

**MINUTES OF THE CABINET MEETING
HELD AT 10:00AM, ON
MONDAY, 20 NOVEMBER 2017
BOURGES/VIERSEN ROOM, TOWN HALL, PETERBOROUGH**

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

Cabinet Advisors Present: Councillor Allen and Councillor Stokes

27. APOLOGIES FOR ABSENCE

No apologies for absence were received.

28. DECLARATIONS OF INTEREST

No declarations of interest were received.

29. MINUTES OF THE CABINET MEETINGS HELD ON 25 SEPTEMBER 2017

The minutes of the meeting held on 25 September 2017 were agreed as a true and accurate record.

STRATEGIC DECISIONS

30. ESTABLISHMENT OF ESPO TRADING COMPANY*

The Cabinet received a report in relation to the establishment of a new trading company, 'ESPO (Eastern Shires Purchasing Organisation) Trading Limited'.

The purpose of the report was to advise the Cabinet of the recommendations of the ESPO Management Committee and senior officers of the six member councils concerning the establishment of a new company, ESPO Trading Limited.

The Leader of the Council and Cabinet Member for the Peterborough and Cambridgeshire Combined Authority introduced the report. The Senior Lawyer advised that the current ESPO model restricted sales to specified bodies. The establishment of a trading company would lift this restriction, with all new customers access through the new trading company. Each existing ESPO constituent organisation would purchase 100 shares for £1 each. The Trading Company would have five directors and would have representation from an elected Member of each authority.

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

- A high level of consultation had been carried with stakeholders to ensure that the proposals were beneficial.

- The financial risks to Peterborough would be comparatively low, with a direct contribution of £100. The benefits were not massive, but the profit from ESPO Trading would increase.
- Lifting the current restrictions on trade would allow for additional customers, including schools that had been converted into academies.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Note the ESPO Joint Cabinet Committee's recommendation, following its meeting of 20 September 2017, to establish a new trading company 'ESPO Trading Limited';
2. Approve the establishment of a new trading company, 'ESPO Trading Limited' on the basis outlined in this report; and
3. Authorise the Chief Executive in consultation with the s151 Officer and Monitoring Officers to sign and complete on behalf of the Council such indemnities, agreements and documentation as she shall be required to enable the Council to become a shareholder in ESPO Trading Ltd.

REASONS FOR THE DECISION

ESPO was established as a joint committee set up in accordance with the Local Government Act 1972 and the Local Government Act 2000. Its servicing authority, Leicestershire County Council, was limited to trading under powers in section 1 of the Local Authorities (Goods and Services) Act 1970 with a limited number of organisations defined as public bodies under that Act.

Member authorities of ESPO had the opportunity to explore alternative markets that were not public bodies, by using the powers under:-

- (i) Section 4 of the Localism Act 2011 and Section 95 of the Local Government Act 2003 to trade for profit, through the new separate company;
- (ii) Section 3 of the Localism Act 2011 and Section 93 of the Local Government Act 2000 to make a charge through the existing joint committee and servicing authority for goods and services to organisations other than those with which ESPO may trade by virtue of the *Local Authority (Goods and Services) Act 1970*.

By virtue of being able to trade with organisations in addition to public bodies, ESPO and the new Company would be able to secure ESPO's position in an increasingly competitive market and deliver the growth and profit targets set by the ESPO Management Committee in its Medium Term Financial Strategy.

ALTERNATIVE OPTIONS CONSIDERED

If the trading company was not incorporated there were no alternative ways for ESPO to access the new markets set out.

31. PETERBOROUGH LOCAL PLAN PROPOSED SUBMISSION

The Cabinet received a report in relation to the Peterborough Local Plan Proposed Submission.

The purpose of the report was for Cabinet to consider and recommend to Council the approval of the Proposed Submission Local Plan for public consultation in January 2018 and then submission to the Secretary of State.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the draft plan had been deferred by Cabinet previously for further assessment of the housing provisions. A reduction in housing provision of 1,673 had been made with a number of sites be removed entirely, including 14 dwellings in Thorney and 2,000 dwellings near Castor and Ailsworth. 200 dwellings had been added to a site in Norwood.

The Plan had been approved by the Planning and Environmental Protection Committee and the Growth, Environment, and Resources Scrutiny Committee. Concerns were, however, raised in relation to the infrastructure of Eye and Thorney, the promotion of the city centre, traffic levels, and affordable housing levels.

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

- It was queried, in relation to development in Eye, what would be considered reasonable and how the Secretary of State considered levels of infrastructure.
- Clarification was provided that specific requirements had been set out for Eye development, which any planning application submitted would have to meet. If these were not met, an application could be refused. If it was felt that the requirements in the Plan were not sufficient, then this would need to be raised in response to the consultation and the Secretary of State would consider all responses.
- It was further noted that in the previous incarnation of the Local Plan, when development was removed from Eye, the planning inspector added it back in without the appropriate infrastructure.
- An Infrastructure Delivery Schedule would be created to support the implementation of the Plan.
- There was a windfall allowance for development within the Plan, with the Council currently being in a position of surplus proposed dwellings for the upcoming five years.
- The Plan as a whole was appraised against sustainability criteria.
- It was advised that when a development came forward with less than 30% affordable housing proposed, a very rigorous appraisal process was undertaken. In some cases, the need to provide a lesser percentage was legitimate.
- Comment was made that the Cambridgeshire and Peterborough Combined Authority was looking to invest their affordable housing funding to bridge any arising viability gap.
- It was noted that the timing of infrastructure delivery was often vitally important for the success of developments.
- Further comment was made that roads adopted by the Council needed to be of acceptable standard, and communication with the Highways Authorities was key.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend that Council:

1. Approves the Proposed Submission ('Publication Draft') Local Plan as attached at Appendix A, for the purpose of both its final consultation for six weeks (likely during January and February 2018); AND its subsequent submission to the Secretary of State for the purpose of independent

examination.

2. Approves the Policies Map (including associated inset maps) as set out as part of the agenda papers, for the purpose of consultation alongside the Local Plan consultation AND for subsequent submission to the Secretary of State for consideration alongside the examination of the Local Plan.
3. Delegates to the Head of Sustainable Growth Strategy any presentational improvements or other inconsequential changes (eg correcting typographical errors or factual inaccuracies) to the Publication Draft Plan or Policies Map that (taken together) do not materially affect the policies set out in the Local Plan prior to the consultation commencing.
4. Delegates to the Head of Sustainable Growth Strategy the ability to agree and consult upon a set of proposed modifications during the examination process (most likely at the very end of the examination process), if asked by the Inspector to do so.

REASONS FOR THE DECISION

Cabinet were asked to recommend that Full Council approves the Proposed Submission Local Plan for Public consultation and submission to Secretary of State for the purpose of independent examination.

ALTERNATIVE OPTIONS CONSIDERED

The alternative option of not preparing a new Local Plan was rejected by Cabinet in July 2015 as part of the approval of Local Development Scheme.

The alternative options for each policy would be assessed as part of the Local Plan Sustainability Appraisal Report to be published in January 2018. This was linked to the Council's Environment Action Plan. All suggested sites had been assessed against detailed site assessment criteria.

The alternative growth options had been assessed and were set out the Peterborough Local Plan - A Strategy For Accommodating Growth.

32. MEDIUM TERM FINANCIAL STRATEGY 2018-19 TO 2020-21 CONSULTATION

The Cabinet received a report in relation to phase one of the budget proposals for the 2018/19 to 2020/21 period.

The purpose of the report was for Cabinet to initiate and propose budget proposals to set a balanced and sustainable budget for the financial years 2018/19 to 2020/21. There was a legal requirement to set a balanced budget for 2018/19.

The Cabinet Member for Resources introduced the report and advised that the proposals had been discussed by the cross party Budget Working Group. The Council was facing the challenge of increasing demand and a decrease in funding support. It was felt that the Council needed to work together to ensure that Government understood that services would be impacted if a sustainable budget was to be achieved. Significant action would be required. An additional recommendation was put forward that Cabinet allow the Chief Executive to engage with other local authorities to investigate the possible of shared services for front line services.

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

- It was advised that the Peterborough City Council had been more affected by the Council Tax Freeze than some other authorities partly because the city had one of the lowest Council Tax rates in the country, with a low Council Tax branding. The freeze in Council Tax was not factored into the grants provided to authorities.
- The Autumn Statement would be announced on 22 November 2017.
- In previous years a balanced budget had been achieved without impacting on services. This year, however, the budget gap and available reserves were of a size that further action was required.
- Benefits had already been seen following shared services, and it was anticipated that further benefits could be found. Should Cabinet agree the Chief Executive would explore and bring some options back to Cabinet.
- Communication was open for staff to approach their managers or Directors with further ideas for budget savings.

The Leader introduced the 'Stand Up for Peterborough' campaign, which would be launched that day. It was no longer felt that Peterborough was receiving a fair funding deal from Government. The current level of funding did not take into account the growth of the city. All stakeholders in the city were asked to join the campaign, as it was felt that the Council would soon be in a position where services would be decreased.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Approve the phase one budget proposals, outlined in Appendix C and D, as the basis for public consultation. This included a 4.99 per cent council tax increase, as built into the 2017/18 Medium Term Financial Strategy.
2. Authorise the Chief Executive to explore shared services with other local authorities to support frontline services.

REASONS FOR THE DECISION

The Council must set a lawful and balanced budget. The approach outlined in this 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.

33. SEPTEMBER 2017 BUDGETARY CONTROL MONITORING

The Cabinet received a report in relation to Budgetary Control Monitoring, as part of the Council's agreed process within the Budget and Policy framework.

The purpose of the report was to provide Cabinet with the detailed September 2017 Budgetary Control position.

The Cabinet Member for Resources introduced the report and as part of the Council's budget process the half year position was recorded. At the end of September 2017 the Council had a recorded £1.3 million overspend with a £3million pressure in the People

and Communities directorate in relation to homelessness. This had been offset by reserves and balances.

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

- The capital receipts were a major risk at the current time. It was, however, noted that it was only halfway through the financial year. This was why regular monitoring was important.
- If the gap wasn't closed, this would impact on the budget for future years.

Cabinet considered the report and **RESOLVED** (unanimous) to note the current financial year budgetary control position, as at September 2017 and the continuing work by CMT to deliver a balanced budget.

REASONS FOR THE DECISION

The Council must set a lawful and balanced budget every year. The report set out spending against budget for the first six months of the 2017/18 financial year to ensure it was within the financial remit agreed at budget setting time.

ALTERNATIVE OPTIONS CONSIDERED

The Council should review its financial position on a periodic basis throughout the financial year. The next monitoring report would be presented to Cabinet in January 2018. The alternative of not providing any report would result in stakeholders not fully understanding the Council's financial position.

34. COUNCIL TAX SUPPORT SCHEME CONSULTATION

The Cabinet received a report in relation to consultation on the Council Tax Support Scheme for 2018/19.

The purpose of the report was to commence consultation for a localised council tax support scheme for the financial year 2018/19. There was a statutory requirement for the council to set a localised council tax support scheme by 31 January 2018 and formed part of the formal budget process under the Budget and Policy framework.

The Cabinet Member for Resources introduced the report and advised that the Council had a requirement to consult on the local support scheme. No change had been proposed from the current year's scheme.

Cabinet considered the report and **RESOLVED** (unanimous) to approve consultation on Peterborough's Council Tax Support Scheme 1 April 2018 – 31 March 2019 that contained the following local components:

- a) No change to the existing scheme reduction of 30% for all eligible working age claimants.

REASONS FOR THE DECISION

The council was statutorily required to approve a council tax support scheme by the 31 January 2018 having had regard for the council's financial position and feedback from responses to the consultation. As part of this consultation, the council was consulting on a council tax discretionary hardship policy.

ALTERNATIVE OPTIONS CONSIDERED

The council was statutorily required to approve a local scheme by 31 January. It had not chosen an alternative option, which would be to propose changes to the current 2017/18 local scheme.

35. ADOPTION OF THE CASTOR NEIGHBOURHOOD PLAN

The Cabinet received a report in relation to the Castor Neighbourhood Plan. The Neighbourhood Plan was subject to a referendum of voters in Castor Parish who were asked to vote on the following question: 'Do you want Peterborough City Council to use the Neighbourhood Plan for the Castor Neighbourhood Area to help it decide planning applications in the neighbourhood area?' This referendum was held on Thursday 2 November 2017 with 92.7% of those voting in support of the plan.

The purpose of the report was to seek Cabinet approval to recommend that Council adopted the Castor Neighbourhood Plan and made it part of the Development Plan for Peterborough.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the Neighbourhood Plan had been pulled together by the local community and Parish Councillors on behalf of the Parish Council. Substantial support had been shown at the referendum on 2 November 2017 within the community. The turnout was at 55%, with a 92% vote in favour.

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

- Those who had undertaken the work were congratulated on a job well done.
- It was confirmed that a Neighbourhood Development Plan carried the same weight as the Local Plan.
- The turnout figures were slightly higher than the previous Peakirk Neighbourhood Plan referendum figures, and significantly higher than other authority referendums. Most of these, however, were held in more rural areas.
- It was suggested that a number of smaller villages felt that the Local Plan provided sufficient development governance, and a Neighbourhood Plan would not be worth the effort in drafting it.
- It was further noted that communities did not need a Parish Council in order to submit a Neighbourhood Development Plan.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend to Council:

1. That following the successful referendum on 2 November 2017 the Castor Neighbourhood Plan, as set out at Appendix A, be 'made' (which means to all intents and purposes 'adopted') and thereby form part of the Development Plan for Peterborough for the purpose of making decisions on relevant planning applications within Castor Parish; *and*
2. That the decision statement included at Appendix B be published.

REASONS FOR THE DECISION

This recommendation was made to be in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations (as amended). The plan had been assessed by an independent examiner and officers agreed that the plan met the basic

conditions and other requirements of legislation. As such, the Plan should be 'made' part of the Development Plan.

ALTERNATIVE OPTIONS CONSIDERED

The Council did not have alternative options given the content of the legislation and the content of the Castor Neighbourhood Plan and the process followed in its production.

36. ADOPTION OF THE AILSWORTH NEIGHBOURHOOD PLAN

The Cabinet received a report in relation to the Ailsworth Neighbourhood Plan. The Neighbourhood Plan was subject to a referendum of voters in Ailsworth Parish who were asked to vote on the following question: 'Do you want Peterborough City Council to use the Neighbourhood Plan for the Ailsworth Neighbourhood Area to help it decide planning applications in the neighbourhood area?' This referendum was held on Thursday 2 November 2017 with 97.7% of those voting in support of the plan.

The purpose of the report was to seek Cabinet approval to recommend that Council adopt the Ailsworth Neighbourhood Plan make it part of the statutory Development Plan for Peterborough.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the referendum for the Ailsworth Neighbourhood Plan held on 2 November 2017 attracted a turnout of 66.4%, with 97.7% voting in favour.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend to Council:

1. That following the successful referendum on 2 November 2017 the Ailsworth Neighbourhood Plan, as set out at Appendix A, be 'made' (which means to all intents and purposes 'adopted') and thereby form part of the Development Plan for Peterborough for the purpose of making decisions on relevant planning applications within Ailsworth Parish; *and*
2. That the decision statement included at Appendix B be published.

REASONS FOR THE DECISION

This recommendation was made to be in accordance with the Localism Act 2011 and the Neighbourhood Planning (General) Regulations (as amended). The plan had been assessed by an independent examiner and officers agreed that the plan met the basic conditions and other requirements of legislation. As such, the Plan should be 'made' part of the Development Plan.

ALTERNATIVE OPTIONS CONSIDERED

The Council did not have alternative options given the content of the legislation and the content of the Ailsworth Neighbourhood Plan and the process followed in its production.

37. JUNCTION 18 (RHUBARB BRIDGE) CROSS PARTY WORKING GROUP PROPOSAL

The Cabinet received a report following a recommendation from Full Council in relation to the setting up of a Cross Party Working Group to examine fully costed options for the improvement of Junction 18 (Rhubarb Bridge) and consider the comments made by the petitioner and Members of this Council, the purpose of which would be to ensure that priority was given to pedestrians and cyclists in line with the transport user hierarchy in the fourth Local Transport Plan.

The purpose of the report was for Cabinet to consider and agree to form a Cross Party Working Group to consider whether it was technically and financially feasible to reassign the proportion of the overall budget allocated to demolish the footbridges to instead make significant repairs to the footbridge at Junction 18 (Rhubarb Bridge), to examine long term solutions for a replacement footbridge and determine the preferred option to recommend to Cabinet, and to approve the terms of reference for the group.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and noted that the reference to 2017 in the proposed terms of reference should be amended to read 2018. The matter was referred as a motion from Council to examine long term solutions to the bridge issues.

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

- It was noted that at grade crossing would still be installed, as these would be required when the bridged closed for eventual works. A temporary crossing was note appropriate, as they would need to work with the surrounding road system.

Cabinet considered the report and **RESOLVED** (unanimous) to:

1. Agree to form a Cross Party Working Group to consider:
 - a) Whether it is technically and financially feasible to reassign the proportion of the overall budget allocated to demolish the footbridges to instead make significant repairs to the bridge at Junction 18 (Rhubarb Bridge)
 - b) Examine the long term solutions for a replacement bridge at Junction 18 (Rhubarb Bridge) and determine the preferred option to recommend to Cabinet.
2. Approve the proposed Terms of Reference for the Cross Party Working Group for Junction 18 (Rhubarb Bridge), subject to the amendment of the date of the first meeting, which will be held in 2018.

REASONS FOR THE DECISION

The decision was made in line with the resolution taken by Full Council on 11 October 2017.

ALTERNATIVE OPTIONS CONSIDERED

The alternative options was to do nothing and progress with the Junction 18 (Rhubarb Bridge) Highways Improvement scheme that had already been designed or not deliver any highway improvement works at this location. Both of these options had been rejected as they would directly contradict commitments made by Council. Not carrying out an improvement scheme would lead to a significant increase in congestion at the junction associated with the growth of the city and increasing revenue repair costs for

the existing network of bridges given their physical condition. One option being explored was to use capital funding to make significant repairs to the bridge.

38. PROPOSED CHANGES TO HOUSING ALLOCATIONS POLICY

The Cabinet received a report in relation to recommended changes to the Housing Allocations Policy.

The purpose of the report was for Cabinet to consider the proposed changes to the Housing Allocations Policy in order to alleviate pressures to council services caused by higher levels of homelessness in the city.

The Cabinet Member for Growth, Planning, Housing, and Economic Development introduced the report and advised that the changes proposed to the scheme were small but important. A cross party Task and Finish Group was currently looking into the issue. Changes to legislation needed to be reflected, including working with families that were potentially becoming homeless. A change to the bidding requirements were also suggested to reduced and ideally eliminate the need for bed and breakfast accommodation.

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

- Agreement had been achieved to the proposed changes with social landlord partners.
- It was clarified that those with strong local connects would still receive priority.
- The proposed changes would also assist in cutting down multiple acceptance, which in turn caused delays in administration.

Cabinet considered the report and **RESOLVED** (unanimous) to recommend to Council approval of proposed changes to the Housing Allocations policy.

REASONS FOR THE DECISION

To reduce time that families had to wait for accommodation and improve opportunities for housing for those families who were currently missing out on properties.

ALTERNATIVE OPTIONS CONSIDERED

The housing allocations policy could remain unchanged, however this would not help to address the housing issues that the Council was facing.

MONITORING ITEMS

39. OUTCOME OF PETITIONS

The Cabinet received a report in relation to the outcome of E-petitions received and petitions received at the Council meeting on 11 October 2017.

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

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

REASONS FOR THE DECISION

As the petitions presented in this 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 – 11:21am
20 November 2017

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