

COUNCIL MEETING – 13 OCTOBER 2010

**QUESTIONS AND ANSWERS**

Questions were received under the following categories:

**AGENDA ITEM 6 - COMMUNITY INVOLVEMENT TIME**

**6. (i) Questions with Notice by Members of the Public**

None received.

**6. (ii) Questions with Notice by Members of the Council relating to Ward Matters and to Committee Chairmen**

**1. Councillor Fower asked the Cabinet Member for Resources:**

How many people in the Werrington and Gunthorpe ward currently pay their Council Tax by credit card and does the Cabinet Member support the use of credit cards to pay Council Tax?

**The Cabinet Member for Resources responded:**

The number of council tax payments for Werrington and Gunthorpe made by credit card during current financial year 109 - that is 1.06% of all accounts for area. Where a credit card payment is shown on an account, it does not automatically mean the council tax payer makes all payments that way.

I support the use of credit cards, although debit card payments are very much preferred due to the increased cost of processing credit cards: credit card - 2% of the value of the transaction, compared with debit card of 20p per transaction. The Council's overall preferred method of payment for council tax is direct debit, which is by some distance the most cost effective, secure and efficient method of collection and is easy to set up as it can be done electronically or over the phone. 63% of all council tax payers currently use this method, and around 60% of council tax payers in Werrington and Gunthorpe areas use this method.

**Councillor Fower asked the following supplementary question:**

In the present financial situation that many people outside this Town Hall find themselves in, I do not think it sensible, or that the practice should be encouraged, for the use of credit cards to pay debt as this simply puts people back into debt and it has been noted by the Cabinet Member there is the additional charge which is the highest level, so financially and socially I don't believe it makes sense.

**The Cabinet Member responded:**

My personal opinion is that it is sensible for any person to pay off their credit card every month in which case there is no impact.

**2. Councillor Ash asked the Cabinet Member for Resources:**

I note that the Council is considering demolishing the public toilet block on the corner of Welland Road and Dogsthorpe Road and although now run-down, this block has in the past been well maintained and, like the one at Eastfield Cemetery, has provided much needed facilities to the public.

I believe that to lose both blocks, particularly the one at Eastfield, will be a great inconvenience to the public.

Can the Cabinet Member assure me that he is not shunning vulnerable people and making it difficult for anyone who may be in urgent need of these facilities? Has the provision of toilets at these sites been seriously considered and can we be assured that visitors to the cemetery will not be inconvenienced?

**The Cabinet Member for Resources responded:**

In respect of the Eastfield Cemetery (Newark Hill) toilets, a survey was carried out from which it was identified that for a whole week the facilities were used by a total of 142 persons of which 15 were women.

At present, indicative prices are being obtained for the demolition of the Welland Road / Dogsthorpe toilets (also known as Bluebell Toilets). These were closed in April 2010, along with those at Eastfield Cemetery, as part of the Council's decision to close six public conveniences across the city as part of the Council's cost and efficiency measures.

All the toilets closed were in need of substantial refurbishment and they did not comply with the Disability Discrimination Act requirements for access. The state of the toilets made it very difficult to keep the cleanliness to a standard that was acceptable to members of the public. I can also inform Councillor Ash that the properties are not currently being marketed for sale by the Growth Team.

**Councillor Ash asked the following supplementary question:**

If the Cabinet Member is not going to refurbish these toilets, then is he not shunning those people wishing to use the facilities?

**The Cabinet Member for Resources responded:**

Representatives of the local neighbourhood who expressed concerns over the decision to close these facilities were offered the opportunity to take responsibility for the opening and running of the toilets in accordance with the Government's policy of community engagement and leadership, but they declined to proceed. However, if Councillor Ash is willing to lead a group in the community to look at re-opening the facilities and maintaining them, I would be very happy to speak with him.

**6. (iii) Questions from Members to Representatives of the Police / Fire Authorities**

**1. Councillor Sanders asked the Council's representative on the Police Authority:**

Will Cambridgeshire Police Authority, under the current financial restrictions, consider reverting to a shared service with Norfolk to enable there to be extra financial resources available for front line policing?

**Councillor Fitzgerald responded:**

The Authority took the decision (in 2005) to set up its own Executive Team because the previous shared service with Norfolk was felt to be remote and as a result the Authority's ability to hold the Chief Constable to account was not as effective as it might have been. Since that time, the Authority (and Force) has improved its performance and this is evidenced by audit and inspection activity.

The Authority's operating costs are around 0.7% of police spending in the current year and the Authority has already identified savings of 10% from its operating budget towards the current cuts target of £30m over the next four years.

In 2012 it is expected that Police and Crime Commissioners will be in place.

In light of the above there are no plans to consider returning to a shared service with Norfolk.

## **AGENDA ITEM 7 – EXECUTIVE BUSINESS TIME**

### **7. (i) Questions with Notice from Members to the Leader and Members of the Executive**

#### **1. Councillor Sanders asked the Cabinet Member for Housing, Neighbourhoods and Planning:**

With reference to the current research project 'Working with Rural Communities' that is being conducted by a consultant, could the relevant Cabinet Member please inform myself, and also Thorney Parish Council, of the cost of this consultant's services and does the Cabinet Member feel that it is a good use of the City Council's resources in the current economic climate?

#### **The Cabinet Member for Housing, Neighbourhoods and Planning responded:**

The 'Working with Rural Communities' project is an important piece of work which will help to define a practical, workable way of ensuring that communities in Peterborough's rural areas are able to influence the Council's decision-making in line with the principles of the Big Society. We believe that this consultant's expertise in rural issues, outlined in his recent letter to rural Ward Members, will help to deliver this ambition.

The project supports a review of the relationship between Parish Councils and Neighbourhood Councils that is already underway, and is essentially a research project that will also make recommendations where appropriate. Councillor Sanders may be aware that his ward, as well as my own ward's Neighbourhood Council, may well undergo a transformation in the way it relates to the people it serves and I am looking forward to the consultant's research contributing to that review.

The work is being carried out for us by Richard Inman who is an employee of Government Office East. His work in Peterborough is being carried out at absolutely no cost to PCC, including travel or expenses costs, so I do think it is good value to tax payers, especially rural tax payers, such as the people of Thorney.

#### **2. Councillor Murphy asked the Leader:**

How important does the Leader feel it is for all Councillors to steer clear of any possible conflicts of interest when carrying out their duties as a Councillor, with the Government stating that they will make this a criminal act?

#### **The Leader responded:**

At present Councillors are required to follow a Code of Conduct, which sets out quite clearly when they must register and declare their interests. The government has stated its intention to abolish this Code, along with the Standards Board regime that accompanies it.

The government has said, and I agree with them, that the Standards Board regime ended up fuelling petty complaints and malicious vendettas. If a Councillor behaves

ineffectively or irresponsibly, that is a matter for the electorate, not for a Standards Committee.

The government intends to legislate to deal with the more serious matters, to ensure that if a Councillor is corrupt and abuses their office for personal gain they will be dealt with in the criminal courts.

Under the new system I believe that there will still be a requirement for Councillors to register certain personal interests in a publicly available register; this could include anything that could reasonably be regarded as likely to influence or affect their actions or conduct when on business for the authority or voting.

Answering your specific question, I don't believe it's necessary for Councillors to steer clear of any potential conflicts of interest. I believe that both under the current system, and under any new system introduced, what is necessary is that Councillors clearly understand the obligations on them, and ensure that they apply them intelligently, taking advice where necessary. Councillors should not be so cautious that they cannot operate effectively in the role to which they were elected, but nor should they be reckless about their obligations. As with so many issues in life, those who are successful are those who fully understand all the risks associated with their actions, and behave accordingly.

**3. Councillor Goldspink asked the Cabinet Member for Environment Capital:**

How is the Council ever going to achieve its policy objective of having Peterborough crowned the Environment Capital when none of the officers, consultants, specialists or partner agency employees involved can tell me what objectives we must meet, by when, and who is responsible for delivering each, to reach that goal?

**The Cabinet Member for Environment Capital responded:**

Peterborough has been focused on 'creating the UK's Environment Capital' since the publication of the Sustainable Communities Strategy in 2005 and there is significant partnership working around this ambition. As a city we have a track record which evidences our environmental credentials - one of Four UK Environment Cities, one of three Sustainable Travel Demonstration Towns (branded locally as TravelChoice), a Zero Waste Place, Gold winner in Britain in Bloom and a whole host of environmental awards and plaudits. The Council's response is delivered through a wide range of policies and strategies including the Biodiversity Strategy, Waste 65+, Local Transport Plan and so on. Others, such as the Trees and Woodland Strategy and Open Space Strategy are under development. Each of these documents contains a wide range of outcomes and targets against which performance is measured. In addition, the City Council is currently working with GPP partners to produce a Single Delivery plan for the city. The document, due for publication early next year, will contain a range of outcomes and measures to move us towards our goal of becoming the UK's Environment Capital. We are not there yet.

What our Environment Capital ambition *has* achieved is the galvanising of support and activity from all sectors and a widespread recognition locally, nationally and internationally that the Council and its partners are focussed on a single and very powerful vision. In reality, we will only achieve our goal when the majority of local residents, business and visitors to the city see Environment Capital as bringing about tangible improvements for them. Creating the UK's Environment Capital is about actions, not words, and it is a challenge that the city has set for itself and calls on everybody in the city to collaborate to make Peterborough a better place to live, work and play.

**Councillor Goldspink asked the following supplementary question:**

I would like to thank Councillor Dalton for this full answer and indeed I had a briefing on this matter from two officers yesterday, which was very helpful. I am however concerned about people locally understanding what this is about and would ask what the Cabinet Member thinks needs to be done in order to ensure that the message gets across to the population of Peterborough so that there is an understanding of what we are trying to achieve and that it is people's personal actions that will make the change happen.

**The Cabinet Member responded:**

We are putting together a single delivery plan for the city and have been quite bold in setting out key actions and how we will deliver. Simply put, our priorities are to increase the level of environmentally active citizens and employers. We need to ensure that people consider what they can do on a personal level to help Peterborough deliver this ambition.

**4. Councillor Sandford asked the Leader:**

Will the Leader of the Council make a statement on the current situation regarding Peterborough's proposal for a Local Enterprise Partnership?

Some Councils carried out public consultation in advance of submitting proposals. Could he tell us why this did not happen in Peterborough and why no cabinet member decision notice was published authorising the proposal?

**The Leader responded:**

Peterborough, like other local authorities was asked to submit a case to Ministers on 29 June 2010 – time was limited: we were given until 6 September to build a comprehensive case for the new Local Enterprise Partnership, something that was innovative and new and outside the usual scope of boundaries and something that we wanted Peterborough to play an active and important part in to deliver the sort of economic growth we need in our city. We have subsequently submitted an outline case to Government. The proposal is titled Greater Cambridge Greater Peterborough. This covers both Cities and their hinterland. For Peterborough this includes Rutland and King's Lynn, while early conversations have taken place with South Kesteven, South Holland and East Northamptonshire.

At present we do not know when we can expect to hear from Government. It is believed that some proposals will be asked to become formal LEPs in an advanced announcement over coming days. These are likely to be the country's major cities such as Birmingham and Manchester. Other LEP proposals, like ours are likely to be informed after the Comprehensive Spending Review. We do not currently know when the announcement about the Greater Cambridge Greater Peterborough LEP will be made. There is little clarity available at present.

Peterborough has conducted more consultation than most areas. Through Opportunity Peterborough we have been in contact with over 400 local businesses, this work has also been supported by the local Chamber of Commerce. The vast majority of responses have confirmed that working with Greater Cambridge will be of good economic value to our local economy. The consultation has been conducted via email and breakfast meetings. Many of our businesses have written to confirm their willingness to become formally involved in the LEP. As the LEPs are business

focused, there has been no requirement to engage more widely than the business community. Taking additional consultation forward would have been an expense that we could not justify at this stage.

The proposal made to Government is at this stage an early expression - if our proposition receives Government endorsement we will at this stage formally bring forward a LEP. At this point we will be preparing a Cabinet Member Decision Notice. To do so earlier would be premature, particularly with such a fluid process in place.

**Councillor Sandford asked the following supplementary question:**

The proposal emphasizes the brand of Cambridge and the high technology companies that it has. Could the Leader explain the rationale behind joining Peterborough up with Cambridgeshire, and isn't there a possibility that Cambridge will use Peterborough as a housing area to feed people into Cambridge?

**The Leader responded:**

It is possible that Cambridge may want to use Peterborough as a housing feed area into Cambridge. However, if that also means more jobs will be provided in our city, then so be it. I see nothing wrong with two cities working together and using their best qualities to their mutual advantage. Cambridge is an international brand, known for its innovation, its university and sciences and its diversity, so we should embrace its proximity to Peterborough.

**5. Councillor John Fox asked the Cabinet Member for Neighbourhoods, Housing and Planning:**

Following a question at Council in December 2009 concerning the possibility of providing a designated transit site for gypsies and travellers visiting the City, the Cabinet Member for Neighbourhoods, Housing and Community Development advised Members that a multi-agency Steering Group had been established to consider various issues facing the gypsy and travelling community and that this group had particularly identified the need for transit site provision in order to alleviate the problem of unauthorised encampments. Members were informed that a working group had been set up to look at how a transit site could be provided for gypsies and travellers passing through Peterborough.

Could the Cabinet Member please advise me of the progress made by this working group (including details of its membership and how many times it has met), the impact of the change in government on the Council's policy in respect of gypsies and travellers and whether a way forward has been identified in order to ensure that a transit site can be established?

**The Cabinet Member for Neighbourhoods, Housing and Planning responded:**

Progress made since the previous answer was given led to the Council submitting an application to Government to fund a new transit site. However, before it was approved the Council were informed that all applications were being placed on hold, and this remains the position at present. At the point the application was placed on hold the sub-group had met once.

Despite this, the Core Strategy commits the Council to finding and allocating a transit site and this supports the findings of the earlier working group. Details of this are contained in the Site Allocations DPD, which recommends a transit site at Norwood

Lane. The DPD has not yet been finalised, and so this is subject to change, Council sign off, consultation and Government inspection.

We will continue to actively attempt to allocate a transit site via the planning policy process. We have also now formed a working group to focus on Gypsy and Traveller issues, and this comprises representatives from elected Councillors, PCC officers, Police, Health services, the voluntary sector and the Greater Peterborough Partnership. The group was formed last year and meets bi-monthly and a list of members will be provided to Councillor Fox after the meeting.

**Councillor Fox asked the following supplementary question:**

Could the Cabinet Member advise me how many unauthorised encampments there have been this year, and the cost to the taxpayer of clearing up after these encampments?

**The Cabinet Member for Neighbourhoods, Housing and Planning responded:**

An estimated cost of dealing with unauthorised encampments from the initial visit to eviction, including clean-up costs is just less than £400. This year we have had 54 encampments; which therefore have a theoretical cost has been just over £20,000. I have said 'theoretical' as most of the cost is against officer time spent dealing with the issue which is in fact the time that officers are diverted from other duties rather than the cost of an officer dealing with just these matters.

**6. Councillor Fower asked the Leader:**

In light of the recent announcement by the Conservative Communities and Local Government Secretary Eric Pickles, calling on Council Chief Executives to cut their own 'ludicrous' pay by as much as 10 per cent, can you let me know which positions are the top ten paid within the local authority, how much they get paid, and whether there are any plans in place to request they take a cut in their pay?

**The Leader responded:**

If this is something that I can give you, I will let you have the information, although I believe that a lot of it is in the public domain anyway. As far as cutting salaries by 10% is concerned: if we had not done anything at all, then I would have some sympathy with that view, but if you look at senior managers' pay in this authority the top ten have not had a cost of living rise since 2008, didn't have more money in 2009 and are not getting more in 2010, so that is greater than 10% in real terms in their salary, and the chances are that they may volunteer not to take a cost of living rise in 2011. We are about to go through a really difficult time and are going to expect our officers to work longer, harder and be much more productive for the same or less pay. As an authority, it is all very well to say we listen to the 'soundbites' that say 'cut this and cut that', and 'this person is overpaid', but they say that about Councillors as well and would you say that Councillors are overpaid? In fact, our own independent panel tell us we're underpaid, but are we going to vote through a pay increase for Councillors next year? I bet we're not, so it should be remembered that the people we employ, we employ to do a good job and we are expecting them now to do a very difficult job and we can't then cut away even more when they've been as sensible and reasonable as they have been over the last 3 years.

7. The question from Councillor Ash to the Cabinet Member for Resources was raised under agenda item 6, 'Questions with Notice relating to Ward Matters' (Appendix A refers.)

**In accordance with time constraints outlined in Part 4 of the Constitution, Council Rules of Procedure, (Section 1, paragraph 14.2 refers) responses to the following questions were provided in writing after the meeting:**

**8. Councillor John Fox would have asked the Cabinet Member for Children's Services:**

When special needs children have a statement, can the relevant Cabinet Member confidently say that we as an authority are reviewing each and every child on a regular basis to assess their individual needs, bearing in mind that disabilities within children can change dramatically in such a short time

**The Cabinet Member for Children's Services may have responded:**

Yes we can. Each child has an annual review, which is a full and holistic review of their needs, progress and provision. Where a child or young person needs change significantly between reviews there are a number of processes which can be accessed:

1. The school can apply for additional hours – citing how the needs have changed and what extended provision is needed;
2. the school and / or parents can request an emergency review at any time;
3. we have a multiagency placement panel for children and young people with statements. This meets every 3 weeks and is a forum for discussing additional support for any pupil whose placement is at risk for any reason;
4. parents can contact the Parent Partnership Officer for advice and guidance;
5. Head of Inclusion is accessible to parents, school staff and other professionals.

For children and young people without a statement who may unexpectedly require support there is a process for applying for medical hours – supported by medical opinion – this has been used this year to support children with epilepsy, diabetes, a brain tumor, rehabilitation after an accident, and temporary disability due to broken limbs.

**9. Councillor Fower would have asked the Cabinet Member for Resources:**

In 2006, the City Council bought its offices at Bayard Place in an £8.25 million deal with the expectation to save the authority almost £1 million a year. Would the relevant Cabinet Member inform me how much has been saved so far, the details of the savings, and whether or not the Cabinet Member believes that buying the offices was then, and continues to be, an effective business decision and prudent use of resources by the Council?

**The Cabinet Member for Resources may have responded:**

The freehold of the property was purchased in 2004 using Prudential borrowing of £8.25m with a further £750k for remediation works to address water ingress. The property was purchased off-market at a competitive price with the option to dispose on

the market, which was buoyant at that time for a price estimated to be in the region of £10m.

The estimated savings at the time of purchase were based on the rental due up to the end of the lease term 31<sup>st</sup> January 2008. These amounted to £1,957,500 and were identified in the report to the Leader of the Council.

If PCC had continued to rent, assuming a 2% annual rental increase, a further £704,900 would have been due, giving a cumulative rental saving of £2,662,400 (2004 – 2010).

The cost of borrowing is estimated at £2,095,106 (this figure will vary dependent on the interest rates between purchase and current date).

Running costs would be the same irrespective of whether or not we owned or leased the property since the lease arrangement we had in place was a full repairing and insuring lease.

Although the cashable savings are small, the council owns an investment property in a prime city centre location of considerable value to do with as it pleases.

Had the Council not purchased the property at the time, the lease would have had to be renewed with a new landlord at potentially less favourable terms. The alternative was to relocate services from that building, which would have entailed finding suitable alternative accommodation, disruption and costs associated with moving, and PCC would have been obliged to return Bayard Place to the condition agreed at commencement of the lease.

**10. Councillor Goldspink would have asked the Leader:**

Can the Leader remind Council of what he said when answering my previous questions on the Council's policy and action on Westcombe (October 2009 and July 2010), and review his performance in adhering to his own promises, then tell me what is the Council's policy on Westcombe – keep it or dispose of it?

**The Leader may have responded:**

When Westcombe Engineering came back into the Council's control, the Council appointed an interim Managing Director in July 2009, with the brief to turn the business around, or, if that proved impossible, to prepare it for closure. A great deal of work has been done into reshaping the business, including introducing efficiencies and price reviews that were long overdue. As a result, trading figures have shown a marked improvement this year. Perkins were involved in the process, and this led to them having renewed confidence in the business, which they demonstrated by nominating Westcombe Engineering for a supplier award for achieving a 100% record in terms of quality and deliveries. This is a fantastic achievement, for which the business is to be congratulated. In fact, in recognition of the positive changes and the award received from Perkins, Westcombe Engineering was recently given an Excellence Award by the Chief Executive.

The improvements in Westcombe Engineering have been so impressive that it now has the support of its major customer, Perkins, and a viable future. As a result I am delighted to announce to Council this evening that it is intended that Westcombe will not be closed, and will remain part of the Council for the foreseeable future. The workforce and Perkins have been told of this today, and I intend to refer this matter to Cabinet in November for it to consider and formally overturn the previous decision

taken in 2007 to close the business. I am delighted with the progress that has been made since Westcombe came back into Council control, and congratulate all who have been involved in that success.

As to what I said in response to previous questions from Councillor Goldspink, I believe that the October 2009 question related to the report into Councillor Fletcher's complaints about the transfer of Westcombe to his management, and when I proposed to release the report about Councillor Fletcher's allegations. I said at the time that an action plan was being implemented to secure Westcombe's future as a supplier to Perkins, and most importantly to secure the future of the employees. I said then that excellent progress was being made on both fronts, and the result of that is the wonderful news that I have just given you about the current success of Westcombe.

As to the report, I said in October, and I repeat now, that issues have been dealt with, but I cannot comment publicly on any of the detail nor share the contents of the confidential report, because it details the acts and omissions of individuals on both sides, and I am legally constrained from doing so. I did undertake to share as much information as I was able to by the next meeting of full Council, and make as many details as possible available to the public at the earliest opportunity. I am as frustrated as you are at not being able to do this, but although considerable progress has been made, there are still some confidential matters being dealt with, and until they are concluded I have no choice but to respect the need to keep such matters confidential. I am satisfied that progress is being made as quickly as possible, and believe me, I will share what I can as soon as I can, because I would like to stop dwelling on the past, and allow Westcombe to move forward and celebrate its successes.

As to your question of July 2010, I can't tell you what I said in response to it, because as you will see from the minutes on page 24 of the Council agenda, you withdrew the question.

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