

**PETERBOROUGH CITY COUNCIL**  
**MINUTES OF FULL COUNCIL MEETING**  
**HELD MONDAY 26 JULY 2010**

**Present:**

Councillors Ash, Benton, Burton, Cereste, Collins, M Dalton, S Day, Dobbs, Fitzgerald, Fletcher, J A Fox, J R Fox, Harrington, Holdich, Hussain, Jamil, Khan, Kreling, Lane, Lee, Lowndes, Miners, Morley, Nash, Nawaz, Over, Peach, Rush, Saltmarsh, Sandford, Scott, Seaton, Serluca, Shaheed, Sharp, Simons, Swift, Thacker, Todd, Walsh and Winslade.

**1. Apologies for Absence**

Apologies for absence were received from Councillors Allen, Arculus, S Dalton, Eley, Fower, Goldspink, Hiller, Lamb, Murphy, Newton, North, Sanders and Stokes.

The Mayor advised that the meeting would reconvene from the 14 July meeting and would continue with item 5(ii).

In addition, the Mayor advised that he had accepted an urgent item of business concerning the membership of the Planning and Environmental Protection Committee that would be dealt with as agenda Item 7(iii)(e) as the final item of business and the report was included in the additional documents for the meeting.

**5. Community Involvement Time**

**5(ii) Questions with Notice by members relating to Ward Matters and to Committee Chairmen**

Questions were asked in respect of traffic incidents at Oxney Road, removal of trees, gypsy and travellers' policy and Church Street, Werrington.

Councillor Ash queried the protocol for Members concerning the question relating to Gypsy and Travellers around Hurn Road as there was a planning application due to go to the Planning and Environmental Protection Committee for determination on 27 July. Councillor Lowndes confirmed that the planning application referred to in the question from Councillor Fower (10/00412/FUL) had been withdrawn from the forthcoming committee agenda.

**5(iii) Questions with Notice by Members to representatives of the Police and Fire Authorities**

A question was asked regarding the Real Policing Pledge.

A summary of all questions and answers raised within agenda items 5(ii) and 5(iii) are attached at **Appendix A**.

**5(iv) Petitions submitted by Members or Residents**

Petitions were received from Cllr Swift in respect of bus routes in Bluebell Avenue, Councillor Peach in respect of installation of CCTV in Century Square, Councillor Sandford in respect of resurfacing pavements in Dudley Avenue and Rockingham Grove, Councillor Walsh in respect of a planning application in Fletton Avenue and from

Councillor Serluca in respect of residential parking permits in Gloucester Road, St Johns Road, Queens Road and Fairfield Road.

## **6. Executive Business Time**

### **6(i) Questions with Notice to the Leader and Members of the Executive**

Questions were asked in respect of the following:

- Police budgets;
- Removal of hedges and shrubs;
- Norwood Lane Travellers' Site;
- Ring fencing of council grants;
- Provision of Blackberry devices;
- Spending restrictions on enforcement actions; and
- Changes to bus services.

Councillor Goldspink had agreed to withdraw his question relating to Westcombe Engineering.

A summary of all questions and answers raised within agenda item 6 (i) is attached at **Appendix B**.

### **6(ii) Questions without notice on the Record of Executive Decisions**

Members received and noted a report summarising:

- Decisions from the Cabinet Meeting held 14 June 2010;
- Use of the council's call-in mechanism; which had not been invoked since the last meeting;
- Special Urgency Provision, in respect of the decision to extend the contracts for Management and operation, supply of containers and transporting waste at the Dogsthorpe Householders Recycling Facility;
- Cabinet Member Decisions taken during the period 25 March 2010 to 1 July 2010.

### **Questions were asked about the following:**

#### Traffic Mitigation at Maskew Avenue

Councillor Jamil queried what actions could actually be taken to alleviate the traffic situation. Councillor Cereste responded that much work was being undertaken in the area including a new road system at the New England Triangle and officers were working hard to resolve the problems. Councillor Ash queried why the traffic problems had not been foreseen and why it had taken so long to take action to alleviate the problems. Councillor Cereste advised that Councillor Hiller would provide a written response to all Members.

#### Outcome of Petitions

Petition opposing allotment development on park land between Hallfields Lane and Gunthorpe Road; and Petition opposing allotment development at Werrington Paddocks - Councillor Sandford queried whether the leader would make a commitment that the two sites mentioned were unsuitable in the response to the hundreds of signatories on the petitions. Councillor Cereste advised that this could not be done. Councillor Sandford further queried the council's commitment to Environment Capital status if open space was

to be taken away against local demands along with the removal of trees and shrubs across the city. Councillor Seaton advised that the council was committed to Environment Capital status and that he had visited 8 potential sites that day to determine future allotment use. Councillor Seaton further advised that objectors living near to one of the proposed sites supported the development of the other site for allotment use and vice versa.

On a point of information Councillor Cereste advised that Councillor Sandford's claim that the council was constantly removing trees was incorrect. Councillor Cereste requested that the appropriate officer advise Councillor Sandford of the number of trees that the council had planted over the last few years.

On a point of information, Councillor Fitzgerald advised that the trees being removed around the new hospital site would be replaced and replanted as previously agreed with the developer of the site.

On a point of information, Councillor Lee advised that he supported the agreement with the hospital developer that two trees would be replanted for every one removed and this should appease Councillor Sandford's concerns.

## **7. Council Business Time**

### **7(i) Committee Recommendations**

#### **a) Report from the Strong and Supportive Communities Scrutiny Committee – Designated Public Places Order**

Councillor Walsh introduced and moved the recommendations in the report. This was seconded by Councillor Todd. A debate was held on the report and the main issues raised included:

- Many shops in residential areas have been awarded alcohol licenses;
- Difficult to refuse applications as refusals must be on licensing grounds;
- Other areas of the city could benefit from this but must ensure the order is properly enforced;
- Support government suggestions to review licensing laws as too many licenses are awarded in residential areas;
- Must ensure shops do not sell to underage customers and drunk customers;
- People now seen drinking alcohol at all times of day in the streets of Peterborough;
- Cabinet will lobby government for local views to be included in representations against licence applications;
- The report should be corrected to refer to the correct areas of the city as Woodston is mentioned in some parts of the report in place of Fletton;
- A city wide order is not possible but orders can be applied to individual areas;
- Enforcement actions should be monitored.

Council **AGREED** to the recommendations in the report.

#### **b) Report from Planning and Environmental Protection Committee – Proposed Changes to Constitution**

Councillor Lowndes introduced and moved the recommendations in the report with the following additions (text to be added is underlined):

1. Addition to page 27 at end of new paragraph 9.4, (proposal relates to Written Representations to be read out on behalf of Ward Members) as follows:

“If a Ward Councillor is unable to attend the Committee and submits representations in writing such representations may be read out at the Committee provided that the written representations are no more than 300 words and provided that there is sufficient time following speeches from Ward Councillors present at the Committee (i.e. within the 10 minute time allowed for speeches from Ward Councillors and Parish Council Representatives).”

2. Amend page 26 within additional paragraph 9.3 (proposal relates to Rights of Parish Council Representatives to address the Committee) as follows:

“The time allowed for speeches from Ward Councillors and Parish Council representatives will not be more than ten minutes in total unless the Committee decides on the day of the meeting to extend the time allowed ...*continues...*(*plus consequential amendments*).

This was seconded by Councillor Winslade.

Council **AGREED** to the recommendations in the report as amended above.

## **7(ii) Notices of Motion**

### **1) Motion from Councillor Sandford**

Councillor Sandford moved the following motion and accepted an amendment from Councillor Collins shown below:

That this Council:

- (i) Welcomes those measures in the new Government’s coalition agreement which will be of benefit to the people of Peterborough, including the following specific points:
  - (a) A radical devolution of power and greater financial autonomy to local government and community groups, including a review of local government finance;
  - (b) Abolition of Regional Spatial Strategies and return of decision-making powers on housing and planning to local councils, including giving councils new powers to stop ‘garden grabbing’;
  - (c) A reform of the planning system to give neighbourhoods far more ability to determine the shape of the places in which their inhabitants live;
  - (d) Abolition of the unelected Infrastructure Planning Commission and replacement with an efficient and democratically accountable system that provides a fast-track process for major infrastructure projects;
  - (e) Creation of a new designation – similar to Sites of Special Scientific Interest (SSSIs) – to protect green areas of particular importance to local communities;
  - (f) Measures to bring empty homes into use;
  - (g) Phasing out of the ring-fencing of grants to local government and reviewing the unfair Housing Revenue Account;

- (h) Giving all councils a general power of competence;
  - (i) Banning the use of powers in the Regulation of Investigatory Powers Act (RIPA) by councils, unless they are signed off by a magistrate and required for stopping serious crime;
  - (j) Allowing councils to return to the committee system, should they wish to;
  - (k) Abolition of the Standards Board regime;
  - (l) Tougher rules to stop unfair competition by local authority newspapers;
  - (m) New powers to help communities save local facilities and services threatened with closure, and give communities the right to bid to take over local state-run services;
  - (n) Implementation of the Sustainable Communities Act, so that citizens know how taxpayers' money is spent in their area and have a greater say over how it is spent;
  - (o) Cutting local government inspection and abolition of the Comprehensive Area Assessment;
  - (p) Requiring continuous improvements to the energy efficiency of new housing;
  - (q) Giving councillors the power to vote on large salary packages for unelected council officials;
  - (r) Measures to protect wildlife and promote green spaces and wildlife corridors in order to halt the loss of habitats and restore biodiversity;
  - (s) Launching a national tree planting campaign;
  - (t) Working towards a 'zero waste' economy, encouraging councils to pay people to recycle, and work to reduce littering;
  - (u) Significantly cutting the number of health quangos and giving every patient the right to choose to register with the GP they want, without being restricted by where they live;
- ~~(ii) Requests the Cabinet to co-operate with the Government in delivery of these aspects of its programme in particular, whilst at the same time retaining the right to raise legitimate questions and concerns about any proposed measures (for example reductions in grant) which may have a detrimental impact on the City or its residents.~~

**Delete paragraph (ii) above and replace with:**

- (ii) Requests the Cabinet to support the positive proposals of the new government where those policies are in the best interests of the people of Peterborough whilst retaining the right to challenge any proposed measures that have a detrimental impact upon the city and its residents.

This was seconded by Councillor Collins.

Following debate, a vote was taken and the Motion was **CARRIED**: 29 in favour, 8 against, and 5 abstentions.

Councillor Swift queried what action would now be taken following the motion being carried. The Solicitor to the Council advised that it would be for Cabinet to determine how to progress the measures in the motion.

## **2) Motion from Councillor Goldspink**

The Mayor advised Council that Councillor Goldspink had withdrawn his motion.

## **3) Motion from Councillor Jamil:**

Councillor Jamil moved the following motion:

That this Council:

- (i) Recognises that the increase in VAT from 17.5% to 20% announced in the Government's June Budget will fall hardest on those least able to afford it and that it will lead to higher prices for goods and services, resulting in a disproportionate impact on pensioners and other low income groups and a severe impact on businesses, charities and community groups in Peterborough;
- (ii) Acknowledges that the effect of the increase in VAT, when taken with other measures in the Budget, will be unfair to pensioners, who have not had a compensatory increase in other benefits and allowances;
- (iii) Acknowledges that the way the VAT increase will affect pensioners and other low income groups runs counter to the Government's Coalition Agreement statement on 20 May 2010 that it would 'ensure that fairness is at the heart of those decisions so that all those most in need are protected'.
- (iv) Notes that the Institute of Fiscal Studies has stated the VAT increase was not 'unavoidable', as the Chancellor of the Exchequer said in his Budget speech.
- (v) Asks the Leader to write directly to the Chancellor of the Exchequer, raising the Council's concern about the impact of the proposed VAT increase on pensioners, other vulnerable groups and businesses in Peterborough;
- (vi) Calls on both Members of Parliament representing Peterborough to stand up for Peterborough's pensioners, businesses, and wider community to voice their opposition to this unfair increase in VAT and to vote against it in Parliament.

This was seconded by Councillor Khan.

Following debate, a vote was taken and the motion was **DEFEATED**: 5 in favour, 35 against, and 2 abstentions.

## **7(iii) Reports and Recommendations**

### **a) Peterborough Core Strategy – Recommended Changes to Gypsy and Travellers' Policy**

Councillor Cereste moved the recommendations in the report that Council:

1. Authorises officers to submit to the Inspector currently testing the soundness of the Peterborough Core Strategy, the recommended changes to Gypsy and Travellers policy as contained at Appendix 2 of the report; and

2. Authorise officers to undertake public consultation on the proposed changes should it be necessary and prudent to do so, following consultation with the Inspector.

This was seconded by Councillor Lee.

Council **AGREED** to the recommendations in the report.

#### **b) Annual Report of the Standards Committee**

Councillor Todd introduced the report on behalf of the independent Chairman of the Standards Committee. There were no movers of the recommendations in the report.

Cllr Sandford moved the following recommendations:

That Council:

1. Notes the work carried out by the Standards Committee;
2. Agrees with Government's intention to abolish the current Standards Board Regime; and
3. Agrees that the Standards Committee reduces its number of meetings so that it only meets to fulfil its statutory responsibilities until further legislation is passed

Councillor Shaheed seconded the motion.

Following debate, a vote was taken and the recommendations from Councillor Sandford were **CARRIED**: 31 in favour, 1 against, and 6 abstentions.

#### **c) New Executive Arrangements and Possible Changes to Electoral Cycles under the Local Government and Public Involvement in Health Act 2007**

Councillor Cereste moved the first of two recommendations in the report:

1. That having regard to the requirements of the Local Government and Public Involvement in Health Act 2007, the Council:
  - a) Consults the public over the introduction of new executive arrangements during the period up to 30 September 2010;
  - b) Undertakes that consultation at minimal expense to the public, primarily using the Council's website, in view of the intention of the new government to introduce further legislative changes;
  - c) Confirms that, subject to the representations received from the public during the period of consultation, the Council's preferred option is the new style, strong leader and cabinet model, as this model is the most similar to the Council's existing arrangements and can be implemented with the least disruption until such time as the new government announces its proposals; and
  - d) Receives a further report after the conclusion of the consultation period to enable it to take a formal decision over the introduction of new executive arrangements before the statutory deadline of 31 December 2010.

Councillor Lee seconded this and reserved his right to speak.

During debate the Solicitor to the Council advised that the legislation being followed gave a deadline of 31 December to select the preferred model and advice from government office was that consultation must be undertaken and that minimal cost could be used.

Councillor Cereste advised that in addition to a consultation on the Council's website, an advert could also be placed in the local newspaper.

Following debate a vote was taken and the recommendation was **CARRIED**: 35 in favour, 3 against and 4 abstentions.

Councillor Cereste moved the second recommendation:

2. That the Council confirms that it will not be making any changes to its electoral cycle.

Councillor Lee seconded this and reserved his right to speak.

During debate the Solicitor to the Council confirmed that if Council determined that no changes were to be made to the electoral cycle then no consultation would need to be carried out for this. Following debate a vote was taken and the recommendation was **CARRIED**: 38 in favour, 3 against and 1 abstention.

#### **d) The Petitions Scheme**

Councillor Seaton moved the recommendation in the report:

That Council approves the Petitions Scheme and authorises the Solicitor to the Council to update the Constitution accordingly.

Councillor Sue Day seconded this.

Councillor Miners moved an amendment that the requirement of petitions to have a minimum of 25 signatories, as noted in paragraph 3.3 of the report, be amended to only 3 signatories needed for submission of a petition. Councillor Lee seconded the amendment.

Following clarification that the only figure to change in the report would be the number of signatories required for submission of a petition and that the numbers for holding an officer to account (250) and the number required for debate by full Council (500) would remain the same, a vote was taken and the amendment was **CARRIED**: 36 in favour, 4 against and 2 abstentions.

Council **AGREED** to the substantive motion.

#### **e) Membership of the Planning and Environmental Protection Committee**

Councillor Cereste moved the recommendation in the report:

That Council approves the appointment of Councillor Burton to the Planning and Environmental Protection Committee.

As noted in the report, the appointment of Councillor Burton would be in place of Councillor Benton in respect of one of the seats allocated to the Conservative Group on the Planning and Environmental Protection Committee.

Councillor Lee seconded this.

Council **AGREED** to the recommendation in the report.

The Mayor  
18.30 – 20.50