygiene (England) Regulations 2006 (SI 2006, No.14) as amended by the Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No. 56) both to be read in conjunctions with 2004/852/EC and 2004/853/EC
Duty to keep a register of food premises	Food Hygiene (England) Regulations 2006 (SI 2006, No. 14) and Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No.: 56)
Registering food business premises	Food Hygiene (England) Regulations 2006 (SI 2006, No. 14) and Food Hygiene (England) (Amendment) Regulations 2007 (SI 2007, No.: 56)

2.5.45.7 Employment related licensing functions

Licensing the employment of children	Part II Children and Young Persons Act 1933 (c.33); Byelaws made under that Part; Part II Children and Young Persons Act 1963 (c.37)
Licensing agencies to supply nurses	Section 2 Nurses Agencies Act 1957 (c.16)

2.5.45.8 Licences for Alcohol and Entertainment etc

Issuing cinema and cinema club licences	Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(h) <i>(as to transitional provisions from old Licence granted under s.1 of the Cinema Act 1985 to a Premise Licence under the Licensing Act 2003)</i> Licensing Act 2003 (c.17), Part 3 (Premise Licence) and 4 (Club Licence – if applicable) <i>(as to the grant, variation, transfer and review of Premise Licences under the Licensing Act 2003)</i> N.B.: Licensing Act 2003 (c.17), Section 20 <i>(as to mandatory conditions to be attached to Premise Licence for the Exhibition of Films)</i>
Issuing theatre licences	Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(e) <i>(as to transitional provisions from old Licence granted under the Theatres Act 1968 to a Premise Licence under the Licensing Act 2003)</i> Licensing Act 2003 (c.17), Part 3 <i>(as to grant, variation, transfer and review of Premise Licences under the Licensing Act 2003)</i>
Issuing and Enforcing Licences for Alcohol and Entertainment etc	Licensing Act 2003 (c.17), Part 3 (Premise Licence), Part 4 (Club Licence), Part 5 (Permitted Temporary Activities) and Part 6 (Personal Licences) N.B. Mandatory and prohibitory conditions to be applied to any Licence granted under Parts 3, 4 and 6.

Part 3, Delegations Section 2 – Regulatory Committee Functions

Approving premises for the solemnisation of marriage and civil partnerships	Marriage Act 1949 (c.76) s46A (as inserted by Marriage Act 1994 (c.34), Section 1); and The Marriages and Civil Partnerships (Approved Premises) Regulations 2005 (SI 2005, No.: 3168)
Issuing and Enforcing Licences for sex shops, sex cinemas and sexual entertainment venues	Local Government (Miscellaneous Provisions) Act 1982 (c.30), Section 2 and Schedule 3 (as amended by Licensing Act 2003 (c.17), Schedule 6, paragraph 85 and by Section 27 of the Policing and Crime Act 2009 (c.26).

2.5.45.9 Licensing of Food Premises

Licensing night cafes and take-away food shops	Licensing Act 2003 (c.17), s.200 and Schedule 8, Part 1(e) (as to transitional provisions from old Licence granted under s.1 of the Cinema Act 1985 to a Premise License under the Licensing Act 2003) Licensing Act 2003 (c.17), Part 3 (Premise Licence) (as to the grant, variation, transfer and review of Premise Licenses under the Licensing Act 2003)
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2.5.45.10 Gambling

Issuing, registering and enforcing Premise Licenses	Gambling Act 2005 (c.19), Part 8 and Part 18, Section 346
Acknowledging or determining, registering and enforcing Temporary Use Notices	Gambling Act 2005 (c.19), Part 9 and Part 18, Section 346
Issuing and enforcing Family Entertainment Centre Gaming Machine Permits	Gambling Act 2005 (c.19), Part 10, Section 247, Part 18, Section 346 and Schedule 10
Issuing and cancelling/forfeiting Club Machine Permits and Club Gaming Permits	Gambling Act 2005 (c.19), Part 12, Sections 271 – 274 and Schedule 12
Issuing and cancelling/forfeiting Licensed Premises Gaming Machine Permits	Gambling Act 2005 (c.19), Part 18, Section 346 and Schedule 13
Issuing, enforcing and registering Prize Gaming Permits	Gambling Act 2005 (c.19), Part 13, Part 18, Section 346 and Schedule 14
Registration revocation and enforcement of Small Society Lotteries	Gambling Act 2005 (c.19), Part 11, Part 18, Section 346 and Schedule 11, Part 5
Assessment of Compliance through inspection and enforcement of breaches	Gambling Act 2005 (c.19), Part 15 and Part 18, Section 346
Power to designate officer of a licensing authority as an authorised person for a purpose relating to premises	Section 304 of the Gambling Act 2005
Power to institute criminal proceedings for offences under section 342 of the Gambling Act 2005	Section 346 of the Gambling Act 2005
Power to exchange information	Section 350 of the Gambling Act 2005

Part 3, Delegations Section 2 – Regulatory Committee Functions

Functions relating to the determination of fees for premises licences.	The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (S.I. 2007/479)."
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2.5.45.11 Scrap Metal Dealers

Licensing of Scrap Metal Dealers	Section 2 and Section 4 and Section 9 of the Scrap Metal Dealers Act 2013 (c10)
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*Part 3, Delegations Section 2 – Regulatory Committee Functions***2.6 Planning and Environmental Protection Committee**

2.6.1 Members must have undertaken relevant training within the past year in order to hold a seat on this committee.

2.6.42 Terms of reference

2.6.42.1 To exercise the functions of the Council as listed in Schedule 2.6.67, where these are not delegated to officers as listed at section 2.6.56.

2.6.42.2 In respect of functions listed in Schedule 2.6.67, to determine an application, or to decide upon or vary appropriate conditions, limitations, terms or other restrictions upon any approval, consent, licence, permission or registration granted, or discontinuance or revocation order in cases where:

- (a) the officer with delegated authority to deal with the matter refers it to the Committee for determination;
 - (b) an application has been referred to the Committee by a Member or a Parish Council from the weekly press list on proper planning grounds, or by a consultee on the delegation confirmation list and the referrers views are contradictory to the officer recommendation (this does not apply to any prior notification type application). All referrals by a Member or a Parish Council must also provide a reason for the referral based on relevant material planning grounds. Referrals made without an accompanying reason will not be valid. Members who have made a referral to the Committee are expected to attend the Committee meeting at which the matter is discussed, where possible, or submit a written supporting statement.”
 - (c) the officer’s proposed course of action falls outside the Council’s agreed policies and criteria;
 - (d) any planning application recommended for approval does not accord in a material way with the Development Plan;
 - (e) a planning application relates to an exceptionally large scale development, or a major development which does not accord with the Development Plan;
 - (f) a proposed Tree Preservation Order has unresolved objections to it.
- None of (a) – (f) above shall prevent an officer determining one of these matters in cases of urgency, provided that the action taken is reported to the next Committee meeting.

2.6.42.3 In respect of issues governed by the list of functions at Schedule 2.6.56, to determine whether, and in what manner, to enforce any failure to comply with an approval, consent, licence, permission or registration granted by the Council in cases where:

- (a) the officer with delegated authority to deal with the matter refers it to the Committee for determination;
 - (b) a member refers it to the Committee on proper planning grounds;
 - (c) the issue falls outside the Council’s agreed policies and criteria;
- None of (a) – (c) above shall prevent an officer taking enforcement action in cases of urgency which warrant the service of a Stop Notice and/or injunction, subject to the consent of the Director of Governance provided that the action taken is reported to the next Committee meeting.

Part 3, Delegations Section 2 – Regulatory Committee Functions

- | 2.6.42.4 To receive regular progress reports on all current planning enforcement matters, and lists of planning decisions taken by officers under delegated powers.
- | 2.6.42.5 To be consulted by, and comment on, the Executive's draft proposals for Development Plan Documents (DPDs), Supplementary Planning Documents (SPDs), and the Statement of Community Involvement (SCI) at each formal stage in preparation.
- | 2.6.42.6 To assess and review the performance of the services which fall within the terms of reference of the Committee.
- | 2.6.42.7 To transfer enforcement functions to another enforcement authority under Smoke-free (Premises and Enforcement) Regulations 2006.
- | **2.6.23 Call in of Decisions Made by the Committee**
- | 2.6.23.1 Applications determined by the Planning and Environmental Protection Committee can be called in to the Appeals and Planning Review Committee (*see Appeals and Planning Review Committee Terms of Reference for procedure para. 2.1*).
- | **2.6.34 Planning Call-In Procedure**
- | 2.6.34.1 This paragraph only applies to a determination of planning application decisions made by the Planning and Environmental Protection Committee.
- | 2.6.34.2 If the Planning and Environmental Protection Committee makes a determination as set out in paragraph 2.6.23.1 above, 30% of the Members present at the meeting where the resolution was passed can ask the Chief Executive that it be reported to a special meeting of the Appeals and Planning Review Committee.
- | 2.6.34.3 The right under the paragraph above must be carried out within two working days of the end of the meeting by the submission of a planning call-in notice.
- | 2.6.34.4 Signatories of a planning call-in notice or their group representatives can withdraw a planning call-in notice by notifying the Chief Executive in writing. If the planning call-in notice has been withdrawn, the original Committee decision takes effect.
- | 2.6.34.5 The request to call-in a decision must be made in writing or electronically, using the agreed form. The form must:
- (a) set out the planning application decision that the Members wish to call in;
 - (b) give the reasons why the Appeals and Planning Review Committee reconsider the decision. These must include either the incorrect application of procedure during the application process, or the relevant material planning considerations not being taken into account;
 - (c) be signed and dated by 30% of the Members present at the meeting where the resolution was passed.
- | 2.6.34.6 Determination of whether a request to call-in a decision is valid or not, in accordance with the above criteria, will be determined by the Corporate

Part 3, Delegations Section 2 – Regulatory Committee Functions

Director of Growth and Regeneration, in conjunction with the Monitoring Officer.

2.6.34.7 The procedure of an Appeals and Planning Review Committee will follow the same format as a Planning and Environmental Protection Committee, including the Speaking Scheme. An application that is called-in will be reconsidered by the Appeals and Planning Review Committee in its entirety.

2.6.45 Planning Speaking Scheme as Agreed by the Committee

2.6.45.1 Members of the public can speak at meetings of the Planning and Environmental Protection Committee which is considering any planning application (including those referred to the Appeals and Planning Review Committee).

- (a) Any Ward Councillor, Parish Council (or other groups defined in local planning policy as operating in a manner similar to a Parish Council) representative or member of the public who wish to address the Committee on any planning application or any consultation item referred from another local authority, must register with the Chief Executive by 12 noon Friday before the meeting.
- (b) The following procedure will apply for each item.
 - (i) Officers will introduce the item;
 - (ii) Representations by Ward Councillors and the Parish Council representative;
 - (iii) Members questions to the Ward Councillors and Parish Council representative;
 - (iv) Objectors' representations;
 - (v) Members' questions to objectors;
 - (vi) Representations by the applicant, agent and any supporters;
 - (vii) Members' questions to the applicant, agent and any supporters;
 - (viii) Officers' comments;
 - (ix) Members will debate the application and get advice from officers where appropriate;
 - (x) Members will reach a decision.

2.6.45.2 The total time allowed for speeches from each of the following groups of speakers will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances:-

- (a) Objectors;
- (b) Applicant or agent and their supporters.

2.6.45.3 If more than one objector or supporter wants to speak, the Chairman may ask the supporters and objectors to appoint a spokesperson to represent their views.

The total time allowed for speeches from Ward Councillors and Parish Council representatives will not be more than ten minutes in total unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

Part 3, Delegations Section 2 – Regulatory Committee Functions

MPs will be permitted to address the Committee when they have been asked to represent their constituents. Proof of this fact should be submitted to the Committee. The total time allowed for speeches for MPs will not be more than five minutes unless the Committee decide on the day of the meeting to extend the time allowed due to unusual or exceptional circumstances.

| 2.6.45.4 The Chairman may:

- (a) Suspend the public's right to speak if he or she considers it necessary to maintain order at the meeting; or
- (b) Vary the order of representations if he or she feels that it is convenient and will assist the Committee in dealing with the matter provided it will not cause any prejudice to the parties concerned.

In lieu of speaking, Ward Councillors, Parish Council representatives and members of the public may submit representations in writing for consideration by the Committee. Written representations will be reported to the Committee in an update report and circulated on the day of the meeting.

If a Ward Councillor is unable to attend the Committee and submits representations in writing such representations may be read out at the Committee provided that the written representations are no more than 300 words and provided that there is sufficient time following speeches from Ward Councillors present at the Committee (i.e. within the 10 minute time allowed for speeches from Ward Councillors and Parish Council Representatives).

| 2.6.56 **Delegations to officers**

| 2.6.56.1 The Corporate Director Growth and Regeneration is authorised to deal with the following matters after consultation with the Chairman of the Committee and notification to (i) the Vice-Chairman, (ii) the representatives of the other political groups on the Committee of which the Chairman and Vice-Chairman are not members, (iii) relevant ward councillors, and no relevant planning objection being raised by them within 48 hours:

- (a) All planning applications not delegated to Officers and not reserved to the Committee;
- (b) the designation, revocation, variation and modification of a Tree Preservation Order which has been opposed;
- (c) Hazardous Substances Consents;
- (d) Applications made by the Council under Regulation 3 of the Town and Country Planning General Regulations 1992 in cases which the Corporate Director Growth and Regeneration –would be authorised to determine if they were private applications;
- (e) All enforcement matters, where a breach reported by a member of the public is recommended for “no further action” and where consideration is not referred to the Committee.

If an objection is received the application will be determined by the Committee.

| 2.6.56.2 The Corporate Director Growth and Regeneration is authorised to determine all planning applications, applications to carry out work on Protected Trees, and applications for advertisement consent, listed building consent and conservation area consent, except an application:

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (a) contrary to the provisions of an approved or draft Development Plan and which is recommended for approval;
- (b) contrary to approved Council policies, standards or guidance, and which is recommended for approval;
- (c) which raises an issue of significance which is not covered by specific Council policies, standards or guidance
- (d) which has been referred to the Committee by a Member or a Parish Council from the weekly press list within 28 days, or by a consultee on the delegation confirmation list and the referrers views are contradictory to the officer recommendation;
- (e) which, in the opinion of the Head of Planning, Transport and Engineering Services is potentially controversial, likely to be of significant public interest or would have a significant impact on the environment;
- (f) known to be submitted by or on behalf of a Councillor, Director or Head of Service of the authority (or their spouse/partner);
- (g) which the Corporate Director Growth and Regeneration considers should be presented to the Planning and Environmental Protection Committee for determination.

2.6.56.3 The Corporate Director Growth and Regeneration is authorised to deal with the following matters subject to there being no prior referral by a Member or a Parish Council to the Planning and Environmental Protection Committee as set out in its terms of reference;

Note: From time to time the Corporate Director Growth and Regeneration may authorise in writing other competent officers of the authority to exercise specific delegated functions. The Corporate Director Growth and Regeneration may also refer any of the matters listed below to the Planning and Environmental Protection Committee for determination.

- (a) the details of all Planning Obligations,
- (b) all prior notification applications relating to agricultural, telecommunication, changes of use and householder extensions;
- (c) all planning and enforcement matters relating to Conservation (including emergency* Article 4 Directions) Hedgerows and Tree Preservation Orders and proposed Emergency* Tree Preservation Orders which includes designation, revocation, variation, modification, and confirmation, except;
 - (i) the designation or modification of a Conservation Area (Cabinet Member for Growth, Planning, Housing and Economic Development)
 - (ii) any which the Corporate Director Growth and Regeneration considers should be determined by the Planning and Environmental Protection Committee.

NB *Emergency – when there is an immediate threat that a building or tree is going to be felled/demolished or pruned/modified in ways that would have a significant impact on the character or amenity of an area.

- (d) all enforcement matters including instructing the Director of Governance to consider the initiations of prosecutions in accordance with the Council's enforcement procedures except where;
 - (i) a significant breach reported by a member of the public or where there is significant public interest in the matter, is recommended for no further action;

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (ii) the Corporate Director Growth and Regeneration considers a breach should be reported to the Planning and Environmental Protection Committee for decision;
- (e) Applications for the discharge or modification of covenants in agreements under Section 106 of the Town and Country Planning Act 1990;

NB The agreement of the Director of Governance shall be required to authorise the issue of an Enforcement Notice, Breach of Condition Notice, Section 215 Notice, Notices under Section 3 of the Planning (Listed Buildings and Conservation Area) 1990. The Director of Governance shall be responsible for the initiation of any criminal or civil proceedings he considers necessary including the seeking of an injunction. He shall be responsible for arranging the discharge of all legal work and advice arising from all enforcement action including ensuring that the Council is properly represented in Court.

- (f) to respond to consultations from:
 - (i) government bodies, other authorities or from other agencies on planning, footpath or similar matters;
 - (ii) Area Traffic Commissioners with observations on applications for goods vehicle licences except where the Head of Development and Construction is of the opinion that the matter should be considered by the Committee.
- (g) matters relating to overhead power lines and applications under prior approval of telecommunications procedures;
- (h) Other powers:
 - (i) determination and issue of Certificates of Alternative Development;
 - (ii) determination and issue of certificates of Lawful Use or Development following consultation with the Director of Governance as to the adequacy of the evidence in all cases where the evidence is either doubtful or complex;
 - (iii) to exercise all the relevant functions listed in schedule 2.6.5 in respect of public unmetalled footpaths, bridleways and byways open to all traffic;
 - (iv) authority to proceed with the stopping up of a public right of way required in connection with development where planning permission has been granted and appropriate publicity has been undertaken including instructing the Director of Governance to make the appropriate Order under the Town and Country Planning Act 1990;
 - (v) authority to instruct the Director of Governance to make orders under Sections 257 or 258 of the Town and Country Planning Act 1990 in respect of the creation, diversion and/or extinguishment of public rights of way with any orders being confirmed where there are no unresolved objections;
 - (vi) to determine, subject to no outstanding objections, applications for Definitive Map Modification Orders under the Wildlife and Countryside Act 1981. To publish Modification Orders to the Definitive Map and Statement, and to authorise the creation, extinguishment and diversion orders for public footpaths, bridleways and byways open to all traffic under the Highways Act 1980 and Town and Country Planning Act 1990 and to instruct the Director of Governance to make such Orders. (NB - the Corporate Director Growth and Regeneration is also

Part 3, Delegations Section 2 – Regulatory Committee Functions

authorised to modify rights of way, at paragraph 2.6.4.6 (f) below);

- (vii) the service of notices under Section 54 of the Planning (Listed Building and Conservation Areas) Act 1990 requiring urgent work to preserve unoccupied listed buildings;
- (viii) the giving of screening and scoping opinions under the Town & Country Planning (Environmental Impact Assessment)(England & Wales) Regulations 1999.
- (ix) the making of Listed Building and conservation grants within approved budget;
- (x) identifying applications representing departures from the Development Plan;
- (xi) to maintain Public Registers under the legislation for which s/he is responsible, including registers of rights of way;
- (xii) to act as Appointing Officer under Section 10(8) of the Party Wall etc. Act 1996.
- (xiii) the right to enter land under the legislation governing the functions for which s/he is responsible;
- (xiv) applications made under the Licensing Act 2003 and the making of any representations to the courts;
- (xv) the discharge of conditions imposed on planning and related permissions, where those conditions have been complied with;
- (xvi) to determine applications to develop land without compliance with conditions previously attached;
- (xvii) to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights;
- (xviii) to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers;
- (xix) to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980;
- (xx) to authorise stopping up or diversion of highway;
- (xxi) relating to complaints about high hedges;
- (xxii) to enforce offences relating to the display of no-smoking signs;
- (xxiii) to enforce offences relating to smoking in smoke-free places;
- (xxiv) to enforce offence of failing to prevent smoking in smoke-free places.

2.6.56.4 The Corporate Director Growth and Regeneration is authorised to determine:

- (a) applications under Prior Approval of Telecommunications Procedures; and
- (b) those under delegation 2.6.56.3 (b) and 2.6.56.3 (f);

in consultation with the Chairman or, if not available or inappropriate, the Vice Chairman of the Committee, where a Member or a Parish Council has exercised their power to refer an application to the Committee but there is no scheduled meeting of the Committee within the time period for response.

2.6.65.5 Authorised Signatories

- (a) Planning Decision or Building Control Notices determined by Committee - the Corporate Director Growth and Regeneration

Part 3, Delegations Section 2 – Regulatory Committee Functions

- (b) Notices and directions following determination by Committee, under Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 or any Order revoking or re-enacting that Order with or without modification - the Corporate Director Growth and Regeneration

2.6.56.6 **The Corporate Director Growth and Regeneration is authorised:**

- (a) to issue licences for hoardings and scaffolding within the highway;
- (b) to issue licences for the placing of skips within the highway;
- (c) to exercise the non-executive powers and duties of the Council, acting on its behalf as the local highway authority, traffic authority, transport authority, parking authority and technical approval authority, including the serving of Notices as contained in the Highways Act 1980
- (d) to create, extinguish and divert footpaths under the Highways Act 1980;
- (e) to enter land under the legislation governing the functions for which s/he is responsible;
- (f) to modify rights of way, in line with para 2.6.4.6 (d) above.

2.6.56.7 **The Corporate Director Growth and Regeneration is authorised:**

- (a) To undertake non-executive actions under the Environmental Protection Act 1990 in relation to pollution and statutory nuisance (these are set out in Schedule 2.6.56;
- (b) To take appropriate action and issue all notices (including notices of entry) under the following legislation: Control of Pollution Act 1974; Noise and Statutory Nuisance Act 1993.

2.6.56.8 **The Corporate Director Growth and Regeneration is authorised to serve notices requiring information in relation to ownership of land and property under Section 16 of the Local government (Miscellaneous Provisions) Act 1976.**

2.6.56.9 **The Executive Director People and Communities Cambridgeshire and Peterborough Councils is authorised to issue licences and ensure compliance with statutes relating to residential caravan sites, touring caravans and campsites, as listed in Schedule 2.6.5 (Section 3 Caravan Sites Control and Development Act 1960 and Section 269 Public Health Act 1936).**

2.6.56.10 **The Corporate Director Growth and Regeneration is authorised to set up and establish any Joint Planning and Environmental Protection Committee and to negotiate and determine the Terms of Reference of such Joint Planning and Environmental Protection Committees with neighbouring councils and local planning authorities, following consultation with the Director of Governance and Chairman of the Planning and Environmental Protection Committee.**

2.6.56.11 **The Corporate Director Growth and Regeneration is authorised to prepare and publish a Brownfield Land Register under The Town and Country Planning (Brownfield Land Register) Regulations 2017, except in those instances where a newly published Register would add or delete land from Part 2 of that Register.**

2.6.56.12 **The Corporate Director Growth and Regeneration is authorised to undertake all matters relating to Neighbourhood Planning, Neighbourhood**

Part 3, Delegations Section 2 – Regulatory Committee Functions

Development Orders and Neighbourhood Plans, except for the 'making' (adoption) of such Orders and Plans. This authorisation extends to, but is not necessary limited by, the following:

- (a) The designation of neighbourhood areas and neighbourhood forums
- (b) Providing comments on behalf of the Council to consultations on draft plans or orders
- (c) The appointment of an independent examiner for neighbourhood plans or orders
- (d) Making decisions on behalf of the Council on whether a plan meets the basic conditions and should proceed to referendum, following the receipt of a report from the independent examiner, and publishing this decision
- (e) Making decisions on the revocation, de-designation, or amendment to any neighbourhood area, forum, plan or order.

2.6.67 Schedule of relevant functions

2.6.67.1 Town and country planning and development control functions

Determination of applications for planning permission	Sections 70(1)(a) and (b) and 72 Town and Country Planning Act 1990 (c.8)
Granting planning permission for development already carried out	Section 73A Town and Country Planning Act 1990 (ref. Schedule 7 para 8 Planning and Compensation Act 1991 (c.34).
Power to determine applications to develop land without compliance with conditions previously attached	Section 73 of the Town and Country Planning Act 1990
Declining to determine applications for planning permission	Section 70A Town and Country Planning Act 1990 (ref. Section 17 Planning and Compensation Act 1991)
Duties associated with determining planning applications	Sections 69, 76 and 92 Town and Country Planning Act 1990, Articles 8, 10 – 13, 15 – 22 and 25 – 26 Town and Country Planning (General Development Procedure) Order 1995 (SI 1995/419) and directions made thereunder
Determination of applications for planning permission by the local authority or jointly with another person	Section 316 Town and Country Planning Act 1990, Town and Country Planning General regulations 1992 (SI 1992/1492) (ref. Section 20 Planning and Compensation Act 1991 and SIs 1992/1982 and 1998/2800)
Entering into agreements regulating development or use of land	Section 106 Town and Country Planning Act 1990
Issuing certificates of existing or proposed lawful use or development	Sections 191(4) and 192(2) Town and Country Planning Act 1990 (ref. Section 10 Planning and Compensation Act 1991)
Serving completion notices	Section 94(2) Town and Country Planning Act 1990
Granting consent for the display of advertisements	Section 220 Town and Country Planning Act 1990, Town and Country Planning (Control of Adverts) Regulations 1992 (SI 1992/666)

Part 3, Delegations Section 2 – Regulatory Committee Functions

Authorising entry onto land	Section 196A Town and Country Planning Act 1990 (ref. Section 11 Planning and Compensation Act 1991, and Sections 196A to C Town and Country Planning Act 1990)
Requiring a use of land to discontinue	Section 102 Town and Country Planning Act 1990
Revocation/amendment of Planning Permission	Section 97 Town and Country Planning Act 1990
Power to make determinations, give approvals and agree certain other matters relating to the exercise of permitted development rights	Parts 6, 7, 11, 17, 19,20, 21 to 24, 26,30 and 31 of Schedule 2 to the Town and Country Planning (General Permitted Development) Order 1995
Power to issue a temporary stop notice	Section 171E of the Town and Country Planning Act 1990
Duties relating to applications for listed building consent and conservation area consent	Paragraph 2(6)(a) of Schedule 2 to the Planning and Compensation Act 1991, Paragraph 9(6) of Schedule 13 to the Environment Act 1995 and paragraph 6(5) of Schedule 14 to that Act.
Serving planning contravention, breach of condition or stop notices	Sections 171C, 187A and 183(1) Town and Country Planning Act 1990 (ref. Sections 1,2 and 9 Planning and Compensation Act 1991)
Issuing enforcement notices	Section 172 Town and Country Planning Act 1990 (ref. Section 5 Planning and Compensation Act 1991)
Applying for injunctions restraining a breach of planning control	Section 187B Town and Country Planning Act 1990 (ref. Section 3 Planning and Compensation Act 1991)
Determining applications for hazardous substances consent, and related powers	Sections 9(1) and 10 Planning (Hazardous Substances) Act 1990 (c.10)
Duty to determine conditions which may apply to old mining permissions, relevant planning permissions relating to dormant sites or active phase I or II sites, or mineral permissions relating to mining sites	Schedule 2 Para 2(6)(a) Planning and Compensation Act 1991, Schedule 13 Para 9(6) and Schedule 14 Para 6(5) Environment Act 1995 (c.25)

Part 3, Delegations Section 2 – Regulatory Committee Functions

Requiring proper maintenance of land	Section 215(1) Town and Country Planning Act 1990
Determining applications for listed building consent, and related powers	Sections 16(1) and (2), 17, 27(2) and 33(1) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9)
Determining applications for conservation area consent	Sections 16(1) and 74(3) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (c.9) (ref. Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regs 1990, SI 1990/1519)
Duties relating to applications for listed building and conservation area consent	Sections 13(1), 14(1) and 14(4) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990, Regs 3 – 6 and 13 Town and Country Planning (Listed Buildings and Buildings in Conservation Areas) Regulations 1990, Paras 8, 15 and 22 DoE Circular 14/97
Serving building preservation notices, and related powers	Sections 3(1) and 4(1) Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Issuing enforcement notices in relation to demolition of unlisted buildings in conservation areas	Section 38 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Acquiring listed buildings in need of repair, and serving repairs notices	Sections 47 – 48 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Applying for injunctions in relation to listed buildings	Section 44A Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990 (ref. Schedule 3 Para 7 Planning and Compensation Act 1991, c.34)
Executing urgent works	Section 54 Planning (Listed Buildings and Buildings in Conservation Areas) Act 1990
Determination of applications to designate a neighbourhood area (including whether the designated area should be a business area)	Sections 61G, 61H and 61I of the Town and Country Planning Act 1990 (as amended by section 116 and Schedule 9 of the Localism Act 2011)
Designation of an organisation or body as a neighbourhood forum and withdrawal of an organisation or body's designation as a neighbourhood forum	Section 61F of the Town and Country Planning Act 1990 (as amended by section 116 and Schedule 9 of the Localism Act 2011)
Duties associated with 'Registers of Land', including a Brownfield Land Register	Part 2 of the Planning and Compulsory Purchase Act 2004 (local development), section 14A ('Register of Land'), and associated The Town and Country Planning (Brownfield Land Register) Regulations 2017.
Duties associated with Neighbourhood Planning, Neighbourhood Development Orders and Neighbourhood Plans, except for 'making' (or adoption) of such Plans and Orders	The Town and Country Planning Act 1990; and the Planning and Compulsory Purchase Act 2004

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.6.67.2 Miscellaneous functions

Obtaining information as to interests in land	Section 330 Town & Country Planning Act 1990 (c.8)
Obtaining particulars of persons interested in land	Section 16 Local Government (Miscellaneous Provisions) Act 1976 (c.57)

2.6.67.3 Tree and hedgerow related functions

Powers relating to the protection of important hedgerows	The Hedgerows Regulations 1997 (SI 1997/1160)
Powers relating to the preservation of trees	Sections 197 – 214D Town and Country Planning Act 1990, Trees Regulations 1999 (SI 1999/1892)
Powers relating to complaints about high hedges	Part 8 of the Anti-Social Behaviour Act 2003

2.6.67.4 Highway and rights of way related functions

Power to authorise stopping up or diversion of highway	Section 247 of the Town and Country Planning Act 1990
Creating footpaths bridleways or restricted byways by agreement	Section 25 Highways Act 1980 (c.66)
Creating footpaths bridleways and restricted byways	Section 26 Highways Act 1980
Duty to keep a register of information with respect to maps, statements and declarations	Section 31A Highways Act 1980
Power to grant permission for provision, etc of services, amenities, recreation and refreshment facilities on highway, and related powers	Section 115E, 115F and 115K of the Highways Act 1980
Duty to publish notice in respect of proposal to grant permission under section 115E of the Highways Act 1980	Section 155G of the Highways Act 1980
Stopping up footpaths bridleways and restricted byways	Section 118 Highways Act 1980
Determining applications for public path extinguishments orders	Sections 118ZA and 118C(2) Highways Act 1980
Making rail crossing extinguishments orders	Section 118A Highways Act 1980
Making special extinguishments orders	Section 118B Highways Act 1980
Diverting footpaths bridleways and restricted byways	Section 119 Highways Act 1980
Making public path diversion orders	Sections 119ZA and 119C(4) Highways Act 1980
Making rail crossing diversion orders	Section 119A Highways Act 1980
Making special diversion orders	Section 119B Highways Act 1980

Part 3, Delegations Section 2 – Regulatory Committee Functions

Requiring applicants for an order to enter into and agreement	119C(3) Highways Act 1980
Making an SSSI diversion order	Section 119D Highways Act 1980
Duty to keep a register with respect to applications under sections 118ZA, 118C, 119ZA and 119C Highways Act 1990	Section 121B Highways Act 1980
Declining to determine certain applications	Section 121C Highways Act 1980
Duty to assert and protect the rights of the public to use and enjoyment of public highways	Section 130 Highways Act 1980
Duty to serve notice of proposed action in relation to obstruction	Section 130A Highways Act 1980
Applying for variation of order under section 130B Highways Act 1990	Section 130B(7) Highways Act 1980
Authorising temporary disturbance of the surface of a footpath bridleway or restricted byway	Section 135 Highways Act 1980
Temporarily diverting a footpath bridleway or restricted byway	Section 135A Highways Act 1980
Functions relating to the making good of damage and removal of obstructions	Section 135B Highways Act 1980
Removal of obstructions from the Highway	Section 143 Highways Act 1980
Powers related to the removal of things so deposited on the highway as to be a nuisance	Section 149 Highways Act 1980
Extinguishing certain rights of way	Section 32 Acquisition of Land Act 1981 (c.67)
Duty to keep definitive map and statement under review	Section 53 Wildlife and Countryside Act 1981 (c.69)
Including modifications in other orders	Section 53A Wildlife and Countryside Act 1981
Duty to keep register of prescribed information with respect to applications under section 53(5) Wildlife and Countryside Act 1981	Section 53B Wildlife and Countryside Act 1981
Preparing map and statement by way of consolidation of definitive map and statement	Section 57A Wildlife and Countryside Act 1981
Designating a footpath as a cycle track	Section 3 Cycle Tracks Act 1984 (c.38)
Extinguishing a public right of way over land acquired for clearance	Section 294 Housing Act 1981 (c.68)
Authorising stopping-up or diversion of a footpath or bridleway	Section 257 Town and Country Planning Act 1990
Extinguishing public rights of way over land held for planning purposes	Section 258 Town and Country Planning Act 1990
Entering into agreements with respect to means of access	Section 35 Countryside and Rights of Way Act 2000 (c.37)

Part 3, Delegations Section 2 – Regulatory Committee Functions

Providing access in the absence of agreement	Section 37 Countryside and Rights of Way Act 2000
Allowing the deposit of a builder's skip on the highway	Section 139 Highways Act 1980 (c.66)
Licensing planting, retention and maintenance of trees, etc in part of the highway	Section 142 Highways Act 1980
Authorising erection of stiles etc on footpaths or bridleways	Section 147 Highways Act 1980
Licensing works in relation to buildings, etc which obstruct the highway	Section 169 Highways Act 1980
Consenting to temporary deposits or excavations in streets	Section 171 Highways Act 1980
Consenting to temporary deposits or excavations in streets	Section 171 Highways Act 1980
Dispensing with obligations to erect a hoarding or fence	Section 172 Highways Act 1980
Restricting the placing of rails, beams, etc over highways	Section 178 Highways Act 1980
Consenting to construction of cellars, etc under streets	Section 179 Highways Act 1980
Consenting to making of openings into cellars, etc under streets, and pavement lights and ventilators	Section 180 Highways Act 1980
Granting a street works license	Section 50 New Roads and Street Works Act 1991 (c.22)
Power to enforce offences and issue proceedings relating to unauthorised street works	Sections 54, 55, 57, 70, 74, 74A New Roads and Street Works Act 1991
Registering common land or town and village greens, except where this power is exercised solely to give effect to: - exchange of land effected by order under Section 19(3), or Para 6(4) Schedule 3, Acquisition of Land Act 1981 (c.67), or - order under Section 147 Enclosure Act 1845 (c.8 & 9 Vict. c. 118)	Regulation 6 Commons Registration (New Land) Regulations 1969 (SI 1969/1843)
Registering variation in rights of common	Regulation 29 Commons Registration (General) Regulations 1966 (SI 1966/1471, amended by SI 1968/658)

2.6.67.5 Environmental protection and control functions

Any functions relating to contaminated land	Part IIA of the Environmental Protection Act 1990 (c.43) and subordinate legislation under that Part
Service of an abatement notice in respect of statutory nuisance	Section 80(1) of the Environmental Protection Act 1990

Part 3, Delegations Section 2 – Regulatory Committee Functions

Discharge of any function relating to the control of pollution or the management of air quality	Pollution Prevention & Control Act 1999 (c.24), Part IV of the Environment Act 1995 (c.25),
	Part I of the Environmental Protection Act 1990 (c.43), Clean Air Act 1993 (c.11)
The passing of a resolution that Schedule 2 to the Noise and Statutory Nuisance Act 1993 should apply in the authority's area	Section 8 Noise and Statutory Nuisance Act 1993 (c.40)
Inspection of the authority's area to detect any statutory nuisance	Section 79 Environmental Protection Act 1990
Investigation of any complaint as to the existence of a statutory nuisance	Section 79 Environmental Protection Act 1990
Consenting to the operation of a loudspeaker	Schedule 2 Noise and Statutory Nuisance Act 1993 (c.40)
Issuing 'site licences' authorising the use of land as a caravan site	Section 3(3) Caravan Sites Control and Development Act 1960 (c.62)
Issuing licences for use of moveable dwellings as camping sites	Section 269(1) Public Health Act 1936 (c.49)
Making closing orders with respect to take-away food shops	Section 4 Local Government (Miscellaneous Provisions) Act 1982 (c.30)
Any function regarding complaints of noise at night	Noise Act 1996

2.6.67.6 Health

Power to enforce offences relating to the display of no-smoking signs	Section 6(5) of the Health Act 2006
Power to enforce offences relating to smoking in smoke-free places	Section 7(4) of the Health Act 2006
Power to enforce offence of failing to prevent smoking in smoke-free places	Section 8(4) of the Health Act 2006
Power to transfer enforcement functions to another enforcement authority	Smoke-free (Premises and Enforcement) Regulations 2006

Part 3, Delegations Section 2 – Regulatory Committee Functions

2.7 Constitution and Ethics Committee

2.7.1 Members must undertake relevant training in order to hold a seat on this committee.

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2.7.2 Terms of Reference

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2.7.2.1 Authority to oversee the operation of the Council's Constitution and authority to make recommendations to Full Council as to amendments and improvements to the Council's Constitution (including the codes and protocols) subject to the receipt and consideration of a report prepared by the Monitoring Officer, with the exception of those matters under the remit of the Executive.

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2.7.2.2 Authority to oversee and approve the operation of the Council's functions relating to the promotion and maintenance of high standards of conduct amongst members and co-opted members of the Council including:

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- Promoting and maintaining high standards of conduct by Members and co-opted members;
- Assisting the Members and co-opted members to observe the Code of Conduct;
- Advising the Council on the adoption or revision of the Code of Conduct;
- Monitoring the operation of the Code of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

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2.7.2.3 Authority to approve the granting, to any Council employee, of a dispensation in relation to disqualification from political activities.

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2.7.2.4 Authority to approve any changes regarding the Council's Whistle-Blowing policy and arrangements.

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2.7.2.5 Authority to select and to appoint persons as members of the Council's Independent Remuneration Panel.

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2.7.2.6 The Monitoring Officer, in consultation with the Chair of the Constitution and Ethics Committee and the Independent Person, may issue dispensations to any member in respect of statutory and non-statutory disclosable interests. The Constitution and Ethics Committee will receive a report on such cases at the next available meeting.

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2.7.2.7 To make recommendations to Council on the appointment of the Council's Independent Person(s).

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2.7.2.8 To have oversight of parish councils' codes of conduct and registers of interests, and authority to consider complaints regarding parish councillors.

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2.7.3 Terms of Reference of the Hearing Panel (Sub-committee to the Constitution and Ethics Committee)

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2.7.3.1 The Monitoring Officer, in consultation with the Chair of the Constitution and Ethics Committee shall appoint, as and when necessary, Hearing Panel Sub-Committees to consider and determine complaints against Members alleging that they have breached the Members' Code of Conduct.

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2.7.3.2 Hearing Panel Sub-Committees shall comprise three members of the Constitution and Ethics Committee, including either the Chair or Vice-Chair. The membership of the committee shall, as far as practicable, be politically proportionate. The Council's designated Independent Person shall sit alongside the Hearing Panel to offer advice in a non-voting capacity.

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Part 3, Delegations Section 2 – Regulatory Committee Functions

2.7.3.3 The Hearings Panel is a sub-committee of the Constitution and Ethics Committee. The Panel has the following functions:

- On matters being referred by the Monitoring Officer deciding whether complaints concerning members should be investigated;
- Hearing and determining complaints that have been referred to them by the Monitoring Officer pursuant to the Complaints procedure;
- Issuing sanctions where considered appropriate against a member found to be in breach of the Code of Conduct;
- The agreement of relevant procedures for the undertaking of its functions, when appropriate to be included within the Constitution.

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Part 3, Delegations Section 2 – Regulatory Committee Functions

2.8 Peterborough Health and Wellbeing Board

Purpose and Terms of Reference

2.78.1. Background and context:

The Peterborough Health and Wellbeing Board has been established to provide a strategic leadership forum focussed on securing and improving the health and wellbeing of Peterborough residents.

2.78.2. The aims are:

2.78.2.1 To bring together the leaders of health and social care commissioners to develop common and shared approaches to improving the health and wellbeing of the community.

2.78.2.2 To actively promote partnership working across health and social care in order to further improve health and wellbeing of residents.

2.78.2.3 To influence commissioning strategies based on the evidence of the Joint Strategic Needs Assessment.

2.78.3. Its functions are:

- 2.8.3.1 To develop a Health and Wellbeing Strategy for the city which informs and influences the commissioning plans of partner agencies.
- 2.8.3.2 To develop a shared understanding of the needs of the community through developing and keeping under review the Joint Strategic Needs Assessment and to use this intelligence to refresh the Health & Wellbeing Strategy.
- 2.8.3.3 To keep under review the delivery of the designated public health functions and their contribution to improving health and wellbeing and tackling health inequalities.
- 2.8.3.4 To consider the recommendations of the Director of Public Health in their Annual Public Health report.
- 2.8.3.5 To consider options and opportunities for the joint commissioning of health and social care services for children, families and adults in Peterborough to meet identified needs (based on the findings of the Joint Strategic Needs Assessment) and to consider any relevant plans and strategies regarding joint commissioning of health and social care services for children and adults.
- 2.8.3.6 To identify areas where joined up or integrated commissioning, including the establishment of pooled budget arrangements would benefit improving health and wellbeing and reducing health inequalities.
- 2.8.3.7 By establishing sub groups as appropriate give consideration to areas of joint health and social care commissioning, including but not restricted to services for people with learning disabilities.
- 2.8.3.8 To oversee the development of Local HealthWatch for Peterborough and to ensure that they can operate effectively to support health and wellbeing on behalf of users of health and social care services.
- 2.8.3.9 To keep under consideration, the financial and organisational implications of joint and integrated working across health and social care services, and to make recommendations for ensuring that performance and quality standards for health

Part 3, Delegations Section 2 – Regulatory Committee Functions

and social care services to children, families and adults are met and represent value for money across the whole system.

2.8.3.10 To ensure effective working between the Board and the Greater Peterborough Partnership ensuring added value and an avoidance of duplication.

~~2.8.3.10~~ 2.8.3.11 To establish a joint Cambridgeshire and Peterborough sub-committee in relation to issues that cross local authority boundaries.

2.78.4 Membership

2.78.4.1 Membership of the Health and Wellbeing Board will be composed of the following:

Peterborough City Council:

The Leader of the Council / Deputy Leader – Chairman of the Board
 Cabinet Member Adults & Health Integration
 Cabinet Member Public Health
 An Opposition Councillor
 Executive Director People and Communities Cambridgeshire and Peterborough Councils
 Service Director Adults and Communities
 The Director of Public Health

Cambridgeshire and Peterborough Clinical Commissioning Group

Local Chief Officer for Peterborough City and Borderline LCG
 2 GP members representing Peterborough City Local Commissioning Group – Vice Chairman of the Board
 1 GP member representing Borderline Local Commissioning Group

Lincolnshire

1 GP representing South Lincolnshire CCG

National Commissioning Board

1 representative of the NCB Local Area Team

Peterborough Healthwatch

1 member

The Board will also include as co-opted members the following:

Independent Chair of Local Safeguarding Children's Board and Peterborough Safeguarding Adults Board
 The Chair of the Safer Peterborough Partnership (Claire Higgins)

2.8.4.2 The membership will be kept under review periodically.

2.8.4.3 The Board shall co-opt other such representatives or persons in a non-voting capacity as it sees relevant in assisting it to undertake its functions effectively.

2.8.5 Meetings

2.8.5.1 The meetings of the Board and its decision-making will be subject to the provisions of the City Council's Constitution including the Council Procedure Rules and the Access to Information Rules, insofar as these are applicable to the Board in its shadow form.

2.8.5.2 The Board will meet in public.

2.8.5.3 The minimum quorum for the Board shall be 5 members which should include at least one elected member, one statutory director (DCS/DASS/DPH) and a CCG/LCG member.

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Part 3, Delegations Section 2 – Regulatory Committee Functions

2.8.5.4 The Board shall meet periodically and at least quarterly. Additional meetings shall be called at the discretion of the Chairman where business needs require.

2.8.5.5 Administrative arrangements to support meetings of the Board shall be provided through the City Council's Governance team.

2.8.6 Governance and Approach

2.8.6.1 The Board will function at a strategic level, with priorities being delivered and key issues taken forward through the work of the partnership organisations.

2.8.6.2 Decisions taken and work progressed will be subject to scrutiny of the City Council's Scrutiny Commission for Health Issues.

2.8.7 Wider Engagement

2.8.7.1 The Health and Wellbeing Board will develop and implement a communications engagement strategy for the work of the Board, including how the work of the Board will be influenced by stakeholders and the public.

2.8.7.2 The Board will ensure that its decisions and the priorities it sets take account of the needs of all of Peterborough's communities and groups are communicated widely.

2.8.8 Review

2.8.8.1 These Terms of Reference will be reviewed periodically.

Part 3, Section 4 - Overview and Scrutiny Functions

Section 4 – Overview and Scrutiny Functions & Terms of Reference**1. OVERVIEW AND SCRUTINY COMMITTEES**

1.1 The Council has appointed the following Overview and Scrutiny Committees to carry out those functions under Sections 9F to 9FI of the Local Government Act 2000, as amended by:

- (a) Section 19 of the Police and Justice Act 2006 in relation to the scrutiny of crime and disorder matters;
- (b) Section 244 of the Health & Social Care Act 2012 in relation to health matters; and
- (c) Section 22 of the Flood Risk Management Act 2010 in relation to flood risk management.

2. TERMS OF REFERENCE

2.1 Council has established the following Scrutiny Committees and they shall have responsibility for overview and scrutiny in relation to the matters set out below:

1.	Children and Education Scrutiny Committee	
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the Committee (including voting co-opted members).	Co-opted Members to be appointed by the Committee/Council Four representatives as follows with full voting and call-in rights on education matters only: (a) 1 Church of England Diocese representative; (b) 1 Roman Catholic Diocese representative; and (c) 2 parent governor representatives. No more than four non-voting members.
	Functions determined by Council 1. Children's Services including <ul style="list-style-type: none"> a) Social Care of Children; b) Safeguarding; and c) Children's Health. 2. Education, including <ul style="list-style-type: none"> a) University and Higher Education; b) Youth Service; c) Careers; and d) Special Needs and Inclusion. 3. Adult Learning and Skills	

Part 3, Section 4 - Overview and Scrutiny Functions

	<p>Functions determined by Statute</p> <p>All powers of an Overview and Scrutiny Committee as set out in Sections 9F to 9FI Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, and any subsequent regulations.</p>

2.	Adults and Communities Scrutiny Committee	
	<p>No of Elected Members appointed by Council:</p> <p>Eleven, none of whom may be a Cabinet Member.</p>	<p>Chairman and Vice-Chairman</p> <p>Appointed by Council.</p>
	<p>Quorum:</p> <p>At least half the Members of the Committee.</p>	<p>Co-opted Members to be appointed by the Committee/Council</p> <p>No more than four non-voting members.</p>
	<p>Functions determined by the Council</p> <ol style="list-style-type: none"> 1. Adult Social Care; 2. Safeguarding Adults; 3. Housing need (including homelessness, housing options and selective licensing); 4. Neighbourhood and Community Support (including cohesion, community safety and youth offending) and; 5. Equalities 	
	<p>Functions determined by Statute</p> <p>To review and scrutinise crime and disorder matters, including acting as the Council's crime and disorder committee in accordance with Sections 19 of the Police and Justice Act 2006;.</p>	

Part 3, Section 4 - Overview and Scrutiny Functions

3.	Health Scrutiny Committee	
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member or the Health and Wellbeing Board.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the Committee.	Co-opted Members to be appointed by the Committee/Council No more than four non-voting members.
	Functions determined by the Council 1. Public Health; 2. The Health and Wellbeing including the Health and Wellbeing Board; and 3. Scrutiny of the NHS and NHS providers.	
	Functions determined by Statute To review and scrutinise local authority services under Sections 9F to 9FI Local Government Act 2000, Local Government and Public Involvement in Health Act 2007, and any subsequent regulations To review and scrutinise matters relating to the Health Service and to make reports and recommendations to local NHS bodies in accordance with section 244 of the National Health Service Act 2006. This will include establishing joint health committees in relation to health issues that cross local authority boundaries and appointing members from within the membership of the Committee to any joint health overview and scrutiny committees with other local authorities. (Also see The Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013)	

4.	Growth, Environment and Resources Scrutiny Committee	
	No of Elected Members appointed by Council: Eleven, none of whom may be a Cabinet Member.	Chairman and Vice-Chairman Appointed by Council.
	Quorum: At least half the Members of the committee.	Co-opted Members to be appointed by the Committee/Council No more than four non-voting members.
	Functions determined by the Council 1. City Centre Management; 2. Tourism, Culture & Recreation; 3. Libraries, Arts and Museums; 4. Environmental Capital; 5. Economic Development and Regeneration including Strategic Housing and Strategic	

Part 3, Section 4 - Overview and Scrutiny Functions

	<p>Planning;</p> <p>6. Transport, Highways and Road Traffic;</p> <p>7. Flood Risk Management;</p> <p>8. Waste Strategy & Management;</p> <p>9. Strategic Financial Planning;</p> <p>10. Partnerships and Shared Services; and</p> <p>11. Digital Services and Information Management.</p>
	<p>Functions determined by Statute</p> <p>To review and scrutinise flood risk management in accordance with Section 21F of the Local Government Act 2000 (as amended by the Flood and Water Management Act 2010 and under the Flood Management Overview & Scrutiny (England) Regulations 2011 No. 697).</p>

*Part 3, Section 4 - Overview and Scrutiny Functions***3. SPECIFIC ROLE OF OVERVIEW AND SCRUTINY**

- 3.1 To review and scrutinise the planning, decisions, policy development, service provision and performance within their terms of reference as follows:

POLICY DEVELOPMENT AND REVIEW

- 3.2 Within their terms of reference the scrutiny functions will:

- (a) Help the Council and the Executive to develop its budget and policy framework and service Budgets;
- (b) Carry out research into and consultation about policy issues and possible options;
- (c) Consider and promote ways of encouraging the public to take part in developing the Council's policies;
- (d) Question Members of the Cabinet, Committees and senior officers about their views on policy proposals;
- (e) Work with outside organisations in the area to make sure the interests of local people are taken into account;
- (f) Question, and gather evidence from, any person who gives their permission; and
- (g) Monitor and scrutinise the implementation of Council policy.

SCRUTINY

- 3.3 The Scrutiny Committees will:

- (a) Review and scrutinise the Executive, Committee and officer decisions and performance in connection with the discharge of any of the Council's functions;
- (b) Review and scrutinise the Council's performance in meeting the aims of its policies and performance targets and/or particular service areas;
- (c) Question Members of the Executive, Committees and senior officers about their decisions and performance of the Council, both generally and in relation to particular decisions or projects;
- (d) Make recommendations to the Executive and the Council as a result of the scrutiny process;
- (e) Question, and gather evidence from any person with their consent;
- (f) Hold the Executive to account for the discharge of functions in the following ways:
 - i. By exercising the right to call-in, for reconsideration, decisions made but not yet implemented by the Executive or key decisions which have been delegated to an officer;
 - ii. By scrutinising Key Decisions which the Executive is planning to take, as set out in the Forward Plan of executive decisions;
 - iii. By scrutinising decisions the Executive are planning to make; and

Part 3, Section 4 - Overview and Scrutiny Functions

- iv. By scrutinising Executive decisions after they have been implemented, as part of a wider policy review.
- (g) To consider petitions submitted to it;
- (h) Establish ad-hoc Task and Finish Groups to investigate specific topics on a time-limited basis in accordance with the Scrutiny Committee Procedure Rules; and

CRIME AND DISORDER

- 3.4 The Scrutiny Committee responsible for crime and disorder shall, and any sub committees may:
- (a) Act as the crime and disorder committee within the meaning of Section 19 of the Police and Justice Act 2006;
 - (b) Review or scrutinise decisions made, or other actions taken by bodies or persons responsible for crime and disorder strategies in the Peterborough area;
 - (c) Make reports or recommendations to the local authority on any local crime and disorder matter in relation to a member of the authority; and
 - (d) Consider any crime and disorder matters referred by any Member of the Council.

HEALTH ISSUES

- 3.5 The Scrutiny Committee responsible for health and any sub committees shall undertake their responsibilities under section 244 of the National Health Service Act 2006 as follows:
- (a) May review and scrutinise any matter relating to the planning, provision and operation of the health service in the Peterborough area (including NHS Bodies and other NHS providers);
 - (b) Must invite interested parties to comment on the matter and provide reasonable notice;
 - (c) Take account of relevant information available to it and, in particular, from a Local Healthwatch organisation or representative;
 - (d) Acknowledge any referral within 20 working days and keep the referrer informed of any action taken;
 - (e) Request information about the planning, provision and operation of health services in the area to enable it to carry out its functions;
 - (f) Make reports or recommendations on a matter it has reviewed or scrutinised including;
 - i) An explanation of the matter reviewed or scrutinised;
 - ii) A summary of the evidence considered;
 - iii) A list of the participants involved in the reviews; and
 - iv) An explanation of any recommendations made.
 - (g) Where the Committee asks for a response, the person must respond in writing within 28 days of the request.
- 3.6 The Committee will consider any proposals received from a National Health Service body, Clinical Commissioning Groups or other provider about;
- (a) Any substantial development of the health service in Peterborough; or

Part 3, Section 4 - Overview and Scrutiny Functions

- (b) Any substantial variation to the provision of NHS Services as set out the Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013.

3.7 In considering the proposals, the Committee must take account of the effect or potential effect of the proposals on the sustainability of the Health Service in its areas and may refer proposals to the Secretary of State in certain circumstances.

FLOOD RISK MANAGEMENT

3.8 The Scrutiny Committee responsible for flood risk management, and any sub committees shall undertake their responsibilities under the Flood and Water Management Act 2010 as follows:

- (a) May review and scrutinise any matter relating to the planning, provision and operation of the flood risk management in the Peterborough area;
- (b) May invite those authorities responsible for flood risk management to comment on the matter;
- (c) Request information from them to enable it to carry out its responsibilities; and
- (d) Make reports or recommendations and request a response from flood risk management authorities.

4. MEMBERSHIP

4.1 All Members, except Members of the Executive, may be a member of a Scrutiny Committee. However, no Member may be involved in scrutinising a decision with which he or she has been directly involved. Members of the Health and Wellbeing Board should not be a member of the Health Scrutiny Committee.

4.2 Members must have undertaken relevant training within the past three years in order to hold a seat on a Scrutiny Committee.

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CO-OPTees

4.24.3 The Scrutiny Committees shall be entitled to co-opt, as non-voting members, up to four external representatives or otherwise invite participation from non-members where this is relevant to their work.

4.34.4 The Children and Education Scrutiny Committee shall include in its membership the following representatives. These representatives will have full voting and call-in rights on education matters only, and when other matters are dealt with they may stay in the meeting and speak:

- (a) 1 Church of England Diocese representative;
- (b) 1 Roman Catholic Diocese representative; and
- (c) 2 parent governor representatives.

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ANNUAL COUNCIL	AGENDA ITEM No. 8
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

POLITICAL BALANCE AND ALLOCATION OF COMMITTEE SEATS

R E C O M M E N D A T I O N S	
FROM: <i>Interim Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Notes that there are 109 seats on committees. 2. Agrees the allocation of seats on those committees subject to political balance arrangements (Appendix 1 to be tabled). 3. Agrees the allocation of seats on those committees not subject to political balance arrangements (Appendix 2 to be tabled). 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The purpose of this report is to consider the impact on the political balance of the Council, following the results of the local elections in May 2018.

2. ALLOCATION OF SEATS TO POLITICAL GROUPS

- 2.1 Section 15 of the Local Government and Housing Act 1989 imposes a duty on the City Council at its Annual meeting to review the allocation of seats on its committees between political groups. The section does not apply to the statutory Licensing Committee or Health and Wellbeing Board and so the political balance rules are not applied to these (**Appendix 2** to be tabled).
- 2.2 Political Groups are allocated seats proportionate to their size, subject to the majority group being first given a majority of seats on the committees.

3. NUMBER OF SEATS ON COMMITTEES

- 3.1 In order to allocate seats, the Council must first decide the total number of seats on each committee. For the purpose of calculating the entitlement of each political group to seats on committees, it is proposed that the following be included:

Committee	Seats
Growth, Environment and Resources Scrutiny Committee	11
Adults and Communities Scrutiny Committee	11

Health Scrutiny Committee	11
Children and Education Scrutiny Committee	11
Employment Committee	7
Licensing Committee (Regulatory)	11
Planning and Environmental Protection Committee	11
Appeals and Planning Review Committee	11
Corporate Parenting Committee	11
Audit Committee	7
Constitution and Ethics Committee	7
TOTAL	109

4. POLITICAL PROPORTIONALITY

4.1 Once it has decided the number and size of committees, Council needs to decide how many seats each group is to have on its committees. In accordance with the legislation, the following principles should apply to the allocation of seats as far as reasonably practicable:

- (a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- (b) That the majority of the seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) Subject to (a) and (b) above, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
- (d) Subject to (a) to (c) above, that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

4.2 The political balance of the Council can be calculated by using the following formula.

$$\frac{\text{No of Group Members} \times 100}{55}$$

4.3 Following the above changes to Groups numbers, the political balance of the Council is as follows:

Group	Conservative	Labour	Liberal Democrats	Werrington First	Total
Councillors (in Groups)	31	14	7	3	55
Proportionality %	56.36	25.45	12.73	5.45	99.99

4.4 The calculation to determine the strict entitlement of political groups to seats on committees is:

$$\frac{\% \text{ from table 1}}{100} \times \frac{\text{Total No of seats available (109) - see above}}{100}$$

5. APPLYING THE RULES

5.1 The majority of seats on each committee has to be allocated to the political group that forms the majority of the authority's membership to comply with the second principle (paragraph 4.1(b)). Under the current structure there are committees of 7 members and 11 members. To ensure compliance with s15 of the Local Government and Housing Act 1989, the majority group has to be allocated:

- (a) 4 of the 7 seats for committees of 7
- (b) 6 of the 11 seats for committees of 11

5.2 Once the seats have been allocated to the majority group, the remainder will need to be shared out proportionately across the committees to ensure that the third principle (paragraph 4.1(c) above) is applied. The fourth principle is then applied to ensure that the seats then allocated are not unfairly weighted. A Group's seat on a committee will be allocated automatically in terms of whole numbers.

5.3 The allocations of seats between the political groups for each committee are set out in **Appendix 1** (to be tabled) based on a total of 109 seats. This allocation as outlined is the current political make-up of all the committee's concerned.

6. APPOINTMENTS EXEMPTED FROM POLITICAL BALANCE

6.1 Some Committees are automatically exempt from the internal political balance rules. These Committees are as follows:

- The Licensing Committee (Licensing Act 2003); and
- The Health and Wellbeing Board.

6.2 These Committees have statutory exemption from the political balance calculations. As agreed at the Annual Council meeting the membership of the Licensing Committee (Licensing Act 2003) reflects the same membership as the Licensing Committee (Regulatory). The Health and Wellbeing Board has a prescribed membership.

7. IMPLICATIONS

Financial Implications

7.1 There are no direct financial consequences arising from this report.

Legal Implications

7.2 All the relevant legal implications are addressed within the report.

Equalities Implications

7.3 There are no equalities implications arising from this report.

8. BACKGROUND DOCUMENTS

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

8.1 Peterborough City Council's Constitution.

9. APPENDICES

9.1 **Appendix 1** – Allocations of seats on committees subject to political balance (to be tabled)

9.2 **Appendix 2** – Allocation of seats on committees not subject to political balance (to be tabled)

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ANNUAL COUNCIL	AGENDA ITEM No. 9
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

APPOINTMENTS TO COMMITTEES

R E C O M M E N D A T I O N S	
FROM: <i>Interim Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Agrees the appointments to those committees where the allocation of seats has been determined under Agenda Item 9 (Appendix 1 to be tabled). 2. Appoints the Chair and Vice-Chair of each of the Council's committees (Appendix 1 to be tabled). 3. Confirms the non-elected membership of committees, as described at paragraphs 4.1 to 4.7. 4. Authorises the Monitoring Officer as Proper Officer, in respect of any other appointments to be made, to carry out the wishes of the Leaders of the Political Groups in allocating Members to committees, and to appoint those Members with effect from the date at which the Proper officer is advised of the names of such Members. 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 In accordance with the Constitution Council must appoint the members, the Chair and the Vice-Chair of non-executive committees.

2. APPOINTMENTS

- 2.1 The Council must note which councillors should be appointed to each of its committees at its annual meeting.
- 2.2 Appointments should be made in accordance with the seats allocated to political groups as described in item 8 of this meeting's agenda.
- 2.3 The list of available appointments has been circulated to the political groups and the wishes of each group is to be confirmed at the annual meeting.

3. CHAIRS AND VICE-CHAIRS

- 3.1 The Council must decide which Councillors to appoint as the Chair and Vice-Chair of its committees at its annual meeting.

4. NON-ELECTED MEMBERSHIP

- 4.1 The Council is required under the Parent Governor Representative (England) Regulations 2001 to appoint parent governor representatives to any scrutiny committee which considers education issues. Schedule 1 (paragraph 7) of the Local Government Act 2000 similarly requires that the Church of England and Roman Catholic churches may each nominate a co-opted member with voting rights. (The voting rights of the faith and parent governor representatives only apply when the Scrutiny Committee is considering educational matters; for other issues the co-opted members may participate in the debate but not vote).
- 4.2 Within the structure, education matters are discussed at the Children and Education Scrutiny Committee. All of the education co-opted members need to be formal members of this Committee, with voting rights for education matters.
- 4.3 The education co-opted members for the year will be:
- Peter Cantley, Peterborough Diocesan Director of Education
 - Flavio Vettese, (Deputy Director of Schools), Roman Catholic Church, Diocese of East Anglia
 - Vacancy, Parent Governor Representative
 - Vacancy, Parent Governor Representative
 - Julie O'Connor, Roman Catholic Diocese of East Anglia (sub for Flavio Vettese)
 - Liz Youngman, Peterborough Diocesan Board of Education (sub for Peter Cantley)
- 4.4 Under their Terms of Reference, as agreed by Council, Scrutiny Committee may co-opt up to four additional non-voting members. There must be at least one non-voting position reserved for a Parish Councillor from a rural area with one substitute member. The Parish Council Liaison Committee will provide nominations for these.
- 4.5 The Council is required under the Localism Act 2011 to appoint at least one independent person of the Council. The role of the Independent Person is to oversee the process for dealing with allegations that a member has breached the Member's Code of Conduct.
- 4.6 The Independent Person for the year will be Gillian Holmes.
- 4.7 The Health and Wellbeing Board has appointed to it certain post holders under the Board's terms of reference. In addition the Audit Committee has appointed Independent Persons. These appointments are either subject to statutory regulation or are delegated under the Council's Constitution to the Committee concerned.

5. IMPLICATIONS

- 5.1 There are no financial, legal or equalities implications arising from this report.

6. BACKGROUND DOCUMENTS

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

- 6.1 Peterborough City Council's Constitution

7. APPENDICES

- 7.1 **Appendix 1** – Committee Membership, Chairs and Vice-Chairs (to be tabled)

ANNUAL COUNCIL	AGENDA ITEM No. 10
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

APPOINTMENTS AND NOMINATIONS TO OTHER AUTHORITIES AND OUTSIDE BODIES

R E C O M M E N D A T I O N S	
FROM: <i>Interim Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council:</p> <ol style="list-style-type: none"> 1. Makes the following appointments or nominations for the 2018/2019 municipal year: <ol style="list-style-type: none"> (a) Appoint the Leader of the Council to act as the Council's appointee to the Cambridgeshire and Peterborough Combined Authority and one substitute member (Appendix 3 to be tabled). (b) Nominate two members to the Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee, and two substitute members from the same political parties as those nominated (Appendix 3 to be tabled). (c) Nominate one member Cambridgeshire and Peterborough Combined Authority Audit and Governance Committee and one substitute member from the same political party (Appendix 3 to be tabled). (d) Appoint three members to the Police and Crime Panel and three substitute members from the same political parties as those appointed (Appendix 3 to be tabled). (e) Appoint four members to the Fire Authority and four substitute members from the same political parties as those appointed (Appendix 3 to be tabled). 2. Confirms the non-executive appointments and nominations to outside bodies (Appendix 4.1 and 4.2 to be tabled). 3. Authorises the Monitoring Officer as Proper Officer, in respect of any other appointments or nominations to be made, to carry out the wishes of the Leaders of the Political Groups in allocating Members to other authorities and outside bodies, and appoints those members with effect from the date at which the Proper Officer is advised of the names of such Members. 	

1. PURPOSE AND REASON FOR REPORT

- 1.1 This report requests the Council to make appointments to the Cambridgeshire and Peterborough Combined Authority, Police and Crime Panel, Fire Authority, and outside bodies for the municipal year 2018/2019.

2. CAMBRIDGESHIRE AND PETERBOROUGH COMBINED AUTHORITY

- 2.1 In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, each Constituent Council must appoint one of its elected members and a substitute member to the Combined Authority. This is normally the Leader. Each Council made these appointments at its respective Council meeting in May 2017 for the 2017/18 municipal year. The Council is now asked to appoint a member and substitute member for the municipal year 2018/19.

Non-Executive Committees

- 2.2 The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 requires the Combined Authority to establish an Overview and Scrutiny Committee and an Audit Committee. The Order sets out the rules for membership. The membership of the Overview and Scrutiny and the Audit Committees as a whole should reflect so far as reasonably practicable the balance of political parties of the constituent councils when taken together. The balance is based on membership of political parties, not political groups, on constituent councils across Cambridgeshire and Peterborough.
- 2.3 On 3 May 2018, there were local elections for a number of constituent councils. The Combined Authority has reviewed the political balance on constituent councils and has requested constituent councils to make the following appointments to these committees.

Overview and Scrutiny Committee

- 2.4 The Combined Authority agreed that to ensure an equitable representation across each constituent authority, two members from each council should be appointed to the Overview and Scrutiny Committee representing a total membership of fourteen members. In May 2017, the Council nominated two members to the Committee for the municipal year 2017/18.
- 2.5 The implications of applying political proportionality to a fourteen member Overview and Scrutiny Committee are detailed in **Appendix 1**.
- 2.6 The Council is required to nominate two members to the Overview and Scrutiny Committee for the municipal year 2018/19 based on the political balance set out in **Appendix 1**.

Audit and Governance Committee

- 2.7 The Combined Authority agreed to establish an Audit and Governance Committee consisting of seven constituent members: one member from each constituent council.
- 2.8 The implications of applying political proportionality to a seven member Audit and Governance Committee are detailed in Appendix 2. The Council is required to nominate one member to sit on the Audit and Governance Committee for the municipal year 2018/19 based on the political balance set out in **Appendix 2**.

Substitute Members

- 2.9 The Combined Authority has agreed that substitute members should be appointed for each position on the Audit and Governance Committee and the Overview and Scrutiny Committee. Any substitute members should come from the same party as the Member they are substituting for to maintain political balance.
- 2.10 For the Overview and Scrutiny Committee, if constituent councils have appointed members from the same political parties, i.e. East Cambs and Fenland, those Councils might only wish to appoint one substitute rather than two. The quorum set down in legislation is two thirds of the total membership. Therefore, it is preferable to appoint two members in case both members are absent from a meeting and need to substitute.

Conclusion

- 2.11 All appointments and nominations made by constituent councils will be reported to the Combined Authority's annual meeting on 30 May.
- 2.12 The political balance calculations in the Appendices are based on up to date statistics given by constituent councils and take account of the outcome of constituent council elections. However, there may be last minute changes in the lead up to constituent councils' annual meetings and Combined Authority's annual meeting on 30 May.
- 2.13 If there are consequential changes to the overall political balance, the Combined Authority may need to review the membership and the allocation of seats to political parties on the above committees. The Monitoring Officer will advise constituent councils if any subsequent changes have been necessary, and whether any changes need to be made to their nominations.
- 2.14 If there is no provision in constituent council's standing orders, the Council may wish to consider giving delegated powers for the Chief Executive to approve any consequential changes to these appointments in consultation with the relevant Party Group leaders.

CAMBRIDGESHIRE POLICE AND CRIME PANEL

- 2.15 The Council is required to appoint 3 members – as determined by the political make-up across the Cambridgeshire and Peterborough Authority Areas when taken together – established by the Police Reform and Social Responsibility Act 2011. There are 13 seats on the Cambridgeshire Police and Crime Panel.

CAMBRIDGESHIRE AND PETERBOROUGH FIRE AUTHORITY

- 2.16 There are 17 seats on the Cambridgeshire and Peterborough Fire Authority, 4 of which are allocated to Peterborough City Council representatives and 13 of which are allocated to Cambridgeshire County Council representatives. The seats are allocated on a proportionate basis.
- 2.17 The new Policing and Crime Act 2017 places a duty on police, fire and rescue and ambulance services to collaborate, and enables Police and Crime Commissioners ("Commissioner") to take on responsibility for the governance of fire and rescue services. Commissioners will be enabled to seek responsibility for their local Fire Authority where a local case is made to the Secretary of State. The Home Office have agreed for the Cambridgeshire Police and Crime Commissioner to take on responsibility for the Cambridgeshire Fire and Rescue Service. This will impact on the duties and terms of office of Police and Crime Panel members and Fire Authority members during 2018/19, once the changes are implemented.

OUTSIDE BODIES

- 2.18 The Council is represented on a number of outside bodies as set out in **Appendix 4.1** and **Appendix 4.2**. Council will make appointments or nominations for non-executive positions as set out in **Appendix 4.1** and **4.2**. The Leader will make the appointments to executive positions and these will be tabled for noting at the meeting or agreed after the meeting under the executive decision making process.

3. IMPLICATIONS

Financial Implications

- 3.1 In accordance with the Cambridgeshire and Peterborough Combined Authority Order 2017, no remuneration is to be payable by the Combined Authority to its members.

Legal Implications

- 3.2 The legal implications are set out in the report. The Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 requires a combined authority to ensure that the members of the committee taken as a whole reflect so far as reasonably practicable the balance of political parties for the time being prevailing among members of the constituent councils when taken together.

Equalities Implications

- 3.3 There are no equalities implications arising from this report.

4. BACKGROUND DOCUMENTS

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

- 4.1 [Policing and Crime Act 2017](#)

- 4.2 Council Minutes – 17 November 2016 and 25 January 2017

5. APPENDICES

- 5.1 **Appendix 1** – Overview and Scrutiny Committee political balance calculations
- 5.2 **Appendix 2** – Audit and Governance Committee political balance calculations
- 5.3 **Appendix 3** – Appointments and Nominations to Other Authorities (to be tabled)
- 5.4 **Appendix 4** – Appointments and Nominations to Outside Bodies (to be tabled)

Overview and Scrutiny Committee of 14														
POLITICAL BALANCE ACROSS THE COUNTY as at 4 May 2018														
	Total	Vacancy	Conserv.	Labour	Putting St Neots First	Independ ent	Werrington First	Liberal Party	Liberal Democr ats	Green	UKIP	Total	Entitleme nt	
CAMBRIDGESHIRE	2	0	36	7	2	2	0	0	14	0	0	61	1 Conserv. 1 Lib Dem	
PETERBOROUGH	2	0	31	14	0	2	3	1	7	1	1	60	1 Conserv ative I Labour	
HUNTINGDONSHIRE	2	0	30	4	6	5	0	0	7	0	0	52	1 Conserv ative 1 Independ ent	
EAST CAMBS	2	0	35	0	0	1	0	0	3	0	0	39	2 Conserv atives	
SOUTH CAMBS	2	0	11	2	0	2	0	0	30	0	0	45	1 Conserv ative, I Lib Dem	
CAMBRIDGE CITY	2	0	0	26	0	2	0	0	13	1	0	42	1 Labour 1 Lib Dem	
FENLAND	2	0	34	0	0	3	0	0	2	0	0	39	2 Conserv atives	
TOTAL			0	177	53	8	17	3	1	76	2	1	338	
POLITICAL BALANCE %			52.37	15.68	2.37	5.03	0.89	0.30	22.49	0.59	0.30	100.00		
Seat allocation May 2018			8	2	0	1	0	0	3	0	0	14		
Committee seat allocation	14		7.33	2.20	0.33	0.70	0.12	0.04	3.15	0.08	0.04	14.00		

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Audit and Governance Committee of 7													
POLITICAL BALANCE ACROSS THE COUNTY asat 4 May 2018													
	Total	Vacancy	Conservative	Labour	Putting St Neots First	Independent	Werrington First	Liberal Party	Liberal Democrats	Green	UKIP	Total	Entitlement
CAMBRIDGESHIRE	1	0	36	7	2	2	0	0	14	0	0	61	1 Lib Dem
PETERBOROUGH	1	0	31	14	0	2	3	1	7	1	1	60	1 Conservative
HUNTINGDONSHIRE	1	0	30	4	6	5	0		7	0	0	52	1 Conservative
EAST CAMBS	1	0	35	0	0	1	0	0	3	0	0	39	1 Conservatives
SOUTH CAMBS tbc	1	0	11	2	0	2	0	0	30	0	0	45	1 Lib Dem
CAMBRIDGE CITY	1	0	0	26	0	2	0	0	13	1	0	42	1 Labour
FENLAND	1	0	34	0	0	3	0	0	2	0	0	39	1 Conservatives
TOTAL			177	53	8	17	3	1	76	2	1	338	
POLITICAL BALANCE %			52.37	15.68	2.37	5.03	0.89	0.30	22.49	0.59	0.30	100.00	
Seat allocation May 2018			4	1	0	0	0	0	2	0	0	7	
Committee seat allocation	7		3.67	1.10	0.17	0.35	0.06	0.02	1.57	0.04	0.02	7.00	

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ANNUAL COUNCIL	AGENDA ITEM No. 11(a)
21 MAY 2018	PUBLIC REPORT

Report of:	Cabinet	
Contact Officer(s):	Sarah Ferguson, Assistant Director, Housing, Communities and Youth Sean Evans, Housing Needs Manager	Tel. 864083

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(a) CABINET RECOMMENDATION – REPORT OF THE TASK AND FINISH GROUP TO ASSIST IN THE DEVELOPMENT OF A NEW HOMELESSNESS STRATEGY

Cabinet, at its meeting on [26 March 2018](#), received a report that followed the development of a new Homelessness Strategy by a cross party Scrutiny Task and Finish Group. This report set out the recommendations of the Task and Finish Group and contained the Draft Homeless Reduction Strategy.

IT IS RECOMMENDED that Council approves the report of the Task and Finish Group to Assist in the Development of a new Homelessness Strategy and the recommendations contained within.

The original Cabinet report and appendices follow.

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Agenda Item 11(a) – For Information Only

CABINET	AGENDA ITEM No. 5
26 MARCH 2018	PUBLIC REPORT

Cabinet Member(s) responsible:	Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer(s):	Sarah Ferguson, Assistant Director, Housing, Communities and Youth Sean Evans, Housing Needs Manager	Tel. 01733 864083
Cabinet Member(s) responsible:	Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development	

REPORT OF THE TASK AND FINISH GROUP TO ASSIST THE DEVELOPMENT OF A NEW HOMELESSNESS STRATEGY

RECOMMENDATIONS	
FROM: Task And Finish Group To Assist The Development Of A New Homelessness Reduction Strategy	Deadline date: N/A
<p>It is recommended that Cabinet:</p> <ol style="list-style-type: none"> 1. Consider and comment on the Task and Finish Group Report attached at Appendix 1, and 2. Recommend that Council approve the report and recommendations contained within. 	

1. ORIGIN OF REPORT

1.1 This report is submitted to Cabinet following the development of a new Homelessness Strategy by a cross party Scrutiny Task and Finish Group.

2. PURPOSE AND REASON FOR REPORT

2.1 At its meeting on 12 September 2017 the Adults and Communities Scrutiny Committee recommended that a cross-party Task and Finish Group be established to work alongside officers to develop a new draft Homelessness Strategy. The strategy would then be presented back to the Committee for endorsement before being presented to Cabinet for endorsement prior to approval at Full Council.

2.2 This report is for the Adults and Communities Scrutiny Committee to consider under its Terms of Reference No.2.1, Functions determined by Council,

1. Housing need (including homelessness, housing options and selective licensing);

2.3 This report links to the following corporate priorities:

- Keeping our communities safe, cohesive and healthy
- Safeguarding children and vulnerable adults

3. **TIMESCALES**

Is this a Major Policy Item/Statutory Plan?	YES	If yes, date for Cabinet meeting	26/03/2018
Date for relevant Council meeting	18/04/2018	Date for submission to Government Dept.	N/A

4. **BACKGROUND AND KEY ISSUES**

- 4.1 The attached report of the task and finish group details the background, findings and objectives which have informed the final proposed strategy.

The Proposed Strategy

- 4.1 The Council's previous Homelessness Strategy had 4 strategic aims. These will remain of value throughout the lifetime of this strategy with all success and learning acquired being maintained for its duration. These aims are:

Strategic Aim 1 – Preventing and relieving homelessness through a robust partnership approach

Strategic Aim 2 - Increasing access to accommodation

Strategic Aim 3 – Reduce and prevent rough sleeping

Strategic Aim 4 – Promoting settled lifestyles and sustainable communities

- 4.3 Homelessness can be complex and not every case is the same. The situation is affected by national and local circumstances that are always changing, but this does not prevent the Council from aiming to achieve the best for its citizens. It must strive to prevent homelessness and break the cycle.

- 4.4 The actions the Council and its partner agencies will take to help deliver these aims are set out in these ten key objectives:

Objective 1: Eliminating the use of Travelodge type accommodation and reducing / eliminating the use of B&B type accommodation for temporary accommodation

Objective 2: Ensuring the effective implementation of the Homelessness Reduction Act and embracing the culture change this will bring

Objective 3: Creating a suite of prevention tools which will give the Housing Needs team improved chances of success in preventing homelessness

Objective 4: Support landlords and tenants to support them to overcome landlord/tenant issues which may lead to eviction action

Objective 5: Bringing together services to work holistically in ensuring financial inclusion, income maximisation and debt advice are accessible and prioritised in order to support preventative work

Objective 6: Increase the supply of self-contained temporary accommodation options in order to support the reduction of B&B use

Objective 7: Explore the potential of a Social Lettings Agency/Guaranteed Rent Scheme for private landlords

Objective 8: Ensure that information and advice on housing and homelessness prevention is widely available and that our customers are seen at the earliest possible opportunity

Objective 9: Maintain services and create an effective supported accommodation pathway for single homeless and rough sleepers

Objective 10: Increase the focus on performance supported by clearer data

5. CONSULTATION

5.1 The strategy has been developed through the cross party task & finish group. The group has had input and gathered evidence from a number of key partners and witnesses. A representative from Cross Keys Homes has been a co-opted member of the group and have fed in the views of the partner housing associations who form the Peterborough Homes Partnership.

6. ANTICIPATED OUTCOMES OR IMPACT

6.1 It is recommended that the Draft Homelessness Strategy be approved to be taken to Council for adoption.

7. REASON FOR THE RECOMMENDATION

7.1 The statutory requirement to conduct a review of homelessness and have a current homelessness strategy in readiness for the introduction of the Homelessness Reduction Act 2017

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 No Alternative options were considered

9. IMPLICATIONS

Financial Implications

9.1 It is not expected that there will be any additional financial implications, which have not already been accounted and budgeted for.

Legal Implications

9.2 There are no legal implications arising from this report.

Equalities Implications

9.3 There are no equalities implications arising from this report.

10. BACKGROUND DOCUMENTS

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

10.1 Housing Act 1996 (as amended by Homelessness Act 2002)
Homelessness Code of Guidance for Local Authorities
Homelessness Reduction Act 2017

11. APPENDICES

11.1 *Appendix 1 - Task and Finish Group Report*
Appendix 2 - Draft Homeless Reduction Strategy

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ADULTS AND COMMUNITIES SCRUTINY COMMITTEE

TASK AND FINISH GROUP

DEVELOPMENT OF A NEW HOMELESSNESS REDUCTION STRATEGY

13 MARCH 2018

Report of the Task and Finish Group

CONTENTS

	Page No.
1. Introduction	3
2. Summary of Recommendations	5
3. Terms of Reference	6
4. Process and Methodology used for the investigation	7
5. Background	8
6. Findings and Conclusions	11
7. Recommendations	13
8. Financial Implications	14
9. Legal Implications	14
10. List of background papers and research sources used during the investigation	14

1. INTRODUCTION

At its meeting on 12 September 2017, the Adults and Communities Scrutiny Committee recommended that a cross-party Task and Finish Group be established to assist in the development of a new Homelessness Reduction Strategy. The final report with recommendations to be presented back to the Committee on completion of a draft Homelessness Reduction Strategy.

The Committee agreed the terms of reference at the meeting and the Senior Democratic Services Officer sought possible nominations to the Task and Finish Group to be confirmed following the meeting through the Group Secretaries.

The cross party Task and Finish group comprised the following members:



Chairman
Cllr Stephen Lane
Independent
Werrington Ward



Cllr Asif Shaheed
Liberal Democrat
Paston & Walton Ward



Cllr June Bull
Conservative
Orton Longueville Ward



Cllr Stuart Martin
Labour
Bretton Ward



Cllr John Whitby
UKIP
Fletton and Stanground Ward

Co-opted Members:



Ali Manji, Neighbourhood project manager - Cross Key Homes

Officers supporting the Task and Finish Group were:

- Adrian Chapman: Service Director: Community & Safety
- Sarah Ferguson: Assistant Director: Housing, Communities & Youth
- Sean Evans: Housing Needs Manager
- Paulina Ford, Senior Democratic Services Officer
- Joanna Morley, Democratic Services Officer

2. SUMMARY OF RECOMMENDATIONS

Recommendation 1 - That the Adults and Communities Scrutiny Committee endorses the Homelessness Strategy 2018 - 2020 to be taken to Cabinet for approval and adoption.

Recommendation 2 - That the Cabinet member for Growth, Planning, Housing and Economic Development contacts (i) the Secretary of State for Housing, Communities and Local Government, (ii) the Secretary of State for Work and Pensions, and (iii) the Local Government Association, seeking their support to amend legislation so that:

(a) the Housing Benefit element of welfare benefit payments are paid direct to landlords rather than to tenants, in an attempt to encourage more landlords to offer their properties for homeless households or those at risk of becoming homeless; and,

(b) Section 21 of the Housing Act 1988 (*Recovery of Possession on Expiry or Termination of Assured Shorthold Tenancy*) is reviewed with a view to ending its widespread use, and in its place introduce legislation that provides for greater tenancy security in the private rented sector.

3. TERMS OF REFERENCE

Purpose

To work alongside officers to develop a new draft Homelessness Reduction Strategy for presentation back to the Adults and Communities Scrutiny Committee. The strategy will build on the Council's existing Homelessness Prevention Strategy and position us well to manage the full impacts of Homelessness and prepare for the broader responsibilities the Council will assume when the Homelessness Reduction Act becomes live in April 2018.

Scope

1. To consider the existing and previous Homelessness Prevention strategies to determine what impacts actions have had, and what learning exists to influence the new strategy.
2. To consider similar strategies developed by other similar councils to identify good practice that may be transferable to Peterborough.
3. To consider similar strategies developed by the district councils across Cambridgeshire to identify if there are any benefits in collaborating on all or some actions.
4. To take into account national research and models of good practice promoted by relevant agencies, e.g. Shelter.
5. To take into consideration the Homelessness Reduction Act to determine the impacts it will have on delivery of homelessness prevention and reduction activity in Peterborough.
6. To identify and meet with expert witnesses to help inform discussions and recommendations
7. To give particular consideration to the medium and long term solutions to homelessness and to take into account if there is a link between homelessness and the lack of affordable housing

(as agreed at the Adults and Communities Scrutiny Committee meeting 12/09/17)

Reporting

The Task and Finish group will report to the Adults and Communities Scrutiny Committee.

Approved on 12/09/17 – Adults and Communities Scrutiny Committee

4. PROCESS AND METHODOLOGY USED FOR THE INVESTIGATION

4.1 Methodology

- Questioning of Key Witnesses
- Local knowledge from members of the Task and Finish Group and Officers
- Current Legislation
- Desktop research national and Local – the following items were provided:
 - Briefing paper – Homelessness Reduction Act 2017
 - Cambridge City Interim Housing Strategy Statement 2017
 - Universal Credit presentation
 - Draft headings for Homelessness Strategy
 - East Cambridgeshire District Council Homelessness Strategy 2015 – 2018
 - National Audit Office Report on Homelessness – 8 September 2017
 - Luton Homelessness Prevention Strategy: 2016 – 2021
 - Milton Keynes Homelessness (Statutory Need) Strategy – Cabinet report – 11 July 2016
 - Milton Keynes Draft Strategy for meeting Statutory Housing Need

4.2 Process

The timetable of the events leading to the production of this report are set out below:

Meeting Date	Items Discussed / Guests Attending
16 October 2017	Scope the Review e.g. timeframe, how the review will be undertaken i.e. research, walkabout, stakeholder engagement, key witnesses etc.
7 November 2017	Review and discussion on information requested at previous meeting, discuss outline headings for strategy, format for questioning key witnesses
21 November 2017	Evidence gathering from key witnesses
20 December 2017	Evidence gathering from key witnesses
31 January 2018	Officers to present draft strategy for comment and review. Discussion regarding conclusions and recommendations
15 February 2018	Final review of strategy and confirmation of conclusions and recommendations to be included in the Task and Finish Group

	report.
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4.3 Key Witnesses / Expert Advisers interviewed:

- Damien Fogg MRICS | Local Representative, National Landlords Association
- Keith Jones Chief Executive, Citizens Advice Bureau
- Simon Machen, Corporate Director for Growth and Regeneration
- Cllr Peter Hiller, Cabinet Member for Growth, Planning, Housing & Economic Development
- Jeff Austin, Peterborough Direct Manager
- Peter Carpenter, Service Director, Financial Services

5. BACKGROUND

Statutory Duties

In 2002, the Government amended the Homelessness Act 2002 to ensure a more strategic approach to tackling and preventing homelessness, in particular by requiring Local Authorities to produce a Homelessness Strategy.

The Council is required to review homelessness within the area and update its Homelessness Strategy every five years.

The cross party task and finish group developed this strategy at a time of increasing rates of homelessness, both locally and nationally, as well as the introduction of the Homelessness Reduction Act due in April 2018. The strategy details our aims over the next 2 years and will be reviewed in 2020.

The Council recognises the devastating effect that homelessness can have on households and that good quality housing providing a stable and secure home environment contributes to the health and wellbeing of our residents. The strategy will address the causes of homelessness in the area; introduce initiatives to prevent homelessness wherever possible; provide sufficient suitable temporary accommodation for those households that are or may become homeless; ensure that a good supply of suitable permanent accommodation is available and appropriate support for people who have previously experienced homelessness in order to prevent it happening again.

A positive action plan has been created which sets out the goals for the future and shows that the Council is dedicated to providing the best service for its clients.

Methodology

In developing the strategy the Task & Finish group has gathered evidence in order to inform the required actions and strategic aims. This information was gathered by sourcing local knowledge from the task and finish group and officers, questioning of key witnesses, reviewing current and new legislation and reviewing the strategies of similar authorities.

Demand for Services

In the period April 2016 - March 2017 the Council saw increasing levels of households applying to the Council for assistance. 1586 households were presented to the Council because they may be homeless or threatened with homelessness within the next 28 days. This represented an increase of 43% when compared to the previous year when 1109 presentations were made. The same three quarters of 2017 - 18 has similar levels of presentations to those of 2016 - 17.

Rental affordability issue increasing

The Council has previously been successful in utilising the private sector in preventing homelessness and discharging its homelessness duties; however recent increases in rental costs of private sector accommodation while local housing allowance rates have been frozen, has meant that the majority of properties available in the private sector are no longer affordable for those households that are reliant on benefits to cover or assist with rents.

In addition there appears to be an increasing reluctance from some landlords to accept households who will be in receipt of any support with Housing Benefits and Universal Credit. This is mainly as these benefits are paid in arrears and if any issues arise meaning benefits are suspended or reduced, landlords are already out of pocket making it more difficult to manage.

Supply of Accommodation

Generally, those households to whom the Council accepts a full housing duty will be allocated accommodation with a social landlord.

Unfortunately while the demand from households requiring assistance has been increasing the availability of permanent accommodation options has at the same time been decreasing.

Rising levels of rough-sleeping

Increases in homelessness and increases in rough sleeping generally go hand in hand and Peterborough is no different. Peterborough's last rough sleeper count/estimate, which was a

snapshot of one typical night, identified that 31 rough sleepers were sleeping out in the city. This is an increase of 48% in the last 12 months.

Temporary Accommodation

Increases in demand for services and a shrinking supply of permanent accommodation options has meant a bottle neck has been forming in temporary accommodation with more households going into temporary accommodation than have been leaving. This has proved both costly to the council and damaging to the households approaching us for assistance.

Future Challenges
The Full Rollout of Universal Credit (UC)

In November 2017 Universal Credit was rolled out to include all new benefit claimants and those currently in receipt of benefits who have a change in circumstances.

The Homelessness Reduction Act

The main thrust of the Homelessness Reduction Act is to refocus English local authorities on efforts to prevent homelessness.

The Act will have an impact on the delivery of services and will have a resource impact. Councils currently offer advice and assistance to all households who are homeless or threatened with homelessness, for those who are not in priority need our duty currently ends after we have given advice on how the applicant can secure accommodation themselves.

The Act would legally oblige local authorities to assess and provide more meaningful assistance to all people who are eligible and homeless or threatened with homelessness, irrespective of their priority need status.

The changes require us to formulate and work through an action plan with each applicant. This action plan would be owned by the advisor and the applicant and if followed effectively should result in the applicant not becoming homeless or being assisted in securing alternative accommodation before they have to leave their current home.

Funding for short stay supported housing

The government intends to give councils funding responsibility for short-term supported housing schemes, such as women’s refuges and homelessness accommodation, through ring-fenced

grants and is currently consulting on its plans. Providers of these schemes have expressed concerns that the grants do not provide the same protections and rights for short-term supported housing residents as those living in long-term supported housing. It moves away from a model where service users enjoy the rights as tenants, with housing costs backed by an entitlement-based benefit system to a system of relatively short-term, scheme-based funding. This is viewed by providers as a backward-looking step and a return to an institutionalised model.

6. FINDINGS AND CONCLUSIONS

Findings and Conclusions

The current housing situation is complex and multifaceted, with many of the drivers for the Homelessness situation outside of the direct control of the City Council.

The city's rapid population growth over recent years, both unplanned and unexpected, has put huge pressure on housing, giving rise to higher rent. Other changes through Government legislation, such as Housing Benefits payments and the change to PIP and Universal Credit, create additional pressures, especially to those in need of social housing. This 'Perfect Storm' of issues has driven the current crisis

The Task and Finish group acknowledges that there is an increasingly complex background to the provision of housing and that with the introduction of the new Homelessness Reduction Act in April 2018 a new approach to dealing with homelessness in all its guises is required.

The development and subsequent implementation of a new homelessness reduction strategy would therefore not only build on the existing strategy to ensure that the Council met its legal obligations under the new act, but would also recommend the need for more collaborative working and preventative measures to prevent homelessness in the first instance. A more preventative approach would run alongside increasing the provision of housing to tackle immediate demands and bottlenecks in the system.

During the course of its investigations, the Task and Finish group concluded that:

- Information flows between housing providers and council teams needed to be improved so that interventions could be made before any legal recourse was taken.
- Once implemented, the Council would need to increase awareness of the strategy and the help that was available to those who were facing homelessness so that the action plans required by the new act could be put in place.

- The strategy would need to tackle the reluctance of private landlords to take on housing benefit recipients as tenants, by reducing the level of default payments that they experienced.
- With the decline in social housing supply, the lack of secure tenancy was one of the biggest problems facing tenants as most private sector rentals were on a short term basis.
- The increasing shortage of affordable homes was one of the primary causes of Peterborough's growing homelessness problem. The lack of social housing means many on low incomes rent privately with the help of benefits. As welfare reform has reduced the rents that such tenants can afford, more landlords have chosen not to renew their tenancies, instead letting to higher income households, who tend to be adult sharers rather than families.
- Without a consistent housing supply for rental accommodation, blockages would build up in the Hostel, and Bed & Breakfast accommodation provision.
- Rough sleepers are still an issue for the Council and some type of basic covered accommodation may need to be provided.
- Much of the increase in homelessness in recent years has been due to a steep rise in the numbers of non-UK nationals and single UK nationals for whom accommodation options are severely limited, as most are not entitled to the welfare benefits that could be used to cover rent.
- Rough sleepers often have complex support needs, so funding for mental health and other services is vital to supporting them off the streets and adapting to a settled lifestyle. Additionally, opportunities to access training, education, employment and enterprise initiatives need to be created.
- The Task and Finish Group noted that there had been an increase in capacity of the Housing Needs Team and hoped that this would ensure 24/7 availability of the Outreach team.
- Scrutiny and governance of the strategy needed to be put in place with regular reports being presented to cabinet and scrutiny committees to ensure that it continued to be fit for purpose and that any case-law challenges after the Act comes into force, were monitored.
- Government has stated its intention to cover the costs of additional legislative burdens, caused

by the introduction of the new act but the level of resources that will be made available to councils is yet to be confirmed. As the implementation of the act comes at a time when councils face acute financial pressures, PCC should carefully monitor the Government to ensure it fulfils its commitments to cover all resulting costs

- An IT solution needs to be found that is capable of discharging the requirements of the Homelessness Reduction Act and which would provide an enhanced housing register and choice based lettings service that was fit for purpose.
- There needed to be more of a focus on the performance in reducing homelessness and this should be supported with clearer data and its analysis.

7. RECOMMENDATIONS

The task and finish group makes the following recommendations:

Recommendation 1 - That the Council endorses the Homelessness Strategy 2018 - 2020

Recommendation 2 - That the Cabinet member for Growth, Planning, Housing and Economic Development contacts (i) the Secretary of State for Housing, Communities and Local Government, (ii) the Secretary of State for Work and Pensions, and (iii) the Local Government Association, seeking their support to amend legislation so that:

(a) the Housing Benefit element of welfare benefit payments are paid direct to landlords rather than to tenants, in an attempt to encourage more landlords to offer their properties for homeless households or those at risk of becoming homeless; and,

(b) Section 21 of the Housing Act 1988 (*Recovery of Possession on Expiry or Termination of Assured Shorthold Tenancy*) is reviewed with a view to ending its widespread use, and in its place introduce legislation that provides for greater tenancy security in the private rented sector.

8. FINANCIAL IMPLICATIONS

- 8.1 It is not expected that there will be any additional financial implications, which have not already been accounted and budgeted for.

9. LEGAL IMPLICATIONS

- 9.1 It is not expected that there will be any legal implications in implementing the strategy.

10. LIST OF BACKGROUND PAPERS AND RESEARCH SOURCES USED DURING THE REVIEW

- Housing Act 1996 (as amended by Homelessness Act 2002)
- Homelessness Code of Guidance for Local Authorities
- Homelessness Reduction Act 2017

Further information on this review is available from:

Democratic Services Team
Governance Directorate
Town Hall
Bridge Street
Peterborough
PE1 1HG

Telephone – (01733) 747474
Email – scrutiny@peterborough.gov.uk



Homelessness Strategy 2018





Foreword

by Councillor Peter Hiller

Welcome to our new Homelessness Reduction Strategy.

This is a vitally important Strategy for this council, which sets out our ambitious but realistic plans to manage and reduce homelessness in Peterborough.

The homelessness problem in our City and across the country has increased significantly over the past two years. In Peterborough we have seen a 43% year-on-year increase in households approaching the council for help and advice because they are at risk of becoming homeless, and this has resulted in a sharp increase in the need for the council to accommodate households in temporary accommodation. Often, this accommodation is not appropriate for long term use - for example, bed and breakfast-style accommodation - and can be disruptive and unsettling for households. This Strategy sets out our plans to reduce the reliance we have on this kind of temporary accommodation and builds on the principle that it is far better to prevent a household from becoming homeless rather than dealing with the consequences once they have to leave their own home.

In response to the national homelessness challenge, the Government has introduced the Homelessness Reduction Act. I warmly welcome its introduction, shifting as it does the focus of councils and our partners more firmly towards *prevention*, and reducing the need to provide temporary, and often inappropriate, accommodation. This Strategy embraces all aspects of the new Act and builds on the already effective relationships we have with our partners.

This council, in recognition of the sharp increase in households approaching us for support because they are at risk of becoming homeless, has already introduced a number of key policy changes:

- We have secured the use of additional temporary accommodation through lease arrangements with private sector landlords
- We have bought a significant number of empty homes back into use, securing them for homeless households
- We have agreed to spend up to £35m to increase the availability of homes for households who are homeless or are at risk of becoming homeless
- We have made some key changes to our housing allocations policy to ensure that people with the greatest need are given as much opportunity as possible to secure housing
- We have increased investment in our Housing Needs service, who are on the front line of managing homelessness and supporting homeless households, so that they can refocus around the requirements contained within the Act

It's unlikely we'll eradicate completely the need for temporary accommodation, but our Strategy will endeavour to limit its use to those circumstances where it is completely unavoidable and also for the shortest time possible. To support this the Strategy does aim to

eradicate the need for the council to use bed and breakfast-style accommodation. We recognise it is important for households to have their own front door, even if their accommodation is temporary, and to have access to the household facilities that you and I most probably take for granted.

In recognition of the rapidly changing homelessness policy landscape, and to ensure we are responsive to the investments and policy changes we have already made ourselves in Peterborough, this methodology will be reviewed after two years. I firmly believe it needs to remain current and adapt proactively to whatever demands for service the council is faced with.

Finally, I would like to thank everybody involved in supporting the development of this Strategy, and in supporting our hard-working and professional council officers to manage the increased demands of homelessness in recent years.

I am excited about the ambition and the passion we have to help make a difference to those finding themselves in very difficult and challenging circumstances. I truly believe we must strive to restore dignity and hope and I look forward to our Strategy's rapid and effective delivery. This council will be at the forefront of homelessness prevention and will be well placed to support households and communities to succeed and thrive in our City.

1. Introduction

The Council continually strives to make Peterborough the best possible place to live, work and visit. This ambition is embedded in both the Council's Corporate Objectives and the Corporate Plan. All residents should have access to a home that is of a good standard which they can afford and are able to sustain and maintain.

The current population of Peterborough is expected to rise from 199,000 to 227,890 in 2036, and with this increase in population comes a range of opportunities and challenges for housing provision. Although around 20% of stock in Peterborough is affordable housing, the number of households accepted as 'statutory homeless' resulting in a duty for the Council to offer them temporary accommodation and assistance with re-housing, is higher than the average for England, despite the national picture also showing increases. Although we work extensively with households to try and prevent homelessness by providing advice and assistance on their housing situation and alternative housing options, the number of households accepted as statutory homeless continues to grow.

The Council is required to review homelessness within the area and update its Homelessness Strategy every five years. This strategy comes at a time of increasing rates of homelessness, both locally and nationally, as well as the introduction of the Homelessness Reduction Act due in April 2018. With this in mind this strategy will detail our aims over the next 2 years and will be reviewed in 2020.

The Council recognises the devastating effect that homelessness can have on households and that good quality housing providing a stable and secure home environment contributes to the health and wellbeing of our residents. Through this strategy the Council will address the causes of homelessness in the area; introduce initiatives to prevent homelessness wherever possible; provide sufficient suitable temporary accommodation for those households that are or may become homeless; ensure that a good supply of suitable permanent accommodation is available and appropriate support for people who have previously experienced homelessness in order to prevent it happening again.

A positive action plan has been created (explained fully in Appendix 1) which sets out the goals for the future and shows that the Council is dedicated to providing the best service for its clients.

2. Background

Sections 1-3 of the Homelessness Act 2002 requires all Councils to produce a Homelessness Strategy every five years. The purpose of the Strategy is to:

- Address the causes of homelessness in the Council's area
- Introduce initiatives to prevent homelessness wherever possible
- Ensure measures are in place to secure sufficient temporary accommodation for those households that are or may become homeless; and
- Ensure that appropriate support is available for people who have previously experienced homelessness in order to prevent it happening again.

The Council has a legal duty to ensure that there is a free advice and information service about homelessness and the prevention of homelessness in the district. The Council also has a duty to take reasonable steps to make sure that accommodation continues to be available for someone who is threatened with homelessness and is likely to have a priority need under the terms of the homelessness legislation. The Code Of Guidance that accompanies the homelessness legislation goes further in that it states that Councils should offer a broad range of advice and assistance and not wait until homelessness is a likelihood or imminent before taking action.

The Homelessness Reduction Act 2017

The Homelessness Reduction Act 2017 commenced on 3rd April 2018.

The main thrust of the Act is to refocus English local authorities on efforts to prevent homelessness. While many authorities already do this, it would become a duty to prevent as opposed to the current duty to assist when homeless. The Act amends Part 7 of the *Housing Act 1996*.

The Act will have an impact on the delivery of services and will have a resource impact.

What is homelessness?

People can be homeless if they have nowhere to stay and are living on the streets, they can also be considered homeless even if they have a roof over their head. Homelessness can include households who are:

- staying with friends or family
- staying in a hostel, night shelter or bed & breakfast accommodation
- squatting
- at risk of violence or abuse in their home
- living in poor conditions that affects their health
- living apart from their family because they don't have a place to live together

The Council also works with households who are threatened with homelessness in order to prevent them from becoming homeless in the first place.

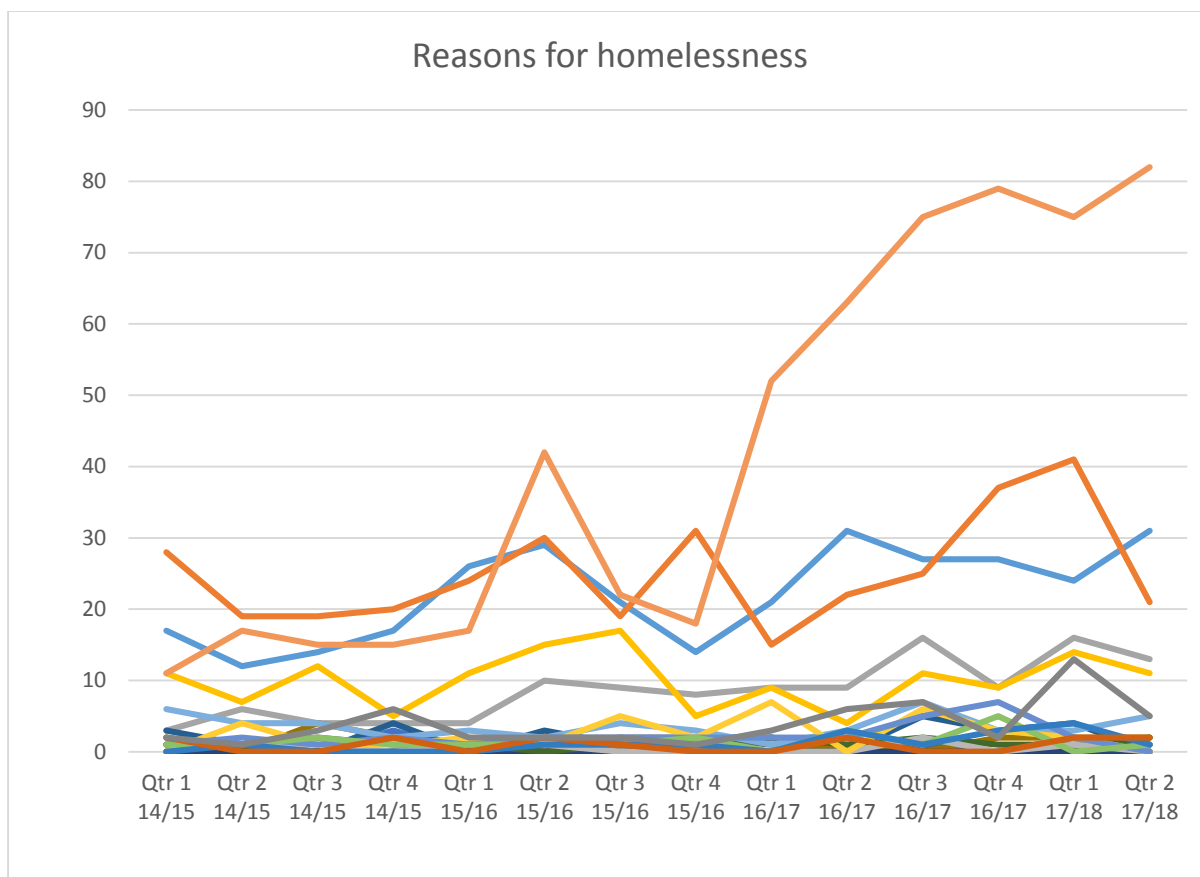
Some people consider homelessness, begging and rough sleeping to be the same; this is not the case. People who are involved in street begging are not always homeless, and people who rough sleep are not always involved in street begging, and as the above definition shows homelessness is much wider than just rough sleeping.

Traditionally the main reason for households becoming homeless has been due to relationship breakdown and parents or friends and family no longer willing to accommodate households whilst they secure a suitable permanent home through the housing register/choice based lettings scheme or the private sector.

A reduction in the availability and accessibility of the private sector has resulted in there being a significant shift in the main reason for homelessness.

The number one reason for homelessness in Peterborough mirrors the national picture, in that private sector assured shorthold tenancies being ended is now the main reason for households becoming homeless. The graph below shows the main reasons for homelessness since 2014:

	Apr 14 - Mar 15				Apr 15 - Mar 16				Apr 16 - Mar 17				Apr 17 - Mar 18	
	Qtr 1 14/15	Qtr 2 14/15	Qtr 3 14/15	Qtr 4 14/15	Qtr 1 15/16	Qtr 2 15/16	Qtr 3 15/16	Qtr 4 15/16	Qtr 1 16/17	Qtr 2 16/17	Qtr 3 16/17	Qtr 4 16/17	Qtr 1 17/18	Qtr 2 17/18
Parent no longer willing to accom	17	12	14	17	26	29	21	14	21	31	27	27	24	31
Friends / relative cannot accommodate	28	19	19	20	24	30	19	31	15	22	25	37	41	21
Non-violent relationship breakdown (partner)	3	6	4	4	4	10	9	8	9	9	16	9	16	13
Violent relationship breakdown (partner)	11	7	12	5	11	15	17	5	9	4	11	9	14	11
Violent relationship breakdown (other)	0	1	0	3	0	0	1	0	0	2	0	0	2	1
Racially motivated violence	0	0	0	0	0	1	1	0	0	0	0	0	0	0
Other forms of violence	3	1	0	4	0	3	1	2	2	0	5	3	4	0
Racially motivated harassment	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other harassment	1	1	2	1	1	1	2	2	1	0	1	0	0	1
Mortgage arrears	1	0	4	2	0	2	0	0	0	1	0	2	2	2
Rent Arrears (LA)	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Rent Arrears (RSL)	2	0	0	0	1	0	1	1	2	1	2	1	1	2
Rent Arrears (Private sector)	6	4	4	2	3	2	4	3	1	3	7	3	3	5
Termination of AST (Private)	11	17	15	15	17	42	22	18	52	63	75	79	75	82
Loss of private rented/tied accom (other)	1	1	1	0	1	1	0	0	0	0	2	0	1	0
End of NASS supported accom	0	4	1	1	2	1	5	2	7	0	6	3	2	0
Prison leaver	1	2	1	2	1	2	2	2	2	2	5	7	2	0
Hospital discharge	1	1	2	1	1	1	1	2	0	3	1	5	0	1
Leaving LA Care	0	1	0	0	0	1	1	1	0	3	1	3	4	1
Left HM Forces	2	0	0	2	0	2	1	0	0	2	0	0	2	2
Other reason	2	1	3	6	2	2	2	1	3	6	7	2	13	5
Total Acceptances	90	78	82	85	94	145	110	92	124	152	191	190	206	178



3. The Previous Strategy

The Council's previous Homelessness Strategy 2013-18 had 4 strategic aims. These will remain of value throughout the lifetime of this strategy with all success and learning acquired being maintained for its duration. These aims are:

Strategic Aim 1 – Preventing and relieving homelessness through a robust partnership approach

We are aware that in order to provide cost-effective and responsive services we cannot work in isolation. We will deliver our services in partnership with our voluntary and statutory sector partners to provide the best possible solutions.

Strategic Aim 2 - Increasing access to accommodation

We will continue to maximise the opportunities for a range of accommodation choices for homeless persons and person threatened with homelessness and continuing to increase the accommodation choices available persons in housing need.

We will continue to develop and deliver a suitable private rented sector offer for all client groups that includes support for both clients and landlords. We need to ensure that those most affected by the welfare reforms are able to access a range of accommodation solutions and we will make best use of the private rented sector.

Strategic Aim 3 – Reduce and prevent rough sleeping

Rough sleeping is the most visible form of homelessness and where people are the most vulnerable. We will continue to build on our partnership approach to reducing and relieving rough sleeping. This work will include projects that will enable the city to deliver the No Second Night Out principles.

Strategic Aim 4 – Promoting settled lifestyles and sustainable communities

Ensuring that homeless households are given the support to resettle within the community and thrive through purpose and encouragement.

4. Where are we now?

The detail below gives the context and challenges that face the city at the roll-out of this strategy. Key objectives and an action plan (Appendix 1) will focus on preventing homelessness and breaking a cycle of despair for many.

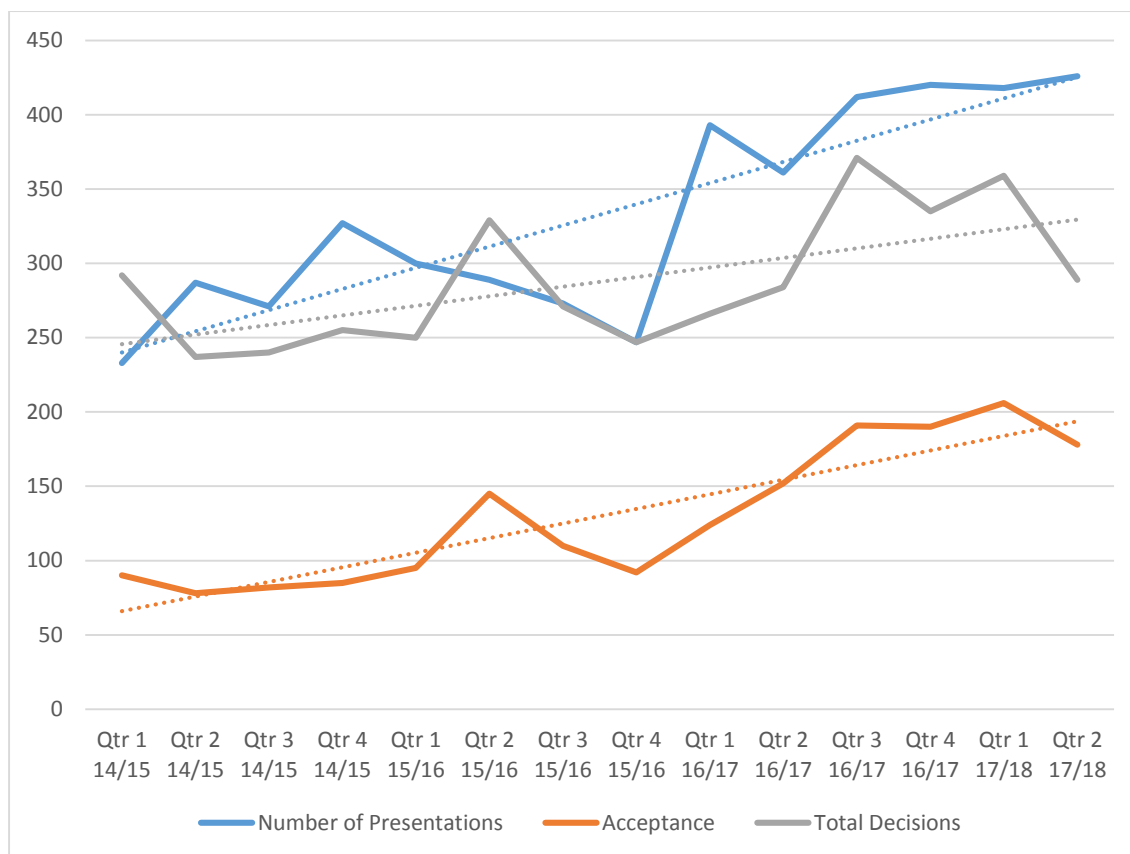
Increasing numbers of households seeking assistance

The last year has been particularly challenging for the Housing Needs Team. In the period April 2016 - March 2017 the Council saw increasing levels of households presenting to the Council for assistance as they were homeless or threatened with homelessness. 1586 households presented to the Council as it was confirmed that they may be homeless or threatened with homelessness within the next 28 days. This represented an increase of 43% when compared to the previous year when 1109 presentations were made. In the first three quarters of 2017/18 the level of presentations has been at a similar level to 2016/17.

Where a homelessness presentation is made to the Council and we are satisfied that the household may be homeless and eligible to make an application for assistance this triggers a duty upon the Council to investigate whether the household is owed a full housing duty and is “Accepted as Homeless”. This further investigation confirms the household is homeless or threatened with homelessness, takes into account any vulnerabilities of members of the household, the reasons for them becoming homeless and determines whether they have a connection with the City.

The graph below shows the number of homelessness presentations, decisions made and numbers of households accepted as homeless each quarter since 2014:

	Apr 14 - Mar 15				Apr 15 - Mar 16				Apr 16 - Mar 17				Apr 17 - Mar 18	
	Qtr 1 14/15	Qtr 2 14/15	Qtr 3 14/15	Qtr 4 14/15	Qtr 1 15/16	Qtr 2 15/16	Qtr 3 15/16	Qtr 4 15/16	Qtr 1 16/17	Qtr 2 16/17	Qtr 3 16/17	Qtr 4 16/17	Qtr 1 17/18	Qtr 2 17/18
Number of Presentation	233	287	271	327	300	289	273	247	393	361	412	420	418	426
Acceptance	90	78	82	85	95	145	110	92	124	152	191	190	206	178
Total Decisions	292	237	240	255	250	329	271	247	266	284	371	335	359	289



Rental affordability issue increasing

The Council has previously been successful in utilising the private sector in preventing homelessness and discharging its homelessness duties; however recent increases in rental costs of private sector accommodation while local housing allowance rates have been frozen, has meant that the majority of properties available in the private sector are no longer affordable for those households that are reliant on benefits to cover or assist with rents.

In addition there appears to be an increasing reluctance from some landlords to accept households who will be in receipt of any support with Housing Benefits and Universal Credit. This is mainly as these benefits are paid in arrears and if any issues arise meaning benefits are suspended or reduced, landlords are already out of pocket making it more difficult to manage.

Changes to taxation rules, which mean that landlords are now unable to deduct mortgage interest costs from their profits before paying tax, has meant that some landlords with smaller portfolios no longer see this as profitable and are selling their properties. The opportunity for us to discharge homelessness duties or to utilise the private sector to prevent households' homelessness is now few and far between.

The increase in use of temporary accommodation, while partly down to the increase in the number of households approaching us for assistance, is being exacerbated by the supply of accommodation reducing at the same time effectively producing a bottleneck in temporary accommodation.

Rising levels of rough-sleeping

Increases in homelessness and increases in rough sleeping generally go hand in hand and Peterborough is no different. Peterborough's last rough sleeper count/estimate, which was a

snapshot of one usual night, identified that 31 rough sleepers were sleeping out in the city. The table below shows how this has changed over the last 8 years:

Year	2010	2011	2012	2013	2014	2015	2016	2017
No of Rough Sleepers	21	17	12	11	17	15	21	31
Percentage Change	n/a	-19%	-29%	-8%	55%	-11%	40%	48%
Percentage Change since 2010	n/a	-19%	-43%	-48%	-19%	-28%	0%	48%

Nationally numbers of rough sleepers have increased year on year over the same period and a percentage increase of 169% over the 8 years. The table below shows the changes nationally over the same period.

Year	2010	2011	2012	2013	2014	2015	2016	2017
No of Rough Sleepers	1768	2181	2309	2414	2744	3569	4134	4751
Percentage Change	n/a	23%	6%	5%	14%	30%	16%	15%
Percentage Change since 2010	n/a	23%	31%	37%	55%	102%	134%	169%

Temporary Accommodation

Traditionally the Council used hostel accommodation to house homeless households while investigations were ongoing and until suitable permanent accommodation was secured. Where hostel accommodation was fully occupied B&B type accommodation was used as a short term emergency placement until a hostel vacancy could be secured.

B&B type accommodation is only meant as a short term option, but as the numbers of households presenting to the council has been increasing use of this type of accommodation has increased as no alternative accommodation options were available.

As well as being unsuitable accommodation for households over a prolonged period B&B accommodation is a costly option for the Council. The level of subsidy that the Council can recover from Housing Benefit to cover these costs leaves a significant shortfall.

In recognition of the increases in demand the Council has taken steps to reduce the use of B&B type accommodation by securing use of alternative self-contained temporary accommodation options this increased the contracted provision to 216 units.

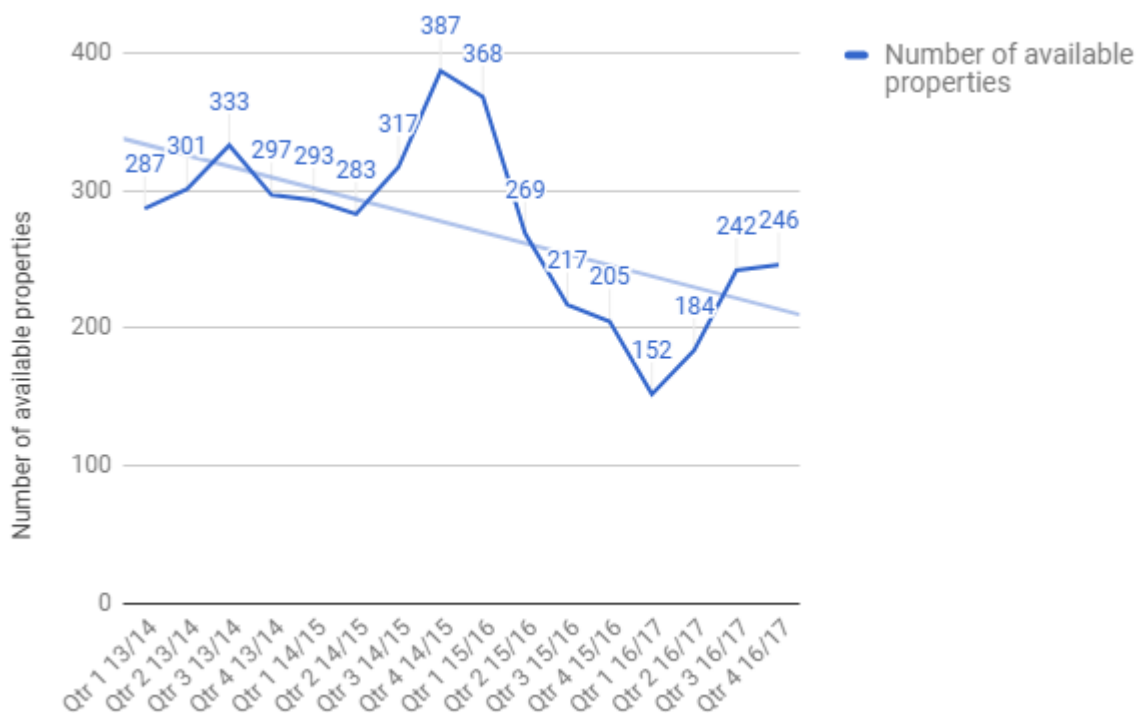
The Council has agreed to invest in Medesham Homes, the Council's joint venture with Cross Keys Homes, which will increase this provision further by c.250 properties over the medium to long term. These options may include the buying property off plan, conversion of office space to residential or buying property off of the open market. While this has and will continue to go some way to supporting the increased level of need this has not removed the need for use of B&B type accommodation at this time.

Supply of Accommodation

Generally, those households to whom the Council accepts a full housing duty will be allocated accommodation with a social landlord. The Council has arrangements with ten housing associations in the city to allocate its vacant properties through the Peterborough Homes Choice based lettings scheme. The common allocations policy was developed to ensure that households who are accepted as homeless and therefore owed a full housing duty are given high priority in order to assist them with a prompt move into suitable permanent accommodation.

In addition to the Housing Register the Localism Act 2011 gave local authorities the power to discharge the full housing duty by securing suitable accommodation in the private sector. Previously the combination of these two options has been more than sufficient in meeting both the demand from households who have presented to the Council as homeless and those living in unsuitable housing allocated through the Housing Register.

Unfortunately while the demand from households requiring assistance has been increasing the availability of permanent accommodation options has been decreasing. The graph below shows the number of properties, which have been made available for allocation from our partner housing associations through the choice based lettings scheme:



The Homelessness Strategy is an annex of the Housing Strategy. The Housing Strategy 2016-21 identifies the need to increase the supply of homes which people can afford. It is essential that we increase the numbers of affordable rented homes in order to reverse the current trend if we are going to be successful in our ambitions to prevent homelessness or to reduce the time spent in temporary accommodation for homeless households.

5. What are the challenges ahead?

The Full Rollout of Universal Credit (UC)

In November 2017 Universal Credit was rolled out to include all new benefit claimants and those currently in receipt of benefits who have a change in circumstances.

The main changes for households include:

- Integration of six core benefits and tax credits into a single payment. The claims processes for different benefits will be integrated and households will receive just one payment.
- A shift away from a mix of weekly, fortnightly, four-weekly and monthly payments to a standard monthly payment.
- A new 'fixed' monthly assessment system that will replace the annual 'flexible' assessment period for tax credits, with payment monthly in arrears.
- Payment of Housing Benefit to social tenants rather than direct to the social landlord.
- Introduction of a single recipient model where the award is paid into one bank account.

The Homelessness Reduction Act

The main thrust of the Homelessness Reduction Act is to refocus English local authorities on efforts to prevent homelessness. While many authorities already do this, it would become a duty to prevent as opposed to the current duty to assist when homeless. The Act amends Part 7 of the *Housing Act 1996*. Its measures include:

- An extension of the period during which an authority should treat someone as threatened with homelessness from 28 to 56 days.
- Clarification of the action an authority should take when someone applies for assistance having been served with a section 8 or section 21 notice of intention to seek possession from an assured shorthold tenancy.
- A new duty to prevent homelessness for all eligible applicants threatened with homelessness.
- A new duty to relieve homelessness for all eligible homeless applicants.
- A new duty on public services to notify a local authority if they come into contact with someone they think may be homeless or at risk of becoming homeless.

The Act will have an impact on the delivery of services and will have a resource impact. Councils currently offer advice and assistance to all households who are homeless or threatened with homelessness, for those who are not in priority need our duty currently ends after we have given advice on how the applicant can secure accommodation themselves.

The changes require us to formulate and work through an action plan with each applicant. This action plan would be owned by the advisor and the applicant and if followed effectively should result in the applicant not becoming homeless or being assisted in securing alternative accommodation before they have to leave their current home.

Where successful this would prevent the need for costly emergency accommodation and would have significant benefits in reducing upheaval for families who are faced with homelessness. However, as detailed in this report the significant shortage of available accommodation both in the social and private sector will mean for certain households the chances of us securing alternative accommodation prior to a household becoming homeless is reduced.

In addition to the additional resource implications required to meet these additional burdens, there is likelihood that in order to be successful in preventing homelessness, we would need to have the ability to offer financial assistance to households in order to reduce arrears. While we offer this currently this would be extended to non priority groups.

The future of Supported Housing

In October 2017, the Government announced details of how short stay supported housing will be funded in the future. The key elements of the new proposal are:

- Housing costs will continue to be paid through the benefit system up to LHA level
- A local authority top-up, with ring-fenced funds, will be transferred across from the Department for Work and Pensions and allocated by the Department for Communities and Local Government.

There are significant concerns about the long term security of a local ring fenced grant. The impact of the removal of the Supporting People ring-fence funding in 2009 is still being felt in the sector and there is nothing in the current proposals that provides confidence in the long term sustainability of funding. This may impact on the availability of short stay homeless provision that can be sourced from providers.

It is important that the Council ensures that services for homeless people continue to be supported. There is uncertainty that the Government will ensure that local authorities get the right amount of money and it is unlikely that this funding can grow in line with future need.

It is also essential that that existing tenants are protected in the transition from one system to another.

6. Objectives

This strategy will continue to focus on all four strategic aims mentioned earlier. Homelessness can be complex and not every case is the same. The situation is affected by national and local circumstances that are always changing, but this does not prevent the Council from aiming to achieve the best for its citizens. It must strive to prevent homelessness and break the cycle.

The actions the Council and its partner agencies will take to help deliver these aims are set out in these ten key objectives:

Objective 1: Eliminating the use of Travelodge type accommodation and reducing / eliminating the use of B&B type accommodation for temporary accommodation

Objective 2: Ensuring the effective implementation of the Homelessness Reduction Act and embracing the culture change this will bring

Objective 3: Creating a suite of prevention tools which will give the Housing Needs team improved chances of success in preventing homelessness

Objective 4: Support landlords and tenants to support them to overcome landlord/tenant issues which may lead to eviction action

Objective 5: Bringing together services to work holistically in ensuring financial inclusion, income maximisation and debt advice are accessible and prioritised in order to support preventative work

Objective 6: Increase the supply of self-contained temporary accommodation options in order to support the reduction of B&B use

Objective 7: Explore the potential of a Social Lettings Agency/Guaranteed Rent Scheme for private landlords

Objective 8: Ensure that information and advice on housing and homelessness prevention is widely available and that our customers are seen at the earliest possible opportunity

Objective 9: Maintain services and create an effective supported accommodation pathway for single homeless and rough sleepers

Objective 10: Increase the focus on performance supported by clearer data

7. Annual Review

The 2018 - 2020 Homelessness Reduction Strategy, along with its Action Plan, will be monitored and reviewed annually, and reported to the Adults and Communities Scrutiny Committee.

Key indicator progress to be monitored will be:

- 1) The total number of households approaching the Housing Needs Service for assistance who at the point of presentation are:
 - a) Homeless
 - b) Threatened with homelessness within 56 days
 - c) Have received a valid section 21 notice from their landlord
- 2) The number of households who were homeless, but had their homelessness relieved
- 3) The number of households who were threatened with homelessness who had their homelessness:
 - a) Prevented
 - b) Relieved
- 4) The number of households accommodated in temporary accommodation
- 5) The number of children accommodated in temporary accommodation
- 6) The number of households accommodated in B&B type accommodation
- 7) The number of households accommodated in B&B type accommodation in excess of 6 weeks
- 8) The number of 16 & 17 year olds accommodated in B&B accommodation
- 9) The number of rough sleepers known to be sleeping out
- 10) The number of known rough sleepers who have left the streets
- 11) The number of new rough sleepers

Appendix 1 – Homelessness Strategy Action Plan

Objective	Action	Target	Partners	Officer(s)	Target Date
1 Eliminating the use of Travelodge type accommodation and reducing / eliminating the use of B&B type accommodation for temporary accommodation	Investigate with current providers who have B&B type/shared accommodation within Peterborough the possibility of expansion of their portfolio to support our ambition to keep households in the city.	To increase the provision of provision in area by up to 50 units to meet current demand	B&B providers / Private Developers / Landlords	Head of Housing Needs / Temporary Accommodation Lead Officer	Aug 2018
	Research other providers capacity/willingness to work with the council in providing accommodation in the Peterborough area for homeless households.	To increase the provision of provision in area by up to 50 units to meet current demand	B&B providers / Private Developers / Landlords	Head of Housing Needs / Temporary Accommodation Lead Officer	Aug 2018
	Investigate with registered providers potential opportunities for increasing hostel type provision for temporary accommodation	To identify whether any potential sites exist and assess costs for development/operation	Registered Providers	Head of Housing Needs / Temporary Accommodation Lead Officer	Nov 2018
	Ensure no 16 or 17 year olds are placed into unsuitable B&B type temporary accommodation	A partnership approach adopted to ensure no unsuitable placements	Children's Services / Youth Services / Supported Accommodation Providers	Housing Needs Operations Manager / Team Manager – Family Safeguarding	May 2018
	Utilise preventative tools to keep households in their current accommodation	Support those at risk of eviction to remain in their own home by assisting with arrears / affordability issues / mediation	Private Landlords / Householders / County Court	Housing Solutions Officers / Visiting Officers / STS Client Team	June 2018

		Utilise preventative tools to secure alternative suitable accommodation prior to having to leave the current accommodation	Support those who cannot be kept in their current home to move to alternative suitable permanent accommodation	Private Landlords / Registered Providers / Revs & Bens	Housing Solutions Officers / CBL Officers / Placements Officers / STS Client Team	June 2018	
		Where homelessness cannot be prevented utilise preventative tools to keep households in their current accommodation for as long as possible in order to identify more suitable temporary accommodation	Early identification of potential T/A need to enable suitable accommodation to be found	Private Landlords / Householders / County Court	Housing Solutions Officers / Temporary Accommodation Officer / Placement Officers	July 2018	
134	2	Increase the supply of self-contained temporary accommodation options in order to support the reduction of B&B use	Work with private developers / landlords to procure additional units of self contained temporary accommodation to be used as an alternative to B&B type	Identify supply of c.100 units of self contained accommodation to be leased	Private Developers / Landlords	Head of Housing Needs / Temporary Accommodation Officer	April 2019
			Work with Medesham Homes to identify / deliver a pipeline of suitable self-contained accommodation to be used as temporary accommodation while demand exists and permanent supply going forward.	Identify / deliver c. 250 units of self contained units of accommodation. Use to be determined at handover.	Medesham Homes	Head of Housing Needs	March 2020
			Review the current lease with Stef & Philips for St Michael's Gate prior to agreed break to confirm need and make decision relating to entering final year.	To make an informed decision relating to the future need to enter into the 3 rd year and whether talks should be entered to discuss a lease beyond the current one	Stef & Philips / Commissioning Team / Legal Services	Head of Housing Needs	Nov 2018

		Review the current lease with Cross Keys Homes for Elizabeth Court prior to ending to determine whether continued need and possible extension.	To make an informed decision relating to the future need and whether talks should be entered to discuss a lease beyond the current one	Cross Keys Homes / Commissioning Team / Legal Services	Head of Housing Needs	June 2020
3	Ensuring the effective implementation of the Homelessness Reduction Act and embracing the culture change this will bring	To review the current structure of the Housing Needs team and restructure the service to meet the requirements of the new legislation	To have a structure that is fit for purpose in effectively delivering on the requirements of the Homelessness Reduction Act	Human Resources	Assistant Director for Housing , Communities & Youth / Head of Housing Needs	April 2018
		Develop and implement a comprehensive training matrix for the Housing Needs Team to equip officers to meet the requirements of the act.	Housing Needs Officers have a full understanding of the duties under the act and feel well equipped to support clients effectively	Training & Development Team	Housing Needs Operations Managers	August 2018
		To upgrade/replace current Northgate Housing System to ensure an effective Housing Register and CBL solution is in place while ensuring officers are supported with the management of caseloads and to support clients in maintaining personalised housing plans.	To have a supported IT solution, which meets the needs of the service and its reporting requirements	Serco ICT	Head of Housing Needs	April 2018
		To review the current customer journey and adapt, embracing the opportunity for officers to work agile following the physical office move to Sandmartin House	Ensuring officers have suitable Communications/IT equipment to support Agile Working and customers are able to effectively access the service via a number of differing routes	Serco ICT / Property Services	Housing Needs Operations Managers	July 2018
		Ensure systems capture the required information and data	To be in a position to report the IT data required from the	Serco ICT	Head of Housing Needs / Housing	July 2018

to meet the DCLG's H-CLIC reporting requirements	launch of the Homelessness Reduction Act		Systems & Performance Officer	
Develop the Housing Pages on the councils website to ensure that information provided is accurate, current, supports applicants to make informed choices, gives realistic information not raising expectations and enables customers to self-help or electronically refer themselves into the service.	Pages to be fully updated and reviewed regularly so remaining current to reduce unnecessary contact with the service. Facility for clients to self-refer via web form.	Media - Comms Team	Head of Housing / Housing Needs Operations Manager	Oct 2018
Develop a Landlord forum for both private and social landlords are in attendance to discuss and remedy issues faced by landlords and the council in order to prevent the need for eviction action to take place.	Forum set up giving landlords and the Council networking opportunities in an informal setting	Private & Social Landlords	Head of Housing / Housing Needs Operations Manager	Dec 2018
Develop a Homelessness Forum with Statutory, Voluntary and Faith Sector partners to provide governance of the strategy moving forward.	Set up regular forum to review and progress the homelessness strategy	Registered Providers, Voluntary Sector Partners, Faith Sector Partners	Service Director for Communities & Safety	July 2018
Investigate & commission independent mystery shopper and stake holder surveys to constantly review and improve customer journey		Shelter/Crisis	Head of Housing / Housing Needs Operations Manager	April 2019
Develop an effective communications plan around homelessness and rough sleeping which provides		Media - Comms Team	Head of Housing / Housing Needs Operations Manager	Oct 2018

		information on key changes, successes and case studies year round.				
4	Creating a suite of prevention tools which will give the Housing Needs team improved chances of success in preventing homelessness	Change the use of the Rent Deposit Loan Scheme and expand to cover rent in advance & deposit where a potential property is affordable and suitable. Extending repayments period to 5 years	Increased opportunity to prevent and relieve homelessness by providing interest free loans		Housing Needs Operations Manager / Housing Solutions Officers	April 2018
		Review the current Discretionary Housing Payments Fund (DHP) to allow payments to clear rent arrears in order to keep households in their home.	Increased opportunity to prevent and relieve homelessness by clearing housing related debt	Serco Revs & Bens / STS client team	Senior Policy Manager / Housing Needs Operations Manager / Housing Solutions Officers	Aug 2018
		Utilise the Homelessness Prevention Fund to allow those not eligible for a DHP to be assisted in the same way.	Increased opportunity to prevent and relieve homelessness by clearing housing related debt		Housing Needs Operations Manager / Housing Solutions Officers	June 2018
		Create a landlord assurance scheme to support landlords concerned about the impact of Universal Credit and lower Local Housing Allowances rates to cover rent shortfalls where a tenant is in receipt of benefits	Increased opportunity to prevent and relieve homelessness by supporting potential rent arrears accrual		Housing Needs Operations Manager / Housing Solutions Officers	Aug 2018
		Investigate the setting up of a local mortgage rescue scheme based on the Government's Mortgage Rescue Scheme, which ended in 2015.	Prevention of homelessness by supporting a household to remain in their home and increasing available	Registered Providers	Head of Housing Needs	Dec 2018

			social/affordable housing stock			
5	Support landlords and tenants to support them to overcome landlord / tenant issues which may lead to eviction action	Set up referral processes so landlords are able to refer "at risk" cases into the service in order to receive support from a dedicated officer to overcome issues.	Online referral routes created and referrals received	Private Landlords / Registered Providers	Housing Needs Operations Managers / Housing Solutions Officers	November 2018
		Use prevention tools such as DHP and homelessness prevention fund to assist with rent shortfalls / payment shocks / rent arrears in order to prevent possession action	Clients supported to remain in their homes	Private Landlords / Registered Providers / Serco Revs & Bens / STS client team	Housing Needs Operations Managers / Housing Solutions Officers	September 2018
		To act as mediator between landlord and tenant where poor communication could lead to landlords seeking to obtain possession of their property.	Clients supported to remain in their homes	Private Landlords / Registered Providers	Housing Needs Operations Managers / Housing Solutions Officers	August 2018
		To support landlords faced with issues of anti-social behaviour from their tenant or associated persons where eviction action is being considered.	Clients supported to remain in their homes	Private Landlords / Registered Providers / Prevention & Enforcement Service	Housing Needs Operations Managers / Housing Solutions Officers / Senior Prevention & Enforcement Officer	August 2018
		Investigate scheme to support landlords left with no option but to sell their property due to financial difficulties or constraints related to repair obligations.	Clients supported to remain in their homes / increase the supply of affordable housing	Private Landlords /	Head of Housing Needs / Empty Homes	March 2019

		Support tenants to challenge possession action where landlords are not complying with the requirements of the Deregulation Act 2015	Clients supported to remain in their homes / Possession delayed for non compliance	CAB	Housing Needs Operations Managers / Housing Solutions Officers	August 2018	
		Create and host a pre-tenancy training course for clients and encourage mandatory completion to prepare clients for the responsibilities they will have when they are offered a property.	Setting clients up to reduce the chances of repeat homelessness	Serco ICT / Training & Development / Registered Providers	Housing Needs Operations Manager	July 2018	
139	6	Bringing together services to work holistically in ensuring financial inclusion, income maximisation and debt advice are accessible and prioritised in order to support preventative work	Investigate the co-location of Housing Needs, CAB advice, Benefits/Welfare Advice and set up effective referral processes to enable priority access to those who may be at risk of homelessness	Co-located prevention hub, one stop shop around homelessness prevention	CAB / Serco ICT / Property Services	Assistant Director for Housing , Communities & Youth / Head of Housing Needs / Senior Policy Manager	September 2018
			Review current admin and decision making in relation to the DHP fund and consider locating within the Housing Needs team.	Decisions for DHP made based on prevention of homelessness	STS Client Team / Serco Revs & Bens	Head of Housing Needs / Senior Policy Manager	July 2018
			Investigate the benefits of the creation of a homelessness prevention hub drawing in a number of other service partners from the faith and voluntary sector to ensure a holistic approach to prevention	Co-located prevention hub, one stop shop around homelessness prevention	CAB / Serco Revs & Bens / Commissioning Team	Assistant Director for Housing , Communities & Youth / Head of Housing Needs / Senior Policy Manager	March 2019

		Develop effective referral pathways ensuring that identified vulnerable groups are able to access services at the earliest opportunity and personalised action plans effectively support prevention and move on.	Individual pathways set up	Prisons / Armed Forces / NHS Hospitals / Leaving Care Teams / Housing Association Partners	Head of Housing Needs / Housing Needs Operations Managers / Senior Policy Manager	October 2018
7	Explore the potential of a Social Lettings Agency/Guaranteed Rent Scheme for private landlords	Investigate the benefits of the creation of a social letting agency, offering services to landlords in the private sector enabling the increase of supply of accommodation for households in housing need.	Increase the supply of accommodation for households in housing need	Private Landlords / Commissioning Team	Head of Housing Needs / Director of Commissioning / Empty Homes	September 2018
		Assuming viability create a business model demonstrating benefits and identifying resource requirements and seek approvals for creation	Increase the supply of accommodation for households in housing need	Private Landlords / Commissioning Team	Head of Housing Needs / Director of Commissioning / Empty Homes	October 2018
		Formulate a package offer for landlords giving a suite of options, which best fits their individual needs, but ensure access to accommodation in the private sector who might currently struggle.	Increase the supply of accommodation for households in housing need	Private Landlords / Commissioning Team	Head of Housing Needs / Director of Commissioning / Empty Homes	November 2018
		Set up scheme and roll out	Increase the supply of accommodation for households in housing need	Private Landlords / Commissioning Team	Head of Housing Needs / Director of Commissioning / Empty Homes	April 2019

8	Ensure that information and advice on housing and homelessness prevention is widely available and that our customers are seen at the earliest possible opportunity	In reviewing the customer journey ensure that customers are able to access preventative support at the earliest opportunity	Early intervention opportunities maximised	Media - Comms Team / Serco – Front Door	Head of Housing / Housing Needs Operations Manager	October 2018
		Review current web based information and ensure comprehensive information is available around all aspects of the service to enable clients to self-help where needed, but being careful not to discourage contact where essential	Pages to be fully updated and reviewed regularly so remaining current to reduce unnecessary contact with the service. Facility for clients to self-refer via web form.	Media - Comms Team	Head of Housing / Housing Needs Operations Manager	October 2018
		Ensure that other Council departments/ Partners and Members are briefed on the warning signs of homeless and encouraged to refer clients into the service where a risk of homelessness is evident.	Early intervention opportunities maximised	All relevant Council Departments / Members Services / Partners	Head of Housing Needs / Housing Needs Operations Manager	December 2018
9	Maintain services and create an effective supported accommodation pathway for single homeless and rough sleepers	Continue to review the work of the council and its partners as part of the rough sleeping strategic group to achieve the recommendations of the cross party task and finish group around rough sleeping	Ensuring rough sleepers are supported with an offer to leave the streets	Rough Sleeper Strategic Group	Head of Housing Needs	April 2018
		Maintain current resource levels around rough sleeping to support our ambitions to reduce rough sleeping	Ensuring rough sleepers are supported with an offer to leave the streets		Assistant Director for Housing , Communities & Youth / Head of Housing Needs	Ongoing

		Create and take the lead role in a supported accommodation pathway for single homeless persons, ensuring effective management of supported accommodation resource.	Ensuring effective use of supported accommodation provision and move on	Supported Accommodation Providers / Housing Programmes	Housing Needs Operations Manager	January 2019
		Work with the Councils Prevention & Enforcement service to ensure that effective enforcement action is being taken to tackle street based activity, often confused with rough sleeping.	Address the prevalent issue of begging & street drinking, which is not always associated with rough sleeping	Prevention & Enforcement Service	Head of Housing Needs	October 2018
10	Increase the focus on performance supported by clearer data	Measure the performance of officers on outcomes in relation to homelessness prevention rather than timescales to process to ensure high quality of casework	Officers have clear direction		Head of Housing Needs / Housing Needs Operations Manager / Housing Systems & Performance Officer	August 2018
		Create monitoring systems which can provide live feedback on cases to reduce delays in processing due to information hunting	Supporting efficient processing of applications / allocations	Serco ICT	Head of Housing Needs / Housing Needs Operations Manager / Housing Systems & Performance Officer	January 2019
		Produce an effective relevant list of key performance indicators (KPI) in relation to homelessness and homelessness prevention	Effective relevant reporting		Head of Housing Needs / Housing Needs Operations Manager / Housing Systems & Performance Officer	April 2018

ANNUAL COUNCIL	AGENDA ITEM No. 11(b)
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

EXECUTIVE AND COMMITTEE RECOMMENDATIONS TO COUNCIL

(b) AUDIT COMMITTEE RECOMMENDATION – CHANGES TO THE CONSTITUTION

Audit Committee, at its meeting on [26 March 2018](#), received a report and a supplementary report that sought the Committee's views on proposed amendments and updates to the Council's constitution, including the Petitions Scheme, Standing orders, the Member Officer Protocol, and committee terms of reference.

The Audit Committee also resolved to recommend to Council the amendment of all Committee Terms of Reference to include:

- For all Councillors to undertake training to be able to sit on committee.
- For all Councillors to undertake refresher training once every three years, or yearly for the Planning and Environmental Protection Committee and the Licensing Committee.

These proposed amendments have been included in agenda item 7.

IT IS RECOMMENDED that Council approve:

1. The updated Petitions Scheme set out in Appendix 1 to the original report.
2. Changes to Council Standing Orders set out in Appendix 1 to the supplementary report.
3. The insertion of the wording to the Member Officer Protocol:
 "Members will normally, as a courtesy, keep Ward Councillors advised of matters in the ward in which the resident they are dealing with lives. There may be circumstances where urgent or immediate action needs to be taken (such as safeguarding or health & safety issues) which means this communication/information sharing is retrospective.

The relevant original Audit Committee report, supplementary report and appendices follow.

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AUDIT COMMITTEE	AGENDA ITEM No. 6
26 MARCH 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

CHANGES TO THE CONSTITUTION

R E C O M M E N D A T I O N S	
FROM: <i>Governance Board</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Audit Committee recommend that Council approve:</p> <ol style="list-style-type: none"> 1. The updated Petitions Scheme set out in Appendix 1 to the report. 2. Changes to Council Standing Orders set out in Appendix 2 to the report. 3. Changes to the Combined Authority Questioning Protocol set out in Appendix 3 to the report. 4. Changes to the Member Officer Protocol set out in Appendix 4 to the report. 	

1. ORIGIN OF REPORT

- 1.1 This report is submitted to the Audit Committee in anticipation of the matters being considered and referred by the Governance Board.

2. PURPOSE AND REASON FOR REPORT

- 2.1 The purpose of this report is to outline options for changes to Peterborough City Council's constitution for Audit Committee to provide comments and opinion for recommendation to Full Council.
- 2.2 This report is for Audit to consider under its Terms of Reference No. 2.2.1.10 'To maintain an overview of the Council's constitution with the exception of those matters under the remit of the Executive or a regulatory committee.'

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

Petitions Scheme

- 4.1 The process for the debate of petitions at Full Council added into the Petitions Scheme by Council on 26 June 2017. Since this time the debate procedure has been followed twice, regarding Rhubarb Bridge and a 20mph speed limit in Werrington.
- 4.2 The current process sets out that a petition will be debated and then, once debate is finished, proposals will be sought from the relevant Cabinet Member, and then alternative proposals sought from the floor. Each proposal will then be voted on in turn until one is agreed.
- 4.3 This is at odds with the normal debate procedure of the Council (and generally), which requires a motion or proposal to be moved and seconded prior to any debate.
- 4.4 As such, it is proposed to amend the Petitions Scheme to reflect this existing debate procedure. This will ensure that Members and the public can more easily follow petition debate within the context of a Council meeting.
- 4.5 The procedure proposed involves the Petition opening the item with a five minutes address to Council. The relevant Cabinet Member will then move a proposal, which will be seconded. The Mayor will then open the floor to any alternative proposals. The proposals will be debated and voted upon in the order they were received until a proposal is agreed.

Questions on the Combined Authority

- 4.6 Following Annual Council in 2017 it was agreed that a report would be submitted to each Council meeting outlining the decisions taken by the Cambridgeshire and Peterborough Combined Authority Board and Committees in the intervening period.
- 4.7 Members would have the opportunity to ask questions without notice of the Combined Authority representatives on the decisions made. Separately, Members also have the ability to ask questions on notice of Combined Authority representatives on any matter within their remit.
- 4.8 After an initial six month period these arrangements are to be reviewed.
- 4.9 The questions on notice provision has been utilised six times in the past six months. The questions without notice provision has also been utilised six times in the past six months.
- 4.10 It is suggested that the questions in relation to the Combined Authority be amalgamated going forward. Members would still be provided with a report of all the decisions taken by the Combined Authority to note at the Council meeting. This report would be included in the agenda, in full.
- 4.11 Members would be able to submit questions on notice prior to the meeting. The deadline for submission falls after the publication of the the agenda. Questions can be submitted on any area within the Combined Authority remit, whether this is the subject of previous decision or not.
- 4.12 This amendment is suggested in order to ensure that the answers provided to Members at the meeting are as comprehensive as possible. Answers to questions that have been provided *with* notice will have had greater opportunity to develop their answers for a more robust response.

Full Council Public Speakers

- 4.13 Peterborough City Council's Constitution currently requires any members of the public wishing to ask a question at Council to provide notice of their question to officers by 12noon five working days before the meeting.
- 4.14 The question asking public are permitted three minutes in which to put their question. This time is often used to provide Members with background information surrounding their question.

- 4.15 It is suggested that the Council's Standing Orders are amended to require members of the public to provide their preamble alongside their question. This would ensure that those Members answering questions are given the full context of the issue and can cover all arising issues when responding.
- 4.16 No changes are proposed to the rules in relation to supplementary questions.

Voting Procedure

- 4.17 A simple change is proposed to the Council's Standing Orders to reflect the new use of the electronic voting system. This will retain the ability to use a 'show of hands' system should the electronic system fail.
- 4.18 Also included, following an agreed motion at by Council, is the additional standing order that all votes cast using the electronic voting system be taken as recorded votes. This change to the standing orders can be approved as a consequential change by the Monitoring Officer, as it has already been agreed by Council. It is included here for context and completeness.

Time Limits for Motion Debates

- 4.19 In order to preserve the flow of the meeting and ensure that all items are able to be discussed in a meeting, it is proposed to add the following time limits to debates on motions on notice:
- 30 minutes for each individual Motion on Notice
 - 2 hours for debate of all Motions on Notice

Postponing Meetings - Extenuating Circumstances

- 4.20 At the current time there is no provision set out in standing orders to allow for the postponement of a meeting in extenuating circumstances, for which papers have already been published. An amendment is suggested to allow for such a circumstance in agreement with the Chairman and in consultation with Group Representatives.

Member Officer Protocol - Cross Ward Working

- 4.21 An additional sentence has been proposed for inclusion in to the Member Officer Protocol to ensure that ward councillors work within their relevant ward boundaries:
Ward councillors should "Refer any issues put to them by constitution not in their ward to the relevant local ward councillors."

5. CONSULTATION

- 5.1 The Council's cross party Governance Board are due to be consulted on the proposals set out in this report following publication has been consulted on all the proposals set out within this report.
- 5.2 Any comments from the Governance Board will be provided to the Audit Committee at the meeting.

6. ANTICIPATED OUTCOMES OR IMPACT

- 6.1 It is anticipated that the changes proposed to the constitution will ensure that it is clear and understandable for the public, Members, and officers, and that the procedures set out within allow for equitable debate and consideration at meetings.

7. REASON FOR THE RECOMMENDATION

7.1 The recommendations are proposed to provide clarity around the Council's governance processes and to ensure that the procedures set out within the constitution accurately reflect those undertaken in practice.

8. ALTERNATIVE OPTIONS CONSIDERED

8.1 To not update the constitution. This was dismissed, as leaving the documents as they are currently would mean that clarity around Governance processes was not provided and that the Council Standing Orders would not reflect the practice agreed for meetings.

9. IMPLICATIONS

Financial Implications

9.1 There are no financial implications arising from this report.

Legal Implications

9.2 There are no legal implications arising from this report.

Equalities Implications

9.3 There are no equalities implications arising from this report.

10. BACKGROUND DOCUMENTS

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

10.1 Peterborough City Council Constitution

11. APPENDICES

- Petitions Scheme - Appendix 1
- Council Standing Orders - Appendix 2
- Combined Authority Questioning Protocol - Appendix 3
- Member Officer Protocol - Appendix 4

Petition Scheme

Peterborough City Council

Part 5 Section 9 – The Petition Scheme

1. Introduction

- 1.1 Peterborough City Council is always interested in feedback on our services and ideas for improvement.
- 1.2 There are local public consultations into matters affecting our city and details can be found on our website <https://www.peterborough.gov.uk/council/consultations/>.
- 1.3 Our public meetings are published on our website at <https://www.peterborough.gov.uk/council/council-meetings/> and displayed in the noticeboards outside the Town Hall and Bayard Place. Please contact Democratic Services on 01733 747474 or email democratic.services@peterborough.gov.uk for further information.
- 1.4 Often a telephone call or email is all it takes to get a matter investigated and our Customer Services Team can be contacted on 01733 747474 or by email at customer.services@peterborough.gov.uk. Your enquiry will be directed to the relevant department. They will listen to your concerns or suggestions, try to resolve them and explain the current situation. This will achieve the fastest response.
- 1.5 A petition to the council should only be considered when all other avenues have been exhausted. This section of the constitution sets out what makes a valid petition, how to get the petition to the Council and what the Council will do once a petition is received.

2. Petitions that Cannot be Dealt with Through this Scheme – Planning and Licensing Decisions

- 2.1 The following matters are excluded from this petition scheme:
- Any matter relating to a planning decision, including a development plan document or community infrastructure levy (a new local levy that authorities can choose to introduce to help fund infrastructure in their area.)
 - Any matter relating to an alcohol, gambling or sex establishment licensing decision.*

* A 'Licensing Decision' is:

- Any decision in relation to an application for the grant, variation or review of any authorisation under Part 3 or 4 of the Licensing Act 2003 (premises licences and club premises licences) or any hearing or appeal in respect of any such application.
- Any decision in relation to the application for the grant, renewal or transfer of a licence under Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 (control of sex establishments), a request for the variation of any term, condition or restriction contained in such a licence or the revocation of such a licence.
- Any decision in relation to any application for a licence, permit or registration under the Gambling Act 2005, a request for a variation of any term, condition or restriction

associated with any such licence, permit or registration or the revocation of any such licence, permit or registration.

- 2.2 However, a petition that alleges a systematic failure to deliver services in the above areas is within the scope of this scheme (e.g. while a petition on an individual planning application could not be taken, a petition about the Council's failure to deliver an effective service for planning applications would be within the scope of this scheme).
- 2.3 Comments and inquiries on licensing and planning applications including appeals should be made to licensing@peterborough.gov.uk and planningcontrol@peterborough.gov.uk respectively or by telephone to 01733 747474 and asking for either the Licensing or Planning Department.

3. Guidelines for Preparing a Petition

- 3.1 To qualify as a petition the submission must meet certain criteria. The petition must:
- Clearly state the concern or problem to be addressed.
 - Clearly state what the Council is being asked to do.
 - State who the lead petitioner is and include their contact details.
 - Must not concern a planning or licensing application.
 - Must not be similar to, or a duplicate of a petition submitted within the previous 12 months. Past petitions can be viewed on our website <https://www.peterborough.gov.uk/council/consultations/petitions/>.
 - Contain at least 20 names, address and signatures of people living, working or studying in the area.
- 3.2 If the petition does not contain 20 signatures it can still be considered if the issue relates to a small local area and is signed by the majority of people affected. Further information is available from Democratic Services, Town Hall, Bridge Street, Peterborough PE1 1HG 01733 747474 or by emailing petitions@peterborough.gov.uk
- 3.3 The address given by those signing the petition must be within the Peterborough City Council area. People who work or study in Peterborough and are affected by the subject of the petition must use the address of their place of work or study to be counted. Email address are also required for online petitions. More information on e-petitions submitted online via the Peterborough City Council website can be found in section 4.
- 3.4 Petitions will not be considered if they are:
- Abusive.
 - Vexatious (intending to cause only annoyance, frustration or worry)
 - Presented for the purpose of making mischief.
 - Otherwise inappropriate.
- 3.5 Reasons for rejection will be given to the lead petitioner in writing or by email where possible.
- 3.6 During the period before an election or referendum, known as Purdah, it could be necessary for a petition to be dealt with differently. Should this happen a full explanation will be given including any anticipated timescales.

4. E-petitions

- 4.1 Online petitions are the easiest way to submit a petition and can be created online via our website using the link:
<https://www.peterborough.gov.uk/council/consultations/petitions/>.
- 4.2 The petition organiser will need to register using their own name, address and email address.
- 4.3 The petition must give a clear indication of the issue and the action required by the Council and comply with the petitions criteria set out in item 3.
- 4.4 The lead petitioner will decide how long the petition will remain open and available for signature.
- 4.5 The petition will be published on the Council website within five working days.
- 4.6 Should the petition not be suitable for publication the Council will contact the lead petitioner and will give advice on how the petition could be adapted and re-submitted. If the petition is not re-submitted within ten days the details will appear on our website and the status classified as “Rejected” or “Invalid”.
- 4.7 Once an e-petition has closed for signature Democratic Services will automatically be notified. There is no need for the lead petitioner to contact them separately.
- 4.8 E-petitions are signed by visiting our website www.peterborough.gov.uk/epetitions where current e-petitions are available to sign online. A name, postcode and email address will be required and an email will be sent to the email address given to complete the process. It is important the information given is accurate.

Caution: there are some online petitions which will not be accepted by this Council as they do not comply with the terms of our scheme. If you are in any doubt and require advice please contact us at petitions@peterborough.gov.uk or 01733 747474 and ask for Democratic Services and we will be happy to help.

5. Paper Petitions

- 5.1 Petitions can be collected on paper and a template is included at Appendix 1. Using the template will ensure all relevant information is included.

6. Delivering a Petition to the Council

- 6.1 E-petitions created through our website are automatically sent to us once the time limit set for the petition has expired and there is no need for you to take further action at this stage as we will contact you within 5 days of the petition closing.
- 6.2 A paper petition can be presented to the Council in several ways:
 - It could be delivered by post to Democratic Services, Town Hall, Bridge Street, Peterborough PE1 1HG.
 - It could be handed in at the Town Hall.
 - It could be handed to a Councillor.

The contact details of all Councillors can be found on our website at: <http://democracy.peterborough.gov.uk/mqMemberIndex.aspx?bcr=1>

- It could be emailed to petitions@peterborough.gov.uk.
- It could be delivered in person at a meeting of the Full Council or Cabinet. *Dates of the Council meetings are on the Council's website and displayed on the notice boards outside the Town Hall and Bayard Place. Council meetings take place approximately every six weeks. Details can be found at <http://democracy.peterborough.gov.uk/ieDocHome.aspx?bcr=1>. Democratic Services must be informed 10 working days before the meeting of your intention to present a petition. Full details must be received in writing or by email to petitions@peterborough.gov.uk by 12:00 noon on the working day before the meeting.*

6.3 If delivered a meeting the lead petitioner can present the petition themselves or ask someone else, such as a Councillor, to do so on their behalf. An officer in Democratic Services will be available to talk through the process beforehand.

6.4 The lead petitioner or their representative will have one minute to present the petition to the Council. The petition will be received without comment.

7. What Will the Council do when a Petition is Received?

7.1 An acknowledgment will be sent to the lead petitioner by letter or email within five working days of receipt. This will provide details of what we intend to do with the petition and when further information can be expected.

7.2 If the petition does not comply with the criteria set out in section 3 and the Council is unable to proceed, an explanation will be given in the acknowledgment letter. The petition will be published on the website with the status "Invalid" or "Rejected" together with a copy of the letter to the lead petitioner explaining why this decision has been taken.

7.3 The petition will be published on the Council's website unless it is inappropriate to do so.

7.4 A response will be provided to the lead petitioner within 15 working days of the acknowledgment being sent and a copy will be published on our website.

7.5 A petition containing over 50 validated signatures will be eligible for submission to the Cabinet or Scrutiny Committee alongside or in advance of the business the petition is seeking to influence. This option will be offered after the response letter is received as it might not be necessary if the Council is able to comply fully with the wishes of the petitioners.

7.6 A petition containing over 500 validated signatures will be eligible to be discussed at a meeting of the Full Council, Cabinet or Scrutiny Committee. This option will be offered after the response is received as it might not be necessary if the Council is able to comply fully with the wishes of the petitioners.

7.7 The lead petitioner will be contacted after the response has been sent and asked if they wish to take one of these options.

8. Full Council Debates

8.1 If a petition contains more than 500 signatures from people who live, work or study in the Peterborough area, it is eligible for debate at a meeting of the Full Council. If the lead petitioner chooses this option the petition will be discussed at the next Council meeting. The following protocol will apply:

8.2 The Mayor will lead the debate. There is a 45 minutes time limit on the discussion of an individual petition. At the end of this period Council will move immediately to the remaining votes without debate.

8.3 The lead petitioner, or their representative, will have five minutes to present their petition to the meeting to begin the debate. Times are strictly controlled and it is recommended to have a speech prepared in advance to ensure all relevant points are expressed.

8.4 The relevant Cabinet Member will be offered the opportunity to propose a course of action (propose a motion) which could be one of the following:

- To take the action requested in the petition if it is possible to do so.
- To refer the petition to either Cabinet, a Cabinet Member or the relevant Scrutiny Committee for consideration having regards to the comments made in the debate.
- To note the petition and comments but take no action for the reasons given in the debate.

8.5 The Mayor will ask for a seconder for the proposed motion.

8.6 The Mayor will then ask if there is an alternative course of action and each proposed alternative will need to be seconded.

8.7 All proposals must be provided in advance by Members to Democratic Services by 12noon on the day before the meeting.

8.8 Members will then debate the first proposal moved by the Cabinet Member, following the normal rules of debate.

8.9 When the debate has finished the Mayor will offer the lead petitioner, or their representative, the “right of reply”. They can respond to any matters raised, speaking for up to three minutes.

8.10 The Mayor will then offer the “right to reply” to the relevant Cabinet Member.

8.11 If only one motion has been proposed and seconded the Mayor will call for a vote on that motion which can be either carried or defeated.

8.12 When more than one motion has been proposed and seconded, the Mayor will only move on to the debate for subsequent motions if the first motion is defeated in the vote.

Part 5 Section 9 – Petition Scheme

Each subsequent motion will be debated in the format set out above and voted on in turn until a motion is carried and an outcome achieved.

- 8.13 If no proposals are agreed, the Mayor will move that the petition be noted.
- 8.14 The lead petitioner will be notified of the outcome of the debate in writing or by email within five working days.

9. Outcome

- 9.1 The lead petitioner will receive a written response by letter or email confirming the action the Council intends to take with a full explanation.
- 9.2 The Council's website will be updated to indicate that a decision has been taken and the petition status will be updated to reflect this.
- 9.3 A copy of the response will be published on the council website.

Further information about the Council, its services and meetings are available on our website at www.peterborough.gov.uk

Appendix 1
Peterborough City Council Petitions Scheme Template

Those signing this petition must live, work, or study in the Peterborough area to be validated as a signatory. Those living outside the area can also sign the petition and will be taken into consideration but will not be counted. Further details can be found on the Peterborough City Council website www.peterborough.gov.uk/epetitions

Petition Subject:
By signing this form we ask that the Council take the following action:
Lead petitioner (who must live, work or study in Peterborough) Name: Address: Telephone number: Email address:

	Name	Address	Signature
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			

Lead Petitioner to
Address Members

1st proposal to be moved
by Cabinet Member, to be
seconded.

Mayor to invite alternative
proposals from Members, to
be seconded.

Debate on first proposal.
Leader Petitioner to have 3
minute "Right of Reply" prior to
summing up.

Vote on first proposal.

If carried

End of item.

If defeated

Debate on second
proposal.

Vote on second
proposal.
*Continue until a
proposal is agreed.*

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AUDIT COMMITTEE	AGENDA ITEM No. 6
26 MARCH 2018	SUPPLEMENTARY 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

SUPPLEMENTARY REPORT - CHANGES TO THE CONSTITUTION

U P D A T E D R E C O M M E N D A T I O N S	
FROM: <i>Governance Board</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Audit Committee recommend that Council approve:</p> <ol style="list-style-type: none"> 1. The updated Petitions Scheme set out in Appendix 1 to the original report. 2. Changes to Council Standing Orders set out in Appendix 1 to the supplementary report. 3. The insertion of the wording to the Member Officer Protocol: <i>“Members will normally, as a courtesy, keep Ward Councillors advised of matters in the ward in which the resident they are dealing with lives. There may be circumstances where urgent or immediate action needs to be taken (such as safeguarding or health & safety issues) which means this communication/information sharing is retrospective.”</i> 4. The amendment of all Committee Terms of Reference to include: <ul style="list-style-type: none"> • For all Councillors to undertake training before being able to sit on a committee. • For all Councillors to undertake refresher training once every three years, or yearly for the Planning and Environmental Protection Committee and the Licensing Committee. 	

1. GOVERNANCE BOARD CONSULTATION

- 1.1 Governance Board considered the proposed changes to the constitution at its meeting on 20 March 2018. Following debate the following alterations to the recommendations to Audit Committee were agreed.

Petitions Scheme

- 1.2 The recommendation in relation to the Petitions Scheme was agreed for submission to Audit Committee without alteration.

Questions on the Combined Authority

- 1.3 The recommendation in relation to standing orders on questions to the Combined Authority representatives was removed from the submission to Audit Committee. Governance Board requested that the issue be returned to Governance Board after a further six months to allow for the process to settle in.

Full Council Public Speakers

- 1.4 The recommendation in relation to standing orders on public speakers at Full Council was agreed for submission to Audit Committee without alteration.

Voting Procedure

- 1.5 The recommendation in relation to standing orders on the voting procedure at Full Council was agreed for submission to Audit Committee with a number of alterations. These are set out in Appendix 1 to this supplementary report.
- 1.6 An outline of the process for electronic voting at future meetings of Council is attached at Appendix 2 to the supplementary report.

Time Limits for Motion Debates

- 1.7 The recommendation in relation to standing orders on time limits for motion debates was removed from the submission to Audit Committee. Governance Board agreed to hold an additional meeting of the Board to review the time limits at meetings of Council as a whole.

Postponing Meetings - Extenuating Circumstances

- 1.8 The recommendation in relation to standing orders on the postponement of meetings in extenuating circumstances was agreed for submission to Audit Committee, with the addition of the ability to also cancel meetings in extenuating circumstances.

Member Officer Protocol - Cross Ward Working

- 1.9 The recommendation in relation to cross ward working within the Member Officer Protocol was agreed for submission to Audit Committee, with the alteration of wording for insertion to:

“Members will normally, as a courtesy, keep Ward Councillors advised of matters in the ward in which the resident they are dealing with lives. There may be circumstances where urgent or immediate action needs to be taken (such as safeguarding or health & safety issues) which means this communication/information sharing is retrospective.”

Committee Terms of Reference – Training Requirements

- 1.10 The Governance Board agreed an additional recommendation for submission to Audit Committee in relation to committee training requirements. This was for the Terms of Reference of each committee to be updated to include a requirement for all Councillors to undertake training before being able to sit on a committee. This would include a requirement to attend a refresher training session every three years, or yearly for Members of the Planning and Licensing Committees.

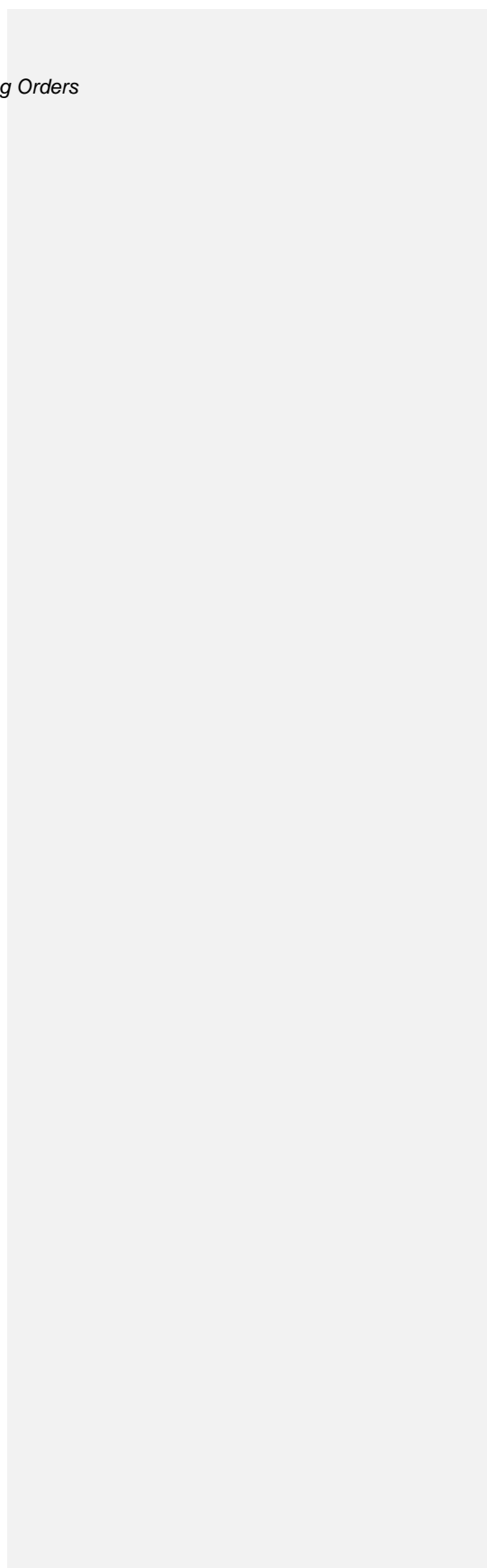
*Part 4, Section 1 – Council Standing Orders***CONTENTS**

Standing Order	Page
1. Annual meeting of the Council	
2. Ordinary meetings of Council	
3. Ordinary meetings of Council and Committees	
4. Extraordinary meetings and variations	
5. Private meeting to nominate the Mayor Elect	
6. Appointment of members of committee and sub-committees in year including substitute members	
7. Attendance at committees or sub-committees	
8. Committee and sub-committee powers and duties and delegation to committees and sub-committees	
9. Working parties for committees	
10. Time and place of meetings	
11. Notice of and summons to meetings	
12. Chair of meeting	
13. Quorum	
14. Duration of meeting	
15. Questions by the public at meetings of Council	
16. Petitions presented to Council	
17. Questions by Members at Council	
18. Motions on notice	
19. Motions without notice	
20. Standing orders of debate	
21. State of the city debate by Council	
22. Previous decisions and motions	
23. Voting	
24. Minutes	
25. Record of attendance	
26. Exclusion of press and public	
27. Members' conduct	
28. Disturbance by public	
29. Suspension and amendment of Council Procedure Standing	

Part 4, Section 1 – Council Standing Orders

Orders

30. Photography and audio/visual recording of meetings



*Part 4, Section 1 – Council Standing Orders***1. ANNUAL MEETING OF THE COUNCIL**

1.1. Timing and business

In a year when there is an ordinary election of councillors, the annual meeting will take place within 21 days of the retirement of the outgoing councillors. In any other year, the annual meeting will take place in March, April or May.

1.1.1 The Ceremonial Meeting (Mayor Making)

The Meeting will:

- i. elect a person to preside if the chair of Council (the Mayor) is not present;
- ii. elect the chair of Council (the Mayor);
- iii. elect the vice chair of Council (the Deputy Mayor); and
- iv. receive the retiring mayor's report.

1.1.2 The Business Meeting

The Meeting will:

- i. approve the minutes of the last meeting;
- ii. receive any announcements from the Mayor;
- iii. receive a report from the Returning Officer on the outcome of City Elections;
- iv. upon retirement of the previous Leader, which shall be at least once every four years, elect the Leader of the executive (the Cabinet)
- v. be notified by the Leader of the number of members to be appointed to the Cabinet, those Members' names and their intended portfolio of responsibilities;
- vi. appoint a licensing committee, a health and wellbeing board, at least one overview and scrutiny committee and such other committees as are required or the Council considers appropriate to deal with matters that are neither reserved to the Council nor are executive functions (as set out or will be set out in Part 3(2) of this Constitution). No member of the Executive will be allowed to be a member of a Scrutiny Committee or Commission;

Part 4, Section 1 – Council Standing Orders

- vii. receive the Leader's scheme of delegation of executive functions (as set out at Part 3(3) of this Constitution);
 - viii. approve a programme of ordinary meetings of the Council for the year; and
 - ix. consider any business set out in the notice convening the meeting.
- 1.1.3 Unless otherwise determined by statute, the Mayor may vary the order of the agenda at his/her absolute discretion and may allocate or re-allocate an appropriate time for the transaction of each item.
- 1.2. Selection of Councillors on Committees and Outside Bodies
- 1.2.1 At the annual (business) meeting, the council meeting will:
- i. decide which committees to establish for the municipal year;
 - ii. decide the size and terms of reference for those committees;
 - iii. decide the allocation of seats to political groups in accordance with the political balance requirements;
 - iv. receive nominations of councillors to serve on each committee and outside body;
 - v. appoint to those committees, standing sub-committees and outside bodies except where appointment to those bodies has been delegated by the Council or is exercisable only by the executive; and
 - vi. appoint the Chairs and Vice-Chairs of all the Council's committees, other than those which the Council has decided should be appointed by the committee itself.
- 1.2.2 The Council may decide at subsequent meetings to dissolve committees, alter their terms of reference or to appoint new committees.
- 1.2.3 The Council shall always have the power to exercise any power delegated to a committee, sub-committee or an officer.
- 2. ORDINARY MEETINGS OF COUNCIL**
- 2.1 Ordinary meetings of the Council will take place in accordance with a programme decided at the Council's annual meeting. The order of business at ordinary meetings will be as follows:

Part 4, Section 1 – Council Standing Orders

- i. elect a person to preside if the Mayor and Deputy Mayor are not present;
- ii. approve the minutes of the last meeting;
- iii. receive any declarations of interest from members;
- iv. receive any announcements from the Mayor and Leader (which, with the exception of the Mayor, will normally be limited to five minutes), followed by any question on the announcement from a leader of an opposition group (which will normally be limited to one minute);
- v. receive questions from, and provide answers to, the public in accordance with Standing Order 15;
- vi. receive petitions from the public and Members in accordance with Standing Order 16;
- vii. consider petitions in accordance with the Council's petition scheme;
- viii. Receive questions from, and provide answers to, Members in accordance with Standing Order 17.2;
- ix. deal with any business from the last Council meeting;
- x. receive reports from the Cabinet for consideration, including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and receive questions and answers on any of those reports;
- xi. receive any reports from the Council's committees and overview and scrutiny committees for consideration and receive questions and answers on any of those reports;
- xii. receive reports about and receive questions and answers on decisions made by members of the Cabinet since the last meeting of Council;
- xiii. receive any reports about and receive questions and answers on the business of joint arrangements and external organisations, including the Combined Authority;
- xiv. consider motions; and
- xv. consider any other business specified in the summons to the meeting.

*Part 4, Section 1 – Council Standing Orders***3. ORDINARY MEETINGS OF COUNCIL AND COMMITTEES****3.1 Business**

Unless otherwise determined by statute, the Mayor/Chairman may vary the order of the agenda at his/her absolute discretion and may allocate or re-allocate an appropriate time for the transaction of each item.

3.2 Urgency

The Mayor/Chairman may determine that an item of business that has not been open to public inspection, both as an item set out in the agenda and any accompanying published report, may be considered because he or she is of the opinion that, by reason of special circumstances, which shall be specified in the minutes, the item should be considered at the meeting as a matter of urgency.

4. EXTRAORDINARY MEETINGS AND VARIATIONS**4.1. Calling extraordinary meetings of Council**

Those listed below may request the proper officer to call Council meetings in addition to ordinary meetings:

- (a) the Council by resolution;
- (b) the Mayor (or the Deputy mayor if the mayor is unable to act);
- (c) the Monitoring Officer; or
- (d) any five members of the Council if they have signed a requisition presented to the Mayor and he or she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

4.2 Calling an Extraordinary Meeting of a Committee or Sub-Committee

In the case of Committee meetings, the Chairman of a Committee or Sub-Committee can, in consultation with the political group representatives, call an extraordinary meeting of the Committee at any time. A special meeting will also be called if three Members of the Committee or Sub-Committee ask the Chief Executive in writing to call a meeting.

4.3 Business at an Extraordinary Meeting of Council or a Committee or Sub-Committee

The business to be conducted at an extraordinary meeting shall be restricted to the item of business contained in the request for the

Part 4, Section 1 – Council Standing Orders

extraordinary meeting and there shall be no consideration of previous minutes or reports from committees etc. except that the Mayor/Chairman may at his/her absolute discretion permit other items of business to be conducted for the efficient discharge of the Council's business.

4.4 Variation to the meeting schedule, timings and cancellation of meetings

4.4.1 Variations to the meeting schedule will be determined by the Chairman after prior consultation with the Group representatives. The Mayor determines any variation to the Council schedule, in consultation with Group Leaders.

4.4.2 If there is disagreement about the timing of an additional meeting between the Chairman and Group representatives, the meeting will start at the normal time for meetings of that Committee as identified within the Annual Calendar of meetings approved by Council.

4.4.3 Any meeting may be cancelled if there is insufficient business to consider. This will be determined by the Chairman after prior consultation with the Group representatives. For Council, the Mayor will determine in consultation with Group Leaders.

5. PRIVATE MEETING TO NOMINATE THE MAYOR ELECT

5.1 The Chief Executive will invite Members to hold a private meeting each year to nominate the Mayor Elect. This meeting will usually be held in February or March. The notice of the meeting will not be published and the proceedings will have no legal effect.

5.2 There is a written protocol for the nomination of the Mayor Elect and this can be found within Part 5 Section 8 of the Council's Constitution.

6. APPOINTMENT OF MEMBERS OF COMMITTEES AND SUB-COMMITTEES IN YEAR INCLUDING SUBSTITUTE MEMBERS

6.1 Appointment of Chair or Vice Chair in year vacancy

The Council may remove the Chairman or Vice-Chairman or they can resign. In the event that the Chairman or Vice-Chairman resigns or for some other reason becomes permanently incapacitated, the Council may appoint another Chairman or Vice-Chairman at its next meeting following the resignation or permanent incapacity and in the meantime the Committee may elect a temporary Chairman or Vice-Chairman until a new appointment is made by the Council. Unless otherwise stated in the Constitution, the Chair and Vice-Chair of a Committee or Sub-Committees shall be a Councillor.

6.2 Appointment of Members to Committees in year vacancy

Part 4, Section 1 – Council Standing Orders

If a vacancy arises on a Committee or Sub-Committee because a Member of a Committee or a Sub-Committee has resigned their seat by sending a written notice to the Chief Executive or because a Member has resigned, died or otherwise ceased to be a Member, the Chief Executive will appoint a Member to fill the vacancy if the relevant political group asks him or her to do so, in accordance with the seat allocations approved by Council under the Local Government and Housing Act 1989 and the Regulations made thereunder.

6.3 Substitute Members

6.3.1 Number

For each Committee or Sub-Committee, the Council may appoint the same number of substitutes in respect of each political group as that group holds ordinary seats on that committee or sub-committee, however the total number of substitutes made by a political group at a meeting may not exceed 50% of the political group's seat allocation on that committee.

6.3.2 Powers and duties

Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting.

6.3.3 Substitution

Substitute members may attend meetings in that capacity only:

- (a) to take the place of the ordinary member for whom they are the designated substitute;
- (b) where the ordinary member will be absent for the whole of the meeting; and
- (c) after notifying the monitoring officer by noon on the day of the meeting of the intended substitution.

6.3.4 When the ordinary member and a designated substitute are unable to attend a meeting, a nominated substitute member of the same group may attend the meeting after notifying the Monitoring Officer by 12 noon.

7. ATTENDANCE AT COMMITTEES OR SUB-COMMITTEES

7.1 The Mayor and the political group leaders can join the debate at any meeting of a Committee but they cannot vote at them.

Part 4, Section 1 – Council Standing Orders

- 7.2 A Cabinet Member can attend any meeting of a Scrutiny Committee or Scrutiny Commission at which a report under their portfolio is being considered, Cabinet Members can also be invited to attend a Scrutiny Committee meeting at the request of the Committee. The Member will not be allowed to vote.
- 7.3 A Member who has moved a motion at a Council meeting which has been referred to any Committee or Sub-Committee will have notice of the meeting when the motion will be considered, at which they will be entitled to introduce the motion. The Member will not be allowed to vote.
- 7.4 A Committee or Sub-Committee can invite any member who is not a member of the Committee to attend and speak at any one of their meetings. The Member will not be allowed to vote.
- 7.5 Members representing wards in respect of which a report containing exempt or confidential information relates, can attend the meeting at which the report is considered, unless the Chief Executive or the Monitoring Officer advises that the report must remain confidential and it is not necessary for Members (other than Members of the Committee or Sub-Committee) to be at the meeting in order to carry out their duties as a ward member.

8. COMMITTEE AND SUB-COMMITTEE POWERS AND DUTIES AND DELEGATION TO COMMITTEES AND SUB-COMMITTEES

- 8.1 The Monitoring Officer is responsible for maintaining and updating the terms of reference of all the Council's Committees.
- 8.2 All Committees can appoint a sub-committee from within its own membership and can delegate any of their powers and duties to the sub-committees, subject to any conditions the Committee sets for the Sub-Committee.

9. WORKING PARTIES FOR COMMITTEES

- 9.1 Committees can only appoint working parties where it would not be appropriate to refer the matter to a Scrutiny Committee or Scrutiny Commission. The Committee will decide how many Members and officers working parties will have, and their terms of reference which will be time limited. A working party will not have any powers, but will make recommendations and a report to the Committee that appointed it.

10. TIME AND PLACE OF MEETINGS

Part 4, Section 1 – Council Standing Orders

- 10.1 The time and place of meetings will be determined by the monitoring officer and notified in the summons.

11. NOTICE OF AND SUMMONS TO MEETINGS

- 11.1 The proper officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Standing Orders (Procedure Rules). At least five clear days before a meeting, the monitoring officer will send a summons signed by him or her by post to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted (the agenda) and will be accompanied by the relevant reports.

12. CHAIR OF MEETING

- 12.1 The person presiding at the meeting may exercise any power or duty of the Mayor/Chairman.

13. QUORUM

- 13.1 The quorum of a meeting of Council will be one quarter of the whole number of members.
- 13.2 The quorum of an appointed Committee or Sub-Committee will be more than half of the Members present, apart from the Employment Committee and the Appeals Committee (Service Issues), where the quorum will be three.
- 13.3 During any meeting if the Mayor/Chairman counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor/Chairman. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

14. DURATION OF MEETING

- 14.1 Meeting recess

The Mayor/Chairman will adjourn the meeting for a period of ten minutes at a convenient time after two hours.

- 14.2 Interruption of the meeting

Where four hours have elapsed after the commencement of any Council meeting (and in the case of an Extraordinary meeting when two hours have elapsed since commencement of the meeting) the Mayor/Chairman shall interrupt the meeting and call for the vote

Part 4, Section 1 – Council Standing Orders

immediately on the item under discussion. Any Member speaking must immediately cease doing so and sit down. The vote will be taken without further discussion. This rule will not apply to meetings of a quasi-judicial or regulatory nature.

14.3 Motions and recommendations not dealt with

If there are other motions or recommendations on the agenda that have not been dealt with within the four hour period (or two hour period in the case of an Extraordinary meeting), they are deemed formally moved and seconded (together with any amendments). No speeches will be allowed on these items and the vote will be taken in the usual way. This rule will not apply to meetings of a quasi-judicial or regulatory nature.

14.4 Recorded vote

If a recorded vote is called for during this process it will be taken immediately.

14.5 Motions which may be moved

During the process set out in Standing Order 14.2 above, the only other motions which may be moved are that a matter be withdrawn or that a matter be delegated or referred to an appropriate body or individual for decision or report.

14.6 Close of the meeting

When all motions and recommendations have been dealt with, the Mayor/Chairman will declare the meeting closed.

15. POSTPONEMENT OR CANCELLATION OF MEETINGS

15.1 Postponement or cancellation of the meetings in extenuating circumstances

Once the proper officer has given notice and summons of a meeting, the meeting may be postponed or cancelled in extenuating circumstances. Any postponement or cancellation must be with the agreement of Mayor/Chairman and in consultation with Group Leaders/Group Representatives. Any meeting may be cancelled if there is insufficient business.

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15-16. QUESTIONS BY THE PUBLIC AT MEETINGS OF COUNCIL

15.1 General

Part 4, Section 1 – Council Standing Orders

15.1.1 Members of the public who are residents of the City may ask questions of Members of the Cabinet, the Chair of a Committee, the Chair of an Overview and Scrutiny Committee/Commission or a leader of a political group on the Council at meetings of the Council, other than the Annual Meeting and, except at the discretion of the Mayor, Extraordinary Meetings.

15.1.2 The total time allocated for Questions by the Public shall be limited to 30 minutes.

15.2 Order of questions

The order in which questions shall be presented to the meeting shall be determined by a draw for each section of the meeting. The draws shall be conducted by the monitoring officer (or senior officer appointed for this purpose). The draws may be attended by any Member of the Council by prior notice delivered in writing to the monitoring officer before the deadline for submission of questions.

15.3 Notice of questions

A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the monitoring officer no later than midday five working days before the day of the meeting. Each question must give the name and address of the questioner and must name the member of the Council to whom it is to be put. Notice must be provided at this time of any accompanying preamble to be given when putting the question to Council.

15.4 Number of questions

At any one meeting no person may submit more than two questions and no more than two such questions may be asked on behalf of one organisation.

15.5 Scope of questions

If the monitoring officer considers a question:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

he or she will inform the Mayor who will then decide whether or not to reject the question.

Part 4, Section 1 – Council Standing Orders

15.6 Record of questions

The monitoring officer will enter each question in a book open to public inspection and will immediately send a copy of the question to the member to whom it is to be put. Rejected questions will include reasons for rejection.

Copies of all questions will be circulated to all members and will be made available to the public attending the meeting.

15.7 Asking the question at the meeting

The Mayor will invite the questioner to put the question to the member named in the notice. Three minutes are allowed for putting the question. If a questioner who has submitted a written question is unable to be present, they may ask the Mayor to put the question on their behalf. The Mayor may ask the question on the questioner's behalf, indicate that a written reply will be given or decide, in the absence of the questioner, that the question will not be dealt with.

15.8 Supplemental question

A questioner who has put a question in person may also put one supplementary question without notice to the member who has replied to his or her original question. A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Standing Order 15.5 above. One minute is allowed for putting the supplementary question.

15.9 Answers

Three minutes are allowed for answering a question and two minutes are allowed for answering a supplementary question. Any question which cannot be dealt with, either because of lack of time or because of the non-attendance of the member to whom it was to be put, will be dealt with by a written answer.

15.10 Reference of question to the Cabinet or a committee

Unless the Mayor decides otherwise, no discussion will take place on any question, but any member may move that a matter raised by a question be referred to the Cabinet or the appropriate committee or sub-committee. Once seconded, such a motion will be voted on without discussion.

15.11 There are no speaking rights at committee meetings other than those laid out in the Planning Speaking Scheme, which is available to view within the Committees terms of reference at Part 3 Section 2 of the Constitution.

*Part 4, Section 1 – Council Standing Orders***16. PETITIONS PRESENTED AT COUNCIL**

- 16.1 Petitions may be presented to the Council. The person presenting the petition will be allowed to address the meeting briefly (not exceeding one minute) to outline the aims of the petition. The Mayor will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion and in accordance with the Council's petition scheme, detailed in Part 5 Section 9 of the Constitution, unless a relevant item appears elsewhere on the Agenda.

17. QUESTIONS BY MEMBERS AT COUNCIL

- 17.1 On reports of Cabinet or Committees

At a meeting of the Council, other than the Annual Meeting, a Member of the Council may ask the Leader or the chair of a committee or any representative of the Council on the Combined Authority any question without notice upon an item of the report of the Cabinet or a committee or from the Combined Authority when that item is being received or under consideration by the Council.

- 17.2 Questions on notice at full Council

- 17.2.1 Subject to Standing Order 17.4, a member of the Council may ask:

- the Mayor;
- the Leader or member of the Cabinet;
- the chair of any committee or sub-committee; or
- any representative of the Council on the Combined Authority.

up to two questions on any matter in relation to which the Council has powers or duties or which affects the City and one question on any matter in relation to which the Combined Authority has powers or duties.-

- 17.2.2 The total time allocated for Questions under this item shall be limited to 30 minutes for questions to the Mayor, Leader or member of the Cabinet, or the chair of any committee or sub-committee, and 15 minutes for questions to any representatives of the Council on the Combined Authority.

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- 17.3 Questions on notice at committees and sub-committees

Subject to Standing Order 17.4, a member of a committee or sub-committee may ask the chair of it a question on any matter in relation

Part 4, Section 1 – Council Standing Orders

to which the Council has powers or duties or which affect the City and which falls within the terms of reference of that committee or sub-committee.

17.4 Notice of questions

A member may only ask a question under Standing Order 17.2 or 17.3 if either:

- a) they have given at least five working days notice in writing of the question to the monitoring officer;
- b) the question relates to urgent matters, they have the consent of the Mayor to whom the question is to be put and the content of the question is given to the monitoring officer by noon on the day of the meeting;
- c) the question is not substantially the same as a question which has been put at a meeting of the Council in the past six months.

17.5 Response

An answer may take the form of:

- a) a direct oral answer of up to three minutes;
- b) by reference to published material of the Council which is readily available to Members; or
- c) where the reply cannot conveniently be given orally, a written answer will be circulated later to the questioner.

17.6 Supplementary question

Every question, which will be limited to one part, will be asked and answered without discussion. Upon receiving the answer, the Member who put the question shall be allowed one supplementary question, of up to one minute, provided that it arises directly out of the original question or the reply and does not introduce any new subject matter.

The supplementary question will be asked and answered orally, but the person to whom the supplementary question has been asked will have up to two minutes to answer or may decline to answer.

18. **MOTIONS ON NOTICE**

18.1 Notice

Part 4, Section 1 – Council Standing Orders

Except for motions which can be moved without notice under Standing Order 19, written notice of every motion, must be delivered to [the proper officer] by ten o'clock six clear working days before the date of the meeting (not including the day of the meeting). These will be entered in a book open to public inspection.

18.2 Motion set out in agenda

Motions for which notice has been given will be listed on the agenda in the order in which notice was received, unless the member giving notice states, in writing, that they propose to move it to a later meeting.

18.3 Scope

If the monitoring officer considers that a motion:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is illegal, improper, defamatory, frivolous or offensive;
- is substantially the same as a motion which has been put at a meeting of the Council in the past six months; or
- requires the disclosure of confidential or exempt information

he or she will inform the Mayor who will then decide whether or not to reject the motion.

19. MOTIONS WITHOUT NOTICE

19.1 The following motions may be moved without notice:

- a) to appoint a chair of the meeting at which the motion is moved;
- b) in relation to the accuracy of the minutes;
- c) to change the order of business in the agenda;
- d) to refer something to an appropriate body or individual;
- e) to appoint a committee or member arising from an item on the summons for the meeting;
- f) to receive reports or adoption of recommendations of committees or officers and any resolutions following from them;
- g) to withdraw a motion;

Part 4, Section 1 – Council Standing Orders

- h) to amend a motion;
- i) to proceed to the next business;
- j) that the question be now put;
- k) to adjourn a debate;
- l) that the meeting continue beyond 4 hours in duration (2 in the case of an extraordinary meeting);
- m) to suspend a particular standing order;
- n) to exclude the public and press in accordance with the Access to Information Standing Orders;
- o) to not hear further a member named under Standing Order 27.3 or to exclude them from the meeting Standing Order 27.4; and
- p) to give the consent of the Council where its consent is required by this Constitution.

20. STANDING ORDERS OF DEBATE**20.1 No speeches until motion seconded**

No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.

20.2 Right to require motion in writing

Unless notice of the motion has already been given, the Mayor may require it to be written down and handed to him/her before it is discussed.

20.3 Secunder's speech

When seconding a motion or amendment, a member may reserve their speech until later in the debate.

20.4 Content and length of speeches

Speeches must be directed to the question under discussion or to a personal explanation, statement of accuracy or point of order.

No speech may exceed five minutes by the mover of the motion or by three minutes in all other cases without the consent of the Mayor.

20.5 Budget Meetings

Part 4, Section 1 – Council Standing Orders

Rule 20.4 above, in respect of the length of speeches, shall not apply to a debate on the Budget where speeches shall not be subject to any time limit.

20.6 When a member may speak again

A member who has spoken on a motion may not speak again whilst it is the subject of debate, except:

- a) to speak once on an amendment moved by another member;
- b) to move a further amendment if the motion has been amended since he or she last spoke;
- c) if his/her first speech was on an amendment moved by another member, to speak on the main issue (whether or not the amendment on which he or she spoke was carried);
- d) in exercise of a right of reply;
- e) on a point of order;
- f) by way of personal explanation and
- g) statement of accuracy.

20.7 Amendments to motions

- a) An amendment to a motion must be relevant to the motion and will either be:
 - (i) to refer the matter to an appropriate body or individual for consideration or reconsideration;
 - (ii) to leave out words;
 - (iii) to leave out words and insert or add others; or
 - (iv) to insert or add words.as long as the effect of (ii) to (iv) is not to negate the motion.
- b) Except in relation to motions that can be moved without notice under Standing Order 19, written notice of every intended amendment to a motion or to recommendations from Cabinet or the Council's committees:

Part 4, Section 1 – Council Standing Orders

- (i) must be delivered to the monitoring officer in its initial form not later than noon two working days before the date of the meeting (not including the day of the meeting) at which the motion is to be considered; and
- (ii) must be delivered to the monitoring officer in its intended final form not later than noon one working day before the date of the meeting (not including the day of the meeting) at which the motion is to be considered. If no withdrawal, confirmation or change is received by the monitoring officer, it will be assumed that the amendment is to be considered in its initial form.

No other amendment may be moved at the meeting except where the Mayor may permit, at his or her absolute discretion and to ensure the efficient or proper discharge of the Council's business, a further amendment or amendments to be moved.

- c) Only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of.
- d) If an amendment is not carried, other amendments to the original motion may be moved.
- e) If an amendment is carried, the motion as amended takes the place of the original motion. This becomes the substantive motion to which any further amendments are moved.
- f) After an amendment has been carried, the Mayor will read out the amended motion before accepting any further amendments, or if there are none, put it to the vote.

20.8 Alteration of motion

- a) A member may alter a motion of which he or she has given notice with the consent of the meeting. The meeting's consent will be signified without discussion.
- b) A member may alter a motion which he or she has moved without notice with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion.
- c) Only alterations which could be made as an amendment may be made.

20.9 Withdrawal of motion

Part 4, Section 1 – Council Standing Orders

A member may withdraw a motion which he or she has moved with the consent of both the meeting and the seconder. The meeting's consent will be signified without discussion. No member may speak on the motion after the mover has asked permission to withdraw it unless permission is refused.

20.10 Right of reply

- a) The mover of a motion has a right to reply at the end of the debate on the motion, immediately before it is put to the vote.
- b) If an amendment is moved, the mover of the original motion has the right of reply at the close of the debate on the amendment, but may not otherwise speak on it.
- c) The mover of the amendment has no right of reply to the debate on his or her amendment.

20.11 Motions which may be moved during debate

When a motion is under debate, no other motion may be moved except the following procedural motions:

- a) to withdraw a motion;
- b) to amend a motion;
- c) to proceed to the next business;
- d) that the question be now put;
- e) to adjourn a debate;
- f) that the meeting continue beyond 4 hours in duration (or two hours if an extraordinary meeting);
- g) to exclude the public and press in accordance with the Access to Information Standing Orders;
- h) to not hear further a member named under Standing Order 27.3 or to exclude them from the meeting under Standing Order 27.4; and
- i) that a specific standing order be suspended

20.12 Closure motions

- a) A member may move, without comment, the following motions at the end of a speech of another member;

Part 4, Section 1 – Council Standing Orders

- (i) to proceed to the next business;
 - (ii) that the question be now put;
 - (iii) to adjourn a debate; or
 - (iv) to adjourn a meeting.
- b) If a motion to proceed to next business is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will give the mover of the original motion a right of reply and then put the procedural motion to the vote.
- c) If a motion that the question be now put is seconded and the Mayor thinks the item has been sufficiently discussed, he or she will put the procedural motion to the vote. If it is passed he or she will give the mover of the original motion a right of reply before putting his/her motion to the vote.
- d) If a motion to adjourn the debate or to adjourn the meeting is seconded and the Mayor thinks the item has not been sufficiently discussed and cannot reasonably be so discussed on that occasion, he or she will put the procedural motion to the vote without giving the mover of the original motion the right of reply.

20.13 Point of order

A member may raise a point of order at any time. The Mayor will hear them immediately. A point of order may only relate to an alleged breach of these Council Standing Orders or the law. The member must indicate the Standing Order or rule of law and the way in which he or she considers has been broken. The ruling of the Mayor on the matter will be final.

20.14 Personal explanation

A member may make a personal explanation at any time. A personal explanation may only relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate. The ruling of the Mayor on the admissibility of a personal explanation will be final.

20.15 Statement of accuracy

A member may make a request to the Mayor to make a statement of accuracy at any time. If permitted, the statement will be limited to the accuracy of a fact cited by the member speaking and may not exceed thirty seconds. The ruling of the Mayor on the admissibility of a statement of accuracy will be final.

*Part 4, Section 1 – Council Standing Orders***21. STATE OF THE CITY DEBATE BY COUNCIL**

21.1 Calling of debate

The Leader may call a state of the City debate annually on a date and in a form to be agreed with the Mayor.

21.2 Form of debate

The Leader will decide the form of the debate with the aim of enabling the widest possible public involvement and publicity. This may include holding workshops and other events prior to or during the state of the City debate.

21.3 Chairing of debate

The debate will be chaired by the Mayor.

21.4 Results of debate

The results of the debate will be:

- (a) disseminated as widely as possible within the community and to agencies and organisations in the area; and
- (b) considered by the Leader in proposing the budget and policy framework to the Council for the coming year.

22. PREVIOUS DECISIONS AND MOTIONS

22.1 Motion to rescind a previous decision

A motion to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least five members.

22.2 Motion similar to one previously rejected

A motion or amendment in similar terms to one that has been rejected at a meeting of Council in the past six months cannot be moved unless the notice of motion or amendment is signed by at least five members. Once the motion or amendment is dealt with, no one can propose a similar motion or amendment for six months.

23. VOTING

23.1 Majority

Part 4, Section 1 – Council Standing Orders

Unless this Constitution provides otherwise, any matter will be decided by a simple majority of those members voting and present in the room at the time the question was put.

23.2 Mayor's/Chairman's casting vote

~~24~~ If there are equal numbers of votes for and against, the Mayor/Chairman will have a second or casting vote. There will be no restriction on how the Mayor/Chairman chooses to exercise a casting vote.

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~~24.1~~23.3 Electronic Voting

~~25~~ For meetings of Full Council in the Council Chamber, voting will be by electronic voting. Should the electronic voting system be unavailable or breakdown, voting will revert to being undertaken by a show of hands as outlined in paragraph 23.4 below, unless a Recorded Vote is called for under 23.5. Other meetings in the Council Chamber may also choose to use electronic voting and should follow the same procedure.

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~~26~~ Electronic voting will be undertaken by Members operating the individual control panel on their microphone sets which allows Members to vote 'yes', 'no', or 'abstain'.

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~~The Council has adopted an Electronic Voting Procedure which will be followed at all times when using electronic voting. Individual voting results will be displayed on screens in the Chamber and a record will be subsequently published alongside the meeting minutes on the Council's website.~~

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~~26.1~~23.4 Show of hands

Unless a recorded vote is demanded under Standing Orders 23.4 and 23.5, the Mayor/Chairman will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

~~26.2~~23.5 Recorded vote

If one quarter of members present and entitled to vote at the meeting demand it, the names for and against the motion or amendment or abstaining from voting will be recorded in writing by calling a roll and entered into the minutes.

~~26.3~~23.6 Budget decision

At a budget decision meeting of the Council the names of the persons who cast a vote for the decision or against the decision or who

Part 4, Section 1 – Council Standing Orders

abstained from voting will be recorded in writing or via the electronic voting system and entered into the minutes of the proceedings of that meeting

For the purposes of this Standing Order:

- (a) “budget decision” means a meeting of the Council at which it—
- (i) makes a calculation (whether originally or by way of substitute) in accordance with any of sections 31A, 31B, 34 to 36A, 42A, 42B, 45 to 49, 52ZF, 52ZJ of the Local Government Finance Act 1992; or
 - (ii) issues a precept under Chapter 4 of Part 1 of that Act,
- and includes a meeting where making the calculation or issuing the precept as the case may be was included as an item of business on the agenda for that meeting; and
- (b) references to a vote are references to a vote on any decision related to the making of the calculation or the issuing of the precept as the case may be.

26-423.7 Right to require individual vote to be recorded

Where any member requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

26-523.8 Voting on appointments

If there are more than two people nominated for any position to be filled and there is not a clear majority of votes in favour of one person, then the name of the person with the least number of votes will be taken off the list and a new vote taken. The process will continue until there is a majority of votes for one person.

24. MINUTES

24.1 Signing the minutes

The Mayor/Chairman will sign the minutes of the proceedings at the next suitable meeting. The Mayor/Chairman will move that the minutes of the previous meeting be signed as a correct record. The only part of the minutes that can be discussed is their accuracy.

24.2 There is no requirement to sign minutes of previous meeting at extraordinary meeting

Where in relation to any meeting, the next meeting for the purpose of signing the minutes is a meeting called under paragraph 3 of Schedule 12 to the Local Government Act 1972 (an Extraordinary Meeting), then

Part 4, Section 1 – Council Standing Orders

the next following meeting (being a meeting called otherwise than under that paragraph) will be treated as a suitable meeting for the purposes of paragraph 41(1) and (2) of Schedule 12 relating to signing of minutes.

24.3 Form of minutes

Minutes will contain all motions and amendments in the exact form and order the Mayor put them.

25. RECORD OF ATTENDANCE

25.1 All members present during the whole or part of a meeting must sign their names on the attendance sheets before the conclusion of every meeting to assist with the record of attendance.

26. EXCLUSION OF PRESS AND PUBLIC

26.1 Members of the public and press may only be excluded either in accordance with the Access to Information Standing Orders in Part 4 of this Constitution or Standing Order 28 (Disturbance by Public).

27. MEMBERS' CONDUCT

27.1 Speaking and address system

When a member speaks at full Council they must stand and address the meeting through the Mayor. If more than one member stands, the Mayor will ask one to speak and the others must sit. Other members must remain seated whilst a member is speaking unless they wish to make a point of order, a point of personal explanation or a statement of accuracy. This rule will not apply to Committee or Sub-Committee meetings.

27.2 Mayor/Chairman

When the Mayor/Chairman speaks or stands during a debate or otherwise indicates that the meeting should come to order, any member speaking at the time must stop and sit down. The meeting must be silent.

27.3 Member not to be heard further

If a member persistently disregards the ruling of the Mayor/Chairman by behaving improperly or offensively or deliberately obstructs business, the Mayor/Chairman or another Member may move that the Member be not heard further. If seconded, the motion will be voted on without discussion.

Part 4, Section 1 – Council Standing Orders

27.4 Member to leave the meeting

If the Member continues to behave improperly after such a motion is carried, the Mayor/Chairman or another Member may move that either the Member leaves the meeting or that meeting is adjourned a specified period. If seconded, the motion will be voted on without discussion.

27.5 General disturbance

If there is a general disturbance making orderly business impossible, the Mayor/Chairman may adjourn the meeting for as long as he or she thinks necessary.

27.6 Conflicts of Interest

Members of the Council are under a duty to base their decision making on a consideration of the public interest. Members must avoid conflict between personal interest and the public interest, declare any personal interest when it arises and resolve any conflict between the two interests, at once, and in favour of the public.

28. DISTURBANCE BY PUBLIC

28.1 Removal of member of the public

If a member of the public interrupts proceedings, the Mayor/Chairman will warn the person concerned. If they continue to interrupt, the Mayor/Chairman will order their removal from the meeting room.

28.2 Clearance of part of meeting room

If there is a general disturbance in any part of the meeting room open to the public, the Mayor/Chairman may call for that part to be cleared.

29. SUSPENSION OF COUNCIL PROCEDURE STANDING ORDERS

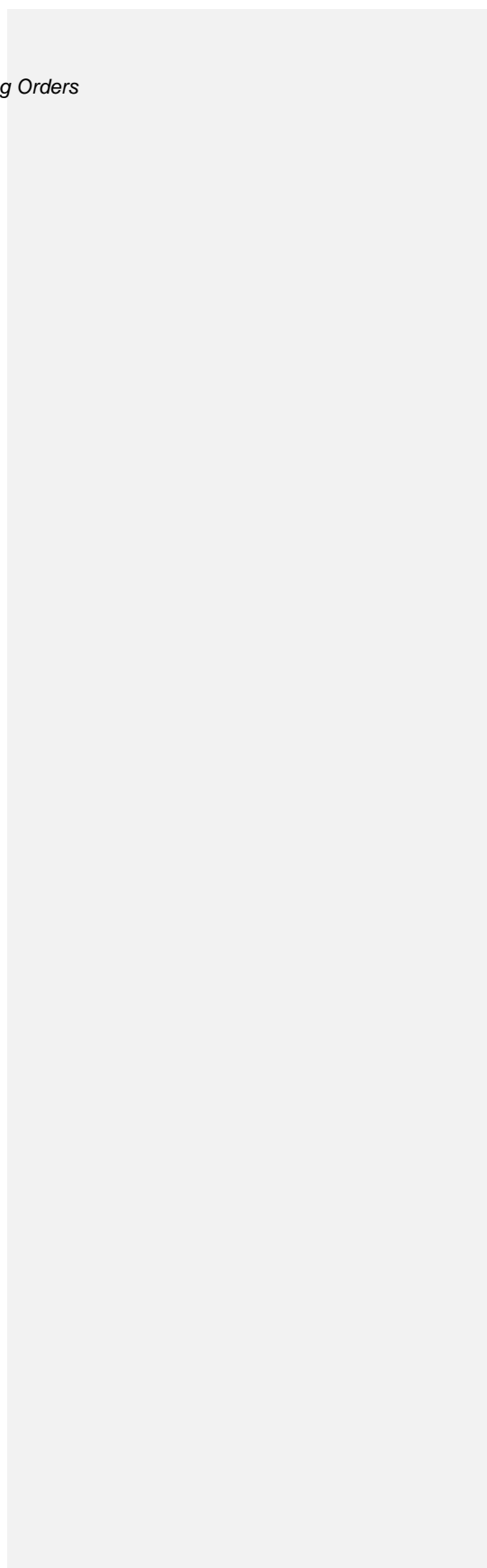
29.1 Suspension

All of these Council Standing Orders of Procedure except Standing Order 23.5 and 24.2 may be suspended by motion on notice or without notice if at least one half of the whole number of members of the Council are present. Suspension can only be for the duration of the meeting.

30. PHOTOGRAPHY AND AUDIO/VISUAL RECORDING OF MEETINGS

30.1 Any member of the public may film, audio record, take photographs and use social media to report the proceedings of any meeting that is open to the public.

Part 4, Section 1 – Council Standing Orders



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ANNUAL COUNCIL	AGENDA ITEM No. 12
21 MAY 2018	PUBLIC REPORT

Report of:	Fiona McMillan, Interim Director of Law and Governance	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Manager	Tel. 452460

CALENDAR OF MEETINGS 2018/2019

RECOMMENDATIONS	
FROM: <i>Interim Director of Law and Governance</i>	Deadline date: <i>N/A</i>
It is recommended that Council approved the Calendar of Meetings (Appendix 1) for 2018/2019.	

1. PURPOSE AND REASON FOR REPORT

- 1.1 The Council at its annual meeting will agree the date and time of ordinary meetings of Council (and its committees) for the forthcoming municipal year.
- 1.2 Members are asked to agree the calendar of the Council and its committees for the 2018/2019 municipal year.

2. BACKGROUND AND KEY ISSUES

- 2.1 As required by Schedule 12 of the Local Government Act 1972, a notice is published on the notice board at the Town Hall informing the public of the meetings of the Council and its committees. If changes are made to the public notice by the Proper Officer, the notice will be updated and information fully publicised on the Council's website.

3. CONSULTATION

- 3.1 Relevant internal officers have been consulted when drafting the calendar of meetings. The calendar was submitted to Council in draft form at its meeting on 7 March 2018 in order to obtain the views of Members.

4. IMPLICATIONS

- 4.1 There are no financial, legal or equalities implications arising from this report.

5. BACKGROUND DOCUMENTS

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

- 5.1 None.

6. APPENDICES

- 6.1 **Appendix 1** – Calendar of Meetings 2018/2019

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PETERBOROUGH CITY COUNCIL MEETING DATES JUNE 2018 - MAY 2019													
MEETING	TIME	JUNE	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY
COUNCIL (Wednesday)	7pm		25			17		12	23		6		
Annual Council (Monday)	6.30pm												20
Cabinet (Monday)	10am	11 (2pm)			24		19			4	25		
Cabinet Budget Meeting (Monday)	10am		16					3		25			
SCRUTINY COMMITTEES													
Health Scrutiny Committee (Monday)	7pm		2		17		5		21		18		
Adults & Communities Scrutiny Committee (Tuesday)	7pm		10		11		13		15		12		
Growth, Environment & Resources Scrutiny Committee (Wednesday)	7pm		4		5		7		9		13		
Children & Education Scrutiny Committee (Thursday)	7pm		12		20		1		3		21		
Scrutiny of the Budget	7pm	26					28			12			
COMMITTEES OF COUNCIL													
Appeals and Planning Review Committee (Monday)	7pm											8	
Audit Committee (Monday)	7pm		16		24		19			11	25		
Planning & Env. Protection Committee (Tuesday)	1.30pm	12	3 + 24		4 + 25	16	6 + 27	18	8 + 29	19	12	2 + 23	
Licensing & Licensing Act 2003 Committee (Thursday)	7pm	7	5			11		6		14		18	
Employment Committee (Thursday)	7pm	21		30			22		17		7		
Constitution and Ethics Committee (Monday)	7pm		9						7				
Corporate Parenting Committee (Wednesday) (Informal @ 5:30pm)	6.30pm	6	18		12		14		16		20		
Health and Wellbeing Board (Monday)	1pm				17			10			18		
OTHER BODIES													
Cambridgeshire and Peterborough Combined Authority													
Combined Fire Authority	2pm												
Cambridgeshire Police and Crime Panel (Wednesday)	2pm		4 (10am)		12		14		30		13		
Eastern Shires Purchasing Organisation	11am	20			19		28						
PARTNERSHIP AND LIAISON MEETINGS													
Safer Peterborough Partnership (Wednesday)	3pm - 5pm		25			24			30			24	
Parish Council Liaison (Wednesday)	6.30pm		18		19			19		13		10	
Children and Families Joint Commissioning Board	1.30pm												
Adults Joint Commissioning Boards	2:45pm												
WORKING GROUPS													
All Party Policy (Thursday)	6pm	28	26		27	25	29		31	28	28		30
Cabinet Policy Forum	5.30pm	12 + 26	10 + 24		11 + 25	9 + 23	13 + 27	11	8 + 22	12 + 26	12 + 26	9 + 23	
CONFERENCES													
Conservative Party					30	1-3							
Labour Party Annual Conference					23-26								
Liberal Democrats Autumn Conference					15-18								
UKIP National Conference													
Local Government Association Annual Conference			3-5										

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