

**MINUTES OF THE CABINET MEETING
HELD AT 10:00AM, ON
MONDAY, 4 FEBRUARY 2019
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

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

Cabinet Advisors Present: None.

63. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Allen and Councillor Fuller.

64. DECLARATIONS OF INTEREST

No declarations of interest were received.

65. MINUTES OF THE CABINET MEETINGS HELD ON:

(a) 3 DECEMBER 2018

The minutes of the meeting held on 3 December 2018 were agreed as a true and accurate record.

The Service Director for Economy and Environment provided an update on the Bus Service review. The Working Group

(b) 17 DECEMBER 2018 - EXTRAORDINARY

The minutes of the extraordinary meeting held on 17 December 2018 were agreed as a true and accurate record.

66. PETITIONS PRESENTED TO CABINET

There were no petitions presented to Cabinet.

STRATEGIC DECISIONS

The Leader and Cabinet agreed to consider Agenda Item No. 12 'Task and Finish Group – Fly Tipping and Waste Policy Review Report' as the first item.

67. TASK AND FINISH GROUP – FLY TIPPING AND WASTE POLICY REVIEW REPORT

The Cabinet received a report in relation to the work of the Task and Finish Group for Fly Tipping and Waste Policy Review.

The purpose of this report was to present the interim report of the Task and Finish Group to Cabinet for consideration of the recommendation drawn up to that point.

Councillor Judy Fox, the Chairman of the Task and Finish Group for Fly Tipping and Waste Policy Review, introduced the report and thanked all officers and expert witnesses for their involvement. It was noted that the issue of fly tipping was not specific to Peterborough, but was a national problem. The suggestions made by the group would take time to implement. A key point raised from the group was that disposal of waste needed to be made easier. Infrared cameras would help enforce restrictions, but only with the support of the police and environment enforcement teams. Following debate at Growth, Environment and Resources Scrutiny Committee further work would be undertaken to review current policies.

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

- The second stage of the Task and Finish Group would make greater inroads into a change in policy.
- The Group would proceed to consider neighbouring authority policies, new technology, and the facilities of the new Household Recycling Centre.
- It was noted that a new fixed penalty notice had been introduced for offenders, of a £400 fine, instead of prosecution. Though illegally disposing of waste could attract up to a £55,000 fine and 12 months in prison.
- It was felt that the courts should do more to make an example of those that did break the law.
- Comment was raised that some responsibility still lay with Ward Councillors to address fly tipping concerns in their wards.
- It was raised that if fly tipping occurred on land that wasn't owned by the Council, then the Council had no powers. Confirmation was provided, however, that officers were working with partners and were developing a model to be able to coordinate work through the County.
- Members noted that if it was residents that were carrying out the fly tipping and, as such, Education was considered to be important to solving the problem.
- Discussion was had on the permit process and it was suggested that this would operate much more efficiently if it were electronic, and would potentially prevent some cases of fly tipping.

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

1. Agree the recommendations set out in the interim report of the Task and Finish Group and note that further recommendations are expected following continued work by the Group.
2. Approve the financial and resource commitment required to deliver the short term enforcement and communication elements specified in 7.2 and 7.3 of the Task and Finish Group's interim report.
3. Support the Task and Finish Group in their further work on the specified additional work as requested by Scrutiny Committee at their meeting 9 January 2019. (Section 2.1(b) of the report).

REASONS FOR THE DECISION

The Leader had requested that the Scrutiny Committee consider his request to set up a cross party Task and Finish group to examine the issue of Fly Tipping and how alterations to the relevant policies and the current operating regime might be altered to help to reduce Fly Tipping. This was the interim report from that Task and Finish Group.

Based on the considerable evidence gathered during the work of the Task and Finish Group a sound understanding and basis in evidence had been generated to support the specific recommendations.

ALTERNATIVE OPTIONS CONSIDERED

To do nothing – This would fail to act on the issues and concerns raised.

68. GOVERNANCE OF COUNCIL COMPANIES, PARTNERSHIPS AND CHARITIES

The Cabinet received a report in relation to the governance arrangements for Council companies, partnerships and charities.

The purpose of this report was to notify Cabinet of the Leader of the Council's decision to revise their executive delegations and the executive procedure rules in relation to governing Council companies, partnerships and charities, and to approve the membership of the Shareholder Cabinet Committee. It was future requested that Cabinet consider the articles of association for Peterborough Limited and the revision of the Audit Committee terms of reference, in line with the Leader's decision.

The Leader of the Council introduced the report and advised that the proposals had been revised slightly to reflect how the governance of the bodies would work in practice, including several functions to be retained with Cabinet. The membership of the Peterborough Limited Board were Councillor Farooq (as Chairman), Councillor Fuller, David Gillette, Paul Sutton and Kirsty Nutton.

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

- Any approval of policies or business plans would be retained with Cabinet.
- There were a few typographical errors in the appendices that would need to be corrected.
- If a company board wished to amend a policy item, they would have to recommend this to Cabinet for approval.

Cabinet considered the report and **RESOLVED** 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. Note the proposed Membership of Council's Shareholder Cabinet Committee as detailed in section 3.6 of the report.
3. Approve the amendment of Peterborough Limited's Articles of Association to adopt the revised list of reserved matters as set out in Appendix C to the report, subject to the correction of numbering and inclusion of the limit to litigation payment sums.
4. Recommend to Full Council the revised Audit Committee Terms of Reference set out in Appendix A to the report.

REASONS FOR THE DECISION

There was a requirement for the Council to have in place appropriate Governance arrangements for all its activities including those operated via partnerships, Companies or Charities.

ALTERNATIVE OPTIONS CONSIDERED

There were no alternative options considered.

69. REGIONAL ADOPTION AGENCY SERVICES

The Cabinet received a report in relation to the regional adoption agency services.

The purpose of this report was to request that Cabinet authorise the delegation of duties to the Executive Director for People and Communities in relation to the service.

The Cabinet Member for Children's Services introduced the report and advised that the central government anticipated a regional pool arrangement to be in place by 2020 to address inefficiencies in adoption processes. Officers had negotiated arrangements for Peterborough and Cambridgeshire to form a regional pool between the two. Bids were currently being evaluated with the intention to award the contract in the new financial year.

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

- It was expected that TACT, which supplied Peterborough City Council's permanency services, would be one of the bidders. If not successful, they would continue to provide the rest of their services to the Council, without the permanency aspect.
- It was considered that adoption services were in a good position, with positive feedback from OFSTED.
- It was noted that the personnel delivering the service would not change, so there would be continuity in that regard.
- Careful work had been carried out between Peterborough City Council and Cambridgeshire County Council to ensure that both authorities had an equal voice in the specification and evaluation process.
- If other authorities wished to join the regional pool, this could be facilitated, and they would be charged. However, it was suggested that the arrangement would need to first be in place and settled between Peterborough and Cambridgeshire.
- Discussion was had around the impact of IVF on adoption and it was suggested that thought be given to discussion adoption options with those considering IVF.

Cabinet considered the report and **RESOLVED** to delegate authority to the Executive Director of People and Communities to:

1. Vary the existing contract with The Adolescent and Children's Trust (TACT) relating to adoption services; via a Notice of Change (NOC)
2. Authorise the decision for Cambridgeshire County Council to appoint a Voluntary Adoption Agency on behalf of the Council;
3. Enter into a Partnership Agreement with Cambridgeshire County Council, and authorise any subsequent variations required;
4. Authorise the Director of Governance or authorised legal officers to enter into any other legal documentation necessary to document the contractual, and other legal arrangements in relation to Regional Adoption Agency services.

REASONS FOR THE DECISION

The development of Regional Adoption Agencies was a Government requirement; the agreement to deliver this based on a partnership between Peterborough and Cambridgeshire offered a model that was in line with current direction of travel for both authorities, as would be underpinned by a formal Partnership Agreement. Bringing adoption services together in this way also offered the opportunity for benefits in the recruitment of adopters and matching of children.

In order to secure this objective, both authorities had worked collaboratively to deliver a RAA within dedicated timescales. Appropriate governance arrangements had been in place throughout the commissioning activity both via the RAA Governance Board, and Joint Commissioning Board.

ALTERNATIVE OPTIONS CONSIDERED

The government had said that RAAs would need to be fully operational by 2020 at the latest, and every Local Authority would need to demonstrate significant progress by early 2019. There were few alternative options available to the authority given the Department of Education mandate that Regional Adoption Agencies would be in place across England by 2020. Peterborough and Cambridgeshire were in the third wave of authorities to develop a Regional Adoption Agency service model.

70. COMMERCIAL STRATEGY 2018-2021

The Cabinet received a report in relation to the proposed commercial strategy for 2018 to 2021.

The purpose of this report was for Cabinet to consider the proposed strategy and endorse it for review by the Joint Meeting of the Scrutiny Committees.

The Cabinet Member for Resources introduced the report and advised that the motivation behind the strategy was to make best use of the Council's assets, skills and position to generate income to support the delivery of services. The strategy would help contribute to the savings needed over the next three years.

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

- The strategy deliberately covered the period from 2018, as work around this objective was already ongoing. The Council brought in £72 million in income annually from these projects.
- It was noted that resources would be required, however, should any specialist knowledge or skills be necessary for particular projects, these would be brought in as and when necessary.
- It was considered that, should robust business cases be presented, that projects would be pursued that had multiple benefits, including social benefits.
- It was commented that generating income as a Council meant that money did not have to be taken out of services.

Cabinet considered the report and **RESOLVED** to endorse the proposed Commercial Strategy 2018-2021 for consideration by the Joint Meeting of the Scrutiny Committees.

REASONS FOR THE DECISION

A Commercial Strategy and workplan was needed to build on existing initiatives, increasing the pace of portfolio development to ensure that commercial income made a significant contribution to the Council's budget.

ALTERNATIVE OPTIONS CONSIDERED

The Council had been exploring strategies for achieving a balanced budget and options, which included a range of commercial targets, had been modelled alongside efficiency savings and service reductions.

As part of the development of the Commercial Strategy the working group considered a range of options including alternative delivery models, acquisition and investment, contracts and procurement, and trading income. The resulting Strategy proposed a mixed portfolio of commercial activity with ambitious but deliverable targets.

71. MEDIUM TERM FINANCIAL STRATEGY 2019/20 TO 2021/22 – TRANCHE THREE

The Cabinet received a report in relation to the third tranche of the Medium Term Financial Strategy 2019/20 to 2021/22.

The purpose of this report was for Cabinet to consider the Medium Term Financial Strategy 2019/20 to 2021/22 – Tranche Three and to approve it for public consultation, as well as noting the accompanying Robustness Statement, grant figures, and future strategic direction.

The Cabinet Member for Resources introduced the report and advised that the use of approximately £3 million from reserves was required to balance the budget and a number of one off payments had been sought. An additional £5 million worth of pressures had been identified in the third tranche of the budget, resulting from demographic changes, trees, child care, the coroners officer, reductions in grants, the formation of the LATCo and rental income.

The Cabinet were further informed that the Local Government Association had been invited to give the Council a 'health check'. The view of the LGA had been that the Council was moving in the right direction, but needed to increase its pace to reach the necessary levels of sustainability.

The way forward was to cease to use one offs to balance the budget, as this resource was finite. Tranche one of the 2020/21 budget would set out clear delivery plans, with a mix of commercial projects, additional savings and efficiencies.

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

- It was advised that 14% of unitary authorities were in an equivalent or worse situation to Peterborough City Council in terms of reserve levels.
- Additional funding had been delivered since the 'Stand Up for Peterborough' campaign had been launched, though adult social care funding. It was felt that, while central government were listening, further steps needed to be taken.
- It was noted that much of the funding provided to the Council had been in the form of one off funding.
- Approximately £7 or 8 million had been earmarking within the capital budget for transformation. The majority of sites owned by the Council had been sold, as such it was necessary to look to using the remaining sites, as there may be a more beneficial way to manage them than selling.

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

1. The Tranche Three service proposals, outlined in Appendix H to the report as the basis for public consultation.

2. The updated budget assumptions, to be incorporated within the Medium Term Financial Strategy (MTFS) 2019/20- 2021/22. These were outlined in section 5.1 of the report.
3. The revised capital programme approach outlined in section 5.11 and the capital schemes outlined in Appendix G to the report.
4. 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

Cabinet **RESOLVED** to note:

5. The statutory advice of the Chief Finance Officer outlined in section 6 of the report, The Robustness Statement. This was required to highlight the robustness of budget estimates and the adequacy of the reserves.
6. All the grant figures following the Local Government Provisional Finance Settlement, published on 13 December 2018 outlined in section 4.4 of the report.
7. The future strategic direction for the Council outlined in section 5.10 of the report.

REASONS FOR THE DECISION

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

ALTERNATIVE OPTIONS CONSIDERED

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

72. IMPROVING EDUCATION OUTCOMES IN PETERBOROUGH

The Cabinet received a report in relation to improving the education outcomes in Peterborough.

The purpose of this report was to inform Cabinet of the progress made on implementing the recommendations contained within the Education Review report previously presented.

The Cabinet Member for Education, Skills and University introduced the report and advised that while the Council was statutorily responsible for education outcomes in the area, it did not have responsibility over schools' day to day operations. The report provided an overview of progress made in the area, including a shared services structure with Cambridgeshire County Council. The primary focus was on improving leadership and providing support to teachers.

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

- It was noted that progress had been made around collaboration with all stakeholders, including primary and secondary school head teachers and the chief executives of academies.
- Work was being carried out with other Council's to learn from their practices, including Tower Hamlets and Newham, where progress was being made in relation to phonics. It was anticipated that this would assist the Council in mobilisation.
- It was recognised that Governors played an important role in the education system and progress was being made to raise the national profile.
- Perception was felt to be key. Though perception at the moment was thought to be quite negative, a lot of practice within schools was outstanding.
- There were national problems in relation to how schools dealt with children and young people with special education needs and disabilities (SEND).
- It was noted that the operating environment for schools had changed remarkably in the past 15 years, with many independent from the local authority, and therefore the Council was unable to impact on the teaching and learning taking place. Officers had been candid about this with schools and a representative of the Department for Education had been invited to the Children and Education Scrutiny Committee.
- It was considered that the Council was often the focus of criticism when schools underperformed, whereas head teachers were not felt to properly address the issues raised.
- Comment was made that home learning and a significant impact on education and work was being done with the 'Start' programme to help ensure that all children were ready to start schools. Reading to children was an important message for parents.
- There was also work being undertaken in relation to the 'Best Start in Life' strategy, in order to tackle the issue from all available avenues.

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

1. Note the contents of the report and the actions being taken.
2. Support both Elected Members and Officers in their efforts to support and challenge schools to improve outcomes for children and young people in Peterborough.

REASONS FOR THE DECISION

To raise awareness amongst Cabinet and provide support for future actions to be taken as appropriate.

ALTERNATIVE OPTIONS CONSIDERED

None.

73. **DEVELOPING A THINK COMMUNITIES APPROACH AND DELIVERING THE INTEGRATED COMMUNITIES STRATEGY**

The Cabinet received a report in relation to the Think Communities approach across Cambridgeshire and Peterborough and the delivery of the Integrated Communities pilot programme.

The purpose of this report was to request Cabinet approval of the Think Communities approach, which would form the basis of a shared Demand Management Strategy for Cambridgeshire and Peterborough, and to request Cabinet comment and approve the Integrated Communities Strategy delivery plan which formed a key part of the delivery of the Think Communities approach in Peterborough.

The Cabinet Member for Communities introduced the report and noted that this report came at a time when the Council was in urgent need to embark on a system wide change. The new approach was about understanding communities' needs and delivering these in an intelligent way. Partnership working would be key to harness the power within communities and lead to a reduce demand in services.

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

- It was considered that this would represent a big move forward for all councils and would deliver a sign up that hadn't happened before, demonstrating how the authority needed to work differently to save funds and deliver services better.
- Officers were ambitious that this could be delivered within a short time frame, with funding provided to kick start the programme. Research was to be commissioned to embed learning for the future.
- It was noted that any monies from the communities fund had to be spend by March 2020, however, projects would have 12 months to deliver outcomes.
- Officers were exploring the creation of an endowment fund to continue after 2020 for recurring investment.
- Significant work had been carried out to ensure that communities were aware of the programme, including through media, community contacts and drop in sessions. This has result in a high level of interest.
- Members were reassured that the application process for community funding would be straightforward.
- It was noted that many small businesses operated within communities and may be beneficial within this scheme.
- Comment was made that parish council's may already run community funds, and this may be a way to manage such scheme though the parish council precepts.
- It was advised that Wigan Council had embarked on a similar scheme, and that Peterborough was further ahead than they were at the start of the process.

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

1. Approve the Think Communities approach across Cambridgeshire and Peterborough.
2. Note the progress to deliver an Integrated Communities pilot programme, incorporating the work on Inclusive Cities.

REASONS FOR THE DECISION

Officers were keen to ensure our communities were empowered and supported to become more resilient, that demand for statutory services was managed more effectively, and that outcomes for citizens were improved.

Cabinet approved the report in order to deliver the outcomes within the delivery plan submitted to Government for funding.

ALTERNATIVE OPTIONS CONSIDERED

The alternative was for organisations to work more in isolation, each with limited resources and more likelihood of duplication of effort and points of contact with communities.

Not to accept funding to deliver the Integrated Communities Strategy work with Government. This alternative had been rejected, due to the loss of funding and opportunity to test new methods of delivery which would improve outcomes for the city.

74. MINERALS AND WASTE LOCAL PLAN – FURTHER DRAFT FOR CONSULTATION

The Cabinet received a report in relation to the further draft of the Minerals and Waste Local Plan.

The purpose of this report was to submit to Cabinet for approval a 'Further Draft' version of the Minerals and Waste Local Plan prior to a second round of formal consultation. A number of future stages would also take place, before the Plan was finalised and adopted.

The Cabinet Member for Growth, Planning, Housing and Economic Development introduced the report and advised that the following approval of the first draft for consultation, all representations had now been considered and the planned moved on to stage two consultation. This would now include the approach to allocating new sites. This approach would be flexible, rather than simply allocating sites on a map. The document had been considered by the Growth and Environment Scrutiny Committee and the Planning and Environmental Protection Committee, and was supported.

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

- It was suggested that Major Policies such as this should be considered by the Youth Council and the Children in Care Council as well.
- It was confirmed that housing need and growth ambition was taken into account when drafting the plan.
- Issues such as traffic in relation to mineral extraction were carefully considered when looking at site allocation. Highways were of key importance, and this was the reason that several extensions had been suggested over the creation of wholly new sites.
- Officers confirmed that it there was no need identified for new waste facilities arising from the proposals within the plan.
- It was noted that any additional costs to the Council resulting from such proposals would need to be taking into account.

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

1. Approve the Cambridgeshire and Peterborough Minerals and Waste Local Plan - Further Draft (Appendix 1 to the report) and the associated Policies Map (Appendix 2 to the report) (which set out the new or revised allocations), for the purpose of subsequent public consultation likely commencing in March 2019.
2. Delegate to officers the authority to make any minor non-consequential amendments to the Plan as attached, prior to consultation, in order to: correct any typographical errors; improve presentation; or address any minor amendments arising from the Plan's consideration by Cambridgeshire County Council's democratic process.
3. Delegate to the Cabinet Member for Growth, Planning, Housing and Economic Development authority to make more substantive changes to the Plan as attached, prior to consultation, provided he should see fit to do so, if it would help to address any more substantive suggested amendments arising from the Plan's consideration by Cambridgeshire County Council's democratic process.

REASONS FOR THE DECISION

Two main reasons for the recommendation:

- As a 'top tier' authority, the Council had a statutory duty to maintain a Minerals and Waste Local Plan.
- The Council had agreed to proceed with preparation of an updated Plan.

This report ensured the Council was meeting its obligations and commitments.

ALTERNATIVE OPTIONS CONSIDERED

1. To not prepare a plan. This option was rejected by Cabinet in July 2017.
2. Any options relating to not undertaking consultation or not complying with national policy were immediately rejected, as it would be unlawful to do so.
3. Alternative options for Plan content will be considered (and appraised under the legally required sustainability appraisal framework) as this Plan progresses.

MONITORING ITEMS

75. BUDGET CONTROL REPORT NOVEMBER 2018

The Cabinet received a Budget Control Report for the period of November 2018.

The purpose of this report was to provide Cabinet with an update as at November 2018 of the Budgetary Control position.

The Cabinet Member for Resources introduced the report and advised that the overspend for the budget had been reduced from £6 million to £3.9 million, and work was ongoing to reduce this further.

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

1. The Revenue Budgetary Control position for 2018/19 at November 2018 includes a £3.921m overspend position on the revenue budget.
2. The key variance analysis and explanations were contained in Appendix A to the report.
3. The estimated reserves position for 2018/19 was outlined in Appendix B to the report.
4. In year budget risks were highlighted in Appendix C to the report.
5. The Asset Investment and Treasury Budget Report was contained in Appendix D to the report.

REASONS FOR THE DECISION

The report updated Cabinet on the November 2018 budgetary control position.

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

76. OUTCOME OF PETITIONS

The Cabinet received a report in relation to the outcome of petitions received by the Council.

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

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

REASONS FOR THE DECISION

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

ALTERNATIVE OPTIONS CONSIDERED

There had been no alternative options considered.

Chairman
10:00am – 12.28pm
4 February 2019