

## **MINUTES OF CABINET MEETING HELD 5 NOVEMBER 2012**

### PRESENT

**Cabinet Members:** Councillor Cereste (chair), Councillor Dalton, Councillor Fitzgerald, Councillor Hiller, Councillor Holdich, Councillor Lee, Councillor Seaton and Councillor Walsh.

**Cabinet Advisers:** Councillor Elsey and Councillor North.

### **1. APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Scott and Councillor Goodwin.

### **2. DECLARATIONS OF INTEREST**

None received.

### **3. MINUTES OF CABINET MEETING 24 SEPTEMBER 2012**

Cabinet agreed that the minutes of the meeting held 24 September 2012 were accurate.

### **STRATEGIC DECISIONS**

#### **4. OLDER PEOPLE'S ACCOMMODATION STRATEGY - 2012: CONSULTATION REPORT ON THE PROPOSAL TO CLOSE GREENWOOD HOUSE AND WELLAND HOUSE**

Cabinet received a report following the conclusion of the consultation on the proposal to close Greenwood House and Welland House and the release of Commissioning Intentions in relation to Peterborough City Council's Older People's Accommodation Strategy, seeking its approval for the closure of the two care homes, Greenwood House and Welland House, and commissioning plans. Cabinet further received and considered recommendations from the Scrutiny Commission for Health Issues held on 1 November 2012.

Councillor Harrington addressed Cabinet as Group Leader of the Peterborough Independent Forum Group, raising concerns including the lack of detail of the proposed Dementia Resource Centre, the limited scope of the consultation as it revolved mainly about job losses and not about the impact of the closures on the residents, the difficulties for the staff to find new jobs and the moral obligation for the council to provide care homes. Councillor Harrington stated that it was a positive move to ensure that no residents would be moved until a permanent place had been found elsewhere and also commented positively about the level of scrutiny that the proposal had received.

Councillor Fitzgerald introduced the report highlighting that there were places available for all residents within the private sector, a three month consultation had been undertaken that highlighted alternative options, some residents had already moved from the homes and the scrutiny recommendations would be incorporated into the decision.

The Council's Assistant Director, Strategic Commissioning for Adult Social Care, addressed Cabinet advising that three additional recommendations from the Scrutiny Commission could be incorporated into the decision. It was further noted that some corrections to the report were required:

- Paragraph 7.6.8:  
The table in the report showed mortality rates during the first 12 months, and then the next 12 to 24 months and then finally at 31 December 2012. It therefore excluded the 132 people who were admitted to care during 2007-08 who died during 2011-12. It also excludes the 25 people who were admitted to care during 2009-10 who died during 2012.

In addition the last row should show 75 people (43%) died in the first 12 months not 79 people.

The percentages have been rounded so will not add up to 100%

Date of Admission	No admitted	Died in 12 months		Died in 12-24 months		Number alive 2012	
07-08	419	149	36%	77	18%	61	15%
09-10	333	131	39%	62	19%	115	35%
11-12	175	79	43%	4	2%	96	54%

- Appendix C should show a Cost of refurbishment (£600 per bed x 86 beds); and
- Points 2.2 to 2.5 of the milestones in Appendix F should show dates in 2013 not 2012.

Councillors Fitzgerald and Seaton commented that there had already been many comments given and questions raised that were addressed and responded to at the Scrutiny Commission for Health Issues held on 1 November.

Councillor Cereste passed on his thanks to the Scrutiny Commission for Health Issues for its work on this issue.

Cabinet considered the report and recommendations from the Scrutiny Commission and **RESOLVED** to:

1. Approve the closure of Greenwood House and Welland House care homes and that all current permanent residents are provided with suitable and appropriate offers of alternative accommodation that meets their assessed needs and choice at no additional cost to the resident;
2. Affirm that there should be no loss of access to day care, respite or interim care for current service users as a result of these closures;
3. Endorse the commissioning plans to secure:
  - a) alternative interim care beds in the independent sector;
  - b) replacement respite care facilities; and
  - c) interim and long term day facilities including a dementia resource centre.

The respite care and day care should not be on an interim basis and permanent contracts should, wherever possible, be in place before the closure of the homes to avoid moving the clients more than once;
4. Receive a report from the Cabinet Member for Adult Social Care on: a) progress with closure; and b) progress with commissioning plans for replacement services in March 2013;

5. Agree that where permanent residents are moved to alternative accommodation in the private sector an audit of the new accommodation takes place on a quarterly basis during the first year and then on an annual basis. The audit reports to be presented to the Scrutiny Commission for Health Issues with the quarterly Adult Social Care performance report;
6. Retain key staff for a suitable period of time after the closure to ensure the safe resettlement of residents into their new homes; and
7. Continued as established practice the good practice undertaken during this consultation and agreed that a review was undertaken of all older people who are currently in receipt of respite care and day care under Adult Social Care.

## **REASONS FOR THE DECISION**

On balance and following careful consideration of the issues raised by respondents to the consultation and having explored the issues raised by staff and the Scrutiny Commission for Health, it was Cabinet's view that the way forward was to proceed with the proposed closures of Greenwood House and Welland House.

The needs of individual residents, service users and family carers could be met effectively through independent sector placements in accommodation that complies with modern standards.

Commissioning plans were in place to ensure continuity of care and support for residents, service users and family carers.

Further development of specialist dementia services and the proposed dementia resource centre would secure better outcomes for people with dementia and support them to remain independent whilst ensuring that family carers were also supported. The council would consider alternative services during consultation and development stages for new dementia services to ensure that the expertise and experience of all partners was used in the design and commissioning of these services.

## **ALTERNATIVE OPTIONS CONSIDERED**

A range of alternative options were explored and considered within the report, along with views on the viability of those options including the demolition of the existing homes and the rebuild of a new care home and for the refurbishment of both homes.

### **5. DEVELOPMENT OF GROUND MOUNTED SOLAR PHOTOVOLTAIC (PV) PANELS (SOLAR FARMS) AND WIND TURBINES**

Cabinet received a report seeking its approval to move to public consultation and final preparation stage culminating in the submission of planning applications for solar farms at the three sites in the farms estate. The development of wind turbines and possibly other technologies would be reported back to Cabinet at a later date, probably in or around October 2013 before progressing to the planning application stage in 2013. Therefore, this report did not detail any potential proposals for wind turbines, and made recommendations solely in relation to solar farms. Cabinet further received and considered recommendations from the Joint Meeting of the Sustainable Growth & Environment Capital Scrutiny Committee and Scrutiny Commission for Rural Communities held on Friday 2 November.

Councillor Cereste introduced the report highlighting that the decision today concerned the installation of solar panels and not wind turbines, 900 of the 3000 acres of farm land would

be needed for the project and much of this could still be farmed if wind turbines were installed. The project was a long term ambition to make the city self sufficient in terms of energy and to protect residents against rising power costs.

Councillor Harrington addressed Cabinet as Group Leader of the Peterborough Independent Forum Group, raising concerns including the guarantees for the financial figures in the report, the tight timescales to deliver the project and the impact on local industry.

The Council's Executive Director Strategic Resources address Cabinet highlighting details including that many questions were responded to at the previous scrutiny meeting, the risk register addressed the impact of any time delays in the project, financial figures had been independently audited, no agreed tariff for community funds currently existed but would be developed and there was still the possibility of developing an anaerobic digestion facility on the farms estate.

Cabinet debated the report highlighting issues including the environmental benefits of renewable energy, the financial difficulties facing the council and the desire to generate revenue without raising council tax or making spending cuts and the need to address any sensitivities with English Heritage relating to the proximity of Flag Fen to one of the sites.

Cabinet considered the report and the recommendations from the Joint Scrutiny meeting and **RESOLVED** to:

1. Note the updated strategy for the development of renewable energy parks at each of the three council owned agricultural sites (America Farm, Morris Fen and Newborough farms) since the report to Cabinet dated 10 July 2012, in respect of ground mounted solar photovoltaic panels and wind turbines;
2. Approve the proposal to submit planning applications in respect of development of ground mounted solar photovoltaic panels;
3. Note that subject to planning permission being received for ground mounted solar photovoltaic panels a contract for their installation is likely to be awarded to Mears Ltd under a framework agreement approved under a decision by the Cabinet Member for Resources (reference Solar Photo-voltaic (PV) Panels Framework Agreement - JAN12/CMDN/002);
4. Note that subject to the outcome of necessary studies and continued negotiations a further report will be brought back to Cabinet for consideration prior to submitting planning applications for wind turbines;
5. Welcome the support of scrutiny;
6. Request officers work with rural communities and key stakeholders in formulating proposals for a planning application and considers how their suggestions can be incorporated into the development of the solar project, as far as is possible without restricting the viability of the project overall;
7. Note that in relation to determining the appropriate amount and range of community funds resulting from the developments, there is no agreed national or local tariff for such contributions. The level of contribution will be negotiated based on the type of development (wind or ground mounted) and the overall scale of the development. At the scrutiny committee a figure of around £6.7m, based on another local scheme, was discussed as being the expected level of contribution from this scheme. There is sufficient flexibility within the overall financial parameters of the scheme to make an appropriate level of contribution. It would be inappropriate to agree any level of

contribution at this stage as this will be subject to negotiation as part of the next stage development of the proposals;

8. Request officers submit a further written update to the Cabinet and scrutiny members of a further analysis of the financial proposals and contingency arrangements but notes that the figures are considered appropriate for the purpose of the decision today, also noting that the financial appraisal has been subject to due diligence by Deloitte and Davis Langdon;
9. Confirm that:
  1. That the integration of farming with renewable energy generation is already under consideration as part of the proposals.
  2. That the sensitivities around the two sites near America Farm (Oxney Grange and Flag Fen) will be taken into detailed consideration as part of the planning process.

## **REASONS FOR THE DECISION**

To enable the Council to progress its “green” agenda by developing renewable energy technologies, thus generating income through sale of energy, reducing energy costs, and reducing CO2 emissions. A two-staged approach to the build of solar farms was recommended in an attempt to ‘bank’ the higher levels of subsidy currently being offered by the government this financial year.

## **ALTERNATIVE OPTIONS CONSIDERED**

The Cabinet could decide not to proceed with the studies and potential development of the identified sites. If it chose to do so, it would lose a valuable opportunity to progress its development of green energy. At this stage, no credible alternative sites to those proposed have emerged.

If the Local Planning Authority concludes that the sites require EIAs (Equality Impact Assessments), an alternative route forward would be to not submit any planning applications for the solar farms this December, and submit three planning applications at the end of March 2013 covering the entire build out detailed in this report. This route would mean that only one set of planning applications for the solar farms would be submitted which would bring cost savings. However, this option would not allow the Council to potentially benefit from receiving the higher tariff levels should planning permission be issued before the end of March 2013. It was therefore considered, on balance, that the staged approach is preferable.

The Cabinet could decide to sell its agricultural land rather than use some of it for renewable energy purposes. The current value of the land is not high, and although land values are increasing, an outright sale was unlikely to achieve the best value for money from the land.

Arable Land in the East Midlands has an average value of £7,063 per acre. Based on a portfolio of 3,212 acres this gives an estate value of £22.6m. However this is very deceptive as it assumes vacant possession value. A more indicative way of valuing the farms estate would be to look at the yield and investment value, based on guidance from the RICS/RAC Rural Land Market Survey 2012. By using the net financial yield to establish value, the Council have an estate cost at approximately £10.1m assuming that the land was not sold with restrictions on use or existing tenancies. This equates to a value of £3,144/acre which was significantly lower than the regional average of £7,063.

It might be possible to achieve a higher value per acre than this, by selling the land in large blocks to adjacent farmers/investors who will be able to drive out economies of scale by farming large areas of land. The low land value resulting from the low yield was an indicator

that the farms were not currently as productive as they could be, or that the land was less productive than the average values of land in the East Midlands. However it seemed likely that sale of the whole estate would achieve a one-off sum in the region of £10m, which was significantly lower than the potential financial benefits of using some of the land for renewable energy (which also allows the land ownership to be retained), and has therefore been rejected.

## **6. COLLECTIVE ENERGY SWITCHING SCHEME**

Cabinet received a report providing background information to the Collective Energy Switching Initiative and to seek the Cabinet's approval in relation to the recommendation of contract award.

Councillor Cereste introduced the report highlighting that this could reduce the energy costs of many residents across the city.

The Council's Executive Director Strategic Resources address Cabinet highlighting that this scheme was the first national scheme to be launched and included registered social landlords and homes using pre-pay metres.

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

1. Approve the Peterborough Collective Energy Scheme; and
2. Authorise the award of the contract for collective energy switching to IChoosr.

### **REASONS FOR THE DECISION**

In entering into the Peterborough Collective Energy Scheme, the council, residents and businesses of Peterborough and the communities of other local authorities will benefit from a reduction in energy rates.

The council will benefit from an income stream based on users switching to the new energy suppliers.

It was recommended that IChoosr was awarded the contract for collective energy switching as they have demonstrated that their submission offers the council and its fellow 'Participating Councils' a value for money solution.

### **ALTERNATIVE OPTIONS CONSIDERED**

Do nothing – this was discounted because the council could potentially lose an income stream through the opportunity.

## **7. PETERBOROUGH STATEMENT OF COMMUNITY INVOLVEMENT (SCI)**

Cabinet received a report following the approval of a draft version of the SCI for public consultation (at the Cabinet meeting on 26 March 2012) and following the subsequent public consultation. The report recommended the adoption of a final version of the Peterborough Statement of Community Involvement, which took into account comments made on the draft consultation version and sought to revoke the current Peterborough Statement of Community Involvement, which dated from 2008.

Councillor Hiller introduced the report highlighting that it had been subject to a six week consultation and the current SCI was out of date and needed to be replaced.

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

Adopt the Peterborough Statement of Community Involvement replacing and revoking the current Peterborough Statement of Community Involvement (adopted on 27 February 2008).

### **REASONS FOR THE DECISION**

It is a statutory duty to prepare an SCI, under section 18 of the Planning and Compulsory Purchase Act 2004 (as amended). While the council already has an SCI in place, it is considered somewhat out of date and in need of a refresh. This will ensure communities are fully aware of how and when best to get involved in planning matters, whether that is plan making, planning applications or neighbourhood planning.

### **ALTERNATIVE OPTIONS CONSIDERED**

The council could decide not to adopt a replacement SCI, but this would mean the existing SCI would remain in force which has out of date commitments and expectations and is no longer in accordance with various statutory Regulations.

## **8. PETERBOROUGH PLANNING POLICIES DEVELOPMENT PLAN DOCUMENT (DPD)**

Cabinet received a report following Council's decision on 7 December 2011 to approve the Peterborough Planning Policies Development Plan Document (DPD) (Proposed Submission Version) for the purposes of public consultation and submission to the Secretary of State. Such consultation took place and the DPD was submitted to the Secretary of State in April 2012. Subsequently, an independent Planning Inspector appointed by the Secretary of State has carried out a public examination into the document. The Inspector has sent his report to the Chief Executive setting out his conclusions on the DPD. The report sought Cabinet's approval to recommend the Planning Policies DPD to Council for adoption.

Councillor Hiller introduced the report and highlighted that the document had been consulted on and had been found acceptable by the Inspector. If approved, this would go to full Council for adoption.

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

1. Note the conclusions of the independent Inspector who was appointed to examine the council's submitted Peterborough Planning Policies Development Plan Document; and
2. Recommend to Council the adoption of the Peterborough Planning Policies Development Plan Document, incorporating modifications as recommended by the Inspector ('Main Modifications') and other minor editorial modifications ('Additional Modifications').

### **REASONS FOR THE DECISION**

As outlined in the report, Council only has two options available to it; either adopt the document with the modifications or not adopt the document. The former was recommended, as it was a statutory duty to prepare a Planning Policies DPD, and, in adopting it, Peterborough would have a clear and robust policy document setting out its policies for making decisions on planning applications.

### **ALTERNATIVE OPTIONS CONSIDERED**

The option of not adopting the DPD is not recommended, because in doing so the council would not have an up-to-date policy basis for deciding planning applications.

## **9. CHILDREN'S SERVICES UPDATE**

Cabinet received a report updating it with details of improvement actions undertaken since the July Cabinet meeting in response to the findings of the Ofsted Inspection of Safeguarding carried out in August 2011.

The Council's Executive Director Children's Services addressed Cabinet and highlighted that improvements were still being made, the recruitment campaign for more social workers was very successful but officers still could not be complacent.

Councillor Walsh thanked the Executive Director for his work.

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

Note the improvement activity and progress within Children's Services.

### **REASONS FOR THE DECISION**

The Council needs to continue to deliver improvements to safeguard children and in the longer term put in place a sustainable high quality Children's Service in Peterborough.

### **ALTERNATIVE OPTIONS**

Not applicable.

11.25 a.m.