

**MINUTES OF A MEETING OF THE SUSTAINABLE GROWTH AND ENVIRONMENT
CAPITAL SCRUTINY COMMITTEE
HELD AT THE BOURGES/VIERSEN ROOM - TOWN HALL
ON 13 JUNE 2012**

Present: Councillors M Todd (Chairman), G Casey (Vice Chairman),
M Nadeem, Y Maqbool, JA Fox, L Forbes, N Thulbourn

Also Present: Cllr Sandford, Group Leader, Liberal Democrats
Cllr Lane, Representing Group Leader for Peterborough
Independent Group
Cllr Lee, Deputy Leader and Cabinet Member for Culture,
Recreation and Strategic Commissioning
Rukhsar Khalid, Youth Council Representative
Irfan Damani, Youth Council Representative

Officers Present: Paul Tonks, Head of Strategic Client Services
Steven Pilsworth, Head of Corporate Services
Margaret Welton, Lawyer, Strategic Client Services
Richard Pearn, Waste Client Manager
Bob Wilson, Programme Manager for Waste 2020
Teresa Wood, Sustainable Environment Manager
Simon Machen, Head of Planning, Transport and Engineering
Services
Andrew Edwards, Head of Growth & Regeneration
Neil Darwin, Director of Economic Development
Kim Sawyer, Head of Legal Services
Osman Hamir, Lawyer
Paulina Ford, Senior Governance Officer

1. Apologies for Absence

Apologies were received from Councillor Martin and Councillor Forbes attended as substitute. Apologies were also received from John Harrison, Executive Director, Strategic Resources.

2. Declarations of Interest and Whipping Declarations

Agenda item – 6 Environment Capital Overview

Councillor Sandford declared an interest in that he was a member of the Board at Peterborough Environment City Trust.

3. Minutes of meetings held on:

- 6 March 2012 – Minutes of Sustainable Growth Scrutiny Committee
- 22 March 2012 – Minutes of Environment Capital Scrutiny Committee

The minutes of the Sustainable Growth Scrutiny Committee meeting held on 22 March were noted and accepted as there were no members of this committee in attendance at that meeting.

The minutes of the Environment Capital Scrutiny Committee meeting held on 6 March were approved as an accurate record.

4. Call in of any Cabinet, Cabinet Member or Key Officer Decisions

There were no requests for call-in to consider.

At this point the Chair announced that the Committee had agreed to change the order of the agenda and that item number 5 would be presented after item 9 on the agenda to allow more time for discussion.

5. Environment Capital Overview

The Sustainable Environment Manager introduced the report. The report provided the Committee with an overview of the Environment Capital Project providing background information on the council's commitment to become the UK's Environment Capital and progress that had been made across the four key objectives, as set out in the Sustainable Community Strategy:

- Making Peterborough cleaner and greener
- Conserving natural resources
- Increasing the use of sustainable transport
- Increasing the environmental business sector

Members were advised that work had also progressed on the following key documents which would be presented to the Committee at future meetings.

- Environment Capital Delivery Framework
- Environment Capital headline targets
- Environment Capital timeline
- A bespoke Environment Capital Enewsletter
- Action plan for the current year
- Live Health Live Green Supplementary Planning document

Questions and observations were made around the following areas:

- A member of the Committee had attended a presentation on the Incredible Edibles Project and wanted to know if Peterborough was going to be part of the project. *Members were informed that Peterborough had already started work on the project and this was being led by the Neighbourhoods team.*
- Members requested further clarification of the Environment Capital priority 'Making Peterborough cleaner and greener' and wanted to know how this would be achieved. *Members were informed that this priority was around projects relating to green spaces, wildlife, waste and recycling, bat projects, bird box projects, an owl project and educating people to recycle more and sending less waste to landfill. It was also around environmental enforcement and regulating against fly tipping.*
- How are PCC working with Enterprise with regard to the cleaner greener priority? *Members were informed that there was a community engagement plan which covered education in recycling and fly tipping in communities and in schools.*
- The report mentioned one success as being the winner of the 'Most Improved Bus Services' category at the national Transport Awards. Members wanted to know if this included all transport across Peterborough. *The Officer did not have all the details but believed it was awarded because of the relationship the council had with Stagecoach and in particular for the new bus service between the city centre and the hospital.*
- Members noted from the report that Cranfield University and PCC had formed a partnership to develop education and research in renewable energy and bio-fuels to

support future economic growth in the city. Would Cranfield be going into Secondary schools to talk about this to encourage young people to take this up as a career option? *Members were informed that the project involved a wide number of partnerships which included the Peterborough Regional College, UK Centre for Economic & Environmental Development (UK CEED) and Opportunity Peterborough.*

The Chair thanked the Sustainable Environment Manager for an informative report.

ACTION AGREED

That the Committee note the contents of the report and that the key documents as listed in the report are presented to the Committee for comment and recommendations at a future meeting when ready. Those documents being:

- Environment Capital Delivery Framework
- Environment Capital headline targets
- Environment Capital timeline
- A bespoke Environment Capital Enewsletter
- Action plan for the current year
- Live Health Live Green Supplementary Planning document

6. Sustainable Growth: Introduction, Overview and Work Programme

The report was jointly introduced by the Head of Planning, Transport and Engineering Services, the Head of Growth and Regeneration and the Director of Economic Development. The report provided the Committee with an overview of the issues, opportunities, priorities and challenges in connection with the sustainable growth theme. Members were informed that there were three main teams tasked with the delivery of Growth within the city and they were:

- Growth and Regeneration: this area was tasked with the physical delivery on site. The overarching role of this team was to bring together potential partners from both the public and private sectors and get them working together to deliver growth. The Head of Growth and Regeneration gave a presentation which highlighted the following:
 - The role of the team and its core functions
 - Current projects being worked on which were Carbon Challenge, Community Stadium, Public realm: Bridge Street, South Bank and the Station Quarter
- Opportunity Peterborough: this area was tasked with delivering economic development services to the business community. This broadly focused on the following key elements:
 - Ensuring that Peterborough was visible to investors
 - Supporting local business ambitions
 - Creating conditions to increase skills level across the communities
 - Increasing knowledge of the local economy and utilising intelligence effectively
 - Ensuring that Peterborough gets maximum value from the Greater Cambridge Greater Peterborough Local Enterprise Partnership

The Director of Economic Development gave a presentation which highlighted the following:

- What Opportunity Peterborough was and its role
- Information regarding Peterborough's economy
- Achievements during 2011/2012 and the focus for 2012/13
- Looking ahead and what advantages Peterborough had compared to some other cities advising Members that Peterborough was one of the fastest growing inner cities and had been in the top ten growth cities over the last five years.

- Planning, Transport and Engineering: This department fulfilled the statutory roles of the Council as local planning authority and local highway authority. The functions of the team were as follows:
 - Development Management
 - Building Control
 - Planning Policy
 - Housing Strategy
 - Highway Management and Maintenance
 - Transport and Infrastructure Planning and Delivery
 - Climate Change
 - Emergency Planning, Resilience and Business Continuity
 - Natural and Built Heritage
 - Biodiversity
 - Passenger Transport
 - Drainage and Flood Risk Management

The Head of Planning, Transport and Engineering Services informed Members that the Planning, Transport and Engineering teams now worked together in one place to help drive forward the growth of the city. All major planning policies had already been through the Sustainable Growth Scrutiny Committee with the exception of the City Centre Plan which was due to come to Committee this year. Members were given background information on what services each area provided and were invited to visit the department to meet officers from each service area and gain a greater awareness of the services that were provided.

Questions and observations were made around the following areas:

- Members wanted to know what the timescale was for completion of the carbon challenge development, the community stadium and the Southbank development. *The Head of Growth and Regeneration informed Members that the community stadium contract would be awarded soon and work would then start within six to eight weeks. Recommendations regarding the Southbank project would be made to Members within the next four weeks. There would then be a long EU Procurement Process before any agreement could be entered into. The development timescale would therefore be between three and ten years to develop the complete site. The development of the station quarter was not in control of the city council and had been dependant on others, this was therefore more difficult to predict.*
- Members wanted to know if the amount of traffic in Peterborough had increased. *The Officer did not have the information readily available at the meeting but Members were advised that as the population of the city grew there would inevitably be more traffic.*
- Councillor Sandford commented that the council had a sustainable transport policy in place but public transport did not seem to be a priority as indicated by the further investment in highway schemes. *Members were advised that the reason the improvements to the Fletton Highway were taking place was because the Highway Agency would not let Peterborough grow unless Fletton Parkway was widened and the Fletton junction improved.*
- Did Opportunity Peterborough advise businesses in the town centre to take advantage of the events that happen in the town square and stay open later? *Members were informed that opening times of the national chain businesses were directed from their head office.*
- Members wanted to know what was meant by a 'Quality Job'. *Members were informed that there was no specific criteria for a 'Quality Job' it was about members of the community actually having a job and it would probably be a job which required a high level qualification.*
- Was there a model for the skills mix? *Members were informed that work was being done to improve the connection between local businesses and education providers in the city. Information was being gathered from local business as to what skills they required and this was being passed onto the educational establishments.*

- Members commented that wind power was well supported over solar energy by The Department of Energy and Climate Change (DECC) and the feed in tariff had been reduced by 50% on solar energy. Why had DECC given a preference to wind power over solar energy. Was there an environmental reason? *The Officer did not have the information available at the meeting and advised that it would be provided after the meeting.*
- Had the Local Authority Mortgage Scheme (LAMS) helped young people get onto the housing market? *Members were advised that the LAMS and other government initiatives were helping the development sector and helping people to access finance to buy a home. More houses had been built in Peterborough last year than the year before which was a positive growth curve and better than the national trend. There had been a reduction in the building of affordable houses but an increase in private build houses. The councils local plan states that 30% of a development should be affordable housing but this was subject to viability.*
- In the Environment Capital Manifesto it mentions that the council propose to have a zero Carbon Housing Development. When did it change to a Carbon Challenge development and in what sense was it a carbon challenge. Was it a code 6 or 3 or 4? *The Officer did not have the information available at the meeting and advised that it would be provided after the meeting.*
- Members were concerned with the new Maskew Avenue supermarket development and the impact it would have on traffic at the junction between Maskew Avenue and Bourges Boulevard. *Members were informed that traffic signals would be installed. The scheme had been signed off by four sets of highway engineers. The Highway Agency had stated that they were satisfied with the traffic model proposed.*

ACTION AGREED

- (i) The Committee noted the report and would consider items from the report at the next Group Representatives meeting for the work programme.
- (ii) The Committee requested that the Senior Governance Officer co-ordinate between members of the Committee and the Head of Planning, Transport and Engineering Services to organise a visit to the Planning, Transport and Engineering Service areas.
- (iii) The Head of Growth and Regeneration to provide information on:
 - why DECC had given a preference to wind power over solar energy; and
 - what code the Carbon Challenge development was?

7. Review of 2011/2012 and Future Work Programme 2012/2013

The report provided the Committee with:

- a review of work undertaken during 2011/12 and recommendations made
- the terms of reference for the Committee and
- a draft work programme for 2012/2013 for consideration

The Committee considered the report and decided that there were no recommendations from last year that required further monitoring.

The Senior Governance Officer brought to the Committees attention an action from the Sustainable Growth Scrutiny Committee meeting held on 6 March 2012 which had been from agenda item 7 - Complaints Monitoring Report.

- The Committee recommends that the Head of Customer Services pilot over a period of time with members of the Committee if the complaints they receive have already been logged with the Central Complaints Department.

The Head of Customer Services had asked the Senior Governance Officer to raise this at the meeting and request that a volunteer from the Committee work with the Head of Customer Services to undertake the pilot. Councillor Maqbool volunteered and the Committee agreed to her nomination.

ACTION AGREED

The Committee agreed that the Senior Governance Officer work with the Chair and Group Representatives to manage the work programme of the Committee and programme in requested items as highlighted at the meeting.

8. Forward Plan of Key Decisions

The Committee received the latest version of the Council's Forward Plan, containing key decisions that the Leader of the Council anticipated the Cabinet or individual Cabinet Members would make during the course of the following four months. Members were invited to comment on the Plan and, where appropriate, identify any relevant areas for inclusion in the Committee's work programme.

ACTION AGREED

To note the latest version of the Forward Plan.

At this point the meeting was adjourned for ten minutes.

9. Waste 2020 Programme-Energy from Waste Facility and Other Associate Works and Services

The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning introduced the report and informed the Committee that the Energy from Waste Facility would be one of the biggest decisions that the council had taken. It had been a long process which had started before 2007. A rigorous and detailed process had been applied which had taken into account environmental, financial and technical aspects to delivering a solution to the city's waste issues. A competitive dialogue procurement process had been used which meant that private companies had been used to provide expertise to advise on the best solution for the council. There was a huge cost to dealing with waste and the council had sought a technological solution to dealing with it that would cost less over the long term rather than continuing to send it to landfill.

The Chair advised the Committee that the Waste Facility had already received planning permission and that the report was about the procurement process.

The Chair then advised that there was an update report to be tabled at the meeting which included exempt papers which had not yet been presented to the Committee and in accordance with Standing Orders, Members were asked to determine whether the update report which was to be tabled relating to agenda item 5. Waste 2020 Programme – Energy From Waste Facility which contained the exempt appendices containing information relating to the financial or business affairs of a particular person (including the authority holding that information), as defined by Paragraph 3 of Schedule 12A of Part 1 of the Local Government Act 1972, should be exempt and the press and public excluded from the meeting when these appendices were to be discussed or whether the public interest in disclosing this information outweighed the public interest in maintaining the exemption.

Councillor Sandford wished to record that during his time at the Council he had not attended a meeting where the Committee had been requested to decide on whether exempt papers should be exempt from the press and public without seeing them first.

The Head of Legal Services informed the Committee that whilst it was unusual to ask the Committee to make a decision on the exempt papers without seeing them first it was a correct procedure and in order for the Committee to do so. The process was permitted by law and the advice of the Head of Legal Services was that the Committee should move into Exempt Session whilst considering the exempt papers.

The Chair continued the meeting at this point in public session to allow members of the audience to speak and some discussion from the Committee before going into exempt session.

Questions and observations were made around the following areas of the Public Report:

- Councillor Sandford noted that the Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning had stated that the council was agnostic about the technology to be used but a paper that had been recently circulated to councillors had stated that the proposal was for traditional technology. Did this mean that the proposal was for a mass burn incinerator? *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that once all recyclable waste had been sorted the black bin waste would be burnt. It would be an energy from waste facility which would produce electricity, hot water and steam. The two bidders had put the energy from waste facility forward as a solution to the issue of waste in the city.*
- Councillor Sandford stated that all of the Cambridgeshire local authorities were using a mechanical biological process. There was also the PREL Energy Park facility that was being constructed where there was a large amount of pre treatment of waste. With these other facilities available around Peterborough why was the council going for a mass burn incinerator. *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that the decision had been made by Council and procurement had proceeded according to that decision.*
- Councillor Lane wanted to know if the council was going to do anything with the organic waste element of the black bin waste in the near future. *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that the council sought to get to a position of 65% plus recycling across the city and whatever was left in the black bin would go to the processing plant.*
- Councillor Lane wanted to know if the market had been tested on the use of the heat and steam that would be produced from the energy from waste facility and had the council considered using it to heat green houses. *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that the council had sought to provide a technological solution that would produce electricity but also had the capability when it was built to produce hot water and steam. After the contract had been awarded there would still be many years before the facility would be in operation and during that interim period plans would be developed with regard to hot water and steam distribution. The council and its partners would look at all options to get best value for the council from its treatment of waste.*
- Members commented that until recently a Materials Recycling Facility (MRF) was an essential component of the councils waste management plan. Why was this no longer the case? If the council wanted to achieve the 65% plus recycling of waste and achieve the Environment Capital status could a presentation be given with facts and figures as to how these policy objectives would be achieved without an MRF? Members also sought assurance that PCC or any of its providers and sub contractors would not be sending recyclable material for incineration either directly or indirectly? *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that during the procurements of Lot 1 – Energy from Waste and Lot 2 – Recycling it became evident that there were a number of factors to be considered. A decision was made to stop the Lot 2 procurement and amend the Lot 1 procurement. Further details would be provided in the Exempt session.*

- Members noted that Councillors had visited locations chosen by the bidders to see energy from waste facilities. Had the visits from previous years been taken into consideration and were other Councillors on the visits apart from Councillor Lee and Councillor Seaton. *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that when the planning application was originally put forward a number of Councillors and members of the public visited a reference site in Grimsby. During the procurement process a number of Officers and Councillors visited a site in Grimsby and a site in Denmark. The visits had not been funded by the council but had been paid for by the bidders.*
- Councillor Sandford asked the Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning what the Capital Cost of the project would be, how it would be financed and what the annual cost would be. *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that this information could be provided in the exempt session.*
- Had an independent risk assessment been taken and would it be published. *The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed Members that this information could be provided in the exempt session.*

The Chair invited a member of the audience Mr Richard Olive, representing Friends of the Earth to address the Committee allowing three minutes to make his statement.

Mr Olive made a statement which included the following points:

- The cost of the incinerator had been published on the Official Journal of the European Community (OJEU) through the advertisement. It had been categorised in the £80M to £160M category. Mr Olive suggested that it would probably cost around £90M.
- The electricity which would be generated by the Peterborough facility would be 3.5 megawatts compared to the PREL facility which would be 65 megawatts.
- The efficiency of a traditional incinerator was about 35% if it sold steam, hot water and electricity but there was only one energy from waste facility in the country that had managed to sell its heat. An incinerator provided low grade hot water which would not be good enough to heat a house. The average energy from waste facility was off line for one month per year and would therefore have an intermittent supply.
- Defra and the EU were currently arguing for the cessation of MRF assorted waste by 2015.
- The energy from waste facility proposed was not very environmental as it would burn plastic waste. The facility would create 80,000 tonnes of CO₂.

The Chair invited a member of the audience Fiona Radic, representing the Green Party to address the Committee allowing three minutes to make her statement.

Ms Radic made a statement which included the following points:

- Incineration of waste in the city would add to serious deprivation specifically in the East Ward and would pollute an area of four miles in diameter.
- It would increase levels of social inequality.
- Incineration was an inferior method of waste treatment and the council should be going higher up the waste hierarchy.
- It would create a vortex requiring waste as fuel and it was likely to create an effect of reducing the amount of waste recycled.
- The waste forecast that the council was relying on did not take into account economic and environmental changes.
- The council had not been technologically agnostic as it had specified energy from waste in its tender bid and it had also mentioned that it may dispose of Lot 2.

- The energy part of the proposal did not stack up. There was no evidence that energy had been viably produced from any energy from waste plant. If the council had been serious about producing energy it would have been designing a grid.

The Deputy Leader and Cabinet Member for Culture, Recreation and Strategic Commissioning informed the Committee that he would be able to address some of the issues raised during the exempt session. He also informed the Committee that PREL did not yet exist and that PREL had the opportunity to bid but chose not to.

- Councillor Sandford wished to know how much information would be released to the Public from the Exempt information once the decision had been made. *Margaret Welton, Lawyer from Strategic Client Services advised Members that when the formal Cabinet Member Decision paperwork was issued the Public Report and the Decision Notice would be published on the councils website and become public information. The exempt papers attached to the Public Report would remain exempt as they contained highly confidential and commercially sensitive information that was relevant to the bidders and to the council's commercial decision. The Exempt Annexes would therefore need to be retained as exempt notwithstanding any public interest in them.*

The Chair asked the Committee to vote on whether to exclude the press and public from the meeting when the exempt appendices were to be discussed or whether the public interest in disclosing this information outweighed the public interest in maintaining the exemption.

The Committee voted unanimously in favour of going into exempt session to consider the exempt papers.

The Chair thanked the members of the public and Youth Council Representatives for attending the meeting. At this point the Press, Public and members of the Youth Council were asked to leave the meeting as the Committee moved into Exempt Session.

RECOMMENDATION

1. That the Committee note and endorse the actions taken, and to be taken, in connection with the procurement of the Energy from Waste Facility and other associated works and services.
2. That the Committee continue to be kept updated as the Waste 2020 Programme and facilities progress.

The meeting began at 7.05pm and ended at 11.03pm

CHAIRMAN

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