

COUNCIL	AGENDA ITEM No. 6(ii)
14 APRIL 2010	PUBLIC REPORT

**EXECUTIVE REPORT – FOR INFORMATION
RECORD OF EXECUTIVE DECISIONS**

1. DECISIONS FROM CABINET MEETING HELD 23 FEBRUARY 2010

BUS SERVICE REVIEW

The decision made by Cabinet at its meeting of 8 February 2010 relating to the Bus Service Review had been the subject of a request for call-in. The Environment Capital Scrutiny Committee met to consider the request on 23 February 2010, and agreed to refer the decision back to Cabinet for reconsideration because of an error in the original decision relating to the changes to the timetable of the 406 bus service. Cabinet therefore met on 23 February 2010 to reconsider the decision.

CABINET RESOLVED TO:

Agree to cease on the 406 bus service all journeys after 18.13, with replacement available within walking distance on Citi 2. In addition, other minor journey withdrawals, with replacement available within walking distance on Citi 2.

2. DECISIONS FROM CABINET MEETING HELD 22 MARCH 2010

FUTURE DELIVERY OF CULTURE AND LEISURE SERVICES

At its meeting of 12 October 2009, Cabinet had determined that services to be considered for transfer into a culture and leisure trust should be: Arts Services, Museum Services, Library Services and Sports Services and had authorised the Director of Operations to commence the process of establishing a not-for-profit distributing organisation (a 'Trust') for the delivery of cultural services, subject to appropriate consultation with staff and the agreement of a detailed Business Plan.

Cabinet has considered whether or not to transfer the delivery of cultural and leisure services to Peterborough Cultural and Leisure Trust Limited (PCLT) Ltd., together with the transfer of staff, assets and facilities currently used to deliver such services. Cabinet has received the Business Plan, which set out the purpose and objectives of the Trust.

Members have noted that the Strong and Supportive Communities Scrutiny Committee, in endorsing the creation of a Culture and Leisure Trust at its meeting of 18 March 2009, had asked that the following points be taken into consideration by Cabinet:

- (i) that the Trust should engage with representatives of all communities across the Authority in order to ensure that their interests were represented in the delivery of culture and leisure activities across the city;
- (ii) that a close working relationship with the City Council would be maintained; and
- (iii) that the Trust should report back to Scrutiny after a period of nine months from the date of its formation in order to advise on progress, including financial implications.

CABINET RESOLVED TO:

1. Approve the transfer on behalf of the Council, to Peterborough Cultural & Leisure Trust Ltd (PCLT) of the services (existing and future) that fall within the scope of:
 - Arts Services (to include the Key Theatre and Art Gallery)
 - Heritage Services (to include Peterborough Museum),
 - Library Services (all services)
 - Sports Services (all services),
2. Delegate to the Executive Director of Strategic Resources the authority to enter into any agreements necessary to make the transfer of services under recommendation 1 effective.
3. Delegate authority to the Executive Director of Strategic Resources to agree a 25 year Funding & Management Agreement that will incorporate a five year indicative funding package that will be binding at the level agreed for the first year, but indicative only in subsequent years.
4. That the Employment Committee be asked to consider the transfer of staff engaged by the Council on the services to be transferred under recommendation 1 to Peterborough Cultural & Leisure Trust Ltd on a date anticipated to be 1st May 2010, subject to the completion of the PCLT Mobilisation Plan .
5. To support the application by the Peterborough Cultural & Leisure Trust Ltd for Admitted Body Status to the Cambridgeshire County Council pension fund and to the Council acting as guarantor in this agreement.
6. That in determining the above recommendations Cabinet has regard to the comments of the Strong and Supportive Communities Panel.

3. DECISIONS FROM CABINET MEETING HELD 29 MARCH 2010

PETERBOROUGH LOCAL DEVELOPMENT FRAMEWORK – PETERBOROUGH DISTRICT HOSPITAL SITE DRAFT SUPPLEMENTARY PLANNING DOCUMENT

Cabinet has considered the publication of the Peterborough District Hospital Site Draft Supplementary Planning Document (SPD) for public consideration.

The draft Hospital Site SPD set out the Council's ambition to see a mixed-use development incorporating residential, community, local retail and ancillary uses on the Peterborough District Hospital site. This would help to meet one of the key priorities of the Sustainable Communities Strategy to deliver substantial and truly sustainable growth. Any future redevelopment of the area was intended to be outstanding in urban design terms, meeting the emerging sustainability agenda as set in both national and local planning policy. All District Hospital functions would be relocated to the new Peterborough City Hospital on the Edith Cavell site by the end of 2011 and consequently, the SPD had been produced to assist in bringing the area forward for comprehensive redevelopment and reduce the risk of the gradual degradation of the site.

Following public consultation, representations will be considered and a statement prepared setting out a summary of the main issues raised and how such issues will be addressed in the final document which will be considered for adoption by Cabinet (likely to be June 2010).

CABINET RESOLVED TO:

- (i) Approve the publication of the Peterborough District Hospital Site Supplementary Planning Document (draft), together with the associated supporting documents, for four week public consultation starting in April 2010.

OPPORTUNITY PETERBOROUGH BUSINESS PLAN

Cabinet has received the draft Opportunity Peterborough Business Plan which covers the period April 2010 to March 2013. As a major funder, supporter and Member of the Board of Opportunity Peterborough, the Council must be satisfied that the draft business plan will deliver the objectives agreed. Cabinet has noted that the role of Opportunity Peterborough has evolved from its initial focus on purely spatial growth and regeneration, to that of driving forward clear initiatives for sustainable economic development. Delivery over the next twelve months will be across the following four key themes:

- Economic Development
- City Marketing
- City Vibrancy
- Physical Growth.

Opportunity Peterborough, like most other regeneration organisations, has seen a challenging 2009/10 as it endeavours to bring forward key growth projects for delivery in the face of a deepening global economic recession. During the past year Opportunity Peterborough and the Council have worked together to develop a revised approach to growth delivery for Peterborough: an approach which is being implemented following approval by both the Opportunity Peterborough Board and Cabinet in late 2009.

This re-focus ensures Opportunity Peterborough's operations lead the delivery of economic growth and regeneration and are reflected in the new statement of purpose:

'Opportunity Peterborough will lead the delivery of a step change in the economic performance of Peterborough and underpin the city's sustainable growth and regeneration'. The strategic objectives to deliver this have been identified as follows:

- To improve the performance of Peterborough's businesses and encourage innovation and enterprise;
- To support and promote the city's learning and skills and raise aspirations to underpin the future needs of Peterborough's economy;
- To make Peterborough an exemplar low carbon economy, to achieve its ambition to become the UK Environment Capital;
- To support the sustainable and integrated growth of Peterborough for the benefit of all its citizens;
- To maximise the regional, national and international profile of Peterborough.

CABINET RESOLVED TO:

- (i) Endorse the 2010-2013 draft Business Plan for Opportunity Peterborough, and;
- (ii) Note that the agreement of funding specific projects within the plan, if required, will be subject to the Council's normal decision making process.

14-19 LEARNING REFORM STRATEGY AND TRANSFER OF 16-18 LEARNING RESPONSIBILITIES FROM THE LEARNING SKILLS COUNCIL TO THE COUNCIL

Cabinet has received a report for information on the final stage of the transition and transfer of responsibilities for 16-19 education from the Learning and Skills Council to the local authority – known nationally as Machinery of Government Changes (MOG). This transfer is designed to give local authorities responsibility for all learning and training for children and young people aged 0-19 (and up to age 25 for learners with special needs) in their areas and to make them fully accountable to the DCSF for planning and delivering the Government's 14-19 Reforms from 2013 onwards.

Cabinet has further noted the progress to date in the transfer of responsibilities for 16-18 learning and the opportunities and challenges which will emerge from 16-18 commissioning in delivering the Government's 14-19 Learning Reforms.

CABINET RESOLVED TO:

Note the final stage of the transition and transfer of responsibilities for 16-19 education from the LSC to the Local Authority: known nationally as Machinery of Government Changes (MOG).

PERFORMANCE MONITORING REPORT – QUARTER 3

Cabinet has noted the latest Performance Monitoring report summarising the Council's performance against the targets and indicators in the Local Area Agreement (LAA) for the third quarter covering the period October to December 2009.

4. CALL-IN BY SCRUTINY COMMITTEE OR COMMISSION

Since the last report to Council, the call-in mechanism has been invoked in respect of the following decisions:

- **Bus Service Review – Decision taken by Cabinet on 8 February 2010
Reference FEB10/CAB022**

As outlined in paragraph 1 of this report, call-in was requested due to an error in the decision relating to changes to the timetable of the 406 bus service. The Environment Capital Scrutiny Committee met on 23 February 2010 and agreed to refer the decision back to Cabinet. Following reconsideration, Cabinet agreed to cease on the 406 bus service all journeys after 18.13 hours, with replacement available within walking distance on Citi 2. In addition, other minor journey withdrawals, with replacement available within walking distance on Citi 2.

- **Disposal of the former Lady Lodge Arts Centre Site – Decision taken by the Cabinet Member for Resources on 16 March 2010
Reference MAR10/CMDN031**

The request for call-in was to ask the Sustainable Growth Scrutiny Committee to refer the decision back to the decision taker for reconsideration as the decision did not follow the principles of good decision-making set out in Article 12 of the Council's Constitution, specifically that the decision taker did not act for a proper purpose and in the interests of the public.

The Sustainable Growth Scrutiny Committee discussed the call in request at its meeting of 31 March 2010 and following consideration, did not agree to call-in the decision. Details of the decision are contained in paragraph 6 below.

- **Nene Park Trust: Appointment of Council Representative – Decision taken by the Leader on 16 March 2010
Reference MAR10/CMDN/032**

The request for call-in was to ask the Strong and Supportive Communities Scrutiny Committee to refer the decision back to the decision taker for reconsideration as the decision did not follow the principles of good decision-making set out in Article 12 of the Council's Constitution, specifically that the decision taker did not realistically consider all alternatives and follow correct procedure.

Details of this decision are outlined in paragraph 6 below. The Strong and Supportive Communities Scrutiny Committee will meet on 6 April 2010 and its decision in respect of call-in will be included in the next Executive report to Council.

5. SPECIAL URGENCY AND WAIVE OF CALL-IN PROVISIONS

Scrutiny Procedure Rule 13.1 and Executive Procedure Rule 7 require any instances where the Council's special urgency provisions have been invoked, and/or the call-in mechanism was not applied, to be reported to the next available meeting of the Council, together with reasons for urgency.

Since the last report to Council special urgency provisions have been invoked in respect of the following decisions:

Special Urgency

Adult Drug Treatment Plan 2010/11 – Reference MAR10/CMDN/030

The Chairman of the Sustainable Growth Scrutiny Committee Call-in agreed to the Council's special urgency procedure being invoked (which waives the five day consideration period) in respect of the above decision in order to ensure the Plan could be submitted to the National Treatment Agency for Substance Misuse by 19 March 2010 in order to secure funding for the next financial year. Failure to submit the plan on time may have adversely affected funding allocated to Peterborough. Details of the decision are outlined in paragraph 6 below.

Waive of Call-In

Voyager School: Proposal to acquire a Trust (The Voyager Learning Co-operative Trust) - Reference MAR10/CMDN/028

The Chairman of the Sustainable Growth Scrutiny Committee Call-in agreed to waive call-in in respect of the above decision as any delay would prejudice the school which was seeking to gain trust status with effect from 1 April 2010. Details of the decision are outlined in paragraph 6 below:

6. CABINET MEMBER DECISIONS

CABINET MEMBER AND DATE OF DECISION	REFERENCE	DECISION TAKEN
18 February 2010 Councillor Seaton and Councillor Holdich	FEB10/CMDN/019	<p>Building Schools for the Future (BSF) Programme: BSF Approvals</p> <p>To authorise the:</p> <ul style="list-style-type: none"> (i) Approval and submission of the Local Authority BSF Strategy for Change; (ii) Approval and submission of the BSF Outline Business Case(s) to Partnerships for Schools and Department for Children, Schools and Families (DCSF); (iii) Submission of the final business case(s) to Partnerships for Schools and the DCSF; (iv) Award of Contract (Orton Longueville Schools and Stanground College) – Design and build lump sum batch option contract; (v) Appointment of BSF Advisors; (vi) All weather pitch at Orton Longueville School; (vii) Stanground College Expansion; (viii) Communications strategy for lifetime of the BSF programme.
18 February 2010 Councillor Seaton and Councillor Holdich	FEB10/CMDN/020	<p>Building Schools for the Future (BSF) Programme: ICT Managed Service</p> <p>To authorise the:</p> <ul style="list-style-type: none"> (i) Approval of the preferred ICT managed services procurement option; (ii) Approval and publication of the preliminary invitation to tender for BSF ICT managed service provider; (iii) Evaluation of preliminary invitation to tender for BSF ICT managed service provider responses and interviews held with bidders to form a shortlist; (iv) Approval of the ICT managed services shortlist; (v) Approval and issue of invitation to tender for the BSF ICT managed service provider; (vi) Evaluation of tender to BSF ICT managed service provider submissions; (vii) Approval of the preferred bidder for the BSF ICT managed service provider;

		(viii) Award of contract (ICT Managed Service)
22 February 2010 Councillor Lee	FEB10/CMDN/021	Extension of Organic Waste Composting Contract (Garden Waste) To approve the extension of the current contract for organic waste composting with Organic Recycling Limited for one year from 19 June 2010 to 18 June 2011.
26 February 2010 Councillor Croft and Councillor Seaton	MAR10/CMDN023	Carbon Challenge – Option Agreement and Collaboration Agreement To authorise the Chief Executive, in consultation with the Executive Director – Strategic Resources, Head of Legal Services and Head of Strategic Property to agree the final wording and enter into : (i) an Option Agreement with the developer of the Carbon Challenge Site; (ii) a Collaboration Agreement with the public sector partners for Peterborough City Carbon Challenge.
1 March 2010 Councillor Holdich	MAR10/CMDN/024	Appointment of LEA Governor – Eyrescroft Primary School: To appoint Mrs D Metcalf (changing from parent governor to LEA nominated by the governing body).
8 March 2010 Councillor Cereste	MAR10/CMDN/027	Local Area Agreement (LAA) 2008/11 Refresh 2010 To approve the updated LAA refresh 2010 (in accordance with the delegated authority agreed at Council on 9 April 2008) and delegate authority to the Chief Executive to make minor alterations to the LAA refresh.
8 March 2010 Councillor Holdich	MAR10/CMDN/028	Voyager School – Proposal to acquire a Trust: The Voyager Learning Co-operative Trust To authorise an application for the Voyager School to become a Trust: The Voyager Learning Co-operative Trust.

12 March 2010 Councillor Hiller	MAR10/CMDN/029	<p>Local Transport Plan Capital Programme 2010/11</p> <p>To approve each proposed sub programme of the 2010/11 Local Transport Plan (LTP) Capital Programme of Works as follows:</p> <ul style="list-style-type: none"> (i) Integrated Transport Capital Programme; (ii) Highways Maintenance Programme; (iii) Street Lighting Maintenance Programme; (iv) Bridge Maintenance Programme.
15 March 2010 Councillor Hiller and Councillor Lamb	MAR10/CMDN/030	<p>Adult Drug Treatment Plan 2010/11</p> <p>To approve the final version of the Safer Peterborough Partnership Adult Drug Treatment Plan 2010/11.</p>
16 March 2010 Councillor Seaton	MAR10/CMDN/031	<p>Disposal of former Lady Lodge Arts Centre Site, Orton Goldhay</p> <p>To authorise the Chief Executive (in consultation with the Head of Strategic Property) Cabinet Member for Efficiency and Resources (in liaison with the Leader) to negotiate and conclude terms for the disposal of this asset by private treaty for the development of the site as a care home.</p>
19 March 2010 Councillor Cereste	MAR10/CMDN/032	<p>Nene Park Trust – Appointment of Council Representative</p> <p>To appoint Councillor S Dalton to represent the City Council on the Nene Park Trust.</p>
19 March 2010 Councillor Holdich	MAR10/CMDN033	<p>Appointment of LEA Governor to the Beeches Primary School</p> <p>To appoint Mr J Mohammed, nominated by the Governing Body.</p>
22 March 2010 Councillor Croft	MAR10/CMDN/034	<p>Affordable Housing Fund Allocation for Stanground South Phases 3E, 3F, 3G, 3H & 3I</p> <p>To approve an allocation of £3,204,000 from the Affordable Housing Fund representing a one-off payment to Cross Keys Homes following receipt of a bid for the provision of 80 affordable units.</p>
22 March 2010 Councillor Holdich	MAR10/CMDN/036	<p>Award of Contract – Nene Valley Primary School</p> <p>To authorise the award of a contract for the extension of Nene Valley Primary School to provide two additional classrooms and associated facilities.</p>