

MINUTES OF CABINET MEETING HELD 8 FEBRUARY 2010

PRESENT

Councillor Cereste - Leader of the Council, Councillor Eley, Councillor Hiller, Councillor Holdich, Councillor Lamb, Councillor Lee, Councillor Scott and Councillor Seaton – Cabinet members

Councillor Benton – Cabinet Adviser

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors S Dalton and C Day.

2. DECLARATIONS OF INTEREST

1. Councillor Scott declared a personal and prejudicial interest in Agenda Item 5.1, Older People's Accommodation Strategy Implementation by virtue of her position as Chief Executive of the National Care Association and advised that she would leave the room during discussion of the item.
2. Councillor Holdich declared a personal and prejudicial interest in Agenda Item 5.4, Peterborough Local development Framework: Peterborough Site Allocations Document (Preferred Options Stage) by virtue of his ownership of land adjoining one of the sites included in the report, and he advised that he would leave the room during discussion of the item.
3. Councillor Cereste declared a prejudicial interest in Agenda Item 5.2, Partnership Agreement – Health and Adult Social Services by virtue of his position as Chairman of Peterborough Primary Care Trust and advised that he would leave the room during discussion of the item.
4. Councillor Cereste declared a personal, non-prejudicial interest in Agenda Item 5.6, Budget 2010/11 and Medium Term Financial Plan to 2014/15.

3. MINUTES

The minutes of the meeting held on 14 December 2009 were agreed and were signed by the Leader as an accurate record.

4. CABINET MEMBER UPDATES

There were no updates reported.

5. CHANGE TO THE ORDER OF THE AGENDA

Cabinet agreed to consider agenda item number 6.1, Annual Audit and Inspection Letter 2008/2009 first.

6. MONITORING ITEM

Note: Monitoring items are listed for information purposes only and are not subject to the Council's call-in mechanism.

6.1 ANNUAL AUDIT AND INSPECTION LETTER 2008/2009

Cabinet received the Annual Audit and Inspection Letter for 2008/2009, prepared jointly by its external auditors PricewaterhouseCoopers (PwC) and the Audit Commission Relationship Manager which reviewed the Council's arrangements and progress in relation to the Audit of the Accounts and the Use of Resources.

Members commented that the Council had taken steps to facilitate work around the impact of the credit crunch and felt that this had not been taken into account within the report. Members asked the representatives of the auditors present what further action the Council could take and were advised that comments within the report referred to the impact of the credit crunch around the country and was not specific to Peterborough City Council. Comments were also made about the impact of the new neighbourhood councils and the auditor's representatives agreed that they were aware of the initiative and that it was important to keep the momentum when working with local partners.

CABINET RESOLVED TO:

Approve the Audit and Inspection Letter 2008/2009.

REASONS

The Council was required to consider the statutory Audit and Inspection Letter and make appropriate arrangements in response to recommendations.

ALTERNATIVE OPTIONS

The External Auditor could have taken on board any responses received prior to its formal publication, though he had a duty to produce and arrange for the publication of the Annual Audit Letter as soon as reasonably practical. No specific alternative options had been submitted for consideration.

7. ITEMS FROM SCRUTINY COMMITTEES AND COMMISSIONS

7.1 OLDER PEOPLE'S ACCOMMODATION STRATEGY IMPLEMENTATION

(Councillor Scott withdrew from the meeting during consideration of this item.)

The strategy outlined how extra care housing would be developed across Peterborough to provide high quality housing with care and support for older people across the city and agreed that plans for the existing residential homes managed by NHS Peterborough be developed.

The Strategy for Older People's Accommodation and Housing Related Support, adopted in 2007 addressed local needs and the views of older people and has led to much progress and improvements in the availability and quality of services for older people in Peterborough. In order to continue to improve services and ensure all older people benefit from high quality support, there was a need to continue to develop more extra care housing to provide significantly better services to people currently living in NHS Peterborough managed residential care.

Cabinet were advised that new extra care accommodation was already benefiting many people who had moved into the schemes. These services could now be offered to people who were already receiving residential care in the Council's NHS Peterborough managed homes. Engagement with residents and families had begun the previous year by offering all ten permanent residents at Coneygree Lodge, Stanground, a place in St Edmunds Court or another extra care scheme. Individuals could have opted for alternative services if they chose but a place in extra care had been guaranteed for each of them. Once permanent residents had moved, there would no longer be a need to continue to run Coneygree Lodge and it was anticipated that it would close by the end of March 2010.

Places at St Edmunds Court would also be offered to residents in the other NHS Peterborough managed residential homes. In due course, as more extra care schemes came into operation, similar guaranteed offers would be made to permanent residents at The Croft and at Peverels. Once permanent residents had moved, again, these buildings would no longer be required. It was proposed to complete these changes by the end of 2012. Services at Greenwood House and Welland House would be further developed to provide very specialist residential services for people whose needs could not be met in extra care housing or standard residential care. Because of the issues with the buildings outlined above, these services would need to be re-provided in new buildings in the medium to long-term. Work would commence to identify the best option to fund and achieve this. The land and buildings for all five homes were owned by the City Council. In the short-term, these services would continue to be run by the provider arm of NHS Peterborough.

NHS Peterborough had engaged with residents, their families and staff within the five residential homes it managed on an ongoing basis since the strategy had been agreed. Regular meetings and letters had kept people up to date with the work to review services.

Cabinet heard details of comments made by representatives of residents of the Peverils, along with comments from Councillor Swift on the concerns of the residents of Tysedale and their relatives. The Executive Director – Adult Social Care confirmed that she would follow up Councillor Swift's suggestions on parcels of land within his ward which may be suitable for new schemes.

Members expressed their support for the move where appropriate from residential to extra care schemes and stressed the need to maintain residents' dignity and self respect. The work carried out by residential homes was commended. Members recognised that some residents could find a move traumatic and agreed that a sensitive approach should be taken and that advocates should be used to support them.

CABINET RESOLVED TO:

Approve the next steps required over the next three years to deliver high quality services for older people now and in future years.

REASONS

The recommendations were designed to achieve the above outcomes and were primarily driven by the need to address the poor standard of buildings within which in-house residential care services were delivered and to address the accommodation strategy aims to provide more support to people in their own homes, more extra care housing and more specialist services.

ALTERNATIVE OPTIONS

To continue with the existing services – this option was not feasible given that the buildings were not fit for purpose and would continue to deteriorate. In addition, the current services were not those needed for the future.

To redevelop existing care homes to bring them up to modern standards – feasibility work had indicated there was limited scope to do this within the existing homes and as above, they were not the services needed for the future.

The transfer of these NHS Peterborough managed homes to the independent sector – this option had many variations involving a single or multiple potential providers. As above, not all of the services were required in the future. Extra care housing was provided by the independent sector and this option would be explored further, linked to the need to replace two residential homes.

The building of new care homes on the existing or alternative sites – as above, not all of the services were required in the future. This option would be explored further linked to the need to replace two residential homes. Where possible, buildings on different sites would be favoured as it avoided the move for current residents to move twice.

The closure of all five homes with services provided through extra care housing or independent sector residential providers – some more specialist services needed to be retained and grown and these were not all plentiful in the current market. This option would have impacted a significantly larger number of current residents.

7.2 PARTNERSHIP AGREEMENT – HEALTH AND ADULT SOCIAL SERVICES

(Councillor Scott returned to the meeting. Councillor Cereste withdrew from the meeting during consideration of this item.)

The current Partnership Agreement between the Council and Peterborough Primary Care Trust (made under Section 75 of the National Health Service Act 2006) expired on 31 March 2010. A new agreement had been drafted which made provision for the continuation of the existing partnership arrangements.

The Council had undertaken a review of the partnership in 2009 to inform these renegotiations. Both partners were committed to an outcome focused partnership which operated in the best interests of local people through a simple and workable partnership agreement. The agreement allowed for the continued integration of health and adult social care through lead commissioning of services by the PCT, pooling of budgets and the operation of integrated services.

Members sought reassurance that funds would be ring fenced and would not be affected by the current financial difficulties within NHS Peterborough. Officers confirmed that, under legislation, the pooled budget could be spent across health social care on agreed outcomes. The Annual Accountability Agreement set out what the PCT was expected to deliver and a Partnership Governance Group monitored finance and performance. The Executive Director – Resources further confirmed that he met regularly with the Chief Executive and Interim Finance Director of NHS Peterborough and had been assured that no element of Council money would be used to subsidise the PCT.

CABINET RESOLVED TO:

1. Approve the Partnership Agreement for Adult Social Care and Health to come into place from 1 April 2010 on expiry of the existing agreement
2. Delegate authority to the Cabinet Member for Health and Adult Social Care to approve amendments to the agreement to reflect new risk-sharing arrangements when they were introduced, as set out in paragraph 4.7 of the report.

REASONS

The Council delegated its statutory adult social care functions and responsibilities to the PCT. The Partnership Agreement out how the two organisations pooled their committed

budgets and commissioned all health and social care services. The Partnership Agreement was supported by an Annual Accountability Agreement which set out the strategic and performance objectives to be delivered, the funding to be provided by each party, the charges to be made for social care services, and the eligibility criteria at which people were entitled to receive those services. The current Annual Accountability Agreement for 2009/2010 had been included in the Medium Term Financial Strategy approved by Full Council on 25 February 2009. A new partnership agreement was required to be entered into by the end of March 2010 to support the integrated arrangements for health and social care in Peterborough.

ALTERNATIVE OPTIONS

Do nothing – this was not a valid option as in order for the Council and the PCT to jointly commission all health and social care services under Section 75 of the National Health Service Act 2006 a partnership agreement needed to be put in place setting out the terms of the pooling of the committed budgets and commissioning arrangements.

7.3 BUS SERVICE REVIEW

(Councillor Cereste returned to the meeting.)

The Council's urgency procedure had been invoked in respect of this report and the Chairman of the Sustainable Growth Scrutiny Committee had been informed in accordance with the Council's Constitution.

Cabinet received a report on work already undertaken and consultation events held as part of the bus service review. All subsidised bus service contracts had been incorporated into an initial overview assessment. From this assessment, the Local Link rural, morning and evening bus journeys had warranted further assessment due to the low numbers of passengers carried and relatively high subsidy per passenger journeys. Patronage data from on-bus ticket machines and physical on-bus monitoring had been analysed and used to assess the number of people impacted by the proposed changes.

A further review of all subsidised bus services would take place after a 12 month period. This review would ensure that the recommendations had achieved the anticipated outcomes.

Cabinet was addressed by Mr Phil Green, a member of the Unity union who spoke against the proposed use of the Call Connect service. He also queried the loss of some early morning services, challenged the passenger figures given in the report and expressed concern that the proposals would mean some passengers having to use an underpass to access an alternative bus service.

Officers assured members that school journeys would remain in place, but in the form of a contract rather than public transport. Concessionary travel passes could continue to be used with the same restrictions as at present. It was considered that the Call Connect service would be much better for residents of rural areas who would be able to book travel at a time to suit them, and would be able to make group bookings. The matter of the underpass was clarified and officers confirmed that passengers could access alternative bus services without the need to use the underpass.

Members sought reassurance that the Call Connect service would have a 01733 number, perhaps redirected to a 0845 number, so that passengers knew they were calling a local service. Officers assured members that call costs would be at a local rate and that they would work with Lincolnshire County Council to resolve members' requests and concerns.

In response to a question about how many people would be disadvantaged by the proposals officers stated that fewer than 5 passenger journeys would no longer be available via Stagecoach or Call Connect and that during the month that the service was reviewed there would have been no journeys unavailable. Fewer than 10 people on any of the journeys affected would be disadvantaged (i.e. face a longer journey or need to make more changes).

CABINET RESOLVED TO:

Approve the final proposals to amend the subsidised bus network as follows:

- cease the following journeys on bus services:
 - 402 - all journeys, with replacement available on Call Connect or commercial services. Contracts to be provided to eligible school transport students.
 - 404 - all journeys, except Sunday journeys, with replacement available on Call Connect or commercial services. Contracts to be provided for eligible school transport students. Revise Sunday journeys.
 - 406 - all journeys before 0845 and all journeys after 1813, with replacement available within walking distance on Citi 2. In addition, other minor journey withdrawals, with replacement available within walking distance on Citi 2.
 - 407 - all journeys after 1728, with replacement available on Citi 1 and Citi 6.
 - 408 - Minor journey withdrawals and amendments, with replacement available on Citi 1 and Citi 3.
 - 410 - all journeys withdrawn between Newark and Dogsthorpe, with replacement available on Stagecoach Citi network. In addition, all journeys after 1815 withdrawn and Sunday service withdrawn, with partial replacement available on Stagecoach service 37. Service extended from Newark to Newborough to replace 411, timetable reworked as a result.
 - 411 - all journeys, except those carrying eligible students withdrawn, with replacement on reworked 410 timetable.
- enter into a partnership arrangement with Lincolnshire County Council to deliver a Call Connect service;
- reallocate funding and introduce one Call Connect service for the West area (from western edge of authority boundary to East Coast Mainline), with the intention of introducing a second vehicle for the East area at a later date;
- retain service LL403/413 - Glington and Peakirk with a revised timetable;
- retain combined service LL410/411, as detailed above.
- retain service 342 - Thorney to Whittlesey on Fridays;
- renew the existing de-minimis agreements with commercial operators to provide a number of journeys;
- reallocate funding to provide additional journeys on a 3 month trial basis to increase the frequency of more popular daytime journeys that are showing an increasing trend in passenger numbers from hourly to half hourly. Should the trial not show a further increase in passenger numbers the trial to be ceased and the service revert to hourly. However, should an agreed further increase in passenger numbers be achieved reallocate funding to provide the additional journeys on a permanent basis;
- reallocate funding to expand the recommended Monday to Saturday Call Connect service to operate on Sundays;
- implementation of promotion and communications plan; and
- implement changes from 4 April 2010, followed by withdrawal of listed journeys from 15 May 2010 to allow a cross over,

(all of the above being subject to budget proposals being agreed at Council.)

REASONS

The recommendations would provide an improved subsidised bus network that linked to a stronger commercial network provided by external bus operators.

ALTERNATIVE OPTIONS

The following alternative options had been considered and rejected:

- Continue all bus service journeys as existing. This option had been rejected as it did not represent best value with council funds and did not provide an improved level of service to members of the public.

- Cease operating all journeys low usage journeys without replacement. This option had been rejected as it did not provide alternative options and would have left some areas devoid of a bus service.
- Provide a dial-a-ride service on one or more days per week between the hours of 9.30 am and 2.30 pm. This option had been rejected as it did not provided sufficient cover for the rural areas as could be provided by a Call Connect service

7.4 PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK: PETERBOROUGH SITE ALLOCATIONS DOCUMENT (PREFERRED OPTIONS STAGE)

(Councillor Holdich withdrew from the meeting during consideration of this item.)

The report was submitted to Cabinet following approval of the Council's Local Development Scheme by the Secretary of State for Communities and Local Government. The purpose of the report was to enable Cabinet to agree for public consultation in March 2010 the Site Allocations Development Plan Document (Preferred Options Version).

The Core Strategy set out the vision, objectives and overall strategy for the development of Peterborough up to 2026, together with a limited number of policies that were core to achieving or delivering that strategy. The Core Strategy was accompanied by a 'key diagram' which showed pictorially some of the key elements of Peterborough's development strategy, but it did not have a 'proposals map' drawn on an Ordnance Survey base. This was the primary role of the Site Allocations Document.

All land within the City Centre was excluded from the Site Allocations Document as any detailed allocations for new development in this location would be determined via the forthcoming City Centre Area Action Plan (CCAAP).

The key features as found within the Document included:

- **Housing**
- **Employment**
- **Gypsy, Travellers and Travelling Showpeople**
- **Safeguarding Land**
- **Other allocations** - the document identified (or reconfirmed existing) boundaries for:
 - The Urban Area
 - The City Centre (CCAAP boundary)
 - The District Centres
 - Local Centres
 - The Villages (Village Envelopes)

Cabinet was addressed by a resident of Eye Village who out forward a number of suggestions and comments. Members thanked him for his submission and advised that Cabinet at this stage was only approving the document for consultation and that he should ensure that he respond to the consultation including through the neighbourhood council process.

CABINET RESOLVED TO:

1. Approve the publication of the Peterborough Site Allocations Document (Preferred Options version), together with associated supporting documents, for six-week public consultation starting in March 2010; and
2. Agree that the document be resubmitted to Cabinet following the consultation exercise for approval of any amendments before its submission to Full Council.

REASONS

Cabinet was recommended to approve the Site Allocations Document (preferred options version) for public consultation because it would help deliver the City's growth targets set out the Core strategy, would encourage and support investment in the City, would provide more clarity as to what and where the Council wanted to see growth occur (subject to consultation) and would provide local residents with an opportunity to comment on proposals.

ALTERNATIVE OPTIONS

It was a statutory requirement to produce the Site Allocations Document therefore the alternative option of not producing this document had been rejected.

Alternative sites could have been recommended for development, but this would have meant such sites were either or both: (a) contrary to the Core Strategy, (b) contrary to sustainable development principles.

7.5 PLANNING OBLIGATIONS IMPLEMENTATION SCHEME (POIS)

(Councillor Holdich returned to the meeting.)

The draft version of the POIS had been approved by Council on 10th December 2008 and had been followed by an extensive public consultation exercise and further evidence gathering since that date. Cabinet received a report recommending that the Planning Obligations Implementation Scheme (POIS) be approved as an adopted Supplementary Planning Document (SPD) and that further work be undertaken by officers on the potential of implementing a Community Infrastructure Levy in Peterborough.

Member sought clarification on how pooled monies would be spent and were advised by officers that the intention was that communities should benefit from development within their areas and that this would be built into the community planning process. Officers also confirmed that a review of the scheme would be built into the process. In response to a query about possible changes to the referral mechanism to Planning and Environmental Protection Committee, officers advised that there would be a future report to that committee looking at a number of issues and proposed changes.

Officers responded to a question about very large scale developments and assured that member that although most developments were relatively small scale and fell within the scheme, the overall viability of large scale developments would be looked at carefully and priorities and needs would be assessed.

CABINET RESOLVED TO:

1. Adopt the Planning Obligations Implementation Scheme (POIS) as a Supplementary Planning Document.
2. Endorse further work to be undertaken by officers on the potential of implementing a Community Infrastructure Levy (CIL) in Peterborough.

REASONS

Cabinet was recommended to approve the Planning Obligations Implementation Scheme (POIS) as an adopted Supplementary Planning Document (SPD) because it will add considerable weight to the document when considered in determining planning applications and any planning appeals.

Cabinet was also recommended to endorse further work to be undertaken by officers on the potential of implementing a Community Infrastructure Levy in Peterborough because draft government regulations indicate that POIS-style levies may eventually become unlawful.

ALTERNATIVE OPTIONS

The alternative option of not progressing the POIS as an SPD was rejected, as the Council would not have a policy document of considerable weight for planning purposes.

7.6 BUDGET 2010/11 AND MEDIUM TERM FINANCIAL PLAN TO 2014/15

At its meeting on 14 December 2009 Cabinet had approved for consultation purposes its draft budget. Cabinet received a further report on the budget proposals detailing comments made during the consultation exercise including from all Scrutiny Committees and Commissions, Neighbourhood Councils, the Youth Council and members of the public.

Members expressed their support for the proposals, highlighting such initiatives as the extra money for school improvement and the provision of children's centres for every part of the city. There was concern at the impact of government cuts on university spending but members stressed that they would not give up on plans for a university for the city.

CABINET RESOLVED TO:

Having regard to the consultation comments and statutory advice detailed in the report:

1. Agree that the following be approved and recommended to Council on the 24 February 2010:
 - a) That the MTFP be set in the context of the community strategy (MTFP section 1).
 - b) The Budget monitoring report for October 2009 as the first draft of a probable outturn position for 2009/10.
 - c) The revenue budget for 2010/11 and indicative figures for 2011/12 to 2014/15 (including capacity and savings proposals).
 - d) The capital programme for 2010/11 to 2014/15, associated capital strategy, treasury strategy (updated to be compliant with the new Treasury Management Code of Practice) and asset management plan.
 - e) The medium term financial plan for 2010/11 to 2014/15.
 - f) The council tax increase of 2.5% for 2010/11 and indicative increases of 2.5% for 2011/12 to 2014/15.
 - g) To spend at the level of the Dedicated Schools Grant for 2010/11 to 2014/15.
 - h) The proposals for reserves and balances.
 - i) The Annual Accountability Agreement with the Primary Care Trust for 2010/11.
 - j) The approach to budget management in 2010-11, including the need to approval of spend through the Council's gateway process, and the proposed extent of delegation, (within the 'budget and policy framework procedures rules'), to be requested from council to ensure that the financial targets in the MTFP are delivered
 - k) The challenging financial position in future years, and the need to start planning early for meeting the financial deficits indicated in the later years of the MTFP.
 - l) The financial arrangements for neighbourhood councils
2. Note that the council tax to be formally set on 24th February 2010 would be subject to the notifications of precepting bodies in respect of their budget requirements, and appropriate resolutions will be prepared for Council.

REASONS

This was a monitoring report to inform Members of the Council's financial position compared to its approved budget for the year. It was recommended that Directors continue to work with Portfolio Holders, service managers and budget holders to bring forecasts within Departmental cash limits with appropriate corrective action.

ALTERNATIVE OPTIONS

None required at this stage.

Meeting closed at 11.35am.