

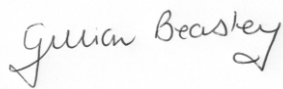
PETERBOROUGH CITY COUNCIL SUMMONS TO A MEETING

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

MONDAY 20 MAY 2019 at 7.45 pm

AGENDA

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Chief Executive

10 May 2019
Town Hall
Bridge Street
Peterborough



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**MINUTES OF THE COUNCIL MEETING
HELD WEDNESDAY 6 MARCH 2019
COUNCIL CHAMBER, TOWN HALL, PETERBOROUGH**

THE MAYOR – COUNCILLOR CHRIS ASH

Present:

Councillors Aitken, Ali, Allen, Ash, Ayres, Barkham, Bashir, Bisby, Bond, Brown, Casey, Cereste, Coles, Davidson, Dowson, Ellis, Elsey, Farooq, Fitzgerald, Fuller, J A Fox, J R Fox, Goodwin, Harper, Hemraj, Hiller, Hogg, Holdich, Howell, Hussain, Amjad Iqbal, Azhar Iqbal, Jamil, Jones, Joseph, Lamb, Lane, Lillis, Martin, Murphy, Nadeem, Gul Nawaz, Shaz Nawaz, Over, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Walsh, Warren and Whitby.

68. Apologies for Absence

Apologies for absence were received from Councillor Fower.

69. Declarations of Interest

Councillor Seaton declared that he was a member of the POSH Supporters Trust and was also an Executor to his late father's estate and he had been a minority shareholder.

Councillor Hiller declared a pecuniary interest as he was a director of Medesham Homes. He advised Council he had received dispensation to speak on such items but would leave the Chamber if there was a vote.

Councillor Sandford declared he was a member of the POSH Supporters Trust.

70. Minutes of the Meetings held on 23 January 2019

The minutes of the meeting held on 23 January 2019 ordinary meeting and 23 January 2019 special meeting were approved as a true and accurate record.

COMMUNICATIONS

71. Mayor's Announcements

The Mayor announced the Civic Awards, a scheme which recognised organisations and business groups that have made a significant difference to the local community.
The following nominees had been selected to receive a Civic Award:

Community Involvement Civic Awards

- Mrs Barbara Holdich
- Ms Belinda Speechley
- Mrs Brenda Fearon

- Ms Diane Nicholas
- Mr Dick Talbot
- Mr Eric Winstone
- Mr Ian Davies
- Mr John Bartlett
- Mr Jonathan Rippon
- Mr Lawrence Wright
- Mr Louis Deplancke
- Mr Michael Chambers
- Mr Mick Mead
- Mr Mohammed Saeed
- Mr Muhammad Nawaz
- Running Advisory Group – Perkins Great Eastern Run
- Mr Steven Pettican
- Mr Trevour Purlant
- Fiona Henry
- Bernadette Gibbons
- Kirsty Hadfield
- Needless Needles

Lifetime Achievement Award:

- Mr David Boddy
- Ms Evelyn Speechley
- Mrs Karen Hepworth-Lavery

Business award:

- Mrs Katherine Hlalat

Environment Award:

- Fiona Henry
- Bernadette Gibbons
- Kirsty Hadfield
- Needless Needles
- Mr Mohammed Saeed

Awards would be presented at a ceremony to be held at the Town Hall on Tuesday 3 April 2019.

Members were also advised of the forthcoming charity events, the Quiz Night on 13 March, a talk with David Lowndes on the 21 March and a Proms Evening on the 14 April. The annual Mayor's Ball would be held on the 18 May and a Curry Evening on 28 April 2019.

Council Members were also advised of a Charity Evening Meal on the 11 March hosted by Councillor Ali.

72. Leader's Announcements

There were no announcements from the Leader.

QUESTIONS AND PETITIONS

73. Questions with Notice by Members of the Public

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

1. Repayment of the Empower Loan
2. Travel to Sand Martin House
3. Street Cleaning in West Town

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

74. Petitions

(a) Presented by Members of the Public

There were no petitions presented by members of the public.

(b) Presented by Members

A petition was presented to Council by Councillor Ali requesting that the Council considered the restricted parking areas on Clarence Road.

A petition was presented to Council by Councillor Jones requesting that the Council installed a light controlled pedestrian crossing on Eastern Avenue.

A petition was presented to Council by Councillor Shaz Nawaz requesting that the Council reconsidered the new electronic system for visitor parking permits used by the residents in Parking Zone E.

75. Questions on Notice

Discussion took place between Members on whether the questions should be read out or taken as read. Members were concerned that if the questions were read out in full, less questions would be asked due to the time limit placed on this item. Members also felt that the questions should be read to make more sense to those watching the livestream and in the interests of transparency. The Legal Officer advised questions were available on line.

It was proposed that the questions were read out in full for this meeting.

A recorded vote was taken on the recommendation (35 voted in favour, 20 voted against, 1 abstained from voting).

Councillor For: Aitken, Ali, Allen, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Else, Farooq, Fitzgerald, Judy Fox, Fuller, Goodwin, Harper, Hiller, Holdich, Howell, Hussain, Azher Iqbal, Lamb, Lane, Nadeem, Gul Nawaz, Over, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh, Warren

Councillors Against: Barkham, Bond, Davidson, Dowson, Ellis, John Fox, Hemraj, Hogg, Amjad Iqbal, Jamil, Jones, Joseph, Lillis, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed, Whitby

Councillors Abstaining: Ash

Councillors Not Voting: Nil

It was **RESOLVED** that the questions on notice would be read out in full.

- (a) To the Mayor**
- (b) To the Leader or Member of the Cabinet**
- (c) To the Chair of any Committee of Sub-Committee**
- (d) To the Combined Authority Representatives**

Questions (b) to the Leader or Member of the Cabinet were raised and taken as read in respect of the following:

1. The welfare of taxi drivers
2. The relocation of Peterborough United football stadium
3. The process for collection of bulky waste
4. The United Nations Intergovernmental Panel on Climate Change report
5. The reduction in carbon emissions from council owned vehicles
6. Solar panels on council buildings
7. Planning permission for affordable homes
8. Education funding
9. Fines for dog fouling
10. Fines issued for parking related offences outside the city centre
11. Neighbourhood parks and green spaces
12. The social housing waiting list
13. The move to Microsoft 365
14. Deaths as a result of being homeless
15. Repairs to broken street lights
16. Pedestrian access at Rhubarb Bridge
17. Change Programme Funds
18. Prosecutions for fly tipping offences

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

RECOMMENDATIONS AND REPORTS

76. Executive and Committee Recommendations to Council – Part One

(a) Cabinet - Medium Term Financial Strategy 2019/20 to 2021/22 - Tranche Three

Council received a report on the current position regarding the Tranche Three Budget Consultation, including the consultation feedback received after publication of the main report.

Councillor Seaton introduced the report and moved the recommendations. He also addressed the fake news recently reported in the press and advised that he had written to all Councillors to advise them of the legal situation regarding the sale of council buildings no longer in use. He advised that using the funds these sales generated to repay existing loans was lawful and confirmed that external, independent auditors had checked and approved the Council's financial management.

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

Councillor Amjad Iqbal moved an amendment to the motion and proposed an alternative to the Council's Medium Term Financial Strategy as detailed in the additional information pack. He acknowledged the financial situation the Council was in but stated more was demanded of the Council to provide more services. The proposal included growth within the economy by attracting more business to move to the city to take advantage of the digital services, low operating costs and commuter links.

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

Council debated the amendment and Members raised the following key points and comments:

- The addendum had not been properly researched.
- 90% of start-up business failed to survive the first 12 months and if £10million was loaned to start-up business, there was a potential loss of £9million.
- It was felt that not all Members understood the workings of the Forward Plan and the workings of the Scrutiny Committees.
- If Members had ideas and proposals they believed had merit, these should have been raised when the budget was being developed.
- Some Members felt there was insufficient time between meetings and budget publication to make suggestions on the budget however Members were reminded that the Budget Working Group had been running for a number of years and ideas could have been presented at any meeting or at any other time.
- Although the suggestions contained within the amendment had been received too late for this budget it did however contain some good ideas which should be considered and possibly incorporated in future plans.
- Members felt that housing development in Peterborough was behind that in Cambridge and this amendment would enable funds to be released to invest in new council homes. Discussion then took place over whether new homes were being built in Cambridgeshire.
- 151 affordable homes had been built this year.
- Outside bodies had been consulted on the current budget proposals and quality impact assessments had been carried out; there would be similar requirements for any amendments.
- There were no legal implications concerning the amendment detailed within the report.
- Council tax had not increased in previous years but can this year be increased by 3%.
- The current year's budget had been balanced by using £11.5million Capital Receipts and £3.5million from Reserves which some Members felt was not be prudent. Over a three year period over £27million of Capital Receipts had been used however £8million of Reserves was currently available to support change programmes. Some reserves must be retained.
- Forming a Housing Revenue Account (HRA) would enable the Council to bid for funds from Central Government and Members were advised plans were already in place to move toward establishing this and taking advantage of the Government Housing Infrastructure Fund.
- Consideration could be given for the Council to build houses for sale in the same way that the Development Corporation had done and Members were advised that a joint venture housing company had already been set up in the form of Medesham Homes which could be used to achieve this.
- The Council had now purchased 35 homes with offers accepted on over 50.
- The building of houses had not kept up with demand for homes following inward migration to the city.

- The reduction in the bus subsidy had not had a significant impact on the basic services however a working group had been set up to look at other areas of public transport within Peterborough to see if any further savings could be achieved.
- £3.6million would be paid to the Combined Authority as a transport levy but Members were unclear what this was for and who would be responsible for public transport in the next financial year.
- The idea of setting up an investment fund to lend to business for a profit, as contained within item 1 of the amendment, aligned with the current loan investment.
- The proposed investment fund was very limited whereas the current commercial strategy did not limit the council to lending only £10million and each applicant was considered on their own merit.
- There was no evidence that due diligence had been carried out in support of the proposals contained within the amendment.
- The Peterborough United Football Ground (POSH) sale, should it proceed, included plans to build a technical innovation hub.
- No data had been included to support the availability, location and cost of land.
- The setting up of a brokerage firm for transport was considered an interesting idea which could provoke further discussion.
- Members were invited to put forward any proposals to the Finance Director or the Chief Executive at any time and were invited to attend the next Budget Working Group meeting.

Councillor Bashir proposed a motion that Council move directly to the vote without further debate and this was seconded by Councillor Fitzgerald.

Discussion took place on whether there should be a response from the mover of the amendment and Members were advised that, under Standing Order Item 21.10, the mover of an amendment does not have the right of reply.

A vote was taken on moving directly to the vote (35 voted in favour, 20 voted against, 1 abstained from voting)

It was **RESOLVED** to move directly to the vote.

As mover of the original motion Councillor Seaton summed up and advised Members he welcomed the ideas contained within the amendment and advised Members that some of these suggestions were already taking place, such as investment in business hubs. He advised this could be considered but adequate security would be required.

The proposal included building further homes over the next three years in addition to current building plans however plans were not included to manage the speed of growth and the subsequent impact on services, such as medical facilities and school places.

Councillor Seaton's advised that he could not commit the Council to the level on investment the amendment proposed.

A recorded vote was taken on the amendment to the recommendation (19 voted in favour, 33 voted against, 2 abstained from voting, 1 did not vote).

Councillor For: Ali, Barkham, Bond, Dowson, Ellis, Hemraj, Hogg, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, Lillis, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed

Councillors Against: Allen, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Elsey, Farooq, Fitzgerald, Judy Fox, John Fox, Fuller, Goodwin, Harper, Hiller, Holdich, Azher Iqbal, Lamb, Lane, Nadeem, Gul Nawaz, Over, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh, Warren, Whitby

Councillors Abstaining: Ash, Howell

Councillors Not Voting: Aitken

The amendment to the recommendation was **DEFEATED**.

Councillor Cereste proposed moving directly to the vote, this was seconded by Councillor Elsey.

The Mayor considered that there had been insufficient debate on the main motion and debate continued with Members raising the following points:

- The level of Reserves remaining and the use of Reserves to balance the budget.
- Lost community assets could not be replaced.
- Council tax had not increased in recent years however this year it would be needed to compensate for reduced funds from central government.
- Some Members could not comprehend how the sale of assets was not a sustainable financial strategy but, at the same time, could be one that provided a strategic approach.
- Reference was made to the defeated amendment which included a proposal to lend to businesses. Members were advised the amendment did not propose to lend to start-up business but to existing local business who employed local people.
- Some Councillors announced that they intended to make their views known on Facebook.
- £500,000 per annum was spent on clearing up and enforcing fly-tipping and the Fly-tipping Task and Finish Group was continuing to investigate ways to address the problem.
- Under the Council's responsibility for the homeless, when there were no hotel or bed and breakfast facilities available in the city, the Council had no alternative but to provide accommodation further afield although the reliance on out of town accommodation had now been eliminated.

Councillor Fitzgerald proposed that there be no further debate and Council moved directly to the vote.

Councillor Holdich seconded the proposal.

A vote was taken and it was agreed (unanimously) to proceed to the vote.

As mover of the motion Councillor Seaton summed up the recommendation and acknowledged earlier comments and Members varying views on Council Tax increases. He advised that the Council were emphasising the need for more funds from Central Government.

A recorded vote was taken on the original recommendation (32 voted in favour, 20 voted against, 2 abstained from voting) and the motion was **AGREED**.

Councillor For: Aitken, Allen, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Elsey, Farooq, Fitzgerald, Judy Fox, John Fox, Fuller, Goodwin, Harper, Hiller, Holdich, Azher Iqbal, Lamb, Nadeem, Gul Nawaz, Over, Rush, Seaton, Serluca, Simons, Smith, Stokes, Walsh, Warren

Councillors Against: Ali, Barkham, Bond, Ellis, Hemraj, Hogg, Howell, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, Lillis, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed, Whitby

Councillors Abstaining: Ash, Lane

Councillors Not Voting: Nil

It was **AGREED** that the Council approved:

1. The Tranche Three service proposals, outlined in Appendix H to the report, this included a 2.99 per cent council tax increase.
2. The Medium Term Financial Strategy 2019/20-2021/22-Tranche Three, as set out in the body of the report and the following appendices:
 - Appendix A – 2019/20-2021/22 MTFS Detailed Budget Position-Tranche Three
 - Appendix B – Budget Proposals- Tranche One, Two and Three.
 - Appendix C – Council Tax Information
 - Appendix D – Grant Register
 - Appendix E – Fees and Charges
 - Appendix F – Performance Data
 - Appendix G – Capital Programme Schemes 2019/20- 2023/24
 - Appendix H – Budget Consultation Document, including Tranche Three Budget Proposal detail
 - Appendix I – Savings RAG Rating
 - Appendix J – Equality Impact Assessments
 - Appendix K – Treasury Management Strategy
 - Appendix L – Capital Strategy
 - Appendix M – Asset Management Plan
 - Appendix N – Investment Acquisition Strategy
 - Appendix O – Budget Consultation Feedback
 - Appendix P – NNDR Retail relief discount 2019/20 and 2020/21
 - Appendix Q – NNDR Local Discretionary Relief Scheme for 2019-20 and 2020-21
3. The Local Discretionary Rate Relief scheme for 2019-20 and 2020-21 as set out in section 5.8 of the report and Appendix Q to the report.
4. To approve the Business rates retail discount scheme for 2019/20 and 2020/21 as set out in section 5.8 and Appendix P to the report.

77. Council Tax Resolution

Council were presented with the report on the council tax requirement as part of the formal budget process as set out within the constitution and in accordance with legislative requirements.

Councillor Seaton introduced the report and moved the recommendations. He drew attention to the supplementary information pack which contained an update to paragraph three of the Council Tax Resolution to reflect the change in the Housing Benefit Grant Allocation.

Councillor Casey seconded the motion and reserved his right to speak.

A recorded vote was taken on the recommendation (unanimous).

Councillor For: Aitken, Ali, Allen, Ash, Ayres, Barkham, Bashir, Bisby, Bond, Brown, Casey, Cereste, Coles, Ellis, Elsey, Farooq, Fitzgerald, Judy Fox, John Fox, Fuller, Harper, Hemraj, Hiller, Hogg, Holdich, Howell, Hussain, Amjad Iqbal, Azher Iqbal, Jamil, Jones, Joseph, Lamb, Lane, Lillis, Martin, Murphy, Nadeem, Gul Nawaz, Shaz Nawaz, Over, Rush, Saltmarsh, Sandford, Seaton, Serluca, Shaheed, Simons, Smith, Stokes, Walsh, Warren

Councillors Against: Nil

Councillors Abstaining: Nil

Councillors Not Voting: Nil

It was **AGREED** that the Council approved the Council Tax Resolution which proposed a rise in general Council Tax of 2.99%.

78. Executive and Committee Recommendations to Council – Part Two

(a) Cabinet Recommendation – Council Tax Support Scheme 2019/2020

Cabinet, at its meeting on 25 February 2019, received a report in relation to the Council Tax Support Scheme for 2019/2020 including feedback from the consultation and the continuation of the Council Tax Hardship Policy.

Councillor Seaton introduced the report and provided Council with some background information. He advised that until 2013, residents on low income could claim Council Tax Benefit which had the potential to cover up to 100% of their Council Tax. The amount received was dependent upon income and family circumstances with the local authority being reimbursed by Central Government. In 2013 Council Tax Benefit was abolished and each local authority designed its own scheme. Central Government funding was devolved and reduced. Pensioners were exempt from the changes and the new schemes only affected working age claimants who received a 30% reduction. The scheme has remained in place since 2013 however funding from central Government had continued to diminish.

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

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

- Members wanted to know how many residents were affected by the changes and by how much.
- Moving the existing 30% reduction applied at the end of the benefit calculation to the start of the calculation would lead to higher council tax increases for some of the poorest residents.
- Members felt that Council Tax would rise and disproportionately affect poorer people who would receive a reduction in the amount of assistance received.

- The Council Tax Support Scheme discourages people from taking up employment and some Members felt for this reason they could not support the proposal.
- The online consultation was complicated and not easy to understand and only two people responded. Members asked how the consultation could be justified with only two responses.
- 30% change from net to gross liability would generate an additional £225,000 and would affect 1,991 people. The 1% increase would generate £79,000 and affects 8698 people and the £6,000 capital limit will generate £22,000 which will affect 43 people. This was not confirmed by the Cabinet Member for Resources.
- Concerns were raised regarding the disregard of child benefit affecting poorer families and pensioners had expressed concern about the capital limit reduction from £16,000 to £6,000.

Councillor Seaton summed up as mover of the proposal and in so doing responded to comments and questions raised by members. The main points included:

- Pensioners would be exempt from the scheme.

Councillor Seaton proposed that Councillor Murphy not be heard further on this item under Item 28.3 of the Constitution, Part 4, Section 1 – Council Standing Orders and this was seconded by Councillor Bashir.

A recorded vote was taken (28 in favour, 19 against, 3 abstaining, 2 not voting).

Councillor For: Aitken, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Elsey, Farooq, Fitzgerald, Judy Fox, John Fox, Harper, Hiller Holdich, Azher Iqbal, Lamb, Nadeem, Gul Nawaz, Over, Rush, Seaton, Simons, Smith, Stokes, Walsh, Warren

Councillors Against: Ali, Barkham, Bond, Ellis, Hemraj, Hogg, Howell, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, Lillis, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed

Councillors Abstaining: Ash, Lane, Serluca

Councillors Not Voting: Allen, Fuller

It was **RESOLVED** that Councillor Murphy would not be heard further for this item.

Councillor Seaton continued:

- Members could have attended briefings to fully understand the implications of the Council Tax Support Scheme.
- Councillors could have taken part in the consultation.
- The answers to other questions raised in the meeting were contained within the report.

A recorded vote was taken on the recommendation (30 voted in favour, 19 voted against, 3 abstained from voting).

Councillor For: Aitken, Allen, Ayres, Bashir, Bisby, Brown, Casey, Cereste, Coles, Elsey, Farooq, Fitzgerald, John Fox, Fuller, Harper, Hiller, Holdich, Azher Iqbal, Lamb, Nadeem, Gul Nawaz, Over, Rush, Seaton, Serluca, Simson, Smith, Stokes, Walsh, Warren

Councillors Against: Ali, Barkham, Bond, Ellis, Hemraj, Hogg, Howell, Hussain, Amjad Iqbal, Jamil, Jones, Joseph, Lillis, Martin, Murphy, Shaz Nawaz, Saltmarsh, Sandford, Shaheed

Councillors Abstaining: Ash, Judy Fox, Lane

Councillors Not Voting: Nil

Council **AGREED** a local Council Tax Support Scheme for Peterborough that contains the following local components:

- a) The existing 30% reduction that is applied at the end of the benefit calculation is replaced with a 30% liability reduction applied at the start of the calculation
- b) Increasing the 30% liability reduction by 1% a year for 3 years, starting in 2019/20.
- c) Reducing the capital limit to £6,000 for non-passported claims
- d) To amend appropriate rates in line with annual upratings.
- e) To allow the use of Universal Credit Data Share documents as claims for Council Tax Support

(b) Constitution and Ethics Committee Recommendation – Template Submitting Motions to Full Council

The Constitution and Ethics Committee received a report at its meeting on 28 January 2019, in relation to a motion referred from Full Council on 23 January 2019 proposing the use of a template for submitting motions a Full Council.

Councillor Seaton introduced the report and advised Members that the Constitutions and Ethics Committee were not ready to commit to a report template at this stage.

Councillor Bashir seconded the proposal and reserved her right to speak.

A vote was taken on the recommendation (unanimous) and it was **AGREED**:

1. That officers would provide training for new Members on the procedure for submitting motions.
2. To note that points on relevance and remit of motions were covered by the current constitution and needed to be reinforced.
3. To request that costs to the Council from motions be kept under review and a further report brought back in 12 months' time to the Constitution and Ethics Committee.
4. To encourage Members to seek help from officers when drafting motions if needed.

(c) Constitution and Ethics Committee Recommendation – Member Officer Protocol Update

At its meeting on 28 January 2019, the Constitution and Ethics Committee received a report in relation to amending the Member/Officer Protocol as contained within Part 5, Section 3 of the Constitution following requests from Committee Members.

Councillor Seaton introduced the report and outlined its contents and subsequent amendments which were contained in the Supplementary Information Pack, advising members there were no new ways of working. He confirmed that auto forwarding of calendar invites is discouraged, however Members may forward such invites to their personal diaries on an ad hoc basis if necessary.

Councillor Bashir seconded the proposal and reserved her right to speak.

The Legal Officer confirmed that the a correction to the amendment was included in the Supplementary Information Pack.

Members debated the recommendation and in summary the points and opinions raised included:

- Members felt the proposals reduced the functions for opposition or ward councillor capacity.
- Members did not appreciate the removal of their right to present an agenda item to the Cabinet.
- Members were not happy with the removal of the provision for officers to carry out research on their behalf.
- Members were disappointed with the removal of briefings to Group Representatives however they did acknowledge that these very rarely took place.
- Ward Councillors would lose the opportunity to comment on reports affecting their ward.
- It was unclear if personal information should be withheld when a Councillor notified another Councillor they had a case covering their ward.
- Members felt the rights of ward councillors would be reduced.
- Members felt they should be invited to join officers when they visit their ward.

Councillor Bashir exercised her right to speak and confirmed that the invitation to attend a recent visit in Central Ward had been sent by a candidate for Central Ward and not from someone within the Council.

Councillor Seaton summed up as mover of the proposal and in so doing addressed points raised including:

- There had been no reports that the existing Member/Officer protocol was not being followed.
- As there were 60 Members, it must be up to the Members to conduct their own research.

At this point the guillotine was reached in accordance with Standing Order 14.2 the Mayor announced the meeting would end at 11:15pm.

Councillor Murphy moved to recommend a 15 minute extension which was seconded by Councillor Lillis.

A vote was taken on the recommendation (18 voted in favour, 32 voted against, 2 abstained from voting).

The motion to extend the meeting beyond the guillotine was **DEFEATED**.

Members expressed disappointment that insufficient time was available at Full Council meetings to discuss all items on the agenda and there was no opportunity for Members

to present motions. Members felt there should either be more Council meetings or the policy motions should be moved higher up the agenda and asked if the Constitution and Ethics Committee could consider this at their next meeting.

Councillor Seaton responded in his capacity as Chairman of the Constitution and Ethics Committee and advised that the next agenda would include an item to discuss bringing the start time of Council meetings forward to 6pm.

A vote was taken on the recommendation (unanimous) and Members **AGREED** the updated Member/Officer Protocol, subject to the deletion of wording under section 14 'Support Services Provided for Members' in relation to acknowledging survey responses.

(d) Cabinet Recommendation – Governance of Council Companies, Partnerships and Charities

Cabinet received a report at its meeting on 4 February 2019 in relation to the Governance of Council Companies, Partnerships and Charities regarding the revised Executive Procedure Rules, Executive Delegations, and related structures and the revised Audit Committee Terms of Reference.

Councillor Holdich moved the proposal.

Councillor Fitzgerald seconded the proposal and addressed concerns about the ability of Members to attend the meetings by confirming that any Member could attend and address the sub-committee at the discretion of the Chairman.

A vote was taken on the recommendation (unanimous) and it was **AGREED** to:

- 1) Note the Leader of the Council's approval of the revised Executive Procedure Rules, Executive Delegations, and related structure chart as set out Appendix A and B to the report for the purposes of formal oversight of the Council's companies partnerships and charities which comprise of additions to the delegations to Cabinet and the setting up of a Shareholder Cabinet Committee, subject to the correction of numbering and inclusion of Vivacity in Appendix B.
- 2) Approve the revised Audit Committee Terms of Reference set out in Appendix A of the report.

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

Councillor Holdich introduced the report which detailed Executive Decisions taken since the last meeting including:

1. Extraordinary Cabinet meeting held on 4 February 2019.
2. Budget Cabinet meeting held on 25 February 2019.

Questions were asked regarding the following:

Transferring Services from Enterprise Managed Services Limited to Peterborough Limited

Councillor Murphy advised that at a recent residents meeting, he received complaints that streets had not been cleaned for two years and asked if the new regime would address this.

Councillor Seaton replied this question was not relevant to the decision however he would investigate if full details were forwarded to him.

Award of contracts for children's centres in Peterborough

Councillor Murphy asked if the contract had been awarded on the current terms and finance and, given the population growth within the city, would this result in a reduction in service to individuals.

Councillor Smith advised Council that the decision was to extend the existing contract by one year with no changes to the service.

School Admission Arrangements for Community and Voluntary Controlled Schools Academic Year 2020/21

Councillor Hemraj asked if children from the same family were being sent to different schools.

Councillor Ayres advised that this decision related to a very small number of children who are in state care, out of this country and who subsequently had come to this country to be adopted. The Cabinet Minister was keen for them to be given priority when applying for school places in the same way as our own children in care.

80. Questions on the Combined Authority Decisions Made Since the Last Meeting

Councillor Holdich introduced the report which detailed Executive Decisions made by the Combined Authority (CA) since the last meeting including:

1. The Overview and Scrutiny Committee meeting held on 28 January 2019.
2. The Combined Authority Board meeting held on 30 January 2019.

Questions were asked regarding the following:

Strategic Bus Review

Councillor Sandford asked if the CA Representatives thought it was acceptable for the CA Mayor to invest in a review of bus services in Peterborough which did not include Peterborough Councillors.

Councillor Murphy replied that report focused on the £150,000 spent on a review of bus services which did not actually include a recommendation. He reported that the Scrutiny and Overview Committee were very disappointed that the money was spent on a report that did not consider the Peterborough services and had also expressed their concern over the high salary paid to the Interim Director of Transport. He advised that the committee were concerned with the level of spending on salaries and administration when nothing has been spent on delivery, such as homes.

In accordance with Standing Order 14, no further items were debated as the guillotine had been reached.

A vote was taken on each remaining item without further discussion. Each motion was deemed to be formally moved and seconded.

COUNCIL BUSINESS TIME

81. Notices of Motion

The following motions had been received in accordance with the Council's Standing Orders:

1. Motion from Councillor Shaz Nawaz

A vote was taken on the motion from Shaz Nawaz (unanimous) and the motion as **CARRIED** as follows:

"This council noted:

- The closure of HMRC's office in Peterborough will result in a significant number of job losses.
- The people made redundant will suffer major personal and career losses including potential financial hardship.

This council believed:

- We should support the staff of HMRC in their campaign to stop the closure of a local office in the City.
- The closure of the Peterborough office will mean a loss of over 200 quality jobs, 63% of which are carried out by female workers.
- The loss of these quality jobs will have a significant adverse impact on the City's economy.
- That action needs to be taken to address the closure of HMRC's office.
- Unless the move is stopped, the closure will mean no HMRC office, or presence, in the whole of the East of England.

This council resolved:

- For the Leader of the Council to write a letter to the appropriate minister of state for HMRC and request that they halt this proposed closure. Unless stopped, the closure will mean no HMRC office, or presence, in the whole of the East of England."

2. Motion from Councillor Joseph

This motion was not moved.

3. Motion from Councillor Sandford

This motion was not moved.

4. Motion from Councillor Lillis

This motion was not moved.

5. Motion from Councillor Hogg

This motion was not moved.

6. Motion from Councillor Hogg

This motion was not moved.

82. Reports to Council

(a) Pay Policy 2019/2020

A vote was taken on the recommendation (unanimous) and Council **AGREED** the 2019/20 Pay Policy.

The Mayor
7.00pm – 11:24pm
6 March 2019
Town Hall
Bridge Street
Peterborough

QUESTIONS AND ANSWERS

Questions were received under the following categories:

<u>PUBLIC PARTICIPATION</u>	
6.	<u>Questions from members of the public</u>
1.	<p>Question from Darrell Goodliffe</p> <p>To Councillor Seaton, Cabinet Member for Resources</p> <p>Thank you. It's quite a simple self-explanatory so I'll try my hand at getting a simple and clear answer. You never know your luck eh. I'll read it out for you. In light of the continual delays to a clear plan for repayment of the £23 million loan made to Empower Community Management LLP being produced and significant pressures on the Council Budget, what reassurances can the Council provide that this money will be returned in full and when can residents expect a clear schedule to be provided for the repayment of this loan?</p> <p>Councillor Seaton responded:</p> <p>Thank you Mr Mayor and thank you Mr Goodliffe and I'll try to give a clear answer. Basically I'd first re-iterate the answer given regarding the Empower investment at Full Council on 23rd January this year. It is fully secured over the solar rooftop assets of ECS Peterborough 1 and is delivering a commercial rate of return to the Council. That return is contributing towards our budget position, mitigating the pressures you mention and supporting the delivery of services.</p> <p>The Council has received a net return of over £2m in the last four years and currently receives a net return of over £80k per month and £10k per month to cover any internal administration costs.</p> <p>There has always been a clear and explicit plan for repayment at the end of the construction period. In November 2018 the suitability of the Empower refinance proposal with Triodos Bank was reviewed in the light of alternative sources of finance available in the long term renewables financing market. The Council has approached, major refinancing organisations who have an interest in renewable energy and is actively pursuing a number of those proposals.</p> <p>The Council's loan will be refinanced following the conclusion of all legal and technical due diligence by the refinancing organisation.</p> <p>Mr Goodliffe asked a supplementary question:</p> <p>In light of the fact that Empower Community Management LLP hasn't submitted accounts to Companies House for two years now is the company still solvent and operational? They refuse any request for comment, from the press and the media so is it still operational? You know, I think that is a valid question because it pertains to the security of that loan.</p>

	<p>Councillor Seaton responded:</p> <p>Thank you Mr Mayor. You know there have been occasions when I have agreed with you Mr Goodliffe. I think when you wrote that Labour locally had serious organisational failings, no feel for the city and was completely inept, I agreed with you. When you said about their alternative budget they are presenting tonight I thought it was amusing. You said until there is some more detail it's a wish list, not a budget. One of the nicer comments. This time -</p> <p>The Mayor interjected:</p> <p>Councillor Seaton, would you like to answer the question.</p> <p>Councillor Seaton continued:</p> <p>I am answering the question, I am putting it in context Mr Mayor. If you want me to sit down then please tell me.</p> <p>The Mayor interjected:</p> <p>I think it is becoming a bit of a speech.</p> <p>Councillor Seaton continued:</p> <p>However this time I have to disagree with you. As I have said the investment is fully secured over solar rooftop assets delivering a commercial rate of return. But more so, you have just said there have been no accounts for two years. Well they have actually been filed. I know of the top of my head they were signed off on 14 February and filed after that. I am looking here at compnaieshouse.gov.uk they were filed on 26 February 2019. Now I know you have previously stated I don't know where the money is and we've lost it because those accounts haven't been filed, they're actually two totally separate things. Thank you Mr Mayor.</p>
2.	<p>Question from Terri Haynes</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Thank you Mr Mayor. Given the lack of parking at Sand Martin House could the relevant Cabinet Member tell me what measures are being taken to encourage council officers and contractors to use public transport to get to work?</p> <p>Councillor Hiller responded:</p> <p>Thank you Mr Mayor and thank you Ms Haynes for the question. I have to say, Ms Haynes, I don't actually recognise the picture you paint about the Council's new offices You said in your question that it is a given that they lack parking but in reality there's More dedicated facilities there than there ever has been at the Town Hall or other Council offices like Bayard Place. If you could possibly help me understand perhaps you could please explain what you mean when you say there given the lack of parking spaces. Could you just let me know what you mean by that?</p> <p>Ms Haynes aske a supplementary questions:</p>

	<p>Well, considering residents of the Vista Development are often posting pictures of cars inconveniently and sometimes dangerously parked, Council Officers have actually been challenged by people I know reminding they should not be parking there and they are parking. So the issue comes from the fact that people are parking on the Vista Development. They are not moving on when they are asked so the lack of parking would seem to be self-evident and there seems to be a lack of public transport, certainly in the north direction so just wondering, why if I am wrong, residents are being inconvenienced by council staff parking on t the Vista Development?</p> <p>Councillor Hiller responded:</p> <p>Yes, absolutely. Thank you for that Ms Haines, I mean, that clarifies your question to a degree however vehicles parking in the Visa Development, I mean some may very well be employees of the council, some may not be employees of the council so it is very difficult for me to answer that specifically but I can reiterate that there are far more dedicated spaces at Sand Martin House than there ever have been at the Town Hall or indeed other council offices which were in use. I'm not sure if you've ever been down to Sand Martin House itself, but there is quite a large open area to the rear of Sand Martin House which is parking for employees, for officers. There is also a large multi storey. I hope you'll also be aware the excellent bus services through and around our city at commuting times to that destination and the several bus stops nearby. In answer to your specific question the Council has recently undertaken a staff survey in order to understand how people do in fact travel to work, what issues they face and what changes could be made to help them consider travelling by more healthy, sustainable modes including indeed public transport, walking and cycling. Thank you Ms Haynes.</p> <p>Councillor Sandford asked:</p> <p>Mr Mayor, could I raise a point of accuracy? Because Councillor Hiller is misleading the Council because he's actually said in answer to that question, that there is ample bus stops in the vicinity of Sand Martin House. The fact is that there is a bus top if you are going in the southbound direction, there is no bus stop on London Road if you are going in a northbound direction. So what he said is factually incorrect.</p> <p>Councillor Hiller responded:</p> <p>If I might come back in that Mr Mayor. I thank Councillor Sandford for his interjection. In fact we did have dialogue about this a few Full Councils ago and our officers in preparation for a response to that, did actually discover that were three bus stops, north and south in the very close vicinity to Sand Martin House, one of which is of course, by TK Max. Your suggestion at the time I think Councillor Sandford was that the buses backed out onto the bridge at that time which was of course absolutely ridiculous,. Thank you Mr Mayor.</p>
3.	<p>Question from Yasir Quershi</p> <p>To Councillor Cereste, Cabinet Member Waste and Street Scene</p> <p>My walk to the train station each morning is depressing. Peterborough should be trying to attract commuters to the city. I cannot recommend Peterborough as a commuter town when the place looks like a rubbish tip.</p> <p>Will the Cabinet Member explain to me what action will be taken to improve the litter situation in the west town area which has got worse over the last three years and</p>

explain what plans if any there are to improve the situation in the streets in the residential area in which I live?

The area in which I live refers to the West Town area but more specifically my issue is with the stretch of road between the top of Grange Road (where it meets Mayor's Walk), then all along Mayor's Walk, over the bridge and up to Peterborough Train Station.

Councillor Cereste may have responded:

All areas of the City are cleansed on a cyclical basis by litter pickers and with mechanical sweepers. With regards to the mechanical road sweeping we have issues in many areas, including the location that you have mentioned, with parked cars not allowing access in order for the sweeper to carry out a full cleanse. I would be happy to arrange for one of my officers and the Amey cleansing supervisor for the area to meet with you and walk round the areas of concern to look at what can be done to improve the situation.

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 Ali

To Councillor Walsh, Cabinet Member for Communities

Thank you Mr Mayor. It's not a very long question so hopefully it won't take that long. A vast majority of local Taxi Drivers both Hackney and Private Hire provide an excellent service to our city, in recent weeks there has been numerous incidents of taxi drivers having been victims of crimes, including serious assaults on drivers, vandalism and damage to Private Hire vehicles. Can I ask the relevant Cabinet Member what steps will be taken by the authorities to protect and safeguard the welfare and livelihood of taxi drivers?

Councillor Walsh responded:

Thank you Mr Mayor. Legislation requires the licensing of taxi vehicles, drivers, and operators for the purpose of passenger, not driver safety. Drivers are self-employed or work for a taxi operator. In both cases there is an onus on them to consider and take measures to safeguard their own safety, or that of their employees.

Where crimes are committed against drivers and/or their vehicles, the police are responsible for the investigation. The council has made the police aware of concerns by the trade in the past where they have felt that crimes are not being investigated.

Safer Peterborough Partnership provides funding for a taxi marshal scheme operating during peak evening periods, predominantly bank holidays and Christmas. This scheme has provided Security Industry Accreditation door supervisors to oversee the Broadway Hackney rank which minimises alcohol-related disorder, providing support to both taxi drivers and vulnerable persons. The scheme has been successful in reducing alcohol harm, keeping people safe and reducing the fear of alcohol-related violence. Thank you Mr Mayor.

Councillor Ali asked a supplementary question:

Thank you Mr Mayor, I thank Councillor Walsh for her response to my question. I have to say that we as a licensing authority, do charge and make an enormous amount of money from licensing taxi drivers and I am afraid that response, as far as I am concerned isn't adequate. We should be doing more than what the councillor has suggested. My question is that I think she needs to go back and find out what more can be done to safeguard the taxi drivers because the taxi drivers are providing a very valuable service.

Councillor Seaton spoke:

	<p>I was going to say Mr Mayor, a point of accuracy. Councillor Ali said we make a lot of money from licensing, actually we are only allowed to cover the costs of providing the licensing service. Any surplus that is made must be reinvested in the service. Thank you Mr Mayor.</p> <p>Councillor Walsh responded:</p> <p>I think part of the response has already been provided, we don't make a profit and therefore we don't have money to provide this safety service. But in any case these are matters for the police. Let us not mix up roles. Licensing is one thing, it is a regulatory service and the police are different, they deal with crime. It is to the police you must make representations. Thank you.</p>
2.	<p>Question from Councillor Hogg</p> <p>To Councillor Seaton, Cabinet Member for Resources</p> <p>Thank you Mr Mayor. This question is to Councillor Seaton. With speculation from the press regarding the possibility of the Peterborough United (PUFC) stadium being relocated to elsewhere in the city.</p> <p>POSH fans across the city are duly interested in this issue, could he please update the council on any discussion that PUFC has had with the council in this regard?</p> <p>Councillor Seaton responded:</p> <p>The Council are presently in negotiations with PUFC for the purchase of the London Road Ground. A Memorandum of Understanding was signed by all parties in October and this forms the basis of the sale.</p> <p>At the Joint Scrutiny meeting on the 12th February Members sought clarification that following that sale, if a new stadium was to be built, a covenant would continue for the benefit of local residents. The Leader of the Council confirmed that to be the case. We also continue to liaise with the POSH Supporters Trust. With regards to speculation, that is hardly new and I'm sure the Member does not expect the Council to give a running commentary on speculation.</p> <p>Councillor Hogg asked a supplementary question:</p> <p>I do have a supplemental. If Peterborough United go ahead with purchasing the land, what safeguards are in place to stop them from just then selling the land further to then fund a move to a different location and making a profit on the money they paid for the land from the Council?</p> <p>Councillor Seaton responded:</p> <p>I think the safeguarding in place is the covenant on the pitch if the Leader of the Council wants to add anything I would be pleased to have his advice as well.</p> <p>Councillor Holdich added:</p> <p>Yes, all the safeguards that are there now remain and we are talking to the trust about taking those safeguards should they move somewhere else. And the company that Peterborough United are quite happy to do that so it'll remain. They are, I have tell you. They have got a ten year programme of which some of it is costed to stay there though</p>

	<p>they are asking for a new stadium within Peterborough and the one they are looking at isn't too far from the one they've got now.</p>
3.	<p>Question from Councillor Sandford</p> <p>To Councillor Cereste, Cabinet Member Waste and Street Scene</p> <p>Mr Mayor, to Councillor Cereste. Is there anything that Councillor Cereste can do to streamline the process for bulky waste collections to make it more customer friendly and less time consuming? Recently when booking a collection, I had to have three separate telephone conversations with council employees and the Amey contractor. There was an initial phone call to the Council, then I had to wait week for sort of Amey to contact me to provide a quote and then I had to phone the Council again to make a payment and arrange for someone to come round and pick up the items. Could we use the opportunity of the termination of the Amey contract to review and streamline these sorts of processes?</p> <p>Councillor Cereste responded:</p> <p>Thank you Mr Mayor, thank you Councillor Sandford. We are currently looking at a whole range of new software to try and help sort all this out, not just bulky waste but the ordinary permits for the Recycling Centre etc. etc. etc.</p> <p>On top of looking at new software which we are actively we actually want to try and achieve the sort of things you would like to do, we are also looking at some of the options with bulky waste, to try and do something a bit different, help us with fly tipping etc. etc. So all I can say to you is I agree with you, watch this space.</p>
4.	<p>Question from Councillor Bond</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Thank you Mr Mayor. I have tried to cut my question down a little bit to save on time. Could the relevant Cabinet Officer or Member tell me how last years' IPCC (<i>UN Intergovernmental Panel on Climate Change</i>) report has changed council policy and activity to counteract the effect of climate change?</p> <p>Councillor Hiller responded:</p> <p>Thank you Mr Mayor and I thank Councillor Bond for his question. Like most if not all local authorities across the country, this UN report hasn't changed what we do and how we do it.</p> <p>This council has consistently been ahead of the game on environmental matters, Councillor Bond as I hope you will be aware, always embedding that premise within our decision making processes. As has been reiterated recently within our recently updated corporate objectives. Thank you Mr Mayor.</p> <p>Councillor Bond asked a supplementary question:</p> <p>Yes Mr Mayor. So you believe council policy goes far enough to tackle the effects of climate change?</p> <p>Councillor Hiller responded:</p>

	<p>Well that's a separate issue with respect. As the science and evidence around climate change continues to evolve Councillor Bond, this council will continue to evolve its position. But as I said the environment, our environment indeed, is at the heart of what we do, as confirmed in our recently updated council objectives.</p>
<p>5.</p>	<p>Question from Councillor Shaheed</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Thank you Mr Mayor. My question to the relevant Cabinet Member is that given Peterborough's perceived 'green' credentials, what is being done to reduce the emissions from vehicles that are carrying out council business, please?</p> <p>Councillor Hiller responded:</p> <p>Thank you Mr Mayor and thank you Councillor Shaheed for your question. Your question relates to vehicles operated by the Council and used for council business and how aware we are about exhaust emissions.</p> <p>Actually Councillor Shaheed, you are hopefully aware, the Council operates very few vehicles directly but we do work closely with our partners to ensure efforts are made to ensure emissions are kept to an absolute minimum and these include our PHS partner, Peterborough Highways Services partner, Skanska, operate a fleet of vehicles in order to improve and maintain the city's highway network. All of those vehicles are Euro 6 emissions standard, meaning reduced carbon emissions and improved fuel economy. Skanska have provided the use of an electric pool car to the Highways Inspectors who conduct short journeys around Peterborough on a daily basis. Furthermore Skanska have installed TomTom telematics across the fleet and this has allowed routes and driver behaviour to be optimised resulting in a reduction in fuel consumption by approximately 15%. Skanska are also engaging with suppliers of low carbon fuel alternatives to trial low carbon fuels indeed.</p> <p>Whilst not within my portfolio, but I am aware that Amey operate a fleet of vehicles for refuse collection, grounds maintenance and general transport. The Council have worked with Amey throughout the contract to ensure the most efficient and financially viable vehicles are operated including exploring hybrid and electric alternatives. This means that the majority of the fleet is operated at Euro 6 emission levels. In addition Amey has invested in electric Gluttons for the street cleansing and they have also trialled an electric refuse collection vehicle. As these services move over to the LATCo I am sure Councillor Cereste will continue to ensure that the most sustainable options, economically and financially, are adopted.</p> <p>In addition, within Councillor Walsh's remit, the Council parking enforcement team have operated a fleet of 3 fully electric vehicles since May 2013, with the environmental benefit of over 80,000 zero emission miles in the last 6 years Councillor Shaheed. These electric vehicles replaced a fleet of 3 ageing diesel vehicles so a significant amount of CO² emissions were removed from the local environment by making that change. An added benefit of these vehicles was a lower running cost for the council due to no fuel or road tax costs. I hope that gives you an overview, thank you Councillor Shaheed.</p>

6.	<p>Question from Councillor Shaheed</p> <p>To Councillor Seaton, Cabinet Member for Resources</p> <p>Thank you Mr Mayor. My question to the relevant Cabinet Member, are there any plans for solar panels to be installed on council owned buildings this year? Thank you.</p> <p>Councillor Seaton responded:</p> <p>Thank you Mr Mayor and thank you for your question Councillor Shaheed. There are no specific plans to install new solar panels onto council buildings this year. The council has panels across 46 sites. That is, 26 school sites and 20 corporate sites. This generates 23 megawatts of energy.</p> <p>However clearly with the transfer of the depot and launch of the materials recycling Facility (<i>MRF</i>), we will need to consider a review as to whether they offer further opportunities.</p>
7.	<p>Question from Councillor Barkham</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Thank you Mr Mayor. Does the administration believe that just “12.2% of dwellings granted full permission have been affordable homes” since 5th May 2015 is acceptable? Thank you.</p> <p>Councillor Hiller responded:</p> <p>I thank Councillor Barkham for the question. Thank you Mr Mayor. Your question Councillor Barkham seeks reassurance regarding the level of affordable homes provided as an element of new development but I have to say there is a fair bit behind the headline actually as your well informed Planning Committee member colleague Councillor Bond will of no doubt informed you. I can state categorically that this local planning authority will always seek to maximise the level of affordable dwellings provided by developers in accord with our local plan. Thank you Mr Mayor.</p> <p>Councillor Barkham asked a supplementary question:</p> <p>With the massive housing crisis we have in Peterborough just want to know what you are doing to solve it. Thank you.</p> <p>Councillor Hiller responded:</p> <p>Not sure that relates to affordable housing Mr Mayor. So I really do feel that question doesn't appertain to the first but I am must take issue with the massive housing shortage did you say? I don't really see that we've got that in Peterborough. We always need more development, we need growth and we have a very good record of growth, I don't recognise the supplementary question.</p>
8.	<p>Question from Councillor Murphy</p> <p>To Councillor Ayres, Cabinet Member for Skills and Education</p>

	<p>Thank you Mr Mayor. My question is to Councillor Ayres, Cabinet Member for Skills and Education.</p> <p>Following the decision of the joint scrutiny meeting recently to refer to Cabinet concerns expressed by those present, which we voted on, over the cut to the amount of funding per pupil anticipated in Peterborough and asking for action to be taken to lobby on behalf of Peterborough students and pupils, what action has been taken?</p> <p>Councillor Ayres responded:</p> <p>Thank you Mr Mayor and thank you Councillor Murphy for your important question. Schools are having to make difficult choices on how to spend their limited funding as their income hasn't kept pace with the rise in costs since 2010 including recent pressures on pay and pension contributions. The study into schools funding outlined how funding has not kept pace with inflation which is leading to our schools working incredibly hard to make ends meet but this is becoming increasingly challenging.</p> <p>The Secretary of State for Education visited Peterborough on the 27th February and I raised with him directly the financial challenge we are facing and the need to fund schools at an appropriate level. This is likely to be an ongoing debate until the next comprehensive spending review.</p> <p>In addition, we have asked our schools to share with parents a petition opened by Andrew Ramanandi on the Government Petition website. We managed to secure over 1,300 signatures across both Peterborough MP's constituencies and this response has contributed to the petition achieving the required 100,000 signatures for a debate. The debate has now taken place on Monday, 4th March, and now that debate is complete we intend using our information from the 2019/20 budget setting process to write to the Secretary of State for Education to request that further funding is found, especially to support the unique challenges we face in Peterborough. We would welcome cross party support for this very important challenge.</p> <p>Councillor Murphy asked a supplementary question:</p> <p>Thank you for confirming you will be writing to the Secretary of State. How many hundred of pounds we anticipate each pupil will be cut by in Peterborough?</p> <p>Councillor Ayres responded:</p> <p>It's a rather complicated assessment which I was only looking at today. In fact the evidence has come from a gentleman who runs the funding for Peterborough schools which I can impart to you later but it is quite a detailed calculation and I think the percentage is about 8% that we're down if you take into account the Retail Prices Index. I do know that Mr Johnathon Lewis did attend to listen to the debate on Monday and in fact it is on the website you can listen to it as I have been trying to listen to it today and only got half way through. So I shall continue to do that and then we will be writing this letter, so thank you for your question.</p>
9.	<p>Question from Councillor Hogg</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>Thank you Mr Mayor. So can Councillor Walsh please inform us of the number of fines issued for dog fouling in the city please?</p>

	<p>Councillor Walsh responded:</p> <p>Yes, thank you Mr Mayor. The issue of dog fouling impacts communities across Peterborough and is a blatant form of anti-social behaviour. Whilst we recognise that the vast majority of dog owners are responsible, a small minority are not, and we are keen to do what we can to change this behaviour.</p> <p>The council has only been able to issue a single fixed penalty notice relating to dog fouling since April 2018. This is largely to do with the hidden nature of the offence, please don't giggle, the hidden nature of the offence, which makes it difficult to address through enforcement alone. Our environmental officers do not have the power to issue a fixed penalty notice to owners, but actually must observe the act taking place which as you can imagine is not easy. Or they must have witness testimony in order to meet the evidence threshold.</p> <p>We believe that education is key to tackling this issue, and when hot-spot areas are identified our officers will work with the city's dog warden to visit the location and assess signage and waste bins. Patrols are carried out to engage with dog walkers in the area to highlight the problem and promote responsible dog ownership.</p> <p>If any Member or resident has a concern about a particular area, they are encouraged to report this to us. So yes, everyone wants to do something about it but you've got to catch them in the act. Thank you.</p>
10.	<p>Question from Councillor Bond</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>Thank you Mr Mayor. Could the relevant Cabinet Member tell me how fines have been issued for parking related offences for non-city centre wards during 2018?</p> <p>I did shorten my question so we could save time on the answer. Absolutely, I'll read it in full then. To Councillor Walsh, the Cabinet Member for Communities, residents from across Peterborough have told me that they are concerned that enforcement is overly focused on the city centre.</p> <p>Could the relevant Cabinet Member tell me how fines have been issued for parking related offences for non-city centre wards (All wards excluding Central, East, North and Park) during 2018?</p> <p>Councillor Walsh responded:</p> <p>Thank you Mr Bond, yes that makes it clear. You're trying to save time but we don't save time in the end.</p> <p>So the number of penalty charge notices issued for parking offences in wards other than Central, East, Park and North for 2018 was 923, which equates to 6.2% of all parking notices issued in Peterborough. This includes notices issued as part of school enforcement patrols, where a lot of time is spent on prevention as well as enforcement.</p> <p>During 2018, officials made 395 school enforcement visits and issued 167 PCNs around schools, the vast majority of which were in areas which are outside the city centre.</p>

	<p>Parking enforcement is tailored to where the majority of parking restrictions are and therefore where it is most likely for parking offences to occur, which tends to be the residential and paid-for parking areas of the centrally located wards.</p> <p>The rest of Peterborough still receives appropriate attention; indeed 19% of officer time has been spent in these other areas, where officers are responding to calls for service from the public or proactively looking for infringements. Thank you Mr Mayor.</p>
11.	<p>Question from Councillor Lillis</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Thank you Mr Mayor. Make sure I am reading it in full. Considering the former Conservative Health Secretary Jeremy Hunt MP described rising rates of childhood obesity as a national emergency, does the administration believe it is important that residents have access to neighbourhood parks and green spaces in line with the council policy in this area?</p> <p>Councillor Hiller responded:</p> <p>Thank you Mr Mayor and I thank Councillor Lillis for his question. Yes, this authority fully understands the benefits of open space and invests annually to improve the play provisions, specifically with that problem in mind.</p> <p>Councillor Lillis asked a supplementary question:</p> <p>Thank you Councillor Hiller. In that case, why in wards where there is a deficit of open spaces are we planning to build on those green spaces, in particularly in my ward in Tenter Hill but also I am sure there are other places across the city. Why is the Administration building on these green spaces when you say you that don't want to?</p> <p>Councillor Hiller responded:</p> <p>I didn't actually say we didn't want to build on green spaces so please Councillor Lillis, don't put words into my mouth because that's unacceptable.</p> <p>The application you're speaking about was unequivocally recommended for approval by our planning officers as you'll be aware with the conditioned commuted sum being provided for open space provision off site. This area is not protected open space, and is included within our adopted Local Plan for development. I have to say, at a much higher density than was being applied for so I hope that answers your supplementary question.</p>
12.	<p>Question from Councillor Saltmarsh</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Thank you Mr Mayor. It's to Councillor Hiller.</p> <p>Can the relevant Cabinet Member tell me if the social housing waiting list has increased or decreased in the last 5 years and by how much?</p>

	<p>Councillor Hiller responded:</p> <p>Sorry Mr Mayor, was that for me? Your question, I thank you for your question Councillor Saltmarsh and it refers to the number of applicants on the Housing Register list. I can tell you that it's increased in total numbers over the last five years by just 92 applicants. Thank you Mr Mayor.</p>
13.	<p>Question from Councillor Shaz Nawaz</p> <p>To Councillor Seaton, Cabinet Member for Resources</p> <p>Thank you Mr Mayor.</p> <p>As I understand it, the Cabinet Member for Resources, believes that we will either save or generate around £9m by moving to Microsoft 365. May I have a breakdown of the actual figure alongside the timeframe and underlying assumptions, predictions or projections?</p> <p>Councillor Seaton responded:</p> <p>Thank you Mr Mayor and thank you Councillor Nawaz for your question. Your understanding is incorrect. Thank you Mr Mayor.</p> <p>Councillor Shaz Nawaz asked a supplementary question:</p> <p>Funny that Mr Mayor, because Councillor Seaton I believe you did state on Facebook to me that the savings were £9million but maybe it was a slip of the finger. However as I am entitled to ask a supplementary question, have you taken the time to comprehensively review any other savings within the spending of IT?</p> <p>Councillor Seaton responded:</p> <p>Thank you Mr Mayor. I am inclined to say yes but let me perhaps take a couple of minutes to help Councillor Nawaz with his question.</p> <p>The £9m figure that he quoted, is the total savings from shared service work with Cambridgeshire and this was set out in the 2018/19 Medium Term Financial Strategy.</p> <p>The move to Microsoft 365, by both ourselves and the County who were on the old version, so the County need to move to 365 too, will help facilitate these savings by ensuring we are on the same underlying system. We then use the same applications and re-engineer processes. So it is a step.</p> <p>In response to a similar question from the PT, Peterborough Telegraph, at the end of January I said: "It has been reported inaccurately that the council's move to Google cost £4million. This is not the case and in actual fact the cost over four years has been £1million, including implementation and licensing.</p> <p>When we moved to Google, it was the right decision as Google was the only software available that allowed for collaborative working and the future licensing costs were cheaper. Our flexible working, with major reductions in office space and significant benefits from the move to Fletton Quays, has been supported by this.</p>

	<p>We subsequently developed our shared services project with the County. This project is targeted to deliver, as I said earlier, £9m savings per annum which is dependent upon joint systems and processes.</p> <p>The move to Microsoft 365 was discussed at the Joint Scrutiny of the Budget on the 12th February and the present plan Mr Mayor is to move the Council onto that platform by July 2019. Thank you Mr Mayor.</p>
	<p>NO FURTHER QUESTIONS WERE ASKED DUE TO THE TIME LIMIT BEING REACHED</p>
<p>14.</p>	<p>Question from Councillor Saltmarsh</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>Could the relevant Cabinet Member please advise me how many people have sadly died as a result of being homeless in the Peterborough area in the past 5 years?</p> <p>Councillor Walsh may have responded:</p> <p>Since 2014, we have unfortunately seen the death of 8 rough sleepers in the city. And now at a time that no one should have to sleep rough in our city, it's extremely frustrating and upsetting, not least for the rough sleeper outreach officers who spend their days building relationships with individuals to encourage them to make positive changes in their lives.</p> <p>We are working hard with our partners as part of the Safer Off the Streets partnership and we continue to get people off our streets. To-date, the partnership has raised over £7,000 and assists many rough sleepers in getting off the streets into accommodation for good and to start rebuilding their lives, supporting them to ready themselves for training and/or employment.</p> <p>Alongside Safer off the Streets the Council has increased its staffing levels supporting rough sleeping and now has a team of 4 officers, soon to be 5, who are working with individuals on support plans to assist them in leaving the streets for good.</p>
<p>15.</p>	<p>Question from Councillor Lillis</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Could the relevant Cabinet Member tell me what is average time and longest time it takes to repair broken street lights once they are reported?</p> <p>Councillor Hiller may have responded:</p> <p>This is dependent on what works are required to resolve an issue. The most common maintenance works include: lantern outages, day burning lanterns and flickering lanterns which have a response time of up to 7 days. Where an emergency situation is identified, for example a loose door or exposed wires, a repair or action to make the situation safe is undertaken within 1 hour. However, often repairs are reliant on third parties, for example UK Power Networks and the Council is then subject to their timescales which can delay works for several weeks.</p>

16.	<p>Question from Councillor Ali</p> <p>To Councillor Hiller, Cabinet Member for Growth, Planning, Housing and Economic Development</p> <p>Work is underway at the roundabout, in readiness for repairs and renovation of the iconic Rhubarb Bridge. Many residents of my North Ward and indeed across the City have expressed concerns that works being carried out at the roundabout with ground level footpath and new pedestrian crossing lights appear to be designed as a permanent feature. Can the Leader of the Council explain what is planned and assure me, residents of North Ward and indeed the City who campaigned so hard to force the administration into a u turn, that Rhubarb Bridge will be preserved in its entirety with access for pedestrian and cyclists.</p> <p>Councillor Hiller may have responded:</p> <p>There has been a considerable amount of consultation about these works and a Cross Party Working Group was set-up to look at the condition of the existing footbridge. The Cross Party Working group queried the need for the at-grade crossings for pedestrians and cyclists and after review they agreed that they are necessary.</p> <p>Although we are fixing the existing bridge there is a need for the at-grade crossings. One reason is that we need to fix the decking on the bridge and it is best to do this in one go and not in patches since this increases the chance of water getting into the structure (<i>which is what has been happening and has caused a lot of damage to the bridge</i>). Fixing the bridge decking will require the bridge to be closed for a period of time so it is important to have an alternative at-grade option in place (especially if future closures are needed).</p> <p>In addition, it will provide people with a choice of how they want to cross as the footbridge might prove to be too steep for some people and some people might feel uncomfortable using the bridge at night.</p>
17.	<p>Question from Councillor Shaz Nawaz</p> <p>To Councillor Seaton, Cabinet Member for Resources</p> <p>At the time of writing this question the Change Programme Funds (usable reserves) estimated balance as at 31 March 2020 stands at just over £8m. The balance as at 31 March 2017 was just over £25m. Does the Cabinet Member have a plan to replenish the reserves which have been used over the preceding few years? If so, please share your plan detailing the projections.</p> <p>Councillor Seaton may have responded:</p> <p>I'd first remind members that we will still have a General Fund reserve of £6m. The Council's Medium Term Financial Strategy sets out reserves applied to balance the budget. One of these Reserves, Grant Equalisation, was specifically established to mitigate the effect on services as the Revenue Support Grant reduced over time and to support the budget as we move to new ways of working.</p> <p>The Grant Equalisation reserve was £12m at the 31st March 2016 and the 2016/17 MTFS expected this to be fully applied by 2018. In the 2016/17 MTFS the purpose of this reserve was clearly set out to provide the resource and time for the Council to</p>

	<p>implement the required changes whilst minimising impact on service users and residents and creating a sustainable financial future for Peterborough.</p> <p>What the 2016/17 MTFS did not predict was the unprecedented increase in demand for Council Services, in particular Adult and Children’s Services. This is a Country wide issue - not just specific to Peterborough.</p> <p>The 2019/20 MTFS in Section 5.10 sets out the Strategic approach the Council is taking to close the budget gap and move to a sustainable budget over the medium term. Part of this approach must be to ensure that the Council has “adequate” reserves to invest in service transformation and improvement and also to “insure” itself against any emergencies that might occur.</p> <p>The rolling budget process is a key tool in the process as it allows quicker approval and implementation of budget proposals which can directly link to the use of reserves.</p> <p>I’d also highlight that the s151 Officers Robustness Statement has to comment on a yearly basis on the adequacy of the Council’s Reserves.</p>
18.	<p>Question from Councillor Barkham</p> <p>To Councillor Walsh, Cabinet Member for Communities</p> <p>Could the relevant Cabinet Member tell me how many successful prosecutions for fly tipping offences in Peterborough were there in (1) 2017 and (2) 2018?</p> <p>Councillor Walsh may have responded:</p> <p>Fly-tipping creates a blight on our streets and is something the council and our partners work hard to eradicate. The recent Cross-Party Task and Finish Group on this subject presented its recommendations to Cabinet, which were enthusiastically supported. These recommendations included seeking to strengthen the detection and enforcement capability of the Prevention and Enforcement Service.</p> <p>In specific response to the question, in 2017 eight fly tipping offences were successfully prosecuted, with a further 8 cases prosecuted through the courts in 2018. We have, however, investigated and resolved many more cases outside of the court process, often by way of fixed penalty notice or recovery of clearance costs from perpetrators. For example, in 2017, 206 fixed penalty notices were issued, with a further 123 issued in 2018.</p>
19.	<p>Question from Councillor Rush</p> <p>To Councillor Seaton, Chairman of the Constitution and Ethics Committee</p> <p>It appears that a political group has been taking advantage of a clause in the constitution to have free acknowledgements sent to residents when they have responded to clearly political surveys. Can the chairman of the Constitution and Ethics Committee confirm the cost that the practise will stop and ask the group involved to refund the money?</p> <p>Councillor Seaton may have responded:</p> <p>At the Constitution and Ethics Committee meeting on 28th January 2019 it was</p>

recommended to Full Council that the wording under Part Section 14, services provided for members in relation to acknowledging survey responses be deleted.

Thankfully only the Liberal Democrat Group were using this service with over 400 letters in the last year in response to 10 surveys at a postage cost of over £200 but clearly the staff cost would have been substantially higher.

Obviously this clause could have had major financial ramifications if all wards had been surveyed and large numbers of residents had responded to these political surveys so it is right that it has been stopped.

8. Questions on notice to:

d) The Combined Authority Representatives

None received.

ANNUAL COUNCIL	AGENDA ITEM No. 5
20 MAY 2019	PUBLIC REPORT

Report of:	Gillian Beasley, Chief Executive and Returning Officer	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

REPORT OF THE RETURNING OFFICER

R E C O M M E N D A T I O N S	
FROM: <i>Chief Executive and Returning Officer</i>	Deadline date: <i>N/A</i>
It is recommended that Council notes the results of the Local Elections held on Thursday 2 May 2019 (Appendix 1 to be tabled).	

1. BACKGROUND AND KEY ISSUES

- 1.1 The results of the Local Elections for Peterborough City Council held on Thursday 2 May 2019 can be seen at **Appendix 1** (to be tabled) to this report.

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ANNUAL COUNCIL	AGENDA ITEM No. 6
20 MAY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

POLITICAL GROUPS AND GROUP OFFICERS 2019/2020

R E C O M M E N D A T I O N S	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
<p>It is recommended that Council note the membership of political groups (Appendix 1 to be tabled) and their officers (Appendix 2 to be tabled) for 2019/2020.</p>	

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 2019/2020 and the group officers 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. 7
20 MAY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	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>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. Elects a 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 the Appointments to the Shareholder Cabinet Sub-Committee (Appendix 3 to be tabled) 4. 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 of the Council who may then delegate further to Cabinet committees of the Cabinet, Cabinet Members, and officers.

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. Therefore, Council must elect a Leader of the Council for the next four years, ending at the close of the 2022/2023 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 must appoint the membership of the Shareholder Cabinet Sub-Committee and the Chair of this Sub-Committee, as set out in **Appendix 3** (to be tabled).

3.3 The Leader is only required to confirm the appointment of the Cabinet and delegations of his executive functions to Cabinet, and 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)

6.3 **Appendix 3** – Shareholder Cabinet Sub-Committee Membership (to be tabled)

ANNUAL COUNCIL	AGENDA ITEM No. 8
20 MAY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

COMMITTEE STRUCTURE 2019/2020

R E C O M M E N D A T I O N S	
FROM: <i>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 2019/2020 municipal year: <ul style="list-style-type: none"> <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) 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 structure is as follows:

Committee
<p><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</p> <p><u>Other bodies to which Section 15 LGHA does not apply</u> Health and Wellbeing Board Licensing Committee (Licensing Act 2003)</p>

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 considers appropriate to deal with the matters that are neither reserved to Full Council nor are executive (Leader and Cabinet) functions.

2.3 Two minor additions have been proposed to the Planning and Environmental Protection Committee terms of reference, set out in red in **Appendix 1**, following consultation with the Council’s planning legal officers.

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.

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.

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.

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.

2.2.2 Terms of Reference

2.2.2.1 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.

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

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

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

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

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

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

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

2.2.2.9 To commission work from internal and external audit.

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

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

2.2.2.12 To consider reports in relation to the performance of the Council's companies, alongside comments from the Shareholder Cabinet Committee.

Regulatory Framework

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

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

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

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

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

Accounts

2.2.1.18 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.

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

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.

2.3.2 Terms of Reference

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

2.3.2.2 To determine employee procedures, including dismissal procedures.

2.3.2.3 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.

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

2.3.2.5 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.

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

2.3.2.7 To determine pension issues which relate to auto enrolment.

2.3.3 Delegation to Officers

2.3.3.1 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.

2.3.3.2 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.

2.3.3.3 In respect of all employees, Directors may:

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

- (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

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

2.3.3.5 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.

2.3.3.6 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.

2.3.3.7 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.

2.3.3.8 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.

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- 2.3.3.9 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.
- 2.3.3.10 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.
- 2.3.3.11 The Director of Governance is authorised to implement agreed employee policies.
- 2.3.3.12 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.

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.

2.4.2 Terms of Reference

2.4.2.1 Our Commitment to Children and Young People in Care:

2.4.2.1 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.

2.4.3 Purpose:

2.4.3.1 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.

2.4.3.2 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.

2.4.3.3 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.

2.4.3.4 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.

2.4.4 Functions of the Committee:

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

2.4.4.2 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.

2.4.4.3 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.

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

- 2.4.4.5 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.
- 2.4.4.6 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, with the roles being decided and approved by the Committee at the first formal meeting of the municipal year.

2.4.5 Work Programme

- 2.4.5.1 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.

2.4.6.2 Performance Monitoring

- 2.4.6.3. 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

- 2.4.6.4 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.

2.4.7 Membership of the Committee

2.4.7.1 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.

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

2.4.7.3 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.

2.4.8 Children in Care Council

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

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.

2.5.2 Terms of reference

2.5.2.1 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.

2.5.2.2 To delegate to sub-committees consisting of three members of the Licensing Committee the functions listed at 2.5.3.

2.5.2.3 To exercise the functions of the authority as listed in Schedule 2.5.5, where these are not delegated to officers as listed at section 2.5.4, 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 in accordance with regulations under the Animal Welfare Act 2006 or other applicable legislation
- (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

2.5.2.4 To consider and determine all applications in relation to the functions in Schedule 2.5.5, where:

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

2.5.2.5 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.

- 2.5.2.6 To approve (and periodically review) the standard conditions to be attached to any licence/permit/consent issued by the Council.
- 2.5.2.7 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.
- 2.5.2.8 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.
- 2.5.2.9 There is no power to suspend and call in any Licensing Committee decisions to Council for determination.

2.5.3 Delegations to Sub-Committees

- 2.5.3.1 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 2.5.4 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

- 2.5.3.2 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;
- (g) cancellation of a club gaming/club machine permit;
- (h) decision to give counter notice to temporary use notice.

2.5.4 Delegations to officers

2.5.4.1 **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) Hiring out horses;
 - (ii) Keeping of dangerous wild animals;
 - (iii) Selling animals as pets;
 - (iv) Breeding dogs;
 - (v) Providing or arranging for the provision of boarding for cats or dogs;
 - (vi) Zoos.
- (j) 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;
- (k) 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;
- (l) 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.
- (m) to serve notices requiring information in relation to ownership of land and property under Section 16 of the Local government (Miscellaneous Provisions) Act 1976;

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- (n) to take appropriate action and issue all notices (including notices of entry) under the Health and Safety at Work, etc Act 1974;
- (o) 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.
- (p) 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) Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 – keeping or training for exhibition;
 - (v) Poisons Act 1972 – registration of sellers of some categories of poisons;
 - (vi) Criminal Justice and Police Act 2001.
- (q) to issue game dealers' licences;
- (r) 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;
 - (xii) to license theatre premises in accordance with 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.
- (s) under the Gambling Act 2005

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- (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;
- (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.
- (t) To issue/renew/transfer and add conditions in relation to sex establishment licences where no representations have been received or representations have been withdrawn.
- (u) Determine variation applications in relation to sex establishments, in consultation with the Chairman of the Licensing Committee.
- (v) 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.

2.5.4.2 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)).

2.5.4.3 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.

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

2.5.5 Schedule of relevant functions – Licensing Committee

2.5.5.1 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

2.5.5.2 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

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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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2.5.5.3 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)

2.5.5.4 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]

2.5.5.5 Licensing associated with live animals

Licensing premises for the breeding of dogs	Animal Welfare (Licensing of Activities) (England) 2008
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 Animal Welfare (Licensing of Activities) (England) 2008

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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)

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

Licensing knackers' 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, HACPP 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

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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, HACPP 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)

2.5.5.7 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)

2.5.5.8 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 License – 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 Licenses 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.

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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).

2.5.5.9 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) <i>(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)</i> Licensing Act 2003 (c.17), Part 3 (Premise Licence) <i>(as to the grant, variation, transfer and review of Premise Licenses under the Licensing Act 2003)</i>
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2.5.5.10 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

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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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2.5.5.11 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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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.

2.6.2 Terms of reference

2.6.2.1 To exercise the functions of the Council as listed in Schedule 2.6.7, where these are not delegated to officers as listed at section 2.6.6.

2.6.2.2 In respect of functions listed in Schedule 2.6.7, 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.

2.6.2.3 In respect of issues governed by the list of functions at Schedule 2.6.6, 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.

- 2.6.2.4 To receive regular progress reports on all current planning enforcement matters, and lists of planning decisions taken by officers under delegated powers.
- 2.6.2.5 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.
- 2.6.2.6 To assess and review the performance of the services which fall within the terms of reference of the Committee.
- 2.6.2.7 To transfer enforcement functions to another enforcement authority under Smoke-free (Premises and Enforcement) Regulations 2006.

2.6.3 Call in of Decisions Made by the Committee

- 2.6.3.1 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*).

2.6.4 Planning Call-In Procedure

- 2.6.4.1 This paragraph only applies to a determination of planning application decisions made by the Planning and Environmental Protection Committee.
- 2.6.4.2 If the Planning and Environmental Protection Committee makes a determination as set out in paragraph 2.6.3.1 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.
- 2.6.4.3 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.
- 2.6.4.4 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.
- 2.6.4.5 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.

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

2.6.4.7 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.

2.6.5 Planning Speaking Scheme as Agreed by the Committee

2.6.5.1 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.

2.6.5.2 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.

2.6.5.3 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.

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.

2.6.5.4 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).

2.6.6 Delegations to officers

2.6.6.1 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.

2.6.6.2 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:

- (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.

2.6.6.3 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 entering into of legal agreements under s106 Town & Country Planning Act 1990 (following negotiation with applicants or appellants, as the case may be);
- (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;
 - (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 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.

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

- (a) applications under Prior Approval of Telecommunications Procedures; and
- (b) those under delegation 2.6.6.3 (b) and 2.6.6.3 (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.

2.6.6.5 Authorised Signatories

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

2.6.6.6 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.

2.6.6.7 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 2.6.6;
- (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.

2.6.6.8 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.

2.6.6.9 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).

2.6.6.10 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.

- 2.6.6.11 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.
- 2.6.6.12 The Corporate Director Growth and Regeneration is authorised to undertake all matters relating to Neighbourhood Planning, Neighbourhood 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.

2.6.7 Schedule of relevant functions

2.6.7.1 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, 70B or 70C of the 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

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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)
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	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)

mineral permissions relating to mining sites	
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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	The Town and Country Planning Act 1990; and the Planning and Compulsory Purchase Act 2004

'making' (or adoption) of such Plans and Orders	
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2.6.7.2 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)

2.6.7.3 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

2.6.7.4 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

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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
Requiring applicants for an order to enter into an 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)

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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)
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

Part 3, Delegations Section 2 – Regulatory Committee Functions

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
Applications under the Commons Registration Act 1965 and the Commons Act 2006 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),	Commons Registration Act 1965 and Commons Act 2006 and Regulations made thereunder

2.6.7.5 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
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)

Part 3, Delegations Section 2 – Regulatory Committee Functions

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

2.6.7.6 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

2.7 Constitution and Ethics Committee

2.7.1 Members must undertake relevant training in order to hold a seat on the Hearings Panel Sub-committee.

2.7.2 Terms of Reference

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.

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:

- 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 Members Code of Conduct and Officer Code of Conduct;
- Monitoring the operation of the both Codes of Conduct;
- Advising, training or arranging to train Members and co-opted members on matters relating to the Code of Conduct.

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

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

2.7.2.5 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.

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

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

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

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.

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.

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.

2.8 Peterborough Health and Wellbeing Board

Purpose and Terms of Reference

2.8.1. 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.

2.8.2. The aims are:

2.8.2.1 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.

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

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

2.8.3. 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

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

2.8.4 Membership

- 2.8.4.1 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 Communities and Safety

The Director of Public Health

Cambridgeshire and Peterborough Clinical Commissioning Group

Clinical Chair (GP) of Cambridgeshire and Peterborough Clinical Commissioning Group (Deputy Chair)

1 further GP representative from the Peterborough area to cover when Clinical Chair is unavailable

Director of Transformation and Delivery: Community Services and Integration

Lincolnshire

1 GP representing South Lincolnshire CCG

NHS England

1 representative from NHS England

Cambridgeshire and Peterborough Healthwatch

1 member

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

Independent Chair of Peterborough and Cambridgeshire Safeguarding Children's and 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.
- 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.

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 a) Social Care of Children; b) Safeguarding; and c) Children’s Health. 2. Education, including a) University and Higher Education; b) Youth Service; c) Careers; and d) Special Needs and Inclusion. 3. Adult Learning and Skills	

	<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>	

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;	

	<ol style="list-style-type: none"> 5. Economic Development and Regeneration including Strategic Housing and Strategic Planning; 6. Transport, Highways and Road Traffic; 7. Flood Risk Management; 8. Waste Strategy & Management; 9. Strategic Financial Planning; 10. Partnerships and Shared Services; and 11. Digital Services and Information Management.
	<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>

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
 - 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
 - (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.

CO-OPTEES

- 4.3 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.
- 4.4 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. 9
20 MAY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	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>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 2019.

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:

- 1) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- 2) 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;
- 3) Subject to (1) and (2) 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
- 4) Subject to (1) to (3) 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.

$$\frac{\text{No of Group Members} \times 100}{59}$$

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

Group	Conservative	Labour	Lib Dems	Werrington First	Green	Total
Councillors (in Groups)	28	17	9	3	2	59
Proportionality %	47%	29%	15%	6%	3%	100%

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:

- 1) 4 of the 7 seats for committees of 7
- 2) 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)

ANNUAL COUNCIL	AGENDA ITEM No. 10
20 MAY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

APPOINTMENTS TO COMMITTEES AND OTHER AUTHORITIES

R E C O M M E N D A T I O N S	
FROM: <i>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 that 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. Confirmed the non-elected members of committees, as described at paragraph 2.3 of the report. 4. Makes the following appointments or nominations for the 2019/2020 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 4 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 4 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 4 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 4 to be tabled). (e) Appoint four members to the Fire Authority and four substitute members from the same political parties as those appointed (Appendix 4 to be tabled). 5. 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 Political Groups in allocating Members to committees or other authorities, 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, Full Council must appoint the members, the Chair, and the Vice-Chair of non-executive committees. Full Council must also make the relevant appointments to the Cambridgeshire and Peterborough Combined Authority, Police and Crime Panel, and Fire Authority for the municipal year 2019/2020.

2. BACKGROUND AND KEY ISSUES

2.1 Committee Appointments

- 2.1.1 The Council must note which councillors should be appointed to each of its committees at its annual meeting.
- 2.1.2 Appointments should be made in accordance with the seats allocated to political groups as described in item 9 of this meeting's agenda.
- 2.1.3 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.

2.2 Committee Chairs and Vice-Chairs

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

2.3 Non-Elected Committee Membership

- 2.3.1 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).
- 2.3.2 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.
- 2.3.3 The education co-opted members for the year will be:
- Peter Cantley, Statutory Education Co-opted Member Representing the Church of England (nominated substitute Peter French)
 - Flavio Vettese, Statutory Education Co-opted Member Representing the Roman Catholic Church (nominated substitute Julie O'Connor)
- 2.3.4 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.
- 2.3.5 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.
- 2.3.6 The Independent Person for the year will be Gillian Holmes.

- 2.3.7 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 the ability to appoint Independent Persons. These appointments are either subject to statutory regulation or are delegated under the Council's Constitution to the Committee concerned.

2.4 Cambridgeshire and Peterborough Combined Authority

Board

- 2.4.1 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 2018 for the 2018/19 municipal year. The Council is now asked to appoint a member and substitute member for the municipal year 2019/20.

Non-Executive Committees

- 2.4.2 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.

Overview and Scrutiny Committee

- 2.4.3 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 2018, the Council nominated two members to the Committee for the municipal year 2018/19.
- 2.4.4 The Council is required to nominate two members to the Overview and Scrutiny Committee for the municipal year 2019/20 based on the political balance set out in **Appendix 2** (to be tabled).

Audit and Governance Committee

- 2.4.5 The Combined Authority agreed to establish an Audit and Governance Committee consisting of seven constituent members: one member from each constituent council.
- 2.4.6 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 2019/20 based on the political balance set out in **Appendix 3** (to be tabled).

Substitute Members

- 2.4.7 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.
- 2.4.8 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.

Consequential Changes

- 2.4.9 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.
- 2.4.10 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.

2.5 Cambridge Police and Crime Panel

- 2.5.1 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.

2.6 Cambridgeshire and Peterborough Fire Authority

- 2.6.1 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.
- 2.6.2 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, which is due to be judicially reviewed at the beginning of June 2019. The outcome of this may impact on the duties and terms of office of Police and Crime Panel members and Fire Authority members during 2019/20, should any changes be implemented.

3. CONSULTATION

- 3.1 Consultation has been undertaken with all Group Leaders to ensure that the appointments and nominations proposed reflect their Groups wishes.

4. IMPLICATIONS

Financial Implications

- 4.1 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

- 4.2 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

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

5. BACKGROUND DOCUMENTS

5.1 [Policing and Crime Act 2017](#)

5.2 Peterborough City Council Constitution

6. APPENDICES

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

6.2 **Appendix 2** – Cambridgeshire and Peterborough Combined Authority Overview and Scrutiny Committee political balance calculations (to be tabled)

6.3 **Appendix 3** – Cambridgeshire and Peterborough Combined Authority Audit and Governance Committee political balance calculations (to be tabled)

6.4 **Appendix 4** – Appointments and Nominations to Other Authorities (to be tabled)

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ANNUAL COUNCIL	AGENDA ITEM No. 11
20 MAY 2019	PUBLIC REPORT

Report of:	Fiona McMillan, Director of Law and Governance	
Cabinet Member(s) responsible:	N/A	
Contact Officer(s):	Pippa Turvey, Democratic and Constitutional Services Director	Tel. 452460

CALENDAR OF MEETINGS 2019/2020

R E C O M M E N D A T I O N S	
FROM: <i>Director of Law and Governance</i>	Deadline date: <i>N/A</i>
It is recommended that Council approve the Calendar of Meetings (Appendix 1 to be tabled) for 2019/2020.	

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 2019/2020 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.

Full Council Meeting Start Time

- 2.2 Following a suggestion from the Constitution and Ethics Committee Members were consulted on a proposal to change the start time of Full Council meetings from 7:00pm to 6:00pm. At its meeting on 11 March 2019 the Constitution and Ethics Committees resolved to include this revised start time to Council as part of the Calendar of Meetings.

The Committee considered, however, that should a Special Council meeting be held prior to a normal Council meeting, the Special Council meeting should commence at 6:00pm, with the normal meeting following afterwards.

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 23 January 2019 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 2019/2020 (to be tabled)